

**16-12-01 – IPOR Kitchener**

[Start of recorded material 00:00:01]

Pamela: Good evening again, everyone. My name is Pamela Grant. I'm the facilitator and strategic advisor to the Independent Police Oversight Review. We are here in Kitchener tonight as our eighteenth stop. I'd like to welcome you all and thank you for your patience. We will be starting in a few minutes. Justice Tulloch will say a few opening remarks and my colleague, Danielle Dowdy, will take us through the evening's events, then I'll be back to facilitate us through the discussion that we're going to have for about 45 minutes tonight. But again, thank you and we really appreciate your patience and your time for being out this evening. So without further ado I will introduce Justice Michael Tulloch who is leading the review.

Michael: Thanks, Pam. I must first apologize to all of you for our late start . . . and, you know, join with Pam in thanking all of you for your patience, for waiting for us. Unfortunately we miscalculated the nature of the traffic coming in from Toronto from 3 o' clock this afternoon, that's when I left and it was a pretty rough ride. But anyway, I'm happy that we are here and I'm also appreciative that you've waited for us. As Pam has indicated my name is Michael Tulloch, a judge. A judge on the Court of Appeal for Ontario and been a judge for 13 and a half years. Before that I was a judge on the Superior Court of Justice. I'm here to speak to you tonight about oversight, civil oversight of police for the province of Ontario. Before I begin I would like to acknowledge that we are on the [unintelligible 00:02:32] track, traditional territory of the Anishinabe and the [unintelligible 00:02:39] peoples. These lands were the meeting place for several indigenous nations in the area. By acknowledging this we're acknowledging the importance and the significance of the traditions of our indigenous peoples.

Now, by way of background, on April 29<sup>th</sup> 2016, I was appointed by the provincial government to lead an independent review of three civilian agencies that oversee police in the province. They're the Special Investigations Unit, or what is called the SIU, the Office of the Independent Police Review Director, or the OIPRD, and the Ontario Civilian Police Commission, or the OCPC. Now, the SIU is a civilian law enforcement agency independent of the police which conducts criminal investigations into circumstances involving police and civilians that have resulted in serious injury, death or allegations of sexual assault. The OIPRD is a body that receives, manages and oversees public complaints about the conduct, policies and services of police in Ontario. And in addition, the OIPRD also has the power to examine systemic issues in policing and make recommendations to address them.

The third body, the OCPC, it's primarily an adjudicative body and its mandate, among other things, is to conduct hearings and adjudicate

related to police disciplinary decisions, budget disputes between municipal councils and Police Services Boards and disputes related to the provision of police services. The OCPC can also conduct investigations into the conduct of Police Services Board members and police officers. Now, I just want to speak of the overview of the process. So since my appointment at the end of April of this year I have assembled a diverse and expert team of lawyers, community workers and police personnel to assist me, some of whom are here with us this evening. They're seated to my right and to my left. Now over the summer and fall we have been engaging in a number of public and private consultations across the province.

As our consultations draw to a close in the coming weeks I intend to draw, and what I've learned to write a report with recommendations to enhance the transparency, accountability and efficacy of the oversight bodies. And that report will be submitted to the government and to the public at the same time next spring. Now, this review is an independent review, and what that means is that I'm free to critically examine how these oversight bodies operate. Meeting with you members of the public is a crucial part of that process. I'm grateful that you have taken the time to meet with me today and I appreciate that speaking about – for some people, speaking about some of these issues may be difficult. However, it is essential that a review of this kind be as thorough as possible and that as the independent reviewer I consider all relevant information from a variety of perspectives. What I can assure you is that I will do exactly that.

So as long you participate and offer me your perspective you can be assured that you will be heard. So again, I want to thank you for coming out tonight to share your thoughts, experiences and recommendations and I look forward to hearing from you during the course of the discussions. Thank you.

Danielle: Good evening everyone. I'm just going to run through some things really quickly and then we'll get started. So just as a disclaimer, we want to be really clear that we want to hear your stories and your experiences are very important, but we won't be assessing or reopening cases that have already been decided by any of these bodies. Your stories are very important to us for context and the shaping of these recommendations and for shaping of the report. But just so that we're clear we won't be reopening or revisiting or rejudging any past cases. So the way this works, this introduction will only be a few minutes, then we're going go right into a round-table discussion. So everyone should have questions at the table, we're going to ask you to just work through those questions and write out your answers and that's about 45 minutes and following that we're going to ask you to share the discussions that you had with us.

