



# HAMILTON POLICE SERVICE

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July 6, 2023

Via email: [occ.inquests@ontario.ca](mailto:occ.inquests@ontario.ca)

David A. Cameron  
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Office of the Chief Coroner  
Ontario Forensic Pathology Service  
Forensic Services and Coroners' Complex  
25 Morton Shulman Avenue  
Toronto Ontario  
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Dear Dr. Cameron:

**Re: Inquest into the death of: Devon FREEMAN**  
**Date Death Pronounced: April 12, 2018**  
**OCC Inquest File No.: Q2022-22**  
**Date Inquest Jury Verdict & Recommendations Received: October 21, 2022**

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Further to your correspondence of November 30, 2022, attached please find the *Responses to Jury Recommendations*, as requested.

If you should have any questions, please do not hesitate to contact me directly.

Sincerely,

Frank Bergen  
Chief of Police

FB:kw:mv

**Responses to Jury Recommendations**  
Devon FREEMAN Inquest Q2022-22

**HAMILTON POLICE SERVICE**

RECOMMENDATIONS:

**# 1, 2, 10-22 and 59**

REC. #	ORGANIZATION'S RESPONSE
1	<p><b>Recommendation status: Ongoing</b></p> <p><b>Recommendation:</b> Led by the Chippewas of Georgina Island First Nation, support the development and delivery of a case study training module for children's aid societies and residential service providers regarding the lessons arising from Devon Freeman's life and death and incorporate information from the Narrative document (with the exclusion of personal identifiers or information that may identify individuals or otherwise assign blame). Any requests to obtain and use video or other recordings from the inquest shall be made to the Office of the Chief Coroner for their consideration.</p> <p><b>Response:</b> The HPS Missing Persons Coordinator (the "MP Coordinator") has developed a case study on the Devon Freeman investigation. The MP Coordinator presented this case at the Provincial Missing Persons Working Group at the Office of the Chief Coroner on March 8, 2023 which was well received.</p> <p>In 2023, the MP Coordinator will present this case study to Children's Aid Societies, residential service providers, and other relevant agencies that have a vested interest in providing for youth in care of social agencies in Hamilton.</p> <p>The MP Coordinator is in communication with the HPS Training Branch to determine how to best share insights and lessons learned from the case with members of the police service.</p>
2	<p><b>Recommendation status: Completed</b></p> <p><b>Recommendation:</b> Use or continue to utilize neutral, descriptive language to describe young people who leave their place of residence without permission.</p> <p><b>Response:</b> The HPS will continue to use neutral, descriptive language to describe young people who leave their residence without permission. The HPS missing person policy and related forms (search urgency, risk factor checklists) use neutral language.</p>

**Recommendation status: Ongoing**

**Recommendation:** Make the position of Missing Persons Coordinator a full-time permanent position, which to date has been part of a “pilot” project.

Response: The HPS has a full time Sergeant (MP Coordinator) dedicated to reviewing and assisting missing persons investigations. The position will be made permanent with the creation of a Missing Person Unit. The MP Coordinator is responsible for the following (but not limited to):

- Monitoring and overseeing all open missing persons investigations within the organization, ensuring there is always an active lead investigator.
  - Tasking ongoing investigations daily.
  - Confirming the accurate status of the missing person on relevant platforms.
  - Reviewing the Risk Factor Checklist for accuracy and identifying the need for further investigative measures.
  - Providing additional avenues for investigation.
- Collaborating closely with Front Line Patrol, Criminal Investigations Division (CID), Victim Services, Human Trafficking Unit (HTU), Internet Child Exploitation Unit (ICE), Child Abuse Branch (CAB), and the Homicide Unit ensuring adherence to policy and training standards.
- Supporting the families of missing persons, acting as a single point of contact, and providing regular updates to both the families and the reporter. This allows front line officers to concentrate on the ongoing investigation.
- Ensuring all reported missing person incidents are investigated according to the procedures outlined in the organization's policies, including Missing Person Investigations, Ground Search for Missing Persons, Sudden Death/Found Human Remains, and Alzheimer's Disease/Dementia/Autism Spectrum Disorder Medic Alert®Connect Protect Program.
- Monitoring and providing information to Homicide and respective Criminal Investigations Division (CID) officers concerning long-term missing persons.
- Updating and validating monthly reports to meet CPIC protocol and adequacy standards, with a focus on unsolved missing person cases.
- Managing CPIC updates and collaborating with external agencies such as the RCMP and OPP's National Centre for Missing Persons and Unidentified Human Remains (NMPUR) and Missing Person and Unidentified Bodies (MPUB). This includes assisting in identifying human remains through DNA and dental records and utilizing the National DNA Databank (NDDB) for new missing person and unidentified human remains investigations.

