

# Missing Persons Investigation and Police Interaction with Racialized People who Identify as LGBTQ2S+

by

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# Executive Summary

In the wake of multiple murders of mostly gay men of colour with links to Toronto lesbian, gay, bisexual, trans\*, two-spirit, and plus (LGBTQ2S+) communities, there is a reckoning coming over the length of time it took for the Toronto police to apprehend the killer and ensure public safety. The killer roamed free for seven years (between 2010 and 2017). Among members of Toronto LGBTQ2S+ communities, a deep concern revealed by this tragic event has to do with the manner with which the police conducted its investigations into the men's disappearances and their untimely death. This concern, among others that include the perception of systemic bias in police investigations related to racialized LGBTQ2S+ and marginalized or vulnerable communities, prompted the Independent Civilian Review into Missing Persons Investigations to be formed. This research paper fulfills part of the terms of reference for the Review, covering four distinct but interrelated topic areas, as summarized below.

Section I provides a historical overview and background on theories of intersectionality as they relate to diversity within LGBTQ2S+ communities, with a special emphasis on the Toronto community. It highlights issues of diversity, including migration status, and draws attention to the distinctive matters of racialization faced by South Asian, Middle Eastern, Black, and Indigenous people. Noting the way that Whiteness and colonialism have shaped the formation of Canada, the section shows how racism and LGBTQ2S+-phobia must be addressed as interrelated forms of discrimination, which are encountered and experienced by members of LGBTQ2S+ communities in different ways.

Section II looks at challenges for police when interacting with racialized people who identify with LGBTQ2S+ communities. Attention is paid to the training and knowledge required for

police to be culturally competent, especially when it comes to missing persons investigations and public messaging. Systemic ineffectiveness in police response to missing and murdered persons investigations is probed, addressing racialized and marginalized communities' experience of over- and underpolicing despite police claims of better service. Racialized LGBTQ2S+ communities' issues and concerns may not get the attention they deserve when police treat them as members of an undivided, uniform community; unintended—and perhaps intended—consequences for those communities are brought to light.

Section III examines key issues faced by LGBTQ2S+ people of colour (POC) in Canada and discusses how ideas about inclusion and exclusion shape experiences of state surveillance. We demonstrate that various kinds of racial profiling result in overpolicing, rendering POC hypervisible, as well as underpolicing, causing POC to face a lack of services and a denial of access to privacy. In addition, we consider how predominantly White representations of gender and sexual diversity work to obscure the existence of racialized queer and trans\* communities, as well as their collective experiences of immigration, police surveillance, and racism.

Section IV's major focus is on the concept of “best” or “better” practices in developing liaison between police services and LGBTQ2S+ communities, especially racialized members of those communities. Using such concepts, the experiences of these diverse groups may be homogenized and oversimplified. Instead, the concept of *intersectionality* is introduced as a way of providing a means for police to more effectively respond to the needs and concerns of racialized LGBTQ2S+ people. Practical suggestions are made for how to include racialized LGBTQ2S+ people on liaison committees not as a token presence, but in ways that suggest their voices matter and that contribute substantially to transforming ineffective systems.

# Overview and Context of Research Review Paper

As part of the Independent Civilian Review into Missing Persons Investigations (hereafter referred to as the “Review”), prompted by the murder of eight mostly gay men of colour in Toronto between 2010 and 2017, we were commissioned by the Review team led by the retired judge of the Court of Appeal for Ontario, the Honourable Gloria J. Epstein, to prepare a research paper on missing persons investigations and police interactions with racialized people who identify as LGBTQ2S+. Specifically, we were asked to survey existing research and research needs with respect to the following topics:

1. History and theory of intersectionality and diversity with the LGBTQ2S+ community with special but not exclusive emphasis on the Toronto community. This would include migration status as one aspect of racialization along with attention to the situation of South Asian, Middle Eastern, and two-spirit people.
2. Challenges that the police have and may confront when interacting with racialized people who identify with the LGBTQ2S+ community with special attention to missing persons investigations, public messaging, and what training and knowledge is required for the police to be culturally competent.
3. Challenges that racialized people face when interacting or being represented by the larger LGBTQ2S+ community.
4. History, challenges and better practices in developing liaison between police services and the LGBTQ2S+ community with special attention to racialized members of that community and the Ottawa experience and material that may be provided to [the authors] by the review about liaison with the Toronto Police Service.

This research paper concludes our work related to the above numbered topic areas. Information relevant to these topics are discussed in turn, identified by section numbers (for example, Section I addresses Topic 1). It is hoped that content of this research paper will help to improve police relations with racialized people who identify as LGBTQ2S+, and support the police in future and ongoing investigations of murdered or missing persons in general and in particular to LGBTQ2S+ communities.

## Section I

Here, we deal with the history and theory of intersectionality as it relates to diversity within LGBTQ2S+ communities, with a special emphasis on the Toronto community. This theory highlights issues of diversity, including migration status, and draws attention to the distinctive problems of racialization faced by South Asian, Middle Eastern, Black, and Indigenous people. Our discussion deals primarily with the experiences and concerns related to racialized or people of colour (POC) in Toronto, because there has been more public discussion and media reporting on issues affecting racialized communities in the Greater Toronto Area than in any other part of Canada. Certain challenges faced by such communities in other parts of the country, particularly in smaller cities and towns, might be different, but there are overarching concerns and patterns of discrimination and violence affecting LGBTQ2S+ POC in Canada that can be linked to migration to large urban centres.

### Part I: Intersectionality

In trying to address and remedy problems of inequality and discrimination, it is essential to account for the fact that people can experience multiple forms of oppression and often it is not possible to definitively say whether one form of discrimination is at work, or several. In situations where more than one form is evident, for example where a group's race *and* sexual orientation are stigmatized, the experience of marginality can be substantively different from those who primarily experience discrimination on the basis of race or homophobia, but not both. The interplay of multiple forms of inequality and discrimination is commonly referred to as *intersectionality*. The term, first coined by Kimberlé Crenshaw (1989), originated as a critique of

the failure of U.S. courts to properly identify and address discriminatory practices aimed at Black women.

Crenshaw showed that experiences of discrimination could not be recognized by the existing legal frameworks, which required singular articulations of social injury and failed to account for the interaction of different kinds of social difference at play in acts of discrimination. Such restrictions on the part of U.S. courts are made clear in Crenshaw's discussion of *DeGraffenreid v. General Motors*, which she cited as a clear example of the courts' inability to account for multiple and overlapping forms of discrimination. In that case, five Black women who had lost their jobs due to layoffs alleged that General Motors had discriminated against them as Black women. When the court heard the case, the claim of discrimination was rejected, with the court reasoning that the claim of discrimination needed to be evaluated on the basis of sex or race, but not a combination of the two (Crenshaw, 1989).

Intersectionality is thus an approach that emphasizes the plural ways that identities matter in our lives. Crenshaw (2015) described it as “an analytic sensibility, a way of thinking about identity and its relationship to power” (para. 6). While it was originally proposed as a way to recognize the struggles of Black women, it is now accepted as a framework for thinking about differences and unequal balances of power in various parts of society:

People of color within LGBTQ movements, girls of color in the fight against the school-to-prison pipeline, women within feminist movements, and people with disabilities fighting police abuse—all face vulnerabilities that reflect the intersections of racism, sexism, class oppression, transphobia, able-ism and more.

(Crenshaw, 2015, para. 6)



This understanding of difference builds on earlier theories by scholars concerned with the narrowness of systems of representation and redress, which demand singular and bounded identities. Audre Lorde's (1984) essay, *Age, Race, Class, and Sex: Women Redefining Difference*, is a foundational feminist text that theorizes relationships between categories of difference. Lorde identified the need to address categories of oppression as they are experienced in their complexity by people who occupy multiple positions of marginality. She insisted on recognizing multiple areas of difference and rejected tendencies within social movements to treat issues of identity in isolation. Within feminist organizing in the early 1980s, "white women focus[ed] upon their oppression as women and ignore[d] differences of race, sexual preference, class, and age. There [was] a pretense to a homogeneity of experience covered by the word sisterhood that does not in fact exist" (Lorde, 1984, p. 116). In her view, feminists' calls for solidarity ultimately meant prioritizing sex (gender) over other categories, and one can see similar practices of privileging sexuality over issues of racism within contemporary LGBTQ2S+ communities. Within narrow theoretical and activist frameworks, other categories of difference that shape unequal social relations are not merely overlooked or given less attention, but come to be suppressed, thereby exacerbating inequalities.

Lorde's understanding of inequalities draws parallels between different forms of oppression; racism was "the belief in the inherent superiority of one race over all others and thereby the right to dominance. Sexism, the belief in the inherent superiority of one sex over the other and thereby the right to dominance. Ageism. Heterosexism. Elitism. Classism" (Lorde, 1984, p. 115).

Dominance is the key term here and though there are significant differences in how inequalities are experienced—and there are distinctive histories attached to the terms "race," "class," and "sex"—they share a common relation of dominance and subordination that is built into our social

structures and our codified social life. To address how inequality operates as an unconscious and largely unacknowledged form of discrimination, we must see how it is embedded in institutions and professional conduct.

## Part II: Racism and LGBTQ2S+ Communities

It is essential to understand forms of discrimination as systemic, rather than incidental or isolated. This insight, expressed through the concept of institutional racism (Carmichael & Hamilton, 1967), points to the way racism operates through a range of everyday and often widely accepted racist practices. A focus on a person's singular racist behaviour fails to account for the way individual practices are at once shared by others, how they are unevenly distributed within certain sectors of control and influence, and how they are reproduced and condoned within workplaces, associations, and legal systems. A shift in thinking away from individuals as "racist" versus "not racist" means focusing on practices, habits, and behaviour that are often socially prescribed and/or rewarded and that make up social institutions.

The City of Toronto has acknowledged and identified the persistence of specifically anti-Black racism (Benjamin, 2003) in the city, pointing to the following realities:

Black Torontonians are victims of 85 percent of hate crimes in Toronto where racism is the motivating factor; 42 percent of children in the care of the Children's Aid Society of Toronto are Black, five times their representation in the overall population. Black students become "early leavers" of high school at higher rates – 23 percent compared to 12 percent of white students. Torontonians of African descent have an unemployment rate of 13 percent, nearly two times the provincial

rate. Black women and girls are one of the fastest growing incarcerated groups.

(City of Toronto, 2018, Background section, para. 5)

To identify such issues as systemic is to underscore what needs to be done to fix the situation and emphasize responsibility for such changes, rather than to fixate on the term “racist” as a marker of individual moral failure for perpetrators of hate crimes. Such a view also reframes issues of inequality as historically and socially produced rather than accidental.

Relations between Black and LGBTQ2S+ communities have a long history and the tendency to imagine them as separate is one of the ways that current issues facing LGBTQ2S+ POC are silenced (Leighton, 2019). Recent work in various academic fields has sought to document the contributions of queer and trans\* POC as activists and community builders, as well as the basic existence of LGBTQ2S+ POC who have been largely written out of history (Crichlow, 2004; Sharpe, 2010; Walcott, 2006).

In Toronto such connections and overlap have been less readily acknowledged than in the United States, though there has been considerable exchange (and tension) between Black and queer communities throughout the history of gay liberation and Black anti-racist activism. In recent years, struggles over the participation of various groups in Pride events such as Queers Against Israeli Apartheid and Black Lives Matter (BLM) have foregrounded the extent to which LGBTQ2S+ communities are imagined as exclusively White (Bryan, 2016). In 2010, Queers Against Israeli Apartheid were barred from participating in the Toronto Pride Parade after complaints were made accusing the group of promoting anti-Semitism. The campaign organized in response to the ban focused primarily on censorship and in doing so avoided combatting anti-Muslim racism and the concerns of queer Palestinians (Jackman & Upadhyay, 2014). In a similar

way, in coverage of BLM's nonviolent sit-in during the Toronto Pride Parade in 2016, issues of racism were relegated to the margins and emphasis was placed instead on the inconvenience of the disruption (Greedy, 2018). Some would describe Pride as a wholly depoliticized event, but a more accurate description accounts for the changing face of the festival. The alignment of mainstream gay and lesbian politics with corporate interests and investment demands a simplification of social issues to commodity-like political concerns, which can be easily marketed. The transformation of gay/lesbian/bisexual/trans\* pride into simply "Pride" is itself one such marketing strategy. The ultimate effect is the marginalization of issues, which are too complex to fit a 20-second ad for a bank or a corporation heralding their support for Pride.

There is, of course, a paradox in emphasizing difference over sameness. Many people of all backgrounds would prefer not to make markers of otherness central to their lives. Scholars have also brought to light the narrowness of political redress, which frequently demands easily understandable and exclusive articulations of identity. Kwame Anthony Appiah described the double bind of multiple sexual and racial otherness within liberal multiculturalism as not only an issue of having to choose between identities in making political demands, but of being interpellated by regimes that demand acceptance of those identities as authentic:

The politics of recognition requires that one's skin color, one's sexual body, should be acknowledged politically in ways that make it hard for those who want to treat their skin and their sexual body as personal dimensions of the self. And personal means not secret, but not too tightly scripted. (Appiah, 1994, p. 163)

It is understandable that those who are called on to identify as part of a minority may not want difference to define them, and it is also clear that people experience various kinds of

misrecognition when labels are applied to them. Identification is double-edged, and intra-community conflict can result when expectations to identify as a member of a minority are forced on other community members or when the request to stand up and be counted is turned down.

Intense debates over racist expressions of sexual preference (i.e., racial preference) have a long history in Toronto and provide evidence of the distinctive experience of different segments of LGBTQ2S+ communities. David Churchill (2003) said that Canada's first major lesbian and gay newspaper, *The Body Politic*, which was run by a primarily White collective, failed to respond to the concerns of the Toronto Black queer community in the mid-1980s, who were outraged over the paper's publication of a racist and objectifying personals ad. Explicit forms of racism within Toronto queer communities in the past have continued to inform how issues of diversity and Whiteness are dealt with today. This was made clear at a symposium held at the University of Toronto in June of 2016, where presenters called attention to the way POC are rendered invisible in community histories about the Toronto bathhouse raids of 1981 (Mann, 2016). In this way, stories told from the vantage point of gay White men work to reproduce and extend histories of racism and erasure. As Rinaldo Walcott made clear at the event: "The archive of *The Body Politic* reminds me that we are not noticed, not seen, but we are hypervisible nonetheless in queer culture" (Walcott, quoted in Mann, 2016, para. 5).

### Part III: Colonial Legacies and Homonationalism

The global scale of LGBTQ2S+ politics must be taken into account if we want to understand the different issues facing Toronto's diverse LGBTQ2S+ communities of colour. This involves looking at historical developments that have contributed to the current political landscape, at

recent changes that have forged new relationships between queer/trans communities, and at notions of citizenship.

Colonialism is commonly imagined in Canada as a foregone historical period in which European countries conquered and built settlements in the Americas. Such a view is not merely misguided or ignorant; rather, it allows Canadians to envision their citizenship as entirely divorced from, and therefore not responsible for, issues of Indigenous sovereignty. But processes of colonization are ongoing. They need to be understood as extensions of laws enacted under previous British, French, and Canadian governments and as part of contemporary Canadian society.

Sunera Thobani (2007) wrote that the governance of individual and collective bodies in Canada

. . . has been organized through state policies and popular practices, producing certain subjects as exalted (nationals), others as marked for physical and cultural extinction or utter marginalization (Indians), and yet others for perpetual estrangement or conditional inclusion as supplicants (immigrants, migrants, and refugees). (p. 6)

In her view, there are three groups whose relationship to Canada and to territory are distinct. For White settlers and settlers of colour the relationship is one markedly different from that of Indigenous peoples, but for POC in Canada, in particular, the question of their origins outside Canada frames everyday interactions in ways that it does not for White people. Such complexity of ethnoracial identification is important in understanding the different and unequal ways that citizenship, access to social supports, and a sense of belonging are organized in Canada.

Bonita Lawrence (2003) argued that the mistreatment and regulation of Indigenous peoples in Canada has created a situation where legal protections for Indigenous communities are under threat. The *Indian Act* (1985), a piece of Canadian legislation concerning the recognition and rights of Indigenous peoples, has its roots in British colonial history. Its narrow classification of who counts as Indigenous has enabled the Canadian government to systematically deny people their legal status when they are “mixed-blood” (Lawrence, 2003, pp. 10–11). Existing laws divide communities into “status” and “non-status” Indigenous people, denying rights to those whose bloodline is seen as mixed.

