

CITY OF EDMONTON STREET CHECKS POLICY AND PRACTICE REVIEW

EXECUTIVE SUMMARY

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INTRODUCTION

This study was designed to examine the use of street checks by the EPS. The review of street checks was set against the larger societal backdrop in which persons in communities of diversity have experienced racism, prejudice, and discrimination. With respect to policing, it has been argued that, in conducting street checks, police officers engage in racial profiling and biased policing. The study used a multi-method approach to gather qualitative and quantitative data on the EPS use of street checks and was conducted between October, 2017 and May, 2018. The components of the study are set out in Figure 1.

Figure 1: Components of the EPS Street Check Review



Racism, Prejudice, and Discrimination in Canadian Society

It is important to consider the issues that surround police street checks against the larger societal backdrop of racism, prejudice, and discrimination which have been long-standing features of Canadian society and may be manifested at times in the criminal justice system. Persons in communities of diversity have experienced racism, prejudice, and discrimination

historically and in contemporary times. This includes Indigenous persons, Blacks and other persons of colour, persons with specific religious affiliations, immigrant and refugees, LGBTQ persons, and those who are marginalized and vulnerable, among others. It is important to understand the lived experiences and perceptions of persons in communities of diversity.

Disproportionality in Street Checks

Concerns about police street checks and assertions that the police are engaged in racial profiling and biased policing are based largely on findings that certain groups of citizens are disproportionately street checked by the police in relation to their composition in the population.

There are at least three possible explanations for disproportionality in street checks: 1) there is bias in officer decision-making on the street about who to stop or search; 2) the populations *available* for stops and searches include a larger proportion of people who are Indigenous, Black, marginalized/vulnerable, and from other diverse communities; and, 3) stops are targeted at areas with high rates of crime and disorder, but which also have populations of Indigenous persons and visible minorities, and persons who are marginalized and vulnerable.

Street Checks and Procedural Justice

The requirement of procedural justice (often referred to as *procedural fairness*) in police-citizen encounters is a key component in contemporary policing and in the discussion of police street checks. Procedural justice refers to the fairness of processes by which the police exercise their authority: the way that police treat citizens and decide what to do.

The dimensions of procedural justice include the perception by a citizen that their story has been heard and that the police have treated them with respect, are interested in their personal situation, and that the decision making of the police officer is unbiased. Citizens also need to understand how and why the officer has made specific decisions and taken certain actions. To the extent that officers adhere to the principles of procedural justice, the officers and the police service are given legitimacy by the community. How police officers conduct street checks may

have a significant impact on public confidence in, and the legitimacy of the police. It may also have a significant impact on whether the person who is stopped feels they have been racially profiled and subjected to biased policing.

The Research on Police Street Checks

Studies of police street checks have most commonly been conducted within the framework of discussions as to whether the police engage in racial profiling and biased policing. Several Canadian studies have examined police street checks, although there have been few in-depth analyses, and some of the studies have been conducted by the media.

Descriptive analysis is the most frequent methodology used by many studies of street checks in Canada. This involves reviewing police street check data and tabulating the number of street checks of persons in communities of diversity in proportion to their representation in the residential population, i.e. “counting cards.” A finding that certain groups are more likely to be street checked than others has often led to the conclusion that the police are engaged in racial profiling and biased policing.

A challenge in reaching definitive conclusions is the absence of independent evaluations and the methodological limitations of studies that have been conducted. Despite the increased emphasis on evidence-based policing in the early 21st century, discussions, policies, and legislation relating to street checks has not been informed by empirically-sound research.

PROJECT FINDINGS

Policing in Edmonton

The EPS delivers policing services in an increasingly dynamic and diverse environment. The city has comparatively high rates of violent, property, and disorder crimes, a disproportionate number of which are concentrated in specific areas of the city. The EPS is experiencing challenges in responding to these demands for service.

The EPS is able to meet its objective of responding to Priority 1 calls for service 80 percent of the time within seven minutes only 66.8 percent of the time. The amount of proactive time for officers (10.7 percent) is at the low end of the continuum for urban police services. These two factors have hindered the ability of the EPS to develop, and sustain, relationships with communities of diversity.

Analysis of the SCR Data

The analysis of the 2017 SCR data revealed that only 16.5 percent of the 27,125 SCRs that were approved in 2017 were in compliance with EPS street check guidelines. A review of a sample of cases that were reviewed by the EPS as part of a quality assurance review indicated that many of the SCRs deemed to be in compliance were not. There was also conflicting information recorded on the identity of the person stopped.