	<ul style="list-style-type: none"> <li>• Facilitating the submission of DNA samples to the NDDDB under the National Missing Person DNA Program (NMPDP), in accordance with legislation.</li> <li>• Handling administrative tasks such as updating monthly missing person statistics, maintaining the organization's website, and ensuring alignment of missing person policies with those of the National Centre for Missing Persons and Unidentified Human Remains (NCMPUR).</li> <li>• Monitoring Medic Alert's® Hot Line Viewer Program.</li> <li>• Increasing public awareness and understanding of missing persons through the organization's Missing Person Website, Facebook page, and community handouts about the Medic Alert® Connect Protect Program. This ongoing effort aims to improve the safety and well-being of individuals, their families, and the community.</li> <li>• Conducting ongoing training sessions with communications, Support Services Officers (SSOs), and the community regarding Medic Alert - Connect Protect.</li> <li>• Compiling an annual report on Urgent Demands, as requested by the Chief, and providing a copy to the Police Service's Board. The report is also made available to the public on the HPS website.</li> <li>• Ensuring that training materials related to the newly formed Missing Person Act and the use of Urgent Demands are uploaded to CPKN (Canadian Police Knowledge Network) and accessible to all members.</li> <li>• Establishing and maintaining partnerships with various governmental and non-governmental services, organizations, and committees.</li> <li>• Utilization of the Legislative Software and Major Case Management Procedures in Missing Person Investigations.</li> <li>• Providing support and attempting to work closely with the relevant agencies involved in the care of repeat and vulnerable missing person in “Circles of Care”.</li> </ul>
11	<p><b>Recommendation status: Ongoing</b></p> <p><b>Recommendation: Work towards creating (including if necessary by making a request to the HPS Board for resources or funding) a new Missing Persons Unit (“MPU”) with the responsibility of coordinating and directing missing persons investigations. Any MPU that is created may still rely on officers from patrol or other divisions as appropriate in conducting missing persons investigations.</b></p> <p><u>Response:</u> A proposal has been written for the creation of a five-person Missing Person Unit (MPU) for the Hamilton Police Service. This proposal is expected to be presented to the Hamilton Police Services Board in the fall of 2023 to request additional staffing and resources.</p>

<p>The Unit would consist of one Sergeant, three Detective Constables and one Civilian Support Worker. Establishing a dedicated Missing Persons Unit would provide several advantages for the police service including specialization of staff, increased capacity for investigations, consistency in cases, access to specialized techniques and tools and greater ability to engage with community.</p>
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**Recommendation status: Ongoing**

**Recommendation:** In developing an MPU, the HPS should consider and review the recommendations in *Missing and Missed: The Report of the Independent Civilian Review into Missing Person Investigations* and their application to the HPS. Specifically, they should consider:

- a) Developing a strategic plan; including review and potential amendments to missing persons investigations (“MPI”) policies;
- b) Giving priority to MPIs and change in culture;
- c) Consistent coordination of MPI;
- d) Use of civilian support workers, civilians in duties not required for a sworn officer related to MPI, coordination and family support;
- e) Use of FOCUS tables;
- f) Continuity of investigations;
- g) Maintenance and development of community partnerships and, in particular, the Indigenous community;
- h) Timely media releases;
- i) Partnerships with youth institutions and, in particular, child and youth mental health facilities; and,
- j) Creation of an implementation strategy.

**Response:** After conducting an extensive evaluation of the shortcomings of investigations into missing and murdered 2SLGBTQ individuals in Toronto, Justice Epstein put forth 151 recommendations, with 41 being directly relevant to police conduct. The recommendations were put in place to address the systemic issues that led to inadequate investigations and to help prevent such occurrences from happening in the future.

