INQUEST INTO THE DEATHS OF SEVEN FIRST NATIONS YOUTHS: Jethro Anderson, Reggie Bushie, Robyn Harper, Kyle Morriseau, Paul Panacheese, Curran Strang and Jordan Wabasse

IMPLEMENTATION STATUS REPORT OF THE

THUNDER BAY POLICE SERVICE

Wednesday, June 20, 2018

A. Overview

On June 28, 2016, the verdict in the Joint Inquest into the Deaths of Seven First Nations Youths in the City of Thunder Bay ("Joint Inquest") was released along with 145 recommendations directed to various institutional parties. Of the 145 recommendations, approximately six (6) relate to policing matters and were directed to, among other institutions, the Thunder Bay Police Service (the "Service"). All of the recommendations that refer to the Service have been accepted. This Report is prepared pursuant to Recommendation 144 to provide an update on implementation status.

B. Recommendations Directed to All Parties

A number of recommendations arising out of the Joint Inquest are directed to all parties. The Service acknowledges and accepts these recommendations and reports as follows:

Recommendation 7 – Guiding Principles - Complete

This recommendation is accepted by the Service. Implementation is being guided by the statements contained in this recommendation.

Recommendation 143 – Annual Report on Implementation Status – Complete

This recommendation is accepted by the Service and this Report constitutes the Service's Report thereunder.

Recommendation 144 – Process of Posting Annual Reports - In Progress

The Service is not aware of any process for publishing implementation reports but will certainly consider any model that all parties are willing to adopt.

Recommendation 145 – Revise Policies and Procedures – Complete

The Service made changes to its policies and procedures proactively prior to the Joint Inquest. To the extent that any accepted recommendation still in the implementation phase requires revision of a specific policy or procedure, such changes will be made during normal operational reviews and will be implemented as appropriate.

C. Recommendations involving Police and other Institutions

Recommendation 48 – Grade 8 Visit Program - Complete

The Grade 8 Visit Program ("Visit Program") was created and implemented proactively by the Service during the hearing phase of the Joint Inquest and prior to the release of the verdict and recommendations.

Content from 2017 Report:

The Service continues to work in partnership with the Nishnawbe-Aski Police Service ("NAPS") and Wasaya Airlines to allow police officers to visit students in remote communities who will be travelling to Thunder Bay to attend school. These visits are ongoing throughout the year. In 2017, the Visit Program has already completed four (4) visits: (1) Fort Hope on February 2, 2017; (2) Kasabonika Lake on March 2, 2017; (3) Summer Beaver on June 1, 2017; and (4) Wunnumin Lake on June 16, 2017. In order to continue identifying appropriate destinations for the Visit Program, the Service has obtained a list of students coming from twenty-one (21) communities and is waiting on numbers from two (2) other First Nation education facilities. Discussions are also ongoing between the Service and staff/officials with various First Nations education facilities for a joint project that will have Service officers attend with education authority officials for orientation sessions with students in their home communities.

The Service Aboriginal Liaison Officer, with assistance from the Service School Resources Officer and Community Service Sergeant's, has prepared a presentation for the Visit Program that addresses daily life in Thunder Bay and discusses expectations and issues that students should be aware of. The presentation enables officers to speak about important health and safety issues with incoming students and with their family members. To ensure that information in the presentation remains relevant, the Service Aboriginal Liaison Officer is in the process of selecting up to two student Ambassadors from the current Indigenous student body in Thunder Bay to review the presentation and propose additional information to include. The student Ambassadors are anticipated to act as role models for students in Thunder Bay and will also participate in presentations that take place during the school term. Discussions are also ongoing with NAPS to prepare a joint Service/NAPS presentation.

Update from June 2017 to June 2018:

On August 22nd, 2017 the Service's Aboriginal Liaison Unit (ALU) Officers, and Sergeant Stein from the Service's Community Services Branch attended Keewaywin and Deer Lake with KO Education Authority. The Service also attended Fort Severn on August 24, 2017 on short notice.

On August 15, 2017, TBPS had planned to visit Kingfisher, however the trip fell through as there was no available seating on the NAPS Court plane. Also in August 2017, TBPS planned on attending North Caribou Lake for a student and community visit however due to political issues in the community, the trip was put on hold. Since that time, the trip has been rescheduled twice as a result of issues within the community and the visit has yet to occur. We will continue to reach out to find a mutually acceptable date to complete the visit.