Street checks are heavily concentrated in the area covered by EPS Downtown Division. These areas also have high rates of crime and disorder. Many street checks occur in this area between 9:00 p.m. and 3:00 a.m., suggesting that the stops are centered on the available population in this area during this time period. This population includes Indigenous and visible minority persons. These factors must be considered when attempting to explain the disparity in street checks between Whites and Indigenous and visible minority persons.

THE EXPERIENCES AND PERSPECTIVES OF PERSONS IN COMMUNITIES OF DIVERSITY

Street Checks

There is considerable confusion in communities of diversity, including among the staff of service and support organizations, about street checks, including the types of stops that are street checks, the rights of persons who are stopped and checked, and the purpose of the activity.

For persons in communities of diversity, and for all residents of the city, procedural justice in police-citizen encounters, including during street checks, is important. If community residents feel they have been disrespected and dehumanized, there is a likelihood that they will feel they were profiled and subjected to biased policing, even if the officer had the lawful authority to make the stop and conduct the street check.

There were mixed views of the police use of street checks. Support was expressed for the police conducting stops to check on the well-being of persons and for case investigations, including missing persons. However, there were also concerns that there were instances in which EPS officers were abusing their discretion and, in many instances, engaging in profiling and biased policing. This view was prevalent even among those who felt that street checks were beneficial.

Community Engagement

There were expressions of interest by the community representatives for more police-community engagement with communities, particularly by line-level and mid-level officers. This would include more involvement of officers in non-enforcement activities and a more visible presence in the communities. The community representatives were particularly concerned about the lack of diversity in the EPS membership and the limited knowledge that many members had of communities of diversity. This, in their view, limited the ability of officers to develop substantive relationships with community organizations and their clientele. A community policing framework was viewed as the best way to accomplish this.

There was among the representatives of organizations that serve clients of diversity a strong interest in establishing/strengthening collaborative relationships with EPS. The community representatives who were interviewed and the youth and adults who participated in the focus group sessions offered a number of suggestions for how police-community relations could be improved. This included providing culturally-sensitive training for officers, increasing proactive contacts with communities, and providing communities with information about the purpose and objectives of street checks and how the information is used.

Procedural Justice

There was a pronounced desire for EPS officers to practice procedural justice in street check encounters. There were concerns about how members in communities of diversity were treated during street checks, community members often using the words “lack of respect” and “dehumanizing” to describe the dynamic. There were also concerns that the officers’ treatment of persons during street checks might exacerbate trauma and other challenges that persons in communities of diversity are experiencing.

The lack of officer knowledge of the history, culture, and contemporary circumstances of the persons encountered may create a dynamic with negative consequences for the person who is checked and may influence their attitudes toward, and trust in, the police. It was also noted that it was important for officers to understand that how a person behaved in a street check encounter may be influenced by a history of trauma and/or prior experiences with the police in their country of origin.

There were concerns raised that officers often did not explain to persons why they were being stopped and checked and this contributed to a view that the police were unfairly targeting those persons by profiling and biased policing. Informing citizens about the reason for the stop is viewed as a key component of procedural justice.

Officers who have only a limited understanding cultures and communities may over-rely on their authority which may create a negative encounter and one in which the resident may perceive they have been subjected to profiling and biased policing.

THE EXPERIENCES AND PERSPECTIVES OF SWORN AND CIVILIAN MEMBERS OF THE EPS

Profiling Situations vs. Profiling Persons

A challenge in any discussion or study of street checks is to determine whether police officers are profiling situations, e.g. person in an alley with a backpack in an area with a high rate of property crime, or profiling persons based on their diversity. Police officers generally stated that they profiled situations, e.g. “wrong place, wrong time”, while community residents may perceive they are being targeted for who they are, rather than on the basis of any alleged criminal behaviour.

In completing the SCR, the officer should describe the contextual factors that led to the stop. The view of the officers was that they profile situations, not persons and the decision to conduct a street check was based on a number of factors unrelated to the person’s race, ethnicity, marginality, or other personal attributes. The officers who were accompanied on the walk and ride-alongs expressed frustration with the discussions surrounding race and policing and the constant accusations that they were stopping persons based on skin colour.

