RACE-BASED DATA
AND THE COLLECTION OF DEMOGRAPHIC INFORMATION
WITHIN THE CRCC AND NSIRA

FINAL REPORT

Dr. Scot Wortley, PhD
Professor, Centre for Criminology and Sociolegal Studies
University of Toronto

Dr. Akwasi Owusu-Bempah
Associate Professor, Department of Sociology
University of Toronto

Jessica Bundy
Doctoral Candidate, Centre for Criminology and Sociolegal Studies
University of Toronto

Storm Jeffers
Doctoral Candidate, Department of Sociology
University of Toronto

October 3, 2023

Table of Contents

INTRODUCTION

Over the past several decades, criminologists have become increasingly interested in how race, gender, age, social class, and other civilian characteristics may impact the delivery of policing services. As such, there has been renewed discussion about the collection of demographic information on those who interact with law enforcement officials and the broader criminal justice system, The objective of this report is to provide the Civilian Review and Complaints Commission for the RCMP (CRCC) and the National Security Intelligence Review Agency (NSIRA) with the information, recommendations, and tools needed to potentially develop a high quality, state-of-the-art strategy for collecting race-based and other demographic data within their respective organizations. Specific report objectives include: 1) The identification of the potential uses (benefits) and misuses (consequences) of race-based data; 2) The identification of current data limitations within the CRCC and NSIRA; 3) The identification of both domestic and international best practices with respect to the collection, analysis, dissemination ,and retention of race-based data; 4) The identification of organizational challenges that may impact the collection of race-based data within the CRCC and NSIRA; and 5) The development specific recommendations for the collection, analysis and dissemination of race-based and demographic data within the CRCC and NSIRA.[1]

The tabling of Bill C-20 in May 2022 -- *An Act Establishing the Public Complaints and Review Commission and Certain Acts and Statutory Installments* -- underscores the growing importance of race-based data collection within Canadian policing and government agencies. Section 13 (2) of the Act stipulates that CRCC Annual Reports must "contain data about complainants, including disaggregated race-based data, in a form that prevents data obtained from being related to that person" (https://www.parl.ca/DocumentViewer/en/44-1/bill/C-20/first-reading/). The Act does not stipulate how race-based data should be collected, analyzed or disseminated. This document is designed to provide such guidance.

The argument put forth in this document maintains that the collection, analysis and dissemination of race-based data and other demographic information will help the CRCC and NSIRA achieve the following goals:

- Document the presence of different racial groups among civilian complainants and highlight racial disparities using different benchmarking techniques (i.e., census and adjusted census benchmarking, police/security contact benchmarking, arrest benchmarking, etc.).

- Document age, gender and other demographic disparities with respect to complaints.

---

[1] The focus of this report is on the collection of racial data – not data on ethnicity or ethnic identity. Race and ethnicity are distinct concepts. Historically, race is used to describe the physical characteristics or appearance of human beings. As such, racial classifications focus of visible physical characteristics including skin colour, hair texture, eye shape, etc. By contrast, ethnicity refers to cultural identity including country of origin, language, religion, and cultural traditions.

- Document whether racial and other demographic disparities vary by geographical region and over time.

- Document racial and other demographic disparities with respect to the types of complaints made against RCMP and NSIRA members.

- Document the frequency of complaints that include allegations of racial bias or other forms of discrimination.

- Document whether complaint investigation outcomes vary by racial group or other demographic variables.

- Document whether civilian satisfaction with the CRCC and NSIRA complaints processes varies by racial group or other demographic characteristics.

- Document whether racial disparities persist after controlling for other theoretically relevant factors including complainant age, gender, education, social class, region of residence, type of allegation, etc.

- Help evaluate the effectiveness of various anti-racism initiatives undertaken by the CRCC and NSIRA.

The report will also explore the extent to which the collection of race-based data within the CRCC and NSIRA will improve transparency and potentially increase community trust and confidence in the complaints process, the RCMP and Canada's national security agencies.

Report Outline

Part A of the report provides a literature review on the collection of race-based data across government sectors, with an emphasis on the criminal justice system and police oversight agencies. This review reveals that, while racial disparities in employment, education, child welfare, healthcare, and the criminal justice system have long been studied in the United States and other nations, Canadian research on the social impacts of race has only recently emerged. Furthermore, while a significant body of research has examined the impact of race on American police complaints processes, the research team could not locate a single published Canadian study.

Part B of the report reviews data collection practices across a broad sample of Canadian, American, British, and Australian civilian oversight practices. Our analysis reveals that, compared to their international counterparts, Canadian oversight agencies are much less likely to collect race-based data and other demographic information on both civilian complainants and subject officers. It is argued that Canada's almost nonexistent data collection practices have severely limited research and evaluation of civilian oversight agencies and prevented any meaningful investigation of racism and other forms of bias within policing.

Part C of the report presents the results of interviews with CRCC and NSIRA staff. The results reveal that most respondents are in favour of race-based data collection and the collection of other demographic information on both civilian complainants and subject officers. CRCC and NSIRA staff also have strong opinions with respect to how this data should be collected, analyzed, and disseminated to the public.

Part D of the report presents the results of interviews with members of the public familiar with the CRCC and NSIRA. In line with the findings of the staff interviews, the results suggest that most respondents are in favour of race-based data collection and the collection of other demographic information on both civilian complainants and subject officers. Members of the public raised important considerations with respect to the collection, analysis and release of race-based and demographic data.

Finally, Part E of the report provides a series of recommendations for how the CRCC and NSIRA can improve their data collection frameworks. Recommendations are also developed with respect to data retention, analysis, and dissemination.

PART A: LITERATURE REVIEW ON RACE-BASED DATA COLLECTION

Race and racism are extremely complex, sensitive, and controversial topics in both public policy and social research. In many Western democracies, views on race and racial classification have become polarized. In some nations, including the United States, academic and civic leaders have proposed that governments stop collecting data on race. Their argument is largely based on recent findings from the fields of physical anthropology and human molecular biology which suggest that, at the genetic level, the concept of race is insignificant (see Cohen 1998; Fitzgerald 2014). Opponents of race-based data collection argue, therefore, that if race is insignificant at the biological level, society should make all efforts to eliminate the concept of race from social discourse. They further maintain that the collection of race-based statistics reinforces the concept of race at the social level and actually perpetuates racial divisions and inequalities. In other words, research that incorporates the concept of race may help produce the consequences of thinking in racial terms (American Sociological Association 2003).

Other scholars and policy makers, however, totally disagree with calls to eliminate the collection of race-based statistics. They point to the fact that there is an enormous volume of social science research that effectively documents the significant impact that race has on major life outcomes: including employment, household income, housing, education, healthcare, and criminal justice decision-making (Henry and Tator 2005; American Sociological Association 2003; Fleras and Elliott 2002; Driedger and Halli 2000; Kallback and Kalbach 2000; Steinhorn and Diggs-Brown 1999). These studies illustrate how racial hierarchies and inequalities are embedded in daily life. Although race may be relatively insignificant at the biological level – sociological and criminological research suggests that it still has a huge impact within social systems. Thus, because of a growing research legacy that documents the continued importance of race and racism at the social level, many academics argue that the measurement of differential experiences, treatment, and outcomes across racial categories is necessary to track racial disparities, inform policymaking, and achieve social justice. This view is consistent with the idea that data documents racial disparity – it does not create it.

The American Sociological Association (ASA) – an association of over 13,000 American, Canadian and international sociologists – finds greater merit in this second argument. In a strongly worded policy statement, the ASA reports that:

Sociological scholarship on "race" provides scientific evidence in the current scientific and civic debate over the social consequences of the existing categorizations and perceptions of race; allows scholars to document how race shapes social ranking, access to resources, and life experiences; and advances understanding of this important dimension of social life, which in turn advances social justice. Refusing to acknowledge the fact of racial classification, feelings and actions, and refusing to measure their consequences will not eliminate racial inequalities. At best, it will preserve the status quo. The continuation of the collection and scholarly analysis of racial data serves both science and the public interest (American Sociological Association 2003: 1).

Support for the official ASA position can be found through an examination of jurisdictions that have traditionally refused to employ racial categories for administrative purposes or social

research. Evidence strongly suggests that the refusal to collect race-based data does not in any way eliminate the use of racial categories in everyday life or prevent racism from emerging within economic or social institutions. In France, for example, official information on race is almost never collected – but evidence of systemic racial discrimination is widespread (Galap 1991; Raveau et al. 1976). Indeed, the 1988 Eurobarometer revealed that, out of twelve European nations, France scored second in both anti-immigrant attitudes and racial prejudice (see Quillian 1995). Brazil provides a similar example. In the 1970s, Brazil's ruling party barred the collection of racial data in the national census, claiming that race was not a meaningful category for social measurement. This ban, coupled with government censorship, greatly restricted public discussion of racial issues. However, it did not reduce racial inequality. When racial information was once again collected in the 1980 census, analysis revealed much higher levels of poverty, lower levels of educational achievement, and poorer health outcomes for Brazilian citizens of African descent (Telles 2002).

RACE-BASED DATA COLLECTION IN CANADA

Prior to 1996, the Canadian Census did not directly collect information about the race of Canadian residents. Racial data could only be indirectly – and often inaccurately – estimated based on responses to "ethnicity" and "country of origin" questions. However, in 1996, the Canadian Census introduced a new question that asked respondents to directly identify whether they were the member of a "visible minority" group. The *Employment Equity Act* defines visible minorities as "persons, other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour."   Response options included: Chinese, South Asian, Black, Filipino, Latin American, Southeast Asian, Arab, West Asian, Japanese, Korean, Pacific Islander and Other Visible Minority. A note on the Census questionnaire informed respondents that this information is collected "to support programs which promote equal opportunity for everyone to share in the social, cultural and economic life of Canada." In addition, the Census Guide provided the following instructions for respondents of mixed racial heritage: "For persons who belong to more than one group, mark all the circles that apply. Do not report "bi-racial" or "mixed" in the space provided (Statistics Canada 2001; Mooney et al. 2005).

Thus, starting in 1996, combined with responses to the Census question on Indigenous or First Nations status, the Canadian Census was able to classify Canadians as belonging to one of twelve major racial groups:

1)   White or European
2)   First Nations (e.g., Aboriginal, Native, Inuit or Metis)
3)   Asian (including those who identified as Chinese, Korean or Japanese)[2]
4)   South Asian
5)   Black or African Canadian

---

[2] The census included separate response categories for Chinese, Japanese and Korean. This was done to address the fact that "race" and "ethnicity" are often viewed as the same concept in these communities. However, for purposes of analysis, it is common practice to combine these groups into a single "Asian" racial category.

6)   Southeast Asian [3]
7)   West Asian or Arab
8)   Latin American or Hispanic
9)   Filipino
10)   Pacific Islander
11)   Other (not otherwise specified)
12)   Mixed racial heritage

It should be stressed that Statistics Canada did a great deal of background research in preparation of the "race" question and put enormous thought into the creation of the twelve racial categories described above. Therefore, we can be quite confident that the twelve racial groups described above represent how the majority of Canadians racially classify themselves. Thus, it is recommended that all Canadian research into racial issues draw on the expertise of Statistics Canada and incorporate the above racial categories into project design. Furthermore, the use of Statistics Canada's racial categories will enable researchers to directly compare the results of their studies to national, provincial, and local Census projections. For example, by using the same racial categories, employers will be able to determine the extent to which the racial composition of their workforce matches the racial characteristics of the people living in the region. Similarly, by using the same racial categories, correctional officials will be able to determine the extent to which particular racial groups are over or under-represented within correctional populations. In sum, the use of the major racial categories developed by Statistics Canada is most likely to produce reliable and valid results.

Race Matters: Canadian Research

Since 1996, a growing body of Canadian research has documented that, as in the United States and many European nations, racial background is a significant predictor of important life outcomes and/or social indicators. For example, census data clearly indicate that, across Canada, Indigenous and Black residents, on average, have higher rates of unemployment, lower household incomes, and are more likely to suffer from inadequate housing. Indigenous and Black children are also more likely to live below the official poverty line (Statistics Canada 2020a; Statistics Canada 2019; Arriagada et al. 2020; Rotenburg 2016; Fang and Gunderson 2016; Aboriginal Affairs and Northern Development 2010; Attewell et al. 2010; Papillon 2015; Wilson and MacDonald 2010). Importantly, racial inequality with respect to economic outcomes appears to have increased, not decreased, over he past twenty years (see Banting and Thompson 2022).

Canadian research also indicates that racial background is an important predictor of educational attainment. Indigenous and Black Canadians, in general, receive lower grades and are more likely to experience school-related disciplinary issues than students from other racial backgrounds. They are also less likely to complete high school and earn a college or university

---

[3] Some have argued that the "Southeast Asian" category (which typically captures people of Vietnamese and Cambodian descent) can be collapsed into a more generic "Asian" category for purposes of statistical analysis. This is common practice when the number of people reporting a "Southeast Asian" racial background is small.

degree (see Turcotte 2020; George et al., 2020; James and Turner 2017; Prairie Research Associates 2021; Crievat 2019; Universities Canada 2019; Codjoe 2001). Recent studies have also revealed that race is an important predictor of involvement in the child welfare system. Indeed, Indigenous and Black children are significantly over-represented in child confiscations and foster care arrangements across the country (Robertson et al. 2022; Ma 2021; King et al. 2017; Ontario Association of Children's Aids Societies 2021; Ontario Human Rights Commission 2018; Trocme 2010). Finally, a growing body of research also reveals that race is an important predictor of negative health outcomes and access to high quality health care (Statistics Canada 2020b; Siddiqi 2017; Black Health Equity Group 2021; Pinto and Hapsari 2020; Canadian Institute for Health Information 2020; The Human Rights and Equity Office 2017). Clearly, despite a national reputation for multiculturalism and inclusion, these studies suggest that race "still matters" within Canadian society. As discussed in the next section, the importance of race is particularly evident within the Canadian criminal justice system.

Race and the Canadian Criminal Justice System

Following the 2020 murder of George Floyd at the hands of an American police officer, a global movement emerged calling for racial justice within law enforcement and the broader criminal justice system. As part of this movement, there have been increasing calls for the collection and dissemination of race-based data as a means of improving research, oversight, transparency, and system accountability. It must be stressed, however, that demands for race-based criminal justice data are not new within the Canadian context. Indeed, the issue was first subject to public debate in 1929 (Owusu-Bempah 2011). Furthermore, in the early 1990s, Statistics Canada was planning to collect race-based data – on victims, offenders, and witnesses -- from Canadian police services as part of their Uniform Crime Reporting (UCR) strategy. However, concerns expressed by a some community organizations, and a lack of compliance from several major police services, led to the cancellation of the initiative (Fine 1990). With regards to the cancellation, a member of the Toronto Police Board of Commissioners stated: "We haven't found at this point that there's any useful reason for gathering these statistics" (Fine 1990). As we will see, views about the collection and dissemination of race-based statistics on crime and criminal justice issues have changed dramatically since the 1990s

Formal and informal bans of the collection and dissemination of racial data in Canada has greatly curtailed research and policy development. The lack of data has also perpetuated the illusion, in some circles, that the Canadian justice system is free of the racial controversies and biases that have marked the American system. However, over the past few decades, various academics, journalists, and government inquires have gained access to race-based data for research purposes – often through freedom of information requests. The results of these studies indicate that there is cause for concern:

- A large volume of Canadian survey research demonstrates that Indigenous, Black, and other racialized communities have less trust and confidence in the police and broader justice system than members of the White majority. The majority of Black and Indigenous Canadians believe that racism is a major problem within the Canadian justice system (Wortley 1996; Wortley et al. 1997; O'Connor 2008; Wortley and Owusu-

Bempah 2009; Cao 2011; Doob and Sprott 2014; Wortley and Owusu-Bempah 2021; Wortley and Owusu-Bempah 2022). Importantly, perceptions of racial bias within the Canadian justice system have increased, not decreased, over the past twenty-five years (see Wortley and Owusu-Bempah 2022; Wortley and Owusu-Bempah 2021). The results of these quantitative studies are supported up by large volume of qualitative research (see Cole 2020) that further capture the impact of the justice system on racialized communities.

- A growing number of Canadian studies reveal that Black, Indigenous, and other racialized people are subject to much higher rates of police surveillance including police stop, question and search tactics (SQS), carding, traffic stops, street checks, and field interrogations. Racial disparities with respect to police surveillance practices – often referred to as racial profiling – directly contributes to the over-representation of racialized people in the justice system and erodes confidence in the police within minority communities (Wortley and Owusu-Bempah 2022; David and Mitchel 2021; Wortley and Owusu-Bempah 2021; Wortley 2019; Fearon and Farrel 2019; Wortley 2018; Doob and Gartner 2017; Meng 2017; Foster et al 2016; Price 2014; Hayle and Wortley 2014; Fitzgerald and Carrington 2011; Wortley and Owusu-Bempah 2011; Charest 2009; Tanovich 2006; Tator and Henry 2006; Wortley and Tanner 2005; Wortley and Tanner 2003).

- Research evidence reveals that Black and Indigenous people are grossly over-represented in police use of force incidents – including lethal police shootings and lower-level use of force cases (see Wortley et al. 2020; Carmichael and Kent 2015).

- Research suggests that Indigenous, Black, and other racialized people are significantly over-represented in police arrests and/or chargeable incidents. Documented racial disparities are greatest for minor, discretionary offences (i.e., drug possession, trespassing, disturbing the peace, administration of justice charges, etc.) than for serious violent offences (Owusu-Bempah et al 2021; Wortley 2021; Wortley and Yung 2020). Evidence also suggests that, among first-time offenders, racialized youth are more likely to be formally charged by the police and less likely to be offered a diversion program (Samuels-Wortley 2021).

- Preliminary research also suggests that, after controlling for criminal history and other legally relevant factors. Black and Indigenous people are more likely to be held in pre-trail detention and receive tougher sentences upon conviction (Owusu-Bempah and Gabbidon 2021; Kellough and Wortley 2002; Williams 1999).

Based on the findings above, it is not surprising that Indigenous and Black people are grossly over-represented within the Canadian correctional system. For example, in 2019, despite representing only 4.5% of the general population, Indigenous people represented 25.2% of Canada's federal correctional population and approximately 31% of those held in provincial detention facilities (Malakieh 2020). In other words, Indigenous people are 5.6 times more likely to be held in a federal correctional facility than their presence in the general population would predict. Similarly, although they represent only 3.3% of Canada's population, Black

people represent 7.2% of Canada's federal correctional population (Public Safety Canada 2020). In other words, Black people are 2.2 times more likely to held in a federal correctional facility than their presence in the general population would predict (see also Owusu-Bempah et al. 2021). A trend analysis reveals that Canada's prison population is becoming more racially diverse. While the number of White inmates in dropping, the proportion of inmates identified as Indigenous, Black, or other racial minority is increasing (Public Safety Canada 2020).

The findings presented above, in our opinion, clearly support the collection of race-based statistics. Although limited, the available Canadian data reveal significant racial disparities across various sectors including, employment, income, housing, education, child welfare, health, and criminal justice. In the next section we explore published research on race and complaints against the police.

Race and Complaints Against the Police and National Security Agencies

A significant body of research has explored the operation and impacts of police complaints systems (see reviews in Kwon and Wortley 2020; Terrill and Ingram 2016; Hickman and Poore 2016; Prenzler and den Heyer 2015; Schulenberg et al. 2017; Goodman-Delahunty et al. 2013; Wortley 2013; Dunn 2010; Kang and Nella 2009; Smith 2009; De Guzman 2008; Bobb et al. 2006; Livingston 2004; Brandl et al. 2001; Landau 2000; Waters and Brown 2000). Unfortunately, a thorough search of academic databases could not identify a single publication that addressed the issue of race and complaints filed against national security agencies. Thus, the discussion below is limited to police complaints systems. Nonetheless, we feel that many of the issues discussed below may also apply to security agencies.

The following is a summary of important findings that have emerged from research into police complaints systems:

- Only a small proportion of civilians who have negative experiences with the police will file a formal complaint.
- The vast majority of formal complaints against the police are unsubstantiated following investigation.
- A relatively small number of police officers are responsible for a high proportion of all complaints.
- Officers who are male, younger, and less educated produce a higher volume of complaints than those who are female, older, and more educated. Officers who engage in aggressive, proactive enforcement – as measured by police stop, search and arrest rates – are more likely to generate complaints than those who engage in more reactive policing.
- Most complainants are dissatisfied with the complaints process and view complaint investigations as unfair and lacking independence. Complainant dissatisfaction is unrelated to whether complaints are filed directly with the police or through a civilian oversight agency.
- Police officers express more satisfaction with the complaints process than civilians – a finding that reflects the fact that few complaints against police officers are substantiated.

Research on race and police complaints is quite limited and largely focussed on the American context. However, a few significant patterns have emerged. Firstly, studies consistently reveal that African American civilians are more likely to file formal complaints against the police than White people (see Rengifo and Fowler 2015; Terrill and Ingram 2016; Hickman and Poore 2016; Smith and Holmes 2014; Leiderbach et al. 2007; Pate, Fridell, and Hamilton 1993). Furthermore, Black people are more likely to file complaints involving serious allegations including the illegitimate use of force, false arrest, illegal searches, and racist language. By contrast, White people are more likely to file complaints regarding minor incidents including police incivility or rudeness. Importantly, Black people are over-represented in police complaints statistics despite having less confidence in law enforcement and police oversight systems (see Dunn 2010). Scholars have speculated that Black people are more likely to complain against the police because they are much more likely to be exposed to unwanted, involuntary police contacts including police stop, question and search incidents (SQF). Others argue that Black people are often forced to interact with police officers from other racial groups (i.e., White officers) and that they are sometimes aggravated by the racial overtones of these interactions. These critics argue that the racial diversification of police services may ultimately reduce complaints from the Black community (Riccucci et al. 2014).

The propensity for Black people to complain against the police should not be generalized to other racial minority groups. Although limited, a few studies indicate that other racialized populations may be less likely to file complaints against the police than White people. For example, American research indicates that Latino populations are less likely to file a complaint against the police because they have little trust in the complaints process, fear police retaliation, and worry that formal complaints may have a negative impact on their immigration status (Dunn 2010; Headley et al. 2020).

