

Saskatoon Session - Engaging on the Proposed Elements for Federal First Nations Police Service Legislation

Date: February 15th 2024

Location: Saskatoon, SK, Canada

(Ramada by Wyndam Saskatoon, 806 Idylwyld Dr N, Saskatoon, SK S7L 0Z6)

In-Attendance: 96 people attended (26 virtual / 70 in-person) representing the following:

- Mental Health Support
- Councillors
- Executive Directors
- Senior Analysts
- Board Chairs
- Justice Directors
- 3rd Level Specialists
- Vice Chiefs
- Justice Coordinators
- Justice Committee Members
- Education Services
- Elders
- Security Officers
- Chiefs
- Directors of Justice and Policing
- Emergency Services Coordinators
- Community Safety Officers
- Chiefs of Ontario Representatives
- Directors of Operations
- Justice Portfolio Holders
- Program Coordinators
- CEO's
- Co-Chairs

Welcome and Opening Remarks

- Land acknowledgment/territory welcome - Ron Linklater
- Opening prayer - Ahtahkakoop Cree Nation Elder Alex Ahenakew
- Prayer Song - Dennis Meeches
- Information on Indigenous Leadership Development Institute training and Governance - Dennis Meeches
- Agenda overview – Susan Swan, Lake Manitoba
- Facilitator Introduction - Wayne Kaboni and Susan Swan
- Presentation - Chris Moran, Assistant Deputy Minister, Public Safety Canada: https://ildii.sharepoint.com/sites/ILDIArchive/Shared%20Documents/EXECUTIVE%20TRAINING/2024/APPROVED%20Proposals/FN%20Policing%20Legislation/FN%20Policing%20Leg%20-%20Documents/IAB_IPTF_PS%20Presentation%20ILDI%20Engagement.pdf

Opening Remarks by Elder:

- Welcome all of the visitors, the chiefs, the leaders, and the workers. We're a part of Treaty Six. We're talking about justice, law, and the police force. If you look at the history of our people, it's very interesting how we are treated. A lot of times we are treated badly. There's dark, dark parts of history. So I guess we're here to remind the powers in law enforcement what their duties are, and what we, and our forefathers envisioned.
- We all know about natural law.
- I want to thank the Indigenous Leadership Development Institute for their vision. I know they want to make things better for our people.
- It's wonderful to see young people that understand the whole world and try to move ahead. We can do it. And we use the basis of who we are as we advance ahead. So I ask you to just pray with me in every way. Pray in your own way. I'll pray in my own language here, that good things come out of this process. And we think of our children, grandchildren, and people who have that in common all over the world. We love our children, we love our grandchildren, we must do what we can to make it a better place.
- The Political and Tribal Council has increased self-reliance for police service in the country. Since that time, we've had quite a number of individuals self-reliant in the U.S. Although the challenges of having self-reliance in policing and the requirement of being able to try to partner with the federal government on public safety within our communities has been a challenge.

- When I think of the engagement sessions that have been going on, including this one that we'll be doing today, I think of what they're going to be doing in the future, because I lived here in the 60s and 70s. I experienced much of what we experienced with policing, and I think it's starting to change, and I'm happy for that.

Elements to Inform the Legislation

1. Context

Discussion Question

The context emphasizes that the federal legislation should recognize and support First Nations police services with funding and foster effective partnerships between First Nations, the Government of Canada and the province/territory. Are there other concepts that you feel need to be included in the context to properly set the tone of this envisioned legislation?

Answers

- There is a lack of funding for security guards.
- Sustainable funding in the legislation.
- Community Safety Officers (CSO) are needed in our communities.
- Governments need to recognize each of the problems as a lot of communities are suffering.
- Need for civilian oversight body with jurisdiction to audit Indigenous Policing.
- The RCMP do not return calls or come out for emergencies; if they do, it's usually hours later.
- RCMP do not take action. The current system does not work.
- When they call the police, it takes them 3 days to respond and it is difficult to work with them. The police turn on victim-blaming and sometimes it takes them a long time to respond to their issues.
- the problems of gangs and drugs and how the police response time is longer than it should in rural areas. The participant ended his discussion on how terrified he is with his safety and security.
- Be proactive instead of reactive. Have security in the community patrolling. But when the police leave, she is terrified. When talking about legislation, it is more like giving a prescription and not in their favour and it seems to be geared on the offenders. The police response time is longer and sometimes police don't show up at all. There are concerns that police services are lacking in security funding as their safety is at risk. Police are not responding to a lot of calls. The police will arrest someone, and the judge will release them. Public Safety is frustrating because there is no communication between the justice system and police. "Stop prescribing what is best for us, we know what is best for us".
- It's difficult moving forward because of the lack of security and lack of action in RCMP. The federal government has responsibility to the First Nation but always connects it to the provinces. They collect dollars but do not assist communities. Not a single tower in Saskatchewan was dedicated to the First Nation. The infrastructure is being utilized for the province. The present justice system is not working for the First Nation and there is no capacity building. The financial resources should go to the First Nations rather than the provinces, so it could go to their own capacity building.
- There are complaints that are received but the RCMP don't attend but their community attends. RCMP only goes to their reserve only when they have to investigate and take away their stresses because RCMP are short staffed.
- Spoke about the importance of education and the changes since the devastation of what occurred last year.
- importance of education because most of the education level and system in other provinces for First Nations are low.
- There should be funding in education for the First Nation
- Education to youths.

