

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:**

Original Signed by   
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Jacques Dubé, Chief Administrative Officer

**DATE:** March 15, 2021

**SUBJECT:** Reimagining Public Safety: Review of Enforcement Delivery and Role of Police Agencies in HRM

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## **ORIGIN**

August 17, 2020, Regional Council resolution:

THAT Halifax Regional Council direct the Chief Administrative Officer to outline a process and timeline for a broad review of policing and public safety, which shall examine the potential for shifting or creating programs for civilian delivery of non-core police functions. This review shall include but not limited to traffic enforcement, public safety, community standards, mental health, and municipal enforcement functions, and will include a plan for engaging with the public, stakeholders, subject matter experts and, subject to their agreement, participation of the Board of Police Commissioners.

## **LEGISLATIVE AUTHORITY**

### **Halifax Regional Municipality Charter**

#### **Purpose of Act**

Section 2 *The purpose of this Act is to ...*

*(c) recognize that the functions of the Municipality are to*

- (i) provide good government,*
- (ii) provide services, facilities and other things that, in the opinion of the Council, are necessary or desirable for all or part of the Municipality, and*
- (iii) develop and maintain safe and viable communities.”*

### **Police services**

**68 (1)** The Council may provide police services in the Municipality by a combination of methods authorized pursuant to the *Police Act* and the board of police commissioners of the Municipality has jurisdiction over the provision of the police services, notwithstanding that they are provided by a combination of methods

### **Police Act**

#### **Responsibility for policing in municipality**

**35 (1)** Every municipality is responsible for the policing of and maintenance of law and order in the municipality and for providing and maintaining an adequate, efficient and effective police department at its expense in accordance with its needs.

**(2)** In providing an adequate, efficient and effective police department for the purpose of subsection (1), a municipality is responsible for providing all the necessary infrastructure and administration.

**(3)** For the purpose of subsection (1), the service provided by a police department shall include

- (a) crime prevention;
- (b) law enforcement;
- (c) assistance to victims of crime;
- (d) emergency and enhanced services; and
- (e) public order maintenance. 2004, c. 31, s. 35.

#### **Methods for discharge of responsibility**

**36 (1)** The obligation of a municipality to provide policing services pursuant to Section 35 may be discharged by

- (a) the establishment of a municipal police department pursuant to this Act;
- (b) entering into an agreement with the Province, the Government of Canada or another municipality for the use or employment of an established police department or any portion of an established police department;
- (c) entering into an agreement with another municipality pursuant to Section 84 or 85; or
- (d) any other means approved by the Minister.

#### **Composition of municipal police department**

**37 (1)** A municipal police department shall consist of a chief officer and such other members, special constables, by-law enforcement officers and civilian employees as the council, after consultation with the board, may from time to time determine.

### **RECOMMENDATION**

That Halifax Regional Council endorse the approach as outlined in the report for the review of enforcement delivery and role of police agencies in HRM.

## **EXECUTIVE SUMMARY**

The above-noted Council motion arose within the context of growing calls across Canada and the United States for broad-based changes to the criminal justice system amplified in 2020 through the Black Lives Matter (BLM) and Defund the Police movements. Locally Regional Council, the Board of Police Commissioners, police and residents have engaged in longstanding discussion concerning the police service<sup>1</sup> and response model in HRM. More recently, HRM has begun the process of co-developing an Anti-Black Racism Strategic plan with community and committing resources to structural changes needed to address it.

Recent calls to reimagine public safety resonate with a longer trajectory of research and policy recommendations demonstrating that investments in ‘upstream’ and community-based development, promotion and prevention is the most effective and efficient way to achieving safer communities for all. Regional Council recognized the importance of this in establishing a Public Safety Office and adopting the municipality’s first Public Safety Strategy in 2017.

While on the one hand, the evidence-base for prevention, health promotion and social development approaches to community safety is well established, on the other hand, police are often called upon to respond to complex situations that are non-criminal in nature that could potentially be better addressed through a more appropriate response model, and one that better responds to victim-offender overlap. Thus, the approach to the Review detailed in this report proposes to embark on a process to identify solutions to this central problem:

*Why have we, as a society, depended on police for so many of the problems we are faced with today, and what are more appropriate or alternative solutions for Halifax?*

The proposed approach to the review is phased in two stages, the first of which focuses on the feasibility of shifting or creating programs for civilian delivery of non-core police functions; the second on creating a strategic plan to guide the future implementation of the proposed changes. These phases of work would be led by an external consultant, contracted through a competitive Request for Proposals.

The approach proposes to involve community and stakeholders in this process through incorporating the recommendations from the Board of Police Commissioners on a locally informed definition and pathway toward defunding, public engagement in the proposed changes to service delivery and in the development of a new strategic plan. To reduce the risk of engagement fatigue and of re-traumatization, engagement for this review must be strategic in acknowledging and building upon learnings from previous engagements to co-create a path forward. Thus, the starting point must begin from ‘what we have heard’, with a commitment to building *with* community and stakeholders a process for reimagining and rebuilding public safety.

The approach proposes a governance structure that supports shared visioning and effective collaboration through an internal oversight committee to ensure the right structure and resources are in place; a project management team responsible for establishing the necessary infrastructure (staff, consulting and other resources) to support and sustain the review; and a multi-stakeholder advisory committee to build the foundation for the knowledge base, subject matter expertise, and effective partnerships to achieve objectives. Once a Strategic Plan is been formally adopted, advisory committee membership would be refined and transition to a Steering Committee to guide implementation, monitor progress and evaluate outcomes.

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<sup>1</sup> In this context and throughout this report, ‘police’ refers to both HRP and RCMP, which provide an Integrated service model in HRM.

