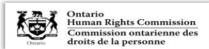# Human Rights Project

EVALUATION REPORT:
WINDSOR POLICE SERVICE
HUMAN RIGHTS PROJECT

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Dr. Lorne Foster & Dr. Lesley Jacobs
October 2015

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ABOUT THE HUMAN RIGHTS PROJECT'S SPONSORS

The Ontario Human Rights Commission (OHRC) works to end discrimination and to promote and advance human rights in Ontario by developing public policy on human rights; conducting public interest inquiries; intervening in proceedings at the Human Rights Tribunal of Ontario (HRTO) or in the courts; initiating its own applications at the Tribunal; providing public education; and by bringing people and communities together to help resolve issues of "tension and conflict."

The Windsor Police Services Board (WPSB) is a five-member civilian Board that oversees the Windsor Police Service. Two Board members are appointed by the Lieutenant Governor of the Province of Ontario, two are appointed by Municipal Council (ie. the Mayor or designate and one member of Municipal Council), and one is a Municipal appointee who is neither a member of council nor an employee of the municipality. The mandate of the Windsor Police Services Board is to set policy and to maintain an adequate and efficient police service, working with the community, city council and the police service.

The Windsor Police Service (WPS) is the city of Windsor's municipal police service. WPS is committed to being a progressive and forward thinking organization serving all citizens and visitors of the third most diverse city in Canada. The mission of the WPS is to prevent and investigate crime, to provide support and to enforce the law in partnership with the community. A primary goal of every member of the WPS is accountability to the community we serve, to ensure community trust and confidence. Member of the WPS strive to be true to their values and committed to "Honour in Service."

The Ontario Police College (OPC) is a leader on the international stage of police training. The College is committed to the continuous pursuit of business excellence while creating unique and innovative learning opportunities for new and seasoned police officers alike. OPC classes are designed to support and ensure the delivery of police services that meet the needs of Ontario's diverse communities. The College's mission is to advance the safety of Ontario's diverse communities by setting evidence-based standards for police training, education and assessment of learning.

EXECUTIVE SUMMARY

THE HUMAN RIGHTS PROJECT

On February 24, 2011, the Windsor Police Services Board (the Board) members voted unanimously to pass a Human Rights Charter Project. The Windsor Police Service Human Rights Project Charter (the Project Charter or Project) was the culmination of a decade long organizational undertaking to address internal and external human rights complaints including several high-profile cases. The Ontario Ombudsman had also alleged that the Windsor Police Service (the Service) delayed and failed to report numerous incidents involving police misconduct. Over a three year period, the WPS Human Rights Project Charter brought together the Windsor Police Service and its Board, with the Ontario Human Rights Commission (OHRC) and the Ontario Police College (OPC). The aim of the partnership was to create a progressive organizational change project by applying a human rights lens to all aspects of policing.

The model for the Project Charter is based on a prior project undertaken by the Toronto Police Service (TPS), Toronto Police Services Board and the Ontario Human Rights Commission that ran from 2007 to 2010. The Like the TPS initiative, the WPS Project Charter aimed to embed human rights in all aspects of its service operations.   The Project Charter Team   drew on the expertise of all four partner organizations and of members of the Service from all levels, and ranks, as well as sworn and civilian personnel.

The WPS Human Rights Project Charter reviewed the Service's existing policies and programs, and developed strategies to help the Service and the Board address human rights concerns. Four Project subcommittees were set up to address key areas:

- Recruitment
- Selection
- Promotion and Retention
- Accountability, Public Liaison, and Accommodation

Four groups were developed to support the subcommittees and carry out key Project functions: Training, Evaluation, Project Communication, and Research.

THE EVALUATION

On the completion of the WPS Project Charter and release of the Final Report in October 2014, Professors Lorne Foster and Lesley Jacobs from York University were contracted to evaluate the initiative. Dr. Foster and Dr. Jacobs are human rights experts who have worked with other police services in Ontario conducting research and program evaluation. They have a record of working with the OHRC and other government bodies in various areas of policy development.

The Evaluation Report provides an assessment of the Human Rights Project Charter's implementation. Specifically, it:

- outlines the purpose and context of the WPS Human Rights Project Charter and its evaluation;
- describes the methodology used for the evaluation;
- provides an overview of the findings from the data collection;
- evaluates the change objectives identified in the W Human Rights Project Charter; and
- offers recommendations for moving forward

THE PROJECT'S PURPOSE AND OPERATION

The Windsor Police Service Human Rights Project Charter is an innovative three year project that was designed and drafted by the four partners. The objective was to ensure that the principles of the Ontario *Human Rights Code* were interwoven in Windsor Police Service governance, operations, and services while advancing a collaborative approach between the Windsor Police Services Board (which oversees the WPS), the WPS, the Ontario Human Rights Commission and the Ontario Police College.

The WPS Project Charter identified two specific goals:

1. To identify and eliminate any discrimination that may exist in employment policies of the Windsor Police Services Board (Board) and the practices of the Windsor Police Service (Service) that may be contrary to the Ontario *Human Rights Code.*

2. To identify and eliminate any discrimination that may exist in the provision of policing services by the Service to people in the City of Windsor that may be contrary to the Ontario *Human Rights Code.*

Over a three year period, the WPS Human Rights Project Charter reviewed the Service's existing policies and programs, to develop strategies that help the Service and the Board address human rights concerns. The Human Rights Project Charter's adopted a collaborative networking approach and a shared power arrangement that was aimed at creating sustainable, lasting organizational change. While this major initiative ran from February 2011 to 2014, many of the efforts implemented are ongoing. Other policies and programs emerged that are by nature longer-term and require strategic development through a circle of continuous improvement.

METHODOLOGY OF THE EVALUATION

This Evaluation Report responds to the following questions:

- Has he WPS Human Rights Project Charter served the purposes for which it was designed? Has the WPS Human Rights Project Charter achieved the target change objectives set out in its Charter?
- What lessons can be learned from the WPS Human Rights Project Charter?
- Should the WPS Human Rights Project Charter continue?

Using a mixed methods approach to collect and integrate quantitative and qualitative data the Evaluation Report involves three primary performance benchmarks:

- a content-based review of existing organizational data;
- interviews with the WPS Human Rights Project Charter internal and external stakeholders that offer real-life contextual understandings, multi-level stakeholder perspectives, and intersecting cultural influences; and
- policy analysis and assessment of organizational systems, procedures and practices.

FINDINGS AND EVALUATION OF CHANGE OBJECTIVES

Has the WPS Human Rights Project Charter served the purposes for which it was designed?

The short answer is "yes". The WPS Project Charter advanced a collaborative networking approach which reinforced initiatives to identify and eliminate discrimination in policing. The Project helped focus discussions of human rights and policing in Windsor and Canada more broadly. At the same time, it created a robust tool for quality control of policing by mapping police policies and practices against core human rights values. The Project provided a platform to review police service operations and acted as a catalyst for significant organizational change innovations. The rights-based framework embodied in the Project increases the organizational readiness and agility of the Windsor Police Service to pursue community partnerships and to enhance its vision of an inclusive environment.

Has the WPS Human Rights Project Charter achieved the target change objectives set out in its Charter?

The short answer is "yes", however, more work still needs to be done. From information obtained during interviews with community representatives and members of the WPS, together with a review of other materials, the project is successful in its broad objectives. It is viewed as having a positive impact on the image of the WPS, with its community relations, and in its communications with marginalized groups. At the same time, there is also almost universal acknowledgement from sworn

and civilian members of the WPS and community participants that the full benefits of the Charter Project have not yet been realized.

What lessons can be learned from the Human Rights Project?

During Project, there were indications of continued progress towards the two overarching goals of reducing discrimination within the WPS and in its interactions with the community. This signifies a significant organizational achievement. For example, members of the WPS and community representatives expressed strong views about the importance and value of the overall project. In relation to some other prior initiatives, it was generally acknowledged that the Project centred on a good plan that had follow-through.

While there was broad support for the Project, the findings also suggest that there are some significant and nuanced differences between the views of members of the Windsor Police Service and community representatives in terms of how the project was implemented. Sworn and civilian members of the Windsor Police Service viewed the project as transformative in its efforts to utilize a human rights lens to examine the policies and practices of the WPS. Community representatives, however, saw the project as being far less successful in bringing about real change and improvement in existing practices.

Evidence suggests the WPS Human Rights Project Charter lens has allowed the WPS to refine existing practices and make it much more effective in many areas, particular at it relates to the workplace.

In terms of human rights in service operations, WPS members and community representatives held differing perceptions. While WPS members saw the gap between WPS Project Charter policy initiatives and the implementation of human rights policy in the workplace much narrower, community representatives felt the gap was greater. This indicates difference in the perception of the inputs and outcomes of human rights in the workplace, and human rights in the provision of policing services for the community.

Efforts to communicate the Service's activities and promote the new rights-sensitive practices and procedures will have some impact on improving overall community assessment of the police.

 A stronger policy focus on human rights in services and operations would be indicated if the WPS Project Charter is frontloaded on the employment side. This could be done by advancing public accommodations and public accountability directives, as well as on-going short-range and long-range community policing initiatives.

Should the WPS Human Rights Project Charter continue?

The WPS Human Rights Project Charter is a significant organizational achievement of the Windsor Police Service that should be continued. The complexity of the public policy challenges associated with policing in a modern multicultural society meant that the networking and collaborative approach helped to develop solutions that are tailored to Windsor's municipality-specific issues. The connections made among the four Project Sponsor organizations represent a holistic turn in public policing reflecting an advance in progressive change. The Project Charter shows how coordinating across multiple boundaries to utilize the pooled expertise and competencies of the project partners enhanced Windsor Police Service' s agility to meet new civic and human rights challenges in a rapidly changing urban environment.

RECOMMENDATIONS

- Senior and mid-level management demonstrate leadership by reiterating their collective commitment to the outcomes of the project.

- Continue to involve and engage sworn officers and civilian staff in various aspects of human rights organizational change initiatives and the Charter Project going forward.

- Strengthen accommodations and accountability policies on the service delivery side.

- Continue to develop short-term and long-tern community policing initiatives.

- Focus additional attention on innovative strategies and initiatives for increased organizational sustainability, including future collaborative networking projects and shared governance models.

- Increase community engagement and community stakeholder involvement in rights-based organizational direction and priorities.

- Ensure that future organizational change projects build in a formative evaluation procedure in the planning models.

A full list of recommendations can be found on page 44.

SECTION 1

INTRODUCTION

PURPOSE OF THE EVALUATION

In 2011, the Windsor Police Service (WPS) in partnership with the Ontario Human Rights Commission (OHRC), the Windsor Police Services Board (WPSB), and the Ontario Police College began the three years Charter Project. . The mandate of this project was to examine the WPS's existing policies and programs and develop strategies that help it address human rights concerns. This project cumulated in a final report released in October 2014.

At that time, Professors Lorne Foster and Lesley Jacobs from York University were contracted to evaluate the WPS Human Rights Project. Dr. Foster and Dr. Jacobs have extensive and varied backgrounds in human rights. They have worked on projects with other police services in Ontario conducting research and program evaluation. They also have a record of working with the OHRC and other government bodies in various areas of policy development.

This Evaluation Report aims to assess:

- Whether the Windsor Police Service Human Rights Project served the purposes that it was designed for
- Whether the Human Rights Project achieved the target change objectives set out in its Charter
- The lessons that can be learned from the Human Rights Project
- Whether the Human Rights Project continue

THE WINDSOR POLICE SERVICE HUMAN RIGHTS PROJECT CHARTER

On February 24, 2011, the Windsor Police Services Board members voted unanimously to pass a Human Rights Project Charter. The Windsor Police Service Human Rights Project Charter was the culmination of a decade long organizational undertaking to address concerns related to internal and external human rights complaints. These complaints were accentuated by several high-profile cases, as well as allegations by the Ontario Ombudsman that the Windsor Police Service both delayed and failed to report numerous incidents involving police misconduct. The WPS Project Charter called for the Windsor Police Service and its Board to work with the Ontario Human Rights Commission and the Ontario Police College over a three year period with the aim to create a progressive organizational change project by applying a human rights lens to all aspects of policing.

The model used for the Project Charter was based on a successful project that was undertaken by the Toronto Police Service (TPS), the Toronto Police Services Board, and the Ontario Human Rights Commission (2007 – 2010). Following the TPS framework the WPS Human Rights

Project Charter aimed to embed human rights in all aspects of service operations. A WPS project team was developed by drawing on the expertise of all four partner organizations together with members of the Service from all levels, and ranks, including sworn and civilian personnel.