A few recent studies have investigated the impact of complainant race on investigation outcome. Most of these studies have found that complaints filed by Black civilians are significantly less likely to be substantiated than complaints filed by White complainants. For example, Headley and her colleagues (2020) investigated the outcomes of 3,487 complaints investigations involving the Chicago police between 2011 and 2014. After statistically controlling for type of allegation and other case characteristics, the authors found that Black complainants were 4.7 times less likely to have their allegation substantiated than White complainants. Similarly, complaints involving Hispanic civilians were 1.6 times less likely to be substantiated than complaints involving White civilians. Similarly, Terrill and Ingram (2016), in their multivariate analysis of complaint dispositions across eight American police services, found that complaints filed by Black civilians were less likely to be substantiated than complaints filed by White civilians (see also Leiderback et al. 2007).

Other studies have focussed on the race of police officers. In general, these studies find that both internal and external complaint rates for Black and other racialized officers are significantly higher than the rates for White officers (see Brandl et al. 2001; Hickman and Poore 2016; Terrill and Ingram 2016). This fact may reflect the fact that racialized officers tend to be younger and more likely to be assigned to disadvantaged, high crime communities (Brandl et al. 2001). Research also suggests that complaints against Black officers are more likely to be substantiated than complaints against White officers (Headley et al. 2020; Terrill and Ingram 2016). However,

Wright's (2020) study of complaints filed against the Indianapolis and New Orleans police departments found that complaints involving Black civilians and White police officers were more likely to be substantiated than complaints involving White civilians and Black police officers. Substantiation rates were lowest when both the complainant and the officer were of the same racial background.

Research on race and police complaints in Canada is almost non-existent. However, Kwon and Wortley's (2020) analysis of Toronto survey data found that most Black, Asian and White Canadians claim that they would file a complaint against the police if subjected to police verbal abuse or brutality. However, White respondents were significantly more likely to file a report than their Black and Asian counterparts. Furthermore, while White respondents were more likely to file complaints directly with the police, Black and Asian respondents were more likely to file their compliant through a lawyer or community agency. Regardless of race, few respondents stated that they would file a complaint through a civilian oversight agency. Finally, the overwhelming majority of respondents, regardless of race, believe that investigations into complaints against the police should be conducted by independent, non-police investigators.

As discussed in the next section of this report, only two police oversight agencies in Canada currently collect data on the race of civilians who file complaints against the police: the British Columbia Office of the Police Complaints Commissioner (BCOPCC) and the Ontario Office of the Independent Police Review Director (OIPRD). Only the BCOPCC has released race-based statistics in it's Annual Report (BCOPCC 2021). Our re-analysis of the BCOPCC data reveals that both Indigenous and Black people are over-represented amongst police complainants in British Columbia. For example, Black people represent less than 1% of British Columbia's total population (0.9%). However, they accounted for 6.5% of the 394 complaints filed to the BCOPCC during the 2020-2021 period. Similarly, Indigenous people account for 5.8% of British Columbia's population, but were represented in 8.3% of all complaints filed with the BCOPCC. Racial disparities also persist at the local level. Although Indigenous people account for only 2.2% of Vancouver's population, they were identified as the complainant in 8.8% of the complaints filed against the Vancouver Police Department. Similarly, although they represent only 1% of Vancouver's population, Black people account for 4% of all complaints levelled against the Vancouver police in 2020/2021. In other words, both Indigenous and Black people are four times more likely to be involved in complaints against the Vancouver police than their presence in the general Vancouver population would predict. Unfortunately, information from other Canadian jurisdictions is unavailable.[4]

In sum, although research on race and complaints against the police is relatively uncommon, and largely restricted to the United States, emerging findings reveal important racial disparities. Clearly, the collection of information on race within police oversight agencies is just as important as the collection of race-based data within the justice system and broader government sector.

---

[4] It is important to note that data on the race of complainants may soon be mandatory across Canada. For example, Bill C-20 explicitly demands that the CRCC must collect and report disaggregated race-based data on RCMP complainants (https://www.parl.ca/DocumentViewer/en/44-1/bill/C-20/first-reading/).

DISCUSSION

The studies presented above confirm that – as in other nations – race matters in Canada. The available data reveals that the racial background of Canadian residents predicts a wide range social outcomes including education, employment, socio-economic status, mental and physical health, child welfare, and involvement in the criminal justice system. Preliminary analysis suggests that race may also be an important factor with respect to complaints against law enforcement and the effectiveness of civilian oversight.

Importantly, after years of resistance and neglect, Canadian authorities are beginning to recognize the importance of race-based data collection. For example, with the passing of the provincial Anti-Racism Act, the Government of Ontario has established standards for the collection of race-based data collection in order to address systemic racism (https://www.ontario.ca/document/data-standards-identification-and-monitoring-systemic-racism/introduction). Race-based data collection is now mandated across government sectors including education, healthcare, child welfare, policing, and corrections.

The importance of race-based data collection has also been recognized and endorsed by the Government of Canada's Anti-Racism strategy (https://www.canada.ca/en/canadian-heritage/campaigns/anti-racism-engagement/anti-racism-strategy.html#a6d). The strategy explicitly states that:

> Better, more precise, and more consistent tracking, collection and measurement of data is necessary for any effective anti-racism effort. Through Building a Foundation for Change: Canada's Anti-Racism Strategy 2019–2022, the Government of Canada will invest $6.2 million to increase reliable, usable and comparable data and evidence regarding racism and discrimination. This includes working with Statistics Canada and the Centre for Gender, Diversity and Inclusion Statistics, and enhancing the collection of disaggregated data that can be broken down by meaningful categories of race and/or ethno-cultural origins, and the analysis of this data. The Strategy will also strengthen impact measurement and performance reporting. We will work to ensure that data is collected to measure how effective community programs and government initiatives are, and where the most impact is achieved.

Within the justice sector, Canada's Centre for Justice Statistics recently announced that it will begin to collect information on the racial background of both victims and offenders as part of it's Uniform Crime Reporting (UCR) strategy (CBC News 2020). The importance of race-based data collection is also being acknowledged by individual police services. For example, in August 2020, Interim Toronto Police Chief Jim Ramer recognized racial bias as an issue and stated that one of his top priorities would be to identify and eliminate systemic anti-Black racism, within the Toronto Police Service, through the collection of high-quality race-based data (Goodfield 2020). The Toronto Police Services Board also adopted a policy that will enable the collection of race-based data on police-civilian encounters. As stated by outgoing Chief Saunders, "At the end of the day, when we get this right, what we'll be able to do is identify and monitor potential systemic racism" (CBC News 2019).

Finally, as discussed above, Bill C-20 will make it mandatory for the CRCC to collect and disseminate disaggregated racial data on RCMP complainants (https://www.parl.ca/DocumentViewer/en/44-1/bill/C-20/first-reading/).

Clearly, during a period of racial reckoning, resistance to race-based data collection in Canada has diminished dramatically over the past few years. As a result of a thorough review of the research literature, and a series of consultations with community stakeholders, the Government of Ontario identified eight potential uses of race-based data that are consistent with anti-racism objectives (Jacobs, Foster, and Wortley 2017).

1) *Identifying Racial Disparities and Disproportionalities*: Race-based data is needed to determine whether racial disparities and disproportionalities exist or not. Race-based data can be used to document the extent of racial disparity/disproportionality across different sectors and changes in the level of racial disparity/disproportionality over time. Disaggregated race-based data can also document whether racial disparities/disproportionalities are greater for some racial groups than others. Importantly, the documentation of racial disparities and disproportionalities, via high quality data collection, can increase the probability that racial inequities will be acknowledged and treated seriously by policymakers, institutional stakeholders, and members of the public.

2) *Explaining Racial Disparities and Disproportionalities*: Once racial disparities/disproportionalities have been documented, researchers and policymakers can further use race-based data to examine the reasons behind observed racial inequities. Data collection and analysis can help test the validity of competing explanations and determine the primary causes of the racial disparities/disproportionalities under examination. Importantly, race-based data is needed to determine the extent to which racial differences in social outcomes are the result of systemic racism or other social factors. The identification of the most important factors or predictors of disparity can subsequently be used to inform policy development. In sum, it should be stressed that the collection and analysis of race-based data is not limited to the identification of racial disparities and disproportionalities. Such data can lead to a better understanding of why racial differences exist and what needs to be done to promote racial equity.

3) *Evidence-based Policy Development:* High quality data on the nature, extent and causes of racial disparities/disproportionalities can be used to identify ethno-racial groups in the greatest need of assistance and determine proper funding allocations. Data can also help identify the types of strategies that might have the greatest impact with respect to reducing racial disparities/disproportionalities and increasing social equality. Without such data, policymakers are making decisions without the evidence they need to make informed decisions. It should be noted that a lack of data at the policy development stage also increases the probability of ineffective program implementation and increases the risk that taxpayer money will be used in an inappropriate fashion.

4) *Anti-Racism Impact Assessments*: Race-based data are needed for the implementation of effective Anti-Racism Impact Assessments. Anti-racism Impact Assessments – much like environmental assessments – provide a systematic method, tool and process for examining how different racial and ethnic groups will likely be affected by a proposed policy action or decision. These assessments serve to as a means of predicting the difference between what would happen if a policy is implemented and what would happen without implementation. It is both a method (technique) for assessing the potential impacts of policy decisions and a process which informs how decisions are made. Anti-racism Assessments usually include a framework for research, community engagement and public reporting.

5) *Monitoring and Evaluation:* The collection and analysis of race-based data can assist in the development of evidence-based anti-racism policies and programs. However, the continued collection of such data is also needed to properly evaluate the effectiveness of anti-racism initiatives. Data can be used to establish baseline *indicators* of racial disparity and disproportionality, establish specific goals, objectives or *disparity reduction targets*, and determine whether goals or targets are reached or not. Evaluation results can subsequently be used to identify what works and what is ineffective with respect to addressing racism and reducing racial inequality. The results of evaluation research can also be used to identify program strengths and weaknesses and make effective anti-racism policies even better. Finally, evaluation results can be used to highlight effective practices and inform subsequent funding decisions.

6) *Increasing Accountability:* Race-based data can represent a form of accountability that may, in and of itself, reduce systemic racism and racial disparity. Through data collection and analysis, organizations may, for the first time, come to realize the racially disparate impacts of their traditions and practices. This may produce changes to organizational culture and behaviours that will reduce racial inequities. The potential release and public discussion racial data may also create incentives to develop and implement anti-racism policies and practices that are consistent with public expectations. Finally, data collection and monitoring may cause individuals to become more conscious of their own implicit and explicit prejudices and thus enable them to make decisions that are less likely to be racially biased.

7) *Increasing Transparency and Community Engagement*: Efforts to collect data on race-based outcomes indicate that governments and organizations are taking racial inequality and allegations of systemic racism seriously. It indicates a desire to both document and reduce systemic racism. Such efforts at transparency may serve to increase public confidence in the government and broader social system – especially among minority citizens. Improvements in the perceived legitimacy of the State, in turn, can increase levels of civic engagement and cooperation with government officials.

8) *Public Education***:** Race-based data collection should contribute to public education. Race-based data collection has the potential to educate people about the extent and nature of current racial disparities and disproportionalities in Ontario. Such data can also be used to educate the public about the negative impacts of systemic racism and how racial

inequities negatively impact minority groups and the broader society. Race-based data can also be used to increase public understanding with respect to the causes of racial inequality and how it might be reduced. Importantly, improving the public's level of knowledge about racial disparity and its root causes could ultimately increase public support for anti-racism policies, programs and initiatives.

It is, of course, important to recognize that some uses of race-based data may not be consistent with an anti-racism agenda. For example, it is possible that some members of the public may try to use available race-based data to promote racial stereotypes and justify racial discrimination. However, there is no research evidence to suggest that race-based data collection increases the prevalence of racist thinking within society or the promotion of racist ideologies. In fact, race-based data has often been used to challenge racial stereotypes and racist myths. In sum, with respect to anti-racism objectives, the available evidence strongly suggests that the potential benefits of race-based data far outweigh the potential consequences.

In the next section of the report we explore the extent to which race-based data collection has been adopted by police oversight systems.

PART B: DATA COLLECTION PRACTICES ACROSS POLICE SERVICES AND POLICE OVERSIGHT AGENCIES

In this section of the report, we compare the data collection practices – related to both complainants and subject officers – for 41 different police oversight agencies and police services. This sample includes 17 agencies from Canada, 19 from the United States, 3 from Australia and 2 from Great Britain. While this is a non-random sample, we feel that it represents most major complaint-receiving agencies in Canada and a good sample of major agencies in United States, Australia, and the UK. The findings reveal that while race-based data collection, and the collection of data on other demographic information, is quite rare in the Canadian context, it is quite common in other jurisdictions – particularly the United States (see Appendix B for the websites and complaints forms for each of the agencies identified in Table B1 and Table B2 below).

Data Collection on Complainants

Table B1 presents data on the types of complainant information collected by each of the 41 agencies in the sample. The findings reveal that age is the most collected piece of information amongst Canadian agencies. Nine of the seventeen agencies in the Canadian sample (53%) collect information on the age of complaints, eight agencies do not (47%). All nine agencies that collect information on age – including both the CRCC and NSIRA – ask complainants to report their date of birth. In other words, they do not directly ask respondents to report their age, but age can be calculated by comparing date of birth information with the date of the complaint incident. By contrast, 17 of the 19 American agencies in our sample (89%) collect and release information on the age of complainants – as do both British agencies (100%). None of the three Australian agencies currently collect information on complainants' age.

Only three of seventeen Canadian agencies (18%) collect information on complainants' gender. This is a rather surprising finding, considering previous research which suggests that the types of complaints filed against the police vary significantly by gender identity (Schuck and Rabe-Hemp 2016). It seems that such a gender-based analysis of complaints would be impossible within most Canadian jurisdictions. A lack of gender information is also surprising considering Canadian police services have long faced allegations of both sexism and sexual harassment (CRCC 2017). In comparison to Canadian agencies, 15 of the 19 American agencies in our sample (79%) collect information on complainant gender, as do both British agencies (100%). However, similar to the Canadian situation, the three Australian oversight agencies in our sample do not collect information on gender.

Only two of the nineteen Canadian oversight agencies included in our sample (11%) currently collect information on the race of those who file complaints against the police. These two agencies – the British Columbia Office of the Police Complaints Commissioner (BCOPCC) and the Ontario Office of the Independent Police Review Director (OIPRD) – have only recently begun to collect race-based data. Only the BCOPCC has released race-based statistics in it's Annual Report (BCOPCC 2021). By contrast, 17 of the 19 American agencies (89%) in our

sample currently collect and disseminate race-based data on complainants. The only two exceptions are the Seattle Office of Police Accountability and the Salt Lake City (Utah) Police Civilian Review Board. Race-based data on complainants is also collected by both British agencies in our sample (100%) and one out of the three Australian agencies (33%).

Except for age, gender and racial background, Table B1 reveals that police oversight agencies rarely collect information on other complainant characteristics. For example, no Canadian agency (0.0%), and only 3 of 19 American agencies (16%), collect information on complainants' sexual orientation. Similarly, only one of seventeen Canadian agencies (6%), and none of the American and Australian agencies (0%), collect information on complainants' religion. However, both British agencies (100%) do collect information on complainant religious background. Only a few agencies collect information on other demographic characteristics including employment status, disability, marital status, mental illness, pregnancy, and homelessness.

Finally, two Canadian (NSIRA, Quebec Human Rights Commission) and one American agency (NYC Civilian Complaint Review Board) ask respondents about the human rights grounds for their complaint. In other words, they directly ask complainants whether they believe their police treatment was caused or motivated by bias or discrimination related to their race, gender, religion, sexual orientation, or some other factor.

Data Collection on Subject Officers

Table B2 presents data on the types of demographic information collected on subject officers by the 41 police oversight agencies in our sample. The term "subject officer" is used to refer to the police personnel subject to civilian complaints. It must be stressed that we have only documented subject officer information that is either collected during the intake process or on complaints forms – or reported in Annual reports. It is quite possible that additional information on officer characteristics is collected and retained by some agencies – but not released to the public.

Our analysis reveals that even less information is collected about subject officers than is collected about complainants. For example, none of the 17 Canadian oversight agencies in our sample (0%) collect information on subject officer age, gender identity, race, education, years of experience, or type of police assignment. However, five Canadian agencies (29% of the sample) collect badge number data, and four (23%) collect information on officer rank. An additional three agencies (18%) ask complainants to describe subject officers – but no guidance about important descriptors is provided. In other words, complainants are not explicitly asked to describe the gender, age, or racial background of the officers involved in the complaint. Furthermore, the CRCC complaint form only asks complainants to provide a description of subject officers if they cannot identify the officer(s) by name.

In the United States, the collection of demographic information on subject officers appears equally scarce. Only two of the nineteen American agencies in our sample (11%) specifically collect data on officer race and gender, and only one agency collects data on officer age. None of the American agencies in our sample collected information on subject officer education, years

of experience, rank, or type of assignment. However, eleven American agencies (58%) collect data on badge numbers and seven (37%) asked complainants to provide a physical description of subject officers. None of the five Australian and British agencies in our sample collected demographic information on subject officers. However, 4 out of five agencies (80%) collected information about officer rank (80%), one collected badge number data, and one asks complainants to provide a physical description of subject officers.

Summary

The data presented in this section clearly indicate that Canadian police oversight agencies are much less likely to collect demographic information on civilian complainants than their American and British counterparts. It also appears that almost no information is collected on the demographic characteristics and work histories of police officers subject to civilian complaints. As such, Canadian agencies are far less able to conduct even rudimentary research on the characteristics of civilians who file complaints against the police and whether certain types of police officers or more or less likely to generate complaints than others. Canadian agencies also can't examine whether complaint types and case outcomes vary by officer and/or civilian backgrounds. Furthermore, the absence of race-based data and other demographic information greatly hinders the exploration of racism and other forms of bias within Canadian police services. However, the above review underscores that better data collection is possible. Many agencies in the United States – and to a lesser extent Great Britain – currently collect far superior data – data that has improved police accountability and transparency. In the next section of the report, we provide an analysis of how CRCC and NSIRA staff perceive current data collection practices within their respective organizations and whether those practices should be enhanced.

TABLE B1:
DEMOGRAPHIC INFORMATION COLLECTED ON COMPLAINANTS, BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Sexual Orientation	Religion	Education	Social Class	Immigration Status	Other
CRCC	Y	N	N	N	N	N	N	N	N
NSIRA	Y	N	N	N	N	N	N	N	Grounds
Military Police Complaints Commission of Canada	N	N	N	N	N	N	N	N	N
British Columbia – Office of the Police Complaints Commissioner	Y	Y	Y	N	N	N	N	N	N
Alberta – Law Enforcement and Oversight Branch	N	N	N	N	N	N	N	N	N
Alberta – Lacombe Police Commission	N	N	N	N	N	N	N	N	N
Alberta- Edmonton Police Commission	N	N	N	N	N	N	N	N	N
Alberta – Calgary Police Commission	Y	Y	N	N	N	N	N	N	N

DEMOGRAPHIC INFORMATION COLLECTED ON COMPLAINANTS, BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Sexual Orientation	Religion	Education	Social Class	Immigration Status	Other
Saskatchewan Public Complaints Commission	N	N	N	N	N	N	N	N	N
Manitoba - Law Enforcement Review Agency	Y	N	N	N	N	N	N	N	N
Ontario-Office of the Independent Police Review Director	Y	N	Y	N	Y	N	N	N	Disability
Quebec -Commissaire à la déontologie policière (Police Ethics Commissioner)	Y	N	N	N	N	N	N	N	N
Quebec -Commission des droits de la personne et des droits de la jeunesse (Human Rights and Youth Rights Commission)	N	Y	N	N	N	N	N	N	Grounds or Reason for Complaint

TABLE B1 (continued):
DEMOGRAPHIC INFORMATION COLLECTED ON COMPLAINANTS, BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Sexual Orientation	Religion	Education	Social Class	Immigration Status	Other
New Brunswick Police Commission	N	N	N	N	N	N	N	N	N
Prince Edward Island - Office of the Police Commissioner	N	N	N	N	N	N	N	N	N
NFLD- Royal Newfoundland Constabulary Public Complaints Commission	Y	N	N	N	N	N	N	N	N
Nova Scotia – Office of the Police Complaints Commissioner	Y	N	N	N	N	N	N	N	N
United States Capitol Police Office of Professional Responsibility	N	Y	Y	N	N	N	N	N	N
District of Columbia- Office of Police Complaints	Y	Y	Y	N	N	N	N	N	N

TABLE B1 (continued):
DEMOGRAPHIC INFORMATION COLLECTED ON COMPLAINANTS, BY POLICE SERVICE/CIVILIAN
OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Sexual Orientation	Religion	Education	Social Class	Immigration Status	Other
Michigan- Detroit Office of the Chief Investigator	Y	Y	Y	N	N	N	N	N	N
New York- NYC Civilian Complaint Review Board	Y	Y	Y	Y	N	N	N	N	Grounds, Race and Gender of Officers
Ohio-Wyoming Police Department Complaint Form	Y	Y	Y	N	N	N	N	N	N
California- San Francisco Department of Police Accountability	Y	Y	Y	N	N	N	N	N	Occupation
Washington – City of Seattle Office of Police Accountability	Y	N	Y	N	N	N	N	N	N
Missouri- St. Louis Metropolitan Police Internal Affairs Division & Civilian Oversight Board	Y	Y	Y	N	N	N	N	N	N
Texas Commission on Law Enforcement	Y	Y	Y	N	N	N	N	N	N

