



4. EXPERIENCE WITH POLICE SERVICES AND THE CRIMINAL JUSTICE SYSTEM

Overview

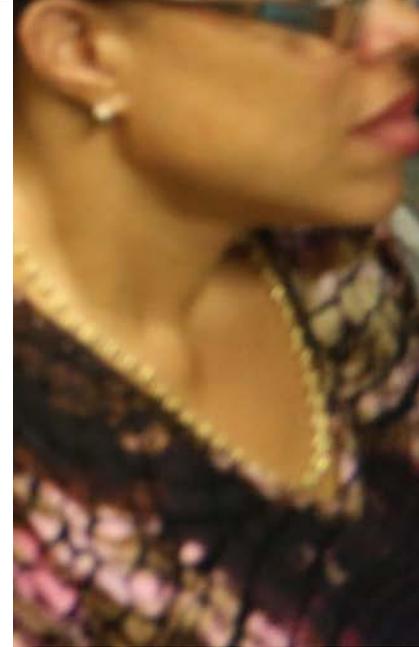
Most Canadians are able to take for granted the roles that the police and the criminal justice system play in upholding peace, order and good government, and in protecting their rights to safety and security. These institutions are counted on to provide: a) security by protecting both people and property from wrongdoing; b) justice by holding wrongdoers accountable for their actions while supporting the innocent; and c) equity by acting impartially and without prejudice, ensuring that, unlike citizens in many other countries, Canadians are not subject to the arbitrary or excessive exercise of state power.

Both historically and currently, Black people in Canada (along with other racialized groups and Indigenous Peoples) have not been able to take these things for granted. Their ability to experience security, justice and equity has been compromised by a much more troubled relationship with the police and the criminal justice system than that experienced by most other Canadians. While up-to-date data relating to racial bias within the criminal justice system is not available specifically for the GTA, the federal government's Office of the Correctional Investigator reports that, for the country as a whole, "the federal incarceration rate for Blacks is three times their representation rate in general society."³⁴ In Ontario, the issue

of policing came to a head after community protests leading to a review of Ontario's three civilian police oversight bodies. This review resulted in the release of a report chaired by the Honourable Michael H. Tulloch which noted that "[w]ithin Black communities, there is a prevailing perception that they have always been over-policed and targeted as criminals."³⁵

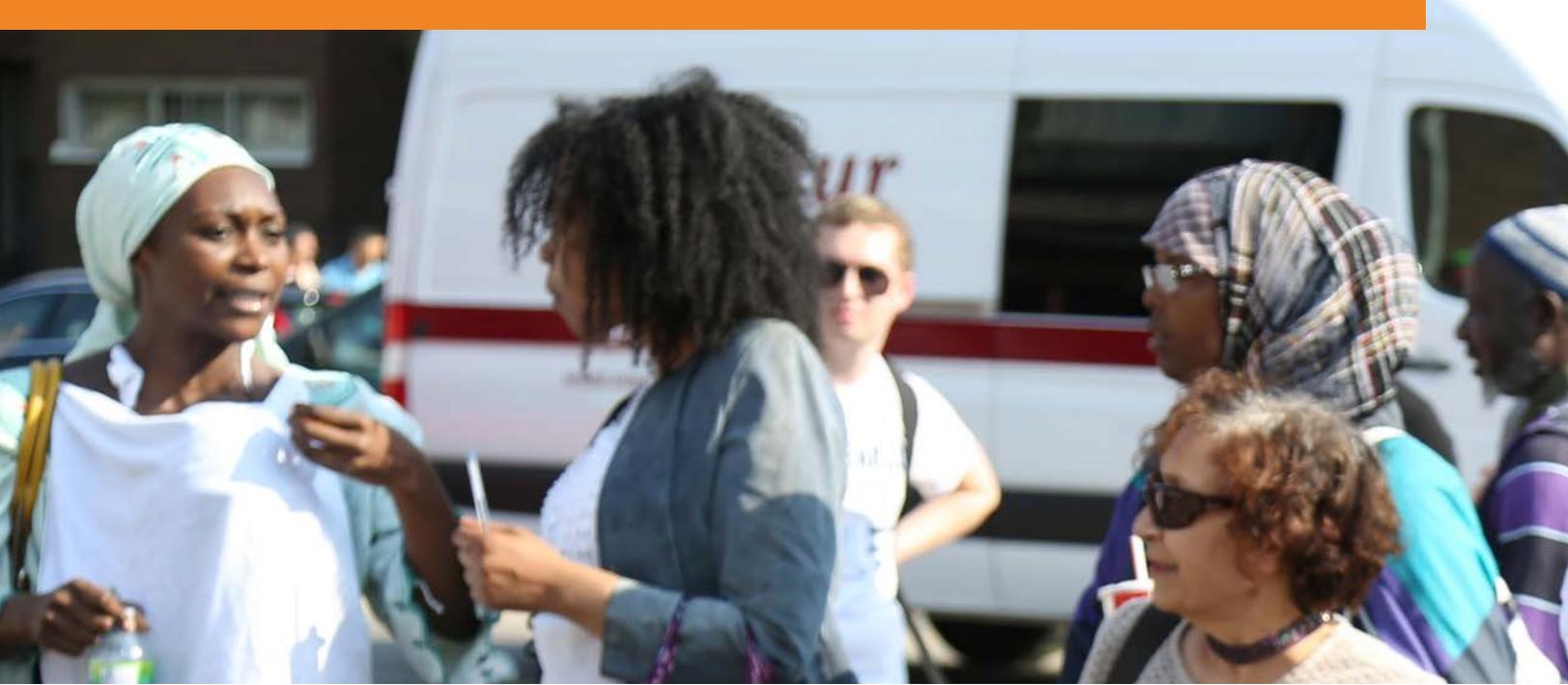
Ontario has seen a long and troubled relationship between the police and the Black community, particularly in the GTA. Issues of excessive police surveillance and police presence in largely Black neighborhoods, police brutality, carding, stops, search and seizures, numerous police killings of young unarmed Black men, and extra judicial and illegal drug raids are part of an important historical context. Numerous reports have concluded that racial profiling, systemic police bias and anti Black racism are key drivers for this systemic reality.³⁶