## **BACKGROUND**

The above-noted Council motion arose within the context of growing calls across Canada and the United States for broad-based changes to the criminal justice system, community safety and wellbeing. In the summer of 2020, these calls were amplified through the Black Lives Matter (BLM) and Defund the Police movements in the wake of the killing of an unarmed Black man, George Floyd, by Minneapolis police. In Halifax, this tragedy resonated widely, coming on the heels of a recent Street Check report that identified systemic racism against Blacks as a cause of their over-representation in these police statistics.<sup>2</sup>

Halifax Regional Council, the Board of Police Commissioners, members of the police and residents have been engaged in longstanding discussion concerning what services should and should not be delivered by police agencies in Halifax. This review strives to support Black, Indigenous, and other racialized communities by looking to rebalance service delivery and explore alternatives to policing. The goal is to enhance community-based public safety services through development of alternative and complimentary civilian services.

## **CONTEXT**

At the core of the defunding movement is a call to redirect public investments in criminal justice toward the wellbeing of communities through better resourcing of community, health, social and economic supports. There is a history of support and policy direction for promotional, preventative, and alternative approaches to justice and community safety. The pathbreaking Horner Report of 1993 commissioned by the Standing Committee on Justice and the Solicitor General, titled *Crime Prevention in Canada*, acknowledged the limitations of traditional, enforcement-led approaches, and drew on emerging research in the field of promotion and prevention science. It called for investments in social development and prevention that would at least equal investments in enforcement. The Report led to the creation of the National Crime Prevention Centre, and a National Crime Prevention Strategy.<sup>3</sup>

Recently, a federally mandated review of the criminal justice system led to round table discussions in Halifax, Montreal, Toronto and Edmonton, bringing together stakeholders from across these regions to identify key interactions between the criminal justice system and other social systems.<sup>4</sup> A key theme was the need to take measures to reduce the size and scope of the criminal justice system, rather than continuing on the present path of its integration into other social systems:

*Rather than bringing more social services and supports into the criminal justice system, the [CJS] review should aim to reduce the system's reach and allow for more individuals and more cases to be dealt with outside it. The goal should be to reduce the number of people who are entangled in the criminal justice system.<sup>5</sup>*

The final report on this criminal justice system review, published by the Department of Justice in 2019, reinforced the need for preventative approaches, especially given the disproportionate representation of these ensnared in the system struggling with mental health and addiction issues, poverty, homelessness, systemic racism, and prior victimization. It emphasized that:

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<sup>2</sup> Wortley, S. 2019. Halifax, NS Street Checks Report. Nova Scotia Human Rights Commission.

[https://humanrights.novascotia.ca/sites/default/files/editor-uploads/halifax\\_street\\_checks\\_report\\_march\\_2019\\_0.pdf](https://humanrights.novascotia.ca/sites/default/files/editor-uploads/halifax_street_checks_report_march_2019_0.pdf)

<sup>3</sup> Horner, B. 1993. Crime Prevention in Canada: Toward a National Strategy. Twelfth Report Of The Standing Committee On Justice And The Solicitor General. Dr. Bob Horner, M.P. Chairman. February 1993. House of Commons <https://preventingcrime.ca/wp-content/uploads/2015/05/HornerReport1993.pdf>

<sup>4</sup> Prime Minister Trudeau's 2015 mandate letter to the Minister of Justice and Attorney General included a mandate to review the criminal justice system, calling for a review to "ensure that we are increasing the safety of our communities, getting value for money, addressing gaps and ensuring that current provisions are aligned with the objectives of the criminal justice system." <https://www.canada.ca/en/privy-council/campaigns/mandate-tracker-results-canadians.html>

<sup>5</sup> Institute for Research on Public Policy, 2018 Rethinking Criminal Justice: Roundtable Report, <https://irpp.org/research-studies/rethinking-criminal-justice-canada/>. HRM's Public Safety Advisor, along with other local stakeholders from justice, health, housing, social services, academia, policy experts and community leaders participated in this Roundtable consultation.

*Governments must...take into consideration how the criminal justice system relates to other critical support systems in our society, such as housing, health care, education, employment, training and child protection. They must strive to better understand the root causes of crime – and ensure that Canada is not using instruments of criminal justice to address social problems.<sup>6</sup>*

#### *A dependency on policing*

The evidence-base for prevention, health promotion and social development approaches to community safety is well established and broadly supported<sup>7</sup>. Community safety can be achieved when the interlocking web of systems—formal and informal—share responsibility for creating and maintaining safe communities.<sup>8</sup>

At the same time as noted above, the criminal justice system, particularly policing, is tasked with ‘filling in’ for gaps in other systems—health, social, education, and community services. The result has been law enforcement and justice solutions to problems created from shortcomings in other systems. That responsibility for these other systems—housing, health, education, social and family services—primarily resides with other levels of government limits the range of local solutions available to municipalities, as they face financial and jurisdictional constraints in efforts to address issues at their root.