Despite the foregoing, the Service did complete an additional four (4) visits so far in the 2018 year: (1) Sandy Lake on February 5, 2018; (2) Fort Severn on February 12, 2018; (3) Keewaywin on February 15, 2018; (4) Fort Hope on June 6th and 7th, 2018. In addition, the Service has trips scheduled for: Sachigo Lake on July 4th and 5th, 2018, Summer Beaver on July 16 – 20, 2018, and Lansdowne House on August 13 to 17, 2018.

The Service sends out media advisories prior to their visits, to those in the community, in case any of them wish to attend.

Additionally, the Service has requested the September 2018 student lists from each educational organization but has not received this information as of yet. On June 20th, 2018, during a group meeting it was requested that the Organizations provide the Service with the outstanding information. The Organizations advised they would provide us with the student lists as soon as possible.

Ambassadors: We remain in contact with one Ambassador, Steve, who will be used this summer for the First Nations Community Visits. However, the opportunity has yet to come to bring Steve up north with the Service's Aboriginal Liaison Unit. Unfortunately, the second chosen Ambassador was not able to commit his time to our initiative due to school commitments.

Service/NAPS joint presentation: In January of 2018, the Service's ALU officers and Sergeant Stein met with Deputy Chief Morrison of NAPS, and their Training Inspector. Since March 2018, they have been presenting to NAPS officers (during their Training Block) the Safety Video/Presentation that they give to the students/staff in the First Nations Communities. In April 2018, ALU officers in conjunction with our Social Media Coordinator updated the Safety Video.

The Service was successful in obtaining the 2018-2020 Proceeds of Crime Grant that will fund the Matawa Learning Centre (MLC) - Thunder Bay Police Indigenous Youth Engagement Project. The Project will form partnerships with youth (12-25 years) and their families, and local Indigenous education providers. All involved will participate in community based programs and activities to improve trust and long-term community wellness and safety outcomes for Indigenous youth attending school in Thunder Bay.

TBPS and MLC will also be working with the Prevent Alcohol and Risk-Related Trauma for Youth (P.A.R.T.Y.) program to utilize a specialized Indigenous P.A.R.T.Y. presentation to support MLC students transitioning in Thunder Bay. The Indigenous P.A.R.T.Y program raises awareness of the risks and dangers involved in the use of alcohol, drugs, solvent abuse, and the risks of being in unsafe spaces if involved in these activities. The P.A.R.T.Y program brings students together with law enforcement, paramedics, rehabilitation staff and injured survivors to impact future decisions. The goal is to link Indigenous youth to positive inclusive activities supporting their learning journey for success and to realize future goals. TBPS will be provided with new engagement tools to use with other education groups and Indigenous students in the city and region.

Recommendation 91 – Working Group – In Progress

This recommendation was proposed jointly by the Service and other parties. It has been accepted by the Service and implementation is ongoing.

Content from 2017 Report:

On September 19, 2016, Chief of Police Levesque wrote to the other parties named in this recommendation (the "Working Group") in an effort to begin scheduling meetings to discuss development and implementation. We understand that Chief Levesque was the first institutional leader to initiate contact in this regard.

On May 18, 2017, the Service issued a media release which provides an update on the Service's implementation progress in respect of parts of this recommendation (the "Media Release").¹

On June 5, 2017, the Working Group had its first meeting and members from other institutions provided input regarding their respective implementation progress.

- i. The need to ensure timely reporting to police of all missing person matters that involve a Student (In Progress). This recommendation specifically references the Missing Student Protocol prepared by Nishnawbe-Aski Nation ("NAN") [see Exhibit 133 filed at the Joint Inquest] and directs that the NAN protocol be revised with the benefit of information learned at the Joint Inquest. The Service has no information about what steps NAN has taken in this respect. However, in addition to the information contained in the Media Release, the Service can confirm that it is working with Matawa Learning Centre ("Matawa"), Dennis Franklin Cromarty High School ("DFC"), Keewaytinook Okimakanak ("KO") and the Northern Nishnawbe Education Council ("NNEC") to prepare missing person protocols and contact information resources in an effort to synchronize policies and procedures among on-call workers across different educational organizations. This item is ongoing.
- **ii. Public awareness (Complete).** The Service has prepared and published a dedicated webpage² to ensure public awareness of the steps to be taken in the event that an individual's whereabouts become unknown. Any further steps will require direction

¹ The Media Release can be viewed at the following URL: <<u>http://www.thunderbaypolice.ca/news/common-goals</u>>.

