

POLICE USE OF FORCE IN ONTARIO:
An Examination of Data from the Special Investigations Unit

PRELIMINARY REPORT

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Research Project Conducted on behalf of the African Canadian Legal Clinic
for Submission to the Ipperwash Inquiry

¹ We would like to thank Steve Cook for all his help with respect to data entry and cleaning.

INTRODUCTION

- Police use of force against racial minorities has emerged as one of the most controversial issues facing the law enforcement community in North America.
- In the United States, high profile incidents involving police use of force – including the Rodney King, Abner Louima and Amadou Diallo cases – often serve to increase tensions between racial minority communities and the police and solidify the public perception that the police are racially biased. The negative impact of police violence on community cohesion can be profound. For example, over the past twenty years, specific incidents of police violence against racial minorities have sparked major urban riots in several cities including Miami, Cincinnati and Los Angeles.
- Police use of force against racial minorities has also emerged as an important issue in Canada. As in the United States, well publicized police shootings in Ontario and Quebec – including the cases of Dudley George, Jeffrey Roedica, Lester Donaldson, Allen Gosset, Sophia Cook, Buddy Evans, Wade Lawson and Marlon Neal – have led to community allegations of police discrimination. Unfortunately, unlike the United States, very little empirical research has actually addressed the question of whether the police are more likely to use physical force against racial minorities than Whites.
- The following report attempts to address the gap in Canadian research by: 1) Providing a detailed literature review on police use of force against minorities in Canada and the United States; 2) Describing the results of a focus group with leaders from Toronto's Black community on the issue of police use of force; and 3) providing the results of a new study on police use of force in Ontario using data from the province's Special Investigations Unit.
- The report concludes with a discussion of different explanatory models that might help explain the over-representation of African Canadians and Aboriginals in police use of force statistics. Recommendations for reducing the illegitimate use of force by the police are provided. Particular emphasis is placed on reducing police use of force against racial minority communities.

LITERATURE REVIEW

- A number of Canadian scholars have argued that the number and circumstances surrounding police shootings in Canada have served to convince many Black and Aboriginal citizens that they are disproportionately vulnerable to police violence (ACLC 2005; Henry et al. 2006; Pedicelli 1998).
- A 1994 general population survey, conducted by York University's Institute for Survey Research, confirms that perceptions of police bias are widespread in the Black

community. This survey examined the attitudes of a random sample of Black, Chinese and White respondents from the Toronto area. Over 400 respondents were interviewed from each racial group. Random samples of this size produce population estimates that are accurate – plus or minus 5% – 95 times out of 100. All respondents were asked the following question: “*Sometimes the police must use PHYSICAL FORCE when arresting a person who might have committed a crime or to keep that person from escaping. In general, do you think the police are more likely to use physical force against Black people, against White people, or do you think there is no difference?*” The results indicate that the majority of Toronto’s Black community (55%) believe that the police are more likely to use force against Black people than White people. Only 33% feel that there is no difference. By contrast, only 26% of White respondents feel that the police are more likely to use force against Blacks and 61% feel that there is no difference. Multivariate analysis reveals that these racial differences in perceptions of police bias remain after controlling for racial differences in age, education, employment status, income and immigration history (see Wortley 1996).

- Despite growing public concern and allegations of police bias with respect to the use of physical force, very little Canadian research has actually addressed this issue. Although a growing number of studies have documented possible discrimination in other areas of the criminal justice process – including racial differences in police surveillance practices (racial profiling), racial differences in arrest decisions, racial differences in pre-trial outcomes and racial differences in criminal sentencing – detailed research has yet to be conducted on racial differences in the police use of force (see Tator and Henry 2006; Tanovich 2006; Wortley 2006; Wortley 2004).
- The few Canadian studies that have been conducted have been plagued by methodological issues including small sample size and a reliance on newspaper coverage of police shooting incidents. For example, using media sources, Gabriella Pedicelli (1998) examined police shootings in Toronto and Montreal between 1994 and 1997. She found that although African Canadians represented less than 2 percent of Montreal’s Black population in 1991, 5 of the 11 people shot and killed by the police during the study period (45%) were Black males. Similarly, although African Canadians represented only 3.3 percent of Toronto’s population in 1991, 6 of the 12 civilians (50%) shot and killed by the police during the study period were Black males (Pedicelli 1998: 63). A case by case analysis of particularly controversial cases led Pedicelli to conclude that police officials are oftentimes able to legitimize police violence by claiming that it is a normal reaction when dealing with ethnic groups that are prone to ‘criminality’ and ‘violence.’ Furthermore, police officer claims that they had to make ‘split-second decisions’ during violent, ‘life and death’ confrontations with civilians is usually enough to have the incident deemed a ‘justifiable homicide.’ Police versions of shooting incidents are rarely challenged by the media or government officials.

- Phillip Stenning (1994) further explored the issue of police violence by interviewing 150 inmates from three provincial detention centers in the Toronto area. Unlike Pedicelli, Stenning found little evidence of racial differences in experiences with police use of force. While Black inmates were much more likely to report verbal abuse and racial insults during arrest situations, they were not more likely to report police brutality. However, the author cautions that these findings are far from conclusive because they are based on interviews with a small, nonrandom sample of prison inmates. Indeed, only 51 Black inmates were interviewed as part of this study. Furthermore, this study did not examine racial differences in the use of deadly force or police violence that led to serious injury.
- Canadian research on police violence has been greatly hindered by the fact that police services in this country *do not* routinely release official statistics on police shootings or other use of force incidents. Moreover, research on racial differences in police use of force is almost impossible to conduct because there is an informal ban on the release of any type of information that breaks down criminal justice statistics – including police shootings – by civilian racial background (see Wortley 1999).

American Research

- Research on racial differences in the police use of force is much more prevalent in the United States. The results of these studies are not in dispute. Study after study, conducted in different regions of the country, have found that African Americans are grossly over-represented in police shootings and other cases involving police use of force (see reviews in Geller and Toch 1996; Rahtz 2003; Walker et al. 2004; Lersch and Mieczkowski 2005).²
- Research also suggests that the over-representation of African Americans in use of force cases has declined significantly over the past thirty years. For example, in the 1970s, American police shot and killed 8.1 Black citizens for every one White person. By 1998 that ratio had been reduced to 4:1 (see Walker et al 2004).
- Although there is no debate in the U.S about the fact that Black people are greatly over-represented in police use of force statistics, there is considerable debate among

²A number of recent studies have also found that Hispanics are over-represented in police use of force statistics. Interestingly, we could not find a single American study that discussed the representation of Aboriginal Americans in use of force statistics.

criminologists about the reasons for that over-representation. In summarizing the American research on deadly force by police, Locke (1996: 135) observes that : “What every single study of police use of fatal force has found is that persons of color (principally Black males) are a disproportionately high number of the persons shot by the police compared to their representation in the general population. Where the studies diverge are the reasons for that disproportionality.”

- Some scholars and social critics have argued that both overt and systemic racism explains the fact that Black people are more likely to be the victim of police violence than members of the White majority. In order to support this argument, these authors frequently highlight specific cases in which the police have clearly used excessive force when dealing with Black citizens (the Rodney King case, the Abner Louima case, the Amadou Diallo case, etc). They note that almost all of the “questionable” police shooting deaths in the United States have involved African American males. Others focus on the fact that Black males are particularly over-represented in official statistics that document unarmed citizens who have been shot and killed by the police. Support for the racism hypothesis is further supported by survey results which suggest that the majority of Black police officers in the United States feel that White officers are more likely to use physical force against Black citizens than White citizens (Mann 1993; Sparger and Glacopassi 1992; Locke 1995; Tagagi 1978; Locke 1996; Walker et al. 2004).
- Recently, some scholars have argued that the over-representation of Black people in use of force statistics is strongly associated with racial bias at earlier stages of the policing process. Racial profiling research, for instance, indicates that young Black males are much more likely to be stopped and searched by the police than their White counterparts (Tanovich 2006; Tator and Henry; Wortley and Mcalla 2006; Wortley and Marshall 2006; Wortley and Tanner 2005). In other words, Black youth have many more street encounters or confrontations with the police than Whites. This fact alone increases the probability that, compared to Whites, Black people may eventually become involved in a police encounter that will escalate into a use of force incident.
- Despite the strong bivariate correlation between race and police violence, some critical criminologists have argued that the over-representation of African Americans and Hispanics in use of force incidents is more about social class than about race (Walker et al. 2004). They maintain that, regardless of race, police tactics of control and coercion are focussed on the poor and socially disadvantaged segments of society. As Klockars (1996: 13) notes, when it comes to police abuse, lower class people are “the persons who are the least likely to complain and the least likely to be believed if they do.” Thus, the over-representation of African Americans in use of force cases could be partially explained by their over-representation in poor, socially disadvantaged communities. This explanation is far from comforting. In theory, police discrimination against poor people is just as upsetting – and unethical – as police discrimination against racial minorities.

- Police scholars have also argued that the demeanor of civilians may have a major impact on police decision making – including the decision to use force. Some studies have observed that the police are more likely to use excessive force against citizens who are argumentative, belligerent or defy their authority. It has been suggested that some police officers react negatively to even legitimate questions from civilians. In other words, civilians who “flunk the attitude test” or display “contempt of cop” may be more vulnerable to police violence than those who are passive or compliant (see Worden 1995). Other research has suggested that young Black males are more likely to be rude and disrespectful towards the police than Whites (see Walker 2000). This has led some to hypothesize that the poor or disrespectful demeanor some Black youth display towards the police may partially explain their over-representation in police use of force statistics. However, as with the social class hypothesis, the demeanor explanation does not validate the over-representation of minorities in cases of police violence. Poor civilian demeanour towards the police is not a legal justification for police use of physical force.
- It should be further noted that some critics have suggested that researchers have focussed far too much on citizen demeanor towards the police and not enough on police demeanor towards civilians (see Walker 1992; Walker 2000). Indeed, civilians may sometimes display disrespectful or defiant attitudes towards the police as a response to police mistreatment, verbal abuse or incivility. Is it the demeanor of citizens that leads to violent police encounters, or does the initial demeanor of the police officer set the tone for the entire interaction?
- The fourth major explanation for the over-representation of Black people in police use of force statistics draws a direct link to minority criminality. Proponents of this position argue that the over-representation of African Americans in police shootings can largely be explained by their over-representation in violent crime (see Blumberg 1999).
- Studies using aggregate statistics, for example, have frequently shown that the size of a given municipality’s Black population is a strong predictor of both the total number of police shootings and the proportion of all police shootings that involve racial minorities. However, these studies have also shown that this “race effect” is either significantly diminished or eliminated once multivariate analyses have statistically controlled for the Black crime rate (see Jacobs and O’Brien 1998). Other American studies have found that, after statistically controlling for racial differences in “at risk” status, defined as arrest rates for violent crimes (murder, rape, armed robbery, aggravated assault, etc.), racial disparities in police shootings disappear. It should be noted, however, that some critics have charged that it is problematic to use aggregate arrest statistics to explain minority involvement in police violence. For example, they often argue that systemic discrimination may cause both minority over-representation in use of force statistics and minority over-representation in police arrest figures. If bias in the justice system exists, Black people will be more likely to be arrested for crimes than their White counterparts.

- In addition to studies that use aggregate statistics, observational studies and detailed analyses of police shooting investigations reveal that, regardless of race, most civilians shot by the police were either in possession of a weapon, engaged in a criminal act, fleeing the police or resisting arrest. Furthermore, in the majority of cases, the civilian had either assaulted or threatened the police officers involved. In other words, official accounts of shooting incidents rarely indicate that civilian victims were “innocent bystanders.” After reviewing the available research, Geller and Karales (1981: 56) made the following observation: “The most common shooting of a civilian by a police officer in urban America is one on which an on-duty, uniformed officer shoots an armed, Black male between the ages of 17 and 30, at night in a public location, in connection with an armed robbery. Typically, the shooting is subsequently deemed justifiable by the police department following an internal investigation. Even if the officer is criminally prosecuted, the jury is unlikely to convict.” Such research findings bolster the argument that, in most cases, police use of force is “legitimate.” However, critics have argued that relying on official accounts of police shootings can be problematic. Indeed, official investigations into police shootings tend to rely heavily on the testimony provided by police officers. Police officers who are often trying to provide post-hoc justifications for their actions.

