



Speaking Notes for Regional Chief Teegee

**For Oral Submissions to the House of Commons Standing Committee on
Public Safety and National Defense's Study on Systemic Racism in Policing
in Canada**

July 23, 2020

CHECK AGAINST DELIVERY

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- Greetings to all here today. I am glad to be meeting with the Standing Committee in the study regarding systemic racism in Canada's law enforcement agencies, which have, historically and currently, affected First Nations people disproportionately. I hope the submissions presented here today by myself and others will lead to substantive reforms that are urgently required within Canada's policing system.
- *[Suggest inserting a personalized story from speaker to illustrate experience and perception of police in Indigenous communities.]*
- First Nations peoples have faced genocide through Canada's practices and policies. This includes the forced removal of our peoples from our territories, the stealing of our children from our families and into residential schools, and the criminalization of our laws and cultures.
- The foundation and rationale for these policies was rooted in racism toward Indigenous peoples. Police were the frontline agents and enforcers of these policies.
- As you may know, the founding of the Royal Canadian Mounted Police in 1873 was meant to control First Nations populations. At the time, Canada adopted legislation such as *the Gradual Enfranchisement Act* and the *Dominion Lands Act* which were designed to assimilate First Nations peoples and distribute land



to settler newcomers. Canada's founding leaders soon realized they required a paramilitary agency to enforce such legislation. Later, when the Gradual Enfranchisement Act became known as the Indian Act, the Royal Canadian Mounted Police were used to coerce cooperation from First Nations people.

- In the 1990 Oka Crisis, Quebec police and the Canadian army were deployed against land defenders in Kaniekahaka. Despite the claims in the 1996 Royal Commission on Aboriginal Peoples that such a conflict should never be repeated, Canada's law enforcement agencies continue to be deployed against First Nations peoples asserting their constitutionally-protected rights on their territories. RCMP regularly violate international human rights standards through forced removal of our peoples from our territories.
- In 2003, the Inquiry into the death of Neil Stonechild revealed that Saskatchewan police were involved in "starlight tours," where police would pick up First Nations people and drop them on the edge of town in freezing temperatures. The practice dates back to the 1970s and was the cause of death for Stonechild. In 2010, APTN reported that Winnipeg police were involved in at least 76 cases of starlight tours.
- During the 2016 Gerald Stanley case involving the murder of Colten Boushie, the Boushie family raised a number of concerns about the actions of the RCMP including:



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- Drawing weapons on Colten's mother, Debbie Baptiste, who had been mourning her son and asking if "she had been drinking";
 - The mishandling of evidence during the investigation including leaving the car that Colten was shot in uncovered in the rain, effectively washing away footprints and other important DNA evidence;
 - Releasing a statement that blamed the victim of the crime, stating that those present were a part of a theft investigation. This merely emboldened those who believed the protection of private property justified the murder.
- The RCMP have also been wilfully negligent in protecting First Nations peoples from violence. In 1971, the Royal Canadian Mounted Police failed to properly investigate the murder of Helen Betty Osborne, a 19-year-old Cree woman from The Pas, Manitoba. It took 17 years to bring one out of the four men responsible for Osborne's murder to justice. The 1988 Manitoba Aboriginal Justice Inquiry found that racism, sexism, and indifference by those in the police and justice systems were the main factors in this gross miscarriage of justice.
 - 41 years after Helen Betty's murder, the 2012 Oppal Report in Vancouver's Downtown Eastside found that systemic bias against Indigenous women contributed to critical police failings in missing women investigations by Vancouver police.

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- The final report on the National Inquiry into Missing and Murdered Indigenous women and Girls released in 2019 details RCMP negligence in dealing with the systemic epidemic of violence against Indigenous women, girls, and two-spirit people. Many of the sexual assaults recorded by the Inquiry involved Royal Canadian Mounted Police officers themselves. In May of 2019, CBC reported on the security footage that showed a Kelowna Royal Canadian Mounted Police officer harassing an Indigenous woman who had reported a sexual assault. The questioning officer asked if “she was turned on” by the attack.
- Yet police are not only neglecting Indigenous women and girls. They are killing them, like they did 26-year-old Nuu-chah-nulth woman Chantel Moore during a so-called “wellness check”.
- They are just SOME of the tragic examples. With all due respect, contrary to Royal Canadian Mounted Police Commissioner Brenda Lucki’s comments on systemic racism, these examples have nothing to do with the height differences of police officers.
- It is often said, in the myriad reports, commissions, and studies over the decades, that policing and the justice system in Canada have failed Indigenous peoples. The truth is that they are functioning exactly as they were originally intended to – to remove us from our lands, to fragment our communities, and to disrupt our systems of law and governance.