- What is the source of addiction and source of anger among their people. We have to think about the future generation such as the youth and the leaders should be more aggressive and not wait on the government to act upon.
- that they have to be really creative to keep their community safe, their vision is to mentor the youths in their community to do what they do.
- They have a security pilot project until March 2024. There is concern about what will happen when the pilot project ends. Services are lacking. RCMP do not show up for issues. There is no communication from the Buffalo River RCMP Detachment.
- Sovereignty and bylaws.
- First Nations need to prepare themselves to take on their own policing. By starting on training young people and enhancing community policing.
- The federal legislation should equally prioritize the right to govern. An issue of sovereignty and support that needs to be there. Legislation needs to recognize capacity building and recognition of law in provincial and federal courts. In order to be preventative, it should be more than policing funding, there should be funding in the legislation.
- First Nations are subject to provincial and federal legislation but there has to be inherit rights to First Nations. Nothing in the act recognizes protective services. The Saskatchewan Police Act was designed and implemented for Municipal Police Services, but it was not set up to recognize and implement culturally appropriate First Nations policing.
- The history of the Police Act 1990 and how it is designed for municipal police services, FSIN Peacekeepers Act and funding.
- The history of reserve permits, how First Nation people were not allowed to vote until 1952, and the recent 29 recommendations from the recent James Smith Cree Nation inquest.
- The history of policing, warrior societies, and processes that worked in the past. The provincial institutions house 60-80% of First Nations people. The federal penitentiary is the same thing. Gangs, drug dealers are formed in the urban centres. Suicide is tied to addictions and anger amongst First Nations people. We must think about our youth.
- The history of policing with the First Nation – they had processes that work for them but no institutions.
- Roles of Elders.
- There is no reference on the elders engaging proposed elements on the First Nation.
- The Community Safety Officer program is needed.
- COVID-19 security guards. They provided safety to the Elders and stopped drug dealers from entering the reserve.
- The community patrol program since COVID-19 currently employs 10 staff. They are trained in fire, first response, and stats. The relationship with RCMP has greatly increased.
- Mentorship program is the missing piece.
- Is there any side to policing the confrontation at wet'suwet'en? This could be a place to work on keeping the peace and harmony.
- Mediation, not liking the term.
- Arizona Navajo rangers have created a section in which their rangers went and investigated sasquatch. They had a department to investigate that. On her reserve, they had activities such as that same with paranormal activity. She would like to see it incorporated somewhere. For elders, it's real and for the people affected by them they are real.
- Traditional laws - When our law is broken, when our band hunters go hunting and leave the dead animal without taking anything that breaches our traditional law.
- That internal knowledge. Incorporate traditional knowledge in policing communities.