The WPS Project Charter was designed and drafted by the four partners with the view to ensuring the principles of the Ontario Human Rights Code were interwoven with Service governance, operations, and services. It also sought to advance a collaborative approach between the WPSB (which oversees the WPS), the WPS, the OHRC and the Ontario Police College.

The Project Charter identified two specific goals:

1. To identify and eliminate any discrimination that may exist in employment policies of the Windsor Police Services Board and the practices of the Windsor Police Service that may be contrary to the Ontario *Human Rights Code.*

2. To identify and eliminate any discrimination that may exist in the provision of policing services by the Service to people in the City of Windsor that may be contrary to the Ontario *Human Rights Code.*

The Human Rights Project Charter identifies target objectives and possible change initiatives in four areas:

- Recruitment, Selection, Promotion, and Retention
- Accommodation
- Accountability
- Public Liaison

Project subcommittees with corresponding names were established to address these four areas for target objectives and change initiatives. Four groups were developed to support the subcommittees and carry out key Project functions: Training, Evaluation, Project Communication, and Research.

The Project Charter's novel collaborative networking approach and shared power arrangement was intended to create sustainable, lasting organizational change. Over a three year period, the Project Charter scrutinized the WPS's existing policies and programs, and sought to develop strategies that help the WPS and the WPSB address human rights concerns.

The Project Charter provided periodic reports on its implementation. The Final Report was made available in October 2014. Although this major initiative ran from February 2011 to 2014, many of its efforts it implemented are ongoing. There are also other policies and programs that are by nature longer-term and require strategic development through a circle of continuous improvement.

THIS REPORT

This Report evaluates the implementation of the Human Rights Project Charter by the Windsor Police Service. It outlines the purpose and achievements of the WPS Project, describes the methodology used for the evaluation, provides a summary analysis of the data collected, evaluates the change objectives identified in the WPS Project Charter, and offers recommendations for moving forward. The resources include a brief discussion on human rights and policing in Ontario.

A note on privacy and confidentiality: at the time internal and external interviewees were invited to speak with the Report Evaluation team, they were assured of anonymity and this was reiterated at the interview. For this reason, comments reproduced in this report are attributed anonymously.

SECTION 2

HUMAN RIGHTS AND POLICE CULTURE IN ONTARIO

THE VALUE OF A DIVERSE WORKFORCE IN LAW ENFORCEMENT

Canada is one of the most diverse countries in the world. About 20% of the population was born outside the country, and Canadians have more than 200 different ethno-racial ancestries. By way of contrast, there were 25 ethnic groups in Canada in 1901 (Siu, 2011: 13). Against the backdrop of this significant social diversification most observers now agree there is a general business case that can be made for striving towards diversity in the workplace (Shin, 2008). Workplace diversity is viewed as a new business direction, which has the potential to improve services, to lift morale, and to enhance productivity. Hence, the changing global and national demographics have made it an absolute business imperative to foster a diverse and inclusive workforce (Siu, 2011, 35-56). This is particularly relevant for urban police forces tasked with the responsibility to serve and protect society.

The business case for diversity argues that workplace policies and strategies that truly engage our differences make good business sense, not only for ethical and legal reasons but also for the advantages they bring. These include a range of new and varied opportunities, such as strengthening organizational values, tackling manpower shortages, generating more creativeness and innovation, increasing motivation and with it, efficiency among their employees, and strengthening the customer/client base. This has inspired the diversity management model as a new approach based on a range of industrial relations and human resource management practices directed to improving the flexibility and skills of the workforce, within an environment which emphasizes communication, cooperation and trust between managers, workers and their representatives (Foster & Jacobs, 2012: 66).

Police services are gaining confidence in the value of a diverse workforce. They are realizing the impact that socio-demographic changes are having on Canadian society, and how diversity is shaping the way their business operations are conducted. Police forces across Ontario have attempted to respond to the transforming ethnic, racial, cultural and religious foundation of the province by implementing various diversity-inspired programs and initiatives – such as revamped hiring practices to attract visible minority candidates, race-relations and anti-bias policing policies, and increased efforts to include minorities on police governance boards. However, critics are skeptical about the effectiveness of these efforts in changing some entrenched attitudes that drive traditional police culture. They also raise questions about the lack of organizational commitment to visible minority-related initiatives (LCC 2006, 18; Stennin, 2003). For example, despite increased efforts to improve diversity in police services in Canada, women, members of ethno-racial minority groups, as well as Indigenous people, remain significantly under-represented compared to their representation in the communities being policed (Stennin, 2003: 19).

Mainstreaming diversity in police employment and service delivery has been uneven. Public police services have tended to be highly regimented, para-militaristic organizations that remain at a distance from the wider community in general and exclusionary to minority communities in particular (Reiner 2010; Spasic, 2011). Hence, internal diversity is not something that can be achieved without firm commitments from the police chief and top police administrators to make effective diversity management a priority. Police studies indicate that outsiders such as human rights commissions, police boards and community advocates can provide valuable support to encourage a police department to undertake efforts to achieve and maintain diversity. However, this support is no substitute for leadership at the top (Kasden, 2006, 2).

If police governance and management systems can achieve a balance of diverse employees throughout the ranks, individual employees as well as the Service and wider community as a whole, benefits. Having a police service that is reflective of the community composition is an important testimony that police are both apart of, and responsive to, the larger community. When community members see a police force as part of the integrated fabric of civic life, it is not difficult to rally community support from all sectors of the population. Bringing diversity into the mainstream of public policing attracts a broad cross-section to join the ranks of public policing, and assures others they can flourish as engaged citizens. (*See Appendix C for further discussion on development of police culture and workforce diversity*).

HUMAN RIGHTS ORGANIZATIONAL CHANGE MANAGEMENT IN POLICING

Contemporary public policing has been profoundly influenced by the pace and nature of social change in the context of globalization (Martin, 1995; Ellison & Pino, 2012). The dynamics of competitive economics and transnational migration, associated with a global world have challenged police services across the country. Police services must come to grips with the difficult task of maintaining law and order in increasingly vibrant and diverse metropolitan populations who often contest the boundaries of the status quo. The dimensions of this issue are reflected in the growing frequency of newspaper and media accounts of confrontations in multiple jurisdictions between police and diverse publics over the 'use of force doctrines' and racial profiling. Television news programs and social media campaigns sometimes provide dramatic supporting videos, graphically depicting the visible tensions between the police and racialized minority communities.

The Ontario Human Rights Commission has attempted to create policy instruments that bridge the gap between professional policing perspectives and public concerns regarding the de-racing of modern law enforcement. In 2003, the OHRC released the report *Paying the Price: the Human Cost of Racial Profiling* on its inquiry into racial profiling in policing, education and other sectors (OHRC, 2003). This was followed up in 2005 with the OHRC *Policy and Guidelines on Racism and Racial Discrimination* (OHRC, 2005). The OHRC has worked with the WPS and other police services in an attempt to more firmly anchor their bias-free philosophies and procedures within a human rights framework. In this connection, in 2011 the OHRC published a guide that police services can use to

add a human rights lens to their operations, entitled Human rights and policing: Creating and sustaining organizational change (OHRC, 2011).

Organizational change management is an approach to transitioning individuals, teams, and organizations to a desired future state (Anderson & Anderson, 2001). Perhaps the most productive link to-date between human rights values and diversity-conscious policing has been what is called the "rights-based approach" to organizational change management, affirming that planned organizational change should be pursued in a "human rights way," or that human rights must be integrated into sustainable organizational development (Marks, 2003: 5). Human rights organizational change is a comprehensive and enduring process seeking to consciously shape all aspects of how organizations conduct business in a coordinated and systematic way (OHRC, 2011: 5). As the Ontario Human Rights Commission put it:

> Applying human rights values is a vital tool for effective policing in today's world. Members of the public feel more confident in dealing and partnering with police and are more likely to respect, trust, and cooperate with police services when they feel the police respect their individual rights. Human rights organizational change can help build this kind of positive relationship between police and all of the communities they serve (OHRC, 2011: 9).

Adherence to human rights in policing is required by Canada's human rights legislative framework. In Ontario, the provincial legislature included a primacy clause in the Ontario Human Rights Code, giving it the ability to trump other provincial legislation. Courts have also commented on the "quasi-constitutional" status of human rights legislation and stated the importance of interpreting the guaranteed rights in a broad and purposive manner that best ensures that society's anti-discrimination goals are reached (Hogg, 2007: 357).

However, applying human rights values to policing operations and services is not only a legal duty, but also a vital tool for effective policing in a diverse and multicultural society. It allows both the police and the public to have a common language that they can now use to talk to each other, which reduces the potential social distance and detachment between them. Placing law enforcement within a framework of constitutional rights helps to defuse the belief prevalent in some minority communities that the police are not there to serve and protect them. This leads, in turn, to more effective policy-community engagement, by increasing accountability and transparency, building public trust, and helping to contribute to a constructive culture of inclusiveness throughout the Service.

A constructive police culture that is both publicly accountable and transparent has implications for job satisfaction as well. Members of high-intensity professions like policing where there is a high-level of stress can reap benefits from police services that demonstrate a strong sense of corporate social responsibility. When employees view their employer as responsible, this may buffer the impact that stressors have on stress, and subsequent impacts on job attitudes and more serious mental health problems. Essentially, research suggest when an employer is viewed as social responsible,

stress is lower and, as a result, satisfaction, commitment and retention are higher, while depression symptoms are minimized (Fairlie & Svergun, 2015).

Research also indicates a human rights approach to organizational management of policing must be implemented with agility, learning on the go, and sharing knowledge about what works and does not work, thus affecting the learning in real time (Marks 2003, 2014). It must feature pragmatic, context-sensitive solutions rather than grandiose, comprehensive designs. The optimal result is incremental upgrading of police procedures and processes to improve their inclusiveness and maximize their positive contribution. Here, project-based reform deploying case-by-case, actionable self-examination of Service operations is replacing entrenched, wide-scale, one-size-fits-all reform (Marks 2003, 2014). Ultimately, the great advantage of the human rights approach to policing is that it provides a tool for rethinking police governance, culture and management and tailoring it to the evolving Service-specific circumstances of the municipality, but embedded within an indelible framework of human rights values and principles.

In the case of the Windsor Police Service, rights primacy is now consistent with the Service's *Vision, Mission and Values* statements. In response to the WPSB's desire for cultural change and transformation of the organization, Chief Frederick directed the creation of a new mission, vision, motto and value statement, recognizing the mission of community partnerships and the vision of an inclusive environment as the cornerstone of the organization. Like the WPS, modern police organizational value statements, to greater and lesser degrees, reflect the fact modern police services and personnel in Ontario have a statutory duty to uphold the Code by protecting the dignity and worth of every person, so that each person within its jurisdiction is able to contribute fully to the development and well-being of the community and the Province.

A HUMAN RIGHTS LENS AS A TOOL FOR POLICING

Respect for human rights is recognized nationally and internationally as a legitimate aspiration of all human beings. It is also a pre-condition for our globalized communities and multicultural society to grow and prosper in peace and security. Respect for human rights is also the law. In fact, it is a legal obligation given by the Charter of Rights and Freedoms.

The Supreme Court of Canada recognizes that human rights legislation such as the Ontario Human Rights Code is quasi-constitutional. Therefore, the Code must be complied with before other laws, unless there is a specific exception. The means in Ontario, the Human Rights Code is the primary regulatory authority of police workplace conduct. When there is a conflict between the Code and other legislation, like the Police Services Act, the Code will prevail. All organizational and professional conduct in the field of law enforcement must conform to the human rights model of non-discriminatory practice. In this respect, human rights organizational management is a planned approach to change aimed at transitioning organizations like police services to a more inclusive future that complies with their legal obligation to fully respect and accommodate the dignity, worth and rights of all people.

A human rights lens as a tool for policing, groups human rights activities into various areas of an organization's operation. These activities would then be mapped against the core human rights values. A human rights lens for policing would encompass the following:

Participation and involvement. This means ensuring that service users are given the right to participate in decisions that directly affect their lives (e.g., focus on community engagement and community policing initiatives).

• **Accountability**. Once an organization is clear which principles it seeks to adhere to in its work, it must ensure that there is proper accountability for meeting these principles.

• **Non-discrimination (and attention to vulnerable groups).** Recognize that some groups and people in society are more vulnerable to abuses of their human rights than others. In this context a human rights-based approach prioritizes looking at: (a) whether people or groups vulnerable to human rights infringements have been identified; (b) the impact of policies and practice on these people or groups; and (c) whether actual or potential discrimination has been addressed.

• **Empowerment**. Organizations must ensure that rights-holders and duty-bearers share a common understanding of human rights goals; and must also ensure that systems are in place to educate and raise awareness of all relevant stakeholders.