The Impact of the Police Subculture

- A number of scholars have examined the impact that the police subculture may have on the nature and extent of police violence (see reviews in Kappeler et al. 1997; Kelling and Kliesmet 1996). The literature reveals that the police subculture may increase the likelihood of police violence for the following five reasons:
- 1) The militaristic “war on crime” orientation that permeates most modern police services creates an “us against them” mentality among police officers. To the police officer every citizen becomes a potential “enemy” or “symbolic assailant.” This ideology can create tensions with minority communities – particularly in departments with few minority officers. These tensions are further aggravated when officers do not live in the same communities that they police.
- 2) The police culture can further reinforce racial stereotypes through the telling of “war stories” that depict racial minorities as dangerous. This may increase the level of fear or apprehension officers experience when they encounter minorities on the street.
- 3) The police subculture puts emphasis on “toughness” and “courage.” New officers are often not accepted until they have proven that they can handle a violent or dangerous civilian encounter. This increases the likelihood that officers will want to prove their courage and demonstrate their willingness to resort to physical force. It also reduces the probability that officers will try to diffuse citizen confrontations through non-violent methods.

- 4) The police subculture places an emphasis on respect. A good officer demands respect and is able to quickly establish their legal authority when dealing with civilians. The subculture also reinforces the belief that it is sometimes okay for officers to respond to citizen hostility, disrespect or disobedience with violence. Within the police subculture, “contempt of cop” is an offence that deserves punishment.
- 5) Finally, the police subculture creates a code of silence among police officers. It is a general subcultural dictate that a police officer should never “snitch” or “rat” on a fellow officer. Officers who violate this general rule are often chastised by fellow officers. They frequently become socially isolated, fear that they won’t receive proper backup on the street and fear that their chances for promotion will be damaged. This makes investigations into the illegitimate use of force difficult if not impossible to conduct. In other words, the code of silence protects officers who may use force in an illegitimate fashion and thus ensures that this type of behaviour will continue.

Summary

- American research reveals that Black people are greatly over-represented in police shooting and use of force statistics.
- Although survey research suggests that a high proportion of African Canadians perceive that the police are more likely to use force against Black people than White people in this country, the issue has yet to be adequately addressed by Canadian researchers.
- There are two major explanations that may help account for Black over-representation in American use of force statistics: 1) racial discrimination; and 2) Black over-representation in violent criminal activity. It is possible that both explanations are valid. For example, it is possible that some use of force incidents are caused by violent, blatantly racist police officers. It is also possible that many other incidents are precipitated by the violent, criminal behaviour of minority civilians. These incidents, in turn, may serve to reinforce racial stereotypes among the police and contribute to the belief that all Black people are potentially violent or dangerous. These stereotypes may subsequently increase the amount of fear or apprehension that police officers experience when they come into contact with racial minorities and ultimately increase the likelihood that force will be used during such encounters.
- Although police scholars and academics continue to debate the fundamental reasons behind the over-representation of minorities in use of force incidents, the research literature on controlling police violence is much less controversial. A number of studies have identified that specific use of force regulations and training regimes can significantly reduce the frequency that the police resort to physical force. We will return

to a discussion of this research in the final section of the report. In the next two sections we present new data on police use of force in the Canadian context.

FOCUS GROUP WITH COMMUNITY REPRESENTATIVES

- In order to better understand the Black community's views concerning police use of force, the research team conducted a focus group with twenty Black community leaders on July 13th, 2005.
- Community representatives were drawn from a wide variety of organizations and professions representing a broad spectrum of special interest groups. Respondents were guaranteed confidentiality and are thus not identified by name in the following analysis.
- The focus group discussion lasted approximately three and a half hours. Despite the length of the focus group, participants were still passionately discussing the issues when the session was concluded. The entire focus group discussion was tape-recorded and transcribed for analysis.
- We began by asking our respondents to define police use of force. Although respondents acknowledged that the definition should include police shootings, assaults and other forms of brutality, most felt that the definition should be expanded to include other behaviours including police threats, racial profiling and verbal abuse.
- Some speakers felt that the threat of police violence had a greater psychological impact on the Black community than actual use of force incidents. Many claimed that the police use threats of violence to dominate minority communities and ensure compliance to their requests.
- Consistent with survey research (discussed above), all focus group participants felt that the police were much more likely to use force, particularly deadly force, against Black people than people from other racial groups. Many respondents felt that the police deal with White offenders differently than Black offenders. For example, some expressed the belief that while the police would shoot to kill during a threatening encounter with a Black civilian, they would use less-than-lethal force when dealing with a White person.
- Many respondents expressed the belief that Black people are much more likely than Whites to be the victim of police brutality. A couple of speakers stated that the police often verbally abuse or harass innocent Black youth in order to elicit a reaction. When young Black people respond with hostility or defiance, the police use this as an excuse or justification to use physical force.

- Participants were then asked why they thought the police were more likely to use physical force against the Black community than the White community. Most respondents agreed that the primary cause was racism – both overt and institutional. Respondents agreed this racism has deep historical roots – that the police have traditionally been used by the White majority to control what it perceives to be a “dangerous” or “threatening” Black population. Many participants noted that, throughout North American history, the police have been used to maintain profound racial inequalities and protect the status quo.
- Other respondents felt that racial stereotypes – often disseminated through the popular media – have created a general fear of Black males among white people in general and among the police in particular. It was felt that this fear often translates into the use of force on the street. In other words, because Black males are more feared by the police than Whites, they are much more likely to become the victim of police abuse and violence.
- One participant expressed the opinion that social class must also be considered when discussing police violence. This participant felt that much police violence and racism is concentrated in poorer communities and that middle and upper-class Blacks are less vulnerable to use of force incidents. This comment generated considerable debate. Other participants felt that higher social class does not protect Black people from police abuse – that Black males living in wealthy areas are still subject to high levels of police surveillance and distrust and are still at high risk of become a victim of police violence.
- A number of respondents felt that the police subculture – a subculture that is often reinforced by the politics of police unions – is a major cause of violence against minority communities. It was felt that the police have an “us against them” mentality and often act as an “occupying army” within minority communities. The paramilitary structure of Canadian police services reinforces the idea among police officers that they are involved in a “war against crime” that often equates to a “war against Blacks.”
- Most respondents felt that the “code of silence” within the police subculture protects violent and racist police officers and is a major obstacle to meaningful reform.
- Although participants acknowledged that there is a crime problem within some segments of the Black community, all felt that minority crime could not explain police bias and violence against Black people. Most felt, however, that both the police and the media use minority crime as a justification for such racism.
- Finally, respondents were asked about strategies for reducing violence against the community and police racism.

- Many thought that we need to dramatically increase the representation of Blacks and other racial minorities within policing. Several speakers stressed that in order to create meaningful change, we must also increase minority representation within police management (i.e., among police supervisors, etc.). Others cautioned that marginal increases in minority representation will do little to change the current situation. Minority officers, they argue, are often coopted into the police subculture and subsequently act no differently than their White counterparts.
- A number of respondents felt that new police recruits should be screened for racist attitudes as well as their propensity for violence.
- Many participants felt that, although good in theory, race relations training has been less than effective in practice. Several speakers suggested that the current system of race-relations training is nothing more than a public relations ploy designed to convince the general public that the police are doing something productive to prevent racism. A few speakers suggested that little is known about the content of current race relations programs and that the effectiveness of such programs has never been evaluated. Others suggested that any benefit of the race relations training received in Police College is quickly erased once officers enter the job and are exposed to field training officers and the police subculture.
- In general, participants felt that “race relations training” should be replaced with “anti-racist” training and that such programs should be closely evaluated. It was also suggested that field training officers be specially selected for their cultural sensitivity and expertise in anti-racism.
- All speakers felt that, in order to reduce police violence and racism, public accountability mechanisms must be expanded and strengthened. All felt that Ontario needs an independent public complaints commission that is responsible for both the investigation and adjudication of complaints against the police. Such a commission is particularly important for the investigation of complaints about police brutality. All felt that in order for such a commission to be effective, punishments for police racism and misconduct must be severe. It was felt that police associations will strongly resist such proposals and are thus a major obstacle to meaningful reform.
- Most speakers felt that Ontario’s Special Investigation’s Unit (SIU) is a step in the right direction. They felt that such an organization is necessary to investigate police actions that result in the death or serious injury of civilians. However, a number of participants felt that the mandate of the SIU should be expanded to include less serious injuries. Furthermore, some participants were uncomfortable with the fact that most SIU investigators are former police officers. It was felt that ex-police officers are still strongly influenced by the police subculture (once a

cop, always a cop) and that their personal histories in law enforcement will compromise their objectivity. For example, it was felt that, because of their police backgrounds, SIU investigators are much more likely to believe the statements of police officers than the statements of civilian victims and witnesses. In fairness to the SIU, it should be noted that, at the time of the writing of this report, 6 of their 10 full-time investigators (60%) actually come from non-police backgrounds.

- Finally, most respondents felt that police violence needs to be closely monitored through the collection and dissemination of race-based statistics. It was expressed that there is no other way to determine the extent to which minorities are over-represented in use of force incidents or to evaluate whether programs designed to reduce police violence and racism are working.
- Most respondents felt that there are various strategies that can reduce police violence and racism in this province. However, the majority of participants were pessimistic about the chances that effective programs will be instituted. It was felt that the power and influence of the police unions, the strength of the police subculture, and the general apathy towards issues of police violence and systemic racism among the white electorate, will result in a lack of political will to institute meaningful reform.
- In the next section of this report we examine empirical data from the Special Investigations Unit (SIU) in order to determine whether the police are actually more likely to use physical force against Black people in Ontario than people from other racial groups. As the results of our focus group suggest, the perception that police force is more likely to be used against African Canadians is quite widespread in the Black community. We now investigate whether this perception has any validity.

THE SPECIAL INVESTIGATIONS UNIT USE OF FORCE STUDY

- At the outset, it must be noted that this report generally and, more specifically, the part dealing with data from the Special Investigations Unit, is the sole product of the research team and is in no way approved or endorsed by the SIU. Thus, while the SIU provided access to its raw data, it in no way contributed to this report's conclusions, commentary, interpretations or analysis. It should also be noted that security measures were instituted to ensure that the data collected was not connected to any identified or identifiable individuals. What the research team was concerned with was the aggregate data throughout the study period, which could then be dis-aggregated by the variables set out in the analysis below (i.e., race, age, gender, type of injury, etc.).
- The Special Investigations Unit (SIU) is a civilian law enforcement agency that conducts independent investigations into circumstances surrounding serious

- injury or death to civilians involving police. The SIU was created by legislative amendments to the *Police Services Act*, which came into force on August 8th, 1990. The primary purpose of the SIU is to enhance police accountability and community confidence in policing through independent investigations.
- The SIU is led by a Director and comprised of approximately 40 civilian investigators. According to legislative regulations, the Director cannot be a present or former police officer. Investigators cannot be police officers, and are legally prohibited from participating in the investigation of any police force in which they formerly served.
 - There are 3 Investigative Supervisors and 10 full-time Investigators who work out of the SIU's headquarters in Mississauga, Ontario, with the remainder stationed across the province and deployed on an as-needed basis. Currently, six of the ten full-time investigators come from non-police backgrounds. However, the majority of the 30 or more part-time (as needed) investigators do have a police background. The SIU also has its own in-house Forensic Identification Section, with capacity to assist in all manner of forensic identification work. The team is led by 2 full-time Forensic Identification Supervisors and 7 as-needed Forensic Identification Technicians.
 - The SIU reports to the Attorney General of Ontario, and is provincially regulated; however, the SIU is independent, both in terms of its investigations and its decisions, of government and police services. Under the *Police Services Act*, the Director of the SIU has the authority to cause criminal charges to be laid against police officers where evidence uncovered during the investigation warrants a criminal charge. In this way, the SIU is the only civilian law enforcement agency in Canada with the authority to both investigate and charge police officers with a criminal offence. Police officers at the municipal (Community Police Services), regional (Toronto Police) and provincial (Ontario Provincial Police) levels are all equally subject to the independent scrutiny of the SIU, with the exception of Aboriginal Police Services.