Across Canada police are often called upon to respond to complex situations that are non-criminal in nature that could potentially be better addressed through a more appropriate response model. In 2015, the Canadian Association of Chiefs of Police Research Foundation noted that police services are one of the first responders to mental health calls, drug crises, suicides, disturbances, motor vehicle accidents and many other community well-being and safety issues that may not be criminal. Drawing on a report published by the Council of Academies Expert Panel on Policing,<sup>9</sup> they concur that community safety is a ‘whole of society affair’:

*The basic needs of every individual and community include safety, along with other fundamentals such as adequate food, suitable shelter, health care, education and employment, all of which are essential to individual and community well-being and allow individuals to contribute to their society. When these needs are not met, social disorder increases, and crime and victimization may result... Policing, therefore, is only one part of the security, safety and well-being of our communities. It is the part that is often called upon to respond when others fall short.<sup>10</sup>*

In response to these complex needs, many police services have built dedicated response units, such as Mental Health Crisis Response and Victim Service units. At the same time there is growing awareness and recognition of the need reimagine these current model to more appropriately address the victim-offender overlap (most incarcerated offenders are *also* victims of crime).<sup>11</sup> Importantly, this overlap raises critical questions about a broadly held a false dichotomy between ‘the criminal’ and ‘the victim’ and the

<sup>6</sup> Department of Justice. 2019. Final Report on the Review of Canada’s Criminal Justice System. Ottawa: Canada <https://www.justice.gc.ca/eng/cj-jp/tcjs-tsjp/fr-rf/index.html>;

<sup>7</sup> See for instance Waller, I. 2017. Smarter crime control: A guide to safer futures for citizens, communities and politicians. Landman: Roman and Littlefield; International Centre for the Prevention of Crime. 2016. 5th International Report on Crime Prevention and Community Safety: Cities and the New Urban Agenda, 2016. Montreal: Quebec. <https://cipc-icpc.org/en/reports/5th-international-report-on-crime-prevention-and-community-safety-cities-and-the-new-urban-agenda/>

<sup>8</sup> Sharkey, P. 2018. Uneasy Peace: The Great Crime Decline, the renewal of city life and the next war on violence. New York: Norton; Klienenburg, E. 2018 Palaces for the People. York: Penguin and Random House. Council of Canadian Academies. 2014. Policing Canada in the 21st Century: New Policing for New Challenges The Expert Panel on the Future of Canadian Policing Models. <https://cca-reports.ca/reports/policing-canada-in-the-21st-century-new-policing-for-new-challenges/>

<sup>9</sup>Expert Panel on the Future of Canadian Policing Models. 2014. Policing Canada in the 21<sup>st</sup> Century: New Policing for New Challenges. Council of Canadian Academies. Ottawa: Ontario. <https://cca-reports.ca/reports/policing-canada-in-the-21st-century-new-policing-for-new-challenges>

<sup>10</sup> Canadian Chiefs of Police Research Foundation. 2015. The dollars and sense of policing, public safety and well-being in your community

<sup>11</sup> Recent research on the incarcerated population in Canada illustrates that over 80% of males, and over 80% of females, are victimized prior to their first detected offence. The victim offender overlap occurs in 96% of incarcerated persons, at some time in their life. See S. M. Bucarius, D. J. Jones, A. Kohl & K. D. Haggerty. 2021. Addressing the Victim–Offender Overlap: Advancing Evidence-Based Research to Better Service Criminally Involved People with Victimization Histories, Victims & Offenders, 16:1, 148-163, DOI: 10.1080/15564886.2020.1787283

allocation of municipal resources to each (ie skewed heavily toward addressing crime to prevent victimization, when evidence suggests that better resourcing of victimization and trauma would prevent crime).

This present review thus also provides an opportunity to rethink how existing victim service and mental health units within police departments could be better resourced and positioned to significantly impact the vicious cycle of victimization-offending. As Dan Jones a leading scholar on the victim-offender overlap, and current police officer with the Edmonton Police Service put it:

*Victimization is a predictor of crime. As police, we are not dealing with good or bad people. We're just dealing with people, many in a bad situation, with horrendous circumstances in their life. If we had the same experiences, we might be in the same position, or worse.*<sup>12</sup>

#### Local context

The request for this Review thus emerges within the context of the recent Black Lives Matter and defunding movements but is part of a growing movement demanding a broader rethink of the criminal justice system and the relationship between offending and victimization and the trauma that comes from both. Locally the Review builds on a foundation of previous and ongoing initiatives, innovations, and actions addressing policing and public safety, and continued learnings about the impacts of structural and systemic racism within these systems. Key milestones preceding this review include:

- August 2020: The Board of Police Commissioners (BOPC) approved a motion to establish a Community Advisory Committee to assist with adopting a definition of defunding the police for review and discussion by the BOPC.<sup>13</sup> At the previous BOPC meeting, the Public Safety Advisor and the Manager of the Youth Advocate Program were invited to present to the Board on defunding the police.<sup>14</sup>
- June 9, 2020: Mayor Savage opened the Regional Council meeting by delivering a statement condemning Anti-Black Racism (ABR). Regional Council subsequently cancelled approval of an armoured vehicle slated for purchase by Halifax Regional Police, reallocating funds to ABR initiatives, Diversity and Inclusion and the Public Safety Office.<sup>15</sup>
- February 2020: Regional Council directed the Chief Administrative Officer (CAO) to examine the feasibility of Managed Alcohol Programs, Sobering Centres and other alternatives to the Prison Care Facilities for charges of Public Intoxication. This recommendation report is underway, expected to be presented to Regional Council in Spring 2021.
- March 2020: Regional Council approved the Social Policy to guide the municipality's investments in social development. The framework is grounded in an approach toward social equity in service delivery across HRM; provides a foundation for a more integrated, coordinated social policy approach; clarifies the roles of partnerships among internal and external stakeholders, and increases internal capacity to understand and influence social policy. There are three priority areas: Connected Communities, Housing and Homelessness and Food Security.
- December 2019: Regional Council directed the CAO to bring discussions with key stakeholders to explore the co-development and resourcing of a Municipal Drug and Alcohol Strategy to establish a shared vision and guiding principals, enhance coordination, communication and knowledge

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<sup>12</sup> Schulman, S. Jan 2019. The beat cop who lends an ear to criminals. MacLean's, <https://www.macleans.ca/news/canada/the-beat-cop-who-lends-an-ear-to-criminals/>