² This is referred to in the Media Release and can be viewed at the following UR: http://www.thunderbaypolice.ca/missing-persons>.

within the Working Group. Subject to any further discussions within the Working Group, this item has been implemented.

- iii. Information Sheets (In Progress). As set out in the Media Release, the Service is working to create a checklist of descriptors and identifiers for all students attending school in Thunder Bay from Northern First Nations Communities. This list will be kept with education organization staff and should assist in the event of a need to gather information in order to make a missing person report. The Service has reached out to Matawa, DFC, KO, and NNEC to ask what should be included on the proposed list. Additionally, the Service has asked each education organization to provide them with a list of their on-call workers to be kept in the Service Watch Commanders' Office. If a student is reported missing, the Watch Commander will be able to quickly contact an appropriate on-call worker who can provide detailed information about the student in a timely manner. The Service understands that Matawa requires Band Council approval before completing this item and that approval is pending. This item remains ongoing pending confirmation from Matawa.
- iv. Social Media Search (In Progress). As set out in the Media Release, social media is already in use, where appropriate, in matters where an individual's whereabouts have become unknown. The Service remains ready to discuss designation of particular roles and responsibilities with other members of the Working Group. This item is ongoing subject to discussion with the Working Group.
- v. Press Releases (In Progress). As set out in the Media Release, press releases are created by the Service in consideration of the specific circumstances of each individual investigation. The Working Group must consider best practices for media releases; this item remains ongoing subject to those discussions.
- vi. Best Practices for Interviews (Complete). The Service continues to coordinate with NAN Legal Services to ensure that, where appropriate, resources are available to provide assistance to interviewees in exigent, non-criminal, circumstances. Subject to any further discussions within the Working Group, this item has been implemented.

- vii. Internal Search Plans (In Progress). This item requires consultation and discussion with other members of the Working Group and remains ongoing accordingly.
- viii. Global Search Plans (In Progress). This item requires consultation and discussion with other members of the Working Group and remains ongoing accordingly.
- ix. Missing Person Risk Factors (In Progress). This item requires further discussion within the Working Group and will likely be canvassed more as the Working Group addresses items [i] and [iii] within recommendation 91. This item remains ongoing accordingly.
- **Review of Missing Person Questionnaire (In Progress)**. The Working Group has not yet had an opportunity to address this item. As such, it remains ongoing.
- xi. Training (Substantially Complete). The Service can confirm that over 75% of its members have completed the Walk a Mile training program that was presented during the Joint Inquest. All Service members have completed training on the revised procedures referenced earlier pursuant to recommendation 145. To ensure monitoring and timely completion of member training, the Service Training Unit continues to provide the Thunder Bay Police Services Board with an annual report summarizing the training undertaking by Service members. Subject to completion of the Walk a Mile training, which is anticipated to conclude imminently, this recommendation will be fully implemented.
- xii. Training Case Scenario (In Progress). This item requires consultation and discussion with other members of the Working Group in order to be properly implemented. It remains ongoing accordingly.
- xiii. Consultant Aided Training Revisions (In Progress). The Service is eager to discuss with the Working Group the possibility of engaging Dr. Cynthia Wesley-Esquimaux. As such, this item remains ongoing subject to discussion with the Working Group.

Update from June 2017 to June 2018:

• i. The need to ensure timely reporting to police of all missing person matters that involve a Student (In Progress). The Service can confirm that it is working with Matawa Learning Centre ("Matawa"), Denis Franklin Cromarty High School ("DFC"), Keewaytinook Okimakanak ("KO") and the Northern Nishnawbe Education Council ("NNEC") to prepare missing person protocols and contact information resources in an effort to synchronize policies and procedures among on-call workers across different educational organizations.

In August 2017, the Service provided their Missing Person Policy to the working group for reference and to assist the educational facilities with forms they will incorporate into their student packages. Student Orientation Packages (also called the Missing Person Protocol Guide) will contain: Student Information Form; TBPS Media Release and Information Consent Form; Missing Person Bulletin; and the Missing Persons Questionnaire. The working group worked collaboratively with each other to develop the content of these forms, and the packages have been approved by each organizations legal counsel.