History

- Section 113 of the *Police Services Act*, which provides the framework for the creation of a special investigations unit, emerged from racially charged controversy in the late 1980s over several high profile shootings of criminal suspects by police, and the ways in which these incidents were being investigated. Prior to the formation of the SIU, police services investigated complaints against their own officers, and in rare situations, another police service conducted the investigation. Critics of this regime argued, during hearings at the Task Force on Race Relations and Policing in 1988, that police services lacked the necessary objectivity to conduct investigations of their own officers. According to the Task Force's recommendations, an independent arms-length agency of the government led by a Director and composed of civilian

investigators would provide the necessary objectivity that police services lacked, and was required to restore community confidence in policing.

- The early years of the SIU, encompassing most of the 1990s, witnessed increasing tensions between the SIU and police. Police services and their officers were unclear of the SIU mandate, and their corresponding duties and responsibilities both to report incidents and to cooperate with SIU investigations. Throughout this time period, it was not uncommon for police services to avoid the SIU entirely, usually because the officer in charge did not deem the civilian injury “serious” enough to warrant an SIU investigation. In addition to legislative ambiguities were claims that the SIU was severely under funded, and lacked the resources to conduct adequate investigations.
- Subsequently, in 1997, the Honourable George W. Adams Q.C. was appointed by the Ontario provincial government to make recommendations aimed at facilitating SIU investigations and increasing cooperation between police and the SIU. After extensive consultation with community and police organizations, Adams reported that the SIU required a sharp increase in funding in order to properly conduct investigations. More importantly, Adams’s recommendations became the basis for a new regulatory framework which created more stringent duties on police services to report incidents within SIU jurisdiction, and on police officers to cooperate with SIU investigations. Adams recognized that it was not practical for a police service to attempt to determine the SIU’s jurisdiction in a strict legal sense before notification; rather, Adams argued, “the issue of notification must be treated more like that of calling an ambulance – when in doubt, call.” With this pronouncement, it became the SIU’s prerogative to determine whether harm to civilians was serious in nature, and not that of the involved police service.
- Another important outcome of the new regulations was that the SIU gained priority over police forces to conduct criminal investigations. Specifically, if both a civilian and a police officer are the subjects of criminal investigation arising from the same incident, the SIU has priority to conduct a full investigation -- of the scene, the involved officers and witnesses -- before the police service commences its investigation. In addition, involved officers are now legally obliged to refrain from communicating with each other prior to their interviews with the SIU. Although subject officers, or the officers alleged to have caused the harm to civilians, have the right to remain silent, to refuse an interview with the SIU and to disclose copies of their notes, all other involved police officers have a legal duty to cooperate with SIU investigations. This includes submitting copies of their notes and providing an interview to an SIU investigator.

SIU Investigations

- An SIU investigation begins with the reporting of an incident or a “complaint”. There are several ways in which complaints become known to the SIU. Every police service is required, under the new regulations, to have an SIU liaison, or an employee who reports all incidents involving officers in that police force to the SIU. Failing reporting by police services, incidents may be reported by civilians, doctors, lawyers or family members of aggrieved civilians, and even reporters. Anyone can make a complaint to the SIU, and there is no limitation period for reporting. The SIU has been known to investigate historical sexual assault cases, where incident is alleged to have occurred decades prior to reporting. In the vast majority of cases, incidents are reported by the involved police service.
- Sometimes complaints are reported to the SIU that do not involve serious injury or death, and therefore do not fall within the SIU’s mandate. In these cases, the SIU refers the incident either to the appropriate police service for internal investigation, or other non police agencies such as OCCOPS (Ontario Civilian Commission on Police Services) for investigation.
- In certain situations, it may not be clear at the time of the report whether the incident is serious in nature, or whether it involves police at all. In these situations, a review is done of the reported facts, and a preliminary investigation begins. If the preliminary investigation reveals that the injury is not serious, or does not involve the police, the Director of the SIU is notified, and may exercise his or her discretion to terminate the investigation, and close the investigative file. When files are closed, the SIU provides as much information as possible, within limits imposed by law and policy, to both the involved parties and the public. In addition, the SIU Director notifies the Attorney General in the form of a memorandum, which briefly summarizes the incident and explains why the investigation was terminated. Terminated investigations – those closed by memo – comprise about one third of all reported incidents to the SIU in a given year.
- If the preliminary investigation confirms serious injury or death involving police, a full-scale investigation commences. SIU investigators are dispatched to the scene of the incident where they examine and secure all physical evidence, seek out and secure the cooperation of police and civilian witnesses, and seize police equipment and other evidence for forensic examination. The SIU also monitors the medical condition of any injured parties, and notifies and updates family members or next of kin of the deceased or injured parties informed.
- After preliminary evidence is gathered, the SIU makes important determinations as to the involvement of particular officers in relation to the incident. The officer(s) whose conduct appears, in the opinion of the SIU Director, to have caused the death or serious injury under investigation is deemed a “subject officer”, and is conferred with corresponding rights and obligations (such as the right to remain silent). An officer who, in the opinion of the SIU Director, is involved in the incident, but is not a subject officer is deemed a “witness officer”,

and is obliged to disclose his or her notes, provide an interview, and cooperate fully with the SIU. Witness officers do not have the right to remain silent, although they do have the right to a lawyer during the interview. In some circumstances, the investigation reveals a different involvement on the part of the officers than originally believed. In this case, the Director has the power to re-designate officers, as he or she sees fit.

- Following a thorough investigation, the entire file is reviewed by the SIU Director. The Director must ascertain whether, based upon the investigation, there are reasonable and probable grounds to believe that a criminal offence was committed by the subject officer(s). This may entail a legal examination of whether the subject officer breached a standard of care (by driving dangerously or carelessly discharging his weapon, for example) or a simple evaluation of the facts to determine whether the legal requirements for a criminal code offence (assault causing bodily harm, for example) are satisfied. In the vast majority of cases, officers are cleared of criminal wrongdoing, usually because they acted within their capacity, the force they used was legally justified, or the harm or death to the civilian was self-inflicted. In a small percentage of cases however, where the SIU Director finds evidence of criminal wrongdoing, he or she will cause informations to be laid against the subject officer(s) and will refer them to the Crown Attorney for prosecution. In 2005, the SIU investigated 195 incidents and laid 3 criminal charges.

Defining Seriousness

- The SIU's jurisdiction is largely dependant upon whether one accepts a narrow or broad definition of the term "serious" harm or injury. Precisely what constitutes "serious" harm is the subject of much debate, but usually encompasses injuries ranging from broken bones and fractures to sexual assault to shootings, with the most serious case being, of course, death. Pursuant to the current definition of "serious injury", the injury must be characterized as "serious", rather than simply "transient" or "minor" in nature.]"
- The SIU's first Director, the Honourable John Osler, in consultation with the Ministry of the Solicitor General and the Ontario Association of Chiefs of Police published the following definition of serious injury, based on the definition of "assault causing bodily harm" as described in the Criminal Code of Canada:
- "Serious injuries" shall include those that are likely to interfere with the health or comfort of the victim and are more than merely transient or trifling in nature and will include serious injury resulting from sexual assault. "Serious injury" shall initially be presumed when the victim is admitted to hospital, suffers a fracture to a limb, rib or vertebrae or to the skull, suffers burns to a major portion of the body or loses any portion of the body or suffers loss of vision or hearing, or alleges sexual assault. Where a prolonged delay is likely before the seriousness of the

injury can be assessed, the Unit should be notified so that it can monitor the situation and decide on the extent of its involvement.

Methodology

- The current study is based on the examination of data from SIU Director's Reports. A Director's report provides detailed information on each SIU investigation, including the time, date and location of the incident, the personal characteristics of the civilian or civilians involved, the cause of civilian injury or death, a description of the circumstances surrounding the incident, and the justification behind the Director's decision to either charge subject officers with a criminal offence or clear them of any criminal wrongdoing.
- The research team collected information on each SIU investigation that was *completed* between January 1st, 2000 and June 6th, 2006 (a five and a half year period).³ During the study period the SIU completed 1,060 investigations involving 1,113 civilians (53 cases involved more than one civilian victim). The unit of analysis in the current study is the individual civilian (N=1,113), not the number of opened files (N=1,060). In other words, we completed one data record for each civilian involved in an SIU investigation.
- Closer inspection of SIU records revealed that 329 of the original 1,113 investigations (29.6%) had been closed "by memo" shortly after the file had been opened. Most of these "memo" cases were closed because preliminary examination had revealed that the incident was outside of the SIU's jurisdiction. For example, over half of the 329 "memo" cases (57%) were closed because the civilian's injury was not serious enough to warrant a full SIU investigation. An additional 33% were closed because the civilian's injury or death had clearly not been caused by police activity. Finally, 6% of "memo" cases were closed because of a lack of cooperation from the civilian and 4% were closed because a victim could not be located. Since "memo" cases were generally outside of the SIU's jurisdiction, they have been dropped from the balance of our analysis.⁴

³ We have included 12 cases (1.5% of the final sample) that were actually opened before January 1st, 2000. These investigations were included because they were completed or closed during the study period.

⁴ Since memo cases did not involve a full SIU investigation, missing data is a major problem. For example, civilian race could not be identified in 61% of all cases closed by memo. This is further justification for dropping them from the balance of our analysis.

- The following analysis therefore excludes “memo” cases and is based on a final sample of 784 full SIU investigations completed between January 1st, 2000 and June 6th, 2006.
- The data template used to collect information about each investigation is provided in Appendix A. Important variables include the time, date and location of the incident, the cause of civilian death or injury, the nature of the injury, civilian characteristics (including age, gender, race, mental health, criminal record, etc.), number of subject officers, number of witness officers, the characteristics of subject and witness officers, the actions of the civilian at the time of the incident, weapons use by civilians and case outcome.
- It should be noted that the racial background of civilians is not regularly recorded by SIU investigators. That is, there was no intentional or organized effort by the SIU to collect racial statistics *per se* as they were not necessary in the discharge of the SIU’s mandate. We therefore had to rely on a variety of other methods to make this determination, including: 1) case photographs; 2) interviews with the SIU investigators assigned to the case; and 3) photographs of the civilian that appeared in newspaper coverage of the incident. Using these methods we were able to identify the civilian’s racial background in 84% of the cases included in our sample. The possible impact of the missing racial data is discussed further in our results section.
- Data entry collection for this project was completed by the end of June 2006. Data entry and cleaning was completed by August 8th, 2006. Thus, at the time of the writing of this report, we have only been working with the data for a couple of weeks. Thus, readers should view these findings as preliminary. Additional findings should emerge as after we have had more time to work with the data.

Results – The Representation of Minorities in SIU Cases

- Tables 1 through 7 compare the representation of different racial groups in Ontario with their representation in SIU investigations. Population estimates for Ontario are derived from the 2001 Canadian Census. Estimates for the white population were calculated by taking the total population estimate and deducting the total visible minority population and the total aboriginal population. The Asian population includes those who identified as Chinese, Korean, Japanese, Southeast Asian and Filipino. The South Asian population includes people of Indian, Pakistani, Tamil and Sri Lankan descent. The West Asian population includes those who identified as West Asian or Arab. The “other” category includes those who identified as a multiple visible minority, Latin American or visible minority group not included elsewhere.