TABLE B1 (continued):
DEMOGRAPHIC INFORMATION COLLECTED ON COMPLAINANTS, BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Sexual Orientation	Religion	Education	Social Class	Immigration Status	Other
Texas- Austin Office of Police Oversight	Y	Y	Y	N	N	N	N	N	N
Oregon-Portland Independent Police Review	Y	Y	Y	N	N	N	N	N	N
Utah- Salt Lake City Police Civilian Review Board	N	N	N	N	N	N	N	N	N
Illinois- City of Chicago Civilian Office of Police Accountability	Y	Y	Y	N	N	N	N	N	N
New Mexico- Albuquerque Civilian Police Oversight Agency	Y	Y	Y	Y	N	N	N	N	Homeless at time of incident, Mental illness
Georgia-Atlanta Citizen Review Board	Y	Y	Y	N	N	N	N	N	Employer

TABLE B1 (continued):
DEMOGRAPHIC INFORMATION COLLECTED ON COMPLAINANTS, BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Sexual Orientation	Religion	Education	Social Class	Immigration Status	Other
Maryland- Civilian Review Board of Baltimore City	Y	Y	Y	N	N	N	N	N	Disability
Massachusetts – Boston Office of Police Accountability and Transparency	Y	Y	Y	Y	N	N	N	N	Pronouns
Minnesota, Minneapolis Office of Police Conduct Review	Y	N	Y	N	N	N	N	N	Employer/ Occupation
Hawaii- Honolulu Police Commission	Y	N	N	N	N	N	N	N	Y
Australia- Victoria Police	N	N	Y	N	N	N	N	N	Y
Australia- New South Wales Police Force	N	N	N	N	N	N	N	N	N
Australia Federal Police	N	Y	N	N	N	N	N	N	N
England-Independent Office for Police Conduct	Y	Y	Y	Y	Y	N	N	N	Pregnancy
England- West Yorkshire Police	Y	Y	Y	Y	Y	N	N	N	Marital Status, pregnancy, Disability

TABLE B2:

**DEMOGRAPHIC INFORMATION COLLECTED ON SUBJECT OFFICERS,
BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)**

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Education	Rank	Years Of Experience	Assignment	Other
CRCC	N	N	N	N	Y	N	N	Officer description if name not available
NSIRA	N	N	N	N	N	N	N	N
Military Police Complaints Commission of Canada	N	N	N	N	N	N	N	N
British Columbia – Office of the Police Complaint Commissioner	N	N	N	N	N	N	N	Badge #
Alberta – Law Enforcement and Oversight Branch	N	N	N	N	N	N	N	N
Alberta – Lacombe Police Commission	N	N	N	N	N	N	N	N
Alberta- Edmonton Police Commission	N	N	N	N	N	N	N	Officer description. Badge #

TABLE B2 (continued):
DEMOGRAPHIC INFORMATION COLLECTED ON SUBJECT OFFICERS,
BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Education	Rank	Years Of Experience	Assignment	Other
Alberta – Calgary Police Commission	N	N	N	N	N	N	N	Officer description, Badge #
Saskatchewan Public Complaints Commission	N	N	N	N	N	N	N	N
Manitoba - Law Enforcement Review Agency	N	N	N	N	Y	N	N	N
Ontario-Office of the Independent Review Director	N	N	N	N	N	N	N	Badge #
Quebec - Commissaire à la déontologie policière (Police Ethics Commissioner)	N	N	N	N	N	N	N	Badge #

TABLE B2 (continued):
DEMOGRAPHIC INFORMATION COLLECTED ON SUBJECT OFFICERS,
BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Education	Rank	Years Of Experience	Assignment	Other
Quebec - Commission des droits de la personne et des droits de la jeunesse (Human Rights and Youth Rights Commission)	N	N	N	N	N	N	N	N
New Brunswick Police Commission	N	N	N	N	Y	N	N	N
Prince Edward Island -Office of the Police Commissioner	N	N	N	N	N	N	N	N
NFLD- Royal Newfoundland Constabulary Public Complaints Commission	N	N	N	N	Y	N	N	N
Nova Scotia – Office of the Police Complaints Commissioner	N	N	N	N	N	N	N	N

TABLE B2 (continued):
DEMOGRAPHIC INFORMATION COLLECTED ON SUBJECT OFFICERS,
BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Education	Rank	Years Of Experience	Assignment	Other
United States Capitol Police Office of Professional Responsibility	N	N	N	N	N	N	N	N
District of Columbia- Office of Police Complaints	N	Y	Y	N	N	N	N	Officer description
Michigan- Detroit Office of the Chief Investigator	N	N	N	N	N	N	N	Badge #
New York- NYC Civilian Complaint Review Board	Y	Y	Y	N	N	N	N	Plain clothes or in uniform, on foot or in patrol car, officer description
Ohio-Wyoming Police Department Complaint Form	N	N	N	N	N	N	N	Vehicle #, Badge #

TABLE B2 (continued):
DEMOGRAPHIC INFORMATION COLLECTED ON SUBJECT OFFICERS,
BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Education	Rank	Years Of Experience	Assignment	Other
California- San Francisco Department of Police Accountability	N	N	N	N	N	N	N	Badge #, Physical description
California – City of Seattle Office of Police Accountability	N	N	N	N	N	N	N	N
Missouri- St. Louis Metropolitan Police Internal Affairs Division & Civilian Oversight Board	N	N	N	N	N	N	N	Badge #
Texas Commission on Law Enforcement	N	N	N	N	N	N	N	N

TABLE B2 (continued):
DEMOGRAPHIC INFORMATION COLLECTED ON SUBJECT OFFICERS,
BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Education	Rank	Years Of Experience	Assignment	Other
Texas- Austin Office of Police Oversight	N	N	N	N	N	N	N	Badge #
Oregon-Portland Independent Police Review	N	N	N	N	N	N	N	Badge #
Utah- Salt Lake City Police Civilian Review Board	N	N	N	N	N	N	N	Badge #
Illinois- City of Chicago Civilian Office of Police Accountability	N	N	N	N	N	N	N	N
New Mexico- Albuquerque Civilian Police Oversight Agency	N	N	N	N	N	N	N	Officer description, Badge #
Georgia-Atlanta Citizen Review Board	N	N	N	N	N	N	N	N

TABLE B2 (continued):
DEMOGRAPHIC INFORMATION COLLECTED ON SUBJECT OFFICERS,
BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Education	Rank	Years Of Experience	Assignment	Other
Maryland- Civilian Review Board of Baltimore City	N	N	N	N	N	N	N	Officer description, Badge #
Massachusetts – Boston Office of Police Accountability and Transparency	N	N	N	N	N	N	N	Officer description, Badge #
Minnesota, Minneapolis Office of Police Conduct Review	N	N	N	N	N	N	N	Badge #
Hawaii- Honolulu Police Commission	N	N	N	N	N	N	N	Officer Description
Australia- Victoria Police	N	N	N	N	Y	N	N	Badge #
Australia- New South Wales Police Force	N	N	N	N	N	N	N	N
Australia Federal Police	N	N	N	N	Y	N	N	N

TABLE B2 (continued):
DEMOGRAPHIC INFORMATION COLLECTED ON SUBJECT OFFICERS,
BY POLICE SERVICE/CIVILIAN OVERSIGHT AGENCY
(Y=Data Collected; N=Data Not Collected)

Name of Police Service or Civilian Oversight Agency	Age	Gender	Race	Education	Rank	Years Of Experience	Assignment	Other
England- Independent Office for Police Conduct	N	N	N	N	Y	N	N	N
England- West Yorkshire Police	N	N	N	N	Y	N	N	Officer Description

PART C: INTERVIEWS WITH CRCC AND NSIRA OFFICIALS

As part of the current investigation, the research team conducted a series of interviews with both CRCC and NSIRA officials. These interviews addressed a wide range of topics including whether the CRCC and NSIRA should collect racial and other demographic information about complainants, the objectives or purposes of data collection, strategies for collecting demographic data, whether the CRCC/NSIRA should collect demographic data and work history information about the officers involved in complaints, who should have access to data, how data should be stored and analyzed, and whether data should be disseminated to the general public (see Appendix D).

Interviews were conducted with a final sample of 35 respondents: 30 from the CRCC and 5 from NSIRA. Respondents were selected from a wide variety of work roles including intake officers, investigators, members of strategic operations and policy units, members of corporate services, communications personnel, and general counsel. Interviews were conducted between the beginning of February and end of March 2022. Interviews ranged from 35 minutes to 82 minutes in length (mean interview length=56 minutes). All respondents agreed to be tape recorded during their interview. All digital recordings were transcribed, by members of the research team, within two weeks of interview completion. Digital recordings were destroyed following transcription.[5]

Transcripts were analyzed using NVivo 12 qualitative research software by the research team. The team reviewed the transcripts for themes emerging from the interviews. These were compared to one another to identify the most salient points. Themes are presented below.

At the start of the interview, all respondents were ensured confidentiality (see Appendix A). As a result, in the findings presented below, respondents are only identified by the agency for which they work (i.e., the CRCC or NSIRA). They are not identified by their personal characteristics (i.e., age, gender, education, etc.), their work history (i.e., current position, years of service, etc.), nor are they quoted individually.

RESULTS

Support for Race-based Data Collection

The interview began with a few ice-breaking questions that focussed on the personal background (i.e., education) and work history of the respondent (i.e., current position, years of service, etc.). The focus of the interview then moved to the topic race-based data collection. All respondents were asked: "*Do you think CRCC/NSIRA should collect information about the race of complainants? Why or why not?*" The results indicate that 32 of the 35 respondents (91.4% of the sample) are in support of collecting information on the racial backgrounds of complainants.

---

[5] It should be noted that all 30 interviews with CRCC staff were conducted using a one-on-one (one interviewer, one respondent) format. By contrast, following a focus group discussion, NSRA officials provided written responses to the interview questions.

Only three respondents (8.6% of the sample) were against such data collection. Two of these three respondents work for the CRCC, one works for NSIRA. However, it should be noted that, although most respondents clearly supported the idea of race-based data collection, several expressed serious concerns about how to collect such data and the impact it could have on their organization.

Benefits of Race-Based Data Collection

All respondents – including the two respondents who were not in favour of collecting racial data – were asked the following question: "*What are the potential benefits or uses of race-based data? Why would CRCC/NSIRA want to collect this type of information?*" Respondents highlighted a number of different benefits including: 1) The ability to identify which racial groups are over-represented and under represented in overall RCMP/NSIRA complaints; 2) The ability to identify racial disparities with respect to different types of complaints; 3) The ability to document individual members who produce a disproportionate number of complaints from racialized civilians; 4) The ability to explore systemic bias and identify units, detachments or divisions that produce a high volume of complaints from racialized civilians; 5) The ability to determine whether racial disparities exist with respect to the complaints process and complaint outcomes; 6) The production of information that would help in the development of targeted community outreach efforts that could increase confidence in the complaints process; 7) The ability to develop special investigations or reviews that can examine possible racial discrimination; 8) Improved transparency that could serve to increase public trust in the complaints process; and 9) Information that could assist with the re-development of oversight practices and procedures.

The Perceived Dangers of Race-based Data Collection

All respondents were asked: "*In your opinion, are there any dangers associated with the collection of race-based data? Can this type of data be misused or misinterpreted?*" Several respondents indicated that they worry about the impact that race-based data collection will have on complainants. Some fear that asking about race and other demographic information could dissuade some civilians from filing a complaint. Other complainants, especially those who already believe the police are racially biased, may feel that the disclosure of racial background will compromise their complaint investigation. Other respondents expressed concern over the possibility that racial data could lead to biased complaint investigations. For example, if an investigator had a conscious or unconscious bias against a particular racial group, knowledge of complainant race could impact their objectively. Similarly, if a reviewer had a "pro-minority" orientation, knowledge of complainant's race could lead to bias against RCMP officers or other security officials.

A few respondents worried about the public release of racial data and how it might violate the privacy rights of complainants. Other respondents were concerned about the possible misinterpretation of racial data. Most respondents were quite vague when expressing this

concern and did not clearly articulate the type of data misinterpretation that they were worried about. However, a few respondents expressed concern that data, documenting the over-representation of minorities in complaints statistics, could be used to stigmatize RCMP members or unfairly label the RCMP as a racist organization. These respondents argued that racial disparities do not prove racial discrimination. Others worry that the over-representation of Indigenous and Black civilians in complaints statistics could reinforce stereotypes regarding race, crime, and police practices. Furthermore, some worried that minority complaints will be easily dismissed as unwarranted or vexatious and evidence that minorities play the "race card" as a way of discrediting the police and negating legitimate police activity.

Consequences for not Collecting Race-based Data

All respondents were asked: "*In your opinion, are there any potential consequences if CRCC/NSIRA decides NOT to collect race-based data?*" Two major consequences were identified. Firstly, not collecting race-based data would be missed opportunity to explore racial patterns and trends and potentially identify problems within the RCMP and Canada's security services. The second danger involves the reputation of the CRCC and NSIRA. In general, respondents felt that a decision not to collect racial data would undermine the credibility of these oversight agencies and hurt their reputation within racial minority communities. It would appear that the CRCC and NSIRA are not interested in issues of race and racism and, in fact, support some stakeholders' preference to ignore these issues.

Strategies for the Collection Race-based Data

After being asked to identify the potential benefits, and challenges, associated with race-based data collection, the interview turned to the issue of how race-based data should be collected. All respondents we asked the following series of questions: "*How should race-based data be collected? How can we obtain information about the race of complainants? Can you see any challenges with respect to asking citizens to report their race to CRCC/NSIRA? How can the purpose of racial data be explained to complainants?*" All indicated that the most practical, and feasible, strategy would be to collect information about complainants' racial identity during the intake process or on the complaint form. Asking complainants to self-identify, it was argued, would also produce more accurate racial data than relying on bystander perceptions. Self-disclosure is also the method used by Statistics Canada and would therefore contribute to more accurate Census-benchmarking. However, as discussed above, respondents widely acknowledged that requesting such personal information may be difficult. Some complainants might worry that personal information about their racial identity will be passed on to investigators and negatively impact the outcome of their case. Others may be offended or bewildered by the race question and thus refuse to provide this type of information. This would create a problem with respect to missing data and could ultimately compromise the quality of the racial data collected. As a result, all respondents felt that the reasons for collecting race-based data, and any other demographic information, must be effectively communicated to complainants. They stressed that complainants must be told that the provision of racial information is voluntary and refusal to identify race will not impact the investigation of their complaint. Furthermore, complainants must be informed that the data is being collected for research purposes, to fight racism, and ensure equity. Complainants must be informed that

personal data will remain with the CRCC and not be passed on to the RCMP or complaint investigators.

Alternate Methods for Measuring Complainant's Race

All respondents were asked the following questions: *"Besides asking complainants to report their race – is there any other way to collect racial data? Is it possible for CRCC/NSIRA officials to record the race of complainants – based on their own perceptions? Can race-based data be collected from police or security documents – including general occurrence reports? Are there any benefits to measuring race using different methods (i.e., self-report vs. official perceptions)?* The majority of respondents felt that alternative measures of race, besides self-identification, would be difficult, if not impossible to develop. All respondents, for example, indicated that it would not be possible for CRCC staff to make independent assessments of complainants' race because they rarely interact with complainants in person or over video feeds. Most respondents acknowledged that the RCMP already compiles racial descriptions of the civilians it interacts with, and that this data could provide an alternative measure of complainant racial background. Nonetheless, some respondents worried about the quality of such data and whether the RCMP would voluntarily release this information to CRCC officials. Nonetheless, a few respondents felt that the CRCC should try to acquire RCMP racial data and that the RCMP is legally required to provide it. These respondents felt that, when examining possible racial bias, it is the member's perception of a civilian's racial background that matters, not how a person identifies. These respondents felt that it would be interesting to compare RCMP racial designations with civilian self-identity. They also thought that the RCMP data might help with missing racial data.

The Collection of Additional Demographic Information

All respondents were asked: "In addition to race, do you think the CRCC/NSIRA should collect other demographic information on complainants? What other variables or characteristics should be measured? For example, should we collect information on ethnicity, immigration status or country of origin? How about religion, gender identity and sexual orientation? How about mental and/or physical disabilities? How about socio-economic status? How about criminal record?" Most respondents agree that, in addition to race, there are many other complainant characteristics that should be documented by the CRCC and NSIRA. Many of the these additional characteristics, identified by the respondents, are classified as grounds for discrimination by human rights organizations including: gender identify, sexual orientation, religion, disability status, language, immigration status, and socio-economic status. Although respondents acknowledged the importance of collecting more personal information, many expressed concerns about the burden it would place on complainants. Some fear that a longer intake process will cause frustration or stress and further dissuade people from filing complaints. Finally, a few respondents felt that it is unnecessary to collect information on the demographic characteristics of complainants. These individuals feel that the focus of the CRCC and NSIRA should be on the evidence associated with each case, not broader patterns or trends.

The Racial Background of RCMP, CSIS and CSE Members

The interview then shifted from discussing the collection of data on the characteristics of complainants, to collecting data on the characteristics of RCMP, CSIS, and CSE members. All respondents were asked: "*So far, we have only been talking about collecting racial information on civilian complainants. In your opinion, should we also collect racial information on the RCMP, CSIS, and CSE officials involved in complaint-related incidents?*" The results reveal that most respondents are in favour of collecting information on the racial background of RCMP members and other security officials. They feel that this would enable an enhanced examination of complaint incidents and help address important questions: 1) Do minority members receive more or fewer complaints than White members? 2) Are White members more or less likely to receive complaints from minority complainants than minority officers? 3) Do types of complaint vary by member race? 4) Do complaint outcomes vary by officer racial group? Others felt that community members will perceive a level of unfairness if the CRCC and NSIRA collect information on complainant race, but do not collect data on officer race. However, despite an acknowledgment that this information would be interesting and could contribute to knowledge about the complaints process, many respondents felt that it would be difficult, if not possible, to extract this information from the RCMP or Canadian security services.

The Collection of Data on Officer Demographics and Work History

Respondents were also asked about the collection of other demographic data about RCMP members and Canadian security officials involved in complaints investigations – including information about their work histories. All respondents were asked: "*Should the CRCC/NSIRA collect other information on the officers/agents involved in complaint-related incidents? How about gender and age? Years of experience? Rank or assignment?* Most respondents indicated that length of service is an important variable that should be included in any revised data collection strategy. Several commented that, in their opinion, less experienced officers, regardless of age, generate more complaints than veteran officers. Others stated that years of experience may impact possible remedies. For example, less experienced officers may require further training, while veteran officers might be subject to harsher discipline. Other characteristics, flagged as important, include officer gender, rank, and type of work assignment. Once again, respondents cautioned that, despite the potential importance of this type of information, it is likely that the RCMP, and other security agencies, will resist the release of this type of data.

Asking Complainants About Bias

In some jurisdictions, complaints agencies explicitly ask complainants if they feel that they have been a victim of racism or another form of bias. In order to address this issue, all respondents involved in this study were asked the following question: *Do you think CRCC/NSIRA should explicitly ask complainants if they believe that the treatment that led to their complaint was the result of racism or another form of bias? Should complaints be asked if they believe that they were the victim of discrimination?* Responses to this question reveal that asking about bias is a very contentious issue. Some respondents felt strongly that asking complainants about perceived

biases would produce better data and uncover the extent of racism within policing and national security systems. These respondents also felt that asking about bias would help those with lower levels of literacy express themselves. Some argued that asking this question might be more efficient and uncover cases of possible bias that otherwise would not be identified. Advocates also expressed that asking about possible racial bias would send the message, to Indigenous and racial minority communities, that Canada's oversight agencies are taking the issue of bias seriously. This could increase public trust in the CRCC and NSIRA. However, a significant number of respondents strongly expressed the opposite opinion: that this type of question should be avoided. These respondents argued that questions about potential bias are leading and may cause complainants to claim discrimination, even though they had not thought about bias before the question was asked. This, they maintained, would produce inaccurate statistics.

The Classification of Complaints

All respondents were asked: *How does CRCC/NSIRA identify or classify different types of complaints? How are complaints categorized or coded? Can this process be improved? Are new complaint categories required?* CRCC respondents were in general agreement that the current classification system for complaints needs to be revamped. Most felt that the CRCC should develop its own, unique complaint classification system and not rely on current RCMP practices. Several respondents also argued that the CRCC should classify complaints before the file is sent to the RCMP for investigation. Some maintained that the RCMP codes complaints in a manner that lacks detail and masks the seriousness of the allegations. Others maintained that the old classification did not properly identify allegations of racism or discrimination. For example, allegations of racist language might be labelled as 'inappropriate attitude." Such reclassification practices are inconsistent with the government's current focus on racial equity and the need to address the concerns of Indigenous and other minority communities. In contrast to CRCC respondents, NSIRA respondents stressed that their method for classifying complaints has been revised to include new categories – including allegations of discrimination.

Overall Impressions of CRCC/NSIRA Data Collection Practices

In the next stage of the interview, respondents were asked to give their overall impressions of CRCC/NSIRA data collection practices. All respondents were asked*: "In your opinion, what are the strengths and weaknesses of current data collection practices with respect to CRCC/NSIRA complaints? Do you have any other ideas or recommendations on how to improve the quality of data that is currently collected on CRCC/NSIRA complaints?* The answers to these questions reflect four major themes: 1) Data systems need to be upgraded in order to make data more accessible and to enable routine, high quality statistical analysis; 2) More information needs to be collected on the characteristics of complainants, the details of the allegation, and the characteristics of subject officers; 3) Due to literacy and internet access issues, the intake process needs to include an option to file a complaint over the phone; and 4) The CRCC and NSIRA need to rely less on information collected and coded by the RCMP and other security agencies, and more on the collection of their own data.

Reporting Data to the Public

The interview concluded by examining the issue of data reporting. All respondents were asked: "*Should race-based information, and other demographic data, be reported to the general public? For example, should racial data be released in CRCC/NSIRA annual reports? Why or why not? Do you have any suggestions for how this type of information should be disseminated or released?*" Almost all respondents endorse the release of race and demographic characteristics, either in annual reports or on CRCC/NSIRA websites. Some respondents highlighted that it would be problematic to ask complainants for this type of data, then not release it to the public. Others stressed that the data must be released as a means of ensuring transparency and promoting public trust. However, most respondents argued that, prior release, the data first needs to be validated and subject to a sophisticated analysis. This data cannot be released without context and an explanation of what the information means. The strengths and limitation of the data must be discussed.

