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Summit on the Economics of Policing and Community Safety

Innovative Approaches to the Police Justice Interface

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Introduction

I realize that I am here to provide a small town police perspective within this panel discussion. I believe that there are concepts that I will speak about that may not work in a larger community. There may, however, be initiatives that can be taken away by some. My own opinion is that much of police justice reform, at least from the police perspective, has little to do with systems, processes, intelligence-led activities, Compstat, etc.; for me it's all about attitudes of the officers and their understanding of what their exact role is within the system. The craft of policing is difficult to master and define. Police officers in some communities simply respond to calls for service, enforce traffic, or take counter complaints. Some police officers are affiants of documents that would rival the complexity of many works within graduate school in Canada. Others are media experts, or detectives, or placed within the strategic planning units of large police organizations, or have human resource specialties. All of this while global pressures are causing our own officers to need security and over watch during recent police funerals. The police role is like an expanding hurricane that seems to be forced to pick up all of the broken segments in society and put it all together in a neat little package. All of this while not asking for any of it. Most of this is highlighted within the smaller centers where the only thing open past 5pm is the local 7-11, the hospital, and the police.

I have prefaced this discussion about the larger subject of police justice interfaces around a couple headings that hopefully will provide some new insights to this learned group, or at least reinforce some of what is already known and occurring in municipal policing in Alberta, especially the small towns. The headings I have chosen to address within this presentation are: Social Return on Investment, Police Justice Interfaces, and Police Professionalization.

The concerns around the economics of policing have gained, and still are gaining momentum within local, regional, and federal governments. There are many social science researchers who have jumped on the economics of policing bandwagon as of late, and some are clearly misinformed. With that said, there are the realities of increasing police budgets and the costs to our citizens of paying for policing. There will be pressures and challenges to the criminal justice system to reduce expenditures, and the police and Crown will have to face those challenges. Whether we discuss alternative delivery models, tiered policing, administrative sanctions versus court processes, we must do so while maintaining integrity and the public trust within a democratic society. Simply diverting costs associated with criminal justice delivery to the police will result in the ever increasing costs to our local tax payers and more mission creep onto the police. I have listed here a few examples that I am aware of where mission creep has occurred within policing:

- ALS AZT suspensions being placed on the police rather than the courts;
- Police acting as the Crown for Judicial interim release;
- Condition changes on judicial releases being investigated by police;
- Alternative measures/EJS;
- Curfew checks of offenders on CSO's/probation orders;
- Local police responsible for housing provincial prisoners/transport on weekends;
- Paying physicians for sexual assault exams, and I am sure there are many more examples;
- Waiting for hours on end for action at the bail office.

All of this while some have the audacity to state that the police have been the creepers. This impact of these add-ons, in my view, have not been examined and the police need to be resistant to further downloads. Note: most new initiatives do not upload to prosecutions or the courts, they are simple downloads to the police, who are then criticized for being too expensive.

The move towards alternative resolution practices of the police gained much momentum in the previous decade. We all know that the practices of family group conferencing originated in Australia and that both Australia and New Zealand have had great success. As a whole, in Alberta, this model has come and gone. I would suggest that time and coordination that was required by police to facilitate family group conferencing is the major driver behind the reluctance by police to use the model.

Social Return on Investment (SROI) (the prevention piece)

In our community, we have used multi-disciplinary case conferencing since the tragedy of our school shooting at W.R. Myers High School in 1999. Recently, a similar model to this had been highlighted in several publications written about the Prince Albert hub. I have personal experience with this model and believe that it is an effective mechanism in getting multiple human service providers into the same room to case conference issues and individuals. Barriers are information sharing risk aversion by some, creating charters and memorandums of agreement that allow for info sharing, while working together on community problems is a productive way to promote information sharing.