• **Linkage (to human rights principles and standards).** This means ensuring that in planning, policy and service delivery there is an analysis of which human rights are relevant, who the rights holders are, and who is responsible for ensuring that those rights are protected, promoted and fulfilled.

A rights-based approach fits comfortably with many current trends in policing, particularly toward bias-free operations. At the same time, a rights-based approach adds the bedrock of constitutionally guaranteed rights. This means the needs of diverse communities are better served and police services can draw on the strengths of their own internal diversity.

A human rights lens reinforces community-based policing by providing police with a shared language. This is important to interact comfortably with people from diverse cultural backgrounds, and to increase public confidence. In addition, this added knowledge can assist in ameliorating police-citizen tensions and resolving internal and external conflicts. This helps police services improve their systems and practices as an employer and service provider. At the same time, recognizing and acting on, and resolving human rights issues, helps to contribute to a 'constructive culture' of inclusiveness throughout the service. The result is increasing the overall accountability and transparency of the system. Hence, human right functions to bridge some modern protect-and-serve tensions and gaps between 'police legitimacy' and 'police practice', as well as address other important issues surrounding the current post 9/11 justice-and-security ecosystem more generally. (*See Appendix C for further discussion on police practice and police legitimacy*).

SECTION 3

THE WPS HUMAN RIGHTS PROJECT CHARTER:
AN OVERVIEW

INTRODUCTION

"The community continues to change and we need to change with the community." –
Internal Respondent

The Windsor Police Services Human Rights Project Charter was a decade long organizational undertaking to address concerns about on police-community tensions and arise of internal and external human rights complaints by various ethno-racial, cultural and faith organizations and communities. Prior to the WPS Project Charter, the Windsor Police Services Board and the Windsor Police Service was dealing with several rights-related issues. These issues include: allegations of brutality and misconduct by Windsor police officers, public outcry over accountability for the actions of police officers, and heavy criticism of the Service's handling of allegations of police misconduct. The Windsor Police Service was also facing $72-million in lawsuits, with thirty cases alleging police brutality. In the five-year period from 2006 to 2011, mainly through out of court settlements, Windsor Police paid over $820,000 of taxpayers' money to victims for malicious prosecution, wrongful arrest, and assault lawsuits. Major media and other institutional observers have noted that public discontent with the actions of many officers and the Service's handling of allegations of police misconduct has been palpable.[1]

Growing community concerns about the Windsor Police Service inspired the launch of the Law Enforcement Accountability Project, or LEAP, in 2009 at the University of Windsor. As a student-led research and policy institute in the Faculty of Law, LEAP took on the challenging mandate to create online resources, includes a database of important cases, litigation briefs, anti-racial profiling policies, best-practices reports, and student research papers.[2]

Windsor Mayor Eddie Francis acknowledged these community concerns, and stated that the frequency in which Windsor Police vehicles were involved in crashes had caught his attention. Local media quoted the mayor's candid observation and assessment – *People in this community have been very clear in terms of their desire to change the culture of the Windsor Police Service*[3] In an interview with the Windsor Star, David Tanovich, a University of Windsor Law Professor and academic director of the Law Enforcement Accountability Project (LEAP), stated that even judges are increasingly speaking out against police officers.[4]

To better serve the needs of Windsor's diverse population and enhance the level of public trust, the Windsor Police Service recognized that it must adapt to the needs of the community by acknowledging and addressing the mounting concerns being raised. Against the backdrop of a growing public discontent and detachment, the Board and Service responded early on with some

Service-wide change initiatives aimed at supporting and promoting inclusion, such as the Diversity Statement in August 2004. Together with the new commitment to diversity, Former Police Chief Gary Smith recognized the need for a climate adjustment to the culture of the WPS. He spearheaded efforts to initiate partnerships with many organizations including the Ontario Human Rights Commission (OHRC), Windsor Law's LEAP (Law Enforcement Accountability Project) and EGALE (Equality for Gays and Lesbians Everywhere) to bring about change.

The WPS was a pioneer among law enforcement agencies in Ontario to recognize that diversity-conscious and bias-free policing can be more fully realized in the context of human right . In addition to addressing specific internal and external human rights complaints, the WPS proactively implemented organizational-wide training as the first step of a planned change process. Both the Board and the Service continued working with the OHRC to develop policies that serve the public good, such as an expanded policy *for Unlawful Profiling or Bias-Based Policin*g and a policy directive specific to *Racially Biased Policing and Racial Profiling*.

INITIATING THE WPS HUMAN RIGHTS PROJECT CHARTER

In 2010, the Windsor Police Service Board and Windsor Police Service approached the OHRC proposing an organizational change partnership modeled after the Toronto Police Service Human Rights Project Charter. The synergy created by the collaboration and partnership resulted in the comprehensive WPS Human Rights Project Charter which was intended to enhance understanding of, and compliance with human rights obligations in all employment and service practices. Recognizing the valuable role that the Ontario Police College could also play in such a project, the college was invited to participate as a Project Sponsor. This innovative strategic alliance belongs to a new paradigm referred to as "networked governance" that is collaborative, connected, interactive, and engaging (Kettle, 2002; Stoker, 2006).

Connecting the four Project Sponsor organizations to the common effort of accountable, transparent and non-discriminatory policing dramatically reinforces the organizational infrastructure. The pool of multi-institutional memory, resources, knowledge and expertise of the four Project Sponsors constitutes a distinct form of public management. Together they open the possibility of creative visions and shapes and new agilities for modern public policing.

A senior police officer commented on the dramatic change that network governance has brought to the Service:

When the Chief brought in Project Accountability, and partnership on the Human Rights Charter created the policy review, things have changed dramatically for the better. I can honestly say that in my thirty years in the Service, I have never been more satisfied with my work.

In the Fall of 2010, a committee composed of representatives of all four Sponsors (The Board, the Service, the OHRC, and the OPC) met to negotiate the *Human Rights Project Charter* . As noted

earlier, the Toronto Police human rights project provided a prototype template. The committee determined an appropriate project structure and approach for review, and to alter existing initiatives if necessary, and policies, procedures, and practices of the Board and the Service to ensure that the the Ontario Human Rights Code is upheld in all service provisions and in employment practices of the Service. The Sponsor organizations identified target change objectives[5], which are listed in Appendix A of this document.

Establishing a joint working group of the four Sponsors was integral to the project. The working group supported the Board and Service change initiatives to ensure that the human rights of their employees and service recipients are respected and protected. Although it was not required, the Sponsors agreed that outstanding human rights complaints may also be settled with reference to this initiative.

With complex global societies of today, a network governance flits nicely because it allows people to share their expertise and to manage their problems within organizations.

. The shift in Windsor to network governance in the realm of public policing is a novel approach to police service operation in Canada, and has resulted in a number of innovative interventions that are fast becoming a standard for other policing organizations both nationally and internationally.

The Project Charter objectives to eliminate discrimination within the Service and in the provision of policing services are shaped by Windsor's unique ecological and social environment. Windsor Ontario is Canada's southernmost city, located on the busiest international border crossing between Canada and the United States. This creates a challenging urban policing environment unlike any other in Canada. Windsor has been defined as a "two-nation destination" city and a "transborder agglomeration" stemming from the increasing interdependence of Detroit–Windsor region. With the American city of Detroit, Michigan, the Canadian city of Windsor, Ontario and the Detroit River between them, the area acts as a critical commercial link straddling the Canada–United States border. Windsor-Detroit is North America's largest cross-border conurbation.[6] In 2014/ 15, Windsor won second place award in the Small North American Cities of the Future category by FDI Magazine, a publication of The Financial Times.[7]

When the Project was inaugurated in 2011, Windsor had a population of 210,891; the population of the Windsor metropolitan area (consisting of Windsor, Tecumseh, Amherstburg, LaSalle and Lakeshore) was 319,246.[8] Windsor's jobs attract immigrants from around the world. Over 20% of the population is foreign-born; this is the fourth-highest proportion for a Canadian city. Visible minorities make up 21.0% of the population, making it the most diverse city in Ontario outside the Greater Toronto Area.[9] Windsor is known as a creative and vibrant cultural community that encourages artistic expression, and the celebration of cultural identity and cultural diversity.

With respect to police, Windsor's 'small city' infrastructure, juxtaposed against its broad transborder responsibilities and diverse cultural population, presents a unique set of quality-assurance challenges. The Board and the Service are faced with the task of ensuring that Windsor's

diversity is represented within the Service's ranks. At the same time, they must also strive to serve the varying linguistic, cultural, ethno-racial and gender-based needs of these numerous communities. In endorsing the WPS Human Rights Project Charter, the Board and senior police management emphasize a distinct corporate responsibility to respect human rights as key performance indicators for maximizing the functionality and quality control of policing.
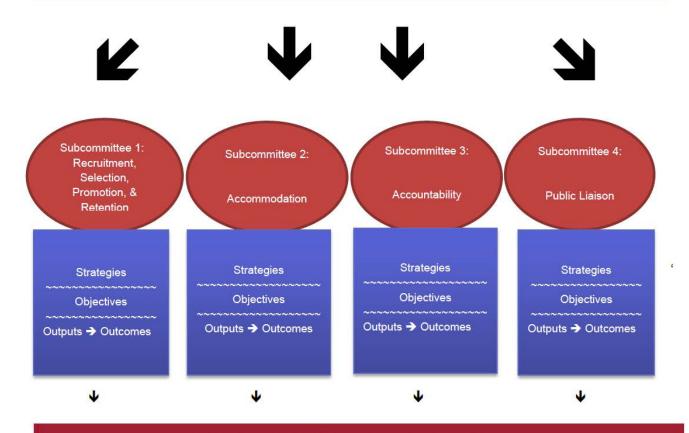
WPS HUMAN RIGHTS PROJECT ORGANIZATIONAL CHART

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                    WPS Human Rights Project Charter
                        Organizational Structure
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23

**WPS HUMAN RIGHTS PROJECT CHARTER
TARGET CHANGE OBJECTIVES**

GOAL 1: The identification and elimination of any discrimination that may exist in employment policies of the Windsor Police Services Board (Board) and the practices of the Windsor Police Service (Service) that may be contrary to the Ontario Human Rights Code.

GOAL 2: The identification and elimination of any discrimination that may exist in the provision of policing services by the Service to people in the City of Windsor that may be contrary to the Ontario Human Rights Code.

Subcommittee 1: Recruitment, Selection, Promotion, & Retention	Subcommittee 2: Accommodation	Subcommittee 3: Accountability	Subcommittee 4: Public Liaison
Strategies ~~~~~~~~~~~~~~~ **Objectives** ~~~~~~~~~~~~~~~ Outputs ➔ Outcomes	**Strategies** ~~~~~~~~~~~~~~~ **Objectives** ~~~~~~~~~~~~~~~ Outputs ➔ Outcomes	**Strategies** ~~~~~~~~~~~~~~~ **Objectives** ~~~~~~~~~~~~~~~ Outputs ➔ Outcomes	**Strategies** ~~~~~~~~~~~~~~~ **Objectives** ~~~~~~~~~~~~~~~ Outputs ➔ Outcomes

EVALUATION AND ANALYSIS OF THE IDENTIFIED INITIATIVES

PROJECT ACCOUNTABILITY

In the early stages of the WPS Human Rights Project Charter, Acting Chief Chief Al Frederick stated that the *status quo is not the path forward for the Windsor Police Service.* He voiced the need for improving accountability and transparency to the diverse communities that constitute the City of Windsor. In his media release pronouncement, Chief Frederick indicated that the message delivered to all personnel was clear and consistent, namely:

- The Leadership Team is committed to ensuring the public's confidence in the Windsor Police Service. *This is critical to our success as police officers and as an organization.*
- Policing is done in partnership and with the full cooperation of our community.
- To implement positive organizational transformation input and cooperation of all employees will be required.
- Most importantly, our community will be involved in the process…[10]

The blueprint for change that was introduced was *Project Accountability*, a 27- measure initiative that is consist with and complements the Project Charter. These measures include commitments to enhanced police training, new rules regarding conflict of interests, organizational and external policy reviews conducted by the Office of the Independent Police Review Director, and a more liberal definition of the term "serious harm". The initiative also included plans to move the professional standards branch out from Windsor Police Headquarters to reduce the public perception of intimidation of those who report complaints.

HIGHLIGHTS OF THE WORK COMPLETED BY THE WPS PROJECT CHARTER TEAMS

The project teams consisted of experts from the four sponsor organizations and from all levels and ranks of the WPS including sworn and civilian personnel. The Training Group and the Executive Group hosted training sessions for Project Charter members in several areas including: basic human rights, accommodation, policy review, and inclusive design. They also developed and implemented a checklist to evaluate all WPS training programs for any human rights issues. The checklist resulted in modifying some programs to include a human rights training element. The checklist will be used on an ongoing basis to evaluate all future training programs.

