

**INQUEST INTO THE DEATHS OF SEVEN FIRST NATIONS YOUTHS:
Jethro Anderson, Reggie Bushie, Robyn Harper, Kyle Morriseau, Paul Panacheese,
Curran Strang and Jordan Wabasse**

(Held from October 5, 2015 to June 28, 2016)

Thunder Bay Courthouse

Thunder Bay

**IMPLEMENTATION STATUS REPORT
OF THE THUNDER BAY POLICE SERVICE
(2017)**

A. Overview

On June 28, 2016, the verdict in the Joint Inquest into the Deaths of Seven First Nations Youths in the City of Thunder Bay (“Joint Inquest”) was released along with 145 recommendations directed to various institutional parties. Of the 145 recommendations, approximately six (6) relate to policing matters and were directed to, among other institutions, the Thunder Bay Police Service (the “Service”). All of the recommendations that refer to the Service have been accepted. This Report is prepared pursuant to Recommendation 143 to provide an update on implementation status.

B. Recommendations Directed to All Parties

A number of recommendations arising out of the Joint Inquest are directed to all parties. The Service acknowledges and accepts these recommendations and reports as follows:

Recommendation 7 – Guiding Principles - Implemented

This recommendations is accepted by the Service. Implementation is being guided by the statements contained in this recommendation.

Recommendation 143 – Annual Report on Implementation Status – Implemented

This recommendation is accepted by the Service and this Report constitutes the Service’s Report thereunder.

Recommendation 144 – Process of Posting Annual Reports - Ongoing

The Service is not aware of any process for publishing implementation reports but will certainly consider any model that all parties are willing to adopt.

Recommendation 145 – Revise Policies and Procedures – Implemented

The Service made changes to its policies and procedures proactively prior to the Joint Inquest. To the extent that any accepted recommendation still in the implementation phase requires revision of a specific policy or procedure, such changes will be made during normal operational reviews and will be implemented as appropriate.

C. Recommendations involving Police and other Institutions

Recommendation 48 – Grade 8 Visit Program – Implemented

The Grade 8 Visit Program (“Visit Program”) was created and implemented proactively by the Service during the hearing phase of the Joint Inquest and prior to the release of the verdict and recommendations.

The Service continues to work in partnership with the Nishnawbe-Aski Police Service (“NAPS”) and Wasaya Airlines to allow police officers to visit students in remote communities who will be traveling to Thunder Bay to attend school. These visits are ongoing throughout the year. In 2017, the Visit Program has already completed four (4) visits: (1) Fort Hope on February 2, 2017; (2) Kasabonika Lake on March 2, 2017; (3) Summer Beaver on June 1, 2017; and (4) Wunnumin Lake on June 16, 2017. In order to continue identifying appropriate destinations for the Visit Program, the Service has obtained a list of students coming from twenty-one (21) communities and is waiting on numbers from two (2) other First Nations education facilities. Discussions are also ongoing between the Service and staff/officials with various First Nations education facilities for a joint project that will have Service officers attend with education authority officials for orientation sessions with students in their home communities.

The Service Aboriginal Liaison Officer, with assistance from the Service School Resources Officer and Community Service Sergeants, has prepared a presentation for the Visit Program that addresses daily life in Thunder Bay and discusses expectations and issues that students should be aware of. The presentation enables officers to speak about important health and safety issues with incoming students and with their family members. To ensure that information in the presentation remains relevant, the Service Aboriginal Liaison Officer is in the process of selecting up to two student Ambassadors from the current Indigenous student body in Thunder Bay to review the presentation and propose additional information to include. The student Ambassadors are anticipated to act as role models for students in Thunder Bay and will also participate in presentations that take place during the school term. Discussions are also ongoing with NAPS to prepare a joint Service/NAPS presentation.

Recommendation 91 – Working Group - Ongoing

This recommendation was proposed jointly by the Service and other parties. It has been accepted by the Service and implementation is ongoing.

On September 19, 2016, Chief of Police Levesque wrote to the other parties named in this recommendation (the “Working Group”) in an effort to begin scheduling meetings to discuss development and implementation. We understand that Chief Levesque was the first institutional leader to initiate contact in this regard.