- We always had laws. Pastahowin, you're going to pay the price. Maybe some recognition of that fact. We can't continuously have people believing that we have no laws and that we are savages. We had laws as Indians, without it, we would perish. We believed them and followed them, afraid to break the law or pay the consequences.
- Law schools teach about policing in general. My concern is, is that going to recreate the police culture that has been problematic. I no longer want to support that culture. The colonialist state and internal state. If the conference does not have a proper outcome from this then I would step aside and no longer be included. I would like to see a conversation, whatever the term in colonist language. We can't separate the land and the people.
- We're talking about the complexity of how our systems existed before the RCMP. It wasn't just about policing. We see extractives and industry threatening our people. Man, camps and the workers. No surveillance. Long ago, there was a warrior society, there was an alliance that went up to treaty 6. They ran across the land and monitored the southern border. They surveyed the territories and communicated. It's more complex than employing police.
- The judicial law needs to be First Nations law.
- Indigenous lawyers, recognizing indigenous law in the supreme courts.
- Our big society is protecting our people, women and children, and the land. What we want to see, we are starting to see today.
- Land Laws - We deal in extraction activities. It needs to be added in the discussion. There is no attachment to the land, and no consequences. There needs to be a reinforcement of members to their obligation to communities. Investigations of a crime, that includes investigating the whole organization.
- Need third party reviews.
- There needs to be more onboarding of police from the communities. To teach them, walk with them. De-escalation needs to be talked about.
- Cultural Compliancy is too colonial and isn't in our language. It feels like the colonial way keeps our people in jail. Do we send our young people to jail because they broke into a home because they're hungry?
- Story: "The young people go to jail and keep getting recruited from gangs. It's getting bad now. I have a bat and my dad left me a gun. It's an old gun. I come from a community where we keep our doors locked, smudge and leave. I don't know if policing is the solution. Sending our young people to jail has done nothing."
- We need to be guiding our children properly; this whole system has not been helping our youth. They are not being heard and being told what to do. This whole system doesn't help our people; trying to adapt them to the colonial system. Barriers can start when they're young; receiving improper guidance from a parent who is an Indian Residential School survivor.
- Need to develop an attachment to the land which builds an understanding of oneself and community.
- I'm for on reserve policing. They're trying their best to prevent the gangs and drugs within the communities. If they're native, if you offer tobacco, and tell them to stop, they will.
- Notion of acknowledgment is to acknowledge different notions of different types of consequences within the communities. If in our context in this legislation, are there things that would help them to understand the attachment of the land?
- Different context across Canada; we're putting into a context that's pan Canadian when it should be the context of indigenous laws, traditional laws, treaty laws and land laws. Those are principles that should be included in this legislation.
- Self-determination. Preamble language is reminiscent of minority language. I don't like this reminiscent and preamble language. From individualism to collective theory. We're sliding into the minority language; my biggest concern is sliding into that language.

2. Purpose and Funding Arrangements

Discussion Questions

What are your views of the roles and responsibilities of the Government of Canada, First Nations and the provinces/ territories as articulated in the Elements?

Do you have any suggestions for how to increase the likelihood that funding arrangements will be successfully concluded?

Answers

- Current laws are based on punishment, that is not our way, we have a right to our own systems. We can't agree to someone's else's laws. Bill C92 will protect our children.
- Canada has to be challenged to recognize our jurisdiction and start making laws. Signing treaties.
- The justice system is based on punishment. If you do me wrong, the law system is punishing you back. The justice system is failing the First Nation people and it is not our way. A lot of work that needs to be done in the jurisdiction. If we are serious about preserving nations and treaties in Canada, and recognize our rights, then we could truly negotiate. We haven't drawn the line. So, jurisdiction is important, we can't agree on somebody else's laws that's only hurting our people, community, and children. The legislation should be about protecting our rights and implementing our laws. Before we start talking about legislation that would be imposed on our people, we have to talk about the jurisdiction and nothing else. It has been years and there hasn't been much change. Police are placed to break the law.
- More mental health therapists.
- Funding is not adequate at the moment. There is a lack of funding commitment from the government, and limitations. Indigenous policing services paid less than non-indigenous policing services.
- Regarding treaties, and self-government agreements, in the context of policing under treaties, we would never police under treaties. Our understanding was to maintain our own peace and practice good governance in our communities. Our problems would be when that system has been imposed onto us, not to protect, but to keep us on our reserves. If our responsibilities had not been taken away to maintain peace in our communities, none of this would have happened. It's a pyramid.
- RCMP is underfunded, ill-trained and ill equipped to help indigenous people. We want our own governance and commissions guided from our knowledge keepers. One commission per community. Independent under the legislation.
- Subject to the police services of the act, we're still structuring under the legislation when we shouldn't be. Needs to be some sort of flexibility; self-determination; sovereignty; self-governing.
- The education system is a huge body of research; how policing creates white performing brown people that would perform whiteness for the crown. Think that's happening within the police system. There's no treaty or self-determination within the policing community.
- It needs to be built on indigenous ways of knowing for policing instead of being a whitewashing notion. That relationship needs to be more open. We feel that we are under the legislation that we no longer want to be a part of.
- There's this danger; it's repeating itself again. We have to be careful with this language and might be falling into the trap. It should be by our language and our law. This feels like a Déjà vu. Over and over and again. Listening and learning from the elders; referencing from the prairies and treaties in the forefront not in the back basis of our relationship with the land and treaty. Peace order and good governance. Understanding our relationship with the crown.
- What did we learn if we look back 7 generations back? And how do we ensure peace, order and good governance for the next 7 generations?
- The scary part is that Canada keeps coming up with new laws, which diminish our own free speech. Protection of anybody's own sovereignty. Don't want to be tricked anymore.
- Part of the funding needs to be lateral impacts.
- We must be careful about how we go about this.