The most significant contributor to altering the police justice interface that I have personally seen is the utilization of police resources to build community capacity around sustainable programs and activities that support a healthy community. We know that the social determinants of criminality are the same as the social determinants of health, education, etc. As a result, by police focusing resources and attention to these social determinants, we create a community environment in which people can grow and live safely. Any time that I can get a police officer to focus on poverty issues, housing concerns, literacy, mental health, supporting families etc., we do it. For example, the police in my community chair the Taber Community Action and Prevention Society. This is an award winning group of community members that work to increase human service needs in our community. One example of our success

was the creation of an addictions health center in our community; another was the creation of a women's shelter in our community. We started and continue to advocate for the Taber Community Against Drugs group (TCAD). This group works with those suffering from drug use and abuse in our community and send the message that we, as a police service, are there to help those who need us. We actually have drug addicts attend our counter for help, and we help them. We refer to addictions counseling, we call treatment centers to determine if there are vacancies, we even drive the people to the center if required. Why? Because there is no one else to do it and people are asking for our help (remember the attitude part). One measure of its success is the fact that we have yet to have a methamphetamine charge laid in our community. An example of our police officers attitudes towards policing is as follows. An elderly lady had a problem with kids entering her dilapidated shed in her backyard and smoking inside. She was sick and tired of cigarette butts and was worried about arson. Our police officers attended and took the time to fix the door to the shed (at their own expense) thereby allowing the door to be locked and the result was no more problems. We are currently spearheading the building of a field house to increase capacity around summer time sports activities in the winter. So our goal is crime prevention, thereby reducing the need for the police justice interface.

The measurements of success are not easily determined, especially for the smaller police organization. There has been evidence of social return on investment within larger centers, an example is the DOAP teams in Calgary (Downtown Outreach Addiction Partnership) reportedly seeing an almost 10-1 return on social investment. For example, in 2013, the team performed 16,853 transports of clients to and from shelters, hospitals, or medical appointments, and took 2,228 referrals from emergency services (police, EMS and bylaw). Another example is the Red Deer PACT program (Police and Crisis Team) that have demonstrated a 3.66:1 social return on investment on assisting those with mental health issues in Red Deer. I am unsure if these programs or the SROI have actually reduced police budgets, as there always seems to be somewhere else where funds can be allocated.

Measuring impact of what the results are is the hard part. Impact = Outcomes less an estimate of what would have happened anyway. Often in smaller centers the outcome is purely a subjective review, measuring perceptions of safety and police effectiveness rather than proving hard numbers. The cost of evaluation is often a hardship for smaller services and, in my view, gives more credence to the requirement to create better relationships with academia, etc.

The increase on police funding has been credited with crime rate decreases in the United Kingdom where crime rates have fallen since the 1990's. This is similar to the picture in Canada, yet recent studies completed by the Gov. of Canada indicated that Canadians are not impressed with the justice system, citing far too lenient sentences and poor rehabilitation of offenders; notably police were not mentioned.

New Police Justice Interfaces

In Alberta there has been a new endeavor named PRISM. This is an interface of electronic disclosure from police to a secure server. E-management of police-prosecutor files. This interface is in its infancy in our community but has gained some momentum and success in the city of Medicine Hat and Lethbridge.

There is a trend towards the justice system dealing with persons with special needs differently from the general population. It is common sense that persons with addictions or mental health issues occupy a large number of the persons found on dockets throughout Canada. There have been initiatives in Alberta, such as mental health diversion, domestic violence, and drug courts which all have had some success. I am not sure of many studies that have demonstrated to what level, but anecdotal subjective analysis from the police favors the system.

We practice early case resolution in our community. This is a pre-trial meeting whereby police and the Crown get together to discuss the merits of the case, the persons involved, the impact of the charges and prosecution on the victim and suspect, etc. The Crown often leaves those meeting with a good understanding of the context of the case and, as a result, is better positioned to enter into plea agreements, etc. This, of course, reduces the need to tie up costly court time, but what we have found is that it also reduces the number of times our police officers are giving testimony before a judge. This lack of testimony can be problematic when a case does come up when officer testimony is actually required. Most of the time it becomes a case of late case resolution as Crown does not have the time to review the amount of cases before the courts in this fashion.