We'll pass the microphone around and get your recommendations, your thoughts on the questions and anything else that you want us to know and following that there's a bit of an open mic, so if there was

something that wasn't captured that you want the team to know or to hear, that's also your opportunity. We are on social media and so we'll be live tweeting. I'll be live tweeting and taking pictures. Also, Peter Rehak, he's the gentleman there, you can just wave. He's also taking photos that go up on our Instagram account. If you want to follow us along or contribute to the discussion, we're at IPO Review and we're tweeting under the hashtag #BeHeardON, O-N for Ontario. We're also recording this meeting. All of our meetings are recorded and they're on our website – Well, not all of them, but they will be, because some of them are being edited right now, but if you want to have a look at the meeting in the coming weeks you'll be able to find it there.

Dylan, he's one of our AV guys, he's the one that's recording. If at any time you're speaking and you don't want to be seen or you don't want to be captured, it's not an issue, just let us know and Dylan will cut the camera at that point. Also, if there's any French speakers here tonight, [French]. And I believe that's it. So thank you again for coming, we really appreciate having you here.

Pamela: Okay. Thank you, Danielle, and thank you Justice Tulloch. There are a few people that are sparsely populating tables, as in singular. Not meaning to point you out, but if you'd mind coming up to join these wonderful people at this table and – or joining the two gentlemen behind you, either way. I had said before that we would go with three as critical mass so I will stick to that. And just a reminder there is the long foolscap sheet, if you haven't already signed it and put your email address, so that you can have a copy of the report when it is released, please remember to do so. I will give you some time checks and be circulating the room over the course of the next 45 minutes so that we can answer any questions you may have, but mostly it's up to you to have the discussions in your own unique way and then as Danielle has said we will pass the mic around to each table and each table will have five minutes initially to give us a synopsis or the highlights of the conversation and the discussion that you had.

And then once we've gone around once, we will pass the mic again to any individuals who have something to add or want to make a point that has not been made, or recommendation that has not yet been heard or made, okay? So the 45 minutes starts now. Our time is up. We'll start now. Are you ready, Richard? Okay, I'll be right over.

Richard: Hi everyone. Can everyone hear me okay? So my name is Richard. I'm not affiliated with any group, I'm just a concerned citizen. I'm mainly going to be speaking on behalf of Greg Thornton here today. I myself don't really have much experience with the police so I feel that my voice isn't exactly necessary, but I will be speaking on behalf of everyone here in the group mainly, but mainly being Greg. Do you want me to just go through question by question and . . .

Pamela: You have five minutes, Richard. You can use it as you see fit. You're the first speaker, so you're the first to have a chance to address all of

those issues that you discussed that you are wanting to get out there first I guess.

Richard: Okay, in five minutes I think what we can establish is that we feel as that there's a lot that really needs to be done in terms of reform and we are hoping that the review by the IPOR can definitely help in attaining legislative reform. Mr Thornton here had a number of experiences with the police and I can also speak as a concerned citizen that after the shooting of Beau Baker there were a number of concerns in the community about the SIU's kind of openness, the openness of the Waterloo Regional Police and how they conducted the investigation, how the SIU conducted its investigation and so I think there are a number of concerns that definitely need to be addressed. I'm going to start with question number 5 and just kind of continue very quickly through them. Do we think that Police Oversight Agencies are open enough about their investigations? Our answer is no.

The SUI, when after the shooting of Beau Baker, there were a lot of accusations and complaints that the SIU was actually so close-circuited that we could not even obtain the name of the police officer and since the police officer was put back on duty, very soon after the shooting. We didn't know if there was an officer who might have post traumatic stress disorder for example, who was out on the streets and who might've been suffering through a number of things after the shooting and could become a threat to community safety and public concern. So we feel that the SIU definitely, as an Oversight Agency, is not open enough and we do believe that there needs to be more openness in their kind of sharing of information. It's also likely that the OIPRD and the OCPC are not quite open enough, but just for the sake of time, we're just going to focus on the SIU in that regard.