- ii. & iv. Public Awareness/Social Media Search (Complete). In January 2018, a sub-group was created to work on a Public Awareness Campaign. It is a three-fold campaign:
 - Missing Person & Social Media Information Presentation. This presentation was created by the Service's Social Media Coordinator, Scott Paradis and was presented to the larger working group and uploaded onto the Service's website in May 2018, for all to see and learn from. It is an educational document relating to missing persons and social media to limit misinformation and provide closure for missing person posts.
 - The creation of a Public Service Announcement (PSA) video and postcard, developed in partnership with Generator Inc. Both the PSA and the Video will cover off three key messages on the procedure of reporting missing persons:
 - a. make reasonable effort to locate the person;

- b. assess potential risk for the missing person; and,
- c. contact police.

The postcards will be 5"x7" and will be part of the Student Orientation Package.

- 3. Media Launch for Public Awareness Campaign, which is taking place June 26, 2018 at 2pm at the Brodie St Library. All named organizations in this recommendation will be in attendance. It will be 'open house' format, with an elder present for opening prayer/smudging. The video will be played, and the postcards will be blown-up and displayed on the walls.
- **iii. Information Sheets (Complete).** The working group has created an information form with descriptors/identifiers, which has been approved by their respective legal counsel and is now incorporated into the Student Orientation Package. A template was created and will be adapted by the education organizations to suit their purposes.
- v. Press Releases (Complete). In December 2017, the Service, in consultation with the Service's FOI Coordinator), completed and presented to the working group, Student Consent Forms that relate to media releases and release of student information by the police to on-call staff/educational organization staff. The Student Consent Forms are to be included in the Student Orientation Package, remain in the custody of the educational facilities and presented to TBPS when required (ie. missing student, criminal or provincial infraction/incident involving a student). All the education organizations are using this form, except NNEC. At this time, TBPS is still waiting to hear back from NNEC's legal counsel.

Press releases and media coverage were included in the Public Awareness Campaign.

- vi. Best Practices for Interviews (Complete). No further update required.
- vii. & viii. Internal and Global Search Plans (Complete). Educational facilities have been working on their internal/global search plans for several months and presented to the group in February 2018. Due to legal restrictions, these plans had to remain

individual, but discussion took place regarding having them all stored in one location. The Service's involvement in these two tasks is minimal—guidance was provided along the way.

The global search plans are dependent upon the internal plans. Each respective educational organization identifies who their liaison will be from their internal plans to communicate with police as part of the global plan. The handout on Best Practices for Community Searches was developed under Recommendation #94.

- ix. & x. Missing Person Risk Factors & Missing Person Questionnaire (Complete). These forms have been completed by the working group, reviewed by each respective legal counsel and will be used by education organizations to suit their purposes.
- xi. Training (Substantially Complete). We are in the process of organizing a joint training day for all organizations named. There will be a morning session that will have each organization go through their newly created Missing Person protocol/policies/Protocol Guide, and an afternoon session will pull everyone together for a joint mock scenario of a missing person. We have been in contact with Lakehead Search and Rescue (LSAR) to assist with the training (and to provide all on-call workers the required training for searches. It has been difficult trying to establish available dates. We are still working on what this joint training session will look like, but are hopeful to have a date set in mid-September when most of the on-call workers are back from summer break.

In addition, the Walk A Mile Training is substantially completed with 270 members (85%) trained with more sessions planned.

- xii. Training Case Scenario (Complete). An information/training session relating to TBPS Missing Persons Protocol and volunteer searchers took place Jan 18-19, and February 8, 2018, hosted by the TBPS, for the working group and their leaders. This information session included a scenario based portion that covered the following:
 - a) When to report to police

- b) What to report to police
- c) Risk factors
- d) Stages of the investigation
- e) Interviews
- f) Media releases
- g) Place of safety
- h) Parent/guardian consent forms
- i) Volunteer Searchers

The PowerPoint presentation was forwarded onto the working group chair to distribute to the group for future reference and education.

• xiii. Consultant (In Progress). The Service has hired an external consultant (Leisa Desmoulin) regarding TBPS training modules and curriculum covering cultural issues relevant to the Indigenous community, as part of a larger organizational change project.