3. Dispute Resolution

Discussion Question

1. How successful do you think the proposed dispute resolution processes will be in supporting the resolution of disputes? Do you have any suggestions that may help the Government of Canada, First Nations and provinces/territories work together to respectfully resolve disputes?

Answers

- Self-determination
- Trust of other systems in place. IE: courts, lawyers, legal systems, First Nation Governance
- Consent by First Nations
- Clear interpretation of legislation (referencing to first nation languages)
- Alternate Dispute Resolution process to include First Nation languages and cultural processes.
- Incorporation of indigenous law (law-making authority over indigenous people)
- Elders/Mediators can settle disputes.
- How do we resolve dispute resolutions? That denotes communication among the communities.
- Tribunal levels are a good point to look at, everyone has elders that have knowledge and keepers. That is the best way for the government to speak to a community, is to sit down in a respectful manner with the elders.
- Must have your land and know your language, culture.
- The US government is already looking at reserves, if there's no language or they are not practicing their culture, they will be eliminated and determined as non-indigenous. Elimination of indigenous people is always constant. We are title holders of the land. We never gave up this land. We need to use that type of language to incorporate this document.
- What the crown has done to indigenous people is genocide. Indigenous people need to be included in the constitution. The first step is the recognition of indigenous people rights, and the recognition of the land having rights.
- Society for the Prevention of Cruelty to Animals (SPCA) 1865 – Animals have more rights than indigenous rights. More rights than women and other cultures. Triggered the UN, notion of human rights obligations. Global impacts on water; environment. The one thing is that there is no recognition of the reason for how we got to treaties. Government has no rights and no titles; it's protected by laws and legislation.
- We must be so constant in that language. Be very stern in that legislation of that language and rights.
- It's about funding; not whose law is policing. Police defenders are not following our law. We must defend the land because of our treaties. We made treaties with the plants and the animals; we have responsibilities and obligations because of that. We are defending those agreements that we made; when we do that, we get punished from the state for following our indigenous laws.
- We are obligated to our inherent treaties. This is the way we made treaties with others; we brought our own laws, and we didn't give up anything when we came into treaties. There is an exchange of benefits from the crown.
- ADR (Alternative Dispute Resolution) Process includes incorporation of indigenous law (law-making authority over indigenous people)
- We need to develop strong laws within our own systems to prevent the raping of our lands. In the future, Canada is going to come after indigenous lands; they're teasing us with this whole thing but in the background, they will find ways to remove us from the land so they can mine and forest. As first nations people what are we going to do? To keep protecting the land. Policing is protecting the land and the people.
- Include some sort of consultation model beyond policing.
- Their obligation is to the federal crown. What are the limits? Are we allowed to colour beyond the lines and how flexible is that? Province is not a part of the equation.

- From a view further back of everything, the federal government has the responsibility to ensure the provinces and the crown align with the treaty obligations; as they were formed under the little crowns (provinces). With the way political systems have been involved, it's a federal state. The provinces have been wrestling for control.
- Treaty is a blanket word, but in Saskatchewan, Alberta and Manitoba, it is consistent with the spirit and intent of the treaties.
- There are different unrecognized models between each treaty; intrinsic notions between them. There is a complex notion around the principles of titles and rights. Ottawa needs to understand the principle of the treaty and that the provinces are not recognizing it.
- Can't be a pan Canadian approach, must be an indigenous point of view. Followers are talking about right and left wing. The elders didn't want to be a part of those wings.
- They're waking up the spirits by acknowledging who you are and your blood. Wet'suwet'en has two societies fighting and beating each other. They're not talking to each other. We have an obligation to remind our people who we are. If money needs to be included to be reminded of who you are; then you don't truly know who you really are.
- Dispute resolution equals you talk about the little crown. The legislation needs to be building a mechanism that includes that factor. Provinces can be very impactful.
- They've got to start coming to the First Nations who are the treaty-making leaders. And after entering into agreement with those First Nations, they've got to bring the discontent to the First Nation first and not put it up at the FSRN where it can get lost.
- Do nation-nation building dispute resolution with the three parties being the government, the province, and the First Nation itself.
- We signed our treaties, our leaders signed their treaties. The government signed their treaties with the Bible. We've honoured our faith. They haven't honoured their Bible. I've seen police officers in court, that they're lying. They put their hand on the Bible and raise it and swear to tell the truth, but they don't. They don't respect their culture, their Bible. We respect our faith, we respect the other way of life that we have that we used to have also, so we need to find morally good people in these positions to do the mediation. Because we are one of two sides, and when you have a mediation, you come to a resolution and you find a way to fix that. But the ones that hold the money are usually the ones that decide what to do. How do we get around that?
- There was a mistake in dividing the church and the state, because we come from our culture, our spirituality. When they worked together, they kind of kept each other in check because the church knew what was right so they kept that balance.
- The spiritual advisors need to be at the table during dispute resolutions.
- So in our communities, because of the impact of the Indian residential school and the 60's Scoop, we do have a lot of our communities that are very Christian. We can't just turn away from them as well. They're still part of our community. They maybe haven't found their way back to the red road and to what's inside, right? But we need to make sure that they're represented as well within this dispute resolution.
- Start a dispute resolution with a thanks ceremony, a pipe ceremony, so that it starts in a good way.
- I think that in order to resolve a dispute, each individual party has to be there in order to result in it. They should be made to participate.
- There's two solutions. One is mediation. And one is court. Right now we're just going to court. That's how it's being resolved. So we're trying to do the best so that there's other solutions before we get to that.
- Dispute resolutions should take place on the First Nations land. It would feel more genuine. The people need to be seen.
- First Nations now are starting to put their laws and bylaws together. And what they do is they substitute provincial laws on the map.