There is a widespread perception among the city’s diverse communities that EPS officers engage in racial profiling and biased policing. As previously noted, perception is reality in this instance, requiring the EPS to take the initiative to develop better partnerships and relationships with the various diverse communities in the city.

The results of the analysis revealed that EPS officers generally have the lawful authority to conduct a street check. In a number of instances, however, this authority was provided by by-laws that cover behaviour that is subject to highly-selective enforcement, e.g. defective bike equipment, interfering with park furniture, yet it provides the officer with the authority to engage a person.

The Value of Information Contained in SCRs

The information contained in SCRs is viewed by EPS sworn and civilian members as a critical component of police work, including investigating crimes, locating missing persons, solving crimes, and crime analysis. The officers in investigative units, in particular, noted the value of street checks and indicated that they utilized the information contained in SCRs for case investigations. They also noted that SCRs captured information that would otherwise be lost, including details such as a person's location, a description of their clothing, and their accomplices. This information is often valuable in locating persons who have been reported as missing. There are currently no other mechanisms in the EPS to gather this type of information and make it readily accessible to patrol officers, investigators, and analysts.

The Importance of Officer Interpersonal Skills

There was general agreement among the officers that training in interpersonal skills was very important, particularly in relation to conducting street checks.

The Centralized SCR Approval Process

The EPS sworn and civilian members noted the benefits and drawbacks to the centralized SCR approval arrangement in EPS. The positive features of the current arrangement for the review and approval of SCRs include ensuring that: 1) all SCRs that are approved comply with EPS street check guidelines; 2) all SCRs contain sufficient information on the street check as per the EPS SCR guidelines; and, 3) standardized content and format for SCRs.

The less-than-positive features of the current arrangement identified by EPS members included: 1) removal of patrol supervisor the oversight and review of SCRs; and, 2) officers conducting fewer street checks due to their perception that the reporting procedures have become too onerous. A number of supervisors, for example, noted that the centralized SCR review process took them "out of the loop" and hindered their ability to monitor the street check activities of officers under their supervision and to coach and mentor officers who may be experiencing challenges in conducting street checks, and to early identification of officers experiencing problems.

DEVELOPING AND SUSTAINING RELATIONSHIPS WITH COMMUNITIES

A limiting factor in addressing the issues surrounding street checks is that the EPS does not have a comprehensive community engagement strategy which would provide the framework within which to develop collaborative partnerships with community organizations.

There was among the officers a general view that increasing public awareness and understanding of the street check process and the value of street checks would be beneficial. This would also, in their opinion, reduce much of the controversy surrounding street checks.

The Beat Officers

By the very nature of their work, beat officers have more proactive interaction and engagement with businesses, community organizations, and community residents than their patrol counterparts. The limited field observations suggest that these officers also have good communication, problem-solving, and, when required, de-escalation skills. The analysis of the SCR data revealed that beat officers in the Downtown Division were very involved in conducting street checks.

The beat officers who were accompanied on walk-alongs evidenced excellent operational knowledge of the people, businesses and services in their areas and seem to have cultivated meaningful relationships that are valuable when responding to calls or dealing with issues of crime and disorder. The beat officers appeared to be more comfortable engaging with community residents than their patrol counterparts.

In contrast, several of the patrol officers who were accompanied on shift indicated they were rarely involved in proactive policing and conducting street checks. For those officers who had been doing street checks, the new policies had contributed to fewer stops being conducted. Even beat officers who traditionally have conducted the majority of street checks indicated that they were doing fewer of them due to the new reporting procedure and the political environment.

RECOMMENDATIONS

Initiate a Public Dialogue on Street Checks

There are a variety of viewpoints on the police practice of street checks. These range from abolition to various forms of regulation. The materials gathered for this study and the analysis conducted on the SCR data suggest that, when properly conducted, street checks can assist in maintaining the safety and security of the community. This can only be accomplished if all of the stakeholders engage in a good faith dialogue about street checks. This will require that the communities be provided with more information on the use of street checks. This dialogue should also involve EPS officers since they are directly involved in conducting street checks. To date, the conversations surrounding street checks have not been evidence-based and have not considered the many dimensions of this practice.