In this context, the BEP survey investigated the relationship between Black people in the GTA and the region's police forces and criminal justice system. It did so by focussing on two areas: a) the direct experiences (be they positive, negative or neutral) of BEP participants with the police and criminal justice system; and b) attitudes toward these institutions' performance in terms of protecting citizens and treating Black people fairly.



(25) Personal experience with police in community or GTA

Have you ever had an experience of ...?	Total %	Men aged 25 to 44 (%)
Getting stopped in public places by police	55	79
Socializing with police at social, cultural or official functions	53	64
Being helped by the police	44	39
Requiring police assistance	42	35
Being harassed or treated rudely by police	38	60
Being interviewed by police as a witness to an incident	36	44
Police not responding promptly when you need them	18	23
Being arrested	15	31
Police using force against you	11	24



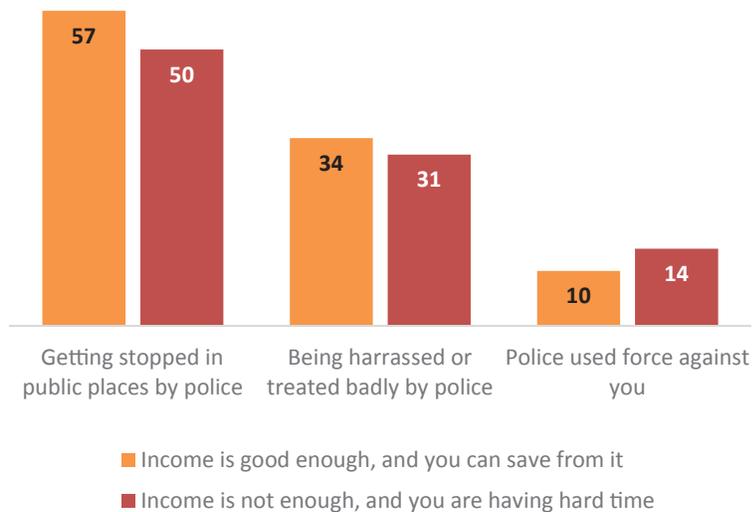
Key Findings

EXPERIENCE WITH POLICE SERVICES: A majority of BEP participants have had negative experiences with the police services in their community. In fact, BEP participants are more likely to have been stopped in public than they are to have been helped by the police. These negative encounters with police services – including ones involving harassment and the use of force – are irrespective of levels of education, income adequacy, or employment (see also Chapter 4).

More than half of BEP participants report having been stopped in a public place by the police, and almost four in ten say they have been harassed or treated rudely by police. One in two has also had the experience of socializing with the police at a social, cultural, or official function. Sizeable minorities report having required help from the police or receiving help from the police, although about one in five says he or she has had the experience of the police not responding promptly when they were needed (see Figure 25).

Men between the ages of 25 and 44 are especially likely to report negative experiences with the police; among this group four in five have been stopped in a public place by the police, three in five have been harassed or treated rudely by police, one in four has had the experience of the police using force against him or her, and one in five has been arrested. Only 16 percent of men between the ages of 25 and 44 say they have not had any of these four negative experiences with the police. The experiences of women ages 25 to 44 are quite different. They are much less likely than men in this age group to report having been stopped in public or harassed by the police, and are more likely to report having required police assistance and being helped by the police.