Question number 6, how do we think that we can improve on the sharing of information? We do believe, and this also ties into question number 7, that police officer names should be shared. However, there should be an invest – or not an investigation, but research conducted into the sharing of officer names and whether or not that results in any type of repercussion or not. So for example in the United States when there is a [unintelligible 00:14:56] of police shootings 2014 onwards, it started getting publicly covered. I cannot remember, and I did keep up with almost all of those cases, any incidents in which an officer faced violent retaliation, except in the case of Kelly Thomas who was killed by multiple police officers in San Francisco I believe was where that happened. The officer was chased out of a restaurant, but that's about the only known incident that I can speak on in that regard. I did not see any other incidents of that, but research should be done to ensure that this is backed up by data and that we're not just throwing this idea out there as something that might actually not work out well enough.

So in regards to what else in terms of information sharing, we do believe that a number of reports should be shared on the status of the investigation, there should be much more regular postings from the SIU

about the status of the investigation. They really didn't give too many updates during the process of investigating Beau Baker's shooting. There should be kind of much more timely updates, monthly or bimonthly into what is going on, where they stand in the investigation and so on. That doesn't mean that those are necessarily the most transparent but I certainly believe, I think it would be fair to say that regular updates for the public are important so that we're not waiting for long periods of time for information and not really knowing what to do in that regard. In regards to question number 8 under Transparency and Accountability, should former police officers work as investigators at the SIU, OIPRD or OCPC? Greg and I here do not believe that former officers should be working at these institutions.

Even just for reasons of personal connections that they've maintained and potential for bias and conflicts of interest. We do believe that these investigators need to be hired from outside the realm, even if they are still kind of legal practitioners and things like that, that they should not be former police officers in any regard and so that is our answer to that question. In regards to collection of data, we do believe data collection is very necessary and can definitely contribute to much better policing and kind of more accommodative policing, if the data collected is properly used. And that's one of our big concerns is that we don't really have clarification about how that data would be used and for what purposes and we also need to take into account that data can be collected and then kind of manipulated and used in different contexts and frameworks. So we would like further clarification about data collection, because we do believe that it is necessary and essential especially in regards to . . . my notes are terrible.

So for those with ongoing mental health issues and so on and for frontline workers in mental health training services and that, data collected might be absolutely essential and necessary, but how that data is used between those workers and those who maybe are not those workers but are still police officers in the field, needs to be considered. So we do believe that there needs to be further clarification about data collection. And we have kind of a large list of other recommendations, but I know we're running on time. One thing that I will highlight is that we do believe that a review kind of guiding principles for the Ontario Use of Force model should really be looked at. So for the three guiding principles, preserving and protecting life, ensuring public safety and protecting officer safety, we do need to take a look and do a review as to whether those principles are being adhered to or not and I think a review may find that we're not seeing that across the board.

And also we do believe trying to ensure an independent counsel to help people kind of navigate the legal system who may not have access otherwise, who may not have the financial stability to access legal systems and legal protection is also essential. So bringing that forward as a type of review and trying to get that either in legislation or through independent organization or so on is really important. And Greg also does want me to know that in the assessment process we really do need

to evaluate officer perception section and how much weight we're giving to officer perception and whether or not that should be taken at face value or not. And there was . . . I'm just going to end off with a quote that was being conducted in Greg's investigation. I know that you're not highlighting individual cases specifically, but I would like to highlight that Greg was assaulted by two officers and this is on video and yet in regards to the video this investigation has not led to any results.

And one of the quotes from the Information and Privacy Commissioner does state "It is not the truth that the recorded information that is determinative of whether a correction request should be granted, but rather whether or not what is recorded accurately reflects the author's observations and impressions at the time the record was created." We believe that this type of statement really does not create good public will between police and between the different judicial Oversight committees and just the justice system in general. And so a review of kind of police conduct and how much power we give officer observation really needs to be considered as well. I believe that probably takes me close to five minutes, so I will –

Pamela: Oh. You're at seven, but that's okay. Thank you. Thank you very much, Richard. Justin, could you take the mic over to Kathy? Please, thank you.

