



Hamilton

- MINUTES -
COMMITTEE AGAINST RACISM
Tuesday September 25, 2012, 6:30 p.m.
City Hall, 71 Main Street West - Room 192

Present: Jovaune Rhodes, Tyrone Childs, Winston Morrison, Baldeep Virk, Yim Chung, Ashok Kumar, Nerene Virgin, Jessica Brennan
Also Present: Maxine Carter, Jennifer Mak, May-Marie Duwai-Sowa - City of Hamilton's Access & Equity Office
Regrets: Councillor Brian McHattie, Zafar Siddiqui, Taimur Qasim (on leave), Tanja Roglic (HWDSB), Roger Cameron, Amirah Hassan, Jaffar Hayat (Access and Equity Office)
Absent:
Guest: Jasbir Brar, Outreach Coordinator, Ontario Special Investigation Unit

Meeting was chaired by Vice-chair, Jovaune Rhodes

1. Welcome and Introductions

All were welcomed.

2. Declaration of Interest

None declared.

3. Review of Agenda.

Two items were proposed to be added under New Business. 8.1 Conference and 8.2 Hope in the Cities Presentation by D. Johnson.

N, Virgin / B. Virk

That the agenda be accepted with additions.

CARRIED.

4. Approval of Minutes July 24, 2012

J. Brennan/ N. Virgin

That the minutes of July 24, 2012 be approved as presented.

CARRIED.

5. Matters Arising From Minutes

5.1 Volunteer Advisory Appointments

Members inquired about the status of the recruitment of new members. M. Carter informed committee that the new members have been appointed and they will be attending the next meeting. If the committee members are still getting inquires for membership to the committee please forward their contact information to staff.

5.2 New Business- Hamilton Police Services (HPS)

It was noted that Zafar Siddiqui also attended the Hamilton Police Services Business Planning workshops and provided input on behalf of the committee.

6. Presentations- Jasbir Brar, Outreach Coordinator, Special Investigations Unit (SIU)

Purpose and Composition

Police Services Act Part V/VI/VII subsection 113(5)(7)(9), 267/10 regs.

The SIU is a civilian-based law enforcement agency, independent of police services, that conducts thorough and unbiased investigations. It was established in 1990 due to pressure from lobbying groups concerned with incidents between the Toronto police and racialized youth and from the high number of shooting incidents between the Toronto Police and black males.

There are 87 staff in total; 39 of whom are part-time. The majority of part-time staff are former police officers. Seventy of the staff are employed in investigations in which there are 14 full-time investigators who are peace officers (do not use force or carry firearms). Eight of the 14 full-time investigators are civilian while the remaining six are former police officers. In an investigative process there are three investigative supervisors and two forensic investigators.

The SIU investigates incidents involving municipal, provincial, regional police, and civilians resulting in serious injury, death, and allegations of sexual assault and reports to the Attorney General. By law, the chiefs of police must notify the SIU of incidents involving one or more officers. In addition, police services are required to preserve and protect the scenes of incidents to ensure that information and evidence is not tainted.

Laying Charges

If there is evidence that a crime has been committed, the Director must lay charges. In the case that there is no charge, a report is submitted to the Attorney General which is not shared with the public.

Once charges have been laid, reporting out is done where the Chief of Police, the complainant and their family, and the Attorney General are notified. As well a news release is made. Complainants and family members are referred to the Affected Person's Coordinator for referrals to assistance programs.

Diversity Training

Staff are trained in First Nations cultures and to investigate incidents involving First Nations peoples. In addition, training on different cultures is offered quarterly.

Questions and Answers

Q. Are investigators former police officers?

A. Yes because we need investigative skills and ability. However, former police officers are never assigned to incidents involving their former service.

Q. Will civilians be trained to replace the former officers as investigators?

A. No because we need the skill sets of former officers.

Q. How does the process work if there is a charge?

A. The SIU's Director lays the charges and the Crown Prosecutions builds the case.

Q. Is the Director a lawyer?

A. Yes but he/she is not appointed and has a private law background.

Q. Are applicants interviewed by a panel?

A. Yes, the interview is by a panel.

Q. Is there an age limit for staff?

A. No. The average age is 50 years.

Q. What is the percentage of incidents that end up being charged?

A. For statistics, CAR members were asked to look up the SIU's website.

Q. Do SIU investigators wear uniforms?

A. No, they do not wear uniforms.

Q. In the case where no charges are laid reports are prepared and sent to the Attorney General. Could these reports be accessed if there is a charge down the road to establish a pattern of behaviour?

A. No. Only reports for laid charges may be accessed.

Q. What is the diversity of the SIU team?

A. There are three First Nations persons, two persons of Jamaican descent, and one of Ukrainian descent.

Q. Have there been any racial discrimination allegations against the SIU?

A. Not recently.

Q. Are there ever incidents between white officers and non-white victims where the white officers do not get charged?

A. Usually more than 85% of the people involved in incidents have done something wrong. To further support, the information is also based on civilian witnesses.