SUMMARY

Interviews with CRCC and NSIRA staff members yielded a number of important findings that can help guide the development of a revised data collection strategy:

- All NSIRA staff, and all but two CRCC staff, believe that it is important to collect information on the racial background of complainants. Those who oppose race-based data collection expressed that race should only be documented if it is central to the complaint narrative. In other words, the civilian has made a explicit complaint about racism or discriminatory treatment;
- Respondents identified a number of objectives associated with the collection of race-based data including: a) the ability to examine the over-representation and under-representation of different racial groups in the complaints system; b) an analysis of whether complaint types vary by race; and c) an analysis of whether case outcomes vary by race. Race-based data, it was argued, could also increase transparency, assure diverse communities that the CRCC and NSIRA are taking racial issues seriously, and increase trust in Canada's oversight agencies;
- Respondents identified a number of other complainant characteristics that, under ideal circumstances, should be documented by the CRCC and NSIRA. These additional variables include age, gender identity, religion, language, ethnicity, sexual orientation, education, socio-economic position, immigration status, and criminal history;
- While most respondents were in favour of collecting racial background and demographic information about complaints, they also acknowledged that the collection of this type of data may present challenges;
- Most respondents felt that race and demographic information should first be collected during the intake process or on the complaint form. A process should be developed in which complainants are asked to self-identify their racial background and other characteristics. Most felt that self-identification would yield the most accurate data. The

views of respondents were largely consistent with the principles set forth in Bill C-20. As discussed above, if passed, Bill C-20 will make it mandatory for the CRCC to collect and report disaggregated racial data on RCMP complaints (https://www.parl.ca/DocumentViewer/en/44-1/bill/C-20/first-reading/).

- Several respondents, however, expressed concern that some respondents might be uncomfortable providing their personal information to a government organization or fear that their information will be passed on to the RCMP or another security agency. Some felt that these concerns might prevent some civilians from filing a complaint. To deal with this issue, all respondents felt that the purpose of data collection needs to be effectively communicated to complainants. Complainants must also be informed that this data is for research and equity purposes only, and will not be provided to the RCMP or the people who will be investigating their complaint;

- Several respondents felt that it would be interesting to acquire information from the RCMP and other security agencies with respect to how they document the race and demographic characteristics of complainants. Not only would it be interesting to compare how members classify complainants with how complainants self-identify, it would also decrease the amount of missing data;

- In general, respondents were also in favour of collecting demographic data on the RCMP members and security officials subject to CRCC/NSIRA complaints. Most felt this would enable an analysis of what types of members are generating what types of complaints from what types of complainants. For example, do White members generate more complaints from BIPOC civilians than minority officers? Do BIPOC officers generate more complaints from White civilians than White members? Are case outcomes impacted by member characteristics? While most respondents felt that it would be valuable to have information on member characteristics, all felt that it would be very difficult to extract this information from the RCMP and security agencies;

- Many respondents felt that the categories used by CRCC need to be redeveloped. It was felt that the CRCC relies too heavily on how the RCMP classifies allegations. It was also felt that the RCMP classification of offences often obscures the seriousness of the allegations and completely masks allegations of racism and discrimination;[6]

- Respondents were split with respect to asking complainants if they felt their complaint stemmed from racism or other types of bias. Some felt that such questions are leading and would cause some complainants to allege racism when, in reality, they had not thought about the issue. Others felt that such questions would help people articulate their feeling and would be helpful to those with limited literacy;

- With the exception of two CRCC respondents, all felt that, if race and demographic data are to be collected, this information must be available to the general public. Most felt that the data would best be reported in annual reports or special investigative documents. A few felt that the data should be de-identified and released to the public for independent review and analysis. All felt that the release of the data must be accompanied by a

---

[6] The CRCC's 2022 review of the RCMP's Bias-Free Policing Model recommended that the RCMP include a new complaint category that would explicitly capture allegations of bias and/or discrimination. The RCMP has accepted this recommendation (https://www.crcc-ccetp.gc.ca/en/review-rcmps-bias-free-policing-model-report/). Importantly, NSIRA already has a mechanism to report allegations of bias or discrimination.

narrative that highlights the strength and limitations of the analysis and a discussion of how the data can be interpreted;[7]

- Most respondents felt that, to improve data collection and analysis, a new, more efficient data management system is required. This new system should make it easier for staff to quickly extract required data. The current data was seen as far to complex and inefficient;
- Most respondents felt that the current, online complaint reporting system is biased in favour of people who have strong internet connections, are comfortable reading forms, and are have the writing skills necessary to provide the details of their interactions. The system, by contrast, is biased against marginalized people and those with lower levels of literacy. Some recommended, therefore, that the option to file a complaint over the phone, with an intake officer, should be returned to the oversight system. This would assist those who are more comfortable with verbal communication than written means of expression.

The views of CRCC and NSIRA staff have provided valuable insight into the collection, analysis and release of race-based and demographic data. The next section of the report examines public perspectives on this important issue.

---

[7] It must be stressed that, if passed, Bill C-20 will make it mandatory for the CRCC to collect and report data on the disaggregated racial characteristics of complainants (https://www.parl.ca/DocumentViewer/en/44-1/bill/C-20/first-reading/).

PART D: INTERVIEWS WITH COMMUNITY MEMBERS FAMILIAR WITH THE CRCC, NSIRA, AND RESPECTIVE AGENCIES

As part of the current investigation, the research team also conducted a series of interviews with members of the public familiar with CRCC, NSIRA, RCMP, CSIS, and CSE. Following a modified format of the interview guide for CRCC and NSIRA officials, presented in Part C, the questions posed to members of the public addressed a wide range of topics including whether the CRCC and NSIRA should collect racial and other demographic information about complainants, the objectives or purposes of data collection, strategies for collecting demographic data, whether the CRCC/NSIRA should collect demographic data and work history information about the officers involved in complaints, who should have access to data, and whether data should be disseminated to the general public (see Appendix D).

Public consultations are of paramount importance in the development of a race and identity-based data collection, analysis, and reporting strategies. In a society where issues of race and identity are complex and sensitive, engaging the public in the process ensures inclusivity, transparency, and accountability. Indeed, by soliciting diverse perspectives, data collection, analysis and reporting strategies can be developed that are sensitive to concerns and experiences of those most affected by police and national security practices. This approach can serve to foster greater trust and confidence as it demonstrates a genuine commitment to understanding and addressing potential biases or systemic discrimination. Furthermore, public consultations offer an opportunity to educate the community about the importance of data-driven decision-making, fostering a shared responsibility in addressing issues of inequality and the promotion of fair and just policing and national security practices. Involving the public in shaping such a strategy is not only a demonstration of democratic values but also enhances the legitimacy and effectiveness of the entire complaints process. Ultimately, the insights gained through these consultations serve to contribute to the creation of a more accountable, responsive, and equitable policing and national security environment.

To this end, a total of 33 respondents were interviewed: 22 focused specifically on the CRCC and 11 on NSIRA. Efforts were made to recruit participants who had familiarity with either the CRCC or NSIRA and who work with groups disproportionately subject to the attention of police and national security agencies. The respondents are diverse in terms of their professional backgrounds, with about half from the legal profession including lawyers working in the area of immigration, human rights, and criminal law. Other respondents work in areas such as research, journalism, social work, and advocacy. Respondents are also diverse with respect to age, ethnicity, religion, race, sexual orientation, gender identity, and region from Canada where they live and work. Interviews were conducted between the end of December 2022 and end of May 2023. Interviews ranged from 20 minutes to 47 minutes in length (mean interview length=26 minutes). The interviews were audio recorded, and subsequently transcribed. Digital recordings were destroyed following transcription.

Transcripts were analyzed using NVivo 12 qualitative research software by the research team. The team reviewed the transcripts for themes emerging from the interviews. These were compared to one another to identify the most salient points. Themes are presented below.

All respondents provided informed consent and were ensured confidentiality (see Appendix D). As a result, in the findings presented below, respondents are only identified by the agency with which they are familiar (i.e., CRCC or NSIRA) and asked to provide their perspective on. They are not identified by their personal characteristics (i.e., age, gender, education, etc.), by their previous or current occupation, nor are they quoted individually.

RESULTS

Support for Race-based Data Collection

The interview commenced with questions that focused on the personal background (i.e., education and personal characteristics) and work history of the respondent (i.e., current position, experience working with different racial, ethnic and religious groups, etc.). The focus of the interview then moved to the topic of race-based data collection. All respondents were asked: "Do you think CRCC/NSIRA should collect information about the race of complainants? Why or why not?" The results indicate that the vast majority of respondents are in support of collecting information on the racial backgrounds of complainants. Respondents noted that collecting data could allow organizations to identify systemic issues, reaffirm and validate the experiences of groups that believe they are subject to unfair practices and to develop practices and policies to address systemic issues. Furthermore, respondents felt such data could ensure fairness, timeliness, and accessibility are embedded in the complaints process, increase trust between communities and RCMP/CSIS/CSE, and ensure organizations remain accountable to the public. Only one respondent opposed such data collection.

While most respondents clearly supported the idea of race-based data collection, all raised questions about how to collect such data and the impact it could have on people interacting with the organization. Respondents frequently raised the point that the race-based data collected may not accurately reflect everyone who had grounds to make complaints, as some people who could file a complaint choose not to. As highlighted in the literature review presented in Part A, reasons for filing a complaint or not may be shaped by 1) prior experiences with authority figures; 2) perceptions of fairness and timeliness in the process; and 3) accessibility. These reasons were all asserted to be impacted by the race of the individual (as well as other demographic factors). For example, respondents noted that Black, Indigenous, and Muslim people may be more likely to have had many particularly negative interactions with authority figures, to hold perceptions that law enforcement, national security, and intelligence agencies are unfair, to believe that the process will take a long time (and likely not end with a result in their favour), and may be more likely to have issues accessing the complaint process (because of a lack of time, lack of internet access, lack of computer or suitable mobile device, lack of knowledge about the process, etc.).

On the other hand, it was suggested that White people might be more likely to file complaints because they may be more likely to have had positive experiences with authority figures, to hold perceptions that law enforcement, national security, and intelligence agencies are fair (and as

such negative interactions need to be addressed to re-establish fairness in the process), and may be less likely to have issues accessing the complaints process. This means that certain people are more and less likely to make a complaint, even if they had a very negative experience, and this is shaped by demographic characteristics and past experiences. Likewise, respondents noted that increases and decreases in complaints filed by specific groups may be shaped by shifting priorities held by the RCMP, CSIS, and CSE. All of this together suggests that while most members of the public who were interviewed see the value in collecting race-based data, any analyses or interpretation must be conscious of not just the demographic characteristics of people who file complaints, but also the characteristics of those who do not. Further, efforts should be made to ensure that the complaint process can be equally accessed by all individuals with legitimate grounds to file complaints.

Benefits of Race-Based Data Collection

All respondents were asked their views on the following question: "*What are the potential benefits or uses of race-based data? Why would CRCC/NSIRA want to collect this type of information?*" In line with the views of CRCC and NSIRA representatives, the respondents identified a number of important benefits including: 1) The ability to identify whether racial groups and other demographic groups (ethnic, religious, gender, etc.) and are over-represented and under-represented in CRCC/NSIRA complaints; 2) The ability to identify racial and other demographic disparities with respect to different types of complaints; 3) The ability to document individual members (i.e. RCMP, CSIS, CSE members) who produce a disproportionate number of complaints by civilians from specific racial and other demographic groups ; 4) The ability to explore systemic bias and identify units, detachments or divisions that produce a high volume of complaints from civilians from specific racial and other demographic groups; 5) The ability to determine whether racial and other demographic disparities exist with respect to the overall complaints process, attrition in the complaint process (i.e. withdrawals at every level of the complaint process), and complaint outcomes; 6) The production of information that would help in the development of targeted community outreach efforts that could increase confidence in the complaint process and reduce barriers to accessing the complaints process; 7) The ability to develop special investigations or reviews that can further examine possible racial discrimination and other types of bias; 8) The ability to assess whether new system-wide policies, operational practices, training, hiring practices, employment positions, or internal bodies should be developed by the RCMP, CSIS, and CSE to improve the quality and nature of interactions with members of the public, relationships with specific communities, and in the complaints process itself; 9) Improved transparency that could serve to increase public trust in the RCMP, CSIS, and CSE as organizations in general and in respect to the complaints process in particular; 10) Improved transparency that could provide the public with tools to advocate for greater accountability from the RCMP, CSIS, and CSE to operate in a fair, equitable, and meaningful way in general and with respect to the complaints process; and 11) Information that could assist with the re-development of CRCC/ NSIRA practices and procedures.

The Perceived Dangers of Race-based Data Collection

In addition to the perceived benefits of race and demographic data collection, we were also interested in understanding the perceived risks associated with collecting this type of

information. To this end, all respondents were asked: "*In your opinion, are there any dangers associated with the collection of race-based data? Can this type of data be misused or misinterpreted*?" Respondents expressed many different concerns, and in general- responses to this question were the most detailed and lengthy of all the questions asked. The perceived dangers can be categorized into 5 distinct types. The majority of these concerns were formed on the basis of respondents' direct experience with the RCMP, CSIS, CSE, CRCC, and NSIRA (and SIRC) organizations, or indirectly through research (governmental/ academic/legal), news (print/ interview/video), and other media (podcasts) documenting the experiences members of the public have had with the organizations. Several respondents-based concerns on observations made with respect to how the process of demographic data-collection has unfolded within *other* sectors of government. As outlined below, respondents' concerns were particularly related to the data collecting being transferred back to the agency responsible for generating the complaint (e.g., RCMP/CSIS/CSE). These concerns include the following:

- Concerns about the ability of the CRCC and NSIRA to collect race-based data in a careful, transparent, sensitive, and nuanced manner. Prior experience with other government agencies reduced trust and confidence in this respect;

- Concerns about the danger of potentially giving powerful policing and national security/ intelligence bodies more access to personal information than they already have, which was perceived by respondents to be giving the organizations more power to harm people and communities;

- Concerns relating to the need to establish and adhere to an intentional and strict framework and set of rules regarding the limits of how the data is to be used, who gets the access to use it, how data analysis is to be carried out, rules for analysis, and limits on how long data should be retained in individual files, and how data should be shared. Respondents noted that data collection should be used to ensure that everybody is treated equitably and with dignity, regardless of their background; to identify and meaningfully tackle systemic racism and discrimination; and to facilitate relationship-building between the RCMP, CSIS, CSE and the public;

- Concerns that the public, news outlets, and media would purposefully or unwittingly misinterpret the race-based data that is released and use it for political motives, to perpetuate stereotypes, increase unconscious and conscious bias, and increase community harm against specific groups. These were noted by participants to potentially impact hiring practices in the labour market and life outcomes in other areas of social life;

- Concerns that data will be collected, but that it would not used in ways that improve the general functioning of the organizations, the interactions that civilians have with these organizations, and the service offered to communities. It was noted when data is collected for the sake of doing so without the appropriate use of the data, this functions as performative progress which incorrectly signals that institutions are working to address issues stemming from discrimination. Collecting this data was noted to be only a first step. Respondents who shared these ideas noted that people, especially Indigenous, Black, Muslim, and other marginalized visible minority groups may be experiencing

"research fatigue" and feel "over-researched" from a history of participating in raced-based data collection without seeing any benefit of doing so.

Consequences for not Collecting Race-based Data

All respondents were asked: *"In your opinion, are there any potential consequences if CRCC/NSIRA decides NOT to collect race-based data?"* Three major consequences were identified. First, not collecting race-based data would be a missed opportunity to explore racial patterns and trends and potentially identify problems within the RCMP and Canada's security services. This was discussed as important because respondents believed that if race-based data was collected, it would inevitably reveal biases across the treatment of racial, ethnic, religious, gender, and other kinds of groups. This belief stemmed from direct experience, news, and media discussions of the RCMP, CSIS, and CSE, in addition to research on policing and surveillance that *have* collected race-based data and found evidence of disparities in racial profiling, harassment, random secondary screening, over-policing, etc. Respondents noted that a decision to not collect data would also mean that the CRCC, NSIRA, are falling behind an ever-increasing number of policing, education, governmental, and health care institutions in Canada and elsewhere that have begun collecting race-based data in order to better service the public.

Second, respondents claimed that not collecting race-based data could contribute to mistrust and a lack of faith that people; and specifically, people from minority communities, may already have about policing and intelligence organizations in Canada. Some respondents declared that implicit in the decision to not collect this data is a belief that race is not a factor shaping people's experiences with law enforcement and national security agencies, and with the complaints process.

Third, some respondents suggested that not collecting this data could be viewed as purposeful ignorance. They shared that a decision to not collect this data provides a "shield" to protect national security agencies from scrutiny from researchers, lawyers, journalists, and other members of the public.

Strategies for Collecting Race-based Data

After being asked to identify the potential benefits and challenges associated with race-based data collection, the interview turned to the issue of how race-based data should be collected. All respondents were asked the following series of questions: *"How should race-based data be collected? How can we obtain information about the race of complainants? Can you see any challenges with respect to asking citizens to report their race to CRCC/NSIRA? How can the purpose of racial data be explained to complainants? "Besides asking complainants to report their race – is there any other way to collect racial data? Is it possible for CRCC/NSIRA officials to record the race of complainants – based on their own perceptions?"* Four considerations emerged:

- Respondents supported having complainants self-disclose their race and other demographic characteristics. Most respondents indicated that the most practical and

feasible strategy would be to collect information about complainants' racial identity during the intake process or on the complaint form. It was argued that asking complainants to self-identify would produce more accurate racial data than relying solely on perception data;

- Respondents asserted that given the risks discussed above about how race-related questions may seem "intrusive", they felt that self-disclosure of race *must* be voluntary and based on the premise of informed consent. Reasons to not share one's race were that complainants might feel that sharing details about their identity could weaken the validity of their complaint. They also highlighted that sharing information about race might feel burdensome and complainants may not answer demographic questions. This would create a problem with respect to missing data and could ultimately compromise the quality of the racial data collected. As a result, all respondents felt that the reasons for collecting race-based data and any other demographic information, must be effectively communicated to complainants. They stressed that complainants must be told that the provision of racial information is voluntary and refusal to identify race will not impact the investigation of their complaint. Furthermore, complainants must be informed that the data is being collected for research purposes, to fight racism, and ensure equity;

- Most respondents noted that another important strategy for the collection of race-based data is that observed or perceived race (and other demographic characteristics) of the complainant should be noted by the RCMP officer, intelligence officer, or other employees named in the complaint and this should be part of the race-based data collected. In fact, some noted that if complaints are being filed on the grounds of racial discrimination, that the observed/perceived race of the complainant would be *more* important than how the complainant self-identifies.

- Respondents felt that collecting *both* self-disclosed and observed/perceived demographic characteristics would help to identify which errors were most likely to be made and misperceptions could help to develop new identification training about race, culture, religion, nationality, ethnicity, and other demographic characteristics.

The Collection of Additional Demographic Information

All respondents were asked: *"In addition to race, do you think the CRCC/NSIRA should collect other demographic information on complainants? What other variables or characteristics should be measured? For example, should we collect information on ethnicity, immigration status or country of origin? How about religion, gender identity and sexual orientation? How about mental and/or physical disabilities? How about socio-economic status? How about criminal record?"* All respondents stated that, in addition to race, there are many other complainant characteristics that should be collected by the CRCC and NSIRA. Many of the additional characteristic identified by the respondents are classified as grounds for discrimination by human rights organizations including gender identity, sexual orientation, religion, disability status, language, immigration status, and socio-economic status. Other categories respondents noted might be included are whether complainants live in rural or urban areas or whether Indigenous people come from a self-determining nation. Respondents shared that this

information could assist with the complaints process and assessing the extent to which discrimination takes place, highlighting that intersectionality is important to understand how people are treated by institutions. Other demographic information can also be used to better understand issues around access and barriers to the complaint process. Moreover, this information might be used to improve complainant's experience with the complaint process by potentially matching complainants with employees that are socially similar. An example shared was that a woman who reports being assaulted by a male employee of the RCMP, CSIS, or CSE might be more forthcoming about their experience if the investigator assigned to handle their complaint was also woman.

Though all respondents said other demographic characteristics should be asked, some respondents expressed concerns about the burden that being asked about additional demographic characteristics would place on complainants. They feared that a longer intake process could cause frustration, stress, and further dissuade people from filing complaints. To address this, efforts should be made to increase access and reduce fatigue individuals might feel by ensuring the process is as timely, fair, and efficient as possible.

The Collection of Racial Background, Officer Demographic Characteristics, and Work History of RCMP, CSIS and CSE Members

Following the series of questions relating to the collection of information about complainants, the interview shifted to focus on the collection of data on the characteristics of RCMP, CSIS, and CSE members. All respondents were asked: "*So far, we have only been talking about collecting racial information on civilian complainants. In your opinion, should we also collect racial information on the RCMP, CSIS, and CSE officials involved in complaint-related incidents?*" *Should the CRCC/NSIRA collect other information on the officers/agents involved in complaint-related incidents? How about gender and age? Years of experience? Rank or assignment?"* The findings indicate almost unanimous support among respondents for the collection of information on the background of RCMP members and national security officials. In addition to race, respondents felt that information about religion, nationality, age, gender identity, nature of work assignment, number of transfers, regional considerations (rural/urban), history of misconduct/complaints, and length of time on the job were also important to collect. Respondents shared that because complaints are based on interactions, if demographic characteristics of complainants are relevant, then demographic characteristics of officials are also relevant. Collecting this data was noted to be a fair approach to the process that would increase transparency. It could also help investigators/reviewers make sense of dynamics that shaped how the interaction unfolded.