Kathy: Hi. My name is Kathy Hogarth and I am a professor at the University of Waterloo. We largely believe that there are changes needed in the police system. One of the comments made that found support at this table was using G20 as an experience and noting that this experience was filmed, it was recorded, yet police behaved really badly. And if police can behave that badly knowingly being recorded, it leaves room for questioning police behaviour when they're not being recorded. We also felt that a lot of policing is about doing jobs that's not theirs. And so how do we ask the police, and we've heard very often that we have a lot of mental health issues where police are being called out to. How do you begin to do your job when it's not your job? And so when we begin to conflate social work, psychology, with policing, there are problems and those challenge us in ways to think differently about policing.

Do we expand how police – the training police would receive to do their work? Do we push the boundaries of policing? Or is it that we need to bring in different people alongside police officers for them to effectively do their jobs? The experiences, we've all had experiences with police, vicariously and personally. I can highlight some of those experiences, but one of those experiences particularly relate to issues of Islamophobia and the question being asked is – So I have a colleague who's been threatened, she's received death threats here in our region. And the police response has been . . . slow. Really slow. And the question asked of this colleague of mine – or the question she asked often of our police system, is if this were a white person receiving a threat by a Muslim person, would the response be different? It

shouldn't be different. A threat to anyone should be taken as a valid threat and it shouldn't matter if that person is Muslim or not.

Do you think Police Oversight – So question 5, do you think Police Oversight Agencies are open enough? Yes, within the boundaries they work. And so we need to expand those boundaries. I'll leave that. If you think they do not share enough, how do you think they can be improved? As it is now, privacy trumps justice. Our rules around privacy seems to weigh more than justice for everyone. And so when we have these tensions of maintaining the privacy of an individual, measured against the justice of another, that becomes really problematic and we need to find, we need to engage in different ways of looking at what justice might be in a culture of privacy. One of the things that privacy does when we maintain the privacy particularly around police officers where there is a lot of power, and seeming injustice, it erodes public trust. And so, again, when public trust is eroded, we have additional problems for our services.

Should officers names be released? Well, again, this is the issue of privacy, the tension between privacy and justice. And should officers work – should police officers work as investigators? We believe that there could be room for balance, because there is value, we believe, in the perspective of those inside. But those perspectives cannot, should not be the only perspective. And so there is room for balance. And should these three agencies collect data on things like race and . . . We believe absolutely yes, with a caveat. Because data collection like Richard alluded to, raises the complication for misuse. And so the question is not should data be collected, but how should data be used. One of the things, and this is part of my own personal challenge, one of the things I am challenged with is the language around policing. The language reflects in some regard, some of the issues we see within our systemic issues. We've changed from police force to police service.

We've made that change I guess with a recognition that force just gave the wrong impression. We still train officers in use of force and that becomes, while we can say "Well, we train them to use proper tactics and so on to de-escalate situations" the mere term of "use of force" carries with it a kind of burden that has a negative impact on wider society. By and large we feel that there are changes needed in our system. I'll stop there because I think I've exhausted . . .

Pamela: Thank you, Karen. Justin, if you can pass the mic to Frank? He's right here.

Frank: Okay. My name is Frank and I don't think our are going to match up to everybody else's questions. But I will go through ours pretty quick. You might have a little more in some of yours, you have a paragraph, I only have a couple of notes. But on number 1, do you know who these agencies are what they do? Not all of them. The only one that hits anything is the SIU in the news. Have you had any contact with these Police Oversight Agencies? Me, personally, no. No. Have you had any

good or bad experience with the police? I've had both. I've had several situations where we worked together. I've actually worked at the higher levels of Toronto Police and had some good experiences with that, and I've had bad. I've had situations that I'm dealing with now that I would call . . . I don't sleep well at night anymore, because of them. I've been fighting one issue for over a year and that's continuing.

Have you ever had a bad experience with the police, did you report it? Actually I did, but I didn't report it to these guys, I actually went to the RCP and talked, and did some comparisons between the way they worked and they way the local police worked. They gave me an alternative that happened to work in my case and solve the problem for this year. Next year is a different issue. If someone you know had a bad experience with police, would you encourage them to report it? Oh, yes. With anybody, you actually need to get some feedback back there so they can be dealt with properly. No matter what, even if it doesn't end up in your favour, it needs to be addressed to that somebody can be called to account on it. Transparency and accountability, well there you go, what I just said is correct. Oversight Agencies are open enough about their investigations? What I wrote there was interesting on that one.