- Odds ratios and SIU case rates were calculated to determine the over-representation or under representation of specific racial groups in SIU investigations. Odds ratios were calculated by dividing the % of all SIU cases involving a particular racial group by their % representation in the general population. An odds ratio approaching 1.00 indicates that a racial group is neither over or under-represented in SIU cases. An odds ratio less than 1.00 indicates that the group is under-represented in SIU cases. An odds ratio greater than 1.00 indicates that the group is over-represented. For example, an odds ratio of 2.00 indicates that a group is twice as prevalent in SIU cases as they are in the general population. By contrast, an odds ratio of 0.50 indicates that a group is 50% less represented in SIU investigations as their proportion of the general population would predict.
- The SIU case rate (per 100,000) was calculated by dividing the total number of SIU cases per group by their population estimate and multiplying that figure by 100,000. The rate indicates the number of people per 100,000 population that were involved in an SIU investigation and allows us to directly compare the experiences of groups of varying size. For example, if Group A has a case rate of 10 per 100,000 and Group B has a rate of 5 per 100,000, we can accurately state that members of Group A are twice as likely to become involved in an SIU investigation as the members of Group B.
- We must stress that the figures presented in these tables are based on Census projections and the total population of SIU investigations over the five and a half year study period. These are not figures based on a random sample and therefore are not subjected to the rules of probability theory. In other words, the observed racial differences do not have to be tested for statistical significance. All the racial differences documented in these tables should therefore be interpreted as “real” differences.
- Overall, the results suggest that both Aboriginal Canadians and African Canadians are highly over-represented in SIU investigations (see Table 1). For example, while Blacks are only 3.6% of the Ontario population, they represent 12.0% of civilians involved in SIU investigations. The odds ratio indicates that Blacks are 3.3 times more likely to appear in an SIU investigation than their representation in the general population would predict. Furthermore, the Black SIU case rate (22.9 per 100,000) is more than three times greater than the overall provincial rate (6.95) and is 4.5 times higher than the White rate (5.11).
- Similarly, while Aboriginals are only 1.7% of the provincial population, they represent 7.1% of all civilians involved in SIU investigations. The odds ratio indicates that Aboriginals are 4.2 times more likely to appear in an SIU investigation than their representation in the general population would predict. Furthermore, the Aboriginal SIU case rate (29.7) is 4.3 times greater than the overall rate for the province and is 5.8 times greater than the White rate.

- It should be stressed, however, that not all racial minority groups are over-represented in SIU statistics. Asians, South Asians, West Asians and people from other racial minority backgrounds appear to significantly under-represented. In fact, the SIU case rate for White Ontario residents is more than twice the rate for Asians and South Asians. Interestingly, these results mirror the findings of racial profiling research in Ontario. While Black people and Aboriginal Canadians are more likely to be stopped and searched by the police than White people, White people are actually more likely to be stopped and searched than Asians or South Asians (see Wortley and Tanner 2005; Wortley and Tanner 2006).
- At this point we would like to make a point about the missing racial data. As discussed above, we could not identify the race of the civilian in 128 of our 784 cases (16.3%). If any of these 128 cases involved Black or Aboriginal civilians, the SIU case rate for these groups would increase and the racial disparities observed in the data would become even more pronounced. In other words, the current estimates of Black and Aboriginal over-involvement in use of force statistics may be quite conservative. Furthermore, it must be stressed that even if all of the cases with missing racial data involve White citizens, profound racial differences will remain. For example, if all the missing cases actually involve whites, the number of White civilians in SIU investigations would rise from 457 to 585 and the White SIU case rate would increase from 5.11 to 6.54 per 100,000. However, even with a White rate of 6.54 per 100,000, Aboriginals are still 4.5 times more likely than Whites to be involved in a SIU investigations. Furthermore, the current Black SIU case rate of 22.87 per 100,000 is still 3.5 greater than a hypothetical White rate of 6.54 per 100,000.
- Further analysis suggests that the SIU ultimately concluded that the police did not directly cause the civilian injury or death in 371 (47.3%) of the 784 cases reviewed for this study. It is important to note that harm was slightly more likely to be directly caused by police actions in cases involving African Canadian civilians (64%) than cases involving Aboriginals (57%), Whites (54%), South Asians (33%) or Asians (30%).
- Within the sample of cases (N=371) in which the SIU determined that harm was not directly caused by the police, car accidents were the main cause of injury or death (31%), followed by suicides (12%), self-inflicted injuries (10%), accidents (10%), drug or alcohol abuse (8%), jumping from balconies or bridges to elude police or attempt suicide (7%),⁵ accidents that occurred while the civilian was fleeing from the police (5%), pre-existing health issues – including heart problems (5%), and injuries caused by the actions of other civilians (3%). Few racial differences exist – although Black civilians are somewhat less involved in

⁵ In such cases it was difficult to determine whether the motive of the civilian was suicide or escape.

suicides and suicide attempts than their white counterparts and are slightly more involved in cases involving drug or alcohol abuse.

- Table 2 examines all investigations in which SIU investigators determined that the civilian injury was the direct result of police actions (N=413). The findings indicate that the over-representation of Aboriginals and African Canadians in SIU cases becomes even more pronounced when we limit our analysis to these cases. For example, although Blacks represent 12.0% of all SIU investigations, they represent 14.5% of all investigations in which injury or death was directly caused by police actions. Similarly, although Aboriginals represent 7.1% of all SIU investigations, they represent 7.7% of all investigations in which injury or death was directly caused by the police.
- When we only consider cases in which harm was directly caused by the police, the Black SIU case rate becomes 4 times greater than the overall provincial rate and 5.3 times the White rate. Similarly, the rate for Aboriginal Canadians is 4.7 times the provincial rate and 6.1 times the White rate.
- Additional analysis reveals that 86 of the 413 cases (21%) in which civilian harm was directly caused by the police involved the use of physical restraints at the time of arrest. An additional 19% involved physical assault (punching, kicking, etc.), 18% involved police shootings, 15% involved allegations of sexual assault, 13% involved assaults with other weapons (batons, tasers, pepper spray, etc.) and 15% involved car accidents that resulted from police pursuits.
- It was felt that although injuries or deaths caused by police vehicle pursuits are an important issue, in the traditional sense, these cases do not really involve police use of force. Thus, in Table 3, we deleted vehicle pursuits from the sample and focussed exclusively on deaths or injuries that resulted from police use of force. The results suggest that the over-representation of Blacks and Aboriginals in SIU statistics becomes even more pronounced when we focus only on those cases that involved police use of force. For example, while Black civilians are involved in 12.0% of all SIU cases, they represent almost 16% of cases that involve police use of force. Similarly, while aboriginals are involved in 7.1% of all SIU investigations, they represent 8.3% of all use of force incidents.
- Additional analysis indicates that the police use of force rate for Black Ontario residents (13.38 per 100,000) is 4.3 times higher than the provincial rate. Furthermore, a comparison of the Black rate (13.38) with the White rate (2.48) suggests that Black civilians are 5.4 times more likely to become involved in a SIU use of force investigation than their White counterparts.
- Similarly, the police use of force rate for Aboriginals (15.40 per 100,000) is 5.0 times the provincial rate. Furthermore, a comparison of the Aboriginal rate (15.40) with the White rate (2.48) suggests that Aboriginal civilians are 6.2 times

more likely to become involved in a SIU use of force investigation than their White counterparts.

- Police shootings are perhaps the most extreme example of police use of force. Thus, we decided to look at all SIU investigations involving police shootings in isolation (Table 4). It is important to note that missing racial data has become less of an issue as we have moved towards more “serious” SIU cases. For example, race of civilian could not be identified in 128 of the 784 cases (16.3%) in the original sample. However, this figure drops to 29 cases (8.3%) when we focus on the 349 police use of force incidents. Finally, race of civilian could not be identified in only 2 of the 73 cases (2.7%) that involved a police shooting.
- The results, once again, suggest that the over-representation of African Canadians in SIU statistics becomes most pronounced when we focus on the more serious cases. For example, Black people represent only 3.6% of the provincial population, 12.0% of all SIU cases, 15.8% of investigations into police use of force and 27.4% of investigations into police shootings.
- Additional analysis indicates that the police shooting rate for Black Ontario residents (4.87 per 100,000) is 7.5 times higher than the overall provincial rate. Furthermore, a comparison of the Black police shooting rate (4.87) with the White police shooting rate (0.48) suggests that the Black residents of Ontario are 10.1 times more likely to become involved in a police shooting than their White counterparts. In other words, over the five and a half year study period, the police in Ontario shot one White person for every 208,333 White people in the general population. By contrast, the police in Ontario shot one Black person for every 20,534 Black people in the general population.
- According to the SIU data, the Aboriginal residents of Ontario are also over-represented in police shootings – although not to the same extent as African Canadians. Although Aboriginal people represent only 1.7% of the provincial population, they represent 6.8% of all civilians involved in SIU shooting investigations. The Aboriginal police shooting rate of 2.66 per 100,000 is 4.1 times greater than the White rate (0.48). Over the study period, the police shot one Aboriginal civilian for every 37,593 Aboriginals in the general population.
- Of the 784 SIU investigations in our sample, 206 cases (26.3%) involved the death of a civilian. Consistent with our previous analysis, an examination of all death cases reveals the over-representation of both Aboriginals and African Canadians. Although Blacks are only 3.6% of the population, they are 13.6% of all SIU investigations that involved the death of a citizen (see Table 5). The Black SIU death rate (6.81 per 100,000) is 3.7 times the provincial average (1.85) and 5 times greater than the White rate. Although Aboriginals are only 1.7% of the provincial population, they represent 5.8% of all SIU investigations into

civilian deaths. The Aboriginal SIU death rate is 3.4 times the provincial rate and 4.6 times the White rate.

- Of the 206 investigations involving civilian deaths, SIU investigators determined that only 37 (18%) were caused by police use of force (see Table 6). Although Black people represent 13.6% of all deaths investigated by the SIU, this figure rises to 27.0% when we consider deaths caused by police use of force. The Black rate of death by police use of force (2.43 per 100,000) is 7.4 times higher than the provincial average (0.33) and 11 times greater than the White rate (0.22). Similarly, although Aboriginals are only 1.7% of the provincial population, they represent 8.1% of all deaths caused by police use of force. The Aboriginal rate of death by police use of force (1.59) is 4.8 times the provincial rate and 7.2 times greater than the White rate.
- Finally, Table 7 examines cases where the death of a civilian was caused by a police shooting. The results indicate that 8 of the 23 shooting deaths recorded by the SIU during the study period involved African Canadians. Thus, while Black people represent only 3.6% of the population, they represent 27.0% of all deaths caused by police use of force and 34.5% of all deaths caused by police shootings. The Black rate of police shooting deaths (1.95) is 9.7 times greater than the provincial rate (0.20) and 16 times greater than the rate for White people (0.12). Overall, over the study period, the police shot and killed one Black person for every 51, 282 Black people in the general population. By contrast, the police shot and killed one White person for every 833,333 White people in the general population.

Results – The Representation of Minorities in Toronto-Area SIU Cases

- Census figures indicate that the vast majority of Ontario's black population – 75.5% – resides in the Toronto Census Metropolitan Area (CMA). This area includes the City of Toronto, Mississauga, Markham, Richmond Hill, Brampton, Oakville, Pickering, Whitby, Oshawa and a number of other municipalities. Since the Black population is particularly large in this area of the province, we felt that it was important to examine the SIU data for this region. The Canadian Centre for Justice Statistics (2005) reports that the Toronto CMA is policed by a number of different police services including the Toronto Police Service, Peel Regional Police, York Regional Police, Durham Regional Police and the Halton Regional Police Service. Thus, we produced use of force data for the Toronto CMA by combining all SIU investigations that involved officers from these police services.
- Overall, the pattern of results for the Toronto CMA are very similar to the provincial results discussed above. However, when we restrict use of force incidents to the Toronto CMA, African Canadians become even more highly over-represented in SIU investigations (see Table 8). For example, while Blacks are

only 6.7% of the population in the Toronto CMA, they represent more than a fourth (25.9%) of the civilians involved in SIU investigations. The odds ratio indicates that Blacks in the region are 3.9 times more likely to appear in an SIU investigation than their representation in the general population would predict. Furthermore, the Black SIU case rate (24.1 per 100,000) is almost four times greater than the overall CMA rate (6.24) and is 5.1 times higher than the White rate (4.77).