Recommendation 94 – Multilingual Joint Search Protocol (Complete).

Content from the 2017 Report:

The Service members of the Working Group have created a comprehensive list of 21 factors to consider in preparing this joint protocol. The list has been forwarded to NAN members of the Working Group for review and feedback. A Working Group meeting has been scheduled for July 2017 for further discussion of the list. The Service has already provided personal safety training to members of the Bear Clan Patrol which is a citizen's group that conducts foot patrols in Thunder Bay to promote safety within the community. The Community Services Branch of the Service is working with NAN to organize joint patrols between the Service and the Bear Clan Patrol.

Update from June 2017 to June 2018:

Legal Counsel from the TBPS and Legal Counsel from NAN have been working jointly on the protocol based on the information provided by Sgt Belcamino (21 factors mentioned in the year-one report), and the protocol has been completed and approved by both organizations. It has been

properly translated.

We are now working together to seamlessly fit this protocol in with the #91 Recommendation, with the assistance of LSAR.

<u>Recommendation 96 – Joint Task Force with LCBO to Deter Underage Drinking</u> (Complete).

Content from the 2017 Report:

The Service and the LCBO have formed a working task force to look at the issue of "runners" - second party purchasers who provide alcohol to minors. The Service has provided a list of specific "triggers" to the LCBO and assisted in preparing a draft protocol for reporting runners to police. These items are being reviewed by the LCBO's legal department.

In December 2016, members of the Service's Community Services Branch in partnership with Uniform Patrol Branch implemented the "Runner Project Plan". This plan involves, among other things, Service surveillance of identified "hot spots" and includes interdiction as required. The plan also features a reporting mechanism to monitor overall progress and any patterns or findings that are identified. This item remains ongoing accordingly.

Update from June 2017 to June 2018:

In consultation with the Service, the LCBO has completed their protocol relating to identifiers of 2nd party purchasers, and their reporting mechanism for reporting suspected 2nd party purchasers to TBPS. LCBO employee training was completed in August 2017, and they started the pilot September 1, 2017. The Service sent out a service-wide email advising of LCBO's new protocol. The "Runner Project Plan" remains operational, when staffing complement permits.

<u>Recommendation 97 – Public Campaign to Deter Second Party Purchases of Alcohol</u> (Complete).

Content from the 2017 Report:

The Service/LCBO working task force referenced in recommendation #96 is also working in partnership to discuss possible public awareness campaigns. The Service understands

that the LCBO will be undertaking a two-phase campaign: (1) in or around June 2017 - creation and placement of posters within LCBO stores focusing on the legal consequences for second party purchasers; and (2) in or around September 2017 - launching a video intended for social media circulation. The LCBO is reaching out to NAN, NNEC and KO, among others, to assist with preparation of video content. This item remains ongoing.

Update from June 2017 to June 2018:

The first phase of the campaign (mentioned in the year-one report), went active in June 2017. Phase two was stalled due to scheduling of internal briefings within the LCBO, but started working actively with a local production company to produce short videos suitable for social media. In order to determine the most effective content, they were reaching out to students from DFC, KO and Matawa. The Service advised LCBO they will assist with any social media distribution once completed.

Recommendation 115 – Safety Audit of River Areas (In Progress).

Content from 2017 Report:

Since Fall 2016, the Service conducts focused daily foot patrols along previously identified high risk areas including city waterways and recreational trails.

In November 2017, a Riverway/Floodway Monitoring Project was implemented by the Service's Uniform Patrol Branch. A revised list of high risk areas was prepared in consultation with numerous community organizations including, among others, Shelter House, NNEC, DFC the LCBO and management at The Beer Store. The Service's project leader has also reviewed the locations of the deaths that were the subject of the Joint Inquest as well as statistical data relating to police interactions for *Liquor Licence Act* offences.

The Monitoring Project requires officers to conduct three foot patrols of high risk areas each day. If officers encounter persons in an intoxicated state or consuming alcohol, appropriate action will be taken and may include: (1) an escort home or to a safe location (e.g. Shelter House or detox); (2) confiscation of alcohol without further interdiction; or (3) apprehension if necessary. The plan includes a reporting mechanism that will be reviewed on a regular basis to

track, among other things, the number of calls for service and numbers of intoxicated persons located in the high risk areas. The plan is intended to deter consumption of alcohol near bodies of water and increase awareness of the related public safety risks.