Five, their job is not public relations. They're in the limelight and they have to operate, but they shouldn't be doing public relations. Let the professionals do that and they're not spinsayers, but try to get their truth out at the end of it all. If you think they do not share enough, well, that's the same thing as I just went before. What information do you think the public should know after an SIU investigation? Just the facts. Should the names of police officers who are investigated by the SIU made public? Well, if I was a police officer and I was being investigated for anything, whether I did anything or not, no, I do not want my name out there or anybody else's. It should not reflect on the individual in investigation. Let the investigation take its course. At the end of that, whatever goes. Should former police officers work as investigators? That's a two-way sword. They do have the experience of investigating, they have a lot of knowledge based on the different aspects of police work, so they do have a value, but as was said earlier, and I use the same word, balance. I was suggesting one each of the agencies have an officer.

Should the SIU collect data like race, gender, age and mental health? Yes. They need to know. It's part of their work. If they ignore something, that could be worse than having them in the first place. It is the amount of data and the way it's handled properly that makes the difference and that's part of what the job is, which I'm sure they have been told and know about. What else? Do you have anything? I think that's it for me. Thank you.

Pamela: Thanks, Frank. Now over to Jackie. In the middle.



Jackie: My name is Jackie Baker. I'm here to address this committee and introduce myself as the mom of Beau Baker who was shot at seven times and killed last year by a member of the Waterloo Police Service. It is extremely difficult to feel all the frustration and degradation of how my son's death has been treated by the Waterloo Regional Police, the SUI and OIPRD, who is still investigating. I've provided some information in the recording of that interview as well to this committee. Like most community members I assumed honesty and truth would prevail and that these agencies are there to help find that truth. I'm not sure if I can add anything else to say to the committee that hasn't already been said, but an idea did come to me while our table was discussing this questionnaire. I wondered how or who the SIU and the OIPRD could be more transparent or accountable. I thought of more trained civilians. But what about previous victims having some inside role? Someone who is of course unbiased. Some training could be provided to some of these previous victims who would represent the diversity of our communities as well as having personal experience.

My family is still waiting for the result of the OIPRD investigation as well as waiting for the coroner's inquest date which was originally denied us. We are hopeful that real change will take place as a result of this committee and thank you all especially Justice Tulloch and your committee members for your time. Finally, if you love somebody with a mental illness or an addiction, no matter what walk of life you're from, you need to ask yourself if you are confident on how it will be handled by the police or the watchdog agencies as they currently exist. And that's all I have to say. Thank you so much.

Pamela: Thank you, Jackie. So we have a few minutes left. I'm not sure if everyone around the room has had a chance to speak or add anything to your 5-minute presentation, because here's the time. So I guess back to the gentleman there. Thank you.

Participant: Well, there's a number of things that I would like to mention that wasn't brought up here. A police officer arrives at a scene within between – I've read, quoted, 50 seconds and 90 seconds, shoots a fellow in the street car, nine shots. That guy died within seconds. Not even a supreme court judge, grey haired, 65 years old, many years on the bench, has that much power. He had judge him, find him guilty and sentence him to jail, but he can't take his life. Police officer flies through an intersection on a red light with his flashers going. You can't do that, but they can. They're human just like you and I, but yet when the crap hits the fan and it blows up on them they run to their union and they say "I want the same benefits of law that the other citizens have. I'm not going to make a statement, I'm not going to incriminate myself." We pay for those guns, we pay for the bullets. We pay for them to protect us.

The other thing, we put man on – man landed on the moon, stepped onto the moon, July 1969. You know how many years ago that was? Video was streamed from the moon to your living room. I was working that night, I didn't get to see it, but other people did. They say a picture

is worth a thousand words, well, video is a thousand pictures. We've got the technology. If I was a policeman I would do my job to the best of my ability, same as I did in my trade. I would not have anything to hide. I would want to wear a lapel camera, I would want it, to the degree that I'd be willing to pay for the darned thing myself, because it's going to protect me from false allegations. But the ones that don't do their job to the letter of the law, they don't want the cameras, it can incriminate them. So I don't understand why, like the SIU and all these other organizations aren't pushing for the cameras. Lapel cameras and dash cameras on the police cars.

Justice is very, very important to me. I just believe in justice for all and I want to see the truth come out. Thank you.

Pamela: Thank you. Jackie, we're – not Jackie, sorry. Walk over her. I thought, Kathy, you wanted to say something. You did. Okay.