Four subcommittees were formed to address the target change objectives. The work completed by each subcommittee is summarized below:

- **Recruitment, Selection, Promotion, & Retention Subcommittee**
  - Developed and implemented a Workplace Census Directive, which provides policy and procedure on the collection of internal demographic data.
  - Created and conducted the 2012 WPS Workplace Census instrument. The data collected was reported alongside Statistics Canada data for the City of Windsor in a census report released publicly on January 24, 2013.

- o Initiated the inaugural PEACE (Police Ethnic and Cultural Education) program which took place in October 2012. This program targets pre-employment, culturally diverse youth, and incorporates education and training in various police related topics, with an aim to foster a positive approach to policing careers.

- **Accommodation Subcommittee**
  - o Developed an Accommodation Directive, which was implemented on August 11, 2014. The directive considers accommodation for both members of the public and the Service . It includes guidelines related to family status for Service members and creed for members of the public.
  - o Contracted a Workplace Facility Assessor to conduct an audit on the accessibility of Windsor Police Service HQ. The assessment report is complete and includes recommendations re: the accessibility of the facility.
  - o Provided recommendations for the transportation of persons who use a wheelchair or other aids, and the detention of persons who require a service animal or support person.

- **Accountability Subcommittee**
  - o Developed an overarching Human Rights Directive, which was implemented on October 4, 2013.
  - o Created a human rights checklist that is used in the development and review of all WPS Directives to check for human rights elements and to ensure the Directives comply with the Ontario *Human Rights Code.* Going forward every directive will be reviewed with a human rights lens at least once every three years as part of the regular Directive review process. As well, a reference to the *Code* and the WPS Human Rights Directive is being included in all WPS Directives as they come up for review.
  - o Recommended including a component in all WPS job descriptions that addresses human rights issues and requires compliance with the Ontario *Human Rights Code.*

- **Public Liaison Subcommittee**
  - o Held Community Consultation sessions in 2012 and 2013. Participants provided feedback in many areas related to policing and human rights. The project subcommittees used the feedback to develop the Community Consultative Meetings Directive as well as strategies related to recruitment.
  - o Contributed to many advances that have improved the WPS's communications with community members. The WPS launched the telephone interpretation service for persons with limited English proficiency. This service provides telephone translation in over 200 languages. As well, the WPS launched video remote interpretation for American Sign Language (ASL), which enables immediate, on-site communication with persons who use ASL.
  - o Supported the production of an Emergency 911 pamphlet for the public that is available in electronic and written form in 6 different languages. Through its website

and social media platforms to the WPS has created awareness internally and externally about the multi-language communication and of its commitment to human rights and diversity initiatives.
   o Created a WPS Chaplaincy Program Policy handbook and Police Chaplains Program Directive that are being used to guide the expansion of the internal Chaplaincy program.

THE 2012 WPS WORKPLACE CENSUS

Throughout these events the WPSB and the WPS continued to step-up their efforts to be reflective of the community's demographics. The WPS reviewed its applicant pool and its ranks in 2012. This workplace census was designed to provide the Human Rights Project Committees with reliable data to provide an accurate snapshot of the demographic makeup of the organization both internally (i.e. *Who are we?)* and externally (i.e. *How do we compare with our community?).* Between May 24, 2012 and August 31, 2012, 602 members of the Windsor Police Service took part in the inaugural Windsor Police Service Workplace Census. Participating in the census was entirely voluntary, 96% of WPS members elected to do so. The census is a key building block of the overall Charter Project.

The findings of the census suggested that the applicant pool was not proportionally representative of the make-up of the Windsor community. The findings also indicated that the ranks of the Windsor Police Service above constable level were not a mirror reflection of the diversity in the Windsor community, and notably, did not reflect the diversity within the constable pool itself. The Board and Service recognize that the lack of representation of its applicant pool and its ranks above constable level has contributed to the public's view that the Service is not an accurate reflection of the population of the City of Windsor.

Understanding the demographic makeup of WPS members is a key to improving the Service's ability to better address the needs of the community, develop its workforce, recruit new employees, and conduct succession planning. It provides an evidentiary base to improve programming that supports WPS members, policy and decision making. It also establishes a baseline to assess future WPS initiatives and activities..

THE TARGETED RECRUITMENT INITIATIVE

On the issue of representativeness, a recent WPS recruitment initiative drawn from the Charter Project, called "PREP for PREP," was spearheaded in 2014. This initiative targeted female applicants. The CBC quoted Chief Al Frederick on the target recruitment initiative:

"We found with the segment of females that they don't want to compete with males at the physical component of the test. So we held a number of sessions last years — all females, no males, involved with the physical fitness standards testing. That worked out very well. We were the first ones in the province to do that. We're very proud of that …

Our overarching goal is to be effective as a police force and in order to do that we are absolutely convinced we need to reflect the community we serve."[11]

A main goal of the targeted recruitment drive is to remove barriers – whether real or perceived – that have prevented people from applying in the past. The WPS recognized that some potentially good female job applicants may be hesitant to compete with male counterparts. To address a gender barrier in hiring, the WPS held a series of targeted recruitment sessions for women to give potential candidates a sense of the Physical Readiness Evaluation for Police (PREP). The PREP is a physical fitness test that is required for entry into the law enforcement profession. Moving forward the targeted recruitment strategy is intended to give access to communities that are traditionally under-represented in police services. By approaching prospective applicants in their own environment, potential arbitrary barriers are reduced. The target recruitment strategy has garnered attention from forces around the province.

CONCLUSION

While the WPS Human Rights Project Charter was modeled on the human rights charter archetype initiated by the Toronto Police Service, in many respects, the WPS HRP is a more representative and is a better example for the many medium and smaller police services in Ontario and Canada. The Project Charter conducted 210 policy reviews in conjunction with a quality assurance audit to bring police policies and programs into closer alignment with a matrix of five core human rights values – including community involvement, accountability, non-discrimination, empowerment and linkages.[12]

SECTION 4

EVALUATION METHODOLOGY

The Evaluation Report employed a mixed methods approach to collect and integrate quantitative and qualitative data. A mixed methods research design is a procedure for collecting, analyzing, and "mixing" both quantitative and qualitative research and methods in a single study to understand a research problem (Mertens, 2003; Greene, 2007; Creswell, 2012). It typically utilizes multiple methods and intentionally integrates or combines these methods to draw on the strengths of each (Bryman, 2006; Hesse-Biber, 2010). The rationale is that it provides depth and nuance to the evaluation process that can be missing from a singular quantitative or qualitative approach to a research question (Hall & Howard, 2008).

Benchmarks

This evaluation report involves three primary performance benchmarks:

- a content-based review of existing organizational data;
- policy analysis and assessment of organizational systems, procedures and practices, and
- interviews with the WPS Project Charter internal and external stakeholders.

The first two benchmarks are noted in Section 4 of this report.

The evaluation process also included:
- interviews with 16 sworn and civilian members of the Windsor Police Service involved with the subcommittees
- 25 representatives from community organizations and stakeholders
- the past Chief Commissioner of the Ontario Human Rights Commission, and
- the Chief of the Windsor Police Service.

The interviews were conducted by telephone or in-person. The interview questions allowed for opened-ended answers as well as scaled responses.

These three performance benchmarks integrate a quantitative based demographic and content analysis with a qualitative matrix of real-life contextual understandings, multi-level stakeholder perspectives, and intersecting cultural influences. This incorporates some quantitative/qualitative measures connected to the goals of the WPS Project Charter that function as a multidimensional data-base for the assessment and recommendations contained in the report.

Research limitations

This evaluation report also makes a methodological distinction between "formative evaluation", for deciding a course for action, and "summative evaluation", for determining the extent to which an action was successful [footnote (Sadler, 1989; Black & William, 2009)]. In formative evaluation, measurement drives strategy, not the other way around. Summative evaluation is outcome-focused more than process focused. Formative and summative assessments can be combined to provide a positive feedback loop for self-correction and adjusts to a program according to measured differences between the actual and the desired or optimal outputs. From a methodological perspective, both are integral components of the policy cycle and go together in a thorough-going analysis (Anderson, 2011; Smith & Larimer, 2009).

During the WPS Project Charter, formative evaluation (in the form of targeted feedback to guide the program development) was <u>not</u> built into the program design, making the summative evaluation and assessment of the completed project less robust. In addition, some elements of the program are still being implemented or have not been implemented, which also limits the finding and impact of the evaluations' standing results.
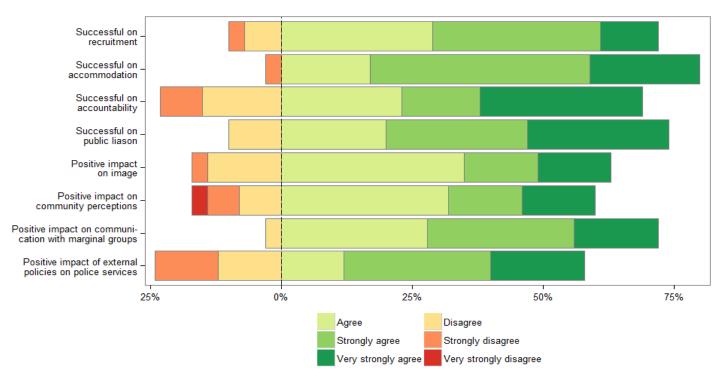
SECTION 5

SUMMARY ANALYSIS

The overall findings about the Windsor Police Service Human Rights Project (WPS Project Charter or simply Project Charter), are that the project has been successful in its broad objectives and has had a positive impact on the image of the WPS, its community relations, and its communications with marginalized groups. (The target objectives are discussed separately in the next section of this report.) This conclusion is drawn from interviews with community representatives and members of the WPS, as well as a review of other materials.

Graph 1 is a visual representation of these findings, based on responses to questions put to the participants in the study.

Graph 1: Aggregate Summary of All Respondents about the Success and Impact of the Windsor Police Service Human Rights Project

Community representatives expressed in many cases strong views about the importance and value of the project overall. Many reported that, in their view, the initiative was genuine and authentic, and not a hollow gesture. Some, for example, see the HRP as an initiative that has begun a serious dialogue in the City of Windsor about issues of policing and human rights. It reflects, from this perspective, time well spent setting the agenda for the next decade. Others emphasized the overall value of the process of consultation and inclusion that marked how the project was undertaken. New efforts like town hall meetings are seen as positive strides forward in community outreach. Others valued the focus groups, which functioned as a sincere space for open, critical

dialogue. But also most everyone interviewed believe that there is no quick fix to the problems and tensions that motivated the project in the first place.
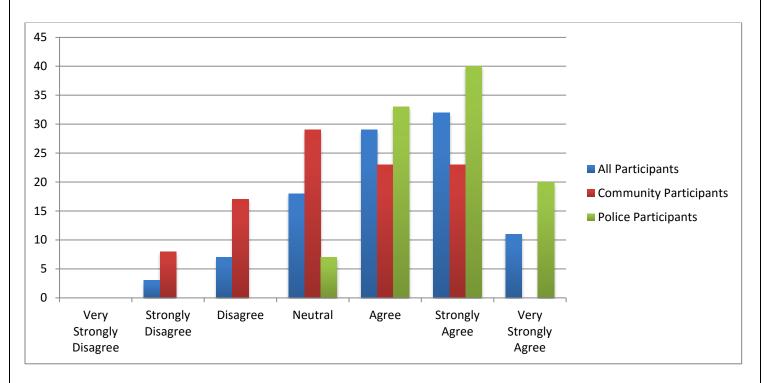
Sworn and civilian members of the Windsor Police Service uniformly characterized the project as transformative in its efforts to utilizing a human rights lens to examine the policies and practices of the WPS. Many were initially skeptical about the need for the Project, but over time came to appreciate its value. Civilian members felt that it proved to be sworn members who became, to their surprise, especially engaged with the work of the Project Charter.

Senior sworn members stressed that from their perspective the Project Charter has been a huge success at an organizational level and in the development of policy, and in laying the groundwork for future changes in policing practices. Others praise the project because it was centred on a good plan that was followed through. At the same time, there was also almost universal acknowledgement that the full benefits of the Project have not yet been realized.

Recruitment, Selection, Promotion and Retention

Despite broad support for the Project Charter, the findings suggest that there are significant differences between the views of community representatives and members of the Windsor Police Service. To community representatives the project was being far less successful in bringing about real change. The graphs below allow for comparisons between the views of community representatives and WPS members. *Graph 2*, for example, shows that community representatives think that the Project Charter has had limited effects in recruiting new WPS members.