- The systemic racism that exists in policing systems in Canada is part of a continued system of colonialism that police forces defend and perpetuate. Only sweeping institutionalized changes will help redress the structural oppression that exists against First Nations peoples today.
- We do not need to tweak policing services in Canada when it comes to Indigenous peoples. We need a complete overhaul. We need what Indigenous peoples have never relinquished: jurisdiction over our own lands and peoples, based on our own legal orders and our own understandings of justice.
- The AFN acknowledges that Minister Blair intends to introduce legislation to classify First Nation policing as an essential program. For too long, First Nation police services have been largely underfunded. These vital services lacked adequate equipment and facilities. The First Nations Policing Program must be expanded and First Nations inherent authority recognized to enable all First Nations to police their own communities.
- The time for studies, reports and commissions is over. We know the problems, we know what we need to do. What we need now is action.
- The AFN has compiled a list of 14 recommendations that we ask those participating in the Standing Committee's study on systemic racism to take seriously. They include:



1. Accelerating federal action on the Calls to Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls;
 - The federal government recently asked for a 2-year extension on implementing the Calls to Action. This is unacceptable given that since 1989, over twenty inquiries and commissions have investigated systematic racism toward First Nations peoples in Canada's policing and justice systems. Many of the recommendations were never implemented. Canada can no longer afford to ignore such recommendations if systemic racism is to be redressed.
 - We need a Missing and Murdered Indigenous Women, Girls and 2-Spirited People Action Plan that addresses police injustices.
2. Working with First Nations on a legislative framework to support First Nations-led policing with the proper financial resources to support self-determining efforts of First Nations policing services;
 - Current policing agreements such as the ones developed under the First Nations Policing Program (FNPP) are outdated and under-resourced, giving little options for First Nations communities to choose their own models of community policing. A legislative framework should be developed that discusses the following:
 - the formal recognition of First Nations' power to enact laws concerning the service in question or to enter into



agreements with provinces for delegated authority if they so choose;

- clarification regarding circumstances where provincial or territorial laws would still apply to a First Nations person;
- obligations of the federal government with respect to the funding of the service;
- the establishment of a First Nations governing body;
- mechanisms for handling disputes and complaints; and
- provisions related to data collection and reporting and training to ensure that all staff have the necessary skills and knowledge, including knowledge of the First Nation's culture and laws

3. Federal and provincial support for First Nations restorative justice initiatives and respect for the jurisdiction that arises from such initiatives;
 - Prior to colonization, First Nations peoples had their own model of policing subject to their laws, governance systems, principles, practices and customs. Federal and provincial support for restorative justice and other traditional forms of policing and justice will allow First Nations to determine for themselves how they should be policed by their fellow First Nations.



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4. Immediately establish an independent review of Royal Canadian Mounted Police operational practices involving “wellness checks” which provides recommendations for reforms;
 - As expounded in Point 5, police are ill-equipped to deal with sensitive situations involving wellness checks. An independent review is needed to make recommendations on how other services like mental health support, homelessness and other social work services can be addressed without the police.
5. Redirecting fiscal resources from militarized policing to much needed, more effective social supports, such as mental health, homeless and social work supports that do not require police presence;
6. The implementation of zero-tolerance policies on the use of excessive force;
7. A review of the *Royal Canadian Mounted Police Act* including providing more power to a civilian oversight body and to provide provisions that clearly state First Nations jurisdiction in matters of policing;



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8. Develop legislation that outlaws white supremacist ideologies while simultaneously increasing the role of the Canadian Human Rights Commission to deal with private matters involving racist hate speech and action.
9. Greater accountability for the protection and respect of the fundamental human rights of First Nations, including the implementation of the United Nations Declaration on the Right of Indigenous Peoples.
10. Increased use of police body cameras in First Nations communities and access to video records;
11. Enhanced de-escalation and implicit bias training, including cross-cultural training;
12. The recruitment and promotion of First Nations within the Royal Canadian Mounted Police;
13. Change of name from “Canada’s national police force” to “police service”;
 - to signal to the rest of Canada that the violence towards First Nations and other racialized groups is no longer tolerated.



14. Create a national First Nations justice strategic framework, action plan, and commitments, led by First Nations with full support and partnership of Canada and the provinces,
 - The Strategy and Action Plan should be modeled after the BC First Nations Justice Strategy partnership with the First Nations Justice Council. Justice system reform cannot be implemented piecemeal. It needs to be part of a coordinated strategy of all jurisdictions to implement cooperative federalism and First Nations self-determination in Canada.