Reduce the Disconnect Between Senior Management and the Line Level with Respect to the Objectives and Conduct of Street Checks

The findings from this study suggest a degree of disconnect between EPS senior management and line-level officers with respect to street checks. There was among EPS officers some degree of confusion as to the exact definition of a street check and when it was appropriate to conduct these stops. This uncertainty is not unique to the EPS and has occurred in other jurisdictions as well. It is a major contributor to the phenomenon of de-policing which, if it is to be avoided in Edmonton, will require extensive inter-organizational dialogue.

Increase the Diversity of the EPS

The lack of diversity in the EPS membership was identified by many of the community representatives who were interviewed for the project, and by community participants in the focus group sessions. There was consensus that the EPS should be more proactive in increasing the diversity of its membership. This would include developing more extensive relationships with communities of diversity which could potentially result in more applications from persons in these communities.

While all police services have struggled to attract persons from diverse communities, some have been more successful than others. The EPS should examine the strategies that have proven successful in attracting recruits from a variety of communities and adopt those practices.

Increasing diversity in the EPS would send a clear message to all of the communities in Edmonton that the Service is committed to the principle that police services should reflect the communities they police and that, in this case, the EPS is acting on its often-stated position that this is a high priority for the service.

Address the Privacy Issues Surrounding Street Checks

A key issue is whether the current street check guidelines provide adequate provisions for privacy and for the storage and retrieval of information. Persons in communities of diversity are uncertain about how the information gathered in street checks is stored, accessed, and retained and their rights relating to the information that is gathered. These rights should be made public.

View Street Checks as a Microcosm of the Larger Issues Related to Racism and Discrimination Against Communities of Diversity

At the outset of the report, materials were presented that highlighted the issues surrounding racism, prejudice, and discrimination in Canadian society and the historical and contemporary experiences of Indigenous persons, Blacks, Muslims, LGBTQ, and other persons and groups in communities of diversity. Any consideration of police street checks must consider the larger societal backdrop against which these checks occur, and must focus on the use of the strategy by individual police services. Although the police are involved in conducting street checks, this should not obscure the challenges that these groups face in Edmonton.

Improve Officer Knowledge of the Communities and Persons They Police

It is important that EPS officers have a basic understanding of the communities and persons they police. For example, officers should be sensitive to the historical and contemporary lived experiences of the persons they encounter, many of whom may be suffering from trauma. This

includes Blacks, Indigenous persons, and other visible minorities, as well as those of persons in other groups, including the LGBTQ community. Officers must also be sensitive to the perceptions that newcomers have of the police. Many have come from war-torn countries and/or countries where the police are distrusted and viewed with suspicion. There is some question as to whether the EPS has been able to ensure that its officers have basic knowledge about communities of diversity.

Although race/ethnicity have been the primary lens through which the police practice of street checks has been examined and debated, the lived experiences of other persons who are vulnerable, marginal, and at-risk must also be considered. This includes persons with mental illness, those who are addicted, the homeless and/or who face other challenges.

Create Additional Report Forms

The in-depth review of the SCRs completed during 2017 suggests that the SCR form has been used as a “catch-all” form to record information on a variety of encounters and observations that do not fall within the purview of the EPS definition of a street check. Officers indicated in the focus group sessions that there was often no alternative for recording information that might be of use in future case investigations. Unless the information was recorded in an SCR, it would be lost. This includes information on a person’s location, dress, and accomplices that would be of in locating a person should they subsequently be reported as missing or fall victim to a crime.

This suggests the need for the EPS to develop additional forms or processes to capture information on proactive police activities and encounters that do not fall within the purview of the EPS street check guidelines. This would address the issue of “contaminated” SCR data and reduce the number of encounters inappropriately documented in SCRs.

Monitor for Pretense Policing

In the majority of cases reviewed, EPS officers had the lawful authority to conduct the street check. However, the enforcement of bylaws such as “loitering”, “defective bike equipment”,

“interfering with park furniture”, and “interfering with grass” can be highly selective and there may be differences in how officers exercise discretion in these cases. What one officer may determine to be loitering may not be similarly interpreted by another officer. It may depend upon whether the officer knows the subject in question, that person’s prior history of contact with the police, their life circumstance, e.g. homeless, and, perhaps, their racial or ethnic identity. Enforcement of these bylaws may also contribute to a disproportionate number of persons from communities of diversity, in particular marginal and vulnerable persons.

While it is not possible to have regulations and policies that cover all of the situations that police officers observe, training and a focus on professionalism can serve to mitigate biases in these situations.