- The Aboriginal population in the greater Toronto region is quite small (20,300 individuals). Nonetheless, this group remains over-represented in SIU investigations. While Aboriginals are only 0.4% of the population in the Toronto CMA, they represent 1.7% of all civilians involved in SIU investigations. The odds ratio indicates that Aboriginals are 4.3 times more likely to appear in an SIU investigation than their representation in the general population would predict. Furthermore, the Aboriginal SIU case rate (24.6 per 100,000) is 3.9 times greater than the rate for the Toronto CMA and is 5.2 times greater than the White rate.
- Table 9 examines all Toronto area investigations in which SIU investigators determined that civilian injury was the direct result of police actions (N=171). The findings indicate that the over-representation of African Canadians in SIU cases becomes even more pronounced when we limit our analysis to these cases. For example, although Blacks represent 25.6% of all SIU investigations from the Toronto CMA, they represent 29.2% of all investigations in which the civilian's injury or death was directly caused by police actions. Similarly, although Aboriginals represent 0.4% of all SIU investigations, they represent 1.8% of all investigations in which injury or death was directly caused by the police.
- When we only consider cases in which harm was directly caused by the police, the Black SIU case rate for the greater Toronto region becomes 4.4 times greater than the CMA rate and 5.4 times the White rate. Similarly, the rate for Aboriginal Canadians is 4.0 times greater than the provincial rate and 5.0 times greater than the White rate.
- The results suggest that the over-representation of Black people in SIU statistics for the Toronto region becomes even more pronounced when we focus only on those cases that involved police use of force (see Table 10). For example, while Black civilians are involved in 25.9% of all SIU cases from the Toronto CMA, they represent a third (32.6%) of cases that involve police use of force.
- Additional analysis indicates that the police use of force rate for Black people (14.81 per 100,000) is 4.9 times higher than the overall rate for the Toronto CMA. Furthermore, a comparison of the Black rate (14.81) with the White rate (2.57) suggests that Black civilians are 5.8 times more likely to become involved in a SIU use of force investigation than their White counterparts.

- Similarly, the police use of force rate for Aboriginals (14.78 per 100,000) is 4.9 times the rate for the greater Toronto area. Furthermore, a comparison of the Aboriginal rate (14.78) with the White rate (2.57) suggests that Aboriginal civilians are 5.7 times more likely to become involved in a SIU use of force investigation than their White counterparts.
- The results with respect to police shootings once again suggest that the over-representation of African Canadians in SIU statistics becomes most pronounced when we focus on the more serious cases (Table 11). For example, Black people represent 6.7% of the population in the Toronto CMA, 25.9% of all SIU investigations in the region, 32.6% of all use of force investigations and a half (50.0%) of all investigations into police shootings.
- Additional analysis indicates that the police shooting rate for Black people in the region (5.15 per 100,000) is 7.5 times higher than the overall rate for the Toronto CMA. Furthermore, a comparison of the Black police shooting rate (5.15) with the White police shooting rate (0.41) suggests that the Black residents of the Toronto CMA are 12.6 times more likely to become involved in a police shooting than their White counterparts. In other words, over the five and a half year study period, the police in the greater Toronto region shot one White person for every 243,902 White people in the general population. By contrast, the police in Ontario shot one Black person for every 19,417 Black people in the general population.
- Consistent with our previous analysis of the provincial data, an examination of all SIU death cases from the Toronto CMA reveals an over-representation of African Canadians. Although Blacks are only 6.7% of the population, they are 27.8% of all SIU investigations that involved the death of a citizen from the Toronto CMA (see Table 12). The Black SIU death rate (7.09 per 100,000) is 4.2 times greater than the overall rate for the greater Toronto region (1.69) and 5.5 times greater than the White rate (1.30).
- Of the 79 SIU investigations involving civilian deaths in the Toronto CMA, SIU investigators determined that only 21 (26.6%) were caused by police use of force (see Table 13). Although Black people represent 27.8% of all deaths investigated by the SIU from the Toronto area, this figure rises to 47.6% when we consider deaths caused by police use of force. The Black rate of death by police use of force (3.22 per 100,000) is 7.2 times higher than the rate for the Toronto CMA (0.45) and 13.4 times greater than the White rate (0.24) for this region.
- Finally, Table 14 examines cases from the Toronto CMA where the death of a civilian was caused by a police shooting. The results indicate that 8 of the 12 shooting deaths in the Toronto region involved African Canadians. Thus, while Black people represent only 6.7% of the population in the Toronto CMA, they represent almost 50% of all deaths caused by police use of force and two-thirds

(66.7%) of all deaths caused by police shootings. The Black rate of police shooting deaths (2.58 per 100,000) is 9.9 times greater than the rate for the Toronto CMA (0.26) and 36.9 times greater than the rate for White people in the region. Over the five and a half year study period, police in the greater Toronto region shot and killed one Black person for every 38,760 Black people in the general population. By contrast, the police shot and killed one White person for every 1,428,571 White people in the Toronto CMA.

Summary: The Numbers in Context

- In sum, the results presented in the above section strongly indicate that African Canadians and Aboriginals are grossly over-represented in police use of force statistics in general – and police shooting incidents in particular. For African Canadians, this over-representation is especially high in the Toronto CMA.
- These numbers are disturbing. However, we should also note that police use of force in Ontario, particularly compared to our American neighbours, appears to be quite infrequent. Some police scholars, for example, might think it remarkable that, over a five and a half year period, the police in Ontario (population over 11 million people) were only involved in 73 civilian shootings and that only 23 of these shootings were fatal. That works out to a provincial average of only 13.3 police shooting incidents per year. The average for fatal police shootings drops to only 4.2 incidents per year.
- By contrast, during a 10 year period between 1987 and 1997, the police in Chicago (population approximately 3 million people) were involved in 372 fatal shootings and 100 non-fatal shootings (total shootings=472). This works out to an average of 47.2 shootings per year in Chicago (compared to an average of 13.2 shootings in Ontario). With respect to fatal shootings, the Chicago average is 37.2 per year (compared to only 4.2 incidents per year in Ontario).
- Nonetheless, as in the United States, it appears that when the police in Ontario do decide to use force, they use it much more frequently against African Canadians and Aboriginals than any other racial groups.

Racial Differences in the Characteristics of SIU Investigations

- In the above section, we concluded that Aboriginals and African Canadians are greatly over-represented in police use of force incidents. In this section we examine whether SIU investigations involving racial minorities are similar or different than investigations involving White civilians.

- We remind the reader that the SIU data we analyse in this section is represents the entire population of SIU investigations that took place over the study period. This information is not based on a random sample. Thus, the Chi-Square statistics provided at the bottom of Tables 15 through 40 should be used to illustrate the magnitude of racial differences not to determine statistical significance. When using data from total populations all differences are statistically significant.

Gender and Age of Civilians

- The data indicate that the vast majority of civilians involved in SIU investigations are male (see Tables 15 and 16). However, males make up an even larger proportion of investigations involving Black civilians (90.4%) than investigations involving Whites (82.5%) or Aboriginals (78.6%). By contrast, women represent almost one out of every four investigations involving Aboriginal civilians.
- The data also indicate that the black people involved in SIU investigations tend to be somewhat younger than their White and Aboriginal counterparts (see Tables 17 and 18). For example, almost 60% of black civilians are 29 years of age or younger, compared to only 35% of Whites and 47% of Aboriginals.
- In sum, compared to people from other racial groups, Black victims of police use of force are more likely to be young and male. This finding is consistent with allegations from the Black community that the police frequently target young black males. However, this finding is also consistent with the argument that young black males are more involved in criminal activity than others.

Criminal History

- SIU records documented whether civilians who became involved with the police had a criminal record or not. The results suggest that, regardless of race, the majority of civilians involved in SIU investigations have some kind of criminal record (see Tables 19 through 21). However, it should be noted that, in cases involving police use of force, black civilians are somewhat less likely to have a criminal record than Whites or Aboriginals. For example, in police shooting investigations, only 45% of the black civilians had a criminal record, compared to 72% of Whites and 80% of Aboriginals. This provides limited support to the argument that, regardless of their criminal history, black males are more vulnerable to violent confrontations with the police than people from other racial backgrounds.

Intoxication at the Time of the Incident

- The SIU data indicate that a high proportion of civilians who came into violent contact with the police were intoxicated (on drugs or alcohol) at the time of the incident (see Tables 22 through 24). However, the results also suggest that

black civilians were much less likely to be intoxicated than Whites or Aboriginals. For example, only 13% of Black civilians involved in police use of force incidents were intoxicated, compared to 40% of Whites and 66% of Aboriginals (Table 23). Similarly, only 10% of Blacks involved in police shootings were intoxicated, compared to 33% of Whites and 40% of Aboriginals. In sum, sobriety does not seem to protect Black civilians from contact with the police to the same extent that it protects Whites and Aboriginals.

Mental Health at the Time of the Incident

- The results also suggest that Black civilians involved in SIU investigations were much less likely to be manifesting mental health problems at the time of the incident (Tables 25 through 27). For example, in use of force cases (Table 26), 78% of black civilians showed no signs of mental health problems, compared to 62% of White and Aboriginal civilians. Similarly, in police shooting cases, only 30% of Black civilians displayed a mental health problem, compared to 72% of whites and 60% of Aboriginals. Indeed, 37% of the White civilians and 40% of the Aboriginals involved in police shootings were classified as “suicidal.” By contrast, only 10% of the African Canadians involved in police shootings were given such an assessment (Table 27). In sum, mental health issues seem to draw a relatively high proportion of Whites and Aboriginals into violent contact with the police. The same cannot be said for African Canadians.

Civilian Behaviour at the Time of the Incident

- According to the data, regardless of race, the majority of civilians who came into violent contact with the police during the study period were involved in some kind of criminal or violent activity at the time of the incident. For example, in over a third of all use of force cases, it was reported that the civilian victim had either assaulted or threatened the police or civilian bystanders (see Table 29). Another 25% of all use of force cases involved civilians who were actively resisting arrest – at least according to the Director’s conclusions.
- Overall, racial differences in civilian actions at the time of the incident appear to be minimal. However, there is some evidence to suggest that, in police shootings cases, Black civilians were somewhat less likely to have assaulted or threatened the police or civilian bystanders. For example, according to SIU records, 79% of White civilians and 80% of Aboriginal civilians had actually assaulted or threatened the police (or civilian bystanders) before being shot, compared to only 60% of black civilians (Table 30).

Weapon Use During the Incident

- The data suggest that the majority of civilians involved in SIU investigations were unarmed at the time of the incident. However, the data also suggest that the more serious the level of force used by the police, the more likely it was that the

civilian involved had some kind of weapon with them during the incident (see Tables 31 through 33). There is also evidence to suggest that Black civilians were somewhat more likely to be armed, and armed with a firearm, than civilians from other racial backgrounds. For example, in use of force cases, the Director's reports suggested that only 58% of black civilians were unarmed, compared to 76% of Aboriginals and 79% of Whites. In addition, the data suggest that 22% of Black civilians were in possession of a firearm at the time of the incident, compared to 14% of Aboriginals and 7% of Whites (see Table 32).

- The presence of weapons was particularly pronounced in police shooting cases (Table 33). Only 3 of the 20 Black civilians shot by the police during the study period were unarmed (15%). Similarly, only 6 of the 43 White civilians shot by the police were unarmed (14%). All 5 of the Aboriginals shot by the police had a weapon. The data further indicate that the Black and Aboriginal civilians involved in police shootings were more likely to be in the possession of a gun than their white counterparts. Overall, 80% of the Aboriginals involved in police shootings had a firearm in their possession at the time of the incident, compared to 45% of Blacks and 35% of Whites.
- Finally, it is interesting to note that Black and Aboriginal civilians were somewhat more involved in cases where a motor vehicle had been used as a weapon. Such cases are often controversial. Critics often charge that the civilians involved in such cases were merely trying to flee the police and not trying to use the vehicle as a weapon.