Graph 2: Responses to the statement that the Windsor Police Service's Human Rights Project Charter was successful in its effects on Recruitment, Selection, Promotion and Retention

In 2012, the Project Charter conducted a comprehensive census of the existing WPS membership. Ninety-six per cent (96%) of members participated in the exercise. As This census provides an excellent snap-shot of who works for the WPS allowing underrepresented communities to be identified and recruited. WPS members also stressed the significant impact the Project Charter has had with its PREP program, which supports women and members of certain marginalized communities prepare for testing provided by Applicant Testing Services (ATS). This is accomplished with separate sessions to give applicants experience with the testing components and feedback on their performance.
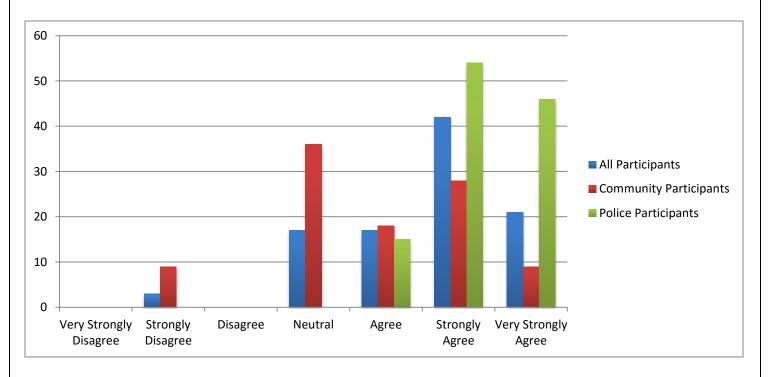
Other members credit the Project Charter for the new informal mentoring system for women joining the Service. While community representatives recognize that these innovations appear in recruitment strategies, many pointed to the fact that these new strategies have had little effect to date on the composition of the new class of recruits. If a central measure of success of the project is the goal of making the WPS membership a better reflection of the diverse community it serves, it is still too early to praise the Project for its effects.

Accommodation

A similar point can be made about accommodation. *Graph 3* shows the significant gap between the views of community participants and WPS members. For many of the community participants, it was difficult to point to any evidence of the Project Charter affecting accommodation for the diverse Windsor community. Perhaps the only major exception is the introduction of new communication technology that enables WPS officers to better communicate with members of

Windsor's deaf community. It provides easily accessible translation services for all of the languages spoken in the city.

Graph 3: Responses to the statement that the Windsor Police Service's Human Rights Project Charter was successful in its effects on Accommodation
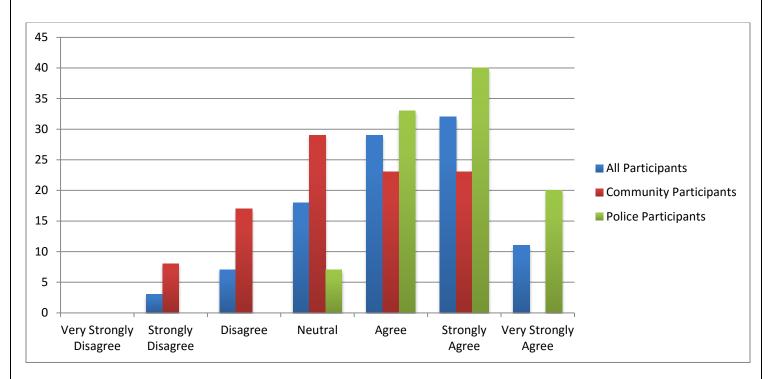

It is notable that among sworn members of the WPS, there are many concrete examples of change and improvements in accommodations regarding their employment. Sworn members reported that they felt the Project Charter enabled an open discussion of accommodation for issues like family status, disability, and post-traumatic stress disorder (PSTD). Civilian members stressed how the Project Charter influenced changes in the design of physical space in the Headquarters including the public reception area.

Accountability

The greatest differences between community participants and WPS members concern accountability. *Graph 4* illustrates those differences. The Project Charter reviewed and revised more than 210 WPS policies and directives. All policies now include an explicit statement about the importance of the Ontario *Human Rights Code* as a guide for service provision and employment practices. In October 2013, a new overarching human rights directive that addresses policy and procedure relating to human rights in the workplace and human rights as a service provider was introduced. This directive is a significant organizational achievement. However, community participants indicate that they are not seeing the changes in existing practices.

Graph 4: Responses to the statement that the Windsor Police Service's Human Rights Project was successful in its effects on Accountability
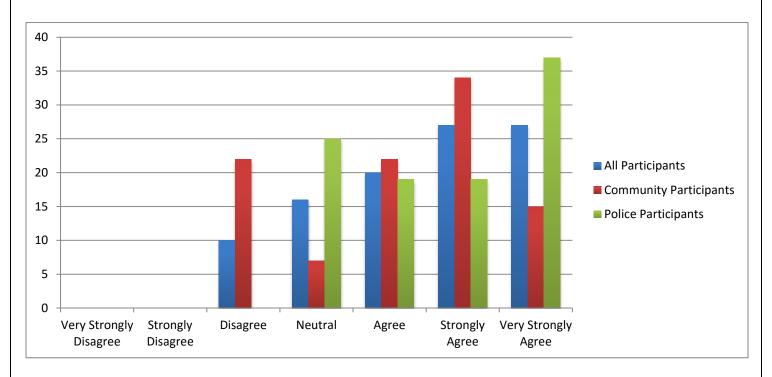

These differences of perception on accountability between community participants and WPS participants stem from the fact that the Project focused overwhelmingly on improving internal Service accountability. There was little innovation with regard to strengthening accountability to the communities the WPS serves.

Public Liaison

There were fewer contrasting views with regard to success at public liaison as is evident from *Graph 5*. This graph suggests that the Project Charter was highly successful in developing new relationships with the diverse communities that constitute the City of Windsor.

Graph 5: Responses to the statement that the Windsor Police Service's Human Rights Project was successful in its effects on Public Liaison
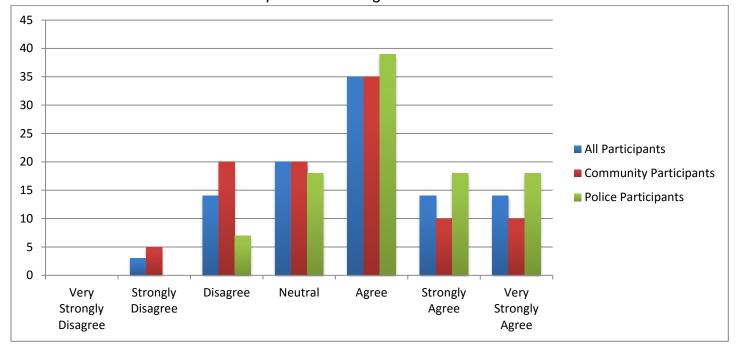

The greater convergence between community participants and WPS members is a reflection of the community participants' belief that the Project Charter undertook public liaison in a genuine manner and utilized new instruments such as town halls.

Image of the Windsor Police Service

There is greater agreement about how much impact the Project Charter had on the image of the Windsor Police Service. This is reflected, for example, in the media. Although most participants felt there had been some impact, most reported that the impact was limited. This is clear in *Graph 6*.
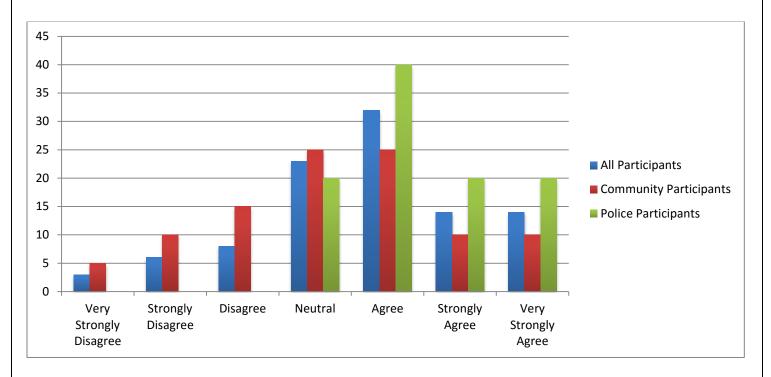
Many sworn members in particular reported that the image of the Service was especially low in 2011 when the HRP began and that the image had improved since then, but only some of that improvement was attributable to the Project. Many sworn members reported that disparaging media coverage, especially in the print media, still persisted. In contract, community participants saw less change to the image overall in the period from 2011 to 2015.

Community Perceptions of the Windsor Police Service

Concerning the impact on community perceptions, there are also significant overlaps between the views of most community participants and WPS members. *Graph 7* shows the shared ground among those interviewed for the research.

Most of those interviewed were careful not to exaggerate the positive impact of the Project Charter on community perceptions. Almost everyone emphasized that there is still considerable room for improvement. Some participants felt the Project had no measureable impact on community perceptions; some community participants reported the impact had been negative but provided no concrete evidence for that viewpoint. It is likely that those participants held a preconceived perception of the WPS at the outset of the Project in 2011 and their perception has not shifted since that time.

Another possible explanation may be related to project 'input lag', or the delay between the policy repurposing of the Project Charter and the modification of existing or long-standing public perceptions. The phenomenon of input lag fits well with a senior official's observation of the subtle and understated transformation of media coverage of police in Windsor:

> *"There has been a marked improvement in the relationship with the print media in Windsor. The print media has historically been very negative regarding police activities. In the past they have been relentless in their criticisms of the department, stemming from a few incidents of police misconduct … The media still cover the actions of the Service very closely. However, if I tell them there is 'no story here' they believe me, they don't act like I am engaging in a cover-up.*"

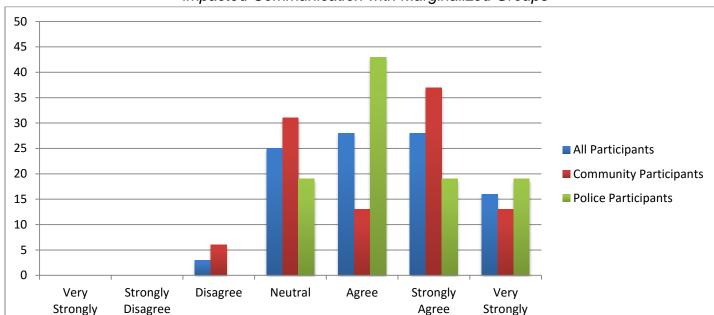The shifting media-police relationship may be a slight indication of a larger development. The possibility of project *input lag* indicates that the new human rights branding of the WPS requires a substantial period of routine to actually take hold in the public consciousness, and to recast negative public perceptions. This image transformation would normally begin with the media in its role as

public emissary. Over time, if the Service sustains its human rights commitment, and with human rights embedded in policy and procedures, we w the dissipation of the lag between the project inputs and public opinion, and a closer alignment among all stakeholders on the image of the Service, should take place.

Communication with Marginalized Groups

Communication with Marginalized Groups is clearly one aspect that was most successful in strengthening community relations. *Graph 8* illustrates how the Project Charter is seen as improving communication. Sworn and civilian members credit the Project Charter with getting them involved in activities and communication initiatives that they were not involved with before. From the positive views expressed by community participants, these initiatives and activities were highly visible in the communities that were the focus.

Graph 8: Responses to the statement that the Windsor Police Service's Human Rights Project impacted Communication with Marginalized Groups

The Project Charter has effectively opened channels of communication that did not previously exist between the WPS and some marginalized groups. Built on personal relationships of trust these channels will enable the WPS to address problems and crises that might arise in ways that were not possible in the past. Most participants interviewed felt that building on this success by extending channels of communication to other marginalized groups should be a priority.

External Policies and Procedures Governing Community Relationships

There is a consistent theme in the findings. The Project Charter is a very positive step forward and has laid the groundwork to make strides in human rights in the provision of police services. However, these developments still only trickle down to police operations, and the benefit as perceived by community group representatives are intermittent. *Graph 9* documents this theme in terms of new and revised external policies and procedures for community relationships.

Graph 9: Responses to the statement that the Windsor Police Service's Human Rights Project Charter impacted External Policies and Procedures Governing Community Relationships

Many WPS members know about the new directives and believe that they are effecting change. In contrast, a majority of community participants report no positive impact of the directives on community relationships. Most attributed the improvements to community relationships and communication to personal relationships and the building of trust with individual WPS members of the Project and the WPS leadership.

SECTION 6

SUMMARY OF FINDINGS AND
EVALUATION OF CHANGE OBJECTIVES

Has the Windsor Police Service Human Rights Project Charter served the purposes for which it was designed?

The WPS Human Rights Project Charter advanced a collaborative networking approach to reinforce initiatives. These initiatives help to identify and eliminate discrimination in policing. The Human Rights Project Charter has helped focus discussions of human rights and policing in Windsor and Canada more broadly. At the same time, it is creating a robust tool for quality control of policing by mapping police policies and practices against core human rights values.