<sup>13</sup> Halifax Board of Police Commissioners, Special Meeting, Aug 17, 2020 <https://www.halifax.ca/city-hall/boards-committees-commissions/august-17-2020-board-police-commissioners-special>

<sup>14</sup> Board of Police Commissioners Special Meeting. July 9 2020 <https://www.halifax.ca/city-hall/boards-committees-commissions/july-9-2020-board-police-commissioners-special>

<sup>15</sup> Halifax Regional Council Special Meeting, June 9 2020. <https://www.halifax.ca/city-hall/regional-council/june-9-2020-halifax-regional-council-special-meeting>

exchange for drug and alcohol use and policy. The proposed framework is to adopt a multi-stakeholder pillar approach including: prevention, treatment, community safety, and harm reduction. The consultation work is underway, with considerable interest among stakeholders engaged to date. The results of this pre-strategy engagement will be presented to Regional Council with the Annual Public Safety Strategy update in Spring 2021.

- November 2019: Chief Dan Kinsella apologized to the Black community for the harm caused to Black residents through the practice of street checks. This apology came in response to a report released in March 2018 by the Nova Scotia Human Rights Commission (NSHRC). The report, authored by policing and race relations expert Dr. Scot Wortley, demonstrated that Blacks in Halifax were six times more likely to be stopped by police for a street check.<sup>16</sup> The practice of street checks has subsequently been deemed illegal and is now banned in Halifax. In addition to the apology, HRP and RCMP have developed an action plan to implement recommendations contained in the street checks report, and ANS advisory group to the Chief.
- November 2019: Regional Council received a consultant's report on a broad review of policing, aimed at enhancing public safety outcomes, operational excellence and effective and consistent integration among HRP and RCMP joint policing structure.<sup>17</sup> Key ongoing components critical to the present review include a review of the HRP deployment model and priority response times.
- October 2019: The CAO, a leader in denouncing ABR and promoting systemic change within HRM, established an ABR working group tasked with drafting an action plan and identifying appropriate resources to become the foundation for corporate-wide ABR strategy. The framework for this strategy is expected to be presented to Regional Council in June 2021.
- October 2017: Regional Council unanimously approved the municipality's inaugural Public Safety Strategy. The strategy provides a roadmap for a holistic, upstream approach to addressing public safety and wellbeing, with a focus on risk factors that make some populations more vulnerable to crime and victimization. At last fiscal end, 71 of the 76 actions in the strategy were in various stages of implementation.<sup>18</sup> The Public Safety Office also took the lead in partnership with the African Nova Scotian Affairs Integration Office and other HRM business units in establishing Community Mobilization Teams in communities more deeply impacted by violent crime.
- September 2017: The BOPC established a Police Diversity Working Group, dedicated to fostering police organizational change through inclusion and respect while improving relationships between police and the communities through demographic, cultural and geographic representation.<sup>19</sup>
- In 2009, the municipality established the Public Safety Office, which was a key recommendation of the 2008 Roundtable on Violence, commissioned by the Mayor to better understand and address the root causes of crime and victimization. The report called for greater municipal leadership in the public safety of minorities. The report drew specific attention to African Nova Scotians, noting how ABR has contributed to Black Haligonians (particularly young Black men) bearing disproportionate impacts of crime and victimization.<sup>20</sup> This Roundtable was followed by a review in 2014, which led to the civilianization of the Public safety Advisor, and moved the Public Safety Office out of policing (HRP) and into the office of the CAO.

<sup>16</sup> Wortley, S. 2019. Halifax, NS Street Checks Report. Nova Scotia Human Rights Commission.

[https://humanrights.novascotia.ca/sites/default/files/editor-uploads/halifax\\_street\\_checks\\_report\\_march\\_2019\\_0.pdf](https://humanrights.novascotia.ca/sites/default/files/editor-uploads/halifax_street_checks_report_march_2019_0.pdf)

<sup>17</sup> Halifax Regional Municipality. Policing Resource Review. Item # 15.1.6, Jan 14 2020, Halifax Regional Council.

<https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/200114rc1516.pdf>

<sup>18</sup> Halifax Regional Municipality. Public Safety Strategy 2018-2022. [https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/Public\\_Safety\\_Strategy.pdf](https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/Public_Safety_Strategy.pdf)

<sup>19</sup> Halifax Regional Municipality. Police Diversity Working Group: <https://www.halifax.ca/fire-police/police/about-halifax-regional-police/police-diversity-working-group>

<sup>20</sup> Clairemont, D. 2008. Violence and Public Safety in the HRM: A Report to the Mayor on the Results of the Roundtable.

[https://dalspace.library.dal.ca/bitstream/handle/10222/64559/Violence\\_and\\_Public\\_Safety\\_in\\_HRM\\_Main\\_Report.pdf?sequence=1&isAllowed=y](https://dalspace.library.dal.ca/bitstream/handle/10222/64559/Violence_and_Public_Safety_in_HRM_Main_Report.pdf?sequence=1&isAllowed=y)

- In 2008 the Navigator Street Outreach program was launched in May 2008 to better support people experiencing homelessness, mental illness and addiction in Halifax and Dartmouth's downtown business districts. The program is a proactive, positive response to individuals who struggle with securing and maintaining housing and employment. It is jointly funded by municipality and participating Business Improvement Districts.
- In 2008, The Mental Health Mobile Crisis Team (MHMCT) was established as a co-operative response program for crisis support among Capital Health, IWK Health Centre, Halifax Regional Police and the Nova Scotia Department of Health. The crisis team includes mental health professionals and HRP officers. The MHMCT provides crisis support for children, youth and adults experiencing a mental health crisis.<sup>21</sup>

## **DISCUSSION**

When Halifax initiated its Roundtable on violence in 2008, enlisting Dr. Don Clairemont and a team of experts, it recognized that the problems of violence and criminality are not problems that are solvable by policing alone but complex social issues that require sustained investments in holistic, upstream, coordinated and convergent approaches.