Case Outcomes

- If the police are more likely to use excessive or illegitimate force against racial minorities, we might expect that SIU investigations would be more likely to result in charges in cases involving minority civilians than cases involving Whites. The results of our analysis do not support this hypothesis.
- The data indicate that, regardless of the racial background of the civilians involved, the SIU rarely charges police officers involved in their investigations. For example, the SIU laid charges in only 4 of the 94 cases involving Black civilians (4.3%), 16 of the 457 cases involving White civilians (3.5%), 1 of the 56 cases involving Aboriginal civilians (1.8%) and 2 of the 49 investigations involving civilians from other racial backgrounds (4.1%).
- The low SIU charge rate is likely to be interpreted in two different ways. On the one hand, the low charge rate can be viewed as strong evidence that the police in Ontario rarely use illegitimate force against Whites or racial minority civilians. In other words, when the police in Ontario resort to physical force it is almost always justified. However, it is possible that some critics may charge that SIU

investigations are biased because they frequently involve investigators with a policing background and because investigators tend to accept the testimony of subject and witness officers and reject the testimony of civilian victims and witnesses. This is a difficult debate to address at this time.

Police Cooperation in SIU Investigations

- Many community members have expressed great concern that the police often do not cooperate with SIU investigators. They have argued that this lack of cooperation has seriously damaged the ability of the SIU to conduct complete, objective investigations into police use of force incidents. These community members further argue that a good measure of police cooperation is whether or not subject officers gave a statement about the incident to the SIU. Before continuing with the analysis, it must be stressed that the **SIU** does not share this opinion.
- It is the opinion of the SIU that subject officers have the legal right to refuse to provide a statement. Therefore, it is the SIU's strong position that whether or not a subject officer provides a statement is NO indication of their cooperation. The SIU believes that subject officers have the legal right to remain silent and that no adverse inference can be drawn in law, nor is it drawn in practice by the SIU, when the subject officer exercises that right. In fact, no adverse inference can be drawn from anyone, civilian or police, when subject officers exercise that right.
- Notwithstanding the debate over this issue, it has been argued that, if racial bias exists, subject officers should be less cooperative in SIU investigations that involve minority civilians than investigations that involve whites. Our data do not support this hypothesis.
- While it is clear that subject officers fail to provide statements to the SIU in a high proportion of cases, there is little evidence to suggest that the race of the civilian matters (see Tables 36 through 38). If anything, there is some evidence to suggest that subject officers are actually more likely to provide statements in cases involving African Canadians. For example, in use of force cases, subject officers refused to give statements in 55% of the cases involving White civilians, 52% of the cases involving Aboriginals, 57% of the cases involving other racial minorities, and only 40% of the cases involving Blacks (Table 37).
- Finally, during data collection, we created a variable to note if the Director had commented on problems with police cooperation during the investigation. The Director noted problems with cooperation in about 10% of the cases documented during the study period. However, as with the findings on police statements,

there is no evidence to suggest that the police are less cooperative in cases involving racial minority civilians than cases involving Whites (see Tables 39 and 40).

CONCLUSIONS – EXPLAINING BLACK AND ABORIGINAL OVER-REPRESENTATION IN POLICE USE OF FORCE STATISTICS

The results of our focus group discussions, consistent with the results of previous survey research, strongly suggest that a large segment of Canada’s Black community believes that the police are much more likely to use physical force against Black people than people from other racial groups. The results of our research on SIU records suggest that such concerns are warranted. Indeed, in Ontario, African Canadians and Aboriginal Canadians are greatly over-represented in police use of force incidents. Hopefully, this data can close the debate over whether Aboriginal and Black residents are more exposed to police use of force than White people. They are. We must now turn our efforts to explaining why this over-representation exists. Below we outline a number of different explanatory models with very different policy implications. We believe it is the responsibility of policy-makers to acknowledge that each of these models may have some validity and subsequently develop programs, procedures and regulations that will provide an integrated approach to the problem.

The Racial Animus Model: Proposes that blatantly racist police officers (bad apples) sometimes abuse their authority and illegitimately use coercive force against racial minorities as an act of racial hatred or animus.

The Devaluation Model: Proposes that, in general, racial minority citizens are devalued by mainstream society. As a result, use of force against minorities is less likely to be questioned or come under State scrutiny. This devaluation ultimately puts minorities at greater risk of becoming a victim of police violence.

The Stereotype Model: Proposes that racial stereotypes may lead to a belief among police officers that racial minority males are more dangerous or violent than others. Such stereotypes could cause police officers to become more fearful or apprehensive when they encounter minority males on the street. This fear or apprehension, in turn, may increase the probability that the police will use force against racial minority males compared to other groups. The stereotyping of other groups as “dangerous”, including the mentally ill, may similarly increase their vulnerability to police use of force.

The Crime Model: Proposes that racial minority males are over-represented in police use of force statistics because they are actually more involved in crime and violence than others. In other words, minorities are more involved in the types of violent or aggressive behaviors that result in the *legitimate* use of force by police.

The Neighbourhood Model: This model proposes that people who live in poor, socially disorganized, high-crime neighbourhoods are at greater risk of police violence than those

who live in more affluent, low-crime communities. The idea is that the police may be more wary or fearful when working in such neighbourhoods and thus quicker to resort to violence. To the extent that racial minorities are over-represented in such communities, they will also be over-represented in police use of force statistics.

The Demeanor Model: This model proposes that those who are aggressive and disrespect to police authority are more vulnerable to police use of force than those who are polite and complaint. Predicts that the over-representation of minorities in police use of force statistics may be at least partially explained by the fact that minorities are less likely to respect police authority.

An Integrated “Fear” Model: Combines elements of the Stereotype, Neighbourhood, Crime and Demeanor Models. Argues that the police are most likely to use force when they fear for their own safety, the safety of fellow officers, or the safety of civilians. The greater the level of fear, the higher the probability that force will be used. For example, a civilian carrying a gun may legitimately create “fear” among responding police officers. However, if racial stereotypes exist, this fear may be greater if it is black man carrying a gun rather than a white man. Similarly, fear may be even greater if it is a black man carrying a gun in a poor, high-crime neighbourhood. Fear may be higher still if it is a black man, displaying signs of mental illness, carrying a gun in a high crime area. The idea is that police use of force is most likely to occur when a high number of fear-generating factors – some of them legitimate (violent behaviour, weapons possession, etc), some of them illegitimate (racial stereotypes) – converge at the same place and time.

The Police Subculture Model: Argues that the police subculture may increase the likelihood of police violence because it: 1) Reinforces racial stereotypes through the telling of “war stories” that depict minorities as dangerous; 2) Increases the likelihood that young officers will want to prove their courage and toughness on the street. This may reduce the probability that officers will try to diffuse confrontations with citizens through non-violent methods; 3) Reinforces the belief that the police should respond to citizen hostility, disrespect or disobedience with violence; and 4) Creates a code of silence among police officers that makes investigations into the illegitimate use of force difficult if not impossible. This code of silence protects officers who may use force in an illegitimate fashion.

Controlling Police Violence – Research and Policy Recommendations

There is considerable research to suggest that certain policies and regulations can reduce police use of force in general and violence against minorities in particular. Indeed, in the United States, such policies and regulations have been credited with dramatically reducing the over-representation of African Americans in police shooting statistics over the past twenty years. In the final report, we will discuss the research literature on these policies and make specific recommendations that may be suitable to the Canadian context.

TABLE 1: TOTAL SIU INVESTIGATIONS
Ontario, January 1st 2000 to June 6th 2006

Race ¹	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio ²	SIU Case Rate (per 100,000) ³
White	8944190	79.3	457	58.3	0.73	5.11
Black	411095	3.6	94	12.0	3.33	22.87
Aboriginal	188315	1.7	56	7.1	4.18	29.74
Asian	803310	7.1	20	2.5	0.35	2.49
South Asian	554870	4.9	12	1.5	0.31	2.16
West Asian	155640	1.4	9	1.1	0.78	5.78
Other	228130	2.0	8	1.0	0.50	3.51
Unknown	-----	----	128	16.3	----	----
Total	11285550	100.0	784	100.0	1.00	6.95

¹ 2001 Census estimates. Estimates for the white population were calculated by taking the total population estimate and deducting the total visible minority population and the total aboriginal population. The Asian population includes those who identified as Chinese, Korean, Japanese, Southeast Asian and Filipino. The South Asian population includes people of Indian, Pakistani, Tamil and Sri Lankan descent. The West Asian population includes those who identified as West Asian or Arab. The “other” category includes those who identified as a multiple visible minority, Latin American or visible minority group not included elsewhere.

² The odds ratio was calculated by dividing the % of SIU cases by the % population. An odds ratio approaching 1.00 indicates that a racial group is neither over or under-represented in SIU cases. An odds ratio less than 1.00 indicates that the group is under-represented in SIU cases. An odds ratio greater than 1.00 indicates that the group is over-represented. For example, an odds ratio of 2.00 indicates that a group is twice as prevalent in SIU cases as they are in the general population.

³ The SIU case rate (per 100,000) was calculated by dividing the number of SIU cases by the population estimate and multiplying that figure by 100,000. The rate indicates the number of people per 100,000 population that were involved in an SIU investigation.

TABLE 2: SIU INVESTIGATIONS
 Civilian Death or Serious Injury Directly Caused by Police Actions
 Ontario, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	8824400	78.2	249	60.3	0.77	2.82
Black	411095	3.6	60	14.5	4.03	14.6
Aboriginal	308105	2.7	32	7.7	2.85	10.39
Asian	803310	7.1	6	1.5	0.21	0.75
South Asian	554870	4.9	4	1.0	0.20	0.72
West Asian	155640	1.4	4	1.0	0.71	2.57
Other	228130	2.0	4	1.0	0.50	1.75
Unknown	-----	----	54	13.1	----	----
Total	11285550	100.0	413	100.0	1.00	3.65

TABLE 3: SIU INVESTIGATIONS
 Civilian Death or Serious Injury Directly Caused by Police Use of Force
 Ontario, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	8944190	79.3	222	63.6	0.80	2.48
Black	411095	3.6	55	15.8	4.39	13.38
Aboriginal	188315	1.7	29	8.3	4.88	15.4
Asian	803310	7.1	6	1.7	0.24	0.75
South Asian	554870	4.9	3	0.9	0.18	0.54
West Asian	155640	1.4	2	0.6	0.43	1.28
Other	228130	2	3	0.9	0.45	1.31
Unknown	-----	----	29	8.3	----	----
Total	11285550	100.0	349	100.0	1.00	3.09

TABLE 4: SIU INVESTIGATIONS
 Death or Serious Injury Directly Caused by Police Shootings
 Ontario, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	8944190	79.3	43	58.9	0.74	0.48
Black	411095	3.6	20	27.4	7.61	4.87
Aboriginal	188315	1.7	5	6.8	4.00	2.66
Asian	803310	7.1	1	1.4	0.20	0.12
South Asian	554870	4.9	1	1.4	0.29	0.18
West Asian	155640	1.4	1	1.4	1.00	0.64
Other	228130	2.0	0	0.0	----	0.0
Unknown	-----	----	2	2.7	----	----
Total	11285550	100.0	73	100.0	1.00	0.65

TABLE 5: SIU INVESTIGATIONS
 All Civilian Deaths
 Ontario, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	8994190	79.3	123	59.7	0.75	1.37
Black	411095	3.6	28	13.6	3.77	6.81
Aboriginal	188315	1.7	12	5.8	3.41	6.37
Asian	803310	7.1	8	3.9	0.55	0.99
South Asian	554870	4.9	4	1.9	0.39	0.72
West Asian	155640	1.4	4	1.9	1.36	2.57
Other	228130	2.0	2	1.0	0.50	0.88
Unknown	-----	----	25	12.1	----	----
Total	11285550	100.0	206	100.0	1.00	1.85