- There is a problem, that everytime we are dealing with the province or the government, we are dealing with people that are way at the bottom, who have no say.
- If the Chief and Council are coming to these meetings, then the Minister and Premier should too.
- Ex. “When we were doing negotiations for land claims, for the switch claims, we went to Ottawa, and my dad was the elder there, and about 2,000 folks were negotiating. We were trying to negotiate more money, right? And the negotiator that was dealing with Canada just said, we can't make that decision right now, we need to go and see our superiors. And my dad told him, why don't you send somebody who can make decisions? We have our decision makers right here at the table. Send your decision makers over there, instead of sending you flunkies.”
- So these are the people, we can't do the deal with them, we can't negotiate with them, because they can't negotiate.

4. Implementation

Discussion Questions

Do you have any other ideas that could help support the implementation of a First Nations police services legislation?

The Elements envision that First Nations would be significantly involved in the implementation of the legislation. What is needed to support First Nations participation in this implementation?

Answers

- The funding arrangement or the money should go on training facilities and education, having criteria such as the Community Safety Officer, 42% going to First Nation people and not the province. The constitution of Canada assigns jurisdictions in certain matters such as development of criminal law – governmental issues has to be considered.
- The police service is self-administered and self-governed. The leadership has to set up and deal with the federal government. Commissioners ensure culturally sensitive, professional, appropriate services for the First Nation. Crime prevention has to be implemented.
- File Hills Police Service has an active agreement with legislation. To go the old way to the new way; as specified under the legislation.
- If you were to take this workshop to his reserve, there's elders, their literacy in English is low but their fluency in Cree is high. Abstract but it makes more sense in our own languages. We're trying to fit into their western box when we should not be. How else did we police our own people? We must be careful on how we approach that dark hole; we don't want to lose anything.
- Designing the implementation based on our own indigenous language.
- Just that one word, “ideas”. First sound in the universe is um um, muumtoneechkan. It says, “to seek your thoughts from the vibrational universe. It's a loaded question when you translate it into Cree.
- Indigenous language being used is more sacred and serious. Better understanding.
- The word “implementation” has no teeth on reserve. Common law has no teeth. It needs to have teeth on the reserve.
- Treaty process: The police process is a part of our treaty making just like education. There's a force put there to enforce law and order. Why isn't there legislation that can be implemented that sees individuals that are at high risk, some of them being angry, what did they do before? They evicted those people. Natural law. We knew it very well. Breaking those laws and the government breaking those laws by implementing laws that violate those laws. The protocol was broken after the first contact, we were thought lesser of, but we had the connection, we knew law and the creator. There's a law you must follow; you break that, there's consequences to that process. Why is it not working for us? You look at the provincial penitentiary and women's jails, our people fill them, why are the incarnations so high? We are losing our young people to addiction. High range of social problems. The government throws them a few dollars and sees what they would do with that. We must act like a government and start imposing laws. We can register it to the

government of the day, but they also have that responsibility with the first nations. We see it at home, where our people have no connection to that law making and land, yet they are the key decisions.