The effects of historical colonialism and of contemporary colonization show up in the lived realities of Indigenous people. The residential school system continues to affect the lives of those who experienced it and subsequent generations who have dealt with intergenerational trauma (Truth and Reconciliation Commission of Canada, 2015). Indigenous peoples are largely prevented from participating in Canadian society as full cultural citizens, since the systems of governance and cultural institutions that are properly recognized as Canadian are the products of colonization and are the means through which the colonial system is reproduced. Such injustice can be seen in the effects of the reserve system and the inhumane conditions in which many Indigenous groups are forced to live, where many do not have access to clean drinking water (Palmater, 2019). Even if certain communities have employment opportunities and relatively lower levels of poverty compared with most reserves, the construction of oil pipelines and hydroelectric dams, as well as the environmental impacts of mining and forestry, make reserve life precarious and unsafe (Calder et al., 2016; Wilts, 2016).

As the original inhabitants of Canada, two-spirit Indigenous LGBTQ+ people face unique challenges posed by ongoing forms of colonization. They also face challenges similar to Black queer and trans\* people in Canada, who are hypervisible yet simultaneously underpoliced and ignored when they seek protection from the state. Though non-Indigenous people in Canada are by definition settlers, not all settlers have the same relationship to colonialism. As Scott Morgensen (2011) noted in his examination of queer settler colonialism, when the category of *settler* is invoked by White settlers who criticize colonization and Native-settler relationships, they do so by overlooking the differences between White settlers and settlers of colour. They thereby deny experiences of racism faced by POC, and allow *settler* to be used as a singular category—as though all settlers were White. Such positioning works in tandem with the alignment of White gays and lesbians with the political interests of Western nation-states and works to obscure colonial settlement. The shared exclusion of Indigenous peoples and POC from forms of recognition which herald White lesbian and gay couples as markers of progressive Western democracy is tied to *homonationalism*.

Jasbir Puar's (2007) concept of homonationalism emphasizes the way certain countries have embraced pro-LGBTQ2S+ positions at the expense of marginalized groups. She noted that such developments within Western countries are inseparable from histories of racialization.

Homonationalism is intended as

. . . not simply a synonym for gay racism, or another way to mark how gay and lesbian identities became available to conservative political imaginaries; it is not another identity politics, not another way of distinguishing good queers from bad queers, not an accusation, and not a position. It is rather a facet of modernity and



a historical shift marked by the entrance of (some) homosexual bodies as worthy of protection by nation-states, a constitutive and fundamental reorientation of the relationship between the state, capitalism, and sexuality. (Puar, 2013, p. 337)

The bodies selected as worthy of protection are White. While this is a relatively new development in LGBTQ2S+ politics on a global level, it largely reproduces long-standing divisions between POC and White people and upholds Whiteness as an unmarked category. In Puar's (2013) observation, the progress narrative of gay rights is "built on the back of racialized others, for whom such progress was once achieved, but is now backsliding or has yet to arrive" (p. 337).

In a post-9/11 world, North American concerns for security and anti-immigrant sentiment have grown at an alarming rate. Though many groups have faced increases in hate crimes and explicit forms of racism, Muslims have been special targets of violent attacks (Statistics Canada, 2017a). Queer and trans\* Muslims have had difficulty making their concerns over acceptance and safety heard, given the overwhelming belief that queerness and Muslim identity are incompatible. Muslim identities are overwhelmingly represented in opposition to North American values, just as homosexuality is figured as antithetical to Muslim societies (Rahman, 2010). The racist dimensions of anti-Islamic sentiment can also be extended to non-Muslim POC who are misrecognized, because of their skin colour, as Muslim. Such instances raise questions about the extent to which Brown people who are misrecognized as Muslim are treated as heterosexual based on skin colour, and how such misrecognition informs everyday social interactions.

It is important, however, to situate intersecting experiences between racism and homophobia within colonial legacies. As scholars have noted, colonial governments are largely responsible

for introducing homophobic laws in countries where a wide range of sexualities and forms of gender expression have been regulated and proscribed. Antisodomy laws are a clear example of the way British colonial rule exported prohibitions that have had long-term effects in former colonies (Arondekar, 2011; Gupta, 2008), but homophobic attitudes and moralistic views on sex can also be traced through colonial and neocolonial expansion in parts of the global South (Murray, 2009). It is both hypocritical and cruel that such a line is drawn between countries that recently embraced homonationalism, such as Canada, and those countries accused of homophobia whose official and social proscriptions against homosexuality are directly related to the colonial and missionizing work of Western countries.

## Part IV: Background Checks

Roughly 20 percent of the Canadian population was born outside the country; this number is closer to half the population in Toronto (Statistics Canada, 2017b). As the largest metropolitan area in the country, Toronto had nearly 1.4 million people who belonged to a visible minority<sup>1</sup> — 51.5 percent of the city’s population in 2016 (Statistics Canada, 2017c). Such diversity is often celebrated as a key feature of Toronto, Canada’s great multicultural success story. While there are good reasons to celebrate diversity, the experiences of POC point to deeply entrenched racist attitudes and barriers, which prevent POC from participating as full members of Canadian society and from living in safety.

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<sup>1</sup> Though the term “visible minority” is commonly used to designate non-White people who are also non-Indigenous, we employ the more inclusive terms “people of colour” (POC) and “racialized people or communities,” which include all non-White people in order to highlight that racism is central to the production of such categories and that Indigenous people and non-Indigenous POC can experience shared forms of racism.

Racial stereotypes and racist attitudes are also varied and the overarching category of *people of colour*, which is often used to denote everyone who is not recognized as White, is somewhat misleading in identifying how people of different backgrounds are recognized and/or excluded from society or limited in exercising their rights. The policing of racialized communities is seemingly uneven and contradictory in practice. Certain POC (overwhelmingly Black people) are targets of unsolicited surveillance, yet they are frequently overlooked when they seek state protection themselves. This creates a relationship between POC and police wherein particular racialized groups are tracked by police, but denied provisions of safety offered to other, largely White, members of society (Giwa, James, et al., 2014).

In Canada, POC are often presumed to be immigrants regardless of where they were born, how long they have lived in the country, or what their citizenship status might be. Encounters in public are thus shot through with notions of race as tied to particular geographic regions and to particular nations. In semipublic spaces such as gay bars and in online networks forged by dating apps such as Grindr, Scruff, or Tinder, the same frameworks of racial classification are at work. Digital platforms have undoubtedly enabled the formation of new kinds of relationships and new configurations of sexuality and race, yet they have also been spaces where divisions and forms of discrimination are reproduced (Giwa, 2016; Giwa & Greensmith, 2012; Poon et al., 2005).

As much as certain groups of POC might experience homophobia or transphobia within their own families (and this has been an overarching narrative of LGBTQ2S+-friendly White Canada versus the backward global South), they also face experiences of racism within LGBTQ2S+ communities where racial stereotypes objectify and dehumanize POC (Giwa, 2018b; Giwa & Greensmith, 2012; Giwa, Norsah, et al., 2020; Patel, 2019). What is important about addressing

the relationship between race and sex within queer communities is not that some people will have less sex than others, but that sociosexual networks forged through dating and cruising contribute to stratified and segregated queer communities. Categories of race matter in forging sexual and romantic relations within queer communities and within friend groups. Certain groups that ostensibly belong to LGBTQ2S+ communities are, in fact, separate from others and have little or no overlap. White gay men might know some Black gay men, but it is more likely that their immediate social group consists of mostly other White men. This goes for people of specific ethnoracial and linguistic backgrounds, but it is something that has a profound impact on channels of communication.

## Section II

This section of the report deals with challenges that the police have and may confront when interacting with racialized people who identify with LGBTQ2S+ communities, with special attention to missing persons investigations, public messaging, and the training and knowledge required for the police to be culturally competent. Racialized LGBTQ2S+ communities' issues and concerns may not get the attention they deserve, given the problem of police treatment of LGBTQ2S+ communities as a monolith, with all the unintended—or perhaps intended—consequences for them. The discussion touches on these communities' experience of over- and underpolicing. It contributes to an understanding of the systemic ineffectiveness in police response to missing and murdered persons investigations, despite police claims of better service, especially when the groups concerned belong to racialized and marginalized communities.

### Part I: Missing Persons Investigations

In democratic societies such as Canada, the police are an important institution in the realization of community safety and security (Chalom et al., 2001). When members of any community suddenly go missing, the public expects that the police will take their disappearance seriously and work to bring them home safely. Police investigation and apprehension of lawbreakers are key to the materialization of justice. However, as findings from the National Inquiry Into Missing and Murdered Indigenous Women and Girls (2019) demonstrate, the police have not always acted in the best interest of Indigenous women and girls, their families, and communities. For example, according to Cree scholar and expert witness Robyn Bourgeois, the violence perpetrated against Indigenous women and girls at the hands of strangers or acquaintances has been met with insufficient institutional response from the police. Instead, the police have

weaponized racist and sexist stereotypes, portraying Indigenous women and girls as hypersexual and as sex workers (National Inquiry Into Missing and Murdered Indigenous Women and Girls, 2019), thereby undermining or dismissing the violence committed against them. Testimonies from family members of missing and murdered Indigenous women and girls revealed how stereotypes and victim blaming impeded or slowed down police investigations into the disappearance and murder of their loved ones. Police assumptions of Indigenous women and girls as “drunks,” “runaways out partying,” or “prostitutes unworthy of follow-up” (National Inquiry Into Missing and Murdered Indigenous Women and Girls, 2019, p. 648) characterized police interactions with family members.

Critical to the insufficient institutional responses of police are the historical and continuing legacies of colonization, systemic discrimination in the law, and everyday experiences of racism, sexism, and anti-Indigeneity (National Inquiry Into Missing and Murdered Indigenous Women and Girls, 2019). The biased treatment experienced by Indigenous people at the hands of police affects how their cases are investigated, if at all. This is a sentiment echoed in Independent Police Review Director Gerry McNeilly’s investigative report involving the Thunder Bay Police Service (TBPS). In that report, one of the factors found to account for deficiencies in the TBPS investigations of the sudden deaths and disappearances of Indigenous men and women was racism (McNeilly, 2018). A culture of systemic racism is not limited to the TBPS, and Indigenous people are not its only target.

In Toronto, LGBTQ2S+ communities have long criticized the Toronto Police Service (TPS) for not taking seriously the cases of missing and murdered community members (Graham, 2018). This includes the case of Alloura Wells, a 27-year old biracial transgender woman, whose death

was confirmed by the TPS four months after her disappearance (McLaughlin, 2017). Wells's tragic death is representative of the experiences of trans\* people, a stigmatized group who are at risk of poverty, homelessness, violence, and drug use. When Wells's father reported her missing to the police, he was provided a non-emergency number to contact and file a missing persons report. The police did not see Wells's disappearance as a high priority because she was said to habitually travel from place to place (McLaughlin, 2017). Her family and friends also believe that the police response was biased because she was a homeless, transgender woman of colour who may have lived as a sex worker (McLaughlin, 2017). This view prompted community members to criticize the police investigation.

However, it took the death of eight men missing from Toronto's LGBTQ2S+ Village between 2010 and 2017 to bring this criticism into sharp focus (Brockbank, 2019). As recently as February 2019, Bruce McArthur, 67, pleaded guilty to killing Selim Esen, Abdulbasir Faizi, Kirushna Kumar Kanagaratnam, Majeed Kayhan, Andrew Kinsman, Dean Lisowick, Soroush Mahmudi, and Skandaraj Navaratnam (Brockbank, 2019). Of the eight men killed, six were immigrants of South Asian and/or Middle Eastern descent, and two were White (Brockbank, 2019). Repeated calls from friends and family members of the missing and murdered men for police investigation into their disappearance did not rise to the level of importance to warrant a full and methodical search.

An earlier attempt in 2012 by the TPS—dubbed Project Houston—to investigate the disappearances of three of McArthur's victims (Faizi, Kayhan, and Navaratnam) was shut down with no satisfactory explanation from the police service (Mukherjee, 2019). Some have suggested that the police only intensified their investigation after Kinsman, a White man, had

gone missing (Krishnan, 2018). The question being asked by many in LGBTQ2S+ communities, especially among racialized community members, is this: why did it take 10 years to bring McArthur to justice?<sup>2</sup>

To understand the challenges that the police have and may confront when interacting with racialized people who identify with LGBTQ2S+ communities in the context of missing persons investigations, it is necessary to briefly provide the historical context of police relations with racialized and LGBTQ2S+ communities; these are reviewed in turn below.

## Part II: Brief History and Context of Police Relations with Racialized Communities

Questions remain as to whether modern policing has evolved enough from its historical roots to embrace the delivery of effective services to all members of society, regardless of their race, ethnicity, sexual orientation, and gender identity or expression, among other categories of identities. Today, in different cities, towns, and provinces across Canada, the relationship between police and racialized communities remains strained (Armony et al., 2019; Closs, 2005; Foster et al., 2015; Giwa, 2008, 2018a; Lewis, 1992; Wortley, 2019). In many ways, this difficult relationship is indicative of the deep divide in how police interact with certain members of Canadian society, suggesting little or no progress has been made since Stephen Lewis's (1992) report some 28 years ago.

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<sup>2</sup> Having pleaded guilty to eight counts of murder, McArthur was sentenced to life in prison in February 2019, with parole eligibility after serving 25 years (Westoll, 2019).



Lewis was appointed in 1992 by then premier of Ontario, Bob Rae, as a special adviser on race relations. Lewis's appointment followed shortly after the TPS killing of Jamaican immigrant Raymond Lawrence, 22, in the spring of that year (Black, 2017). At the time of Lawrence's death, the TPS alleged that he had been selling drugs and brandishing a knife during a chase, when he was shot and killed by an undercover police officer (Black, 2017). Lawrence's death came two days after a jury acquittal of four Los Angeles Police Department officers caught on tape beating Rodney King with nightsticks. Lawrence's death and the previous deaths of three others—including the shooting death of Black teenager Michael Wade Lawson in 1988 at the hands of two Peel Regional Police officers acquitted in 1992 (Black, 2017)—resulted in public anger and demonstrations of civil resistance to police violence. A protest, organized by the Black Action Defence Committee (BADC), brought together 500 protestors (Black, 2017). BADC leadership and activists including Dudley Laws, Dr. Akua Benjamin, and Ed Clarke, among others, denounced police brutality and called for an end to anti-Black racism. Lewis (1992) would later raise the same concern in his final report, noting the urgent need to address anti-Black racism in policing and other institutions and systems.

After more than two decades, most reports and research evidence produced today bear a striking resemblance to the conclusions reached by Lewis. They show that perceptions of policing among racialized communities have remained unchanged. Many of the same challenges that plagued the police relationship with racialized communities some years earlier are still very much alive today. In Ontario, for example, the Ontario Human Right Commission (OHRC) has documented widespread impacts of police racial profiling on Blacks, Muslims, and racialized communities (e.g., OHRC, 2003, 2017). Most recently, the Commission's interim report on the inquiry into racial profiling and racial discrimination of Black people by the TPS revealed disturbing facts. It

highlighted that between 2013 and 2017 Black people made up 30 percent of police-use-of-force cases resulting in injury or death, 60 percent of deadly encounters, and 70 percent of fatal shootings by the TPS (OHRC, 2018). These statistics are alarming in general, but more so when you consider that Black people made up 7.5 percent of Toronto's population (Statistics Canada, 2019).

This situation is not unique to Toronto, however. In Kingston, the first-ever racial profiling study by a modern Canadian police force found that Black drivers and pedestrians were 3.7 times more likely than Whites to be stopped and questioned by the police ("Police Stop More Blacks," 2005). At the time of the study, Blacks comprised less than 1 percent of Kingston's population. Similarly, a report by a Quebec Commission highlighted that Blacks, Muslims, Indigenous people, and persons of Latin American, South Asian or Arab origins were vulnerable to being racially profiled by the police (Eid et al., 2011). The situation was so bad that a Quebec Superior Court judge, Justice André Prevost, ruled on August 7, 2019, in favour of a class action lawsuit against the City of Montréal ("Judge OKs 'Historic' Racial Profiling," 2019). The Black Coalition of Quebec filed the lawsuit on behalf of citizens alleging racial profiling by the Montréal police. Likewise, an independent report commissioned by the Halifax Human Rights Commission found that, after Toronto, Halifax had the second highest annual street check rate (Wortley, 2019). Black and Arab people in Halifax were disproportionately represented in the city's police street-checks data (Wortley, 2019), suggesting implicit and unchecked biases were at play.

In the nation's capital, the Ottawa Police Service (OPS) has been embroiled in allegations of racism and discrimination towards Blacks and racialized communities for a long time. Recently,

the *Leveller*, a monthly news publication, published a 30-year (1988 to 2018) timeline documenting police violence and abuse against racialized and non-racialized people (Punch Up Collective, 2019). Where racialized communities are concerned, the timeline makes clear that current policing challenges are beyond the rhetoric of a few rogue police officers behaving badly. It suggests that the problem is systemic, expressed in the attitudes and behaviours of police officers of the OPS, who have generally not been held accountable for their actions in any significant way. On the contrary, the OPS police culture of impunity might encourage some police officers to double down on their violence and abuse with the expectation that they will be absolved of any responsibility.