TABLE 6: SIU INVESTIGATIONS
All Civilian Deaths Directly Caused by Police Use of Force
Ontario, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	8994190	79.3	20	54.1	0.68	0.22
Black	411095	3.6	10	27.0	7.50	2.43
Aboriginal	188315	1.7	3	8.1	4.76	1.59
Asian	803310	7.1	1	2.7	0.38	0.12
South Asian	554870	4.9	1	2.7	0.55	0.18
West Asian	155640	1.4	1	2.7	1.93	0.64
Other	228130	2.0	1	2.7	1.35	0.44
Unknown	-----	----	0	0.0	----	----
Total	11285550	100.0	37	100.0	1.00	0.33

TABLE 7: SIU INVESTIGATIONS
 All Civilian Deaths Directly Caused by Police Shootings
 Ontario, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	8994190	79.3	11	47.8	0.60	0.12
Black	411095	3.6	8	34.8	9.67	1.95
Aboriginal	188315	1.7	2	8.7	5.12	1.06
Asian	803310	7.1	1	4.3	0.61	0.12
South Asian	554870	4.9	0	0.0	----	0.00
West Asian	155640	1.4	1	4.3	3.07	0.64
Other	228130	2.0	0	0.0	----	0.00
Unknown	-----	----	0	0.0	----	----
Total	11285550	100.0	23	100.0	1.00	0.20

TABLE 8: TOTAL SIU INVESTIGATIONS
 Toronto CMA, January 1st 2000 to June 6th 2006

Race ¹	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	2915125	62.7	139	47.9	0.76	4.77
Black	310500	6.7	75	25.9	3.87	24.15
Aboriginal	20300	0.4	5	1.7	4.25	24.63
Asian	656805	14.1	11	3.8	0.26	1.67
South Asian	473805	10.2	11	3.8	0.37	2.32
West Asian	95820	2.1	6	2.1	1.00	6.26
Other	175605	3.8	5	1.7	0.45	2.85
Unknown	----	----	38	13.1	----	----
Total	4647960	100.0	290	100.0	1.00	6.24

TABLE 9: SIU INVESTIGATIONS
 Civilian Death or Serious Injury Directly Caused by Police Actions
 Toronto CMA, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	2915125	62.7	87	50.9	0.81	2.98
Black	310500	6.7	50	29.2	4.36	16.10
Aboriginal	20300	0.4	3	1.8	4.50	14.78
Asian	656805	14.1	4	2.3	0.16	0.61
South Asian	473805	10.2	4	2.3	0.22	0.84
West Asian	95820	2.1	3	1.8	0.86	3.13
Other	175605	3.8	3	1.8	0.47	1.71
Unknown	----	----	17	9.9	----	----
Total	4647960	100.0	171	100.0	1.00	3.68

TABLE 10: SIU INVESTIGATIONS
 Civilian Death or Serious Injury Directly Caused by Police Use of Force
 Toronto CMA, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	2915125	62.7	75	53.2	0.85	2.57
Black	310500	6.7	46	32.6	4.87	14.81
Aboriginal	20300	0.4	3	2.1	5.25	14.78
Asian	656805	14.1	4	2.8	0.20	0.61
South Asian	473805	10.2	3	2.1	0.21	0.63
West Asian	95820	2.1	1	0.7	0.33	1.04
Other	175605	3.8	2	1.4	0.37	1.14
Unknown	----	----	7	5.0	----	----
Total	4647960	100.0	141	100.0	1.00	3.03

TABLE 11: SIU INVESTIGATIONS
 Civilian Deaths or Serious Injury Directly Caused by Police Shooting
 Toronto CMA, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	2915125	62.7	12	37.5	0.60	0.41
Black	310500	6.7	16	50.0	7.46	5.15
Aboriginal	20300	0.4	1	3.1	7.75	4.93
Asian	656805	14.1	1	3.1	0.22	0.15
South Asian	473805	10.2	1	3.1	0.30	0.21
West Asian	95820	2.1	1	3.1	1.48	1.04
Other	175605	3.8	0	0.0	----	0.00
Unknown	----	----	0	0.0	----	----
Total	4647960	100.0	32	100.0	1.00	0.69

TABLE 12: SIU INVESTIGATIONS
 All Civilian Deaths
 Toronto CMA, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	2915125	62.7	38	48.1	0.77	1.30
Black	310500	6.7	22	27.8	4.15	7.09
Aboriginal	20300	0.4	0	0.0	0.00	0.00
Asian	656805	14.1	5	6.3	0.45	0.76
South Asian	473805	10.2	4	5.1	0.50	0.84
West Asian	95820	2.1	3	3.8	1.81	3.13
Other	175605	3.8	2	2.5	0.66	1.14
Unknown	----	----	5	6.3	----	----
Total	4647960	100.0	79	100.0	1.00	1.69

TABLE 13: SIU INVESTIGATIONS
 All Civilian Deaths Directly Caused by Police Use of Force
 Toronto CMA, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	2915125	62.7	7	33.3	0.53	0.24
Black	310500	6.7	10	47.6	7.1	3.22
Aboriginal	20300	0.4	0	0.0	0.00	0.00
Asian	656805	14.1	1	4.8	0.34	0.15
South Asian	473805	10.2	1	4.8	0.47	0.21
West Asian	95820	2.1	1	4.8	2.28	1.04
Other	175605	3.8	1	4.8	1.26	0.56
Unknown	----	----	0	0.0	----	----
Total	4647960	100.0	21	100.0	1.00	0.45

TABLE 14: SIU INVESTIGATIONS
 All Civilian Deaths Directly Caused by Police Shootings
 Toronto CMA, January 1st 2000 to June 6th 2006

Race	Total Population	% Population	# of SIU Cases	% of SIU Cases	Odds Ratio	SIU Case Rate (per 100,000)
White	2915125	62.7	2	16.7	0.27	0.07
Black	310500	6.7	8	66.7	9.95	2.58
Aboriginal	20300	0.4	0	0.0	0.00	0.00
Asian	656805	14.1	1	8.3	0.59	0.15
South Asian	473805	10.2	0	0.0	0.00	0.00
West Asian	95820	2.1	1	8.3	3.95	1.04
Other	175605	3.8	0	0.0	0.00	0.00
Unknown	----	----	0	0.0	0.00	0.00
Total	4647960	100.0	12	100.0	1.00	0.26

TABLE 15: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Gender and Race

Age Group	White	Black	Aboriginal	Other Minority	Missing
Male	82.5	90.4	78.6	81.6	72.7
Female	17.5	8.5	21.4	18.4	27.3
Trans-gendered	0	1.1	0	0	0
Sample Size	457	94	56	49	128

Pearson Chi-square: 20.660; df=8; p <.01.

TABLE 16: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Gender and Race
Serious Injury or Death Directly Caused by Police Use of Force

Age Group	White	Black	Aboriginal	Other Minority	Missing
Male	80.6	90.9	75.9	85.7	79.3
Female	19.4	9.1	24.1	14.3	20.7
Sample Size	222	55	29	14	29

Pearson Chi-square: 4.243; df=4; p <.37.

TABLE 17: TOTAL SIU INVESTIGATIONS
Percent of Civilians in Different Age Categories, by Civilian Race

Age Group/	White	Black	Aboriginal	Other Minority	Missing
Under 12 yrs	1.1	0	0	4.1	0.8
13-19 yrs	10.2	15.1	14.5	22.4	16.5
20-29 yrs	24.7	44.1	32.7	30.6	24.8
30-39 yrs	23.6	21.5	27.3	20.4	23.1
40-49 yrs	26	15.1	21.8	14.3	14.9
50 yrs or older	14.3	4.3	3.6	8.2	19.8
Sample Size	453	94	55	49	121

Pearson Chi-square: 50.558; df=20; p <.001.

Mean age whites =35.8 yrs; blacks 29.3 yrs; Aboriginals 32.1; Other 29.3 years

TABLE 18: SIU INVESTIGATIONS
Percent of Civilians in Different Age Categories, By Civilian Race
Civilian Death Directly Caused by Police Use of Force

Age Group	White	Black	Aboriginal	Other Minority	Missing
Under 12 yrs	1.4	0	0	0	3.4
13-19 yrs	8.1	14.5	14.3	21.4	10.3
20-29 yrs	25.3	45.5	35.7	21.4	24.1
30-39 yrs	27.6	21.8	25	35.7	24.1
40-49 yrs	23.5	18.2	21.4	7.1	17.2
50 yrs or older	14	0	3.6	14.3	20.7
Sample Size	221	55	28	14	29

Pearson Chi-square: 34.714; df=20; p <.02.

Mean age whites =35.5 yrs; blacks 28.6 yrs; Aboriginals 32.1; Other 29.3 years

TABLE 19: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Race and Criminal Record

Age Group	White	Black	Aboriginal	Other Minority	Missing
No Record	47.3	44.7	39.3	71.4	87.5
Has Record	52.7	55.3	60.7	28.6	12.5
Sample Size	457	94	56	49	128

Pearson Chi-square: 80.394; df=4; p <.001.

TABLE 20: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Race and Criminal Record
Serious Injury or Death Directly Caused by Police Use of Force

Age Group	White	Black	Aboriginal	Other Minority	Missing
No Record	43.7	49.1	27.6	50	75.9
Has Record	56.3	50.9	72.4	50	24.1
Sample Size	222	55	29	14	29

Pearson Chi-square: 15.138; df=4; p <.004.

TABLE 21: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Race and Criminal Record
Serious Injury or Death Directly Caused by Police Shooting

Age Group	White	Black	Aboriginal	Other Minority	Missing
No Record	27.9	55	20	33.3	50
Has Record	72.1	45	80	66.7	50
Sample Size	43	20	5	3	2

Pearson Chi-square: 5.111; df=4; p <.276.

TABLE 22: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Reported Intoxication at Time of Incident

Age Group	White	Black	Aboriginal	Other Minority	Missing
Not Intoxicated	64.6	81.9	35.7	89.5	76.6
Intoxicated	35.5	18.1	64.3	10.2	23.4
Sample Size	457	94	56	49	128

Pearson Chi-square: 52.792; df=4; p <.001.

TABLE 23: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Reported Intoxication at the Time of Incident
Serious Injury or Death Directly Caused by Police Use of Force

Age Group	White	Black	Aboriginal	Other Minority	Missing
Not Intoxicated	59.9	87.3	34.5	85.7	65.5
Intoxicated	40.1	12.7	65.5	14.3	34.5
Sample Size	222	55	29	14	29

Pearson Chi-square: 28.247; df=4; p <.001.

TABLE 24: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Reported Intoxication at Time of Incident
Serious Injury or Death Directly Caused by Police Shooting

Age Group	White	Black	Aboriginal	Other Minority	Missing
Not Intoxicated	67.4	90	60	66.7	100
Intoxicated	32.6	10	40	33.3	0
Sample Size	43	20	5	3	2

Pearson Chi-square: 4.915; df=4; p <.296.

TABLE 25: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Reported Mental Health at Time of Incident

Age Group	White	Black	Aboriginal	Other Minority	Missing
No Mental Health Issue	60.8	76.6	64.3	67.3	82.8
Had a Mental Health Issue	21.9	12.8	23.3	18.4	10.2
Suicidal	17.3	10.6	12.5	14.3	7
Sample Size	457	94	56	49	128

Pearson Chi-square: 27.154; df=8; p <.001.

TABLE 26: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Reported Mental Health at Time of Incident
Serious Injury or Death Directly Caused by Police Use of Force

Age Group	White	Black	Aboriginal	Other Minority	Missing
No Mental Health Issue	61.7	78.2	62.1	57.1	69
Had a Mental Health Issue	27.9	14.5	24.1	35.7	20.7
Suicidal	10.4	7.3	13.8	7.1	10.3
Sample Size	222	55	29	14	29

Pearson Chi-square: 7.048; df=8; p <.532.