Asking Complainants About Bias

As noted above, in some jurisdictions, police complaints agencies explicitly ask complainants if they feel that they have been a victim of racism or another form of bias. To interrogate this issue respondents were asked the following question: *Do you think CRCC/NSIRA should explicitly ask complainants if they believe that the treatment that led to their complaint was the result of racism or another form of bias? Should complainants be asked if they believe that they were the victim of discrimination?* Most respondents provided support for asking these questions, while a

small number felt they are leading and should not be asked. A small number of respondents were also conflicted – unsure whether this line of questioning is a good idea or not.

Those participants who were in favor of posing these questions felt strongly that asking directly about bias could enhance the quality of data collected and help reveal the true extent of racism within policing and national security. They also felt that asking about biases could aid individuals with lower literacy levels or vocabulary breadth to articulate their experiences. Direct questioning could also potentially provide complainants a safer space to share their stories, as it would alleviate the burden of raising the issue themselves and empower those who have suffered harm by granting them more control over the process. Conversely, some respondents suggested that mistrust among complaints may foster a reluctance to explicitly state that they'd experienced discrimination out of a fear that they would be perceived as playing the victim or holding unwarranted bias towards the organizations. As such, false reporting is a concern even if people say they did not experience bias.

A small number of respondents strongly expressed the opinion that this type of question should be avoided. These respondents argued that questions about potential bias may be leading or may cause complainants to claim discrimination, because they think the outcome of their complaint may be more satisfactory if they do, thus producing unreliable data. That said, respondents felt that more often than not, people will simply share their experiences and that these questions will only provide a more direct way to clarify something they likely already alluded to through their other responses.

The Classification of Complaints

Respondents were asked the following question*: In your opinion, who do you think should be responsible for classifying complaints? Should this classification be done by CRCC or NSIRA officials? Should it be done by the agency against which the complaint is made (i.e., RCMP, CSIS or the CSE)? Should there be a comparison between the way the CRCC and NSIRA categorize the complaint and the way the RCMP, CSIS and CSE categorize?* None of the respondents were in favour of the RCMP, CSIS, or CSE exclusively classifying complaints. Most respondents stated that complaints should be classified by CRCC and NSIRA as they are oversight bodies that should function independently. These respondents felt that relying on classification from the organizations from which the complaints originated made little sense because the organizations could potentially manipulate, suppress, or omit data that is relevant to assessing the seriousness or nature of what occurred. Respondents felt that true independence necessitates impartiality which means not relying on how the organization under review categorizes information. Respondents also felt that the oversight bodies are better attuned to the scope of complaints and should have all of the power to make determinations with respect to categorization. These discussions often lead to broader conversations about the complaints process in general.

A small number of respondents gave mixed responses. One of these respondents noted that an independent third party should classify the complaints and provide information to the oversight body. This respondent advocated for having Indigenous sectors classify complaints filed by Indigenous complainants. The three other respondents who gave mixed responses noted that the

oversight bodies and the RCMP, CSIS, and CSE could all categorize complaints. They asserted that this could help with comparing the type of category used by respective agencies and identify whether concerns about manipulation in classifying complaints is valid. It could also aid in developing training to ensure greater uniformity in how complaints are classified and what observations are made. Conversely, some respondents did not see the value of this comparison beyond being "interesting" and asserted that there should not be differences in how things are classified, and classifications applied should be consistent. In all, the majority of respondents advocate for the complaints classified by the oversight body being exclusively used to make determinations about complaints, but that comparisons may be used for training RCMP, CSIS, and CSE.

Analyzing Complaints and Complaint Outcomes

Following the question about classification, respondents were asked *"In your opinion, if a decision is made to collect race-based data and other demographic information, how should such data be analyzed? Should we examine racial/demographic differences in types of complaints? Should we examine racial/demographic differences in complaint outcomes?"*. Respondents noted that the relationships between racial/demographic differences and the number/ proportion of complaints, complaint allegation types, complaint recommendation types, and all other complaint outcomes; like likelihood to withdraw a complaint, for complaints to be dropped, or discontinued (at every level of the complaint process), likelihood for a complaint to be deemed unfounded or founded, satisfaction with the process etc., should be analyzed.

Sharing Complainant's Demographic Information Between Respective Agencies

Respondents were next asked the following question: "*Should the demographic/identity-based information collected about complainants by the CRCC and NSIRA be shared with the respective agencies?"*. Only one respondent supported sharing demographic information collected in individual cases with respective agencies. They argued that officers should have the right to respond- but only information that is "material" to the investigation should be shared. In other words, if the complainant claims that racial discrimination occurred- *only* the race, nationality, ethnicity, and religion of the complainant should be shared. With respect to providing aggregated de-individualized data, responses were relatively mixed in terms of support for sharing this information.

Those in favour said that providing aggregated de-individualized information and general patterns to the RCMP, CSIS, and CSE would increase transparency, allow organizations to know where complaints are coming from, give organizations insight into their own activities, and improve the quality and nature of training. All of these were believed to lead to more equity in interactions with the public. A concern that was raised by almost all twenty-five respondents was that information could be used to identify and potentially target complainants, thus worsening relationships with communities. This was argued to be even more of a concern in small communities where certain demographic groups are in the extreme minority. Thus, even general statistics provided in an annual report could be used to identify individuals.

Mixed responses indicated that the respective agencies should receive the exact same information the public receives because while there are benefits of sharing data, the risks are pronounced. Respondents who were strongly opposed frequently raised that they could only see negative consequences and risks associated with sharing information. They noted that not sharing information between agencies might make civilians feel more comfortable to submit complaints and to share information. It was also noted that this would prevent targets being placed on certain individuals or groups.

Taking the wide variation in opinions reported and assessing the type of responses to the subsequent question asked about sharing information with the public, a reasonable approach to sharing demographic information with respective agencies might be to provide only deidentifying, aggregated, information in the form of a yearly report that only includes data from complaint cases that have been closed/resolved.

Reporting Data to the Public

The interview ended with a question about the public reporting of race-based data. Respondents were asked: "*Should race-based information, and other demographic data, be reported to the general public? For example, should racial data be released in CRCC/NSIRA annual reports? Why or why not? Do you have any suggestions for how this type of information should be disseminated or released?*". Most respondents report feeling a lack of faith in the RCMP, CSIS, and CSE to make meaningful use of the information without pressure from the public, which could come from the public release of this data. Some felt that releasing the data publicly might encourage people who may have been too afraid to file a complaint to do so. Respondents claimed that data should allow for long-term comparisons through the provision of annual releases of data, which should additionally be shared on the CRCC and NSIRA websites and linked to the complaint form/process so people can review why data is being collected and how it will be used. This latter point was associated with increasing transparency and access to the complaint process. Sharing information with the public was also noted to be good for public consciousness and public debate about the what the limits of policing and national security should be. It was also noted that the public has a right to know the impact that governmental organizations have on communities through abuses of power, unwarranted violations of basic rights and liberties, and discriminatory practices.

Respondents argued that a key consideration with sharing data with the public is that data must be appropriately contextualized to limit the capacity for findings to be misrepresented. Some felt that sharing data with the public was a "double-edged sword". It was argued that people will use the data to form their own opinions, reaffirm their existing beliefs, and perpetuate biases about certain groups if they are seen to be overrepresented as complainants against the police and national security agencies.

To ensure that data is appropriately analyzed and presented, some respondents also suggested that activists, journalist, and academics should have access to the datasets to make use of data in meaningful ways and apply different lenses through which to interpret, contextualize, and advocate for the use of data. For example, several respondents argued that third-party, non-governmental organizations that serve Indigenous, Black, Muslim, and other marginalized

groups should be provided with raw data to ensure data is interpreted with community care and sensitivity. Some respondents advocated that the CRCC and NSIRA share drafts of annual reports with a committee composed of Indigenous, Black, Muslim, and other marginalized groups prior to public dissemination to ensure that the report does not reproduce stereotypes or biases and is appropriately contextualized. Other respondents argued that the CRCC and NSIRA must ensure that they employ staff from diverse backgrounds with the education, experience, skills, and insight to understand and contextualize the data disseminated to the public. Further that both quantitative and qualitative analyses must be done to present the data honestly and with nuance; annual public reports and discussions *must* be appropriately conducted to explain not just what the information means but also provide any context about how organizational priorities, demographic characteristics, and social conditions shape findings.

Some respondents advocated for information to be disseminated on both regional and national levels. It was explained that national reports and analyses provide a broad view of what is being reported through complaints while regional reports and analyses can give local communities and policing/securities organizations the tools to engage in rebuilding relationships. However, a cost-benefit analysis should be conducted on whether the risks posed to local communities by sharing data on a local level outweigh the benefits.

Some respondents advocated for a citizen's assembly or a committee to advise on the collection and interpretation of data because the demographic make-up of CRCC and NSIRA is argued to have a general lack of diversity and be primarily White, heterosexual, and Christian and thus the organizations were presumed to have limited capacity to conduct appropriately nuanced analyses.

Others highlighted that in addition to annual reports, the CRCC and NSIRA might also conduct townhalls, public information sessions, and community circles to publicize information. These would allow people to engage in meaningful discussions about what actions might be taken to lower the number of complaints, ask questions, or share their own experiences. It was noted that doing so would greater reflect "the oral traditions" common within certain communities, address any issues related to literacy and reading comprehension, and appeal to people who were tired of reading reports. In all, these other strategies of disseminating information would increase the accessibility of the complaint process and reduce barriers to learning about complaints. Respondents argued that RCMP, CSIS, and CSE should not be present within these community discussions to ensure that people feel comfortable expressing their thoughts, feelings, questions, and concerns and can speak freely.

Other Recommendations to Improve the Quality of Demographic Data Collected

Finally, respondents were asked "*Do you have any other ideas or recommendations on how to improve the quality of data that is currently collected on CRCC/NSIRA complaints?*" Respondents advocated for the following:
- Changing the complaint process at both CRCC and NSIRA so that the oversight bodies are not dependent on that the RCMP, CSIS, or CSE for classifying complaints or any investigative work involved in the complaint process;

- Ensuring CRCC and NSIRA databases can properly match complainant demographic information and all other relevant details of their complaint into one easily generated report so that information can be interpreted together for individual complaints during the complaint process;
- Making improvements to ensure that the complaints process is equitable, accessible, efficient, and transparent. Many respondents critiqued the length of the complaints process, especially with respect to NSIRA. Efforts should be made to set reasonable limits on how long the complaint process takes. Respondents also critiqued both the CRCC and NSIRA for failing to provide complainants with meaningful information to make sense of why and how their complaint was resolved. Others raised that the complaint process must make more use of the phones as a tool to complain because potential complainants may be intimidated by the online complaint form and the lack of rapport or trust with any person in the complaint process. Literacy levels and whether the potential complainant speaks English as a first language may also make filing a complaint online difficult for some. In addition to allowing complainants to use the phone to file complaints, efforts should be taken to make sure the language used at all levels of the complaint process is as simple, approachable, and transparent as possible. All efforts should be taken to ensure that everyone with grounds to file a complaint may do so;
- Data sovereignty which would- at minimum- allow individuals to own their demographic information and allow those who shared demographic information to withdraw or change information in their personal files. This was seen to improve people's trust in the process and honour the voluntariness of sharing information;
- CRCC and NSIRA should also be transparent with the public about policy changes that are made to address bias and discrimination and improve trust;
- CRCC and NSIRA should work to build trust with the community by engaging in more front-facing work with communities that have been affected by the actions of the RCMP, CSIS, and CSE;
- CRCC and NSIRA should acknowledge that *systemic* bias, discrimination, and racism are embedded in the RCMP, CSIS, and CSE, therefore CRCC and NSIRA should engage in systemic reviews of the RCMP, CSIS, and CSE to meaningfully address practices organizations are engaging in that make people more likely to complain;
- CRCC and NSIRA should employ a truly diverse group of people to contextualize race-based data and work on complaints. Many respondents noted- at some point in the interview- that they held the perception that the employee make-up of the RCMP, CSIS, CSE, CRCC, and NSIRA is predominantly White, heterosexual, and cisgender and lack the demographic diversity to truly understand the needs of communities that are marginalized by race, nationality, ethnicity, religion, gender identity, sexual orientation, disability status, etc. It was argued that a lack of true diversity within the agencies means that staff will not notice all issues and will not be able to think of practical solutions to all issues because they lack deep education and the personal experience to understand the broader context of discrimination, preventing patterns from being identified. Racialized complainants may also be more likely to withdraw complaints if they deem that there is no one at the oversight body who understands them. Further, efforts should be made diversify employees and to prevent "back-sliding" on diversity over time;
- CRCC and NSIRA should acknowledge that simply hiring a diverse set of employees cannot alone address issues of systemic bias;

- CRCC and NSIRA should take efforts to protect whistleblowers who critique the RCMP, CSIS, and CSE and advocate for change within their places of work;
- CRCC and NSIRA should use quantitative and qualitative analyses to understand the proportions on complaints, relationships between key variables in the complaint process, reasons for not filing a complaint, and nuances of individual's experiences with the process, such as if people trusted the process, were comfortable in the process, were satisfied with the result, felt like their complaint was taken seriously, etc.
- CRCC and NSIRA should have the power to mandate changes rather than recommending changes, especially in contexts where RCMP, CSIS, and CSE will have strong motivations to not follow a recommendation.

SUMMARY

Interviews with community members familiar with CRCC, NSIRA, RCMP, CSIS, and CSE yielded a number of important findings that can help guide the development of a revised data collection strategy. The findings and views of the community members interviewed were largely in line with those of the CRCC and NSIRA staff respondents documented in Part D of this report. Importantly, community respondents placed particular emphasis on transparency and public engagement, emphasizing the desirability of having community stakeholders contribute to shaping the analysis, interpretation, and release of race-based and demographic information. Respondents also communicated very clearly that race-based and demographic data in and of itself is not enough to reduce inequities in policing and national security practices, and that the data serves as an important starting point to affect meaningful change across these environments. The findings are further summarized below:

- Almost all community members interviewed believe that it is important to collect information on the racial background of complainants;
- Respondents identified a number of objectives associated with the collection of race-based data including: a) the ability to examine the over-representation and under-representation of different racial groups in the complaints system; b) an analysis of whether complaint types vary by race; c) an analysis of whether case outcomes vary by race; d) providing information to the RCMP, CSIS, and CSE to improve interactions with members of the public and develop policy to increase equity;
- All community members interviewed identified dangers and concerns associated with race and other demographic data collection including; a) concerns about equity in the data collection process; b) concerns that a framework regarding the limits of the data would not be established or followed; c) concerns that the data would not be analyzed or shared with an appropriate anti-oppressive and equity-driven lens; d) concerns that data will be used by the RCMP, CSIS, and CSE to target groups; e) concerns that data will be used by the RCMP, CSIS, and CSE to target individuals; f) concerns that collecting demographic data might discourage individuals from filing complaints; g) concerns about how data will be communicated to the public and how the public will use data; and h) concerns that the data would be collected but not used to create meaningful change;
- Despite these noted concerns, respondents agreed that not collecting race-based data may suggest organizations are practicing willful ignorance of systemic discrimination which

may perpetuate mistrust and a lack of faith from members of the public, especially those individuals from, and advocates for, marginalized groups;

- In addition to race, a number of other complainant characteristics that should be documented by the CRCC and NSIRA were identified by the respondents. At a minimum, indigenous status, ethnicity, nationality, and religion of the complainant should be ascertained. Other important complainant characteristics that should be documented by the CRCC and NSIRA include age, gender identity, religion, language, sexual orientation, socio-economic position, and immigration status;

- Most respondents felt that race and demographic information should first be collected during the intake process or on the complaint form. A process should be developed in which complainants are asked to self-identify their racial background and other characteristics. Most felt that self-identification would yield the most accurate data;

- Several respondents, however, expressed concern that some complainants might be uncomfortable providing their personal information to a government organization or fear that their information will be passed on to the RCMP, CSIS, or CSE. Some felt that these concerns might prevent some civilians from filing a complaint. To deal with this issue, all respondents felt that the purpose of data collection needs to be effectively communicated to complainants;

- Many respondents felt that it is important to acquire information from the RCMP, CSIS, and CSE member with respect to how they perceive the race and demographic characteristics of complainants. Respondents noted that observations and perceptions on race/other demographic variables likely shape interactions with the public as much or more than self-identity. Not only would it be interesting to compare how officials classify complainants with how complainants self-identify, it would also decrease the amount of missing data;

- All respondents were in favour of collecting demographic data on the RCMP, CSIS, and CSE members subject to CRCC/NSIRA complaints. Most felt this would enable an analysis of the types of members that are generating specific types of complaints from specific types of complainants. Respondents noted that the decision to collect race-based and other demographic data comes with the indisputable implication that these factors may be relevant to understanding if the complaint process is functioning in a fair and equitable manner. Complaints, for the most part, are generated from interactions between people. If the race/demographic variables of complainants are relevant, then the race of the RCMP, CSIS, and CSE members they interacted with must necessarily be understood as relevant;

- In addition to race, other demographic characteristics of the RCMP, CSIS, and CSE member in the complaint should be identified including religion, nationality, age, gender identity, nature of work assignment, number of transfers, regional placement (rural/urban), history of misconduct/complaints, and length of time on the job. These were all seen to be important to collect;

- Most respondents felt that complainants should be explicitly asked if they experienced bias or discrimination by RCMP, CSIS, CSE staff because those with lower literacy might benefit from the question being asked, being asked might make complainants more comfortable, being asked might increase trust that the oversight bodies are taking concerns of bias seriously and would lead to better results. Several respondents had mixed feelings about this question because the value placed by complainants on

answering yes or no to the question is unknown, irrespective of what actually happened. Some may view risks to saying yes and being subject to claims that they are "playing the race card". A small number of respondents said the question should not be asked because it is a leading question that could encourage people to say yes for opportunistic reasons;

- Most respondents felt that CRCC/NSIRA should exclusively classify complaints;
- Respondents felt that information on individual complaint cases should not be shared between CRCC/ NSIRA and respective agencies. Instead, they felt that RCMP, CSIS, and CSE should receive the same information accessible to the public on complaints that have been resolved;
- With the exception of two respondents, all felt that, if race and demographic data are to be collected, this information must be available to the general public through annual reports and public information sessions. The latter method was deemed to be able to increase trust in organizations, to assist those with lower literacy levels access information. Some respondents endorsed an open-access data plan to grant access to academics, advocates, community groups, etc. to analyze data through independent review and provide different lenses through which to understand data. All felt that the release of the data must be accompanied by a narrative that highlights the strength and limitations of the analysis and a discussion of how the data can be interpreted.

The above sections of the report have reviewed the research literature on race-based data collection, examined how other police oversight agencies collect information of civilians and security agents, explored the views of CRCC and NSIRA staff, and community members familiar with CRCC, NSIRA, RCMP, CSIS, and CSE. In the next section, these integrated findings are used to develop a series of recommendations that can be used in the development of a revised data collection strategy for the CRCC and NSIRA.

PART F: RECOMMENDATIONS

The following recommendations are designed to improve the quality of information collected by the CRCC and NSIRA and enhance their research capabilities. These recommendations have been informed by the literature addressing race-based data collection within the justice system and broader public sector, the data collection practices of other civilian oversight agencies, insights provided by CRCC and NSIRA staff, perspectives provided by members of the public familiar with the CRCC, NSIRA, RCMP, CSIS, and CSE. It can be conceded that these recommendations reflect an academic, research perspective and may not capture all the operational and political challenges related to implementation. Nonetheless, if these recommendations are adopted, the CRCC and NSIRA will be in a much stronger position with respect to research, analysis and public transparency.

RECOMMENDATION # ONE: *The CRCC and NSIRA should implement a strategy for collecting information on the self-reported racial identity of all complainants. Complainants should be asked to disclose their racial background on the initial complaint form or during the complaint intake process.*

- The collection of self-reported data on racial background is widely considered a best practice. Self-reported racial identity is thought to provide the most accurate measure of an individual's racial background.
- Importantly, for benchmarking purposes, the Canadian Census also collects self-reported information on race. Adopting a similar strategy will ensure that the race-based information collected by CRSS/NSIRA will methodologically align with race-based data collected by Statistics Canada.
- It is recommended that the following question be used to ask complainants about their racial identify. This question has been pre-tested and used successfully in several surveys of both youth and adult populations across Canada. The racial categories are consistent with the categories used by Statistics Canada.
- It is important to note that, if passed, Bill C-20 will make it mandatory for the CRCC to collect and release disaggregated racial data on RCMP complainants (https://www.parl.ca/DocumentViewer/en/44-1/bill/C-20/first-reading/).

Q1. *In Canada, people are often described as belonging to a particular racial group. For example, some people identify as Indigenous or First Nations, other people are viewed as Black or African Canadian, others may be seen as Asian, South Asian, or White. What racial group do you feel that you belong to?*

1) *Black (African Canadian, Afro-Caribbean, or of African descent)*
2) *East Asian (Chinese, Korean, Japanese, etc.)*
3) *Filipino*
4) *Hispanic or Latin American*
5) *Indigenous (First Nations)*
6) *Inuit*
7) *Metis*
8) *South Asian (Indian, Pakistani, Tamil, Sri-Lankan, etc.)*
9) *South-East Asian (Vietnamese, Cambodian, Laotian, Thai, etc.)*

10) West Asian or Middle Eastern (Arab, Persian, Lebanese, Iranian, Syrian, etc.)
11) White (European-Canadian)
12) Biracial or mixed race (specify):_____
13) Other (specify): _____
14) Prefer not to answer

RECOMMENDATION # TWO: *In addition to race, the CRCC and NSIRA should implement a strategy for collecting other important demographic information on all complainants. At the very least, information should be collected on complainant age and gender identity. As with racial identity, complainants should be asked to disclose demographic information on the initial complaint form or during the complaint intake process.*

- As a civilian oversight agency, the CRCC/NSIRA should collect information on complainant demographic characteristics often identified as grounds for discrimination by human rights organizations.
- As identified by CRCC/NSIRA staff and community respondents, complainant characteristics sometimes associated with allegations of discrimination include gender identity, age, religion, ethnicity, sexual orientation, education, employment status, language, disability status, homelessness, and immigration status.
- Information on immigration status may be important to measure if CRCC/NSIRA are given a mandate to investigate complaints against the Canadian Border Services Agency (CBSA).
- It is recognized that asking for a large volume of personal information may be challenging and deter some complainants from filing a complaint. As such, it is recommended that the proposed data collection strategy be pre-tested to determine the optimal number of questions that can be asked.
- Provided below are samples of questions that *could* be used to collect additional demographic information on complainants. These questions have been successfully used in a variety of surveys of both youth and adult populations.
- It should be noted that it may not be necessary to ask an additional question about complainant age. The CRCC and NSIRA already ask complaints to provide their data of birth. Date of birth can be compared to date of complaint or date of incident to determine complainant age.