On May 18, 2017, the Service issued a media release which provides an update on the Service’s implementation progress in respect of parts of this recommendation (the “Media Release”).¹

On June 5, 2017, the Working Group had its first meeting and members from other institutions provided input regarding their respective implementation progress.

- i. The need to ensure timely reporting to police of all missing person matters that involve a Student (Ongoing).** This recommendation specifically references the Missing Student Protocol Prepared by Nishnawbe-Aski Nation (“NAN”) [see Exhibit 133 filed at the Joint Inquest] and directs that the NAN protocol be revised with the benefit of information learned at the Joint Inquest. The Service has no information about what steps NAN has taken in this respect. However, in addition to the information contained in the Media Release, the Service can confirm that it is working with Matawa Learning Centre (“Matawa”), Denis Franklin Cromarty High School (“DFC”), Keewatinook Okimakanak (“KO”) and the Northern Nishnawbe Education Council (“NNEC”) to prepare missing person protocols and contact information resources in an effort to synchronize policies and procedures among on-call workers across different educational organizations. This item is ongoing.
- ii. Public awareness (Implemented).** The Service has prepared and published a dedicated webpage² to ensure public awareness of the steps to be taken in the event that an individual’s whereabouts become unknown. Any further steps will require direction

¹ The Media Release can be viewed at the following URL: <<http://www.thunderbaypolice.ca/news/common-goals>>.

² This is referred to in the Media Release and can be viewed at the following UR: <<http://www.thunderbaypolice.ca/missing-persons>>.

within the Working Group. Subject to any further discussions within the Working Group, this item has been implemented.

- iii. Information Sheets (Ongoing).** As set out in the Media Release, the Service is working to create a checklist of descriptors and identifiers for all students attending school in Thunder Bay from Northern First Nations Communities. This list will be kept with education facility staff and should assist in the event of a need to gather information in order to make a report. The Service has reached out to Matawa, DFC, KO, and NNEC to ask what should be included on the proposed list. Additionally, the Service has asked each education facility to provide them with a list of their on-call workers to be kept in the Service Watch Commander's Office. If a student is reported missing, the Watch Commander will be able to quickly contact an appropriate on-call worker who can provide detailed information about the student in a timely manner. The Service understands that Matawa requires Band Council approval before completing this item and that approval is pending. This item remains ongoing pending confirmation from Matawa.
- iv. Social Media Search (Ongoing).** As set out in the Media Release, social media is already in use, where appropriate, in matters where an individual's whereabouts have become unknown. The Service remains ready to discuss designation of particular roles and responsibilities with other members of the Working Group. This item is ongoing subject to discussion with the Working Group.
- v. Press Releases (Ongoing).** As set out in the Media Release, press releases are created by the Service in consideration of the specific circumstances of each individual investigation. The Working Group must consider best practices for media releases and this item remains ongoing subject to those discussions.
- vi. Best Practices for Interviews (Implemented).** The Service continues to coordinate with NAN Legal Services to ensure that, where appropriate, resources are available to provide assistance to interviewees in exigent, non-criminal, circumstances. Subject to any further discussions within the Working Group, this item has been implemented.

- vii. Internal Search Plans (Ongoing).** This item requires consultation and discussion with other members of the Working Group and remains ongoing accordingly.
- viii. Global Search Plans (Ongoing).** This item requires consultation and discussion with other members of the Working Group and remains ongoing accordingly.
- ix. Missing Person Risk Factors (Ongoing).** This item requires further discussion within the Working Group and will likely be canvassed more as the Working Group addresses items [i] and [iii] within recommendation 91. This item remains ongoing accordingly.
- x. Review of Missing Person Questionnaire (Ongoing).** The Working Group has not yet had an opportunity to address this item. As such, it remains ongoing.
- xi. Training (Substantially Implemented).** The Service can confirm that over 75% of its members have completed the Walk A Mile training program that was presented during the Joint Inquest. All Service members have completed training on the revised procedures referenced earlier pursuant to recommendation 145. To ensure monitoring and timely completion of member training, the Service Training Unit continues to provide the Thunder Bay Police Services Board with an annual report summarizing the training undertaking by Service members. Subject to completion of the Walk A Mile training, which is anticipated to conclude imminently, this recommendation will be fully implemented.
- xii. Training Case Scenario (Ongoing).** This item requires consultation and discussion with other members of the Working Group in order to be properly implemented. It remains ongoing accordingly.
- xiii. Consultant Aided Training Revisions (Ongoing).** The Service is eager to discuss with the Working Group the possibility of engaging Dr. Cynthia Wesley-Esquimaux. As such, this item remains ongoing subject to discussion with the Working Group.