For racialized communities, the perception of justice denied or the lack of police accountability for unethical behaviour shapes their views about the procedural fairness of police, in terms of their ability to be neutral, objective, trustworthy, and to treat such communities with dignity and respect. These concerns about the procedural fairness of OPS members are not unfounded. The OPS Traffic Stop Race Data Collection Project (2013–2015), the result of an OHRC settlement between the OPS and Chad Aiken, who was pulled over in 2005 while driving his mother's Mercedes Benz (Giwa, 2008), found that Black and Middle Eastern groups were stopped 2.3 and 3.3 times more than would be expected based on their respective driving population (Foster et al., 2015). The study's finding, that racialized groups are disproportionately stopped by police due to racial profiling, is not new. In fact, the OHRC Chief Commissioner, Renu Mandhane, alluded to this reality in her letter to then Chair of the Ottawa Police Services Board, Eli El-Chantiry, and then Chief of Police, Charles Bordeleau, in which she asked about the OPS's plan of action to prevent racial profiling (Mandhane, 2017). Importantly, for racialized communities,

the study provided some quantitative evidence to corroborate earlier qualitative findings from a federally funded police-community race relations project (see Giwa, 2008).

The data reviewed above make clear that police relations with racialized communities remain fraught with tension despite public declarations by police leadership that they intended to do better. While attention has typically focused on Toronto, as Canada's largest and most racially and ethnically diverse city (Whalen, 2017), racism and racial profiling in policing is widespread across the country (Armony et al., 2019; Foster et al., 2015; Wortley, 2019). It remains the biggest issue eroding police relations with racialized communities today, and it has been argued to contribute to the over- and underpolicing paradox (OHRC, 2019). This paradox involves the subjection of already marginalized communities to further excessive police control unlikely to be seen in the rest of society, often at the expense of a day-to-day crime prevention effort and intervention activities or services provided by the police to these communities.

### Part III: A Short History and Context of Police Relations with LGBTQ2S+ Communities

Before same-sex relations were decriminalized in 1969, there were little to no LGBTQ2S+ rights to speak of. In 1965, Everett Klippert was imprisoned as a dangerous offender for acknowledging that he had sex with men (Bird, 2017). Forty years later, LGBTQ2S+ people are able to get married (*Civil Marriage Act*, 2005). In addition to marriage, LGBTQ2S+ people benefit from increased societal acceptance and access to social institutions once denied to them, including being able to serve in the military (Belkin & McNichol, 2000). Before these achievements, though, LGBTQ2S+ communities' relationship with the police was tense, and for

a certain segment of these communities—Indigenous and non-Indigenous POC—remains so today.

For a period of more than 30 years (from the 1950s until mid-1990s), the federal government with support from the Royal Canadian Mounted Police (RCMP) engaged in a campaign to purge gay men and lesbians from the public service, the military, and the RCMP (Kinsman & Gentile, 2010; Potvin, 2019). Gay and lesbian people were thought to be inclined to sympathize with Communists and were susceptible to blackmail by foreign agents. Both the federal government and the RCMP sought to identify these employees by various means, including availing themselves of the pseudoscientific contraption known as the *fruit machine* (Kinsman, 1995), which supposedly could detect if someone was gay or lesbian. This campaign, perhaps Canada's longest government-sponsored method of discrimination, caused irreparable harm to gay and lesbian public servants; thousands of people lost their careers and sources of livelihood, and had their lives ruined in the process.

This history of police surveillance continued with the criminalization of same-sex activity in public and private settings (Nash, 2014), such as parks and bathhouses. It was not uncommon for police to entrap gay men by pretending to be gay men looking for sex in the park, only to arrest them on reciprocating their advances. Similarly, bathhouse raids were not a rarity. From the 1970s to early 2000s, police raided men's and women's bathhouses, in places such as Calgary, Edmonton, Montréal, and Toronto ("Bathhouse Raid Angers Calgary Gay Community," 2002; Crawford & Herland, 2014; Gallant & Gillis, 2001; Grozelle, 2017; Ross, 2018). Importantly, in recent years, the police have apologized for these raids. For example, in June 2016, Toronto Chief of Police Mark Saunders apologized to local LGBTQ2S+ communities for the 1981

bathhouse raids (Winsa & Powell, 2016). The Chief's apology notwithstanding, what this history of police surveillance and social control demonstrates is the sustained and concerted effort by police to criminalize members of LGBTQ2S+ communities by overpolicing their behaviours. These historical events are foundational to an understanding of LGBTQ2S+ communities' relationship with the police today, and to the resistance demonstrated by groups such as Queer Crash the Beat, who continue to oppose police enacted LGBTQ2S+-phobic violence and abuse.

## **Part IV: Challenges Police Have and May Confront When Interacting with Racialized LGBTQ2S+ Communities**

Racialized or LGBTQ2S+ POC belong to multiple marginalized groups. They are members of LGBTQ2S+ communities and racial and ethnic minority communities. These communities' interactions with the police have not always been positive. As discussed in the preceding sections, the problematic relations between police and racialized and LGBTQ2S+ communities foster a climate of fear, mistrust, and zero confidence in police. This climate of distrust and suspicion is central to the challenges that police have and may confront when interacting with LGBTQ2S+ people from racialized communities. The next section provides an overview of some these challenges.

### **Treating LGBTQ2S+ Communities As a Monolithic Group**

The general tendency of most public institutions, including the police, is to treat members of LGBTQ2S+ communities as a monolithic group (Flynn, 1998); this is an important challenge to overcome. From a policing standpoint, framing these disparate communities as one may be expedient and cost saving, in that it helps to streamline the delivery of police services. However, the idea that because LGBTQ2S+ people share a sexual and/or gender identity in common means

that their issues are the same is reductionist; this logic lacks sensitivity to the myriad social conditions influencing individual and group differences, in terms of access to resources and opportunities. In addition, it ignores the fact that LGBTQ2S+ people's relationship to systems of power is markedly differentiated along racial lines, among other vectors of oppression (e.g., socioeconomic status, disability, immigration or refugee status, gender identity and expression).

For example, class division within LGBTQ2S+ communities makes clear the danger in assuming a shared, collective interest. Owing to racial processes that privilege the White race, racialized LGBTQ2S+ people have not enjoyed the same level of economic success as their White counterparts. When socioeconomic indicators are compared for White and LGBTQ2S+ POC, Whites fare better (LGBT Demographic Data Interactive, 2019). As an example, in a comparison of unemployment and level of income between White and Black LGBTQ2S+ Americans, Whites were found to be less likely to be unemployed (7 percent vs. 11 percent) and to have income less than \$24,000 (21 percent vs. 36 percent; LGBT Demographic Data Interactive, 2019). The racial and class wealth gap exacerbates a racial and cultural divide through the binary construction of the respectable and unrespectable other. When a group has social and economic capital, it has the ability to advance its own interests and agenda to those in power, and may do so acting against the interests of groups that are economically and culturally disadvantaged.

Considering the example above, it stands to reason that White LGBTQ2S+ people's experiences with the police would not be the same as those of LGBTQ2S+ POC. White LGBTQ2S+ people may highlight important issues or concerns that, all things being equal, would resonate with LGBTQ2S+ POC, but this focus should not be interpreted as confirmation of a shared priority. Identified issues and concerns may scale low on the list of priorities for racialized LGBTQ2S+

communities due to their pressing need to address police violence and abuse against them (Camp & Heatherton, 2016). Thus, when interacting with racialized LGBTQ2S+ communities or seeking input from community members, the police must not incorrectly assume their concerns are the same as White LGBTQ2S+ people who, because of their social privilege, have the benefit of having their voices heard and their concerns taken seriously.

## Division Within and Among LGBTQ2S+ Individuals and Communities

In the public imagination, LGBTQ2S+ communities are inclusive and welcoming spaces for LGBTQ2S+ people, regardless of their social and cultural background. This myth masks real, seething tension and division that sometimes play out in real time. At other times, such discord is couched in racist attitudes, behaviours, and practices that reinforce the otherness of LGBTQ2S+ people who are different, or not White, in an attempt to exclude them from these social spaces. For many, the notion that racism could exist in LGBTQ2S+ communities is beyond comprehension since, after all, LGBTQ2S+ people know best the evils of exclusion.

This understanding ignores the principle of *interest convergence* advanced by critical race theorists such as Derrick Bell. Interest convergence suggests that White people will only act in situations where they can reasonably expect to reap some benefits (Bell, 1980). Contemporary debate about uniformed police bans at Pride parades illustrates this point. According to a community online survey involving 271 LGBTQ2S+ community members and allies in St. John's, Newfoundland and Labrador, 51 percent of respondents surveyed were opposed to a ban on police in uniform (Giwa, Brunet, et al., 2018). That is, these respondents expressed an interest in seeing uniformed police marching in the Pride parade. White LGBTQ2S+ people and allies



comprised the largest number of respondents in the survey (205 out of the 271 respondents identified their race or ethnicity as White), perhaps reflecting the general demographic profile of the province (Statistics Canada, 2017d). But the implication is not that all White respondents are in favour of having uniformed police in the Pride parade. One recurring theme from that survey that explains the strong support for uniformed police marching in Pride was the need for inclusion and celebration of reported progress in police-LGBTQ2S+ community relations. Respondents voiced that a ban would defeat the hard-worn struggle to get the police where they had arrived today (Giwa, Brunet, et al., 2018).

A more recent community consultation report by Capital Pride (2019) in Ottawa found that 58 percent of survey respondents said Yes to uniformed police being allowed to march in the Pride parade. In addition to the online survey, Capital Pride also held an in-person open consultation and an in-person closed consultation with community members who might experience exclusion from Pride, such as trans\* and non-binary people; queer and trans\* POC; and two-spirit people. According to Capital Pride, the closed consultation for queer and trans\* POC was the best attended. Participants at that consultation expressed concern about police presence at Pride, saying that it was a barrier for them. One participant said: “police presence is a major barrier as I’ve faced police brutality and am terrified of police” (Capital Pride, 2019, p. 8). The unequivocal consensus to emerge from the closed consultations with Indigenous and racialized LGBTQ2S+ community members was that uniformed police should not be allowed to march in the Pride parade. Thus, respecting the need for everyone to feel safe attending Pride, particularly Indigenous and racialized groups, Capital Pride maintained its ban on uniformed police participating in the 2019 parade in Ottawa, except for those on official work duties.

As situations in St. John's and Ottawa suggest, some White LGBTQ2S+ people remain uninterested in ensuring equality for racialized LGBTQ2S+ people, despite an awareness of the social conditions of racialized LGBTQ2S+ people and their wishes that uniformed police be banned from Pride parades (Levin, 2019; Pfaff, 2016). When interacting with racialized LGBTQ2S+ communities, it is imperative that the police engage these communities on their own terms. Their own interests and agenda are likely to be different from those of their White counterparts. Such an approach is vital to ensure that the wishes of a dominant racial group are not being uncritically imposed on racialized groups and communities.

## Procedural Justice and Police Legitimacy

How police interact with the public shapes the public's perception of them, with implications for community safety. Interactions in which the police (a) treat citizens with respect, (b) allow their voices to be heard, (c) maintain neutrality, and (d) demonstrate trustworthiness (Dario et al., 2019; Jackson & Bradford, 2019; Skogan et al., 2015) can result in the development of positive working relationships for the resolution of shared problems. Police legitimacy—citizens' belief in the authority of the police to direct people's behaviour in lawful ways—is highest when these four principles are present (Jackson & Bradford, 2019; Peyton et al., 2019; Skogan et al., 2015). Police legitimacy seems correlated with public willingness to obey the law and cooperate with the police (Council of Canadian Academies, 2014; Hinds & Murphy, 2007; Mazerolle et al., 2013). Canadian research suggests that members of immigrant and racialized communities have a negative view of the police and the criminal justice system in general (Wortley & Owusu-Bempah, 2009), but no research has yet explored racialized LGBTQ2S+ communities' perception of the police.

Empirical evidence from American research suggests that the combination of LGBTQ2S+-phobic and racist attitudes enable discriminatory behaviours on the part of police against LGBTQ2S+ POC (Mallory et al., 2015; Mountz, 2016; Nadal et al., 2015; Owen et al., 2018; Parker et al., 2018; Serpe & Nadal, 2017; Tiffe, 2015). LGBTQ2S+ POC are more likely to be stopped by police for unfounded reasons compared to their White counterparts. The situation is particularly grave for trans\* POC who, suspected to be sex workers, are interrogated about their reasons for being out and about in public (Mogul et al. 2011). Higher rates of harassment, physical assault, and sexual assault by police have been reported among this population (Grant et al., 2011).

There have also been situations where police have falsely accused LGBTQ2S+ POC of committing a crime: one survey found that 28 percent of LGBTQ2S+ POC said that they were falsely accused of a crime compared to 20 percent of all respondents (Lambda Legal, 2012). It is worth mentioning that this survey focused on respondents' interactions with police in the broad areas of misconduct and unsatisfactory response. Thus, participant responses were based on self-reported incidents of false accusation during the past five years.

Regardless, as a result of these negative police encounters, LGBTQ2S+ POC may be reluctant to call the police for help and may hesitate to come forward about crimes perpetrated against them (National Public Radio et al., 2018). Taken together, these findings underscore why police legitimacy and perceptions of procedural justice may be low within racialized LGBTQ2S+ communities. Advancements by police in the four principal areas of procedural justice mentioned above could help to improve their overall relationship with racialized LGBTQ2S+ communities.

## Self-Policing: A Response to Police Ineffectiveness

In many societies around the world, individuals and communities have long practised self-policing, defined as the maintenance of social order and control in a community without the members' appeal or reference to an external authority (e.g., government or police) for protection and accountability (Blagg & Valuri, 2004; Wood, 2003). In this way, community members function autonomously in managing their own affairs and day-to-day social relations. Writing in the context of British society, for example, Wood (2003) remarked:

While not independent of government influence, day-to-day social relations (including crime and dispute settlement) in early-modern society were largely self-policed. . . . Order was, in most cases, maintained through a distribution of violence legitimated by a customary mentality that organized retributive, autonomous and disciplinary violence. (p. 2)

For Wood, a customary mentality was useful in helping to define an acceptable boundary of behaviours and for promoting and enforcing members' conformity with established community standards.

Beginning in the nineteenth century, however, modern policing as we know it today began to be ushered in, with its civilizing function. Self-policing was then replaced with more institutionalized and professionalized forms of policing (Wood, 2003). States or governments assumed control and monopoly over the legitimate use of force, believing themselves more capable of dispute settlement, individual and community protection, and the protection of properties (Wood, 2003). Backed by this assumption, initial customary processes and standards

of law and order practised by community members were centralized through official state channels (Wood, 2003), cementing the legitimate place of police in those societies.

Modern models and practices of policing are not free of criticism. In Canada, as in most Western countries, long-standing tension in police relations with racialized and Indigenous communities have cast doubt on the competency and capability of police to serve these segments of the population (Comack, 2012; Lewis, 1992). A central argument underlining this skepticism is that the institution of police was not designed to equitably serve the interests of Indigenous and non-Indigenous POC, since Indigenous and non-Indigenous POC do not hold the most power in society. Arguably, police demonstration of an inability to sufficiently protect, solve, and curb crimes committed against Indigenous and non-Indigenous POC in a timely way provides evidence for why these communities may look to self-policing as a remedy to perceived police ineffectiveness.

Indeed, in places like Winnipeg's North End, the re-emergence of the Bear Clan Patrol in 2015 reflects that community's expressed interest in self-policing. Under the banner of "Community People Working with the Community to Provide Personal Security," the Bear Clan Patrol offers community-based solutions aimed at crime prevention and the promotion and provision of safety. This goal is accomplished in several ways, including maintaining a visible presence on the streets; providing early intervention and response to an identified problem; and offering rides, escorts, and referrals to those in need (Bear Clan Patrol Inc., 2019).

Another group, Queers Crash the Beat, has similarly expressed interest in self-policing. On the group's website, the following statement appears as one of its goals:

Our goals begin at holding police accountable for their actions, and continue through and beyond aspirations for a world without police or any militarized state, and where queers, people of colour and other marginalized groups are not subject to the targeted abuses inherent to the criminal justice system. (Queers Crash the Beat, Who Are We?, para. 6)

The idea of a world without police, though inexplicitly stated, speaks well to the perceived promise of self-policing or self-governance. This focus parallels views espoused by advocates of prison abolition in the United States, such as Angela Davis and Ruth Wilson Gilmore, cofounders of Critical Resistance, who have argued for the implementation of community accountability practices as an alternative to the criminal justice system and the prison industrial complex (Davis, 2003; Gilmore, 2007). In a similar vein, Queers Crash the Beat believes in the capacity of affected community members to address and meet their own needs outside of a professionalized police structure (Blagg & Valuri, 2004).