The result of the Roundtable was the establishment of the Public Safety Office with a mandate to push the municipality and its partners to shift resources upstream, and address issues at their root. Each year, the Public Safety Advisor provides Regional Council with a report on progress made in advancing each of the Public Safety Strategy's 76 actions. These reports underscore that community safety is a shared responsibility best approached upstream and in collaboration with other stakeholders.

## **APPROACH**

Despite perceived incongruencies between the defunding movement as a police-abolitionist strategy<sup>22</sup> and HRM's legislative obligations to provide policing services, HRM, as noted above, has a solid foundation from which to build common ground. The project objective thus proposes to embark on a process to identify solutions to this central problem:

***Why have we, as a society, depended on police for so many of the problems we are faced with today, and what are more appropriate or alternative solutions for Halifax?***

Unlike previous reviews of policing and public safety, this review is not focused on policing reforms, such as new/enhanced trainings or technologies. Rather this review will build on previous reviews to achieve the following phased objectives:

### **Phase I: Identify more appropriate or alternative models of service delivery and systems**

1. Identify the feasibility of shifting or creating programs for civilian delivery of non-core police functions, within the following domains: policy, programs, funding and partnerships. It will include, but not limited to traffic enforcement, victim services, community standards, mental health and addictions, municipal enforcement functions among other services identified through the review process. This review will be informed by recommendations made to the Board of Police Commissioners on the definition and pathways toward defunding.

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<sup>21</sup> The MHMCT partners only with HRP in the delivery of this program

<sup>22</sup> Board of Police Commissioners, Special Meeting Sept 21 2020 <https://www.halifax.ca/city-hall/boards-committees-commissions/september-21-2020-board-police-commissioners-special>

Key project components are:

- a. an assessment to determine when a police response is necessary or when an alternate response model is more appropriate. This assessment will cover measures of police activities and processes that contribute to public safety more broadly, including calls for service, patrol deployment, activity reporting, and police function and resource allocation;
- b. mapping of existing programs, services, and community resources organized through the framework of: social development, prevention, risk intervention, incident response. The focus of this mapping is to identify potential roles for HRM in integrating community-based social and mental health supports within existing social infrastructure through new programming and/or partnerships.
- c. an identification of where and when policy and/or legislative changes would be required for proposed changes, including to the Police Services Act, Involuntary Psychiatric Treatment Act<sup>23</sup>, Liquor Control Act, Traffic Safety Act, etc.;
- d. the necessary organizational reforms, competencies and funding requirements to implement proposed changes;
- e. alignment with existing and proposed measures addressing systemic racism in human service delivery, including the Street Check report (2019) and the forthcoming HRM Anti-Black Racism strategy, and
- f. alignment with findings of the Mayor's Roundtable on Violence (2008) and Roundtable Review (2014), the Police Services Review (2019), the Public Safety Strategy's annual reports to Council and other relevant research and reports.

#### Phase II: Create a Strategic plan to implement proposed changes

2. Create a new three-year (2023-2025) community safety and wellbeing strategic plan to set direction, priorities, timetable for implementation and measurable outcomes. It will be informed by the results of Phase I and developed with community and stakeholder involvement. It will include
  - a. Proposed changes to police service delivery within the following change domains: structure and policy, programs, funding and partnerships identified in Phase I;
  - b. Proposed initiatives for viable components of non-policing service delivery identified in Phase I;
  - a. A Community Safety Framework that maps the web of existing and proposed public safety components: Social development, prevention, risk intervention, incident response;
  - b. A safety and wellbeing impact assessment tool with indicators to monitor and evaluate success of the strategy's outcomes;

#### RESOURCING

Human resource requirements will be fulfilled by a consultant contracted through a competitive Request for Proposals (RFP) process. Specific use of funds will include:

- Consultant fees to carry out project objectives, including community and stakeholder involvement, education and knowledge exchange events;
- Costs associated with convening committee meetings.

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<sup>23</sup> The Department of Justice has established a working group to review the IPTA. RCMP and HRP are members of that working group.

## SCOPE

The scope of this review will include:

- Initiation of an RFP process and contracting consultant services;
- Creation of project governance teams
- Review of previous and forthcoming measures to improve public safety and address ABR, as identified in the background section;
- Jurisdictional scan of municipal responses to defunding across Canada and the United States;
- Assessment and review of police services for incorporating recommendations presented to the BOPC subcommittee;
- Systems mapping of existing community safety framework (social development, prevention, risk intervention, crisis response).
- Community and stakeholder involvement in the review and development of the plan;
- Communications plan and implementation;
- Change management plan;
- Review of relevant legislation;
- Review of relevant collective agreements;
- Creation of a 3-year Community Safety and Wellbeing Plan;
- Resourcing and Implementation frameworks;
- Monitoring, Impact and Evaluation frameworks.

## GOVERNANCE

While HRM has some of the necessary scaffolding in place, significant gaps exist in shared visioning and effective collaboration across the municipality's social service ecosystem. Other business units, levels of government, and service providers, as well as the broader community must be ready and willing for change. The governance of this review thus requires leadership to achieve systems level change that is:

**Locally relevant**—solutions that arise from this review must be tailored to local contexts, reflective of the local capacities and capabilities of various service providers and community-based organizations

**Interdependent**—Community safety and wellbeing are influenced by a web of **intersecting systems** operating at various scales (from society, to community, to family, to individual). Efforts to alter one system component will not achieve desired outcomes unless all parts of the continuum are positioned to evaluate the impact and adjust. It requires organizational willingness, a structured approach, and partnerships with collective outcomes and measures.