There are some that would argue in the future that all non-serious crimes, (this is up to for definition), should be dealt with administratively rather than through the court system. For example, there are discussions being held right now in Alberta to move all traffic offenses away from being quazi-criminal summary conviction offenses within Provincial legislation into administrative sanctions with fines and dispute resolution through an arbitrator. Some municipalities are considering creating traffic bylaws that allow traffic offenders to pay a reduced penalty if they deal with the matter through a notice rather than a Provincial ticket. This uses the principals of parking tickets to all ticketable provincial offenses. Of course this would take away the possibility of demerit points being placed on a driving record, but would relieve the court burden, which is the real driver of these initiatives. So what does court look like in Alberta right now? We know that there are not enough judges or court rooms in Alberta to handle the ever increasing pressures on the system. We know that there are 77 new people moving to Alberta every day. When we put that into perspective, that's a classroom a day that has to be built in order to accommodate the children of those individuals moving into our province. With that said, we know right now that some serious court cases are receiving judicial stays based on delay of prosecution. As example of these pressures, in Alberta, distracted driving carries no demerit point. Why? Because prosecutors know, if demerit points are applied, there will be a number of accused persons that will plead not guilty and subsequently create trials within the already backlogged system. It is estimated by Alberta prosecutors that 2000 new trials a year would need to be accommodated. We know that in the major centers that it already takes years to get to trial on matters, as this is a serious safety concern, this is, in my view, not justice.

It is also apparent that in Alberta the prosecution services would like to better control the cases that are actually prosecuted. In Alberta, the police form reasonable and probable grounds, and then send a case into Crown for prosecution. More and more police are being asked to consult with Crown, prior to the laying of charges, in an attempt to try to ensure that the prosecutions are solid. Not to say that they weren't in the past, simply that the number of people that can be prosecuted has decreased and

likelihood of conviction is becoming more and more a consideration in court cases. Crown has asked police to enter into memorandums of understanding to provide a guideline as to how prosecutions occur. In my opinion, this is another way in which the Crown has put in a practice to control police activity. The police, being a distinctly separate body to the Crown, are changing, and I am not sure for the better. The Federal Crown in Alberta recently sent a letter to police forces requiring the police agency to pay for the costs of witnesses attending court. We attend meetings where the Crown indicates that nothing is good, so we have to pick the best of the worst decisions. Justice, in my view, will have less and less to do with the courts and more to do with the resolving of conflict, community capacity building, and education and prevention. My fears are that these new initiatives all have some merit; however, most are simply another new way to download responsibility to the police, and remove that responsibility from the Crown and Judiciary. All of this at a time where more and more pressures are being placed on the municipalities in which we live.

Professionalization of the Police

There is a trend towards a lack of trust in the police and the need for more and more governance. Police need to reverse this trend and bring more respect back to this important role in our society. In my view, professionalization of the police is an important step in that regard.

One of the determinants in defining whether or not your job is a profession is to have your own body of knowledge, read it and continue the conversation through research. There is a demonstrated lack of police evaluative research occurring in Alberta. The scope of the research being conducted mainly focuses on in-house research activities, mostly based around strategic initiatives and priorities, budget allocation, stakeholder consultation, and community surveys. The capacity for this research is limited to the resources of the department and their own research goals. There is no graduate educational institution that offers a masters degree in policing in Alberta, and recently the only undergraduate school moved away from a Bachelors degree in police studies to a more general arts degree. There are some certificates offered in police management and police leadership, but we are seriously lacking in this regard. The lack of an academy of policing in Alberta, and for the matter Canada really, creates a situation where we are unable to create and read a base of knowledge that allows for evidence based practice. We end up relying on the other jurisdictions, countries, etc. to look at their policing models, whereas I suggest that our models are actually fairly good.

New police training paradigms need to be undertaken. In fact, I would argue a shift has to occur in policing in Canada where the potential police candidate is responsible for their own education and vocational training required to fulfill the mandate of becoming a police officer and receive certification from the Province. There are few, if any, other vocations, and notice I am still calling policing a vocation in Canada, which requires the employer, never mind the tax payer, to provide basic vocational training. Yet in policing this occurs in most jurisdictions. Recognizing the demographic shifts that have caused pressures in hiring police officers of late, this paradigm shift, at least to me, is the start of a police officer understanding the theoretical, democratic, critical thinking and problem solving principals that are required of today's police officer. No longer is the behavioral-based police academy training model purposeful. It is expensive, lacks rigor, is hard skill intensive, and does not prepare a police officer for

today's emerging pressures. In fact, I would argue most police officers undertake their socialization through a pre-socialization regimen of watching cops and other police movies where the role of the police is glamorized and sensationalized for the purpose of entertainment. The reality of the case is simply so far removed from what happens on television that our recruits have expectations that can't be fulfilled on the job, creating poor morale, and lower retention rates. Public trust and accountability may be gained through a process to professionalize the police.

All this while I completely understand that at 3am in the morning in dark back alley our police have to be prepared and able to deal with bad people who will do bad things.