Recommendation 94 – Multilingual Joint Search Protocol (Ongoing)

The Service members of the Working Group have created a comprehensive list of 21 factors to consider in preparing this joint protocol. The list has been forwarded to NAN members of the Working Group for review and feedback. A Working Group meeting has been scheduled for July 2017 for further discussion of the list. The Service has already provided personal safety training to members of the Bear Clan Patrol which is a citizen's group that conducts foot patrols in Thunder Bay to promote safety within the community. The Community Services Branch of the Service is working with NAN to organize joint patrols between the Service and the Bear Clan Patrol.

Recommendation 96 – Joint Task Force with LCBO to Deter Underage Drinking (Ongoing)

The Service and the LCBO have formed a working task force to look at the issue of “runners” - second party purchasers who provide alcohol to minors. The Service has provided a list of specific “triggers” to the LCBO and assisted in preparing a draft protocol for reporting runners to police. These items are being reviewed by the LCBO's legal department.

In December 2016, members of the Service's Community Services Branch in partnership with Uniform Patrol Branch implemented the “Runner Project Plan”. This plan involves, among other things, Service surveillance of identified “hot spots” and includes interdiction as required. The plan also features a reporting mechanism to monitor overall progress and any patterns or findings that are identified. This item remains ongoing accordingly.

Recommendation 97 – Public Campaign to Deter Second Party Purchases of Alcohol (Ongoing)

The Service/LCBO working task force referenced in recommendation #96 is also working in partnership to discuss possible public awareness campaigns. The Service understands that the LCBO will be undertaking a two-phase campaign: (1) in or around June 2017 - creation and placement of posters within LCBO stores focusing on the legal consequences for second party purchasers; and (2) in or around September 2017 - launching a video intended for social media circulation. The LCBO is reaching out to NAN, NNEC and KO, among others, to assist with preparation of video content. This item remains ongoing.

Recommendation 115 – Safety Audit of River Areas (Ongoing)

Since Fall 2016, the Service conducts focused daily foot patrols along previously identified high risk areas including city waterways and recreational trails.

In November 2017, a Riverway/Floodway Monitoring Project was implemented by the Service's Uniform Patrol Branch. A revised list of high risk areas was prepared in consultation with numerous community organizations including, among others, Shelter House, NNEC, DFC the LCBO and management at The Beer Store. The Service's project leader has also reviewed the locations of the deaths that were the subject of the Joint Inquest as well as statistical data relating to police interactions for *Liquor Licence Act* offences.

The Monitoring Project requires officers to conduct three foot patrols of high risk areas each day. If officers encounter persons in an intoxicated state or consuming alcohol, appropriate action will be taken and may include: (1) an escort home or to a safe location (e.g. Shelter House or detox); (2) confiscation of alcohol without further interdiction; or (3) apprehension if necessary. The plan includes a reporting mechanism that will be reviewed on a regular basis to track, among other things, the number of calls for service and numbers of intoxicated persons located in the high risk areas. The plan is intended to deter consumption of alcohol near bodies of water and increase awareness of the related public safety risks.

In the week of May 15, 2017, a safety audit was conducted in collaboration with the City of Thunder Bay Safety Audit Committee. This Committee includes members of the Service. The above mentioned high risk areas remained the focal points for the audit. A safety and security specialist was hired in a consulting capacity to conduct the audits and has provided a preliminary report. The consultant's full report is expected to be available in August 2017. Implementation of this recommendation remains ongoing subject to the findings of the completed safety audit and any input from other institutions.

Acting Chief of Police Sylvie Hawth

Thunder Bay Police Service

1200 Balmoral Street

Thunder Bay, Ontario

P7B 5Z5

Phone: 807-684-1200

Email: sylvie.hawth@thunderbaypolice.ca