From the foregoing discussion, it may be helpful to highlight some of the advantages and disadvantages of self-policing. The discussion below is not intended to be exhaustive but does illustrate salient points for consideration.

### Advantages of Self-Policing

From the standpoint of racialized, Indigenous, and marginalized social groups, who may perceive that the police are ineffective in protecting them, self-policing offers the promise of protection against *psychic property*, a term referring to a person's mental and physical possessions that may be violated, such as "honor, dignity, space, possessions, and the physical

person” (Greenshields, 1994, p. 21). This broad range of material and immaterial properties are, according to Wood (2003), what self-policing was intended to safeguard. When a person’s mental and physical possessions have been violated, self-policing can provide a mechanism for an immediate community response and resolution to the violation (Tyler, 1995). In addition to nonviolent interventions available to a community, and as discussed by Wood (2003) in relation to Britain before the establishment of present-day policing, the use or threat of violence to punish a transgressor is not out of the question, as it may help to maintain cohesion and social norms within a community.

Another advantage of self-policing is its potential to act as a deterrent to community norm violations (Wood, 2003). In this sense, self-policing can function as a form of self regulation—a disciplinary social control measure for norm-violating behaviours—which then ensures that a norm violator is held accountable for the impacts of his or her behaviours on a complainant and on the community as a whole. This community-based approach to safety and security of group members and the promotion of accountability aligns with a vision of community membership as a sense of belonging. The point is that social connectedness to one’s community can have desirable psychological and behavioural outcomes, such that those with strong bonds (in terms of attachment, commitment, and involvement) may be less likely to engage in antisocial behaviours (Hirschi, 1969).

Self-policing can also help to restore control and power back to communities, by recognizing that their members are best positioned to meet their own needs (Blagg & Valuri, 2004). This vision of self-determination emphasizes how the legacy of colonialism and White supremacy continues in the present to reproduce relationships of inequality between the police and countless

marginalized social groups. By taking control and responsibility for their own safety and well-being, communities are able to respond proactively to crimes or antisocial behaviours and to devise preventive interventions that can reduce exposure to community-level risk.

Some examples of community-level interventions include barefoot patrols, mobile assistance patrols, or safe transportation service for the most vulnerable community members (Blagg & Valuri, 2004). In Toronto, the Alliance for South Asian AIDS Prevention operates a SAFE program, which allows clients to notify the agency about their whereabouts (i.e., if they are on a date or meeting someone for a hookup) so that a follow-up may be done to ensure they are safe. This approach runs counter to reactive policing, which relies on citizen-initiated events for police action (Ashby & Tompson, 2017). In this scenario, the police may exercise discretion to act or not act on these events, potentially leaving certain individuals and communities at risk for violent victimization.

### Disadvantages of Self-Policing

One possible disadvantage of self-policing is that it can legitimize vigilantism, in which ordinary citizens act voluntarily and outside of legal authority to suppress crimes and similar social infractions, and to punish wrongdoers (Wood, 2003). For example, an individual believed to have escaped justice may later be found and subjected to physical violence by the aggrieved party or members of his or her collective group.

Second, self-policing implies a shared acceptance of *all* community members regardless of their differences. However, in communities where LGBTQ2S+ identity is frowned upon, such as racialized communities (Crichlow, 2004), how are violations against these individuals to be



addressed? Would violations against LGBTQ2S+ members be seen as an extension of the community's wishes, with the result that violators are treated with impunity? How would the resulting community fragmentation and conflicts be handled?

Third, there are practical concerns related to the administration of established community norms or standards, which are meant to maintain social relations and order. Who was and was not consulted in making these community norms and standards? How or who will ensure that resolutions made about a particular violation are carried out? What opportunities, if any, are there for an accused to contest a decision or resolution made against him or her? How will community standards be enforced in situations involving a violator from outside of the community where the violation occurred? What becomes of professionalized police force and legal systems in responding to crimes and promoting the rule of law? Can self-policing coexist equally with modern notions of official authority (i.e., public policing)? In what ways is self-policing distinct from community-based restorative justice schemes, which promote a concept of justice rooted in community activism?

These questions and areas of practical concern speak to possible disadvantages of self-policing and challenges that may affect its implementation. In addition, the capacity of self-policing to advance constructive solutions to the perceived failure of police protection, especially for serious criminal offences, remains an open question for which little research is presently available.

## Part V: Public Messaging About LGBTQ2S+ Missing and Murdered Persons Investigations

At all times, but especially during periods of significant events or crisis, the police must be able to communicate effectively with the public. Messaging to the public about missing and murdered LGBTQ2S+ community members, and about LGBTQ2S+ people's safety more broadly, requires that the police recognize their responsibility to protect the most vulnerable and marginalized in society. As previously mentioned, the current situation of racialized and LGBTQ2S+ people in Canada is the result of different socioeconomic and political factors that have coalesced to shape their context of vulnerability. These factors include the history of state-sanctioned LGBTQ2S+-phobia and the continued legacy of racism and discrimination against racialized and Indigenous communities by government agencies. For some racialized LGBTQ2S+ people at the intersection of these communities, their sense of safety and security is further compromised by their lack of access to support in the general society and in their cultural communities due to racism and heterosexism (Crichlow, 2004; Giwa, 2016; Giwa & Greensmith, 2012; Giwa, Norsah, et al., 2020). The absence of such support may heighten their vulnerability to discrimination, abuse, and violence. Insensitivity in police treatment and response (or lack thereof) to the concerns of these vulnerable and marginalized groups can signal to would-be lawbreakers that they are free to perpetrate harm and violence against them or even commit the heinous crime of murder. Thus, in situations when community members go missing and/or are murdered, public messaging is important for setting the tone for how the police will go about its work and for building public trust in general and among affected communities specifically.

The McArthur case is instructive for a couple of reasons. On the one hand, it exposed a gap in the relationship between the TPS and racialized members of the city's LGBTQ2S+ communities.

This gap was reflected in poor or nonexistent lines of communication, which rendered the police unable to do their best work. According to some social commentators, including Alok Mukherjee, the former Chair of the Toronto Police Services Board, the TPS did not properly investigate the cases of missing and murdered gay men in a timely fashion, even denying, at one point, the evidence of a serial killer (Mukherjee, 2019). Toronto's Chief of Police, Mark Saunders, reportedly went a step further: he blamed members of the city's LGBTQ2S+ communities for the police not being able to do their job, saying that no one from these communities had come forward with crucial information (Hooper, 2018).

Such blame shifting is counterproductive. It fails to address the issue of how the police can work effectively with LGBTQ2S+ communities, especially LGBTQ2S+ POC, to ensure their safety and security going forward. The creation of working relationships between LGBTQ2S+ POC and police cannot be the work of the police alone and can only be done in ongoing consultation with marginalized and affected communities.

On the other hand, the case underscored critical issues for the police to consider when messaging to the public, particularly in matters involving historically marginalized groups and communities, such as LGBTQ2S+ POC. Effective public messaging requires careful thought and deliberate action. The framework for successful messaging developed by the National Action Alliance for Suicide Prevention (2018) provides a useful model, which could be adapted to the needs of the police for effective messaging to the public and affected communities about missing and murdered LGBTQ2S+ community members. Focusing on the framework's four pillars, it is necessary for the police to have the following in place for successful messaging during periods

of critical incidents and critical situations, such as the case for which this Review was set up to address: (a) strategy; (b) safety; (c) positive narrative; and (d) guidelines.

## Strategy

This component of the framework deals with the initial thinking and planning involved with creating and writing an effective message. Having a strategy is the antidote to rushing into creating messages that may not fit the goal, the defined or target audience, and context of a given situation. Thus, a crucial first step would be for the police to assess the current situation, to identify what is happening, versus what is not happening but should be, and efforts being made by them to solve the problem. Next, they need to get clear on the purpose or goal of the message, which ideally would be connected to the mission and goals of the police service. Following that, it would be important to identify who the message is meant to reach, the specific actions for them to take, and changes in behaviour that the message is expected to produce. Also, the police should be explicit about the content of the public messaging and how it will be communicated (i.e., through which delivery channels, preferably one already being used by the target audience). Finally, there should be a way for the police to measure or assess the effectiveness of their messaging, so that steps could be taken to address any gaps in communication strategies.

## Safety

The safety component of the framework refers to messaging done safely. Of interest is the need for police to avoid public messaging practices that are unsafe or unhelpful to vulnerable and marginalized groups, such as LGBTQ2S+ POC, either because they can increase their risk of vulnerability or may reify negative social stigma and stereotypes about the group. For example, it is likely that McArthur targeted vulnerable members of LGBTQ2S+ communities in Toronto

because he believed that their disappearances and eventual death would go unnoticed (Pazzano, 2019). The sexual orientation of most of the men of colour in the group was private and not known to their families. Another racialized victim was facing deportation back to his home country of Sri Lanka. Still others lacked stable housing or were homeless (Pazzano, 2019). These social and personal factors of vulnerability may have contributed to the men's deaths, but public messaging linking these factors to them might serve to reinforce similar violence against other men from these communities. Thus, care should be taken to not make this link in public messaging, as doing so could place similar men in the path of those looking to do them harm.

Likewise, because messages of vulnerability may not get at the structural causes of vulnerability, they may inadvertently reinforce rather than counter the sources of this vulnerability. In this way, vulnerability may take on an individualized orientation, where the victims are indirectly blamed for what happened to them. Further, information released by the TPS to news media about the gruesome manner in which McArthur killed and documented his victims' death may inspire imitation or serve as a guidepost for those looking to do the same thing. This type of messaging may do more harm than good and should be carefully considered.

Safe messaging requires a consideration of delivery channels, too. For example, given the salience of online platforms as a way for LGBTQ2S+ people to meet, social media is an important factor to consider. It is possible that dating apps provide the widest net for connecting or communicating with LGBTQ2S+ people, especially those who might never go to a gay bar or show up at an LGBTQ2S+ event. If police genuinely want to send a message about a missing person or about security threats to different members of LGBTQ2S+ communities, they may

have better success reaching them directly on Grindr, Scruff, Her, Jack'd, Growlr, Squirt, SilverDaddies, or OkCupid.

This issue was magnified when the McArthur story came to light. A lot of the public response to the murders and general criticism of dating apps focused on what users could do to protect themselves (Miksche, 2018) but didn't really address the potential uses of the apps for promoting awareness about safety. The expense involved in creating ads for online platforms might make this a prohibitive option. It may be cheaper to put up posters and leave leaflets in bars, cafés, and other spots than to use social media platforms to promote awareness. This effort may fail, however, to reach the intended or target audience. Further, the shift in online dating sites from chatrooms to one-to-one communication may present a communication challenge. Historically, there was the possibility for exchange between different people in a forum, which made it possible to reach and inform them about various issues and concerns. Given how individualized exchanges have become on apps like Grindr and Scruff, for example, strategies to better reach these individuals may need to be developed in consultation with affected members of LGBTQ2S+ communities.

## Positive Narrative

The positive narrative component of the National Action Alliance for Suicide Prevention's (2018) framework suggests avoiding the impression that all is doom and gloom. A person's vulnerability should not equate with death or the belief that nothing can be done to protect or prevent the disappearance and murder of racialized members of LGBTQ2S+ communities. The positive narrative ought to match the message strategy—that is, an action-oriented message about safety may convey different information than one focused on organizational success

stories, with both reinforcing the narrative of effective prevention. Although not prescriptive in terms of a predefined message or wording, the emphasis should be placed on ways that the general public narrative can be positive.

There are steps that the police could take to promote the positive narrative that prevention works, and that help is available. A public messaging alerting members of LGBTQ2S+ communities about risk signs to look for and subsequent actions to take can help in shaping their and the general public's perception of risk, prevention, and protection. For example, one of the criticisms by LGBTQ2S+ communities against the TPS was that they were slow in warning or issuing a community safety alert about a possible serial killer (Graham, 2018). The availability of information to weblinks, phone numbers (both landline and text messaging), community resources, and a police contact person who may be reached for assistance could have helped reinforce a positive narrative.

The police also need to have designated contact persons within community groups in order to find out about the dangers to public security that racialized and marginalized communities face and to promote awareness. In order for this kind of network to be established or supported, and for it to operate effectively, community groups need to trust that the police will not use this situation as an opportunity for overpolicing (Hooper, 2018). One way to do this would be to have these contact people report to police on security threats, and to create campaigns aimed at LGBTQ2S+ POC communities. Such individuals would be responsible for liaising between different existing service providers and support groups (such as those operated by Toronto's 519 Community Centre and the Alliance for South Asian AIDS Prevention) and reporting back to the police. In turn, and as part of an accountability measure, the police must

demonstrate how the information shared with them is being used or will be used to enhance the safety and security of the communities concerned.

## Guidelines

To our knowledge, no specific guidelines or so-called best practices exist regarding police communication plans for messaging about missing and murdered LGBTQ2S+ community members. If they exist, it is not clear that they work, given the circumstances surrounding the tragic deaths of eight missing men from Toronto LGBTQ2S+ communities over a seven-year period. Developing more responsive guidelines would be in keeping with the reality of life for LGBTQ2S+ people, especially those who identify as racialized or non-White. The axiom “nothing about us without us” (Charlton, 1998, p. 3) rings true here. Thus, for the guidelines to be effective, they need to be informed by the perspectives of individuals, groups, and affected communities.

The formation of the TPS Missing Persons Unit in July 2018 created an opportunity for this conversation to begin in earnest. To develop robust guidelines that can be effectively implemented, the police must proactively engage with members of LGBTQ2S+ communities, because LGBTQ2S+ people are best positioned to give information on what will and will not work in keeping themselves safe and secure. The content of such guidelines would be informed by a roundtable discussion between police and members of LGBTQ2S+ communities, and might include a focus on the wording and content of public messaging in addition to when, where, and how the message would be conveyed. Also, consideration might be paid to reporting structure, by which community members would be kept up to date about police processes and progress on relevant aspects of investigations. Further, the guidelines would specify ways to promote positive



narratives of prevention and support in the face of imminent risk, which would not pose a threat to police operation or preclude their ability to work efficiently. The closure of a case or termination of an investigation would be an ideal time for police and members of LGBTQ2S+ communities to reflect on and conduct an evaluation of what did and did not work, so that steps could be taken to address any challenges or gaps.

## Part VI: Training and Knowledge Required for Police to be Culturally Competent

The cultural landscape of Canada has and will continue to change into the foreseeable future. This is due to the natural growth of the Indigenous population and the continued migration of immigrants and visible minorities to Canada. In the 2016 Census, Indigenous people comprised 4.9 percent of Canada's population, up from 3.8 percent in 2006 and 2.8 percent in 1996 (Statistics Canada, 2017e).

Likewise, immigrants made up 21.9 percent of Canada's population (Statistics Canada, 2017b), the second highest since Confederation. The highest level (22.3 percent) was recorded during the 1921 Census (Statistics Canada, 2017b). In addition, visible minorities constituted 22.3 percent of Canada's population. Future projections estimate that, if current trends continue, their number could reach between 31.2 percent and 35.9 percent (Statistics Canada, 2017b).

In response to Canada's changing demographics, public institutions such as the police are challenged to respond respectfully and effectively to the complexity of diversity, along dimensions of culture, language, race, ethnic background, religion, socioeconomic status, sexual orientation, gender identity and expression, and other components of diversity. This broad

consideration of diversity, while inclusive of individuals belonging to the dominant White group in power, should not be applied to dismiss or ignore the cumulative disadvantage and injustice experienced by social groups (e.g., racialized and Indigenous people, LGBTQ2S+ people, and immigrants and refugees) most vulnerable to marginalization and oppression. Compared to their White counterparts, Indigenous and racialized groups are more at risk of police intervention-related injury or death (OHRC, 2018; Report of the Commission of Inquiry, 2004), including poor health outcomes that can result in emotional and psychological stress (Alang et al., 2017). To mitigate against these negative health and social outcomes, the police must become knowledgeable about the complex interplay of people's multiple identities. Moreover, their training must prepare them to meet the needs of all people, especially those from marginalized and oppressed social groups. The combination of training and knowledge can support police in becoming culturally competent.

Cultural competency has been defined in multiple ways. One commonly accepted definition, offered by Cross et al. (1989), defines the concept as: "A set of congruent behaviours, attitudes, and policies that come together in a system, agency, or among professionals and enable the system, agency, or professionals to work effectively in cross-cultural situations" (p. 13).