Q2.   To which age group do you belong?

1) 17 years of age or younger
2) 18-24 years
3) 25-34 years
4) 35-44 years
5) 45-54 years
6) 55-64 years
7) 65 years or older
8) Prefer not to answer

Q3.   To which gender group do you most identify?

1) Woman
2) Man
3) Transgender Woman
4) Transgender Man
5) Gender Variant/Non-Conforming
6) Two-spirited
7) Other (please specify): _____
8) Prefer not to answer

Q4. **What is your sexual orientation?**

1) Asexual
2) Bisexual
3) Gay
4) Lesbian
5) Pansexual
6) Queer
7) Questioning/exploring
8) Heterosexual (Straight)
9) Two-Spirit
10) Other (please specify): _____
11) Prefer not to answer

Q5. **What is your religion? What faith group do you identify with, if any?**
1) Anglican
2) Protestant
3) Roman Catholic
4) Other Christian
5) Islam
6) Jewish
7) Buddhist
8) Hindu
9) Other (Specify):_____;
10) None, no religion
11) Prefer not to answer

Q6. **What is your ethnicity? To which ethnic group(s) do you belong?**

Q7. **What is the highest level of education you have achieved?**

1) Less than high school
2) High school degree
3) Some community college
4) Community College degree/diploma
5) Some university
6) University Undergraduate Degree (i.e. B.A. or B.Sc.)

7) University Graduate or Professional Degree
8) Other (specify): _____
9) Prefer not to answer

Q8.   Are you working right now? What is your employment status? Check all that apply to your situation:

1) Unemployed
2) Working part-time
3) Working full-time
4) Fulltime student
5) Part-time student
6) Retired
7) On social assistance
8) On disability
9) Other (specify):_____
10) Prefer not to answer

Q9.   Were you born in Canada?
1) Yes – *go to Q13*
2) No – *go to Q10*
3) Prefer not to answer **–** *go to Q13*

Q10.   Where were you born? What country?

| |
| |

Q11.   How long have you lived in Canada?

1) Less than a year
2) One to five years
3) Five to nine years
4) Ten to twenty years
5) More than twenty years
6) Prefer not to answer

Q12.   What is your current immigration status?

1) Canadian citizen
2) Permanent resident
3) Refugee claimant
4) Student visa
5) Work visa
6) Other (specify): _____
7) Prefer not to answer

Q13.   What is your first language? What is the first language that you learned how to speak?

1) French
2) English
3) Other (specify): _____
4) Prefer not to answer

Q14.   In your opinion, do you currently have a physical or mental disability?

1) I do not have a mental or a physical disability
2) I have a physical disability
3) I have a mental disability
4) I have both a physical and a mental disability
5) Prefer not to answer

Q15.   What is your current housing situation? Where do you currently live?

1) I currently live in my own home, condo or apartment
2) I currently live with family or friends
3) I currently live in a shelter
4) I currently live on the street
5) I am currently incarcerated
6) Prefer not to answer

RECOMMENDATION # THREE: *The purpose of demographic data collection must be fully explained to the complainant prior to questions being asked. Complainants must be informed that the provision of demographic information is voluntary and that failure to disclose personal information will not have any impact on the investigation of their complaint. Complainants must also be informed that their personal information is for CRCC/NSIRA research purposes only and will not be provided to the RCMP or those charged with the investigation of their complaint.*

- All effort must be made to explain the purpose of data collection and reduce complainant anxiety or discomfort.
- As discussed in Parts A and B of this report, both the OIPRD (Ontario) and the BCOPCC (British Columbia) currently collect demographic information on complainants. Both civilian oversight agencies have developed a script for explaining the purpose of data collection.
- The script currently used by the OIPRD is quite long and legalistic and may be difficult to comprehend for some complainants. The OIPRD script reads:

"Under the authority of the Anti-Racism Act, 2017 (ARA), the Office of the Independent Police Review Director (OIPRD) is obligated to collect personal information from members of the public who make a complaint to the OIPRD. Under the Ontario Regulation 267/18, the OIPRD is required to collect race-based data on:

1. Indigenous identity,
2. ethnic origin,
3. race,
4. religion.

This information will be used to satisfy the requirements of the ARA and corresponding regulations. The sole purpose of the collection of this personal information is for eliminating systemic racism and advancing racial equity.

The OIPRD will de-identify personal information collected under the ARA and may use the de-identified information in support of the OIPRD's powers under the Police Services Act, 1990, including sections 57 and 92. This de-identified information may also be used to meet the OIPRD's mandate, for program development, and to improve service delivery.

Answering these questions is completely voluntary. No program, service, or benefit will be withheld if you do not provide or refuse to provide the personal information requested. Your decision will not affect any service provided or decision made by the OIPRD. Personal information collected under the ARA will not be shared with police services or police services boards or any other entity, person or party, except as permitted or required under section 7(14) of the ARA.

You may also access and correct your personal information or withdraw your consent by contacting our office. As an agency of the government, the OIPRD adheres to the requirements of the ARA and the Freedom of Information and Protection of Privacy Act, 1990 (FIPPA).

*For more information about this initiative please contact the OIPRD Inquiries and Intake Assistant, at **oiprdcomplaints@ontario.ca** or to **655 Bay Street, 10th floor, Toronto, Ontario M7A 2T4.** Telephone 1-877-411-4773."*

- By contrast, the script used by the BCOPCC is far more concise and accessible. The BCOPCC explanation for demographic data collection reads as follows:

"The Office of the Police Complaint Commissioner is responsible for compiling information related to the characteristics of persons who make complaints (i.e. statistical demographics), such as age, gender and ethnicity pursuant to section 177(2)(e)(i) of the BC Police Act (2010). The purpose of collecting this information is to identify any trends relating to persons who make complaints. Answering this question is completely voluntary and will not affect any service provided or decision made by the OPCC.

*This personal information will be kept confidential and will not be shared with police departments or police boards unless you file a complaint directly with the police department. The OPCC is mandated to report publicly on the aggregate data collected which will group the information you provide with other complainants. It will not contain any identifying information. For more information about the collection of demographics, please contact **info@opcc.bc.ca**."*

- It is recommended that the CRCC and NSIRA adopt language that is closer to the example set by the BCOPCC than the OIPRD. A draft script for explaining demographic data collection by CRCC/NSIRA is provided below.

"We would now like to ask you a few questions about your personal background. This information will help us examine whether different types of people have different types of experiences with the RCMP/CSIS/CSE. We want to stress that we are collecting this information for research and equity purposes only. We want to ensure that all people are treated fairly and equally by the RCMP/CSIS/CSE.

We want to inform you that your personal information is for CRCC/NSIRA purposes only. It will not be provided to the RCMP/CSIS/CSE or to the people who will be investigating your complaint. You also do not have to answer any questions that you do not want to answer. Your participation is completely voluntary. If you decide not to answer any of the following questions, it will not in any way impact the investigation into your complaint or any other services you may require. Finally, the information that you provide WILL NOT be analyzed or presented in a manner that would identify you as an individual. Your answers are completely confidential, and your privacy will be protected."

RECOMMENDATION # FOUR: *The CRCC and NSIRA should develop their own, unique strategies for classifying complaint types. The CRCC and NSIRA should no longer rely on the RCMP/CSIS/CRE for the classification of complaints. New complaint categories should explicitly capture allegations of racism or other forms of bias. Complaints classifications should be completed by CRCC/NSIRA staff – based on complaint narratives – prior to sending the complaint to the RCMP/CSIS/CSE.*

- Interviews with CRCC/NSIRA staff reveal that both organizations usually rely on the RCMP/CSIS/CSE to classify the type of complaint.
- There is a general consensus that the RCMP/CSIS/CSE's typologies of complaints are rather broad and/or vague and often mask the true nature of the complaint. Furthermore, the number and nature of allegations originally filed by the complainant may not reflect the allegations actually investigated and ultimately classified by the RCMP/CSIS/CSE.
- From an equity perspective, the current complaint classification system completely erases allegations of racism and other forms of bias. For example, an allegation of racially abusive language would likely be recoded into a much broader complaint category like "improper attitude" or "oppressive conduct." Similarly, an allegation of racial profiling might be classified as "neglect of duty."[8]

---

[88] As noted above, the CRCC's 2022 review of the RCMP's Bias-Free Policing Model recommended that the RCMP include a new complaint category that would explicitly capture allegations of bias and/or discrimination. The RCMP has accepted this recommendation (https://www.crcc-ccetp.gc.ca/en/review-rcmps-bias-free-policing-model-report/).

- It is recommended that CRCC/NSIRA staff classify complaints prior to being sent to the RCMP/CSIS/CSE. This would enable a comparison of CRCC/NSIRA classifications with classifications made by the RCMP/CSIS/CSE.
- The coding of complaint types can be conducted after a thorough reading of the complaint narrative provided by the civilian. Alternatively, complainants can be asked to directly identify the nature of their complaint by reviewing a set list of complaint types and checking off all categories that match their specific experience. A draft question, with revised complaint categories, is provided below:

Q16. How would you describe your complaint against the RCMP/CSIS/CSE? Please check all categories that apply.

1) Excessive/unnecessary use of force
2) Improper use of firearm
3) Improper use of other police weapon
4) False/unfair/unnecessary arrest
5) False/unfair/unnecessary tickets
6) False/unfair/unnecessary charges
7) Rude or disrespectful treatment
8) Illegal or unfair stop and questioning (illegal detention)
9) Illegal or unfair search of a person, vehicle, or premises
10) Insensitivity/lack of concern for victim
11) Failure to listen to civilian
12) Slow response time
13) Racist language
14) Sexist language
15) Other discriminatory language (specify)
16) Violation of civil rights
17) Other neglect of duty (specify):_____
18) Other aggressive or oppressive conduct (specify):_____
19) Damage or mishandling of property
20) Improper collection/use of evidence
21) Other (specify): _____ -

RECOMMENDATION # FIVE: *The CRCC and NSIRA should directly ask respondents if they think their treatment by the police or security agents was motivated by racism or other forms of bias.*

- In order to proactively examine issues of racism and bias, complainants should be directly asked if they think their treatment by the police or security agents was caused or motivated by racism or other forms of bias.
- This approach has already been established by NSIRA with respect to its CSIS and CSE complaint forms. This approach also follows the example set by other progressive oversight agencies including the New York City Civilian Complaints Review Board.

- This approach will assist complainants, especially those with limited writing ability, who may not be able to provide a full written account or description of their experience.
- The concern that asking this question may lead to "vexatious" allegations is acknowledged. It is possible that some complainants may not think of bias as a factor until the question is asked. However, the benefits of asking this question – and respecting the perceptions of complainants – far outweigh the possible over-estimation of bias-related complaints.
- A draft question asking about complaint motivation is provided below. Ideally this question would be asked after complainants have described the nature of their complaint:

Q17. **In your opinion, was your treatment by the police/security agents caused or motivated by any of the following factors. Please check all that apply:**

1) Your race or ethnicity
2) Your gender identity
3) Your age
4) Your religion
5) Your nationality
6) Your sexual orientation
7) Your language
8) A physical disability
9) A mental disability
10) Your housing situation or homelessness
11) Your social class position
12) Other (specify): _____
13) Prefer not to answer

RECOMMENDATION # SIX: The CRCC and NSIRA should ask complainants to report the age, gender, and racial background of the police officers and/or security agents involved in the complaint incident.

- As described in the literature review (Part A), officer characteristics -- including age, gender, race, education, rank, and years of experience – are important variables with respect to the study of enforcement-related complaints. This fact was also widely acknowledged by the CRCC and NSIRA personnel who participated in project interviews (see Part C).
- Anticipating possible resistance if this information is requested from the RCMP/CSIS/CSE, it is recommended that complainants be asked to report the age, gender and race of the officers or agents involved in their complaint incident. The CRCC already asks about officer rank on the complaint form.
- This approach has already been adopted by several other civilian oversight agencies including the New York City Civilian Complaints Review Board.
- Draft questions are provided below. These questions would have to be asked for each officer involved in the incident.

Q18. **We are interested in getting a basic description of the police officers/security agents that were involved in the incident that led to your complaint. In your opinion, what was the racial background of the police officers/security agents that you were dealing with? Circle all that apply:**

1) Black
2) East Asian (Chinese, Korean, Japanese, etc.)
3) Filipino
4) Hispanic or Latin American
5) Indigenous, Inuit or Metis (First Nations)
6) South Asian (Indian, Pakistani, Tamil,Sri-Lankan, etc.)
7) South-East Asian (Vietnamese, Cambodian, Laotian, Thai, etc.)
8) West Asian or Middle Eastern (Arab, Persian, Lebanese, Iranian, Syrian, etc.)
9) White (European-Canadian
10) Other (specify): _____
11) Don't know/Can't tell
12) Prefer not to answer

Q19. **In you opinion, what were the ages of the police officers/security agents that you were dealing with? Check all that apply:**

1) Less than 30 years of age
2) 30 to 40 years of age
3) 40 to 50 years of age
4) Over 50 years of age
5) Don't know/Can't tell
6) Perfer not to answer

Q20. **In your opinion, what was the gender or sex of the police officers/security agents that you were dealing with? Check all that apply:**

1) Male
2) Female
3) Other
4) Don't know/Can't tell
5) Prefer not to answer

RECOMMENDATION # SEVEN: As a data reliability check, the CRCC and NSIRA should ask the RCMP/CSIS/CSE for information about the race, gender and age of civilians involved in all complaints.

- In addition to asking complaints to self-identify, the CRCC and NSIRA should ask the RCMP/CSIS/CSE to provide information on how they independently classified the race, gender, and age of civilians involved in complaint-related incidents. This information should be available on General Occurrence (GO) reports and/or officer notes.
- This information should already be available for those cases that the CRCC and NSIRA decide to review.

- The collection of independent demographic information about complainants can serve multiple purposes. Firstly, this independent information can be used to reduce the amount of missing data derived from self-reporting procedures. Secondly, this strategy will enable a correspondence analysis that compares complainant self-identification of racial background with police officer/security agent perceptions of race.

RECOMMENDATION # EIGHT: For research purposes, the CRCC and NSIRA should request demographic information on RCMP members and security agents involved in complaint-related incidents. Information should include officer/agent age, gender, racial background, rank, education, years of service and type of assignment at time of the complaint incident.

- As described in the literature review, and acknowledged in staff and public interviews, the collection of information about officer characteristics is just as important as the collection of information about complainants.
- This information can be used to address important research questions including whether complaint rates vary by officer characteristics, whether minority officers generate more complaints than White officers, and whether race and other officer characteristics predict case outcomes. Furthermore, such data can be used to determine the types of officers that generate allegations of racism and other forms of bias.
- The data request should make it clear that the analysis of officer data will be de-identified to protect the privacy of individual officers.
- As anticipated by staff interview respondents, it is highly likely that the RCMP and other security agencies (CSIS/CSE) will vigorously resist the release of officer demographic information. However, as a civilian oversight agency charged with conducting high quality analyses of complaints and the complaints process, the CRCC and NSIRA should at least request this information as evidence of due diligence. The RCMP and other agencies should comply or provide an explanation when requested data is not be provided.

RECOMMENDATION # NINE: The CRCC and NSIRA should engage in "internal benchmarking" techniques to identify individual officers who generate a high volume of complaints. As part of an early warning system, demographic information on complainants should also be used to identify officers who generate a disproportionate number of complaints from Indigenous/racial minority civilians and other vulnerable populations.[9] Problematic officers can subsequently be targeted for retraining, discipline, or reassignment. Internal benchmarking information can also be used during reviews to examine the validity of specific complaint allegations.

RECOMMENDATION # TEN: The CRCC and NSIRA should revisit a process that will enable complainants to file complaints verbally over the phone.

---

[9] If passed, Bill C-20 will make it mandatory for the CRCC to collect and report disaggregated racial data on complainants against the RCMP (https://www.parl.ca/DocumentViewer/en/44-1/bill/C-20/first-reading/).

- Several interview respondents indicated that, due the COVID-19 pandemic, the CRCC and NSIRA have come to increasingly rely on a web-based complaint intake process. While efficient, this process may advantage highly literate complainants who are able to write details about their interactions with RCMP members and security agents. By contrast, those with poor written communication skills are at a disadvantage.
- An option to provide complaint details over the phone may produce higher quality information about both the complaint and the complainant – especially for cases that involve civilians with lower levels of literacy.

RECOMMEDNATION # ELEVEN: The CRCC and NSIRA must upgrade their data management systems to facilitate data requests and enable the statistical analysis of complaints information.

- Several staff interview respondents, particularly those with research and analysis responsibilities, highlighted that the current data management system is inefficient. These respondents argued that data requests are challenging and that it currently takes a great deal of time to retrieve required information.
- Both CRCC and NSIRA should develop a data management system that will enable the quick and efficient downloading of information on complaints, complainants, and subject officers.
- The new data management system should ensure that data can be easily downloaded into Excel or Access formats that can subsequently be translated into statistical software programs (i.e., SPSS, SAS, STRATA, R, etc.) for analysis.
- It is further recommended that a detailed dataset, capturing important complaint, complainant, and officer information, be updated every month and released to CRCC and NSIRA analysts.

RECOMMENDATION # TWELVE: The CRCC and NSIRA should provide a transparent analysis of race-based data, and other demographic information, in their Annual Reports.

- Ideally, advanced benchmarking techniques will be used to determine if certain demographic groups are over-represented or under-represented in complaint statistics.
- Ideally, annual reports will also examine whether complaint types and case outcomes vary by both complainant and officer characteristics.[10]

RECOMMENDATION # THIRTEEN: The CRCC and NSIRA should consider the development of an open-data plan that will provide the public with access to complaints data on their respective websites.

---

[10] Once again, it is important to note that, if passed, Bill C-20 will make it mandatory for the CRCC to collect and report disaggregated racial data on RCMP complainants (https://www.parl.ca/DocumentViewer/en/44-1/bill/C-20/first-reading/).

- The public release of an annual complaints dataset will ensure transparency, increase confidence in the CRCC and NSIRA, and enable the independent analysis of complaints data by academics, community organizations and concerned citizens.
- The released data should be de-identified to protect the privacy of both complainants and subject officer/agents.

RECOMMENDATION # FOURTEEN: The CRCC and NSIRA should work with qualified academics and community experts to develop an advanced data analysis plan.

- The development of relationships with qualified academics and community experts will ensure high quality data analysis and interpretation. It may also lower research costs. Many academics can provide their own research funding and would appreciate the access to previously unattainable information on police complaints. For many academics, access to data is more important than financial considerations.
- By working with academics and community experts, the CRCC and NSIRA can develop multivariate statistical models that can examine whether racial disparities in complaints and complaint outcomes persist after other theoretically variables have been taken into account;

RECOMMENDATION # FIFTEEN: Before commencing the analysis and public reporting of race-based and other demographic data, the CRCC and NSIRA should engage in with Indigenous, Black, and other racialized communities. Community members may provide further insights into how data should analyzed and disseminated. Community consultations will also ensure community awareness and understanding. To this end, the CRCC and NSIRA should consider the establishment of race and identity-based data advisory groups/ tables comprised of a diverse range of community members and representatives.

RECOMMENDATION # SIXTEEN: It is strongly recommended that the CRCC and NSIRA allocate sufficient resources to support and enhance their respective identity-based data programs. This should include assignment of at least one Full-Time Equivalent (FTE) and one 0.5 FTE position to manage and develop the initiatives, coupled with the necessary financial and technical resources to support the roles and broader program effectively.

APPENDIX A: REFERENCES

American Sociological Association. 2003. *The Importance of Collecting Data and Doing Social Scientific Research on Race*. Washington, DC: American Sociological Association.

Arriagada, Paul, Tara Hahmam and Vivian O'Donell. 2020. *Indigenous People in Urban Areas: Vulnerabilities to the Socioeconomic Impacts of COVID-19*. Ottawa: Statistics Canada.

Attewell, Paul, Philip Kasinitz, and Kathleen Dunn. 2010. "Black Canadians and Black Americans: Racial Income Inequality in Comparative Perspective." *Ethnic and Racial Studies* 33 (3): 473–95.

Banting, Keith and Debra Thompson. 2022. "The Puzzling Persistence of Racial Inequality in Canada." Pp. 101-122 in Juliet Hooker and Alvin Tillery (Eds.), *Double-Blind: Racial and Class Inequalities in the Americas*. New York: American Political Science Association.

Beattie, Karen, Valerie Boudreau, and Meneka Raguparan. 2014. "Representation of Aboriginal People in the Canadian Criminal Justice System." https://publications.gc.ca/collections/collection_2018/jus/J4-55-2014-eng.pdf.

Black Health Equity Group. 2021. "Engagement, Governance, Access, and Protection (EGAP): A Data Governance Framework for Health Data Collected from Black Communities." Ontario. https://blackhealthequity.ca/wp-content/uploads/2021/03/Report_EGAP_framework.pdf.

Bobb, M. J., Buchner, B. R., & DeBlieck, S. 2006. *Assessing police community relations in Pasadena, California*. Los Angeles: Police Assessment Resource Center.

Brandl, Steven G., Meghan S. Stroshine, and James Frank. 2001. "Who Are the Complaint-Prone Officers? An Examination of the Relationship between Police Officers' Attributes, Arrest Activity, Assignment, and Citizens' Complaints about Excessive Force." *Journal of Criminal Justice* 29 (6): 521–29.