The WPS Project Charter served as a platform for the review of police service operations and as a catalyst for significant organizational change innovations. The rights-based framework embodied in the WPS Project Charter has increased the organizational readiness and agility of the Windsor Police Service. This is particularly significant in pursuing its mission of community partnerships and vision of an inclusive environment. Going forward, sustained organizational change will require dedicated monitoring and reinforcement of the program. This is to ensure the transition of planned policy conversions into desired practical outcomes. In the words of one interview community respondent:

> *"The Human Rights Project (Charter) is a foot print for going forward. Is it five-star? Not necessarily. But I give them (the Service and other Project Sponsors) a vote of confidence for what they have done. I think that even the most disaffected community activist would want to give the project a vote of confidence. Now it is different. The document itself is an expression of accountability and a testament to progressive leadership. But leadership does not necessarily translate into grassroots impact. The question now is, what are we going to do about it?"*

Has the Human Rights Project achieved the target change objectives set out in its Charter?

The overall findings are that the project has been successful in its broad objectives and has had a positive impact on the image of the WPS, its community relations, and its communications with marginalized groups. At the same time, there is also almost universal acknowledgement that the full benefits of the Charter Project have not yet been realized.

What lessons can be learned from the Human Rights Project?

During the period of the WPS Project Charter, there was evidence of continued progress towards the two overarching goals of reducing discrimination within the Service and in its interactions

with the community. This indicates significant organizational achievement. For example, members of both the WPS Police Service and community representatives expressed strong views on the importance and value of the project overall. The WPS Charter Project was generally acknowledged to be centred on a good plan that had follow-through, relative to some other prior initiatives. Notwithstanding broad support for the Project Charter the findings also suggest that there are some significant and nuanced differences between the views of members of the Windsor Police Service and community representatives on program implementation. Sworn and civilian members of the Windsor Police Service almost uniformly characterized the project as transformative in its efforts to utilize a human rights lens to examine the policies and practices of the WPS. Community representatives, however, see the project as being less successful in bringing about real change and improvement in existing practices. One view that sums up the typical community representative perspective was expressed by a long-standing community activists and observer of Windsor police-citizen relations:

> *"It (the Charter Project) is a comprehensive document. If a measure of success is a policy framework, then they have done a very good job…I see a good report, but in the delivery to date, I haven't seen much change…If they go by this, there should be great improvement."*

While the majority of community participants have positive views of the Project Charter's potential success in strengthening of community relations, many also think that WPS could go much further to build new relationships beyond their comfort zone. This could be achieved, through better outreach to minority and racialized groups specifically in employment and in services. As one community respondent stated:

> *This (Charter Project) is an opportunity for real structural change. The Windsor Police Service (WPS) need to go out of their 'comfort zone' with communities where there has been an uneasy relationship, with initiatives geared specifically to racialized communities, rather than generic approaches.*

The call for more focused community outreach to minorities and racialize communities is consistent with the 2013 WPS Community Satisfaction and Assessment Survey, by INTELLIPULSE Public Affairs and Marketing Research. This survey found, through a random sample of Windsor residents, that only (42%) believe that the Service works effectively with people of different cultures, and (51%) believe that the Service is working effectively with visible minorities.[13]

Our evidence suggests the human rights lens has allowed the Windsor Police Service to refine its existing practices and make them much more effective than they have been able to do in the past. particularly as it relates to the workplace. With regard to human rights service operations, the gap between the WPS Project Charter policy initiatives and policy implementation of human rights in the workplace is viewed by WSP members as much narrower than the gap that is felt to exist by community representatives. This indicates a difference in the perception, if not reality, of the inputs

and outcomes in relation to human rights in the workplace as opposed to human rights in the provision of policing services for the community.

To the extent that this difference is perceived, efforts to communicate the Service's activities and promote the new rights-sensitive practices and procedures will have some impact on improving overall community assessment of the police. For instance, leveraging emerging technology to embrace organizational change in the WPS is currently driving innovation in the development of more inclusive services, particularly in regard to cutting-edge yet under-publicized initiatives such as, Video Remote Interpreting (VRI) for Deaf and Hearing (interpretation in over 200 languages throughout the Police Service); the Police Autism Database; PREP for PREP targeted recruitment; and the IAPro police internal affairs/early intervention software program.

To the extent that the WPS Project Charter is frontloaded on the employment side, a stronger policy focus on human rights in services and operations are indicated – specifically, through the advance of public accommodations and public accountability directives, as well as continued short-range and long-range community policing initiatives.

Should the Human Rights Project continue?

The WPS Human Rights Charter Project is a significant organizational achievement of the Windsor Police Service that should be continued. The public policy challenges associated with policing in a modern multicultural society are complex. For this reason the networked collaborative approach helped to facilitate the development of solutions tailored to Windsor's municipality-specific issues. The networking approach is based on the notion that translating big ideas into reality requires collaboration among many players. This approach resonates well with 'best practices' literature on the evolving public policy canvas of global society – including the adaptive trends toward shared governance, cross-sector dialogue, strategic partnership coalitions, and collaborative problem-solving (Shields & Evans, 2008).

The horizontal connections of the four Project Sponsor organizations established through the WSP Charter Project network represents a holistic turn in public policing, reflecting advancement in progressive change. The ability to coordinate across multiple boundaries by utilizing the pooled expertise and competencies of the four Project Sponsors reshaped the agilities of the Windsor Police Service to meet new civic and human rights challenges in a rapidly changing urban environment.

Such an approach embraces a shared governance arrangement and a collaborative knowledge model. This also suggests greater focus on 'community engagement' (honest relationship building for the sake of the community), 'stakeholder outreach and consultation' (linkage with those most directly affected), and 'knowledge mobilization' (building stakeholder's considerations into the project). The role of 'consensus building' (decisions based on multi-stakeholder interest and involvement) and 'outcome-based strategies' (linkage to end-user goals and objectives) would also appear, under this model, to have a more central place in the WPS organizational agenda-setting process.

SECTION 7

RECOMMENDATIONS

Recommendation #1

Senior and mid-level management demonstrate leadership by reiterating their collective commitment to the outcomes of the project.

    (a) The accomplishments of the Project are attributed in large part to the commitment made by senior members of the Service and by the Board. It is important that senior management, and Board members, continue making known their commitment to adhering to the letter and spirit of the Code. For example, a statement of the WPS commitment to e.g., human rights or the Project, in welcoming/addressing new recruits; at public events, public service announcements, etc.

    (b) Define and embed appropriate management responsibilities.

Recommendation #2

Continue to involve and engage sworn officers and civilian staff in various aspects of human rights organizational change initiatives and the Charter Project going forward.

(a) Over three years of the WPS Charter Project 50 of the 400 sworn and civilian members were involved in various committees. These committees engaged in the design, development and implementation of the program. The cross-section of involvement created a critical mass or a tipping point. This large complement of officers were not merely lectured on the need for change, they were also able to experience and engage the realities that make it necessary. One senior officer noted:

"There was initially real resistance by many officers who believe the Charter Project would lower standards for hiring, and weaken the Service. But there were numerous information sessions for officers, and they were conducted by respected members of the Service who were always there to answer questions and talk about their own experience … This eventually had the effect of breaking down the initial apprehensions and active resistance that many had (to the Charter Project). Once they could see there were people they respected that championed the project, there was steady buy-in … For instance, 96 per cent of the force eventually completed the internal census."

Recommendation #3

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Strengthen accommodations and accountability policies on the service delivery side.

(a) The gap between HRP policy initiatives and policy implementation in the workplace is viewed by WSP members as much narrower than the gap that is felt to exist by community representatives in regard to human rights in services operations. It is important that senior management continue to strengthen, expand, monitor and publicize rights-based service delivery.
(b) Establish a regular review of policies to ensure they are current with the Code.
(c) Implement training on policies for all new sworn officer and civilian hires.
(d) Improve public communications and media relations regarding new and on-going rights-sensitive practices and procedures.
(e) Create a "community contact role" with officers designated for giving information and being a representative for the Service to various ethno-racial, cultural and faith organizations and communities.

Recommendation #4

Continue to develop short-term and long-term community-based policing initiatives.

(a) Measuring the efficacy of police practices should reflect the community policing culture and the importance of prevention so that success is not based solely on rates of reported crimes and arrests. For example, community engagement can be embedded in performance assessments. During interviews, Service members should be canvassed for suggestions on initiatives.
(b) Seek input on policing activities and initiatives from community members when possible.
(c) Shares human rights information internally and externally.

Recommendation #5

Increase community engagement and community stakeholder involvement in rights-based organizational direction and priorities.

(a) For example, maintain community outreach by holding information sessions. These can be tied to other community meetings such as Resident Associations AGMs or with the public library.
(b) Co-sponsor public information sessions for community-based organizations with the OHRC.

Recommendation #6

Focus additional attention on innovative strategies and initiatives for increased organizational sustainability, including future collaborative networking projects and shared governance models.

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(a) For example, continue the subcommittee model on a smaller scale. This would ensure continuity and the ongoing exchange and development of human rights knowledge.

(b) Identify risks and networking opportunities and then the priorities for action.

(c) Develop project strategies through a circle of continuous improvement.

Recommendation #7

Ensure that future organizational change projects, and community-focussed initiatives, have a built-in formative evaluation procedure in the planning models.

(a) For example, each subcommittee develops an evaluation method for self-correction and adjusts planning to guide the program development.

(b) Evaluate planning criteria, create alternatives, implement alternatives, and monitor progress of the alternatives.

KEY LESSONS LEARNED

I.   A human rights-based approach to law enforcement is an essential tool for improving functionality (systems), quality control (practices) and public legitimacy (police-citizen relations) of policing by mapping police service operations against core human rights values.

II.   A human rights framework helps police-citizen relations by fostering a mutually respectful environment that allows for a heightened comfort level particularly for people from diverse cultural backgrounds. The WPS Project introduces human rights terms and concepts that become shared language. The language of human rights in turn creates common ground when police and citizens interact.

III. As noted in this Report, the WPS Project was modelled on the TPS Human Rights Project Charter. It followed the TPS structure of identifying target objectives and change initiatives, as well as subcommittees. In doing so, the scale of the TPS initiative was overlooked. Therefore, the size of a police service must be a factor in determining the Project's time-frame. Human resources requirements means that allowances must be built in for smaller services where human resources are more constrained.

IV.   The collective involvement of a cross-section of Service members has greater impact and ensures longer-term sustainability than only involving individual members of senior management to serve as champions.

V.   The Project itself had a specified time-frame. To sustain long-term change it is imperative that a structure be put in place to continue the work and to maintain and exceed the objectives attained.

SECTION 8

APPENDICES

Appendix A: WPS Members Interview Questions
Appendix B: Community Partners Interview Questions
Appendix C: Human Rights and Policing in Ontario

APPENDIX A

WPS MEMBERS INTERVIEW QUESTIONS:
WINDSOR POLICE SERVICES HUMAN RIGHTS PROJECT

Project Objective: The Human Rights Project (*Project*) was developed and implemented to identify, eliminate, and prevent discrimination in the Windsor Police Service's employment practices and service delivery.

The Evaluation Report (*Report*) intends to assess the following:

- Did the Project Charter achieved its objective(s)
- Does it made a difference?
- What lessons were learned and what could be improved.