Regardless of the definition, central to the concept of cultural competency is that institutions and their staff are able to provide effective services that are culturally appropriate to the individuals and communities being served (Cooper et al., 2014). This service expectation takes on a significant meaning in the context of policing, especially when one considers the checkered history police have with racialized, Indigenous, and LGBTQ2S+ communities. Under cultural competency, the police must not only provide better service in respect of cultural and social diversity, they must also ensure that their actions do not inflict further harm or violence on

groups that were historically—and continue in the present to be—subjected to police force and disproportionate surveillance.

The information presented below, though not exhaustive, addresses the possible training and knowledge required for the police to become culturally competent.

## Training

Today, it is commonplace for new police recruits to receive training on topics such as multiculturalism, diversity, and implicit bias. More often than not, these topics form the entry point for discussion about cultural competency, often from the perspective of law and politics. Despite the relevance of these topics to a consideration of cultural competency, this approach to training may not adequately engage with the concepts of *culture* and *competence* in a practical way. Both multiculturalism and diversity, for example, emphasize the culture, race, and ethnicity of the racialized other (Wilton et al., 2019). In this way, the dominant White group in power is assumed to be cultureless, such that White police officers may avoid thinking about their own cultural groups.

Moreover, as the concept of diversity has expanded beyond race and ethnicity to include LGBTQ2S+ people, attention has shifted to focus on the sexual orientation and gender identity of this minority group. Once more, the cultural practices of the dominant sexual and gender identity group are erased from awareness and critical analysis. Thus, one area for improved training would be to expose new and existing police members to the concept of cultural competency from the lens of culture, not so that they treat everyone the same, but so that they can work effectively across different cultural and social contexts (Cooper et al., 2014). This kind

of training can also inform understanding about how the dominant culture defines and controls oppressed groups. Further, such training, it should be recognized, must go beyond the half- or one-day traditional cultural diversity training; like other things in life, culture is dynamic and police members must be encouraged to stay abreast of changing cultural and social norms.

In addition, while Canadian police services have made some progress in serving LGBTQ2S+ communities better, and developing inclusive workplaces for LGBTQ2S+ uniform and civilian police members (Couto, 2014; Kirkup, 2013), there is room for the police to improve their understanding of issues and concerns specific to racialized and Indigenous LGBTQ2S+ community members. Existing LGBTQ2S+ training programs may lack nuance and depth about intersectional stigmas experienced by racialized and Indigenous groups, thus impeding police ability to serve this population in a culturally sensitive way. Police must be trained, for example, on how race, ethnicity, and Indigeneity interact with other social identities such as gender, sexual orientation, immigration and refugee status, and class, among other systems of oppression. This training must be comprehensive in design, so that the topics addressed are not tokenized or treated cursorily. Although the proposed training may be embedded in existing LGBTQ2S+ police training for practical reasons (such as time and money), it could be argued that the proposed training should be offered as a stand-alone option. Subsuming the proposed training under existing LGBTQ2S+ police training may result in a lack of attention being paid to the issues and concerns of Indigenous and non-Indigenous POC, with the result that nothing changes in police engagement, treatment, and interactions with this segment of LGBTQ2S+ communities.

Finally, police must envision alternatives towards developing cultural competency beyond existing approaches to building relationship with racialized and Indigenous communities. The

current community policing model, captured by the strategic location and placement of community police centres and officers, could be strengthened to include secondment opportunities for police members with consenting nearby community health centres (CHCs) and organizations that provide services to members of racialized communities (including immigrants and refugees) and Indigenous communities. Such a training and professional development opportunity could provide the police with a first-hand, community view of the lived experiences of racialized groups and other marginalized populations to be encountered in the course of their work, strengthening their ability to work with people from different cultural groups effectively. In addition, the police would learn about the services available and provided by CHCs or similar organizations for meeting the needs of this population, and gain insight about service gaps that could be filled with police resources in these communities that may serve to help improve well-being and police-community relations.

## Knowledge

As a starting point, a key knowledge that police require to be culturally competent is to first understand that cultural competency is not an end point. It is a lifelong process of personal and professional learning and growth (Danso, 2016). All the cultures of the world cannot be mastered just because one attended a single (or even multiple) cultural diversity training session. To think that this is an achievable goal is problematic and analogous to the idea that all Indigenous, Black, Middle Eastern, and Asian people share the same cultures. For example, Black people are as diverse as the cultures they originate from. Misinterpreting the singularly Black identity—which may be leveraged to advance a collective Black power—to mean that all Black people are the same is a gross miscalculation of the fact. The desire for a quick answer to difficult police-community relations implied by this approach to cultural competency oversimplifies a complex

issue and fails to grasp the inter- and intra-group nuances required to implement culturally competent services.

Second, by now, it is perhaps clear that in discussions about cultural competency, the dominant cultural gaze shifts to racialized and Indigenous others (Wilton et al., 2019). This shift is an attempt by the dominant cultural group at a strategic solution that refuses to name or implicate Whiteness in the processes and structures that reproduce cultural and racial inequality. In this way, the real and tangible material effects of Whiteness on racialized and Indigenous groups is downplayed or denied, allowing Whiteness to maintain an unassailable status. Although Indigenous and racialized groups are generally assumed to have a culture, White people are often not regarded or thought about in racial and cultural terms (DiAngelo, 2018). The invisibility of Whiteness and its attendant culture in this discussion reify a dominant narrative that renders Whiteness socially insignificant and perpetuates a lack of awareness on the part of White people about the power and privilege that come from being White.

Indeed, despite institutional progress in diversifying police rank-and-file, the demographic profile of most police organizations in Canada remains largely male and White (D'Amore, 2019). Thus, another knowledge that the police require to be culturally competent involves learning to turn the White gaze back on themselves, to better understand White privilege and its implications for their practice. This focus is a necessary counterbalance to the predominant attention paid to racialized and Indigenous groups in police cultural diversity training. The deep rift over diversity revealed in the OPS 2017 Member Census report (Canadian Centre for Diversity and Inclusion, 2018), for example, underscores the importance of this experiential learning. The report revealed how White police officers resisted or pushed back against

institutional attempts to reflect the communities served, seeing such attempts as window dressing, reverse discrimination against White people, or as police leaders pandering to racialized and Indigenous communities. At the root of this resistance is a feeling that hiring or promoting racialized and Indigenous people would compromise quality. If this internal culture of resistance is any indication of how the largely White police membership perceive their non-White counterparts, perhaps it should not come as a surprise that the same White officers may treat racialized and Indigenous members in the general public with the same contempt and feeling of superiority.

Lastly, it is easy to fall into a mindset of thinking that an understanding of culture alone is sufficient for the delivery of good policing services. An awareness or knowledge of cultures different from one's own may be inferred to absolve one from complicity and the maintenance of domination that results from the construction of difference. Although knowledge represents a potential for action, the translation of such knowledge into action for change in practice is not guaranteed. Indeed, ethnocentrism or the inferiorization of other cultures (Moon et al., 2018)—much like racism—has not vanished because White people became “woke” about the cultures, customs, and traditions of people who are not White. Therefore, the police must not only become knowledgeable about the important elements of a group's culture (e.g., symbols, norms, values, language, and so on), they must also understand and work towards addressing interrelated axes of social structures of domination that make possible systems of oppression along the lines of race, ethnicity, gender, sexual orientation, class, and dis/ability. This way, culture does not become the scapegoat or fault line for everything wrong in police relations with racial, ethnic, religious, or social groups.

## Section III

Issues facing LGBTQ2S+ POC in Canada vary depending on the ethnic, class, and racial background of the different communities, but also in terms of their location. Experiences of racism and/or LGBTQ2S+-phobia for people living in Toronto might be very different from those living in Montréal or those in small-town Alberta. There are, however, parallels that exist and the double-edged impact of being identified as minorities within minorities shapes whether people are seen as full members of society. Where regional differences in Canada often serve as a framework for thinking about centre and periphery, such classifications often take for granted the Whiteness and heterosexuality of those areas and ignore the ways in which marginalization operates across the country. Said another way, the shared experience of sexual and racial othering for newcomers living in Fredericton, New Brunswick and newcomers living in Prince Albert, Alberta might be a more significant commonality than whether they live in the Prairies or the Maritimes.

This section outlines some of the key issues facing LGBTQ2S+ POC across the country and emphasizes the need to rethink difference as something actively produced through practices of inclusion and exclusion. Such practices are embedded in institutions, but they are also part of how we interact and communicate in everyday situations. How we think, feel, and talk about issues of immigration, nationhood, and belonging cannot be separated from issues of citizenship, state bureaucracy, and security. In what follows we consider the bearing on the lives of LGBTQ2S+ POC played by immigration, state surveillance, and issues of representation within queer and trans\* communities, and the ways in which the policing of borders presents specific challenges for people who face multiple and intersecting forms of marginalization.



## Part I: Migration and the Canadian Border

Racialized communities and White Canadians have markedly different relationships with the Canadian state, both in terms of access to full citizenship and in how they exercise their rights. Such differences are related to the ways in which people imagine contemporary Canada and to how experiences of immigration are represented as part of Canadian history. Though ethnic diversity has contributed to the formation of distinct diasporic ethnic communities that are notably White (e.g., Scottish, Irish), and language provides a means of sustaining community distinctiveness, British and French colonial frameworks provide the social architecture for European Whiteness to persist as a unifying framework of national identification. Experiences of migration set up different and unequal relationships between LGBTQ2S+ people in Canada. These are reflected in how queer events are organized, in how political issues are framed, and in how individuals access resources.

Resistance to immigration and attempts to justify the reinforcement of national borders often draw on disease prevention and discourses of risk linked to crime. As Hier and Greenberg (2002) have noted, popular anti-immigration discourses in Canada commonly incite moral panic by combining the threat of infection with the threat of criminality. Such visions of the nation as a healthy and hermetically sealed entity have a long history in North America and are commonly invoked to incite crisis by groups and individuals vying for public support.

Discourses of HIV/AIDS since the early 1980s have reproduced moralizing rhetoric concerning contagion and have continued to conceptualize the general public as a heterosexual White mass and people with HIV as foreign and deviant agents belonging to a high risk group (Treichler, 1987). The naming of four key risk groups at the onset of the epidemic as “‘The Four H Club’:

homosexuals, Haitians, hemophiliacs, and heroin users” (Farmer, 1992, p. 211) brought a particular constellation of sexuality, race, criminality, and moralism into being. Since that time, divisions between the “general public” and high risk groups have changed, but certain underlying tenets of racism and homophobia have persisted in how race, migration, sexuality, and criminality remain intertwined (George et al., 2012). Not insignificantly, the geopolitics of HIV/AIDS in the 21st century has shifted to the global South, reinforcing and extending racist tropes that frame people with HIV as violent predators (McLelland, 2019). The convergence of gender and race makes for particularly distressing stereotyping related to immorality and blame when directed at women of colour with HIV whose experiences of racism and HIV-related stigma often limit access to social supports (Logie, Jenkinson, et al., 2016).

As has been the case for research on queer sexualities more broadly, research on queer and trans\* POC and their experiences of various forms of oppression has been largely funded under the guise of sexual health and/or specifically as an aspect of HIV/AIDS prevention (Giwa, 2016; Giwa & Greensmith, 2012). While such work has been invaluable in developing certain branches of research on sexual and gender diversity and in bringing attention to groups at risk (Teengs & Travers, 2006), the emphasis on deficit/disease has shaped the kinds of questions that get asked (focusing on risk and illness) and has made research on race and other categories of difference peripheral or secondary to concerns with health promotion (Giwa, 2016; Giwa & Greensmith, 2012). Such funding frameworks are themselves shaped by pervasive ideas about victimization and the proper allocation of resources. Media coverage of issues related to migration (Tyyskä et al., 2017) and discourses of HIV/AIDS treatment and prevention—particularly in cases of HIV nondisclosure (Mykhalovskiy & Betteridge, 2012)—represent people with HIV and migrants as predators who are deserving of punishment rather than help (McLelland, 2019).

In his ethnographic research on immigration and sexuality in Canada, David Murray (2014) said:

[A] delimited “LGBT” identity has recently become an additional feature of Canadian national identity discourse that is already raced, gendered and classed and serves to undergird and enforce the privileged position of the neo-liberal Canadian nation-state’s political and economic power on the transnational stage. That is, “authentic” LGBT refugees are now valorized in Canadian nationalist discourses because they have arrived in a nation where sexual diversity is held aloft as a feature of a “civilized” society, opposed to “uncivilized” societies characterized by the rampant homophobia. (p. 22)

Within this equation, Canada figures as a benevolent saviour-nation and the countries of origin for asylum seekers are asked to frame their own cultural backgrounds as backward. Such a view of Canada overlooks the fact that homosexual sex in private was decriminalized in Canada in 1969 and that other legal protections for gays and lesbians have an even shorter history (Kinsman, 2013).

Canada has provided refuge to a select number of people who were able to document their experiences of LGBTQ2S+-phobia in their countries of origin and successfully argue their cases, but the process of applying for and obtaining asylum in Canada is a gamble and one’s chances as an applicant depend to a great extent on factors within the IRB review process, which allow for different levels of success. Between 2013 and 2015 claims for asylum among lesbian-identified women had the highest success rate, with 75.3 percent of claims being granted, while claims for bisexual-identified women had the lowest success rate at 58.4 percent. Claims from gay-

identified men made up the largest group of applicants and had a success rate of 72.3 percent (Rehaag, 2017).

Country of origin is a key factor in the assessment of claims for asylum. Reports show that 94.1 percent of claims from Russia and Barbados were granted, 90.3 percent from Bahamas, 90 percent from Iran, 84.4 percent from Ukraine, 83.3 percent from Turkey, and 81 percent from Burundi. The largest number of applications received and granted came from: Nigeria with 469 claims and a success rate of 62.9 percent; Cameroon with 222 claims and a success rate of 74.3 percent; Jamaica with 216 claims and a success rate of 65.3 percent; and Ukraine with 128 claims and a success rate of 84.4 percent (Rehaag, 2017).

Such numbers matter, as immigration shapes relationships within and between queer and trans\* communities and plays into how uneven levels of participation are formed and sustained in society. How one enters Canada or how one adjusts after arriving is linked to social/cultural capital to the extent that cultural competencies are often used as benchmarks of successful integration. There is a danger of imagining that personal effort alone determines the ability of a migrant to adjust to life in Canada. Such an approach ignores the centrality of how Canada responds to the needs of newcomers. Li (2003) argued that the concept of integration is itself fraught and needs to be rethought, with attention paid to the ways in which people who are immigrating experience everyday barriers. This would involve “determining the degree to which institutions are open or closed to immigrants; whether communities welcome or shun newcomers; and whether individual Canadians treat newcomers as equal partners or intruders” (Li, 2003, p. 330). As with institutional racism produced and sustained through colonial legacies, frameworks of integration emphasize the role of the immigrant as a single individual and

downplay the ways in which racism and Whiteness work as barriers that prevent newcomers as a whole from participating in Canadian society.

For various ethnoracial groups in Canada, hybridity and multi-ethnicity, as well as partial and full citizenship rights in multiple countries, are a reality. Rinaldo Walcott wrote that in Toronto, Black queer life is developed from a mix of cultures and can be described as *creole*, as it is “deeply diasporic and creole in its identifications and practices with queer life elsewhere. But Black queer life is also creole in terms of its expressions and lived articulations in the context of Canadian forms of expressing sexuality” (Walcott, 2006, p. 129). This understanding of creole emphasizes the distinctiveness of Black queer cultures and rejects the notion that newcomers must accept dominant Canadian cultures and languages in exchange for the right of residence. This logic is not only xenophobic, but ignores the ways in which various immigrant groups have transformed and continue to redefine what counts as “Canadian.”

## Part II: Visibility and Surveillance

To understand the ways in which marginalized groups are represented and made invisible, it is essential to see how representation is linked to social context. David Seitz has shown that while the murders committed by McArthur were gruesome and extraordinary in their details, there was nothing exceptional about the murder of POC, or about the way racist tropes were reproduced through the media coverage of the events (Seitz, in press). Perhaps most jarring was the silence surrounding the cases of queer Brown men in the period leading up to the disappearance of Andrew Kinsman, a White gay man whose disappearance quickly attracted the attention of news media (Alliance for South Asian AIDS Prevention, 2019). The missing persons cases were not treated as a priority (Doucette & Shah, 2013) and for years police assured the public that there

was no link between the different cases (Gillis, 2019). Such oversights were not isolated incidents; they reflect a much broader problem of racist neglect in which the bodies of POC matter only when they are believed to be in violation of the law.

Throughout much of the 20th century in Canada, queer people were of interest to police only as potential criminals. Relations between queer communities and police in Toronto were notably reshaped through the bathhouse raids of 1981 and the formation of a so-called permanent committee on relations between gays/lesbians and police (Bruner, 1981). Rather than end contact between queer people and police, the committee sought to foster a working relationship where gays and lesbians could access police services and support without facing attacks on their personal freedom. For certain segments of queer communities this meant a reduction in police harassment. However, for others, police harassment has remained a normalized part of life in public and private.