Q. Is the SIU aware of the fact that the public perceptions that police investigating police would present obvious bias. Why would the SIU do this.

A. As I mentioned before we need to get the investigative skills that police officers.

Q. Does the SIU ever hear about an incident from the media?

A. Yes. However, in such a case, the incident is still investigated. The complainant has to be involved if a charge is laid.

Q. Are there statistics on whether the police are faster to pull guns on someone who is non-white?

A. There are no statistics on this because there are only about 300 cases per year and there are more white complainants.

Q. How do people hear/know about the SIU? Do you advertise?

A. No we do not advertise. Rather, we publicize the SIU through community groups and information sessions.

Q. Is your website offered in other languages?

A. No but we do offer our brochures in other languages such as Hindi, Urdu, Punjabi, Chinese, Tamil, and Tagalog.

Q. Does the general public need to know you exist?

A. Yes and to know that how we differ from the Office of the Independent Police Review Director (OIPRD), who handle public complaints against police.

Q. Does the SIU have the power to make systemic and/or policy change?

A. No. The Director cannot make or enforce such change and can only make suggestions.

Q. Do the SIU and the OIPRD communicate about incidents?

A. They can share overlapping cases.

Q. Does the SIU report once there is resolution on a charge?

A. No. The SIU only reports on the charge itself.

Q. What is the timeline for incidents to be reported?

A. There are no time limitations and the SIU aims to close cases within a 30-day period.

Q. Can the SIU make suggestions to the OIPRD?

A. Will have to check and get back to the Committee on this.

Q. How does the SIU promote public awareness?

A. Through Police Foundation courses, the Hamilton-Wentworth District School Board, teachers, word-of-mouth, service agencies, Ontario Council of Agencies Service Immigrants (OCASI), and immigrant and First Nations communities.

Q. How many female investigators are at the SIU?

A. There are four female investigators.

Q. Has the SIU been investigated?

A. The Ombudsman has conducted three investigations on the SIU.

Q. Do the investigations generate results?

A. Yes. Out of the 2008 Ombudsman's Review the Outreach Coordinator position was created.

T. Childs/W. Morrison

That the presentation from the SIU be accepted as presented.

CARRIED

T. Childs/J. Brennan

That staff invite a representative from the OIPRO to a future committee meeting to make a presentation.

CARRIED.

7. Business Items: Work Plan Reports

7.1 Report from the Chair

- Tabled. Chair was unable to attend meeting.

7.2 Sub-committee I – Symposium & Resource Centre

- The Committee changed the date of the consultation sessions from September 20 and 26 to October 23 and 29.
- Consultation session invitation letters and questionnaires have been sent to community partners via email and regular mail.

- 7.3 Sub-committee II – Participatory Democracy, Community Outreach & Anti-Racism Policies, and Racist incidents report & follow up**
- N. Virgin reported that she has been experiencing problems getting in touch with N. Farrell. She will continue to follow up.
 - J. Rhodes said that he received a report containing over 9,000 pages from Osgoode Hall on Bernie Miller case.
 - Steve Buist, of The Spec, wrote an article detailing the errors made in Miller's case; sub-committee II will contact Steve Buist to get more information
 - J. Rhodes will also contact Norm Williams, to get more information and report back to the committee.
- 7.4. Sub-committee III – Education, Training & Awareness Raising**
- Sub-committee III will have a meeting via teleconference.
- 7.5. Follow up Hamilton Police Services (HPS) 2011 Hate Crimes Report**
- Tabled.
- 7.5.1. Follow up- Hamilton Spectator**
- Tabled.
- 7.5.3. Coalition of Municipalities Against Racism and Discrimination**
- The report will be presented at the October 4 Audit, Finance and Administration Committee meeting to be referred to the General Issues Committee (GIC) meeting on October 17.
 - M. Carter will send the time of the GIC meeting to CAR members.
- 8. New Business**
- 8.1. Dr. Gary Dumbrill, School of Social Work, McMaster University**
- Dr. Gary Dumbrill is speaking at McMaster University on October 4 from 3:00 to 6:00 p.m. on "Racism: What it is, how it happens, who benefits and who loses.

W. Morrison/T. Childs

That N. Virgin attend the presentation and report back to the Committee.

CARRIED.

8.2 Hope in the Cities

- Hope in the Cities is a program of Initiatives of Change and a community-based and citizen-led initiative to build trust through honest conversations race, reconciliation, and responsibility in the community.

N. Virgin/W. Morrison

That the Committee invite Doreen Johnson, Chair of Hope in the Cities Hamilton, to speak at the next meeting.

CARRIED.

8.3 Resignation of Mimoza Kajtazi

Mimoza Kajtazi's sent her resignation to the Chair, Roger Cameron by email. She wished the committee well.

T. Childs/W. Morrison

To accept Mimoza Kajtazi's resignation from the Committee Against Racism.

CARRIED.

9. Information Sharing

10. Next Meeting October 23, 2012

11. Adjournment

N. Virgin/W. Morrison

Motion to adjourn.

CARRIED

The meeting was adjourned at 8:50 p.m.