British Columbia Office of the Police Complaints Commissioner. (2021). ***Annual Report: 2020-2021***. Victoria: Government of British Columbia.

British Columbia's Office of Human Rights Commissioner. 2020. "Disaggregated Demographic Data Collection in British Columbia: The Grandmother Perspective." Vancouver, British Columbia. https://doi.org/978-1-7775410-0-2.

Cao, L. 2011. "Visible Minorities and Confidence in the Police." *Canadian Journal of Criminology and Criminal Justice* 53 (1): 1–26.

Carmichael, J. T., & Kent, S. L. 2015. "The use of lethal force by Canadian police officers: Assessing the influence of female police officers and minority threat explanations on police shootings across large cities." *American Journal of Criminal Justice, 40*(4): 703–721.

Canadian Human Rights Commission. 2021. "Anti-Racism Action Plan." Ottawa, ON.

Canadian Institute for Health Information. 2020. "Proposed Standards for Race-Based and Indigenous Identity Data Collection and Health Reporting in Canada." Ottawa, CA. https://www.cihi.ca/sites/default/files/document/proposed-standard-for-race-based-data-en.pdf.

CBC News. 2019. "A very historic moment. Police board approves race-based data collection in Toronto." September 19. https://www.cbc.ca/news/canada/toronto/toronto-police-race-data-1.5290420.

CBC News. 2020. "Statistics Canada to start to collect race-based crime data." July 15. https://www.cbc.ca/news/politics/statistics-canada-race-data-police-1.5650273

Charest, M. 2009. *Mécontentement Populaire Et Pratiques d'Interpellations Du SPVM Depuis 2005: Doit-on Garder Le Cap Après La Tempête* Brouillon (Draft). Montreal: SPVM.

Civilian Review and Complaints Commission for the RCMP. (2017). ***Report into Workplace Harassment in the RCMP***. Ottawa: Government of Canada.

Cohen, Mark. 1998. "Culture, Not Race, Explains Human Diversity." *Chronicle of Higher Education* 44 (32): B4-B5.

Cole, D. 2020. *The Skin We're In: A Year of Black Resistance and Power*. Toronto: Doubleday Canada.

Codjoe H. 2001. "Fighting a 'Public Enemy' of Black Academic Achievement: The persistence of racism and the schooling experiences of Black students in Canada." *Race Ethnicity and Education*, 4(4): 343-375.

David, Jean-Denis, and Megan Mitchell. 2021. "Contacts with the Police and the Over-Representation of Indigenous Peoples in The Canadian Criminal Justice System." *Canadian Journal of Criminology and Criminal Justice* 63 (2): 23–45.

Doob, A., and Gartner, R. 2017. *Understanding the Impact of Police Stops: A Report Prepared for the Toronto Police Services Board*. Toronto: Toronto Police Services Board.

De Guzman, M. 2008. "Complainants' views about civilian review of the police: A study of the Philippines." *Asian Criminology*, 3, 117–138.

Driedger, Lee and Shiva Halli. 2000. *Race and Racism: Canada's Challenge*. Montreal: McGill-Queen's University Press.

Dugan, John R., and Daniel R. Breda. 1991. "Complaints about Police Officers: A Comparison among Types and Agencies." *Journal of Criminal Justice* 19 (2): 165–71.

Dunn, R. A. (2010). Race and the relevance of citizen complaints against the police. Administrative Theory and Praxis, 32(4), 557–577.

Fang, Tony and Morley Gunderson . 2016 . "Poverty Dynamics among Vulnerable Groups in Canada ." Pp. 117-203 in David Green, Craig Riddell and France St-Hilaire (Eds), *Income Inequality: The Canadian Story*. Montreal: Institute for Research in Public Policy.

Fearon, G., and Farrell, C. 2019. *Perceptions of the Toronto Police and Impact of Rule Changes Under Regulation 58/16: A Community Survey*. Toronto: Toronto Police Services Board.

Fine, Sean. 1990. "StatsCan Dropping Scheme to Tie Crime Statistics to Ethnic Groups Police, Rights Organizations against Justice Panel's Idea." *Globe and Mail*, July 31.

Fitzgerald, Kathleen. 2014. *Recognizing Race and Ethnicity: Power, Privilege and Inequality.* Boulder, CO: Westview Press.

Fitzgerald, Robin and Peter Carrington. 2011. "Disproportionate Minority Contact in Canada: Police and Visible Minority Youth." *Canadian Journal of Criminology and Criminal Justice* 53 (4): 449-486.

Fleras, Augie and Jean Leonard Elliot. 2003. *Unequal Relations: An Introduction to Race and Ethnic Dynamics in Canada (4th Edition)*. Toronto: Prentice-Hall.

Foster, L., Jacobs, L., and Siu, B. 2016. *Race Data and Traffic Stops in Ottawa, 2013-2015: A Report on Ottawa and the Police Districts*. Ottawa: Ottawa Police Service https://www.ottawapolice.ca/en/about-us/resources/.TSRDCP_York_Research_Report.pdf.

Gabor, Thomas. 1994. "The Suppression of Crime Statistics on Race and Ethnicity: The Price of Political Correctness." *Canadian Journal of Criminology and Criminal Justice* 36 (2): 163.

Galabuzi, Grace-Edward. 2006. *Canada's Economic Apartheid: The Social Exclusion of Racialized Groups in the New Century*. Toronto: Canadian Scholars' Press.

Galap, Jean. 1991. "Phenotypes et Discrimination des Noirs en France: Question de Method." *Intercultures* 14: 21-35.

George, Rhonda C., Reana Maier, and Karen Robson. 2020. "Ignoring Race: A Comparative Analysis of Education Policy in British Columbia and Ontario." *Race Ethnicity and Education* 23 (2): 159–79.

Goodfield, K. 2020. "Trust has been broken: Toronto's interim police chief apologizes to Dafonte Miller, promises transparency." *CTV News* (6 August 2020), online: https://toronto.ctvnews.ca/trust-has-been-broken-toronto-s-interim-police-chief-apologizes-to-dafonte-miller-promises-transparency-1.5053280

Goodman-Delahunty, J., Verbrugge, H., & Taitz, M. 2013. "Complaining to the police: Insights from psychology." *Policing*, 7(3), 280–288.

Government of Canada. Aboriginal Affairs and Northern Development Canada. 2013. *Fact Sheet: 2011 National Household Survey Aboriginal Demographics, Educational Attainment and Labour Market Outcomes*: ///www.aadnc-aandc.gc.ca/eng/1376329205785/1376329233875.

Hatt, Ken. 1994. "Reservations about Race and Crime Statistics - ProQuest." *Canadian Journal of Criminology* 36 (2): 164–65.

Hayle, Steve, Scot Wortley and Julian Tanner. 2016. "Profiling the Street: Race and Police Stop and Search Activities Among Toronto Youth." ***Canadian Journal of Criminology and Criminal Justice*** 58 (3): 322-353.

Headley, Andrea Marie, Stewart J. D'Alessio, and Lisa Stolzenberg. 2020. "The Effect of a Complainant's Race and Ethnicity on Dispositional Outcome in Police Misconduct Cases in Chicago." *Race and Justice* 10 (1): 43–61.

Henry, Frances and Carol Tator. 2005. *The Colour of Democracy: Racism in Canadian Society (3rd Edition)*. Toronto: Thomson-Nelson.

Henry, Frances and Carol Tator. 2002. *Discourses of Domination: Racial Bias in the Canadian English Language Press*. Toronto: University of Toronto Press.

Hickman, Matthew J., and Jane E. Poore. 2016. "National Data on Citizen Complaints About Police Use of Force: Data Quality Concerns and the Potential (Mis)Use of Statistical Evidence to Address Police Agency Conduct." *Criminal Justice Policy Review* 27 (5): 455–79.

Human Rights & Health Equity Office. 2017. "Guide to Demographic Data Collection in Health-Care Settings." Toronto, ON. http://torontohealthequity.ca/wp-content/uploads/2017/10/Measuring-Health-Equity-Guide-to-Demographic-Data-Collection.pdf.

Jacobs, Les, Lorne Foster and Scot Wortley. 2017. *Framework for the Collection, Use and Management of Race-related Data*. Toronto: Anti-Racism Directorate, Government of Ontario.

James, C., and T. Turner. 2017. *Towards Race Equity in Education: The Schooling of Black Students in the Greater Toronto Area*. Toronto, York University.

Kalbach, Madeline and Warren Kalbach. 2000. *Perspectives on Ethnicity in Canada: A Reader*. Toronto: Harcourt.

Kellough, Gail and Scot Wortley. 2002. "Remand for Plea: The Impact of Race, Pre-trial Detention and Over-Charging on Plea Bargaining Decisions." *British Journal of Criminology* 42 (1): 186-210.

Kerstetter, Wayne A., Kenneth A. Rasinski, and Cami L. Heiert. 1996. "The Impact of Race on the Investigation of Excessive Force Allegations against Police." *Journal of Criminal Justice* 24 (1): 1–15.

King, Bryn, Barbara Fallon, Reiko Boyd, Tara Black, Kofi Antwi-Boasiako, and Carolyn O'Connor. 2017. "Factors Associated with Racial Differences in Child Welfare Investigative Decision-Making in Ontario, Canada." *Child Abuse & Neglect* 73 (November): 89–105.

Kong, R, and K Beattie. 2005. "Collecting Data on Aboriginal People in the Criminal Justice System: Methods and Challenges." Ottawa, ON. https://doi.org/Catalogue no. 85-564-XIE.

Kwon, Jihyun and Scot Wortley. 2020. "Policing the Police: Public Perceptions of Civilian Oversight in Canada." *Race and Justice*. 20 (10): 1-25.

Landau, T. 2000. "Back to the future: The death of civilian review of public complaints against the police in Ontario, Canada." Pp. 63-82 in A. J. Goldsmith & C. Lewis (Eds.), *Civilian oversight of policing: Governance, democracy, and human rights*. Toronto: Hart Publishing.

Liederbach, John, Lorenzo M. Boyd, Robert W. Taylor, and Soraya K. Kawucha. 2007. "Is It an inside Job? An Examination of Internal Affairs Complaint Investigation Files and the Production of Nonsustained Findings." *Criminal Justice Policy Review* 18 (4): 353–77.

Livingston, D. 2004. "The unfulfilled promise of citizen review." *Ohio State Journal of Criminal Law*, 1, 653–669.

Ma, Jennifer. 2021. "The intersection and parallels of Aboriginal peoples' and racialized migrant's experiences of colonialism and child welfare in Canada." *International Social Work,* 64 (6): 901-916.

Malakieh, Jamil. 2020. "Adult and Youth Correctional Statistics in Canada, 2018/2019." https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00016-eng.htm.

Meng, Y. 2017. "Profiling Minorities: Police Stop and Search Practices in Toronto Canada." *Human Geographies – Journal of Studies and Research on Human Geography* 11 (1): 6-22.

Millar, Paul, and Akwasi Owusu-Bempah. 2011. "Whitewashing Criminal Justice in Canada: Preventing Research through Data Suppression." *Canadian Journal of Law and Society* 26 (3): 653–61.

Mooney, Linda, David Knox, Caroline Schacht and Adie Nelson. 2005. *Understanding Social Problems*. Toronto: Nelson-Thomson.

O'Conner, C. 2008. "Citizen Attitudes towards the Police in Canada." *Policing: An International Journal of Policing Strategies and Management* 31 (4): 578–95

Ontario Association of Children's Aid Societies. 2021. "Identity-Based Data Collection Guide." Ontario Association of Children's Aid Society. 2021. https://oacas.libguides.com/c.php?g=701677&p=4986560.

Ontario Human Rights Commission. 2018. *Under Suspicion: Concerns about Child Welfare*. Toronto, Government of Ontario.

Owusu-Bempah, Akwasi, Maria Jung, Firdaous Sbaï, Andrew S. Wilton, and Fiona Kouyoumdjian. 2021. "Race and Incarceration: The Representation and Characteristics of Black People in Provincial Correctional Facilities in Ontario, Canada." *Race and Justice*, April, 1–13.

Owusu-Bempah, Akwasi, Scot Wortley, Roxy Shlapak and Nigel Lake. 2021. *Exploring the Impact of Cannabis Legalization on Youth Contact with the Criminal Justice System*. Ottawa: Canadian Centre on Substance Use and Addiction.

Owusu-Bempah, Akwasi and Shaun Gabbidon. 2021. *Race, Ethnicity, Crime and Justice: An International Dilemma*. Toronto: Routledge.

Papillon, Martin. 2015. "Playing Catch-Up with Ghosts: Income Assistance for First Nations on Reserve." Pp. 323-338 in Daniel Béland and Pierre-Marc Daigneault (Eds.), *Welfare Reform in Canada: Provincial Social Assistance in Comparative Perspective*. Toronto: University of Toronto Press.

Pate, A.M., L.A. Fridell, and E.E. Hamilton. 1993. "POLICE USE OF FORCE: OFFICIAL REPORTS, CITIZEN COMPLAINTS, AND LEGAL CONSEQUENCES VOLUMES I AND II | Office of Justice Programs." Washington, D.C. https://www.ojp.gov/ncjrs/virtual-library/abstracts/police-use-force-official-reports-citizen-complaints-and-legal.

Peel Children's Aid Society. 2019. "Diversity, Equity and Inclusion at Peel CAS." Mississauga, ON.

Pinto, Andrew D., and Ayo Hapsari. 2020. "Collecting Data of Race during the COVID-19 Pandemic to Identify Inequities." Toronto, ON. https://upstreamlab.files.wordpress.com/2020/04/upstream-lab-collecting-data-on-race-during-covid-brief-final-for-circulation-1.pdf.

Prairie Research Associates. 2021. "2021 Graduate Student Survey Master Report." file:///C:/Users/jessb/Downloads/CUSC_2021-Graduating-Student-Survey_Master-Report-English (1).pdf.

Price, N. 2014. *'This Issue has been With Us for Ages': A Community-based Assessment of Police Contact Carding in 31 Division (Final Report)*. Toronto: Toronto Police Services Board and Logical Outcomes.

Public Safety Canada. 2020. "2019 Annual Report, Corrections and Condiitonal Release: Staistical Overview." https://doi.org/ISSN: 1713-1073.

Quillian, Lincoln. 1995. "Prejudice as a Response to Perceived Group Threat: Population Composition and Anti-Immigrant Racial Prejudice in Europe." *American Sociological Review* 60: 586-611.

Raveau, F., B. Kilborn, L. Frere, J. Lorin and G. Trempe. 1976. "Perception Sociale de la Couleur et Dricrimination." *Cahiers d' Anthropologie* 4: 23-42.

RCMP. n.d. "Change in Action." 2022. Accessed February 4, 2022. https://www.rcmp-grc.gc.ca/vision150/tracker-suivi-eng.htm.

Rengifo, Andres F., and Kurt Fowler. 2015. "Stop, Question, and Complain: Citizen Grievances Against the NYPD and the Opacity of Police Stops Across New York City Precincts, 2007–2013." *Journal of Urban Health* 93: 32–41.

Riccucci, N. M., Van Ryzin, G., & Lavena, C. F. 2014. "Representative bureaucracy in policing: Does it increase perceived legitimacy?" *Journal of Public Administration Research and Theory*, 24, 537–551

Roberts, Julian V. 1994. "Crime and Race Statistics: Toward a Canadian Solution." *Canadian Journal of Criminology* 36 (2): 175–85.

Robertson, Suzanne, Carey Sinclair and Andrew Hatala. 2022. "Indigenous mothers' experience of power and control in Canadian child welfare: Mothers being heard." *Journal of Social Work* 22 (2): 303-322.

Rotenburg, Cristine. 2016. *Aboriginal Peoples Survey 2012: Social Determinants of Health Off-Reserve for First Nations Populations, 15 Years of Age and Older*. Ottawa: Statistics Canada.

Samuels-Wortley, Kanika. 2021. "To Serve and Protect Whom? Using Composite Counter-Storytelling to Explore Black and Indigenous Youth Experiences and Perceptions of the Police in Canada." *Crime and Delinquency* 67 (8): 1137–64.

Schuck, Amie and Cora Rabe-Hemp. (2016). "Citizen complaints and gender diversity in police organizations." ***Policing and Society*** 26 (8): 859-87.

Schulenberg, J. L., Chenier, A., Buffone, S., & Wojciechowski, C. 2017. "An application of procedural justice to stakeholder perspectives: Examining police legitimacy and public trust in police complaints systems." *Policing and Society*, 27(7), 779–796.

Siddiqi A., F. Shahidi, C. Ramraj, D. Williams. 2017. "Associations between race, discrimination and risk for chronic disease in a population-based sample from Canada." *Social Science & Medicine*. Dec (1): 194:135-41.

Smith, G. 2009. "Why don't more people complain against the police?" *European Journal of Criminology*, 6 (3): 249–266.

Smith, B. and M. Holmes. 2014. "Police use of excessive force in minority communities: A test of the minority threat hypothesis." *Social Problems* 61: 83-102.

Sprott, J. B., and A.N. Doob. 2014. "Confidence in the Police: Variation across Groups Classified as Visible Minorities." *Canadian Journal of Criminology and Criminal Justice* 56 (3): 367–79.

Statistics Canada. 2019. *Diversity of the Black population in Canada: An overview.* Ethnicity, Language and Immigration Thematic Series. Centre for Gender, Diversity and Inclusion Ottawa, Statistics Canada. https://www150.statcan.gc.ca/n1/pub/89-657-x/89-657x2019002-eng.htm

Statistics Canada. 2020a. *Canada's Black population: Education, labour, and resilience*. Ottawa: Government of Canada. https://www150.statcan.gc.ca/n1/ pub/89-657-x/89-657-x2020002-eng.htm.

Statistics Canada. 2020b. *Social Determinants and Inequities in Health for Black Canadians: A Snapshot*. Ottawa: Government of Canada -- Catologue No: HP35-2020E-PDF.

Statistics Canda. 2001. *Census Guide 2001.* Ottawa: Statistics Canada.

Steinhorn, Leonard and Barbara Diggs-Brown. By the Colour of Our Skin: The Illusion of Integration and the Reality of Race. New York: Penguin.

Tanovich, D. 2006. *The Colour of Justice: Policing Race in Canada*. Toronto: Irwin Law.

Tator, C., and Henry, F. 2006. *Racial Profiling in Canada: Challenging the Myth of a Few Bad Apples*. Toronto: University of Toronto Press.

Telles, Edward. 2002. "Racial Ambiguity Among the Brazilian Population." *Ethnic and Racial Studies* 25: 415-441.

Terrill, William, and Jason R. Ingram. 2016. "Citizen Complaints Against the Police: An Eight City Examination." *Police Quarterly* 19: 150-179.

Teixeira C. 2008. "Barriers and outcomes in the housing searches of new immigrants and refugees: A case study of "Black" Africans in Toronto's rental market." *Journal of Housing and the Built Environment*, 23 (4): 253-276.

Trocmé, Nico, Barbara Fallon, Bruce MacLaurin, Vandna Sinha, Tara Black, Elizabeth Fast, Caroline Felstiner, et al. 2010. "Canadian Incidence Study Of Reported Child Abuse And Neglect 2008 (CIS-2008): Major Findings." Ottawa, ON. https://doi.org/978-1-100-16915-6.

Turcotte, Martin. Results from the 2016 Census: Education and labour market integration of Black youth in Canada. Insights on Canadian Society. February 25, 2020. Statistics Canada,

Catalogue no. 75-006-X. https://www150.statcan.gc.ca/n1/pub/75006-x/2020001/article/00002-eng.htm

Universities Canada. 2019. "Equity, Inclusion and Diversity at Canadian Universities: Report on the 2019 Survey." Winnipeg, MB. https://www.univcan.ca/wp-content/uploads/2019/11/Equity-diversity-and-inclusion-at-Canadian-universities-report-on-the-2019-national-survey-Nov-2019-1.pdf.

Waters, I., & Brown, K. 2000. "Police complaints and the complainants' experience." *British Journal of Criminology*, 40(4), 617–638.

Williams, T. 1999. Sentencing Black offenders in the Ontario criminal justice system. In J. V. Roberts & D. P. Cole (Eds), *Making sense of sentencing* (pp. 200–216). Toronto, ON: University of Toronto Press.

Wilson, Daniel, and David MacDonald. 2010. *The Income Gap between Aboriginal Peoples and the Rest of Canada*. Ottawa: Canadian Centre for Policy Alternatives

Wortley, Scot, Akwasi Owusu-Bempah, and Kadija-Lodge Tulloch. 2022. "The Experience of Black Canadians with the Justice System." In Barbara Perry (Ed.) *Diversity, Crime and Justice in Canada: 3rd Edition.* New York: Oxford University Press.

Wortley, Scot and Akwasi Owusu-Bempah. 2022 (Forthcoming). "Race, Police Stops, and Perceptions of Anti-Black Police Discrimination in Toronto, Canada over a Quarter Century." *Policing: An International Journal*.

Wortley, Scot and Akwasi Owusu-Bempah. 2021. *Race and Criminal Injustice: An Examination of Public Perceptions of and Experiences with the Ontario Criminal Justice System*. Toronto: Ryerson University Faculty of Law. https://cabl.ca/wp-content/uploads/2021/02/CABL-Report-Race-and-Criminal-Injustice-Feb-10-2021.pdf

Wortley, Scot. 2021. *Racial disparities in British Columbia Police Statistics: A preliminary analysis of a complex issue*. Vancouver: British Columbia Office of the Human Rights Commissioner.
http://efaidnbmnnnibpcajpcglclefindmkaj/https://bchumanrights.ca/wp-content/uploads/Wortley_Sep2021_Racial-disparities-police-statistics.pdf

Wortley, Scot, Ayobami Laniyonu and Erick Laming. 2020. ***Race and the Use of Lethal and Non-Lethal Force by the Toronto Police Service: Final Report***. Toronto: Ontario Human Rights Commission.
http://www.ohrc.on.ca/sites/default/files/Use%20of%20force%20by%20the%20Toronto%20Police%20Service%20Final%20report.pdf#overlay-context=en/disparate-impact-second-interim-report-inquiry-racial-profiling-and-racial-discrimination-black

Wortley, Scot and Maria Jung. 2020. ***Documenting Racial Disparity: An Analysis of Arrest and Charge Data from the Toronto Police Service.*** Toronto: Ontario Human Rights Commission.
http://www.ohrc.on.ca/sites/default/files/Racial%20Disparity%20in%20Arrests%20and%20Charges%20TPS.pdf#overlay-context=en/disparate-impact-second-interim-report-inquiry-racial-profiling-and-racial-discrimination-black

Wortley, Scot. 2019. ***Final Report of the Inquiry into Police Street Checks in Halifax, Nova Scotia***. Halifax: Nova Scotia Human Rights Commission.
https://humanrights.novascotia.ca/sites/default/files/editor-uploads/halifax_street_checks_report_march_2019_0.pdf

Wortley, Scot. 2018. "A Double-Edged Sword: Street Checks, Public Safety and the Impact of Racialized Policing." Pp. 238-252 in Lorne Foster and Les Jacobs (Eds.) *Racial Profiling and Human Rights Policy in Canada: The New Legal Landscape*. Toronto: Irwin Press.