- Idea of implementation equals problem having. The actions must go back to the values of the indigenous people.
- Property bylaws and fire bylaws, we take the approach that we pass our own bylaws and standards and that is better than nothing right now. We don't like the idea of governing ourselves through bylaw. We are also doing Health and safety and animal control bylaws to protect the people and animals. We don't want jurisdiction on the reserve.
- Bylaws are a colonial approach.
- Bylaws governing anything that is on leased land and housing bylaw will govern the housing. Two sets of bylaws. It's a better approach than to just have RCMP to avoid. Better capacity towards self-determination.
- We have had no luck in implementation and enforcement throughout the years; so, no one is eager to answer the question regarding that. Trust and understanding. Implementation does not have anything like that.
- Reconciliation: instrument that is supposed to be truthful. No one apologized for taking advantage of our lands. The chief made a sign that says slow down by road, but four kids passed on and someone broke that sign.
- Reconciliation had nothing to do with the church. Reconciliation, what is it? It does not mean the same thing as they proposed in this document. They are proposing that TRC calls an action document. It needs to define what policing means to each of the different communities.
- The schooling for the police force needs to include more Indigenous history, from the Indigenous perspective. To understand colonial violence, and why our communities are struggling. A week of cultural training is not enough.
- The ownership is on the officer and community to build a connection. If one party is hesitant, the other needs to reach out. Relationship Building.
- For the most part, law enforcement sees the maddest, baddest, saddest parts of the First Nations community and that results in a negative perception.
- In terms of that awareness, that education, but also that relationship building, it needs to be really seen in the forefront.
- We don't know history. Back when Donnie McDonald established the residential schools, in 1873, they formed the Northwest Mounted Police. And they needed something to control the Indians. What they did with the Irish, it was called the Royal Irish Constabulary as a paramilitary force to quell the Irish and keep them in line. That's the model we have got here, the North West model, you see and that's sort of the history of our country.
- Ensure that First Nations are all going to be at the table during the implementation.
- Concerns:
 - Are we going to be treated fairly going into this? And are we going to be equal? Concerned about the Government pulling out at the last minute, and not fulfilling their side.
 - The government doesn't seem to take information from meetings, but mostly from data, through census Canada. The census data collected reflects western ways of living based on the data collection. Ex. When asked what language is spoken, many answer English. Census Canada collections on data, does not represent First Nations people.
 - The government wants us to get out of our treaty with all these policies and implementation against our treaty rights. That's happening right now with lands and everything.
- Our understanding of policing from an Indigenous worldview is a lot different than the colonial view.
- Create our own language, not even call it policing, define it in our own language, of how it looks like, and how its going to meet the needs of the community.

- Example: Cree Court. There is a Cree judge, a Cree prosecutor, and a defence lawyer. The language is incorporated, and the customs of the region are taken into account.
- Moving in the direction of having our communities take on the leadership roles.
- Reverse racism can be an issue.
- Another is also having the accused be in the community, that is concern for the victim.
- We need time and money to build capacity, to create our own laws and take control of our own jurisdictions. But we are seriously underfunded. We need time to set this up for success. We need to make the legislation our own.
- Canada runs it by UNDRIP, but when we look at legislation that's passed to us, we've got our own constitution on our own First Nation, and it needs to match up. We have our own constitutions.
- I work with gangs, and they call the RCMP the biggest gang in Canada.
- We need a willing partnership between the provincial and federal government. It says willing, but it isn't.
- Regarding language and re-branding. Ex. community patrol. We don't call them security. We call them community patrols because we use them as a background service. It's their patrol of the community. It's not just about security.
- Say Warriors, instead of police officers, no one wants to be called a cop, you know?
- There is stigma and trauma around these terms, ex. Social worker
- Moving forward, we need more of the force to be dedicated to the First Nation, rather than be relocated after two years. Having those individuals in First Nations for a long period of time will build relationships.
- Ex. of when RCMP got to know the community, there was a funeral, and the RCMP knew the individual and carried the casket in uniform.
- If we are going to implement RCMP into our First Nations, then there should be an area where these individuals only vote on First Nations rights.
- There's a lot of good city police officers. Again, there's also a lot of good indigenous people out there. You know, we have to be really careful that we just don't label everybody as being bad.
- Going back to rebranding, re-naming, that sort of thing. I think in each of our communities or tribal council areas, our linguistic groups need to come out and help others to find ways to name these things in a good way. Because our language is powerful. It will have more meaning, and put a team together, that includes having a ceremony.
- There has to be an inclusion somewhere in regards to the history, culture, customs.
- Funding needs to go to detox centres first, we need to get our people healthy.
- There can be one entity for Canadian code violations, one for bylaw enforcement, and one for prosecution. We need all three working together.
- We can work at getting our bylaws enforced.
- Infrastructure is a huge cost, especially in the north. There are many variables to how much this will cost. Ex. depends where the police service is, where the construction will be, if there is fly in or fly out, if roads exist etc.
- But money should not be an issue, as Canada has no problem sending billions of dollars overseas, to other countries, to third world countries, and so why not this third world country, we should have no problem funding what we want. Personal example: A specific claim for 17 million from 1992 has not been accepted by the government, yet the government sent a quarter million to Spain to celebrate Columbus Day in 1992.
- Deeming essential means money.
- There is no solid foundation if First Nations are not a part of the agreement.
- "Man, I honestly don't know how you guys do it in your communities, and you really need to take credit for the work that you are doing in your communities. Because unlike an urban centre that has, it seems like,