Deanna: Yeah. My name is Deanna and I want to speak more about Beau Baker. When I found out about that I was honestly traumatized that that happened in this community, that a young man's life was taken. So that entire weekend I couldn't sleep and sure, there's little things that I can do like speak out about it, share with other people and, you know, voice my opinion. And the way I see it, what happened to Beau Baker was wrong, he was murdered and . . . which has caused so much trauma for his family and that will never, ever go away. Why was the police officer that was dealing with him, why, did they not know how to de-escalate a person? I don't get it, it just makes no sense and the SIU still investigating it, why is it taking so long. And another thing, when that happened to Beau, to me, it's considered a crime scene, when an officer shoots at a young man or a young woman, for whatever reason, that to me I consider that as a crime scene and after that happened, who came in? Who came in then, at that point?

Another thing, the SIU, if they are made up of former police officers, detectives, investigators, how many of those former police officers are in the SIU and how many people are in the SIU that are not police officers? And another thing I want to say is, when something like this, so tragic that happened in this community with Beau Baker and there was witnesses to that, what happened, who were those people that came to those witnesses and told them to shut up, to not open their mouth? Who are those people? What is going on, that when you're a witness to a crime in front of your eyes and there's a bunch of other – and another group of people, who knows who the hell they are. Are they retired detectives? Are they detectives somehow trying to get in and mess things up even more? I don't get it. Who are those people and why is that happening? And if that is – and because that's happening, where are there no one in the police force or the SIU agencies or any of these other agencies that can actually protect these witnesses too. Those are my three main points and that's all I have to say.

Pamela: So, Justine, if you can just go back over to Kathy, and then come back over to . . .

Respondent: There were witnesses that attempted to talk to the police that were put in the psych ward, so that might be useful information for the Oversight.

Pamela: Thank you.

Kathy: I really wanted to address this issue of policing and mental health, because I think it's significant. And I'll address it in a story. Seven weeks ago I was in the community, sitting as I was actually preparing for the arrival of a new refugee family. And one of the women who was in the house with me came running – her daughter came in and she came running down the stairs and said to me “Can you please help me?” It was her daughter. Her daughter had come to her because her daughter's son had what seemed to be a psychotic break. The night before police was called to his residence. They left. The following morning this woman was driving with her son who pulled a knife on her and said “Mom, I'm sorry I have to do this” as he took his knife and started stabbing the vehicle. She called the police again. They came and they left. Then I met her. And then I called the police. I called Dispatch and I was told the police has been there twice. There is nothing they can do. I'm a mental health professional. I indicated that. This kid needed to be in hospital. I indicated that. The police have done their job.

I got my phone out and I called a friend, a superintendent of police, who wasn't even in the country at the time. He then made some calls and within a few minutes, as I'm sitting there with this parent, her phone rings. It was Mental Health. This kid spent three weeks in a psychiatric unit. The police were called out three times. The only time this parent got a resolve was because I had a connection to someone else in the service who could move her case forward. And that should never be the case. Every citizen should be deserving of the right care and the right service from our system. It shouldn't be based on who you know. It should never be based on who you know. That creates a different kind of injustice in our system, an injustice that creates a great sense of distrust in our system.

One of the questions here is, if you know someone who's had a bad experience with the police, will you encourage them to report it? Well, while I was on Dispatch, with this mom sitting in front of me, as Dispatch asked many questions, mom's response was “They take everything and twist it.” Because that was what was happening before as we sat there. And listening to the words coming through that phone from Dispatch about the experiences of the two other calls, and how those words were being used and reused, created a lot of distrust in this parent's mind. I cannot trust this service to take care of me. One of the sad things about this case and I hate having to use race, but this was a black kid. That is significant, because one of the things we also have seen more and more is that depending on who you are and the colour of

your skin, you get different treatment and a different service, and that should never be so. That's one of many experiences.

Pamela: Okay. I think I see one last hand here and then – Oh, two. So . . .