Wortley, S. 2013. "The illusion of accountability: Civilian governance of the police in a multiethnic society." Pp. 1-42 in U. Gopher & G. Ben-Porat (Eds.) *Policing in a divided society*. Abraham Fund Initiative.

Wortley. Scot and Akwasi Owusu-Bempah. 2011. "The Usual Suspects: Racial Profiling and Perceptions of Injustice in Canada." *Policing and Society* 21(4): 395-407.

Wortley, Scot and Akwasi Owusu-Bempah. 2009. "Unequal Before the Law: Immigrant and Racial Minority Perceptions of the Canadian Criminal Justice System." *Journal of International Migration and Integration* 10: 447-473.

Wortley, Scot and Julian Tanner. 2005. "Inflammatory Rhetoric? Baseless Accusations? Responding to Gabor's Critique of Racial Profiling Research in Canada." *Canadian Journal of Criminology and Criminal Justice* 47 (3): 581-609.

Wortley, Scot, and Julian Tanner. 2003. "Data, Denials, and Confusion: The Racial Profiling Debate in Toronto." *Canadian Journal of Criminology and Criminal Justice* 45 (3): 367–90.

Wortley, Scot. 2002. "Misrepresentation or Reality? The Depiction of Race and Crime in the Toronto Print Media." In *Marginality and Condemnation: An Introduction to Critical Criminology*, 55–82. Toronto, ON.: Fernwood Publishing.

Wortley, Scot, Ross Macmillan and John Hagan. 1997. "Just Des(s)erts: The Racial Polarization of Perceptions of Criminal Injustice." *Law and Society Review* 31: 637-676.

Wortley, Scot. 1996. "Justice for All? Race and Perceptions of Bias in the Ontario Criminal Justice System -- A Toronto Survey." *Canadian Journal of Criminology* 38 (4): 439-467.

Wright II, James E. 2019. "Will They Even Hear Me? How Race Influences Citizen Complaint Outcomes." *Public Performance and Management Review* 43 (2): 257–77.

APPENDIX B: WEBSITE LINKS TO POLICE OVERSIGHT AGENCIES

Atlanta Citizen Review Board. 2022. "File a Complaint." Accessed March 20, 2022.
https://acrbgov.org/file-a-complaint/

Austin Office of Police Oversight. 2022. "File a Compliant about an Austin Police Officer."
Accessed March 20, 2022. https://alpha.austin.gov/en/police-oversight/file-a-complaint-about-an-austin-police-officer/

Australian Federal Police. 2022 "Feedback and complaints." Accessed March 30, 2022.
https://www.afp.gov.au/contact-us/feedback-and-complaints

Calgary Police Commission. 2022. "Complaints". Accessed March 19, 2022.
https://www.calgarypolicecommission.ca/complaints/

Chicago Civilian Office of Police Accountability. 2022. "Complaints". Accessed March 20,
2022. https://www.chicagocopa.org/complaints/

Civilian Review and Complaints Commission for the RCMP. 2022. "Make a Complaint."
Accessed March 19, 2022. https://www.crcc-ccetp.gc.ca/en/make-complaint.

City and County of San Francisco Department of Police Accountability. 2022 "Complaints."
Accessed March 30, 2022. https://sfgov.org/dpa/complaints

City of Albuquerque Civilian Police Oversight Agency. 2022. "Albuquerque police Complaint of
Commendation Form. Accessed March 20, 2022.
https://www.cabq.gov/cpoa/albuquerque-police-complaint-or-commendation-form

City of Baltimore Office of Equity and Civil Rights. 2022. "File a Complaint Online." Accessed
March 20, 2022. https://civilrights.baltimorecity.gov/civilian-review-board/file

City of Boston. 2022. "Police Accountability and Transparency." Accessed March 20, 2022.
https://www.boston.gov/departments/police-accountability-and-transparency#complaint-intake-form

City of Detroit Office of the Chief Investigator. 2022. "Police Complaints". Accessed March 20,
2022 https://detroitmi.gov/government/boards/board-police-commissioners/office-chief-investigator-police-complaints

City of Portland Independent Police Review. 2022. "Submit a Complaint." Accessed March 20,
2022. https://www.portlandoregon.gov/ipr/42860

Commission des droits de la personne et des droits de la jeunesse. 2022. "File a complaint of
discrimination or harassment." Accessed March 19, 2022. https://cdpdj.qc.ca/en/file-a-complaint/i-want-to/file-complaint-discrimination-or-harassment

District of Columbia Office of Police Complaints. 2022. "File a Police Complaint." Accessed March 20, 2022. https://policecomplaints.dc.gov/service/file-a-complaint

Edmonton Police Commission. 2022. "Complaint Form". Accessed March 19, 2022. https://edmontonpolicecommission.com/complaints/complaint-form/

England Independent Office for Police Conduct. "Make a Complaint." 2022. Accessed March 30, 2022. https://www.policeconduct.gov.uk/complaints-reviews-and-appeals/make-complaint

Government of Alberta. 2022 "Policing complaints, appeals and compliments." Accessed March 19, 2022. https://www.alberta.ca/policing-complaints-appeals-and-compliments.aspx

Government of Saskatchewan. 2022 "Public Complaints Commission." Accessed March 20, 2022. https://www.saskatchewan.ca/residents/justice-crime-and-the-law/your-rights-and-the-law/make-a-complaint-about-the-police-service

Honolulu Police Department. 2022. "Complaint Forms." Accessed March 20, 2022. https://www.honolulupd.org/complaints-against-hpd-employees/

Lacombe Police Commission. 2022. "Complaints" Accessed March 19, 2022. https://lacombepolicecommission.com/complaints/

Manitoba Law Enforcement Review Agency. 2022 "Filing a Complaint". Accessed March 19, 2022. https://www.gov.mb.ca/justice/lera/complaint/filing.html

Military Police Complaints Commission of Canada. 2022 "Forms." Accessed March 20, 2022. https://www.mpcc-cppm.gc.ca/corporate-organisation/forms-formulaires-eng.aspx

Minneapolis Office of Police Conduct Review. 2022. "Police Officer Complaint." Accessed March 20, 2022. https://www.minneapolismn.gov/report-an-issue/police-officer-complaint/

National Security and Intelligence Review Agency (NSIRA). 2022 "Complaints Process" Accessed March 19, 2022. https://nsira-ossnr.gc.ca/complaints

New Brunswick Police Commission. 2022. "Public Complaint Form." Accessed March 19, 2022. https://nbpolicecommission.ca/content/dam/nbpc-cpnb/pdf/Complaint-Formulairedeplainte/ComplaintForm.pdf

New South Wales Police Force. 2022. "How to lodge a complaint." Accessed March 30, 2022. https://www.police.nsw.gov.au/online_services/providing_feedback/feedback_compliments_complaints_and_suggestions/feedback/how_to_lodge_a_complaint

New York City Civilian Complaint Review Board. 2022. "File a Complaint of Police Misconduct." Accessed March 20, 2022. https://www1.nyc.gov/site/ccrb/complaints/file-online.page

Office of the Independent Review Director. 2022. "Complaint Forms." Accessed March 19, 2022. https://www.oiprd.on.ca/complaints/complaint-forms/

Office of the Police Commissioner, Prince Edward Island. 2022. "Making a Complaint." Accessed March 19, 2022. https://www.policecommissioner.pe.ca/making-complaint

Office of the Police Complaint Commissioner, British Columbia. 2022. "Make a Complaint". Accessed March 19, 2022. https://opcc.bc.ca/make-a-complaint/

Quebec. 2022. "Complaints" Accessed March 20, 2022. https://www.quebec.ca/en/how-to-reach-us/complaints

Royal Newfoundland Constabulary Public Complaints Commission. 2022. "File a Complaint" Accessed March 20, 2022. https://www.rncpcc.ca/file-a-complaint/

Salt Lake City Police. 2022. "Police Civilian Review Board." Accessed March 20, 2022. http://www.slcpd.com/resources/civilianreviewboard/

Seattle office of Police Accountability. 2022. "Online Complaint Form." Accessed March 20, 2022. https://www.seattle.gov/opa/complaints/file-a-complaint/online-complaint-form

St. Louis Missouri Government. 2022. "File a Complaint Against a St Louis Metropolitan Police Officer." Accessed March 20, 2022 https://www.stlouis-mo.gov/government/departments/public-safety/civilian-oversight-board/complaint-process.cfm

Texas Commission on Law Enforcement. 2022. "Compliant Procedures." Accessed March 20, 2022. https://www.tcole.texas.gov/content/complaint-procedures

United States Capitol Police. 2022. "Report a Complaint." Accessed March 30, 2022. https://www.uscp.gov/complaint-report

Victoria Police. 2022. "Complaints." Accessed March 30, 2022. https://www.police.vic.gov.au/complaints

West Yorkshire Police. 2022. "Making a complaint." Accessed March 30, 2022. https://www.westyorkshire.police.uk/about-us/our-standards/professional-standards/making-complaint

Wyoming Ohio. 2022. "Wyoming Police Department Police Complaint Form." Accessed March 20, 2022. https://wyomingohio.gov/citizen-action-line/#form/19110

APPENDIX C: CRCC/NSIRA STAFF INTERVIEW QUESTIONS AND PROBES

INTRODUCTION: My name is Scot Wortley. I am a Professor at the Centre for Criminology and Sociolegal Studies at the University of Toronto. Thanks for meeting with me today. As you may know, I have been asked to conduct a study and produce a report on the collection of race-based data, and other demographic information, within the CRCC and NSIRA. You have been identified as an important stakeholder who is familiar with the current CRCC/NSIRA complaints process.

As part of today's interview, I will be asking you various questions about the information that is currently collected about both complaints and complainants. In particular, I will ask you about the potential uses and misuses of race-based data and the challenges associated with collecting this type of information. I will also ask you about other demographic information, in addition to race, that might contribute to a better understanding of the complaints received by the CRCC/NSIRA. Finally, I will be asking you questions about how race and other demographic data should be analyzed and whether this type of information should be made available to the public. The interview should take between 30-45 minutes to complete – depending on how much you have to say.

I want to assure you that this interview is completely confidential. Individual respondents will not be identified in any reports or analysis that result from this project.

Before we get started, I want to ask you if I can record this interview. The interview will be immediately transcribed. The recording will be destroyed after transcription. Recording the interview will ensure that I accurately capture your experiences and opinions and that the interview will proceed quickly. If I can't record your interview, I may have to stop the interview at various points to record my notes.

Do you give permission for me to record the interview for transcription?

  1) YES – permission to record interview granted
  2) NO – permission to record interview denied

Do you have any questions for me before we get started?

I want to start with a few questions about your general background. This may help us understand if different types of people have different types of experiences or opinions.

a) What organization do you work for (i.e., CRCC or NSIRA)?

b) How long have you worked for this organization?

c) What are your work responsibilities? Please describe the type of work that you do.

d) What is your educational background?

e) Have you ever worked as a police officer or as a national security official? Have you ever worked for the RCMP, CSIS or the CSE?

f) I now want to turn our attention to the issue of race-based data. Do you think CRCC/NSIRA should collect information about the race of complainants? Why or why not? What are the potential benefits or uses of race-based data? Why would CRCC/NSIRA want to collect this type of information?

g) In your opinion, are there any dangers associated with the collection of race-based data? Can this type of data be misused or misinterpreted?

h) In your opinion, are there any potential consequences if CRCC/NSIRA decide NOT to collect race-based data?

i) If a decision is made to collect race-based data, what racial categories should be included?

j) How should race-based data be collected? How can we obtain information about the race of complainants? Should complainants be asked to report their racial identity on the complaint form? Can you see any challenges with respect to asking citizens to report their race to CRCC/NSIRA? How can the purpose of racial data be explained to complainants?

k) Besides asking complainants to report their race – is there any other way to collect racial data? Is it possible for CRCC/NSIRA officials to record the race of complainants – based on their own perceptions? Can race-based data be collected from police or security documents – including general occurrence reports? Are there any benefits to measuring race using different methods (i.e., self-report vs. official perceptions)?

l) In addition to race, do you think the CRCC/NSIRA should collect other demographic information on complainants? What other variables or characteristics should be measured? For example, should we collect information on ethnicity, immigration status or country of origin? How about religion, gender identity and sexual orientation? How about mental and/or physical disabilities? How about socio-economic status? How about criminal record?

m) So far, we have only been talking about collecting racial information on civilian complainants. In your opinion, should we also collect racial information on the RCMP, CSIS, and CSE officials involved in complaint-related incidents?

n) Should the CRCC/NSIRA collect other information on the officers/agents involved in complaint-related incidents? How about gender and age? Years of experience? Rank or assignment?

o) In your opinion, if a decision is made to collect race-based data and other demographic information, how should such data be analyzed? Should we examine racial/demographic differences in types of complaints? Should we examine racial/demographic differences in complaint outcomes?

p) Do you think CRCC/NSIRA should explicitly ask complainants if they believe that the treatment that led to their complaint was the result of racial bias? Should complaints be asked if they believe they were the victim of racial bias or discrimination?

q) Should race-based information, and other demographic data, be reported to the general public? For example, should racial data be released in CRCC/NSIRA annual reports? Why or why not? Do you have any suggestions for how this type of information should be disseminated or released?

r) In your opinion, what are the strengths and weaknesses of current data collection practices with respect to CRCC/NSIRA complaints?

s) How does CRCC/NSIRA identify different types of complaints? How are complaints categorized or coded? Can this process be improved?

t) Do you have any other ideas or recommendations on how to improve the quality of data that is currently collected on CRCC/NSIRA complaints?

u) This brings us to the end of the interview. Do you have any other comments, observations, or recommendations that you would like to make at this time?

THANK YOU FOR YOUR TIME AND COOPERATION

APPENDIX D: CRCC/NSIRA PUBLIC INTERVIEW QUESTIONS AND PROBES

INTRODUCTION: My name is Akwasi Owusu-Bempah. I am a Professor in the Department of Sociology at the University of Toronto. Thanks for meeting with me today. As you may know, I have been asked to conduct a study and produce a report on public opinions about the collection of race-based data, and other demographic information, within the CRCC/NSIRA. You have been identified as someone who could provide useful insight on this topic.

As part of today's interview, I will be asking you a variety of questions about identity-based and other demographic information that could be collected about both complaints and complainants. In particular, I will ask you about the potential uses and misuses of race-based data and the challenges associated with collecting this type of information. I will also ask you about other demographic information, in addition to race, that might contribute to a better understanding of the complaints received by the CRCC/NSIRA. Finally, I will be asking you questions about how race and other demographic data should be analyzed and whether this type of information should be made available to the public. The interview should take between 30-45 minutes to complete – depending on how much you have to say.

I want to assure you that this interview is completely confidential. Individual respondents will not be identified in any reports or analysis that result from this project.

Before we get started, I want to ask you if I can record this interview. The interview will be immediately transcribed. The recording will be destroyed after transcription. Recording the interview will ensure that I accurately capture your experiences and opinions and that the interview will proceed quickly. If I can't record your interview, I may have to stop the interview at various points to record my notes.

Do you give permission for me to record the interview for transcription?

1) YES – permission to record interview granted
2) NO – permission to record interview denied

Do you have any questions for me before we get started?

I want to start with a few questions about your general background. This may help us understand if different types of people have different types of experiences or opinions.

1. DEMOGRAPHIC CHARACTERISTICS AND BACKGROUND QUESTIONS

The following questions will help us determine whether different types of people have different types of feelings or experiences.

A.   To which age group do you belong?

1) 18-24 years
2) 25-34 years
3) 35-44 years
4) 45-54 years
5) 55-64 years
6) 65 years or older

B.   To which gender group do you most identify?

1) Female
2) Male
3) Transgendered Female
4) Transgendered Male
5) Gender Variant/Non-Conforming
6) Two-spirited
7) Other (please specify): _____

C.   Were you born in Canada?

1) Yes
2) No
     a) Where were you born?
     b) How long have you lived in Canada?
     c) Are you a Canadian citizen?

D.   In our society, people are often described as belonging to a particular Indigenous, racial or ethnic group. For example, some people may be seen as Metis, Black or African-Canadian, other people may be seen as Asian or South Asian and other people may be seen as White. Which racial or ethnic groups do you feel that you belong to (select all that apply):

1. Indigenous
     i. First Nations (North American Indian)
     ii. Metis
     iii. Inuk (Inuit)
2. White
3. South Asian (e.g., East Indian, Pakistani, Sri Lankan)
4. Chinese
5. Black

6. Filipino
7. Arab
8. Latin American
9. Southeast Asian (e.g., Vietnamese, Cambodian, Laotian, Thai)
10. West Asian (e.g., Iranian, Afghan)
11. Korean
12. Japanese
13. Other group (specify)

E.   In our society, people often identify with a particular ethnic group. For example, some people may identify as Jamaican, while others may identify as English, Irish, Somalian, Nigerian, Serbian or something else. What ethnic group or ethnic groups would you say that you identify with? (LIST ALL THAT APPLY TO YOU)

F.   What is your educational background? What is the highest level of education you have achieved?

1) Less than high school
2) High school degree
3) Some community college
4) Community College degree/diploma
5) Some university
6) University Undergraduate Degree (i.e. B.A. or B.Sc.)
7) University Graduate or Professional Degree
8) Other (specify): _____

G.   What is your religion? What religious groups do you identify with, if any?
1) Protestant
2) Roman Catholic
3) Orthodox Christian
4) Buddhist
5) Hindu
6) Islam
7) Jewish
8) Other (Specify):_____;
9) None, no religion

H. What is your sexual orientation?

1) Asexual
2) Bisexual
3) Gay
4) Lesbian
5) Pansexual
6) Queer
7) Questioning/exploring
8) Heterosexual (Straight)
9) Two-Spirit
10) Other (please specify): _____
11) Prefer not to answer

I. What type of professional work do you do? Do you work with any particular racial, ethnic or religious groups? Can you tell us about the nature of that work?

_____

2. IDENTITY BASED DATA QUESTIONS Identity-based data refers to the socio-demographic information about a person including, but not limited to, their Indigenous identity, race, ethnic origin, sexual orientation and gender identity.

A. I now want to turn our attention to the issue of race-based data. Do you think CRCC/NSIRA should collect information about the race of complainants? Why or why not? What are the potential benefits or uses of race-based data? Why would CRCC/NSIRA want to collect this type of information?

B. In your opinion, are there any risks associated with the collection of race-based data?

C. In your opinion, are there any potential issues if CRCC/NSIRA decides NOT to collect race-based data?

D. If a decision is made to collect race-based data, what racial categories should be included?

E. How should race-based data be collected? How can we obtain information about the race of complainants? Should complainants be asked to report their racial identity on the complaint form? Can you see any challenges with respect to asking citizens to report their race to CRCC/NSIRA? How can the purpose of racial data be explained to complainants?

F. **Instead of asking a complainant their race, do you think it is more appropriate to use the official's perception (judgement) of the complainants race?**

G. **In addition to race, do you think the CRCC/NSIRA should collect other demographic information on complainants? What other variables or characteristics should be measured? For example, should information on the following variables be collected?**

Variables
- Indigenous Status
  - On reserve/off-reserve
- Age
- Gender identity
- Education
- SES
- Ethnicity
- Disability status
- Immigration status
- Sexual orientation
- Religion

H. **So far, we have only been talking about collecting racial information on civilian complainants. In your opinion, should we also collect racial information on the RCMP/CSIS/CSE officials involved in complaint-related incidents?**

I. **Should the CRCC/NSIRA collect other information on the officers involved in complaint-related incidents? How about gender and age? Years of experience? Rank or assignment?**

J. **In your opinion, if a decision is made to collect race-based data and other demographic information, how should such data be analyzed? Should we examine racial/demographic differences in types of complaints? Should we examine racial/demographic differences in complaint outcomes?**

K. **Do you think CRCC/NSIRA should explicitly ask complainants if they believe that the treatment that led to their complaint was the result of racial or other forms of bias? Should complaints be asked if they believe they were the victim of bias or discrimination?**

L. **In your opinion, who do you think should be responsible for classifying CRCC/NSIRA complaints? Should this classification be done by CRCC/NSIRA officials? Should it be done by the agency against which the complaint is made (i.e., RCMP/CSIS/CSE)?**

M. Should there be a comparison between the way the CRCC/NSIRA categorize the complaint and the way the RCMP/CSIS/CSE categorize?

N. Should the demographic/identity-based information collected about complainants in individual cases by the CRCC/NSIRA be shared with the respective agencies?

O. Should race-based information, and other demographic data, be reported to the general public? For example, should racial data be released in CRCC/NSIRA annual reports? Why or why not? Do you have any suggestions for how this type of information should be disseminated or released?

P. Do you have any other ideas or recommendations on how to improve the quality of data that is currently collected on CRCC/NSIRA complaints?

Q. This brings us to the end of the interview. Do you have any other comments, observations, or recommendations that you would like to make at this time?

THANK YOU FOR YOUR TIME AND COOPERATION