Monitor for De-Policing

There is evidence that de-policing is beginning to occur in Edmonton. The EPS should monitor this and there should also be an open dialogue within the EPS and between the EPS and its stakeholder communities about de-policing, its implications and how it can be mitigated.

Monitor for Procedural Justice in Police-Citizen Encounters

A common theme in the comments of community representatives and the residents of diverse communities was that officers did not treat them with respect in encounters and during street checks. Procedural justice was identified at the outset of this report as a significant factor in public confidence in, and the legitimacy of, the police. This requires that persons who are stopped by the police feel that they have been treated fairly and with respect. If not, these persons are likely to develop negative attitudes toward the police and have any pre-existing negative views of the police reinforced. Officers should be provided with the requisite skills training and mentoring to ensure that officers understand and practice the principles of procedural justice in their encounters with citizens and in conducting street checks.

Monitor for Problem Officers

A review of the SCRs completed during 2017 found that there was a group of officers who were very active in conducting street checks. Most of these officers work the beat in downtown Division where officers have more opportunity for proactive engagement than their colleagues in patrol units. It is not possible to determine whether the number of SCRs completed by these officers is excessive, as no baseline of what would be considered to be an average number of SCRs, per officer, per year has been established. However, the EPS could establish a system to monitor the frequency with which officers are conducting street checks. The NPYD and the Cincinnati Police Department are two police agencies that use analytics to monitor the use of street checks by officers and the EPS could develop this capacity.

Develop a Comprehensive Community Policing Plan

A common complaint among the persons from communities of diversity who participated in the study was that there were few opportunities to engage with EPS officers in a non-enforcement capacity. This is a consequence of the lack of a comprehensive policing plan and of the EPS experiencing challenges in meeting demands for service.

The Service has a number of individual initiatives, including the Indigenous Community Engagement Strategy and the Emerging Communities Framework that could be components of a comprehensive community policing plan. This plan would set out how collaborative partnerships with agencies and community organizations can be established, enhanced, and sustained. Street checks would be clearly articulated as a component of the community policing plan.

The development of a community policing plan would best be developed through an extensive consultation process with the communities in Edmonton and with the EPS membership. General community meetings are less productive than focus groups and interviews, which can be held with community residents and EPS members and provide an opportunity for the voices of a wide range of community stakeholders and residents to be heard. The community policing plan

should include objectives and the metrics to be used in assessing outcomes, as well as setting out the resources the EPS would require to successfully implement and evaluate the plan.

An important component of this plan would be a social media strategy. Given that many persons in the community receive information through social media, this is a medium that the EPS could use to communicate its community-based strategic policing activities, including street checks. An effective social media strategy would increase lines of communication with communities as well as the transparency of police activities.

Develop a Plan to Inform/Educate Communities on the Objectives and Use of Street Checks in Policing

Both EPS members and persons in communities of diversity identified the need for a more proactive approach by the EPS to educate residents about street checks, their objectives, and use. Uncertainty about the purpose of street checks contributes to the perception that they are based on racial profiling and biased policing.

To address this, the EPS should develop a plan to educate/inform the community on the role and use of street checks and why this practice is important as a strategy to ensure community safety and security. This would include materials explaining why street checks are important and the difference between a street check and other types of officer-initiated stops.

This could also include publishing, on a quarterly basis, data on street checks, including highlighting cases in which the information gathered in street checks was useful in locating missing persons and in case investigations. This would contribute to broadening the discussion of street checks beyond a focus on racial profiling and biased policing. Making street check data public was a recommendation of the Alberta provincial privacy commissioner.

Improve the Skill Sets and Competencies of EPS Officers

A major theme in the comments by community representatives in the interviews, and by the community residents who participated in the focus group sessions, was the “lack of respect” shown by officers toward citizens, the desire that officers not “de-humanize” persons, but

rather treat citizens fairly in encounters. Individual officers can have a significant impact on the dynamics that develop in street check encounters.

This raises the possibility that it may not be the street check stop itself that results in the negative experiences and perspectives of community residents and their feeling of being profiled. Rather, it is how officers conduct street checks. The behaviour of the officer during a street check may trigger negative experiences and emotions and exacerbate the person's life situation.