In-person interview

Interviewee:
Interviewers:
Date:
Time:
Location:

INTERNAL PARTICIPANTS

1. How did you become aware of the WPS Human Rights Project? What were your expectations at the time?

2. What role if any did you have in the WPS Human Rights Project?

3. What impact has the HRPC had on the internal processes at the WPS? Please comment on:

   A. employment practices - recruitment, hiring, promotion and retention

   B. service governance

   C. teaching practices at the WPS (in-service training and at the Police College)

   D. workplace culture

4. How successful, using a scaled response, were the following specific aspects of the Project?

   (a) Recruitment, Selection, Promotion & Retention: eg, High School Student Outreach and Formal Mentoring Programs

Scale of 1 – 7 where 1 is negative and 7 is positive
       No basis for judgment _____

       (b) Accommodation: eg, the development of policy and procedures for internal (family status) and external (creed) accommodation <u>and</u> accommodation of persons with disabilities

Scale of 1 – 7 where 1 is negative and 7 is positive
No basis for judgment _____

       (c) Accountability: eg, the review of the Prisoner Care & Control Directive and Data collection and records processes on Human Rights Complaints

Scale of 1 – 7 where 1 is negative and 7 is positive
No basis for judgment _____

       (d) Public Liaison: eg, development of a formal community consultation process and translation of oral and written communications to the public

Scale of 1 – 7 where 1 is negative and 7 is positive
No basis for judgment _____

5.   What impact has the HRPC had an impact on the external processes? Please comment on:

Please scale specifically how this project has had an impact on:

      A. the image of police in Windsor

Scale of 1 – 7 where 1 is negative and 7 is positive
No basis for judgment _____

      B. community perceptions of the WPS

Scale of 1 – 7 where 1 is negative and 7 is positive
No basis for judgment _____

      C. the WPS' ability to communicate with marginalized groups

Scale of 1 – 7 where 1 is negative and 7 is positive
No basis for judgment _____

      D. external policies and procedures governing WPS-community relationships

Scale of 1 – 7 where 1 is negative and 7 is positive
No basis for judgment _____

6.   Have your own behaviours and attitudes been impacted by the HRPC?

7.   What have you done personally to advance the goals of the HRPC?

8.   Are there any gaps that need to be addressed? Is there anything preventing the HRPC from moving forward?

9.   Would you like to see the HRPC become a vested part of the WPS?

YES   NO

Comments _____

APPENDIX B

COMMUNITY PARTNERS INTERVIEW QUESTIONS:
WINDSOR POLICE SERVICES HUMAN RIGHTS PROJECT

Project Objective: The Human Rights Project (*Project*) was developed and implemented to identify, eliminate, and prevent discrimination in the Windsor Police Service's employment practices and service delivery.

The Evaluation Report (*Report*) intends to assess the following:

- Did the Project Charter achieved its objective(s)
- Does it made a difference?
- What lessons were learned and what could be improved.

Name:

Organization (if any):

Date:

Contact Information:

Interview Type: In-Person

                      Telephone

                      Other _____

EXTERNAL PARTICIPANTS

1.   How did you become involved in the WPS Human Rights Project?

2.   What did you know about the objectives of the Project? What were your expectations at the time?

3.   How have you been involved with the Project?

4.   What are your opinions/perspectives about this Project?

5. How successful were the following specific aspects of the Project?

   (e) Recruitment, Selection, Promotion & Retention: eg, High School Student Outreach and Formal Mentoring Programs

   Scale of 1 – 7 where 1 is negative and 7 is positive

   Or No Opinion _____

   (f) Accommodation: eg, the development of policy and procedures for internal (family status) and external (creed) accommodation <u>and</u> accommodation of persons with disabilities

   Scale of 1 – 7 where 1 is negative and 7 is positive

   Or No Opinion _____

   (g) Accountability: eg, the review of the Prisoner Care & Control Directive and Data collection and records processes on Human Rights Complaints

   Scale of 1 – 7 where 1 is negative and 7 is positive

   Or No Opinion _____

   (h) Public Liaison: eg, development of a formal community consultation process and translation of oral and written communications to the public

   Scale of 1 – 7 where 1 is negative and 7 is positive

   Or No Opinion _____

6. What impact has the project had on your organization's relationship with Windsor Police Service?

7. Is your personal perspective on the WPS Human Rights Project different from the perspective of your organization?

8. Could you please comment how this project has had an impact on:

   E. the image of police in Windsor

   Scale of 1 – 7 where 1 is negative and 7 is positive

Or No Opinion _____

F. community perceptions of the WPS

Scale of 1 – 7 where 1 is negative and 7 is positive

Or No Opinion _____

G. the WPS' ability to communicate with marginalized groups

Scale of 1 – 7 where 1 is negative and 7 is positive

Or No Opinion _____

H. external policies and procedures governing WPS-community relationships

Scale of 1 – 7 where 1 is negative and 7 is positive

Or No Opinion _____

9. Apart from this project, what other influences may have helped change how the Windsor Police Service interacts with the community?

10. Are there any gaps in the Project that need to be addressed? Is there anything preventing the Project from moving forward?

11. Other comments or thoughts that you would like included in the evaluation?

Appendix C

HUMAN RIGHTS AND POLICING IN ONTARIO: BACKGROUND

The Windsor Police Service Human Rights Project can usefully be set in a broader context of important changes that are occurring in Ontario regarding the dynamic relationship between police culture and the human rights system.

TRADITIONAL POLICE CULTURE

Policing has traditionally been associated with a para-military organizational culture that idealizes a crime-fighting mandate, and has typically functioned as a labour market shelter for White masculinity (Loftus, 2008; Myers, Forest & Miller, 2004; Rumens & Broomfield, 2012). These contours of 'cop culture' are not arbitrary (Reiner, 1978, 1992). The nature of the policing role has created a culture specific to that function. Like any organizational culture, police culture consists of widely shared attitudes, values and norms. What differentiates police culture from other organizational cultures is the high social impact of its members and the unique strains that originate in the policing environment (Paoline, Meyers and Worden 2000).

For example, the traditional military-style, crime-fighting model for urban policing has been identified as containing two important variables of *danger* and *authority* (Milner, 1971; Cockcroft, 2012). These variables are honed by the perils embodied in a work environment of potentially split-second life-and-death decisions that inform, what some researchers have called, the police officer's "working personality" (Skolnick, 1998, 2000). The danger-authority dynamic of the streets grounds a set of common understandings that provide informal guides for action – including a code-of-silence, an exaggerated sense of mission toward the police role, a craving for work that promises excitement in the pursuit of bad-guys, a willingness to use force and engage in furtive working practices to achieve desired ends, and a cult-of-the-expert detachment from common citizens (Bayley & Shearing 1996; Foster 1998; Reiner, 2010). All of this has traditionally taken place in a context that creates an occupational closer for certain out-groups like women and people of colour; while facilitating the social reproduction of a select group of able-bodied White males, as the 'benchmark for professionalism' in public policing (Friedson, 1970, 2001).

Within the danger-authority framework, the typical public police officer has been described as forceful, suspicious, conservative, prejudicial, and often cynical in relationships to people and their environments (Goldsmith 1991; Greene et al. 1994; Skolnick 1994; Stamper, 2006). The study of police organizational cultures has consistently shown racial prejudice as a defining and taken-for-granted feature of 'cop culture' (Reiner, 1978, 1992). For instance, police studies have illuminated how many police officers come to rely on unquestioned racialized stereotyping as they confront the 'mean streets' and battle crime, particularly where they perceive challenges to their authority and status (cf. Smith and Gray, 1983). Attendant to the danger-authority framework, some fundamental 'blue fraternity' beliefs continue to have a tacit currency within the operating police culture (Sparrow, Moore & Kennedy 1990; Murphy & McKenna, 2007: 49):

- o Public police are the only real crime fighters;
- o No one else understands the nature of police work;
- o Loyalty to your colleagues counts above all else;
- o War on crime cannot be won without bending the rules;
- o The public is generally unsupportive and unreasonably demanding of police; and
- o Patrol work is not valued in the department, while detective and other specialized areas are highly prized.

Traditional police culture emerges from the occupational socialization and conformity of its members to ascetic and consecrated crime-fighting role requirements and expectations. Police studies suggest that the crime-fighting model tends to be distrustful of due process-oriented change and intolerant towards those who challenge the status quo, especially as it relates to human rights and diversity (Stamper, 2006; Reiner 2010; Spasic, 2011). This has led to a long history of issues relating to discrimination, harassment, and stigma against minority groups in policing, as well as a lack of organizational understanding of the complex dynamics of gender, race, disability, creed, sexual orientation, and sexual identity both within policing services and in their interactions with vulnerable communities (Black & Kari, 2010; Spasic, 2011; Stroshine & Brand, 2011; Diversity Institute, 2014).

THE COMMUNITY POLICING MODEL

The changing demographics of Canadian society have brought to the forefront many of the concerns with traditional police culture as well as highlighting the increased complexity and specialization of law enforcement. The management of this new complicated policing mandate has motivated a search for new, non-traditional, managerial skills, models and approaches that better address the needs of a highly mixed democratic society.

In a 1991 discussion paper from the Solicitor General of Canada titled *A Vision of the Future of Policing in Canada: Police-Challenge 2000*, community-based policing was embraced as the vision for the future. Community policing or community-based policing has been defined as the "co-production" of crime prevention between police and community (Skolnick and Bayley, 1988). The objective of community policing is to engage in initiatives that contribute to an overall public safety; while providing high-quality police services that reflect the interests, values, needs, and choices of the communities they serve. This modern vision of policing not only ensures police and public safety, its function and scope also reflects and affirms all cultural perspectives in society. This is accomplished by adopting a "multicultural policing framework" (Kazarian, Crichlow, and Bradford, 2007).

Policing administrators in Ontario have been gradually adopting the idea of community-based policing. There is now a solid body of research on community policing that expounds the following principles:

- Adherence to police-community partnerships, where the police adopt the key strategy of community consultation.

- A degree of accountability to the community in terms of a review of progress on priorities, possibly conducted through public consultations.

- Front line policing – including a proactive deterrent-effect approach and crime prevention activities.

- Decentralized police management and resource deployment, which delivers services based on neighbourhoods rather than on shifts.

Most police services across Canada have adopted community-oriented policing concepts (Cooke-Scott, 1998; Giacomazzi, Riley & Merz, 2004). These police services invite the perspectives and guidance of community members to provide better service and to provide a safer working environment for their officers. However, actively involving community members in police business is tremendously challenging. Police members and community members are influenced by different cultures, and different attitudes about each other. Working together often takes education and patience, but research suggests that the efforts can reap tremendous benefits to the police department and to the community (Fridell, et al, 2001)].

Researchers have found that perceptions of police bias will not change unless they learn more about the practices and behavior of officers who are patrolling in their community (Lamberth et.al., 2005). Similarly, officers will not learn why specific issues like carding and racial profiling are so important to communities unless they engage with community members and listen to community concerns. This is where community policy plays a critical role Community policing affirms and values diverse cultural modes of being and relating; it assumes a police-community climate that validates all cultural perspectives; and it empowers all cultural voices within and outside the police force in goal-setting, problem-solving, decision-making and community-building.

The Windsor Police Service expressed its commitment to community policing in its recent statement of priorities and objectives: "Going forward we embrace community expectations as the measure of our success, and they shall be the cornerstone of our culture." In addition, this community policing focus is also affirmed by the Service's newly-constructed Vision, Mission and Values Statements, with the stated goal "to prevent and investigate crime, to provide support and to enforce the law in partnership with the community."

POLICE LEGITIMACY AS MODERN CRIME CONTROL

Important recent research suggests that increasing police legitimacy in minority communities should be regarded as inextricably linked to controlling crime, thus requiring a less alienating and criminalizing approach to policing Canada's multicultural society. Both (police legitimacy and crime

control) necessitate a political discourse that does not sacrifice equality and social cohesion to the more dominant and punitive trends in criminal justice (Phillips, 2011).

Research on police-minority relations throughout North America indicates that problems with service delivery occur when police do not have a real, trusting relationship with the community (Loader, 1997, 2009). Social distance and detachment is created in police-community relations when the police do not reflect the communities that they serve – when they do not come from nor live in the community. Social distance and detachment is essentially a measure of how much or little sympathy the members of a group feel for another group. One manifestation of the police-minority social distance problem is that the minority communities often feel over-policed and under-protected (cf. Bowling & Phillips, 2003).

In the public service orientation, the role requirements for the modern police officer go beyond the traditionally hallowed crime-fighting skills to include essential social skills, and discretion skills, and communications skills as well, in an effort to better engage and inter-face with a diverse public. The prevailing "tough cop" image is diametrically opposed to the "peace officer" expectations that most citizens have of their police (Leuprecht, 2014). Some of the time and energy spent on crime-fighting strategies would be better spent on revamping the role of front-line officers by soliciting input from the community and police. Instead of emphasizing physical strength, police academies should develop critical thinking and judgment skills among recruits (Leuprecht, 2014).

In an organizational context, a diverse collection of skills and experiences allows law enforcement agencies to provide service to customers in a globalized society, and better management of local expressions of global geo-politics. In this respect, as society has evolved and become more complex in its demographic landscape, the role expectations of police officers have also evolved and broadened in scope to enhance the traditional crime control directive. Hence, many police services are becoming more sensitive to the values of human rights and non-discrimination, and are committed to embracing the diversity in both human resources and service delivery to reflect the needs of a multicultural population.

A human rights approach to policing preserve the traditional crime-control mandate while integrating a public service agenda that is more community-user friendly. It is a logical and coherent means for the enhancement of police practices and improving the interface with the public. In this respect, it functions as the ampersand between the dual goals to 'protect & serve'. By blending the police officer role as both a crime-fighter and a public servant, a human rights lens strikes an appropriate balance between police investigative powers used to protect public safety and the necessity to safeguard the privacy and liberties of Canadians.