Accordingly, success in project objectives requires coordinated and sustained efforts among a wide range of sectors. It requires a governance structure that allows for the linking or sharing of information, resources, capacities, etc. to jointly achieve outcomes that could not be achieved by HRM alone. In some cases, proposed outcomes will continue to reside within specific sectors/organizations. In other cases, proposed outcomes will require various degrees of communication, cooperation, coordination, collaboration and/or convergence among sectors/organizations for success. Project governance thus requires:

- convening an **advisory committee** of diverse, interested and invested leaders and stakeholders from different sectors
- establishing the **necessary infrastructure** (staff working groups and resources) for support and sustainability.

Internal Oversight Team

The purpose of this team is to analyze, respond to, and make decisions based upon the information and proposals brought forth through the review. It includes decision-makers and holds responsibility for understanding the broader implications, impacts, and interactions of public safety reforms, including how each potential reform measure might affect one another. This Team is responsible for resourcing the review, developing and overseeing the RFP, and identifying any potential budgetary matters stemming from it, as some may require an addition, reallocation, or reduction of funds. Membership business units: CAO, Finance, HRP, RCMP

Project Management Team

This team is responsible for establishing the necessary infrastructure (staff, consulting and other resources) to support and sustain the Advisory Committee and the project. This team will support the ideation and realization of project objectives. They will develop a structured process to ensure that the terms and lifecycle of partnership among committee membership are clear, ensure resources are in place, and oversee operations as they relate to the objectives of the committee. Project Management Team representatives will sit on the Advisory Committee. Membership business units: Emergency Management, Planning and Development, Libraries, Parks and Recreation, GREA, Diversity and Inclusion/ANSAIO.

Advisory Committee

The Advisory Committee will build the foundation for the knowledge base, subject matter expertise, and effective partnerships to achieve objectives. The committee will be stood up at a minimum for the duration of the Plan (development of Plan and 3-year implementation). At this stage, the table below includes proposed sectors; specific departments/divisions and individual members will be determined as the review progresses. Once a Plan has been formally adopted, the Advisory committee would be refined and transition into a Steering Committee to guide implementation, monitor progress and evaluate outcomes.

Provincial	Community and other experts	Municipal
Health Services	BOPC subcommittee on defunding, which includes representatives from Decade of People of African Descent Coalition (DPAD); Nova Scotia Policing Policy Working Group (NS PPWG); and the following communities: Mi'kmaw; LGBTQ2S+; Disability Advocacy; Housing and Homelessness; Youth; Gender-based and intimate partner violence; Newcomer/refugee community	Project Management Team (Includes representatives from Police, Fire, Planning and Development, Libraries, Parks and Recreation, GREA, Diversity and Inclusion/ANSAIO).
Education		
Justice		
Community Services		
Municipal Affairs		
Infrastructure and Housing		
Emergency Services	<i>Additional membership to be determined</i>	

The scope of work of the Advisory Committee may take form as:

- Communication and knowledge exchange: gathering and exchanging information, knowledge, guiding the generation of input from service providers / stakeholders / community;

- Cooperation: facilitating inter-agency/department assistance to achieve project objectives;
- Coordination or collaboration: advising on joint planning and organization of activities that require multi-sectoral coordination for a shared but mutually exclusive outcome or a single shared outcome
- Convergence: advising on the potential restructuring of services, programs, budgets, objectives, or staff.

### PROPOSED COMMUNITY AND STAKEHOLDER INVOLVEMENT

The full scope of work included in the contract for services for this project will include a detailed plan for community and stakeholder involvement. However, to reduce the risk of engagement fatigue and the risk of re-traumatization, engagement for this review must be strategic in acknowledging and building upon learnings from previous engagements to co-create a path forward. Thus, the starting point must begin from 'what we have heard', with a commitment to building *with* community and stakeholders a process for a reimagined community safety plan.

The BoPC is leading broad community consultations on 'defunding' and will synthesis results into recommendations forwarded to the BoPC for consideration. (Attachment A: Terms of Reference). The results of this process, along with other relevant previous consultation and engagement reports will provide the foundation for moving forward with engagement.

Overall, the goals are:

- Generating stakeholder and community involvement on shortcomings and potential alternatives to current service delivery and the development of a feasible plan forward;
- Education, community building and knowledge exchange amongst community and stakeholders to cultivate a shared responsibility for community safety in HRM.

The Review's community and stakeholder involvement will build upon:

1. The findings that emerge from the public consultations lead by the BOPC subcommittee on defunding,<sup>24</sup>
2. The police responses assessment and systems mapping exercises (1a and 1b of Approach, Phase I); including ongoing reviews and proposed changes to police service delivery by HRP and RCMP recommended in the 2019 Police Service Review, specifically recommendations 5, 8, 12.<sup>25</sup>
3. An internal audit exercise to synthesize previous engagements with communities on the issue of policing and community safety. This includes the Street Checks community consultation report and recommendations, along with other relevant stakeholder and community engagement events.

### MILESTONES

\*dates are estimates

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<sup>24</sup> The primary purpose of the work of the BoPC's subcommittee on defunding is to understand residents' perspectives on the meaning of defunding the police and possible alternative approaches to public safety. The committee has also created a structure that allows for the prioritization of marginalized voices, which recognizes that while community engagement must be inclusive and comprehensive, it also must prioritize populations that are traditionally underrepresented in engagement processes and overrepresented in police-community interactions.