One well-documented example of harassment is *carding*, a common police practice of stopping people and demanding identification or proof of the right to reside in a country. The racial dimensions of carding have been well documented and the way that POC, particularly Black and Indigenous men, are targeted by police has been acknowledged as a major infringement on personal freedom. According to a report from the Independent Street Checks Review published in 2018, carding can be understood as the police practice of randomly asking an individual to provide identification when there is no clearly suspicious activity and where an individual is neither suspected of an offence nor presumed to have any useful information about an offence (Tulloch, 2018). Such information is then recorded and stored in a police intelligence database, despite the fact that the individuals questioned by police have no involvement in any criminal

activity. This amounts to surveillance and tracking of individuals by police in ways that go beyond police stopping civilians and collecting information only in circumstances where criminal activity is suspected. The report finds that existing training for police aimed at protecting civilian privacy has been ineffective in changing such practices, and often fails to give officers an understanding of regulations prohibiting carding and the legal bases for police stops (Tulloch, 2018).

Calls for an end to racial profiling have come from various community groups, and while they echo some of the concerns for personal freedom and community autonomy, the social and historical context in which racialized violence is taking place is different from what it was decades ago; forms of social surveillance are different now. In a report from the Ontario Human Rights Commission (2018) on racial profiling, it was shown that targeted police surveillance of Black people by the TPS took several distinct forms: unnecessary stops, questioning, and searches; excessive force during questioning and arrests; and the laying of unnecessary charges. The interplay of factors leads to and sustains the overrepresentation of Black people in the criminal justice system and contributes to long-term relationships of distrust between Black people and the police.

Though Black men are key victims of police harassment, they are not the only group targeted by police, and regional differences make a difference in terms of experiences of carding and media coverage. In Alberta (Huncar, 2015) and Saskatchewan (Quenneville, 2018), provinces with fewer Black residents than Ontario, reports of carding have pointed to Indigenous men as a target group. Ways of handling the problem of carding have proved to be even more complex as the task of proving racial bias amongst police poses another set of challenges. Police would need to

be trained to identify the racial background of each person stopped, which in itself would do nothing to address the targeting of Indigenous and POC. While the unnecessary and unwarranted collection of data is the key issue, it also raises questions about the potential for further entrenching race as a category within policing and surveillance. The push for the collection of information about individuals' racial backgrounds ultimately ignores how Indigenous and POC are called on to identify themselves ethnically and racially in ways that White people are not.

### Part III: Community Representation

Decisions about which issues to prioritize and how to address them is a question of who speaks on behalf of whom in LGBTQ2S+ communities. To understand issues of representation on a community level, one must understand that decision-making processes are positioned within unequal relations of power, where not only are certain people more skilled in putting their concerns forward, but certain community figures are more likely to be heard by people in positions of authority. As a result, decisions about representation, voice, and authenticity are never straightforward; different segments of marginalized groups promote concerns that may or may not speak to the experiences of all members.

Representations of queerness as White correspond with and contribute to how LGBTQ2S+ POC are positioned within queer communities and within specific racialized communities. As Logie and Rwigema (2014) noted, experiences of homophobia and racism are often experienced simultaneously by lesbian and bisexual women of colour in Toronto, where they are marginalized as racialized members of queer communities; yet these women are also rendered invisible as bisexuals and lesbians within certain racialized communities where queer is often read as exclusively White. For many of the women consulted in Logie and Rwigema's research,



racism was seen as a larger and more urgent issue in their everyday lives than homophobia. Experiences of racism and the way racism had shaped relationships within racialized communities presented them with a different challenge confronting homophobia. As one interviewee explained, attempts to make racism an issue in LGBTQ2S+ communities are frequently met with silence, and “in communities of color there is a lot of common discourses of silence in different communities, whether it’s Black, Latino, different racial minorities. But it has to do with silence, because you can’t talk about it” (Logie & Rwigema, 2014, p. 181). In such cases, the image of the queer person as White works to make queer women of colour invisible in multiple parts of society.

This logic relates directly to dominant representations of LGBTQ2S+ communities through the figures of the gay White men who often occupy positions of leadership within queer communities. Such political representation largely works to centre and privilege the concerns of White gay men and to obscure issues faced by other members of LGBTQ2S+ communities. An understanding of leadership must take into account the struggle between and within groups for resources and for control over which issues end up at the forefront of projects. Such dynamics ensure that people with forms of privilege often end up in positions of authority, yet people at the margins are often called upon to speak to specific issues. This is a double-edged kind of participation in community life because frequently these same leaders are asked to represent and address issues faced by segments of gender and sexually diverse communities, as though there were homogeneity among queer POC or trans\* people.

Issues of representation must also be understood as a connection to queer histories and their preservation. The popular celebration of White gay men’s contributions to activism and gay male

history in television and film such as *Milk* (Jinks & Cohen, 2008) and *Stonewall* (Emmerich et al., 2015) have been criticized for their failure to acknowledge the contributions of queer and trans\* POC (Kiesling, 2017) and of reproducing representations of queerness as exclusively White (Lenon, 2013). The current makeup of LGBTQ2S+ communities in Canada has been shaped by generations of activists and historical experiences of discrimination. Collective memory can play a powerful role in different segments of communities, and it is essential to pay attention to which memories of the past are made central to community histories and which ones end up being marginalized. In order to assess and meet the diverse needs of all members of LGBTQ2S+ communities, more inclusive forms of representation, which centre social issues affecting the most marginalized members, must be created.

The diversity of LGBTQ2S+ POC communities and the unique needs of different segments of those communities cannot be understood or properly addressed if consultation concerning policing is carried out solely with representatives of community organizations where leadership and membership are predominantly White, male, and economically privileged. People located at the margins of LGBTQ2S+ communities are the best resources for finding out how police can better serve the public, because they are in greatest need of police protection. In addition, the needs of different groups under the umbrella of LGBTQ2S+ POC need to be treated as distinct. Forms of inequality and discrimination—such as homophobia, transphobia, racism, disability, and poverty—are experienced in different ways by different racialized communities whose relationships to colonization, migration, and police vary depending on their unique histories.

## Section IV

This section of the report deals with the history, challenges, and better practices in developing liaison between police services and LGBTQ2S+ communities with special attention to racialized members of those communities. Here, the notion of “best” or “better” practices are problematized, as these concepts have a way of homogenizing and oversimplifying diverse groups and communities’ experiences, as if to say their circumstances were the same. The concept of intersectionality is also addressed, to underscore the urgency of this framework as a lens through which police could more effectively respond to the needs and concerns of racialized LGBTQ2S+ people. Recommendations are made for how police could work towards ensuring better representation of racialized LGBTQ2S+ people on liaison committees, not merely for tokenistic or inclusion purposes, but in critical ways that suggested their voices mattered and contribute effectively to system transformation.

### Part I: History of Police and LGBTQ2S+ Liaison Committees

In Ontario, and indeed across Canada, the Ottawa Police Service (OPS) provided the first model of an LGBTQ2S+-police liaison committee (Field, 2005), whose goal was to build a two-way relationship of trust that would enable the police to effectively address community-identified concerns. The murder of Alain Brosseau in 1989 by four young men was the starting point (Herland, 2013). Brosseau had been wrongly suspected by his killers to be gay and, for this, he was thrown off the Alexandra Bridge to his death (Herland, 2013). Brosseau’s death spotlighted the violence targeted against individuals assumed to be or who are LGBTQ2S+ and helped to mobilize community activists who organized the “Blow the Whistle Campaign” (Duffy, 2014),

which encouraged gay men to carry whistles for their own protection. These activists also demanded a more targeted response from the OPS, which had been reluctant to recognize violence against members of LGBTQ2S+ communities as a hate crime. At a meeting between LGBTQ2S+ community activists and senior police officials in July 1991, the decision was made to form the GLBT Ottawa Police Liaison Committee (Duffy, 2014), to open and maintain the lines of communication and cooperation between the police and LGBTQ2S+ communities. The first test of this relationship came in October 1991 at the tabling of a report by the Ottawa-Hull Gay Task Force on Violence,<sup>3</sup> the report was motivated in large part by the murder of Brosseau two years earlier. In attendance was then Chief of Police, Thomas Flanagan, who accepted the report and its recommendations in good faith and vowed to introduce measures to ensure the safety or protection of members of LGBTQ2S+ communities (Duffy, 2014). The chief also committed to clamp down on police officers who espoused antigay views.

As early as 1992, evidence that Chief Flanagan took the task force report and its recommendations seriously began to materialize. Two such recommendations pertained to diversity training and the establishment of a hate crimes unit (Duffy, 2014). Relating to the

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<sup>3</sup> The Ottawa-Hull Gay Task Force on Violence was self-initiated by three community members—Pierre Beaulne, Ken Gallagher, and David Pepper. It was a deliberate and activist response to the perceived inaction by police and community organizations at the time, such as the Association of Lesbians and Gays of Ottawa (ALGO), Pink Triangle Services, and EGALÉ. The Task Force made two separate lists of requests or recommendations. In 1991, 12 requests were made to the Ottawa Police, which were obtained from David Pepper and are included in the Appendix section of this paper. In 1994, an additional 40 recommendations were captured in the report that David Pepper coauthored with Caroll Holland, entitled *Moving Toward a Distant Horizon*. Together, these requests and recommendations pointed to the need for the Ottawa Police Service to better ensure the safety and security of LGBTQ2S+ people against hate crimes and to work cooperatively with the communities they served.

recommendation for diversity training, all police members were required to complete a three-hour training session on LGBTQ2S+ people and culture. At the time, such action was a radical shift in police practice and response to LGBTQ2S+ community concerns. One year later, in January 1993, the OPS launched the country's first hate crimes unit. The development of this unit shifted the conversation, emphasizing the role and mandate of the police in investigating and preventing hate crimes directed at members of vulnerable and marginalized groups, such as Blacks, Jews, immigrants and refugees, as well as LGBTQ2S+ people (Duffy, 2014). An increased number of police-reported hate crimes based on sexual orientation, for example, attests to the continued significance of this unit—reported hate crimes based on sexual orientation rose from 176 incidents in 2016 to 204 incidents in 2017, representing an increase of 16 percent (Statistics Canada, 2017a).

In another bold move by the OPS leadership in 1995, the organization hired David Pepper, an out gay man, as its first director of community development and corporate communications. Pepper held this position for 17 years before leaving to work at OC Transpo (Duffy, 2014), from which he was to retire in March 2020.

Today, most police organizations in Ontario and, indeed, across Canada have adopted a similar LGBTQ2S+ police liaison committee. In fact, this trend seems to be increasing, not decreasing. For instance, in December 2016, the Peel Regional Police held its first LGBTQ+ Advisory Committee meeting (Peel Regional Police, 2019, Chief's Advisory Committees section, para. 6). While no two committees are the same, they all share a commitment for a better relationship with members of LGBTQ2S+ communities, rooted in an understanding of the historical and present discrimination and harassment of LGBTQ2S+ people by the police.

## Part II: Challenges to Police and LGBTQ2S+ Liaison Committees

Despite the general acceptance of the GLBT Ottawa Police Liaison Committee as a best practice model in the policing community in Canada, this and related committees are not immune from challenges. At the time of this writing, the GLBT Ottawa Police Liaison Committee is nonoperational. It is undergoing a review to determine the shape and form it will continue to take, if any. The review was prompted by several factors, the most significant of which were feedback from LGBTQ2S+ communities that the committee was less effective than it had been in the past, and Capital Pride concerns about the need for the committee to adopt an intersectional lens in response to community issues (Ottawa Police Service, 2019). These matters are not isolated. They reflect a chorus of conversations and contestations that suggest police services in general are out of touch with current realities faced by racialized members of LGBTQ2S+ communities. These realities are borne out in the fact that racialized people who are also members of LGBTQ2S+ communities are more likely to be the target of racial profiling and other police discriminatory practices (Angeles & Roberton, 2020; Ghabrial, 2017; Mogul et al., 2011).

At the same time that the police seek to strengthen their relationships with LGBTQ2S+ communities more broadly, segments of these communities are being subjected to racist and dehumanizing treatment. This double standard creates a condition where the voices and concerns of mostly White LGBTQ2S+ community members are privileged over those of racialized groups who are busy attending to injustices based on the colour of their skin and other intersecting identities. In this way, the interests of some community members are taken to represent the entire LGBTQ2S+ communities. The implication of a broad-stroke approach to working with

LGBTQ2S+ communities is the absence of nuance critical to understanding the police relationship with different groups and communities. This approach erroneously construes LGBTQ2S+ communities as a monolith despite the real and observable difference among members. Consequently, important issues and concerns affecting racialized members who may not be well represented on LGBTQ2S+-police liaison committees are ignored or less understood, such as the demand that uniformed police officers be banned from Pride parades.

To be sure, the existence of LGBTQ2S+-police liaison committees is not a problem in and of itself, and intersectionality does not imply that such committees must be opened to non-LGBTQ2S+ racialized and marginalized groups. To do so might create unnecessary tension and division among equity-seeking groups, where LGBTQ2S+ and non-LGBTQ2S+ people might feel the need to compete for limited police attention. What intersectionality does require is for the police to directly involve and engage with all members of LGBTQ2S+ communities, across intersecting categories of oppression. This means that the taken-for-granted White privileges and practices that may render invisible the experiences of racialized and Indigenous people in these communities and on LGBTQ2S+-police liaison committees must be named and confronted in a direct and meaningful way.

Against this background, several challenges to developing liaison between police services and racialized members of LGBTQ2S+ communities may be identified. They are discussed in turn below.

## Personal and Vicarious Experience of Police Bias and Racism

As discussed elsewhere in this paper, racism is deeply rooted in the Canadian social fabric and police are not exempt as important players in its manifestation. At the time of writing, an independent report into police racial profiling in Montréal found that between 2014 and 2017, Black and Indigenous people were four to five times more likely to be the subject of police street checks than White people (Armony et al., 2019). Arab people, especially those between 15 and 24 years of age, were also four times more likely to be stopped by the Montréal police (Armony et al., 2019). In disaggregated terms, the lack of reference to racialized and Indigenous people who identify with LGBTQ2S+ communities and their experiences with the police points to the possible need for broader community consultation to capture the entire spectrum of under- and overpolicing. Although recognizing the link between race and police intervention, the authors of the report fell short of calling this disproportionate police stops racial profiling. This report and those described earlier combine to paint a picture of the individual and group experiences of racialized and Indigenous people in Canada.

While it is not always easy to tell if someone is LGBTQ2S+ identified, racialized groups are always visible by virtue of their race and ethnicity, and this is truer in the case of those unable to pass as White. Thus, when police engage in racist behaviours, what they may fail to realize is the other intersections embodied by individuals or groups that are the target of their discrimination. This negative experience can have reverberating and compounding effects for racialized LGBTQ2S+ people, who not only have to contend with police racism but fear further ill treatment based on their membership in another stigmatized group, namely the LGBTQ2S+ community. Because racialized LGBTQ2S+ individuals may have experienced police bias and racism or seen friends or family members being subjected to a similar treatment, such



experiences can leave them with a negative, lasting impression of the police. These personal and vicarious or second-hand experiences of police bias and racism alter racialized and Indigenous groups' relationships with the police, such that they avoid contact with police (Angeles & Robertson, 2020), and may come to see police as less legitimate or trustworthy (Dario et al., 2019; Hinds & Murphy, 2007; Miles-Johnson, 2013).

## Recruitment Challenges and Imbalances in Police-Community Representation

Tied to the above point is the challenge of recruiting LGBTQ2S+ POC to sit on LGBTQ2S+-police liaison committees. This challenge is compounded by the distrust that some members of these groups have towards the police (Angeles & Robertson, 2020) for the various reasons already discussed. Such distrust makes it less likely that LGBTQ2S+ POC would consider volunteering their time on these committees, as a matter of self-preservation and in response to the perceived inaction of police leadership and boards to take seriously the issue of racism and discrimination in policing. For instance, in reaction to the above-mentioned independent report into police racial profiling in Montréal, Chief of Police Sylvain Caron remarked that there was no racism in the police force (Hanes, 2019), while vowing to take action on systemic discrimination. This kind of double-talk is worrisome not only because it undermines the incontrovertible evidence that racism exists but also because it demonstrates a lack of understanding about what and how racism shows up in police work. The chief's comments sent a troubling message that, in essence, denies the daily reality of many racialized and Indigenous people in Montréal and the rest of Canada.