Deanna: Sorry, I just remembered I had one more point to make. So in the questions 1, 2, 3, 4, what came to my mind is, who cares about asking me those questions, why don't you ask the police officers these questions? Do police report on their colleagues when colleagues does something wrong? Do they do that? I went to school for child and youth worker and I worked in that field for years and I stopped working because I didn't have enough support, because when I saw something wrong happening in front of my nose and I would talk to the team about it, then I was always, I guess, targeted, so I understand there's a fear there, but that sticks out to me. Instead of asking us do we have anything to say about the police, if we had good experience, bad experiences, how about the police officers? Do they report on their fellow colleagues when they see in front of their face that they've done something wrong. That's it.

Participant: Thank you and I'll make this brief, because we are getting to the end. Just with respect to these three separate Oversight bodies, I think it became clear at our table that, except for the SIU, that we seem to be familiar with, because they are always in the news with the high profile occurrences that happen across the province of Ontario. But with respect to the other two agencies, we sit here and we go "We really don't know who they are, what they do, how much they cost the taxpayer." Do they share information resources amongst the three Oversight bodies? Could they be streamlined to become more efficient? Not just from a financial point of view, but from an effectiveness point of view. If they're repeating a complaint and it's in one body and then it goes to another body or they're duplicating investigating, or they duplicating whatever it is that come out as a result.

And with respect to the OCPC, something that I don't think exists in any other profession other than policing, it seems when there's a disciplinary issue and there's a suspension, according to my understanding of the law the police officer is suspended with pay. In pretty well any other profession if your boss is going to suspend you, you are out of a job and you are not receiving your pay. And that is not everybody being treated the same way as an employee, employer relationship. So it's just food for thought for the committee to consider as a point, because in some ways that could affect the investigation that's taking place. And I think people in this room are familiar with examples of police officers stretching out how long they're suspended with pay until they reach retirement and then they almost flip their something at the management about "Well, now I've gotten to the end, the charges are dropped, because I'm no longer a police officer. I've made it to the finish line and now I'm collecting, you know, retirement."

So I think that makes it a little bit unfair on the employment playing field, but I think in terms of efficacy perhaps these were created at different times for different purposes and maybe it's time to review them in a sense of bringing them together so there's one body that we can go to when there's complaints involving the police service or its members. Thank you for your time.

Pamela: Thank you for your time. There's one more and then we're done? Okay.

Participant: I forget to mention there, that shooting there at Beau Baker. From what I read, he was standing on the doorstep there, holding a beer. And every time I've been involved in a confrontation, the fellow that I was concerned about, wasn't holding a beer. You get into a disagreement with someone with a beer, if he's going to rumble, that beer is gone. That beer is gone. That fellow had a beer in his hand. The other thing, a police officer picked up the – supposedly the weapon, and it disappeared for a number of hours, until the sergeant comes with a brown paper bag and delivers the knife to the SIU inspector. If I had picked up that knife and walked away with it, I would've been charged with tampering with a crime scene. He's supposed a trained police officer. I hear so much about training, yearly training. Who would think to pick up a weapon, after a fellow's been shot at multiple times? And that fact is the SIU did not lay any charges against that officer.

Pamela: One more.

Participant: So I'm not going to go into the details of my case, but just the fact that I've presented it to more than just the OIPRD. And I'm showing that the officer's version of events has changed from the facts that were entered in Mental Health Court to the Waterloo Regional Police Services investigative report to a civil case that I had against the male officer who punched me in the head when my hands were behind my back. I lost that case and I owe that officer's insurance \$1,200 cost, for trying to hold him accountable for assaulting me. The main point though is, the version of events from each of those reports is different. And I'm still trying to get some kind of Oversight to acknowledge that these officers have entered false evidence and . . . I'm still waiting.

Pamela: Has everyone had a chance, do you think? Short one? Way in the back.

Lowell: I'm Lowell, and I was just struck by Justice Tulloch's comment earlier that one of the three bodies was charged with dealing with systemic issues. And it seems to me that that's one of the huge issues that we're talking about here that the systems that we have are creating a situation where the police often fail, because of other things that are in place. And I'm thinking of the mental health system being inadequate for our needs. I'm aware from people I've talked to that even when people are at risk for themselves or others, there's no room in the system. And so there is no alternative, but to keep them out, because the system has failed, their systemic issues there.

I read somewhere that over 80% of the people in prison haven't graduated from high school. There's a systemic issue that the police are responding too. And so I think we see systematic failure, systematic failure, systematic failure and we ask the police to pick up the pieces and to vacuum up the harm and it's not something they can do. It's our communities that need to respond and develop wholesome healing communities in which everybody is whole, and we're taking the cheap way out as society and saying "The police, that's your job" and I think that's hard.