<sup>25</sup> See Policing Resource Review. January 2020. Halifax Regional Council Report: <https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/200114rc1516.pdf>; Perivale and Taylor. August 2019. Policing Resource Review: Partners in Policing. <https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/200114rc-i01.pdf>

	<b>Milestone</b>	<b>Date</b>
1	Project Charter approved	March 1 2021
2	Project Management Team confirmed	April 30 2021
3	Consultant contracted	June 30 2021
4	Receipt of recommendations by BoPC defunding committee process	June 30 2021
5	Community engagement process commences	Sept 30 2021
6	Progress report to Regional Council	November 2021
7	Police Review recommendations (assessment of non-core police services to be considered)	January 2022
8	Public Safety review recommendations (proposed changes for non-police service delivery)	March 2022
9	Progress report to Regional Council	March 2022
10	Community Safety and Wellbeing Strategic Plan; Framework and Monitoring tools final draft	December 2022

**FINANCIAL IMPLICATIONS**

An amount of \$100,000 has been allocated to this review in the proposed 2021/22 budget in the CAO's business unit under Public Safety.

<b>Fiscal Year</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>
<b>Operating – C411 - 6303</b>	100,000	-	-	-

**RISK CONSIDERATION**

There are no significant risks associated with the recommendation in this Report. The risks considered rate low. Areas of risk for the implementation of the Review project have been identified in the project charter.

**COMMUNITY ENGAGEMENT**

In the creation of this report, staff consulted with the Board of Police Commissioners, HRM African Nova Scotian Affairs Integration Office, Halifax Regional Police, RCMP, Transportation and Public Works, and

members of HRM's Social Policy Team (representative of Parks and Recreation, Libraries, Planning and Development, Procurement, Government Relations and External Affairs, Emergency Management Office, and Diversity and Inclusion). External community engagement is a proposed process in this

recommendation report.

### **ENVIRONMENTAL IMPLICATIONS**

There are no significant environmental impacts arising from this report.

### **ALTERNATIVES**

Council could choose to not approve the approach to the Review recommended in this report.

Council could propose changes or amendments to the approach to the Review recommended in this report.

### **ATTACHMENTS**

1. Board of Police Commissioners Committee to Define Defunding Police: Terms of Reference

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Amy Siciliano, Public Safety Advisor, 902.210.0102

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## **Terms of Reference and Timeline for the Board of Police Commissioners Defunding Committee.**

### **Introduction and Background**

Following the death of George Floyd in Minneapolis, a global movement re-ignited demanding the rethinking and reconstitution of policing and punishment. Alongside Black communities, Indigenous communities across Canada addressed the role of colonization, racism, and criminalization upon Indigenous people as experienced through policing and incarceration. Accompanying mass protests, ideas of defunding and abolition which had previously been consigned to the margins became the topic of widespread discussion. For many people in Halifax and across Nova Scotia, as for people across the world, these concepts are new and are the site of much questioning and conversation.

At the January 20, 2020 Board of Police Commissioners meeting, presentations by Harry Critchley (Co-Chair, East Coast Prison Justice Society) and Dr. Leah Genge proposed that the city institute “sobering centres” staffed by health workers rather than arresting and detaining intoxicated people. The proposal was motivated by, among other concerns, the death of [Corey Rodgers](#) in the police cells. This presentation is significant in that it provides a clear example of what defunding looks like: the disinvestment from reliance on police to deal with social and health issues for which they are not equipped, and instead shifting resources to community services.

At the September 21, 2020 Board of Police Commissioners meeting, the Board voted to commission El Jones “to develop a proposal, for the Board’s review and approval, on the composition of a Committee to recommend a definition of defunding the police and investments to support communities and public safety.”

### **A Definition**

On July 9, 2020, a staff motion at the Board of Police Commissioners proposed the following definition of defunding the police:

Motion:

That the Halifax Board of Police Commissioners adopt a definition of defunding the police that supports a role for policing in HRM that includes:

- Police performing policing functions
- Appropriate resources to perform non-police functions
- Investment in resources that have been proven to support community risks and promote crime prevention.

The Nova Scotia Police Policy Working Group [submitted a letter](#) to the Board of Police Commissioners contesting the utility of this definition. The motion was not passed.

The Board has subsequently requested a committee to define defunding the police.

It is my position that a definition of defunding the police is a relatively simple task. For example, Robyn Maynard, author of the bestselling book *Policing Black Lives* (Fernwood Press, 2017), Vanier Scholar, and PhD candidate at the University of Toronto defines defunding as:

Removing funds, services, scope and equipment from police departments and investing in real and non-carceral alternatives to provide community safety.

Dr. OmiSoore Dryden, the James Robinson Johnston Chair in Black Canadian Studies at the Faculty of Medicine at Dalhousie University, whose work examines the impact of anti-Black racism on health, defines defunding as:

“Defunding the police means acknowledging that police do not in fact keep us safe. And for this reason, the money put towards the systems of policing needs to cease. Money must no longer be provided to fund police or policing systems.” (Personal communication)

However, while defining defunding may be straightforward in theory, what is more complex is what that looks like and how it can be put into practice. That is to say, while it’s simple to say that defunding involves removing resources from policing and investing them in community, more complex is consensus around what roles belong to the police, what exists to replace police services, and ideas of safety and risk.

There also exists debate and contention around the relationship of defunding the police to abolition, and whether defunding can be a tool for reform of policing, or whether it points towards completely reconstituting police forces.

Beyond that, if we return to the example of sobering centres, if we have always relied on the police to provide a service without considering whether they are the best option (“we must send drunk people to the cells”), then rethinking how and why and when we rely on police and for what reasons requires challenging thought.