unlimited resources to be able to effectively do their jobs and make communities safer, you guys are scraping with every little crumb that you have and stretching it as far as you can to make sure that you make your community safer. And so you deserve one heck of a lot of credit for what you do. And hopefully, you know, things will just get better and hopefully for some of you, and I understand the talk that we've had around here, legislation is going to be ready for everybody at this time, especially if you're just starting out at the bottom. It was again said that this legislation is maybe looking many generations ahead versus being something you can implement in your community in the next year or so. And that's hard to take away, right? Because your communities need help now. But we have to remember we are doing this looking ahead for what's best for our communities.”

5. Broader Indigenous Policing and Community Safety Programs

Discussion Question

How can the FNIPP and FNIPFP, as well as other Public Safety Canada programming, better respond to broader policing and community safety needs in your communities?

Answers

Address: Community safety issues, tradition and culture, holistic approach to justice, relevance of history, importance of relationships, conceptions of policing, roles of responsibility, and have better dispute resolution mechanisms, funding arrangements, and have specialized services like K9 units for search and rescue/drugs.

- The impact of Child and Family, Investigative Services and Treaty, needs to be considered. Also that the prairie treaties are different from others.
- Currently there are 36 self-governed First Nations Police Departments in Canada. There is a federal provincial police service agreement with the RCMP which expires in 2032.
- More officers are needed, as there is a gap in services, when their are sick days, holidays etc.
- Working together: Set up a PACT, similar to what is in Saskatoon, where a team of crisis responders, mental health workers, and police show up at a crime.
- Expand monetary resources to Emergency Preparedness Plans in communities that are already in place. Additionally, understanding Clare's Law, the Interpersonal Violence Disclosure Act in each community so our people can have the Right to Ask and the Right to Know if there is a domestic violence perpetrator disclosure for the safety of families and children.
- Expand Victim Services to on-reserve First Nations Policing entities - there are not any on-reserve from what I know - during inquiry to MMIWG we asked that these Victim Services be removed or separate from the Policing governance and delivery. It can be standalone because of the necessary needs of victims of crime.
- Funding should be about the impact on the communities such in the justice system and the honesty for how policing should look like for every community.
- It's about open dialogue to resolve the issues in the communities. Historically, it was self-governed and not by legislation. When the community struggles with the idea of implementation, history tells us that someone's law doesn't work with every community. In a broader community policing services programs, is First Nation policing services the end goal of the community? Every issue that was brought up is the treaty and this is significantly different in every province and how it impacts policing.
- Self-administered is not the same thing as self-governance.
- Refer to the FNCPA Costing Guide of how policing is being administered in every province. <https://www.fncpa.ca/wp-content/uploads/FNCPA-Costing-Guide.pdf>
- Inherent rights and history begins with the creation and placement of First Nations on this continent by the Creator.
- History: Government legislation and policy took over the First Nation people by enacting Indian Act causing: Enfranchisement, Prohibition of ceremonies, inability to hire a lawyer, Pass and permit system, Indian agents and farm instructors, Residential schools, Provinces and NRTA, Justice systems etc.
- When policing drugs, there are underlying issues, and there is concern about chasing away someone, who will just do it somewhere else, in another community.