Given the importance of the dynamics that occur in the police-citizen interaction, it is critical that EPS officers have the required skill sets and competencies to effectively police communities in the city. This includes interpersonal and communication skills and an understanding of the concept of procedural justice. To this end, the EPS should ensure that officers have training in interpersonal skills, with particular reference to the cultural factors that may influence interactions with persons from diverse communities. In the absence of these skill sets, officers may be likely to default to a more authoritarian role which, in turn, affects the experiences and perspectives of community members.

Audit the Centralized SCR Approval Process

The EPS has a unit that reviews and approves all of the SCRs completed by officers. This was done for quality control purposes and to ensure that EPS officers were abiding by the EPS street check guidelines. Previously, this function was the responsibility of the patrol supervisors. The objectives of centralizing the approval of SCRs appear not to have been fully realized. An in-depth review of the 27,125 SCRs revealed that only 4,487 (16.5 percent) met the EPS guidelines. The presence of non-street check incidents in the SCR data compromises the validity of any analyses that are conducted and does not provide an accurate record of EPS street check activity.

The EPS should address the reasons why so many of the SCRs that were approved during 2017 including after the creation of the centralized review protocol in August, 2017, were non-compliant with EPS guidelines. Ensuring that SCRs are guideline-compliant will provide a much

more accurate picture of the use of street checks and provide valid data sets that can be used for research and evaluation purposes. To date, the SCR data provided in response to FOIP requests have included a large number of incidents that are not in compliance with the EPS street check policy.

Ensure That the EPS is Sufficiently Resourced to Develop and Sustain a Community Policing Strategy

There is a foundation upon which to build, and strengthen, collaborative relationships between the EPS and communities of diversity. The implementation of the suggested comprehensive community policing plan will be resource-intensive. The issues surrounding street checks are a microcosm of larger issues that result from a police service not having the resources to develop and sustain collaborative partnerships with communities of diversity and to access the vast expertise that resides in these communities. Similarly, ensuring that all EPS members have the requisite skill sets to effectively engage communities and their residents requires ongoing training and mentoring.

A challenge is that the EPS may not have sufficient resources to develop, and sustain, relationships with communities within a community policing framework. A 2017 audit of EPS staffing noted that the Service uses the Managed Patrol Performance Model (MPP) to determine the number of patrol constables that are required to meet workload demands and patrol performance targets. This includes response times and proactive or problem-solving time. The proactive time performance target is 25 percent; however, the actual proactive time that officers have has been considerably lower than that: 11 percent in 2015 and 10.7 percent in 2017. The best practice standard is 25-35 percent.

There are several possible explanations for this, including patrol resources not being effectively deployed, e.g. shifting, or EPS not having a sufficient number of patrol officers. An in-depth review of patrol deployment would answer these, and other questions surrounding police service delivery.

It is essential that the EPS be provided with sufficient resources to work collaboratively with agencies and community organizations to address community-identified needs as well as the challenges experienced by the homeless, persons with mental disabilities, the addicted and other vulnerable/marginal persons and groups. Otherwise, expecting officers to take on additional responsibilities may have a significant impact on their morale and health and well being. A comprehensive review of current capacities in the EPS could be undertaken and the results of the analysis used to request any additional resources should they be required.

Review the Role of Private Security Personnel and Their Encounters with Persons in Communities of Diversity

The role and activities of private security personnel in Edmonton, more specifically the nature and extent of their interaction with persons in communities of diversity, has not been examined. There should be a review of the role, activities, and decision making of private security personnel in Edmonton, with a specific focus on encounters between these personnel and persons in communities of diversity. This project would involve the use of interviews and focus group sessions with private security personnel, representatives of community organizations, and persons in diverse communities, as well as field observations.

LIMITATIONS OF THE STUDY

This study has a number of limitations that should be taken into account in considering the findings and recommendations.

The Community Consultation

The interviews and focus group sessions were centered on community representatives and persons in communities of diversity. The experiences and perceptions of the general Edmonton community were not examined due to time and resource limitations. The perspectives of the community residents in the focus group sessions should be taken as illustrative of the concerns surrounding street checks held by persons in communities of diversity. The nature and extent of differences within, and between, communities of diversity, and the implications of these differences for police-community relations, remains to be explored.