In tandem with the challenge of recruitment and community distrust of police is the concern that plagues most community consultative committees such as an LGBTQ2S+-police liaison committee: the lack of diverse, representative voices (Craggs, 2019). By their nature, these committees have a tendency to recruit bodies and perspectives that present the police in a positive light. Often missing or represented in small numbers are the critical voices of individuals and groups that seek to hold the police accountable for their actions and inactions. The problem with this kind of structure is that critical and constructive conversations that need to happen are prevented from taking place, such as concerns about over- and underpolicing of Indigenous people and racialized communities, or the debate over whether uniformed police should be allowed to march in Pride parades. The current public nature of this debate illustrates, in part, the failure of LGBTQ2S+-police liaison committees to facilitate the two-way communication and knowledge exchange they are intended to accomplish. Indeed, if the police are serious about improving their relationship with all members of LGBTQ2S+ communities, why were most staunchly opposed to the ban on uniformed police at Pride parades? Even after activists organized public demonstrations and protests to educate the police and the general public about the impact of uniformed police at Pride for Indigenous and non-Indigenous POC, why did the police continue to turn a blind eye to their concerns? Would the current debate be different if there were enough critical voices and representation from LGBTQ2S+ POC on these committees, to help the police understand the reasoning behind the ban and transform their practices?

The presence of mostly White community members on these committees may come to be perceived by others in LGBTQ2S+ communities as tokenistic, since their interests and agenda may align more with the police than the communities they are meant to represent (Stewart-

Winter, 2015). For example, while some White LGBTQ2S+ business owners or elites may be concerned about the police cracking down on street-level criminals, the immediate concerns for LGBTQ2S+ POC may be their safety and security from police violence. Given the police responsibility for maintaining public order and the security of persons and property, cracking down on crime may seem the logical action to take. In this way, the concerns of LGBTQ2S+ POC—a marginalized group that LGBTQ2S+-police liaison committees are intended to reach—may take a back seat, such that the police may be unwilling to let any community advice affect their actual practices. Indeed, one of the findings to emerge from the TPS Transformation Task Force (2017) report concerns the need for a fundamental change in police-community partnerships, which would see the police taking less of a leadership role in order to create opportunities for communities to lead more often.

Finally, community consultative committees, which LGBTQ2S+-police liaison committees represent, give the impression of a shared power relation between the police and identified community representatives. However, this notion of a shared power is brought into disrepute when considering the imbalance in the number of police versus community members on these committees. Often, there is a greater presence of police than community members, shifting the balance of power to the police side. For example, at its first LGBTQ+ Advisory Committee meeting in December 2016, the Peel Regional Police reported three community members and six police officers in attendance (Peel Regional Police, 2019, Chief's Advisory Committees, para. 6).

This kind of imbalance does not automatically mean that community inputs or voices are ignored; nonetheless, it does suggest that the police retain the power to decide what and whether

certain problems merit their involvement. In other words, a higher number of police than community representatives implies that the police control the agenda, which they may justify ideologically by alluding to their crime-fighting expertise and organizational imperatives in establishing priorities. This idea of police expertise, especially when it comes to missing and murdered person investigations, fails to recognize that the police do not have a monopoly on crime control; police reliance on the knowledge and expertise of local community members is inevitable for them to do their job well. In the end, LGBTQ2S+-police liaison committees, similar to other consultative committees such as community police action committees on race relations, become nothing more than a communication exercise that shield police from criticisms and fail to ascribe decision-making powers to community representatives.

### Disillusionment with Police Ability to Change

In matters of racial tension, for example, a common strategy of the police is to hold community dialogues and consultations with affected communities. This strategy fits within the currently in-vogue framework of community policing (Casey & Trofymowych, 1999; Toronto Police Service Transformation Task Force, 2017) that is widely accepted by police institutions across the globe (Denney & Jenkins, 2013). Community dialogues and consultations are, in principle, not a bad thing. Repeated consultations may be held as new or recurrent issues emerge that require further actions on the part of the police, to demonstrate responsiveness to racialized and Indigenous communities' needs. The problem arises—as it does in LGBTQ2S+-related matters—when the outcomes of these actions do little to change or improve relations between the police and racialized and Indigenous communities (Granger & Cooper, 2017). Sadly, the inability of these consultations and dialogues to generate transformative change has left many Indigenous and non-Indigenous POC feeling disillusioned at police attempts to change.

Transformative change is conceptualized to mean a change in police behaviour and relationships with many of the communities served. The police may seek to transform these relationships by working closely and sharing power with community stakeholders, which can help to promote a feeling of shared responsibility. However, because of different historical and contextual factors (such as colonialism, racism, Islamophobia, and LGBTQ2S+-phobia), such changes in relationship will look different from one community to the next, so care needs to be taken to not assume that the same relationship would fit in all instances.

There is also the issue of consultation fatigue (Attree et al., 2011; Granger & Cooper, 2017), which may result from community members participating in strings of consultative dialogues, leading to more recommendations that ultimately get shelved due to lack of courage by police leadership to undertake the difficult but necessary structural reforms. A governance model in which a police services board proposes new policies to govern the police, with community consultations focused more on what the new policies should be, may prove to be a helpful way forward.

Police relations with racialized and Indigenous communities have not improved from decades ago, such that discussions about race and racism in policing remain as controversial now as before. This is not lost on Indigenous and non-Indigenous POC. A legitimate question is: how do the police envision improving their relationship with a group of people that exist at the intersection of two marginalized and stigmatized social identities, when they have been unable to do so in any significant way with respect to racialized and Indigenous people in the general population? This is an important question that the police, police services boards, and their respective police associations must attempt to answer, especially if they want to engage members

from these communities in a meaningful way. Affected communities also have a role to play in holding the police accountable for their responses to substantive policy and practice issues that impact all aspects of community life, for the police cannot be relied on to solve a problem that they have in no small part created.

What LGBTQ2S+ POC know to be true are the broken promises and failed attempts by the police to really listen to the voices of people from communities they share membership with, and to implement recommendations that may be contained in various consultative reports. An important aspect of community policing is accountability (Giwa, 2018a; Granger & Cooper, 2017; McCandless, 2018). The police must not only be seen to hold consultations and committee meetings; they must also be actively engaged in the process of meaningful change and institutional reform, with benefits to affected communities. That is, they must be able to point to concrete actions taken to demonstrate a genuine understanding of the issues and concerns raised by community members, towards a more proactive and sustainable direction.

For example, a long-overdue, meaningful reform is for a chief of police to have the power to fire an officer found to have engaged in racial profiling (Giwa, 2008). This is a form of racial discrimination that violates the *Canadian Charter of Rights and Freedoms* (1982). Racism, like discrimination against Muslims and LGBTQ2S+ people, should have no place anywhere in today's society, especially in a publicly funded institution like the police. Police inability to demonstrate concrete action is likely to create disillusionment in the sense that LGBTQ2S+ POC may question the merit of participating in an LGBTQ2S+-police liaison committee when they cannot be sure that their involvement and contributions will lead to constructive changes.

## Part III: Better Practices in Developing Liaison Between Police and LGBTQ2S+ Communities

The past several years have witnessed efforts by the Canadian government and public officials to correct past wrongs committed against historically and contemporarily marginalized groups.

Histories of racism and colonialism have been significantly more acknowledged, as evidenced by public apologies from Conservative and Liberal governments alike, but the social impact of these apologies is yet to be seen (Guo & Wong, 2019). However, signs of a commitment on the part of mainstream public institutions such as the police to better serve this population, which includes racialized and LGBTQ2S+ communities, are evident. This commitment is admirable and, from a policing operational standpoint, makes practical sense. To do so, the police may look to identify best or better practices for building and strengthening their relationships with marginalized community members (Dwyer, 2019). Indeed, in November 2013, the Diversity Committee of the Ontario Association of Chiefs of Police (OACP) released a resource document for police services across the province of Ontario entitled *Best Practices in Policing and LGBTQ Communities in Ontario* (Kirkup, 2013). The resource was intended as a living document, to support police services in becoming inclusive workplaces for LGBTQ2S+ police personnel, in addition to helping them develop better relationships with members of LGBTQ2S+ communities. However, the idea of a best or better practice can be misleading particularly in the context of police-LGBTQ2S+ community relations in Canada.

*Best or better practice* implies the existence of a substantive body of research and experience from which conclusions may be drawn and recommendations made about a standard or accepted way of doing things. Beyond anecdotal accounts, the scant literature on police-LGBTQ2S+ community relations in Canada raises questions about the feasibility and achievability of this

goal. Further, as discussed earlier, doubt has been cast on the effectiveness of the approach of the gold standard or best-practice model for working with LGBTQ2S+ communities, the GLBT Ottawa Police Liaison Committee. LGBTQ2S+ community members and representatives in that city have criticized the committee for its ineffectiveness in recent years, as well as its lack of intersectional practice and analysis (Ottawa Police Service, 2019), prompting the committee's decision to take a step back to reflect on its work and structure.

At a basic level, the GLBT Ottawa Police Liaison Committee's current effort—influenced by the community's criticisms—points to an important limitation of the notion of best or better practice, which is that it may render the experiences of certain bodies invisible, such as those of LGBTQ2S+ POC. Implicit in the idea of a best or better practice is the understanding that all LGBTQ2S+ people, with their shared experience of sexual and gender identities, have the same needs and therefore should be treated in the same way. Framing the identities and lived experiences of a disparate and diverse group of people in monolithic terms ignores their separate histories and unique experiences with the Canadian state, including with organized institutions such as the police.

Likewise, the Ottawa experience illustrates the danger of extrapolating from limited information or a group of people, to support claims of a best or better practice model. Without sufficient empirical evidence from which to make sense of the experiences of LGBTQ2S+ people with the police in Canada, the publication of the OACP *Best Practices in Policing and LGBTQ Communities in Ontario* (Kirkup, 2013) runs the risk of perpetuating a myopic focus on concerns affecting White LGBTQ2S+ community members. A best or better practice model, if one were to exist, should not promote a one-size-fits-all approach. Rather, the police should seek to tailor



their strategies to the specific needs and concerns of community members and groups. Such an approach would recognize the complexity and changing dynamics of LGBTQ2S+ communities now and into the future, and thus jettison the idea of a best or better practice, which can be said to promote a static understanding of social and contextual realities of LGBTQ2S+ communities shaped by race, ethnicity, religion, citizenship status, and other factors.

Although not explicit in its messaging, inherent in the idea of a best or better practice is the notion that “we have made it, there is no further work required once the best practices have been implemented.” Far from ensuring the best outcomes for all, this kind of thinking can keep the police from growing and improving in ways that are responsive to the needs and concerns of the communities they have sworn to serve and protect.

Finally, what the OACP *Best Practices in Policing and LGBTQ Communities in Ontario* (Kirkup, 2013) draws attention to is its preoccupation with Pride pictures, employment equity, and police training. The latter concerns are not, in and of themselves, trivial. For example, having LGBTQ2S+ members in the ranks of police could help police services reach members from these communities, which would allow for wider community engagement in policing. Similarly, police training can equip officers with the knowledge and skills needed to deliver appropriate services to people of diverse sexual orientation and gender identities. However, these preoccupations illustrate ideas coming out of particular sensibilities, one in which all LGBTQ2S+ people are imagined to have the same starting point. Although most police services have made gains in recruiting (predominantly White) female police officers, many continue to struggle with recruiting and retaining Indigenous and non-Indigenous POC (Marcoux et al., 2016; see also Stenning, 2003). Given this challenge, the emphasis on employment equity in the

OACP best practices document puts the cart before the horse. There are underlying issues, discussed elsewhere in this paper, that may hinder the decision of LGBTQ2S+ POC to enter a career in law enforcement or policing. Thus, alongside employment practices to increase the representation of LGBTQ2S+ police officers, addressing concerns specific to LGBTQ2S+ POC—such as challenges of racism on the job, or systemic barriers to advancement and retention—would ensure that they had an equal chance at a career in policing. If not, the current focus may continue to unfairly advantage White LGBTQ2S+ people, while ensuring that the concerns of LGBTQ2S+ POC continue to fall further and further behind.

Importantly, in the rush to hire more police officers from racialized, Indigenous, and LGBTQ2S+ communities, it bears remembering that their employment alone may not bring about system change (Cashmore, 2002). Mirroring other public institutions, police cultures are inherently assimilative (Twersky-Glasner, 2005). Those hired from historically marginalized groups may come to act and think in the same way as those from the dominant or majority racial and sexual group. For example, on the job, Indigenous and non-Indigenous officers may feel pressured to look the other way in cases of professional malfeasance by White colleagues, or to engage in practices that discriminate against members of their own racial or cultural communities (Carbado & Rock, 2016). For this reason, the default assumption or expectation that hiring from historically marginalized groups would lead to sweeping changes in police practice should be tempered. Long-term change is only possible with real commitment from the police to changing their policies, their structures, and their institutions as a whole. Anything short of this commitment is unlikely to produce the kind of transformative change needed internally and in police-community relations.

When it comes to police training, the OACP best practices document gets right the need for ongoing professional standards and training on LGBTQ2S+ issues. It is interesting that the Ottawa-Hull Gay Task Force on Violence made a similar recommendation more than two decades ago, when it called for “a more thorough review of police training and the design of training programs on sexual orientation/homophobia issues” (Pepper & Holland, 1994). The obvious irony is the old adage: the more things change, the more they stay the same. That police training on LGBTQ2S+ issues remains a discussion point in police work today speaks to how much work remains to be done. In particular, as the murders of the eight men precipitating this Review suggests, police training must move beyond a singular conceptualization of communities defined by sameness towards an approach that embraces the diversity and heterogeneity present within LGBTQ2S+ communities. Concretely, this means that police training must expand to include a focus on racialized, Indigenous, and other marginalized groups that make up the rich tapestry of experiences within LGBTQ2S+ communities.

The default of the current LGBTQ2S+ police training, with its general concern for LGBTQ2S+ communities, privileges White people’s experiences and renders invisible the lived experiences of many LGBTQ2S+ people from Indigenous communities and communities of colour. Regardless of intention, since actual results matter, the practice of using White people’s experiences as the standard functions to disqualify the perspectives of Indigenous and non-Indigenous POC. Without the contextual knowledge needed to deliver police services in a culturally sensitive way, the police may continue to struggle with meeting the needs of Indigenous and non-Indigenous POC, with the result that critical incidents and situations that concern them may go unnoticed and uninvestigated until it is too late. To be sure, the expectation that the police should be trained to make connections between intersecting identity categories,

with specific attention paid to the experiences of Indigenous and non-Indigenous POC, is an important but overlooked area in the OACP best practices document.

Notwithstanding the above caution, and recognizing the practical need to support police efforts towards effective practices in developing liaison between them and LGBTQ2S+ communities, especially with racialized members of these communities, the list of ideas below reflects key points that can contribute to a meaningful process. The discussion builds on and expands ideas suggested in the OACP's *Best Practices in Policing and LGBTQ Communities in Ontario* (Kirkup, 2013). They are, however, not intended to be exhaustive or to occlude nuance with respect to differences within and between LGBTQ2S+ POC. In the process of doing this work, the police must keep this information in mind, to avoid the pitfall of an essentializing frame of a racialized group identity.

1. *Begin with a formal acknowledgement of the harms done and continued struggle police have with institutional discrimination and anti-Black, anti-Arab/Middle Eastern, and anti-Indigenous racism.*

An important starting point for developing liaison between police and marginalized members of LGBTQ2S+ communities—in particular, Black, South Asian, Arab and Middle Eastern, and Indigenous people—is for the police to recognize and acknowledge the historical and current prevalence of racism and colonial practices that still looms in their interactions with this segment of the population (Giwa, 2008, 2018a; Granger & Cooper, 2017). To be effective, denial strategies that serve to placate, obfuscate, and otherwise blame Indigenous and non-Indigenous POC for their circumstances must be avoided at all costs. These include disclaimers such as “I am (or the police are) not racist as everyone is treated the same under the law”; or using words

that convey racist ideas like “thugs,” “profoundly antisocial,” “gangsters,” and “sewer rats,” as Mayor John Tory did in response to acts of gun violence in Toronto (“Of ‘Thugs’, ‘Gangsters’, and ‘Sewer Rats’,” 2018). There must be a clear articulation from the police about their role in perpetuating systemic racism and the intended or unintended harms this has caused to members of these communities. Such an acknowledgement must be matched with specific actions for change. The importance of a sincere, heartfelt and, indeed, long overdue, acknowledgement cannot be overstated. Such acknowledgement would recognize the humanity and dignity of groups made to exist at the periphery of society, and gesture to a break with the past ways of doing things, and a step towards moral and institutional reform (Govier, 1999).