- When I talk about addiction and drug dealers, we know those are high-risk people. To me, the police can only go so far. They can't do anything until something happens. What I suggest is that they should be able to use us as a community to identify that that person is too high risk and they may be suicidal and or hurt someone. They should be incarcerated and then get that help that they need instead of homelessness. Intervention process but not incarceration. Whether it may be a treatment or detox or proper counselling. Educate our own on how damaging and how high-risk a life they live; they don't know it. It's a norm. the jails are doing it. It's a big part of what's evolved in these institutions. What do we change in these connection systems? A lot more can be done.
- A messenger would go and communicate to other communities; more proactive. If policing in a community is the end goal, how do we get there? Does it start with safety first and then evolve to a police service? Is the proposed legislation flexible to do so?
- Community safety needs does not mean police servicing.
- There's more involved in the social health field and they can't solve the immense problem alone. It involves so much more education and duplication of services, etc.
- Ottawa needs to collaborate.
- Ministry justice is broadly defined. The problem with the ministry of justice is that they have three pillars, but they are not working together. They undermine the implementation. Implementation is not a foreign concept, but it is presumably a scary concept. This is being imposed on us.
- The state of Canada does not have the capacity to really implement anything except for their own system and there's some well intentioned attempts to address the injustice.
- Supreme court Canada didn't really bring kinship laws; it only enforced that law under bill c42. That law will take precedence over provincial law but not indigenous law. Bill c92; it is not really our jurisdiction. Its Canada. We are subject to Canada's authority or subject to their funding or rules. Our kinship laws will not really find a place in that.
- Under treaty, it was a family of five. Women had self-determination and reproduction. It wasn't the norm to have 10 or 11 children; we had our way for birth control. The Church was imposed on us and laws were imposed on us. The state imposed a lack of reproductive freedom for indigenous women. Look at the consequences presently. What are the consequences for over policing services in indigenous communities? It creates trauma. That's how control manifested and created the loss of self-determination; kinship; loss of authority through the implementation of state control, especially policing. Ex, the Provincial Correction System sent her brother to jail at the age of 16 from stealing gas.
- We have been impacted negatively from policing; hard to trust.
- Policing might be good for other people; but what does it look like for us? It may not be for us. What is the intent of policing services? Why not allow us to have our own policing services.
- Is the province willing to sit and steward that conservation and will First Nations communities trust that conversation? Policing needs to include a justice service.
- We allow the RCMP to impose these laws, but they don't have the jurisdiction to impose those laws on First Nation communities.
- Community consultation is important. To have a better understanding of how things can shift around, for the betterment of the people or the government.
- Community policing from a consultation standpoint.
- It's not just about policing; it's all about the influence of policing.
- To improve the system today to make things better, it includes more than just reinforcement of policing. We have a detachment in our community, it's just not visible. It's far from the community. They should communicate and meet the department heads in the community, and see the cultural component of what we should do and how we do it. It would show a picture of the trend of people passing. It would be more effective when working directly with the community; on why things are not improving. We should know who is incarcerated from our community. We should have that law on the outcome for our people. There must be steps to shut that process down; to make the community safer.

- Attitudes in police enforcement; it's a big issue in policing. Police have a bad day; give citizens a harder time by giving tickets or be aggressive; abusive. How can you adopt a system that has flaws? I want to be proactive in this process, but this system doesn't work and fails us continuously. They don't prioritize our calls.
- People who are providing services to First Nations need to understand that they have an obligation to understand.
- The RCMP and policing service is not working. You get a good relationship with the officer; they get shipped away. The policing community made him a prize and used him in other communities.
- It's helpful to have inclusion and engagement when the policing services do so.
- Reconciliation means a person individual has a falling out with the church and must go back in and apologize to the church and once apologized too, the church deems them good.
- Reconciliation in public eyes equals coming together as one to help.
- Cree don't have the Cree word for reconciliation.
- Tradition and culture is important, and there's going to be differences in how we govern and how we work with community safety.
- I know that the RCMP are trying very hard to improve relationships between First Nations and the RCMP, and by and large I think they're doing a good job with that, and they're changing. As we go forward and start managing our own justice systems and our own police services, we will maintain that relationship with the RCMP and continue to work with municipal services like the Regina City Police in our case, and the Prince Albert City Police.
- How we do it in our communities might actually be quite different. Using a holistic approach to justice: restorative justice, and community safety planning, and addressing the conceptions of police. It's been a bit of a mistrustful relationship. I think that's changing significantly.
- People see policing sometimes through the lens of law enforcement. But it can be looked at through the lens of social justice, and peacekeeping. This includes elements of harmony of the elders, and social changes. These have to be considered when the communities are deciding on what kind of a policing model they want. Maybe all they want is community safety officers to work with the RCMP. Maybe what they want is self-administered policing. Maybe what they want is a tribal council approach. Maybe they want a regional, or a Treaty 4 territory with major detachments across the area. However it turns out to be, the decision rests with the communities. Always did, always will, and it's entirely up to the communities how they move forward.

Closing Comments

Closing prayer - Alex Ahenakew

Closing remarks

- Thanking the participants for their input and hoping to see implementation in the communities.
- When the sun rises, and the eagle lands. 7 generations has a place where the eagle lands, making sure the people are whole and safe. How will it ground down? Whatever comes out of this legislation, needs to be honest. The language that has been mentioned today is honoured and respected.
- The discussions that came out of these engagement sessions will be put online. It is encouraged that everyone looks at it. These sessions are happening across the country, with the last one being held March 21st in Vancouver. Once all that information comes together, ILDI will compile into a report and it will be forwarded to Public Safety Canada.