BIAS-FREE POLICING AND RACIAL PROFILING

Prior to the outset of the WPS Human Rights Project, wider debate was beginning to occur among Canadian policing professionals regarding the meaning of "racial profiling" and "bias-free"

policing. In April 2004, at the Annual Conference of the Canadian Associations of Chiefs of Police (CACP) in Vancouver, B.C. the recommendation and rationale of the Ethics Subcommittee that the concept of bias-free policing is the most appropriate description of principled police practice was adopted. Racial profiling was presented as laden with negative and erroneous assumptions about policing in Canada. Since then, references to racial profiling have been generally portrayed by Canadian policing professionals as conceptually confused, adversarial, and unproductive.

According the CACP, the focus on bias-free policing carries with it a positive message of public accountability that can achieve the same desired or corrective ends (as a focus on racial profiling). Moreover, bias-free policing is not simply limited to matters of race; it is also diversity-conscious and functions as an approach that extends more broadly to ethnicity, religion, gender and any other ground protected by the Charter of Rights and Freedoms or federal or provincial human rights legislation (CACP, 2004: 7). Additionally, the CACP believe that there is compatibility between bias-free policing and models of community engagement and outreach, bolstering its public-accountability-best-practice standing. Hence, a bias-free policing policy was formally adopted at the CACP Annual Conference – Canadian Association of Chiefs of Police "Resolutions," 2004, Resolution #02/2004. The Resolution reads in part as follows:

"WHEREAS bias-free policing includes decisions based on reasonable suspicion or probable grounds rather than stereotypes about race, religion, ethnicity, gender or other prohibited grounds …

BE IT FURTHER RESOLVED that Canadian Association of Chiefs of Police members will exercise leadership by initiating or strengthening programs and strategies that promote bias-free policing, giving particular attention to public accountability, policy-making, management, supervision, equitable human resource practices, education, community outreach and partnerships." (CACP, 2004: 5).

For law enforcement agencies across Canada the goal of bias-free policing has gained momentum and prominence as a strategy for principled policing. This is in direct correlation to the dissatisfaction with the concept of racial profiling. Bias-free policing initiatives have, however, not yet become an all-encompassing approach to public protection, nor have they rendered questions of race-based policing moot.

While the world of law enforcement is firmly anchored in the bias-free policing agenda, racism and racial profiling has long been a significant concern for members of racialized communities in Canada. Recurrent patterns of problematic police-minority relations, and raging anti-police backlash continue to convulse and reverberate across the country. Police powers to stop, question and search people in public places, and the way these powers are exercised, persist as a contentious aspect of police-community relations, as well as a key issue for criminological and policing scholarship, and for public debate about liberty and security more generally (Weber & Bowlin, 2012).

Community concerns about racism and racial profiling by police have expanded to include the issues of "carding" and "pretext stops," and "out-of-sight traffic violations." The Toronto Police Service has received the greatest public scrutiny on these issues. But protesters also voiced anxiety toward other urban police services, criticizing for example Peel Regional Police for their deadly shooting of Jermaine Carby during a traffic stop in Brampton, Ontario.

In addition, anti-racism coalitions have also come together to address the over-representation of African Canadians in incidences of police use of force with individuals with mental illness. Questions have been raised regarding the role race played in recent fatal interactions with police of several emotionally disturbed people of colour – including Michael Eligon, Reyal Jardine-Douglas, O'Brien Christopher-Reid, Ian Pryce, and Andrwe Loku. In July 2015, representatives from the African Canadian Legal Clinic (ACLC), the Canadian Mental Health Association (CMHA), the Urban Alliance on Race Relations (UARR), Black Lives Matter Toronto, and the Anti-Black Racism Network held a news conference challenging Toronto police and other Ontario police services to establish an action plan to reduce the number of fatal encounters with Black people in mental distress.

Most recently, the vigorous debate about law enforcement's relationship with people of colour and police 'use of force doctrine' has been amplified across a range of jurisdictions, sparked by the unrest in the US cities of Ferguson and New York. The events surrounding the deaths of Black teen Michael Brown in Ferguson and New York's Eric Garner stirred public protests and rallies with charges of police brutality, highlighted in the United States by the "Hands Up, Don't Shoot" and "I Can't Breath" campaigns. By the close of 2014, at least 50 demonstrations had been held nationwide specifically for Ferguson's Michael Brown and New York's Eric Garner, while hundreds of demonstrations have taken place in United States and Canada against general police brutality, counting these fatalities as a focal point. In Canada, members of racialized groups gathered in major cities across the county to show their solidarity with protesters south of the border to launch the "Black Lives Matter" campaign and to participate in symbolic public "Die In's."

MAINSTREAMING DIVERSITY IN LAW ENFORCEMENT

Against the backdrop of significant social diversification and change, many police services are gaining confidence in the value of a diverse workforce. They are realizing the impact that these socio-demographic features are having both on society and on law enforcement, making it difficult to ignore the importance of diversity in the public arena, and how diversity is shaping the way their business operations are conducted. Within many law enforcement agencies, like the modern corporate world in general, there is now a broad-based agreement that workforce diversity is smart business. Most observers now agree there is a general business case that can be made for striving towards diversity in the workplace (Shin, 2008). Workplace diversity is viewed as a new business direction, which has the potential to improve services, to lift morale, and to enhance productivity (Siu, 2011).

However, the competitive advantages of diversity in law enforcement can only come to fruition by incorporating differences in a way that makes them integral to police organizations. In simple

terms, diversity is the mix, and inclusion is the mix working well together. The notion of a diversity that only allows workers into the existing framework of a corporate or organizational structure is not the same as a pluralist outlook on diversity that enables workers to incorporate their perspectives into the main work of the organization or agency. Thinking of diversity simply in terms of identity-group (numbers) is not the same as thinking of diversity as the embrace of work-related culturally-based differences (perspectives). The difference between thinking of diversification of the workforce in terms of demographic variation and in terms of differentiated perspectives is crucial to the ability to attain the expected performance benefits and increase organizational effectiveness.

It is become more and more evident that the prevailing business case for diversity is dependent on, and inextricably tied to, the human rights case for business. Research on corporate competencies and organizational effectiveness has confirmed that developing an outlook on diversity that enfranchises differences by incorporating the perspectives of workers from diverse backgrounds and cultures into the institutional structures of the organization broadens the scope and definition of 'competent workplace practice' and enhances the overall work product or service. Thomas and Ely (1996) have argued that a model for "managing diversity" should let an organization internalize differences among people so that it learns and grows because of them, not in spite of them. Indeed, with such a model fully in place, members of the organization can say – "We are all on the same team, with our differences, not despite them" (1996: 86).

Four paradigms capture the most frequent efforts in workforce diversity management (Thomas and Ely, 1996).

• **Resistance Paradigm**: Organizations react to resist change due to diversity by maintaining the status quo in the absence of any pressures to increase diversity (Dass and Parker 1999) and by reproducing inequality without an equal opportunities or diversity policy (Jacobs, 2004; Kirkton and Greene 2005).

• **Discrimination and Fairness Paradigm**: Organizations focus on equal opportunities and fair treatment through legislative actions and by treating everybody the same (Thomas and Ely 1996). This is demonstrated by concentrating on staff recruitment as a means to increase the numbers of employees belonging to disadvantaged groups (Kandola and Fullerton, 1998).

• **Access and Legitimacy Paradigm**: Organizations focus on a search for business benefits (Thomas and Ely 1996), maximizing every individual's potential as a source of competitiveness by creating a culture and environment of respect (Kandola and Fullerton, 1998).

• **Learning and Effectiveness Paradigm**: Organizations emphasize the linkages of diversity with work and employee perspectives, moving from identity groups towards learning opportunities in order to gain the benefits of diversity. In this paradigm, egalitarian organizational culture is seen as a means to higher standards of performance and in which employees are viewed as valuable resources, strategic assets and as an investment (Ely and Thomas 2001; Jacobs 2004; Azmi, Foster and Jacobs, 2012).

While all of these paradigms on workplace diversity are operant in Canadian society, the dominant management model of diversity emphasizes individual access-and-legitimacy and is aligned with the prevailing public discourse on open access hiring strategies as 'good for business'. Most proponents of the access-and-legitimacy perspective would argue that a workplace that facilitates open access should be seen as a competitive advantage rather than just as a legal constraint. Basically, their message is: do not promote diversity because it is a legal mandate, but because it is good for business (Kelly and Dobbin, 1998).

Some of the best corporate management research, however, has gone further to identify organizations with the most effective corporate cultures as those who do the best job of harnessing diversity through acceptance (led by management) of a workforce that will "embody different perspectives and approaches to work" (Thomas and Ely 1996). This is not just demographic diversity based on numbers rather organizations must empower and enable a diverse workforce – through equitable participation.

Organizations that employ 'effective' diversity strategies will leverage differences, and find hidden talents and new perspectives when they attract employees from other cultures; and these hidden talents and new perspectives will enhance the organizational efficiency and productivity of the business. Surveys have demonstrated a positive impact on high performance where senior management teams include a diversity of ages, race/ethnicity, and gender (Reichenberg, 2001). Developing inclusive and productive workforce requires a hiring strategy with embedded human rights principles, which establishes a meritorious hiring practice that is age, race, gender and minority encompassing.

Police services that believe in the 'promise of diversity' still often fail to leverage diversity by making sure differences truly count. Numerous and varied initiatives to increase diversity in many police services have been earnestly underway for well over a decade. Yet, many of these attempts have stalled, or backfired, sometimes heightening tensions among employees and hindering an organization's performance.

HUMAN RIGHTS REGULATE POLICE POWERS AND FUNCTIONS IN ONTARIO

Creating a representative and inclusive police service that applies a human rights lens to its operations is not only a logical response to an increasingly diverse Canadian society it is also a legal obligation. Human rights legally regulate police functions and practices. All organizations in Ontario, including police services, have an obligation to respect human rights and respond to entrenched forms of discrimination that threaten these rights.

For example, the primacy of human rights in policing is formalized by the Police Services Act (PSA). The Declaration of Principles in section one of the Act stipulates police services shall be provided throughout Ontario in accordance with the following principles:

1. The need to ensure the safety and security of all persons and property in Ontario.
2. The importance of safeguarding the fundamental rights guaranteed by the Canadian Charter of Rights and Freedoms and the Human Rights Code.
3. The need for co-operation between the providers of police services and the communities they serve.
4. The importance of respect for victims of crime and understanding of their needs.
5. The need for sensitivity to the pluralistic, multiracial and multicultural character of Ontario society.
6. The need to ensure that police forces are representative of the communities they serve (Police Services Act, R.S.O., 1990, c. p. 15, s.1).

A human rights-based approach operationalizes a modern urban policing vision of inclusiveness by developing the capacity of police services as duty-bearers to meet their obligations and encourages rights holder individuals and civilians to claim their rights. As state actors, police have three levels of obligation: to respect, protect and fulfil every right. To respect a right means refraining from interfering with the enjoyment of the right. To protect a right means to prevent other parties from interfering with the enjoyment of rights. To fulfil a right means to take active steps to put in place, policies, institutions and procedures to enable people to enjoy their rights.

A rights-based approach to policing demands that such choices be made on the basis of transparency, accountability, non-discrimination and participation. These principles should be applied to all aspects of the 'business' of public policing and subsequently through all stages of decision-making, implementation, monitoring and evaluation, in terms of analyses and processes that are transparent and participatory.

Experience has shown that the use of a human rights-based approach requires the use of good programing practices. However, the application of 'good programing practices' does not by itself constitute a human rights-based approach, and requires additional elements. National and international research has recurrently acknowledged that the following elements are necessary, specific, and unique to a human rights-based approach:

(a) Assessment and analysis in order to identify the human rights claims of rights-holders and the corresponding human rights obligations of duty-bearers as well as the immediate, underlying, and structural causes of the non-realization of rights;

(b) Programs assess the capacity of rights-holders to claim their rights and of duty-bearers to fulfil their obligations. They then develop strategies to build these capacities;

(c) Programs monitor and evaluate both outcomes and processes guided by human rights standards and principles; and

(d) Programming is informed by the recommendations of human rights bodies and mechanisms for the development of measurable goals and targets.

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[5] Initially the agreed upon target change objectives included in Appendix A to the Charter were listed under the following headings: Pre-employment, Employment Practices & Environment, Training, Accountability, and Public Liaison. On September 7, 2011 the Sponsor Group approved amendments to Appendix A of the Charter. The Pre-Employment, Employment Practices & Environment heading was changed to Recruitment, Selection, Promotion & Retention. The associated target change objectives remained the same. Additional target change objectives categorized under the heading Accommodation were added to the Charter. The Training target change objectives were removed from Appendix A. A Training Group was established and tasked with addressing these objectives.

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