2. *Take an intersectional approach in existing and future liaison committee processes.*

Intersectionality recognizes the limitations and dangers of a single-axis analysis or one-size-fits-all approach to police practice and engagement with members of LGBTQ2S+ communities. It acknowledges the complex lives we all live, at the intersections of overlapping systems of privilege and oppression (Crenshaw, 1989, 1991), all of which gets lost or ignored when police fail to recognize and accept the full humanity of Indigenous and non-Indigenous POC. This failure might manifest itself most significantly in terms of who is represented (or not) at the LGBTQ2S+-police liaison committee’s table, which may play into the antiquated and enduring narrative that to be LGBTQ2S+ is to be White (Logie & Rwigema, 2014). Racialized and Indigenous people are members of LGBTQ2S+ communities and vice versa; these identities are not inseparable or mutually exclusive. Yet, the tendency to treat Indigenous and non-Indigenous

POC in this way serves an important role in their marginalization and continued oppression, where they may be denied a voice and a place at the table to hold police to account.

If the criticisms levelled by LGBTQ2S+ communities in Ottawa about the GLBT Ottawa Police Liaison Committee are any indication, the same singular lens may be responsible for the ways that LGBTQ2S+-police liaison committees address LGBTQ2S+ communities' issues and concerns. The entry point for discussion about issues or concerns affecting these communities assumes a homogenous or shared lived experience based on sexual orientation and gender identity, overriding the need for a critical discussion about the specific and intersecting ways that different groups experience oppression, privilege, and access to resources. An intersectional approach thus would open the space for a more nuanced and robust debate of issues from multiple perspectives (Crenshaw, 1989, 1991), taking into account not only the experiences of oppression and privilege but also the culpability of systems and institutions in producing and perpetuating the same.

Thus, when police incorporate an intersectional lens in their work with LGBTQ2S+ communities, especially with Indigenous and non-Indigenous POC, they signal their awareness of and commitment to an intentional examination of the simultaneous effects of race, ethnicity, Indigeneity, sexual orientation, gender identity, immigration or refugee status, disability, poverty, and homelessness, among other matrices of oppression. In this vein, as a method of social change, intersectionality represents an important paradigm shift in police practice that could help to illuminate the world views and experiences of LGBTQ2S+ POC.

For example, police practices can recognize intersectionality through an awareness of how social structures create inequalities that result in unearned advantages to White people (Crenshaw,

1989, 1991), such that they do not come to the attention of police or the criminal justice system to same degree or extent as their non-White counterparts. If and when they do, the same system ensures that they are treated more leniently than their Indigenous and non-Indigenous peers (Wortley & Owusu-Bempah, 2012). Intersectionality also recognizes that Indigenous and non-Indigenous POC, regardless of their sexual orientation or gender identity, have experiences unique from the racial group in power. So, when they speak up at consultations or meetings, they do so often from a place of structural marginalization and oppression.

Notwithstanding the above discussion, it bears repeating that the idea of a broader consultation mechanism beyond LGBTQ2S+ communities as a way to get at intersectionality may not be especially advantageous, since the intersectionality in question already exists among members of LGBTQ2S+ communities. For example, there are members who identify with multiple social groups, such as bisexual Middle Eastern Muslim women. LGBTQ2S+ communities are best imagined as a microcosm of the Canadian public, reflecting the diversity and intersectionalities of its people in general. A broader consultation mechanism runs the risk of conflating different groups' unique experiences (such as LGBTQ2S+ and non-LGBTQ2S+ people), so as to undermine targeted actions specific to those groups' concerns. The main point is for the police to engage with the range of differences within a social group, such as making sure that LGBTQ2S+ consultations are inclusive of the diverse members belonging to these communities, so that their voices are heard on policing issues that impact on them.

3. *Be explicit about how participation from LGBTQ2S+ POC is expected to or will contribute to improvement in police relations with the group.*

Community representatives on LGBTQ2S+-police liaison committees, as with other consultative committees, are not paid but volunteer their time and energy to help the police achieve their goal for a better relationship with members of LGBTQ2S+ communities. Given how power and privilege as well as oppression operate to shape the lived experience of individuals and groups, LGBTQ2S+ people may differ in their reasons for participating (or not) on police liaison committees. For LGBTQ2S+ POC, their involvement may hinge on clearly stated or defined outcomes that address the purpose and manner in which their participation is expected to improve police relationship with them and vice versa.

In general, LGBTQ2S+ POC exist in a society that devalues them and makes everyday existence difficult and unbearable (Ghabrial, 2017), such that they are in a constant state of hustling to ensure their very survival. This is a life that most White people are shielded from due to their White skin privilege and the ongoing realities of White supremacy (Logie & Rwigema, 2014), allowing them the freedom to choose where and how they spend their time. Police will do well to have a clear statement of intention if they are to engage Indigenous and non-Indigenous POC, whose priorities may differ from their White counterparts, dictated largely by their experience of institutionalized systems of oppression. This level of clarity is also important to ensure that when Indigenous and non-Indigenous POC do decide to participate on police liaison committees, their critical voices will not be silenced whether implicitly or explicitly, because their presence alone is seen to challenge the status quo. In this way, they may risk being subjected to criticism, retribution, isolation, and threat or damage to their reputation from other committee members, including the police and/or larger LGBTQ2S+ communities, all of which may create added levels of chronic stress and anticipation of discrimination that may inhibit their ability to ensure their own survival.



For their part, the police may be interested in turning to these and other consultative structures for ideas and help on specific cases, such as missing persons' investigations. If so, this interest must be clearly communicated in the committee's terms of reference and to community members on these committees, to ensure clear expectations regarding community and police participation from the outset. To do otherwise may give the impression that the police are merely interested in exploiting community members on these committees for their own gains, namely for access to information or intelligence they might not otherwise have access to. The distrust that Indigenous and racialized communities have for the police is real. Police must therefore endeavour to be transparent at all times, to stave off an antisnitching narrative that might understandably—if one were to consider snitching the favouring of community or group solidarity over loyalty to the state (Asbury, 2011)—lead to community members' refusal to cooperate with the police in all kinds of investigations. This point extends to the partnership between EGALÉ and the TPS on hate crimes. A key aspect of prosecuting hate crimes is that victims and/or witnesses come forward in reporting such crimes to the police. LGBTQ2S+ POC may be reluctant to do so for fear of bringing shame on one's family and culture; for fear of not being believed by the police; and for fear that the police will falsely accuse them of a crime (Lambda Legal, 2012; Sawrikar, 2017). Addressing this real and perceived issue of trust can help to bridge the gap between police and LGBTQ2S+ POC.

*4. Promote participation of LGBTQ2S+ POC beyond groups traditionally consulted.*

Representation matters! When certain bodies are missing or inadequately represented on police liaison committees, the benefits that a diverse range of perspectives and ideas can bring are also

lost. The lack of a diverse committee membership beyond those traditionally consulted can limit the ability of the police to adapt and succeed in their effort to respond to the needs of LGBTQ2S+ people and communities (Craggs, 2019). Specifically, they are unable to learn from the knowledge of people who may not look like them (such as POC), and whose lived experience may be different from their own and those of other people—people like sex workers, runaways, homeless youth, and people with a disability. Ensuring that these marginalized voices are included is critical for the collaboration and capacity building essential for improving police relationship and services to all members of LGBTQ2S+ communities. A committee that represents the diversity and heterogeneity of LGBTQ2S+ communities can be helpful in eliminating or lessening police prejudices or biases so that they do not go unchecked. As part of this effort, the police may need to think outside the box, to consider what some of the barriers to participation might be for nontraditionally consulted groups, and to devise a plan to remedy them. For example, low-income LGBTQ2S+ POC may struggle with transportation costs. The police could provide tokens or bus tickets to the group, which would remove this barrier and improve direct participation on the committee. Similarly, food may need to be offered to homeless youth, and remuneration (on a bimonthly, quarterly, or yearly basis) provided to sex workers who may be taking time out of their work to attend meetings, which typically are held in the evening. Ultimately, the old way of doing things must yield to new approaches, rooted in the complex reality of people and life.

5. *Replenish and strive for parity or balance in police and community membership.*

All committees, including liaison between police services and LGBTQ2S+ communities, struggle with change, especially when members are perceived to work well together. The ability of committee members to work cooperatively can spawn positive outcomes for institutions and communities represented on those committees. This rationale may be used to justify maintaining existing committee membership—overlooking the benefits of replacing old members with new members. New members can bring creativity, innovation, and novel ideas that can help to address key issues and challenges in police-LGBTQ2S+ community relationships (Granger & Cooper, 2017). The opposite is equally true: committees that fail to replenish their membership may stagnate; become less accountable to the institutions and communities they represent (Granger & Cooper, 2017); and perpetuate the diversity challenges discussed earlier. For these reasons, police liaison committees must look to replenish their membership regularly, which could be achieved by setting a term limit. For example, committee members could be limited to two terms of three years, with the possibility of renewal for additional terms to be served in the future. Replenishment is a time of renewal, providing an opportunity for the police to take stock of underrepresented groups on liaison committees (such as Indigenous and POC), so that resources and energy can be directed to inviting their participation on these committees.

Likewise, attention needs to be paid to the composition of police liaison committees. In general, and perhaps owing to the foundation of these committees as police-controlled initiatives (Toronto Police Service Transformation Task Force, 2017), there tends to be an overrepresentation of uniformed police and an underrepresentation of civilian members on these committees. Such a show of strength can be intimidating. It could pose a barrier to participation from LGBTQ2S+ POC who may hold negative views of the police in the first place. Such individuals might feel vulnerable when speaking up or challenging the police, fearing they would

not be taken seriously or would be dismissed for their perspectives. This fear may be magnified in the absence of other LGBTQ2S+ POC around them.

In effect, critical conversations about police interactions with racialized and Indigenous communities can get muffled, ensuring that the current status quo remains in place. Assuring an equal number of police and community members on liaison committees can minimize any power imbalance. It might also help to have a police and a community representative co-chair the committee, to ensure that the perspectives of both groups are reflected in the agenda for discussion. Finally, holding liaison committee meetings away from police headquarters, stations, or community centres may support the participation of LGBTQ2S+ POC on such committees. As committee members grow in their relationship, this idea may be revisited, to include police facilities as possible meeting locations.

*6. Address concerns about an evaluation and performance-measurement plan.*

Consultative committees have the unfortunate burden of being perceived by some, including police members, as a chat-fest (Myhill et al., 2003) or a task that is low on their list of priorities. It is seen as a public demonstration of police patience in the face of allegations and complaints from members of the communities on matters big and small. Police members on these committees may be skeptical or distrusting of community members. Nonetheless, these committees represent one means by which the police demonstrate to the civilian members of the community that they are listening to them (Myhill et al., 2003).

However, as Indigenous and non-Indigenous POC have complained, police often fail to act on their recommendations for change (Granger & Cooper, 2017). The perceived failure leaves many feeling that, despite the police appearance of genuine interest in their concerns, they remain resistant to transformational change. This view of police as being defiant or unwilling to change can lead to cynicism and distrust among racialized groups and members of Indigenous communities.

A way out of this impasse, similar to what the GLBT Ottawa Police Liaison Committee is currently doing, is for police liaison committees to address issues of evaluation and develop a performance-measurement plan. Such a plan would detail the shared issues and concerns of committee members, the goals to be achieved, and establish indicators for tracking progress towards achieving those goals. Moreover, it would be important for the plan to measure process (how well committee members work together), project outputs (specific actions being taken to address identified issues), and outcomes (what, if any, changes or progress have resulted from the actions taken). An academic or external research evaluation company may be hired to complete the assessment of processes and outcomes (Myhill et al., 2003), which could help to address power imbalance issues and support community members to believe in the validity of the results.

Rather than an afterthought or an add-on measure, this kind of plan should be integrated into the operations of police liaison committees and undertaken periodically to ensure that the needs of affected communities are being addressed. When police can point to concrete progress in their relationships with LGBTQ2S+ POC, such a demonstration of care and attentiveness can help to rebuild trust between the two groups. In turn, police responsiveness to identified community

issues or concerns may help to improve the image of the police, such that LGBTQ2S+ POC may be willing to cooperate with the police on future initiatives.

## Conclusion

The relationships that exist between police and racialized and Indigenous LGBTQ2S+ communities in Canada are complex, and in order to forge new lines of communication and to work towards building supportive networks that ensure the safety of marginalized groups, it is essential to raise awareness about the inequalities, prejudices, and histories of violence which shape everyday life. This paper provides background on the interplay between national and global contexts, which historically have contributed to systemic racism and the perpetuation of LGBTQ2S+-phobia in Canada. It outlines specific challenges that police and LGBTQ2S+ POC face in creating public campaigns to address issues of security and safety, and it attempts to contextualize the distrust of police among LGBTQ2S+ POC as a product of historical and ongoing misuses of surveillance and violence. In addition, it outlines a clear set of practical strategies to be taken up by police in the areas of police-community communication, police recruitment, and the evaluation of police liaison committees, stressing the need for police to move past monolithic or singular approaches to engaging members of LGBTQ2S+ communities.

Beyond the creation of new committees that aim to improve communication and involve LGBTQ2S+ POC, it is essential that LGBTQ2S+ POC who serve on those committees have the capacity to direct decision-making. If police are to take seriously the experiences and perspectives of marginalized people and to acknowledge the ways in which police officers can and do perpetuate racist and LGBTQ2S+-phobic attitudes and practices, they must respect community representatives as authorities on the most sensitive and effective ways to provide

police protection. The recommendations laid out in this paper point to alternative models for communication and the formation of alliances between police and communities in ways that foreground intersectionality. This involves making the issues of race, sexual orientation, gender identity, and related problems of inequality central to the creation of long-term plans and programs for the evaluation of police performance and for the active involvement of people who are in greatest need of social support.

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# Appendix

## Ottawa-Hull Gay Task Force 12 Requests to the Ottawa Police Service in 1991

### of requests made to Ottawa Police: Follow-Up ~~to~~

1. Turpin, Bickford : to review, <sup>to</sup> document, and <sup>to</sup> analyze computer log and records to produce documentation of anti-gay and lesbian motivated violence. We need to see how we can track such crimes and not violate Freedom of Information.
2. Turpin, Bickford : Immediate rectification of internal paper flow problems (acknowledged by Gay Community Liaison Officer on July 17) This has been agreed, and ~~has been reported~~ to Turpin. <sup>such issues should be</sup> ~~reported~~ <sup>Not agree</sup>
3. Turpin, <sup>Victim Assault</sup> : Police to install a dedicated ~~phone~~ <sup>line</sup> for reporting anti-gay and lesbian motivated violence. It was stressed that it was critical that "911" get any calls. Better publicity required. <sup>instead</sup>
4. Police to send three participants to international conference on anti-gay and lesbian violence in Berlin. This proposal was scrapped due to lack of funds. <sup>Ottawa to see if Toronto (or any Fed. for)</sup>
5. Chief : Public announcement of concerns and warning by the Ottawa Police Department stating the possible dangers associated with recent violence. Need statistics before this can be done. <sup>Also:</sup> Perhaps Crimestoppers could do a segment (Ottawa Pol. to check) <sup>See Planagan follow-up comments, too.</sup>
6. Chief : Public statement by the Chief of Police condemning violence targeted against gay men and lesbians and people based on sexual orientation. (see Planagan follow-up).
7. Turpin : See what information is available from other North American police departments about policing strategies in place dealing with anti-gay and lesbian motivated violence (Toronto, Vancouver, San Francisco, New York, Los Angeles, Boston)
8. Turpin : Ottawa Police assist in delivering pamphlet (community police stations, etc). Pamphlet also to include Gay Liaison phone number <sup>in the pamphlet, & Victim Assault Contact, too.</sup>
9. Turpin : Initiate a joint relationship between Ottawa and Hull Police Departments to address common problems concerning anti-gay and lesbian motivated violence. (Turpin to coordinate.) <sup>Request:</sup>
10. Police Commission : Ottawa Police Department to participate in subsequent Lesbian and Gay Pride Parades? Mounted patrol and bike patrol suggested; ~~also~~ full information booth set up after the parade. Other events during year suggested, too. Also agreed to see if we could do recruitment ad in GO INFO (Turpin to check) <sup>invitation to</sup> <sup>horses</sup>
11. Bickford : Increased police presence in areas of recent gay bashings in Ottawa-Hull. Bickford will try to deploy extra resources but noted that it is the busiest time, and location, in the entire city.

*Request to Board Police Services*  
 12. (Police Commission): A statement by the Ottawa Police Department recognizing the special needs of the gay and lesbian community similar to that issued by the Toronto Police Commission recently. ALGO/PTS to bring to their Board in August/September the statement to come to the Police Services Board in October.

→ It was also agreed that PTS, ALGO, and the Task Force and other groups (if possible) would invite Police Commissioners, would invite Councillors and/or the Mayor, would invite other officers to major gay and lesbian community events. It was noted that communications was a 2-way street. AMBA!