TABLE 27: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Reported Mental Health at Time of Incident
Serious Injury or Death Directly Caused by Police Shooting

Age Group	White	Black	Aboriginal	Other Minority	Missing
No Mental Health Issue	27.9	70	40	33	100
Had a Mental Health Issue	34.9	20	20	66.7	0
Suicidal	37.2	10	40	0	0
Sample Size	43	20	5	3	2

Pearson Chi-square: 15.827; df=8; p <.05

TABLE 28: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Reported Actions at Time of Incident

Age Group	White	Black	Aboriginal	Other Minority	Missing
Committing a Crime	10.1	8.5	14.3	14.3	5.5
Threatened or Assaulted Police or Civilians	20.1	26.6	19.6	8.2	7
Fleeing Police	19.3	25.5	19.6	20.4	29.7
Resisting Arrest	16.2	17	14.3	10.2	7.8
Other	3.5	0	3.6	2	3.1
Missing	30.9	22.3	28.6	44.9	46.9
Sample Size	457	94	56	49	128

Pearson Chi-square: 50.020; df=20; p <.001.

TABLE 29: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Reported Actions at Time of Incident
Serious Injury or Death Directly Caused by Police Use of Force

Age Group	White	Black	Aboriginal	Other Minority	Missing
Committing a Crime	6.3	5.5	6.9	7.1	3.4
Threatened or Assaulted Police or Civilians	31.1	38.2	31	21.4	27.6
Fleeing Police	8.1	14.5	13.8	0	6.9
Resisting Arrest	26.1	23.6	24.1	28.6	31
Other	2.3	0	6.9	7.1	3.4
Missing	26.1	18.2	17.2	35.7	27.6
Sample Size	222	55	29	14	29

Pearson Chi-square: 35.036; df=20; p <.020.

TABLE 30: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Reported Actions at Time of Incident
Serious Injury or Death Directly Caused by Police Shooting

Age Group	White	Black	Aboriginal	Other Minority	Missing
Committing a Crime	4.7	10	0	0	0
Threatened or Assaulted Police or Civilians	79.1	60	80	100	0
Fleeing Police	4.7	15	20	0	0
Resisting Arrest	2.3	10	0	0	0
Other	0	0	0	0	0
Missing	9.3	5	0	0	100
Sample Size	43	20	5	3	2

Pearson Chi-square: 27.564; df=20; p <.036.

TABLE 31: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Type of Weapon Used During Incident

Age Group	White	Black	Aboriginal	Other Minority	Missing
No Weapon Used	76.1	68.1	82.1	83.7	94.5
Firearm	10.9	16	10.7	6.1	3.1
Knife	8.1	11.7	1.8	8.2	2.3
Bat/Club/Other	3.5	1.1	3.6	2	0
Motor Vehicle	1.3	3.2	1.8	0	0
Sample Size	457	94	56	49	128

Pearson Chi-square: 37.427; df=16; p <.002.

TABLE 32: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Type of Weapon Used During Incident
Serious Injury or Death Directly Caused by Police Use of Force

Age Group	White	Black	Aboriginal	Other Minority	Missing
No Weapon Used	79.3	58.2	75.9	78.6	96.6
Firearm	6.8	21.8	13.8	0	3.4
Knife	7.7	12.7	0	14.3	0
Bat/Club/Other	5.4	1.8	6.9	7.1	0
Motor Vehicle	0.9	5.5	3.4	0	0
Sample Size	222	55	29	14	29

Pearson Chi-square: 35.077; df=16; p <.004

TABLE 33: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Type of Weapon Used During Incident
Serious Injury or Death Directly Caused by Police Shooting

Age Group	White	Black	Aboriginal	Other Minority	Missing
No Weapon Used	14	15	0	0	100
Firearm	34.9	45	80	0	0
Knife	30.2	25	0	66.7	0
Bat/Club/Other	16.3	0	0	33.3	0
Motor Vehicle	4.7	15	20	0	0
Sample Size	43	20	5	3	2

Pearson Chi-square: 27.613; df=16; p <.035

TABLE 34: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Case Outcome

Age Group	White	Black	Aboriginal	Other Minority	Missing
Officer(s) Cleared	96.5	95.7	98.2	95.9	0
Officer(s) Charged	3.5	4.3	1.8	4.1	0
Sample Size	457	94	56	49	128

Pearson Chi-square: 5.448; df=4; p <.244.

TABLE 35: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Case Outcome
Civilian Death or Injury Directly Caused by Police Use of Force

Age Group	White	Black	Aboriginal	Other Minority	Missing
Officer(s) Cleared	93.2	94.5	96.6	92.6	100
Officer(s) Charged	6.8	5.5	3.4	7.1	0
Sample Size	222	55	29	14	29

Pearson Chi-square: 5.516; df=4; p <.238.

TABLE 36: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Whether Subject Officer(s)
Gave a Statement to the Special Investigations Unit

Age Group	White	Black	Aboriginal	Other Minority	Missing
Officer(s) Gave Statement	39.4	43.6	30.4	51	32
Officer(s) did not Give Statement	53	46.8	57.1	36.7	53.1
Subject Officer Not Identified	7.7	9.6	12.5	12.2	14.8
Sample Size	457	94	56	49	128

Pearson Chi-square: 14.346; df=8; p <.073

TABLE 37: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Whether Subject Officer(s)
Gave a Statement to the Special Investigations Unit,
Civilian Death or Serious Injury Directly Caused by Police Use of Force

Age Group	White	Black	Aboriginal	Other Minority	Missing
Officer(s) Gave Statement	41.4	49.1	41.4	28.6	37.9
Officer(s) did not Give Statement	55	40	51.7	57.1	34.5
Subject Officer Not Identified	3.6	10.9	6.9	14.3	27.6
Sample Size	222	55	29	14	29

Pearson Chi-square: 27.020; df=8; p <.001

TABLE 38: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Whether Subject Officer(s)
Gave a Statement to the Special Investigations Unit,
Civilian Death or Serious Injury Directly Caused by Police Shootings

Age Group	White	Black	Aboriginal	Other Minority	Missing
Officer(s) Gave Statement	41.9	65	40	33.3	50
Officer(s) did not Give Statement	58.1	35	60	66.7	0
Subject Officer Not Identified	0	0	0	0	50
Sample Size	43	20	5	3	2

Pearson Chi-square: 39.939; df=8; p <.001

TABLE 39: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Whether SIU Director Noted a Problem with Police Cooperation during Investigation

Age Group	White	Black	Aboriginal	Other Minority	Missing
No Problems with Police Cooperation Noted	88.8	88.3	92.9	89.8	85.2
Problems with Police Cooperation Noted	11.2	11.7	7.1	10.2	14.8
Sample Size	457	94	56	49	128

Pearson Chi-square: 2.591; df=4; p <.628

TABLE 40: TOTAL SIU INVESTIGATIONS
Percent of Civilians, by Civilian Race and Whether SIU Director Noted a Problem with Police Cooperation during Investigation
Civilian Death or Serious Injury Directly Caused by Police Actions

Age Group	White	Black	Aboriginal	Other Minority	Missing
No Problems with Police Cooperation Noted	86	85.5	96.6	100	86.2
Problems with Police Cooperation Noted	14	14.5	3.4	0	13.8
Sample Size	222	55	29	14	29

Pearson Chi-square: 4.823; df=4; p <.306

APPENDIX A:

IPPERWASH-ACLC EXAMINATION OF SIU RECORDS
DATA COLLECTION TEMPLATE

STUDY CASE NUMBER: _____; SIU CASE NUMBER: _____;

PART A: CIVILIAN INFORMATION

Age at Time of Incident: _____

Gender: 1. *Male* 2. *Female*

Racial Background:

1. White (European)
2. Black (African Canadian)
3. Asian (Chinese, Japanese, Korean, Vietnamese, etc.)
4. South Asian (Indian, Pakistani, Sri Lankan, Tamil, etc.)
5. Native Canadian (Aboriginal)
6. West Asian (Arab, Middle-Eastern, etc.)
7. Hispanic (Latin American)
8. Other (Specify) _____
9. Unknown

Employment History: 1. Employed 2. Unemployed 3. Unknown

Details of Employment/Social Class Position (i.e., type of job, any details from file):

Criminal History:

1. Has Criminal Record 2. No Criminal Record 3. Known to Police 4. Unknown

History of Mental Illness: 1. Mental Illness Noted 2. Mental Illness Not Noted

Details of Criminal Record/Mental Illness (i.e., type of offences, type of mental health problem, etc.):

Civilian's Home Address (closest main intersection): _____

PART B: POLICE INFORMATION

Number of Subject Officers: _____ **Number of Witness Officers:** _____

Gender of Subject Officers: _____ **Age of Subject Officers:** _____

Years of Experience of Subject Officers: _____

Rank of Subject Officers: _____

Race of Subject Officers: _____

Did the Subject Officers Belong to a Special Unit? 1. YES 2. NO

Name/Description of Special Unit: _____

Did the Subject Officer(s) make a statement to the SIU? 1. YES 2. NO

Nature of Subject Officer(s) statements: _____

PART C: INCIDENT INFORMATION

Date of Incident (Month/Year only): _____

Approximate Time of Incident: _____

Number of Civilians Involved in Incident: _____

Number of Civilian Witnesses: _____

Location of Incident:

- | | |
|---|------------------------------------|
| 1. A large City (Over 500,000 population) | 4. A Large Town (10,000 to 49,000) |
| 2. A Medium-sized city (100,000 to 499,000) | 5. A Small Town (less than 10,000) |
| 3. A Small City (50,000 to 99,000) | 6. A Rural Area |

Address of Incident (including city, town, county, etc.):

Name of Police Service:

Description of Location (i.e., house, apartment, nightclub, street, park, housing project, etc):

Type of Harm to Civilian

1. Death
 2. Injury (specify) _____
-
-

Cause of Harm to Civilian

1. Police Shooting
 2. Police Use of Baton
 3. Police Taser
 4. Police Vehicle
 5. Other Police Use of Force (specify): _____
-
-
6. Investigation found that injury not caused by police (specify); _____
-

Civilian Involvement (check all that apply)

1. Civilian committing a crime (specify) _____
 2. Civilian Threatening Police
 3. Civilian Threatening Other Citizen(s)
 4. Civilian Physically Attacked Police
 5. Civilian Physically Attacked Other Citizen(s)
 6. Civilian Fleeing Police
 7. Other (specify) _____
-
-
-
-
-

Civilian's Use of Weapons (check all that apply)

1. Civilian had a firearm (specify handgun or long-gun) _____
2. Civilian had a knife
3. Civilian had a bat/club (specify) _____
4. Civilian had other weapon (specify) _____
5. Civilian used motor vehicle as a weapon
6. Civilian was unarmed

Mental Health of Civilian at Time of Incident

1. No mental health problems noted in file
2. File notes a mental health problem (specify) _____
3. File notes that civilian was suicidal

Civilian Drug or Alcohol Use

1. Alcohol use of civilian noted in file
2. Civilian drunk on alcohol at the time of incident
3. Drug use noted on file (specify type of drug) _____
4. Civilian intoxicated (high or impaired) on drugs at time of the incident

Brief Description of Incident

Length of SIU Investigation (include length with respect to both time spent on the investigation and page length of director's report).

Difficulty with police witnesses/subject officers.

1. File notes that the police cooperated totally with the SIU investigation.
2. No problems noted.
2. Files notes poor police cooperation with SIU investigators (please specify nature of cooperation problem)_____

Difficulty with the civilian “victim.”

1. File notes that the civilian “victim” cooperated totally with the SIU investigation.
2. No problems noted.
3. File notes a problem with the civilian’s participation in the investigation (please specify the nature of the problem): _____

Difficulty with the civilian witnesses.

1. File notes that civilian witnesses cooperated totally with the SIU investigation.
2. No problems noted.
3. File notes a problem with the civilian witnesses (please specify the nature of the problem): _____

Outcome of SIU Investigation

1. Officer(s) cleared
2. Charges Laid (please specify the nature of the charges)_____
3. Other (specify) _____