Pamela: Yes, there's a lot of information to read up on and stuff. I've read up on a lot too since this happened. It's not just systemic, no, I don't agree, and there is absolutely no reason why that officer showed up and fired seven shots at my son. There's absolutely no reason for that. That's not systemic, it's not just training. This man, cop, showed up and fired seven shots at my son. There are a lot of witnesses whose story is not out there yet, it's been held and I like that point about that OIPRD, because they appear to just regurgitate the information that the SIU might've put out to begin with. So . . . I mean, they too came to my house and said they were going to investigate the officer, but they were asking other kinds of questions. Anyway, yeah, a lot of us are educated, but the thing is, my son was shot at seven times, period.

Participant: I just want to say, I've had a rough two years and –

Pamela: You need to speak into the mic.

Participant: And I know everybody likes to point fingers and blame everybody else a lot of times and it's easier to do that than look at ourselves, but I've had to take a good look at myself for the past couple of years and I've had to look at everything, and I just want to say, you know, on behalf of the police, I wouldn't want their job, I feel for them sometimes and that they're not all, they're not all bad. I think it would be a terrible world without them. So, you know, as hard as it is for them to point their finger at their friends that they're working with, I still got to give them credit and thanks for providing a service that we'd be in a helluva place without, so . . . I'm grateful. Thanks.

Pamela: One more. Okay, so you're having the last word, right, Richard?

Richard: Something like that. Just wanted to make kind of a personal observation. I think what we're seeing tonight is kind of a mix of distrust of police and distrust of the Oversight committees for the police. And I think maybe one thing that should be considered, and I've had this discussion in different academic environments, is some type of body that actually takes a – that can review the investigations that the Oversight committees conduct, that make sure kind of has a variety of inputs, not just from lawyers, but from a variety of different fields that could actually then review those investigations, try and find any type of implicit bias, whether kind of as a specific point, maybe one specific investigator, or overall seeing systemic bias, racial bias, gender bias,

things like that, and then could review those investigations and make a call as to whether they were fair or not. I think it may something to consider for the review just because I think we're seeing here that there is some distrust of those boards themselves and even just kind of revising their mandates and trying to fix them may not be enough if that distrust has already been entrenched, so it might be something to consider. And I will make that final point there.

Deanna: Just in terms of the SIU reports, let's say just in Ontario focus on all the SIU reports. Is there someone that looks at how similar they look? Like overall, in general? I'm just – I'm speaking this way, because as a child and youth worker, when we filled out those reports when you used a physical restraint on a child, generally those reports all kind of looked the same. So I'm wondering, if we take all those reports in Ontario or this region – in Ontario actually, are there similarities? Are there the same kind of words used? And if there is, I see that as a problem. That's all.

Pamela: Okay, so I'm going to call on Justice Tulloch to close off for the evening and I want to thank each and every one of you again for your patience and those of you who spoke eventually and initially, we appreciate that. We know that these are not easy – this is not an easy topic to speak about publicly, so we recognize that and appreciate that and hope that you feel that you've had the opportunity tonight or have been given the opportunity tonight to be heard. Thanks very much and I would hope that you've each filled out the long sheets so that we can send you a copy of the report at the end. And if you've made notes through the discussion that you are comfortable leaving behind, we will collect those and add those to our notes as we prepare the report. Thanks again, and I'll call on Justice Tulloch. Thank you, Kitchener.

Michael: Hey, ladies and gentlemen, again, I want to thank each and every one of you for coming out tonight and for contributing your experience or your experiences, your thoughts and the recommendations that you have made to us. Although we started late I feel that you as a community have been very engaged and very thoughtful about all of these issues. The quality of the information and the thoughtfulness of your recommendations are indicative of your concern for your community and for these issues and I can assure you that they have been very helpful to us. I can appreciate how difficult it has been for some of you, especially Mrs Baker who is here. I know that these issues in this particular review is very personal to you and I certainly sympathize with you and your family for your loss. But I can assure you and all the others that are here that we have been listening and that we will consider and reflect on all of your comments and your recommendations. Again, thanks and I ask you to look forward to our report which will be release in the spring.

[End of recorded material 01:04:40]