(26) Personal experiences with police by adequacy of income





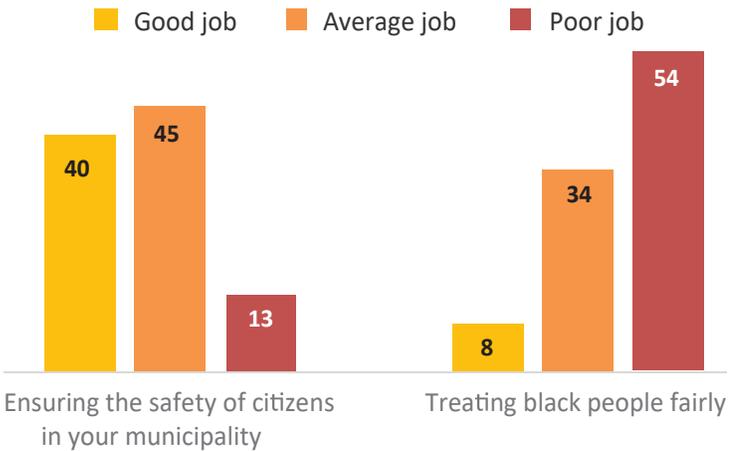
At the same time, as reported in Chapter 4, negative experiences with the police (with the notable exception of being arrested) do not vary much by socio-economic status. Black individuals who are more economically advantaged are just as likely to have such encounters as those who are more economically disadvantaged. Those with higher incomes and levels of education, for instance, are not noticeably less likely than average to have been stopped by the police in public, to have been harassed or treated rudely by the police, or to have had the police use force against them (see Figure 26).

In addition, the Black population is not neatly divided between those who have had only positive experiences and those who have had only negative ones. In fact, those who have had at least one positive experience are more likely to have had at least one negative one, and vice versa, suggesting that many Black people in the GTA experience a mixture of various types of interactions with the police.

A majority say their local police either does a good job (40%) or an average job (45%) of “ensuring the safety of citizens in your municipality.” However, more than half (54%) of participants say that they do a poor job of “treating black people fairly.” Fewer than one in ten (8%) says his or her local police force treats Black people fairly (see Figure 27).

This is consistent with the results of another question on the survey concerning the extent to which Black people in the GTA experience unfair treatment in dealings with the police because they are Black. There is a striking degree of consensus on this question, with almost nine in ten (87%) saying this unfair treatment happens frequently, and an additional one in ten (11%) saying it happens occasionally. Only one percent of participants say Black people in the GTA rarely or never experience unfair treatment in dealings with the police because they are Black. Given this extent of negative experiences, it may not be surprising that BEP participants have less confidence in the police than other citizens in Ontario.³⁷

(27) Performance of local police force



EXPERIENCE WITH THE CRIMINAL JUSTICE SYSTEM. More than half (56%) of BEP participants have had some form of personal involvement in the Canadian criminal justice system in the last 10 years. This is most likely to be as someone visiting people who are in prison or jail, as someone attending a public information or consultation session relating to the criminal justice system, as a witness to a crime, or as a victim of a crime.

One in ten BEP participants reports involvement with the criminal justice system as someone accused of wrongdoing in the past 10 years. This proportion is notably higher among Black men age 25 to 44, with one in four in this group reporting having been arrested, one in five saying they have charged with a crime, and one in ten having been imprisoned over this time period (see Figure 28).³⁸



(28) Personal involvement with criminal justice system		
Personal involvement in the Canadian criminal justice system in past 10 years	Total %	Men aged 25 to 44 (%)
Through public information or consultation session	26	34
By visiting people in jail	19	30
As a witness to a crime	16	21
As a victim of a crime	16	18
Working in a justice system yourself	10	8
Being charged with a crime	8	21
As a juror	4	2
Being in prison or incarcerated	4	11

Many BEP participants are critical of the criminal justice system’s treatment of Black people. Of those who have had contact with the criminal justice system (either as a witness to, or victim of a crime, or who had been arrested, charged with a crime or been imprisoned), only half (49%) say they had been treated fairly. And of those who say they had been treated unfairly (39%), most (71%) believe the unfair treatment was definitely because they are Black (see Figure 29).

(29) Treatment by the criminal justice system (those with personal involvement in past 10 years)





More focus needs to be put on positive interactions with the community... it feels like the police exert excessive force. Multiple police cars show up to simple traffic stops, etc. I often find that officers are unfriendly and menacing. They rarely smile or say "good afternoon." They only come around for negative reasons. Even at festivals and events they remain unfriendly. I don't feel comfortable when they are around even if I haven't done anything wrong. I feel like they make no effort to understanding cultural difference.

Partner more with Black community and come out and join us in the community. Not just on paper. Let's build a better relationship by getting to know us.

If given the opportunity, what one piece of advice or comment would you personally like to give to the Chief of Police in your Region?

Be aware of the different communities that you serve in your municipality. Require ongoing training for yourself and staff to form relationships with people outside their communities so they have an understanding on a personal level. Also understanding people of colour in general and review policing strategies and how they affect them.

Learn to see us as people and not hide behind the institution of the police... not everyone is to be treated suspiciously... something in their training that causes them to treat us with such lack of respect, dehumanizing ways.