Determining the Role of Race and Ethnicity in Street Checks

The project had only a limited ability to analyze the role that race played in street checks conducted by the EPS in 2017. Many of the SCRs that were reviewed did not contain any information on race, and even in those instances where the officer completing the SCR entered the persons race or ethnicity, this was based on the officer's assessment rather than self-identification by the person who was stopped and checked. This often led to the same person having multiple ethnicities, e.g. Asian, Black, White in different SCRs. This hindered an analysis on the race or ethnicity of the person who was street checked. Also, there are other attributes, such as living in poverty, that may make persons susceptible to being street checked.

Due to limitations in the data, the project team was reduced to counting, despite having noted the shortcomings of this approach in the opening pages of the report. However, the extensive amount of information gathered in the interviews and focus group sessions with persons in communities of diversity and with the sworn and civilian members in the EPS provide insights into the issues surrounding street checks than cannot be captured in any statistical analysis, no matter how robust.

The Lack of Field Observations

A significant limitation of the research conducted to date has been the failure to examine the context in which street checks are conducted and the absence of field observational data on police-citizen encounters. Field observations are an essential component in understanding the decision of a police officer to conduct a street check, the context of the stop, and the dynamics of the encounter. An instrument for measuring procedural justice in police-citizen encounters has been developed and could be used in future research on street checks.

More extensive field observations would have provided valuable insights into the exercise of discretion by officers, their behaviour and that of the subject in the encounter, and the rationale that officers use for conducting a particular stop. Police scholars have noted the importance of conducting field observations to record the dynamics of police-citizen encounters and to assess the extent to which officers adhere to the principles of procedural justice.

Limitations of the SCRs

Using SCRs as the basis of analysis for the study of street checks and in an attempt to identify whether these checks involve racial profiling and biased policing has a number of limitations. These reports present accounts of the events surrounding the street check as documented by the police officer. There is no mechanism to independently evaluate whether the narrative in the SCR is an accurate account of the reason for the stop and the encounter.

SCRs generally do not capture the *dynamics* of the encounter, which are an important factor in procedural justice and in the perceptions of the person who is stopped. An SCR may not, for example, note whether the officer indicated to the person why they were stopped, capture non-verbal dynamic, e.g. body language, between the officer and the subject, nor how the officer terminated the check. Short of equipping officers with body-worn cameras, the interactive features of the street check encounter are generally unrecorded.

The 2017 SCR Data

Prior to conducting the analysis of the 2017 SCR data, it was necessary to ensure that the reports were in compliance with EPS street check guidelines. This was important to determine, as previous studies of street checks in Edmonton and in other jurisdictions have not conducted similar reviews. Reviewing 15,909 street check reports linked to 27,125 person files (comprised of 14,188 distinct individuals) was a time-consuming endeavor and, in some instances, required a judgement call as to whether a particular police stop was a street check, or should be reclassified.

During the review of the 2017 SCRs, there were many “grey areas”, instances in which the researchers sought the input of the EPS liaison for the project to determine whether the incident reported in an SCR fell within Service guidelines. In many cases, the incidents did not and these cases were reclassified. The challenge is that every encounter that police officers have with citizens is different and no one set of guidelines can cover all of the possible permutations.

FINAL THOUGHTS

The primary objective of this project was to explore the use of street checks by the EPS and the lived experiences and perceptions of persons in the city's diverse communities as well as those of EPS members. Of concern was whether the use of street checks by EPS officers reflects racial profiling and biased policing and whether there are instances in which persons who are stopped by EPS officers feel psychologically detained. The study also solicited suggestions from communities of diversity and EPS sworn and civilian members how any outstanding issues surrounding the use of street checks could best be addressed going forward.

The findings from the present study raise a number of important issues. These include the importance of considering the lived experiences of persons who represent communities of diversity, the staff of organizations that provide services to these communities, and EPS members. Documenting the experiences and perceptions of the community and the police provides a foundation for improving communication, creating and enhancing police-community partnerships, thereby reducing the likelihood that police officers will engage in racial profiling and biased policing, and that community residents will perceive they are being singled out for police attention.

The findings reveal that both communities of diversity and the police are experiencing challenges with respect to street checks. Among the challenges of community residents are a lack of understanding of street checks, how and why street checks are conducted, and about how the information gathered in street checks is stored, accessed, and retained. Among the challenges faced by police officers is a degree of uncertainty regarding the use of street checks as a policing strategy.

The findings in this study have also revealed the importance of examining the dynamics of police-citizen encounters as part of any study of police street checks. This report suggests that the nature of the interaction between the police and citizens, as much as the police stop itself, may play a significant role in the experiences and perceptions of community residents.