In the week of May 15, 2017, a safety audit was conducted in collaboration with the City of Thunder Bay Safety Audit Committee. This Committee includes members of the Service. The above mentioned high risk areas remained the focal points for the audit. A safety and security specialist was hired in a consulting capacity to conduct the audits and has provided a preliminary report. The consultant's full report is expected to be available in August 2017. Implementation of this recommendation remains ongoing subject to the findings of the completed safety audit and any input from other institutions.

Update from June 2017 to June 2018:

Riverway/Floodway Monitoring Project: The Service continues to monitor the identified highrisk areas, with daily foot patrols three times a day.

Data Collection from Reporting Mechanism: The following information has been gleamed from the project for 2017:

			Average age	35.528
ncidents 2017		Median age	33	
-Jan	9		Oldest	69
Feb	9		Youngest	13
Mar	3		Persons under 21	27
pr	25		Persons under 20	16
ay	42		Persons under 19	13
	82		Persons under 18	9
	69			
	75		Total persons	1211
)	46			
	52		Total males	335
,	24		Total females	157
;	15			
	451		Total incidents	459

We estimate that with police intervention over 100 lives were saved in 2017.

The total incidents in the first column does line up with the number of persons involved in the total incidents in the second column as there may be an overlap of incidents / individuals in each incident

Waterway Brochure: The Service in partnership with City of Thunder Bay created an information brochure that was distributed in March 2018, via the post office to all residents/businesses along the identified Riverway/Floodway to help increase public safety and well-being along and near local watercourses and rivers. The brochure provides information relating to Floodway Project; the river audit; project partners; and how community members can help.

Safety Audit Committee: The safety and security specialist provided his audit report in August, 2017 and it went before, and was approved, by City Council August 28th, 2017. The report came with 10 Recommendations, which the working group are addressing (either as individual entities; smaller working groups; or collectively within the larger working group).

These are the ten recommendations:

1) Formal Recognition of the Significance of Land & Water Resources by Indigenous

Community Members

2) Construct & Install Creatively Designed Barriers, lights and cameras to Prevent

Unlawful Access underneath Bridge & Tunnel Structures

3) Formal Educational Partnership with All Local Institutions

4) Safety Improvements for Roadway Pedestrian Crossings

5) Working Protocol with LCBO to Minimize "Runners"

6) Lighting Enhancements to Promote Visibility & Safety

7) Celebrated" Pedestrian Connection to the Mouth of McVicar Creek at Lake Superior

8) Immediately Eradicate All Visible Occurrences of Graffiti

9) Direct Linkage to the Northwest Community Mobilization Network

10) Maintenance/Removal of Overgrown Vegetation in All Study Areas

Many of these recommendations have fallen under the responsibility of the City of

Thunder Bay, and have been addressed and implemented—as indicated in the City of Thunder Bay's report.

Recommendation 1 and 3 are being worked on by the group as a whole, and we are in the early stages of planning an annual fall event to be held at the river locations and/or Marina Park, with a focus on bringing the youth and broader community together to:

- Raise awareness about the cultural significance of land and water
- Celebrate the water
- Raise awareness about safety concerns in certain watercourse/river areas
- Have a barbecue/feast

Recommendation 2: The Service is part of a technical working group to address this recommendation relating to underneath of bridges/tunnel areas, specifically "Optional high resolution, motion-activated colour CCTV cameras mounted in conjunction with lighting. These cameras would only record if prompted by activity." The Technical Working Group recommended developing a broader, more comprehensive camera program. The Waterway and Public Space Monitoring System Working Group was created to scope and design the camera project. A Request for Information was approved by City Council in Nov 2017 and is being sent out to vendors.

Recommendation 4 is being completed by City of Thunder Bay

Recommendation 5 is covered off by the Service under this Inquest Recommendation # 96.

Recommendation 6,7,8 are being completed by City of Thunder Bay

Recommendation 9: Based on the information gleamed from the Floodway Project several individuals have been identified as being involved in repeat incidents and their information has been forwarded by the Service to the Northwest Community Mobilization Network.

Recommendation 10 is being completed by City of Thunder Bay.