Questions around why we turn to punishment, why we believe our safety depends on policing, misconceptions around crime rates, disproportionate media coverage of violent crime, historical racial ideologies of criminalization persisting from enslavement and colonization, etc. all influence cultural and social ideas around policing. Furthermore, we are not always aware of the resources that already exist within our communities. Early in the COVID-19 pandemic, for example, Nova Scotia

was able to release 41% of provincially incarcerated people, and provide supportive housing in community at around half the cost of incarceration. These releases point towards the possibility of divesting from punishment, and that rather than simply an imagined or aspirational goal, defunding/divestment is already taking place in our communities where (under-resourced) structures already exist.

For that reason, it is my strong belief that a definition is only meaningful if it is accompanied by a process that explains and explores how defunding can be put into practice, both at the level of the Police Board (and other government authorities) and in terms of community understanding of and engagement with the idea.

In accordance with the [Halifax Regional Municipality Community and Race Relations Policy](#), this work will operate within the context of understanding the impacts of Anti-Black racism and colonization. It is crucial to centre the voices, knowledge, and experience of the Mi'kmaq and African Nova Scotians in this process.

### **Committee**

I propose that the role of the committee will be to collaborate on research and reporting, and to facilitate the process of convening community hearings. The committee will also be comprised of experts (including those with lived experience) from groups impacted by policing, with an emphasis on organizations that provide community-based services.

I am mindful of the importance of an efficient and timely process. I envision the role of the committee as:

- 1) connecting to impacted communities and facilitating communication with and participation from communities and organizations;
- 2) collaboratively reviewing and presenting research relevant to policing and Board policy, other municipal precedents, and current literature on the topic; and
- 3) designing and facilitating public hearings.

It is crucial to the process to understand the committee not as “in charge” of the process, but rather as a group of people collaborating to gather and amplify community voices and expertise.

I propose the committee be made up of:

- **Dr. OmiSoore Dryden:** as the JRJ Chair in Black Canadian Studies, her position is a national chair in Black Studies. She also provides a lens of the histories of anti-Blackness and the intersections of policing with race, queerness, and gender.

- **Dr. Leah Genge:** her practice as a doctor in areas of mental health, addiction, incarceration, etc. provides a valuable lens for understanding the health impacts of policing, and a strong expertise in the impact of policing on marginalized communities.
- **Decade of People of African Descent Coalition:** A representative to be chosen by DPAD. This coalition has long experience working on issues of justice and has proposed the African Nova Scotian Justice Institute and African Nova Scotian Policing Strategy, both of which engage key ideas.
- **Nova Scotia Policing Policy Working Group:** One representative to be chosen by the NS PPWG's constituent organizations (East Coast Prison Justice Society; Elizabeth Fry Society of Mainland Nova Scotia; Women's Wellness Within).

The following representatives will be chosen by members of their community from organizations/individuals with experience working and thinking about justice and policing:

- **Mi'kmaw community**
- **LGBTQ2S+ community**
- **Disability advocacy community**
- **Housing and Homelessness**
- **Youth**
- **Gender-based and intimate partner violence.**
- **Newcomer/refugee community**

I recognize that people inhabit multiple identities and may fit into more than one of these communities.

The research work of the committee will be supported by students from Dr. Rachel Zellars's class on Community Organizing at Saint Mary's University who can perform background research and other crucial tasks to facilitate the research being completed in a timely manner. Research support will also be provided by law students at the Schulich School of Law at Dalhousie University through Pro Bono Students Canada. This participation also builds the capacity of young people to engage in policy work and community engagement.

### **Public Hearings**

Most crucial to the contextualizing of a definition of defunding is the involvement of and collaboration with community. To put it bluntly, the outcome of any process, report, or definition becomes moot if the community feels no inclusion in its development or conclusions. Furthermore, a definition of defunding, no matter how

scholarly, is inaccessible to community members without a robust public process of engagement that allows community members to speak, and for the broader community to listen to, critique, consider, and absorb the conversation.

It is my proposal that - following models accomplished in Edmonton and Toronto - the Board of Police Commissioners, in concert with the Defunding Committee, convene public hearings focused on presentations by those in community who provide services. The purpose of these hearings is to:

- 1) Learn about what resources exist in our communities and what kind of services provide alternatives to police.
- 2) Build public understanding of what defunding entails and what it looks like in practice.
- 3) Involve community collaboration in engagement with the Board and in the process of defunding.
- 4) Contribute to the Board's 2020 [workplan deliverable](#) of increasing public participation in meetings.

We propose that the Committee proactively reach out to community groups to request presentations of 10-15 minutes, and that we create a call for public submissions. Written submissions would also be acceptable. Based on the responses from community organizations and members, we would then set aside the required time for hearings, either online (likely) or in-person.

These hearings will be open and accessible to the public. I request that resources be provided for captions/ASL translation in order to facilitate this engagement for all community members.

## **Report**

Following the conclusion of public hearings, the committee will submit a report to the Board:

- 1) Providing a definition of defunding
- 2) Providing an overview of the major research, history of discourse on defunding, and current debate around defunding and abolition
- 3) Reviewing practices in other municipalities
- 4) Addressing relevant Board/municipal policies or policy proposals that could facilitate defunding
- 5) Summarizing and drawing from the community hearings
- 6) Articulating what defunding would look like in policy and practice in the Halifax Regional Municipality.

## **Timeline**

I propose that the report be delivered to the Board by the **end of January, 2021.**

In order to accomplish this, I propose that the public hearings be completed by the **end of November, 2020.**

Before the final report is accepted by the Board, I propose a community presentation and period of engagement where community can read, listen to, engage with and comment on the report.

This timeline is dependent on how quickly the Board is able to approve the committee and the process and will shift according to when work commences.