This requires that officers have the requisite skill sets to effectively interact with adults and youth from diverse communities. The absence of engagement skills, coupled with a lack of knowledge about the cultures and communities they are policing, may contribute to officers over-relying on their authoritative powers and less on effective communication and conversational skills.

Although the present project was focused on street checks, the findings have raised a number of more general issues related to the delivery of policing services in Edmonton. These include: 1) *recruitment*, to increase the diversity of the police service; 2) *training*, to ensure that officers have the requisite skill sets to effectively engage community residents and have at least a basic understanding of the communities and cultures they are policing; 3) *effective communication* between the senior and line levels, to ensure that officers are an integral component of the EPS policing strategy; 4) *deployment and utilization of resources*, to address issues such as the exceptionally-low amount of time that patrol officers have for proactive activities; and, 5) *adequate resourcing* to ensure that the EPS has the requisite capacities to deliver effective and efficient police services on a sustainable basis to all of the communities in the city.

Across the city, there are a myriad of organizations that are involved in providing services to communities of diversity and to vulnerable and at-risk persons. They have considerable expertise that can make a significant contribution to police-community collaboration on a range of issues. Significantly, all of the representatives and community persons who participated in this project expressed an interest in working with the EPS to improve the quality of life in the city generally, and, in particular, for their communities.

There is an argument to be made that street checks, if properly conducted, can be a valuable component of effective policing and of ensuring community safety and security. However, there are a number of pre-requisites that must be met. These include that the decision to conduct a street check is not a consequence of racial profiling and biased policing; officers practice procedural justice during street checks; and that the SCRs that are completed are in compliance with EPS guidelines.

Studies of street checks have not included field observations and the present study was able to conduct only a very limited number of ride-alongs and walk-alongs. In the absence of these types of data, it is difficult to determine the cognitive processes of officers in the decision to conduct a street check and to document the real-time dynamics of police-citizen interaction during stops.

Determining whether street checks reflect racial profiling and biased policing is complicated by the absence of information in the SCRs on the subject's race, ethnicity, vulnerability, and other features that may make persons more likely to be checked. Although the majority of persons who are street checked have criminal histories, this does not absolve officers from ensuring that street checks are not based on racial profiling and biased policing and that the officers adhere to the principles of procedural justice in the street check encounter.

Given that SCRs represent the *outcome* of the decision of an officer to conduct a stop and provide only an abbreviated record of the encounter, it is very difficult from an analysis of these data to empirically determine whether the EPS engages in racial profiling and biased policing. The time, location, non-personal attributes of the person stopped, e.g. criminal history, and other contextual factors are important considerations in understanding the decision of police officers to conduct police street checks.

Banning street checks may have a number of negative consequences, including 1) displacement to other police tactics that may be less transparent and subject to less oversight and accountability; 2) hindering efforts to prevent crime, ensure safety and well-being of citizens, and efforts to solve crimes; 3) not resolving the issue of procedural justice in police-citizen encounters; and, 4) would not, in itself, improve relations with communities of diversity or strengthen the partnerships that exist between the EPS and community organizations

Street checks are viewed by police personnel as an integral, and valuable, component of the EPS strategy for ensuring the safety and security of the community. On the other hand, there is concern in the community, and particularly in communities of diversity, that street checks can result in certain groups and persons being unfairly targeted by the police.

The challenge going forward is how to retain a police practice that has measurable benefits, while at the same time ensuring that this police activity does not reflect racial profiling and biased policing, result in psychological detention of persons who are stopped, and adheres to the principles of procedural justice. It is also important that street checks are conducted in a manner that does not undermine public confidence in, and the legitimacy of, the EPS.

The issues surrounding street checks are complex and multi-faceted. To effectively address these issues requires a consideration of historical factors, the relationships between the police and communities of diversity in Canada, and these relationships in the City of Edmonton. It also includes discussions of the homeless, mental health issues, trauma experienced by Indigenous persons, as well as racial profiling, biased policing, and the challenges experienced by racialized groups. This, in turn, requires the development of partnerships involving the police, communities, and other agencies and organizations as well as relationships based on trust that provide the framework for open, and ongoing dialogue. The findings of this study can contribute to an expanded dialogue between the EPS and community residents, including communities of diversity, not only with respect to street checks, but in efforts to improve the overall quality of life in the city.