In the fall of 2022, a Coroner's Inquest was held to examine the circumstances surrounding Devon Freeman's death in Hamilton. The inquest jury directed 75 recommendations towards the social agencies involved in Devon's missing person investigation, including the Ministry of Children, Community and Social Services. Of these recommendations, 12 were specifically related to the Hamilton Police Service, which was involved in the investigation. The recommendations were made to improve the overall investigative process and to prevent similar incidents from happening in the future. The recommendations encompassed various aspects, not only the specifics of police investigations such as proper risk assessment and comprehensive reporting, but also emphasized the significance of enhancing communication channels within and between child welfare and other relevant agencies. Additionally, the recommendations stressed the need for improved identification of suicidal risk, fostering

meaningful relationships with First Nations communities involved in care, and securing adequate funding for organizations engaged in this line of work.

Of the inquests and reviews mentioned, a number of recommendations were made, which have been grouped into six categories collectively for this report. These categories include investigative procedures and practices, staffing and resources, community engagement and consultation, specialized units and training, support services for families and victims, and policy development and implementation.

The recommendations aim to address the systemic issues that have hindered the investigations of missing individuals and to improve the response to cases of missing people. The implementation of these recommendations will require collaboration between multiple stakeholders, including law enforcement agencies, social service organizations, and the Indigenous community.

The below categories contain some of the main points of both the Missing and Missed Report as well as the Devon Freeman Inquiry.

#### *Category 1: Investigative Procedures and Practices*

- Officers' utilization of the Legislative Software and Major Case Management Procedures in Missing Person Investigations is inadequate.
- Improving the regulation of investigative continuity, supervision, and procedures for escalating cases.
- Outdated Risk Factor Checklists and Search Urgency documentation.
- Missing important investigative avenues and inconsistent investigations.
- There is limited and inconsistent utilization of specialty units, such as technology crime units, during investigations to support evidence gathering.
- In contrast to other high-risk incidents, there is no predetermined list of investigative steps that are mandatory to be completed.
- There are deficiencies in DNA compliance and collection.
- The Service lacks a dedicated procedure for lost or missing persons, as the ground search is integrated into the existing Service procedures that are directly affected. This leads to uncertainty regarding the involvement of the Public Order Unit in search operations, with no alternative solution provided.
- There is no established formal process to review missing person incidents that exceed 30 days.

### *Category 2: Staffing and Resources*

- The current role of the Missing Person coordinator is overly expansive and demanding, posing challenges in effectively managing and overseeing the volume of cases for a single individual.
- Make the position of Missing Persons Coordinator a full-time permanent position, which to date has been part of a “pilot” project.
- Work towards creating (including, if necessary, by making a request to the HPS Board for resources or funding) a new Missing Persons Unit (“MPU”) with the responsibility of coordinating and directing missing persons investigations.

### *Category 3: Community Engagement and Consultation*

- There is a lack of regular, ongoing, and consistent consultations with social and community agencies before, during, and after investigations.
- There is a need for more consistent relationship building with marginalized and vulnerable community members. Currently, there is ineffective and insufficient community outreach, leading to public confusion about whom to approach for assistance.
- There is no predefined procedure in place to keep the family of missing persons updated and engaged.
- There is a need for improved efficiency and enhanced maintenance of community partnerships, particularly with the Indigenous community. The appointment of an Indigenous liaison is a positive step, and its significance should not be overlooked.
- There is a prevailing notion that family members of missing persons are not recognized as victims, resulting in a deficiency of support services, including access to Victim Services. It is crucial to prioritize the identification of the needs of family members and caregivers of missing persons

### *Category 4: Specialized Units and Training*

- Provide training for officers in the MPU and other officers who may work with the MPU on missing person investigations. Such training may include programs or courses offered by other police forces and/or programming put on by HPS officers with particular experience and expertise in missing person investigations. Such training should address issues such as identifying and dispelling stereotypes that arise in relation to missing persons, conducting risk assessments for missing persons, collecting information from the person/organization reporting a missing person, using investigative tools and techniques that assist in conducting missing person investigations.



- Use of civilian support workers, civilians in duties not required for a sworn officer related to MPI, coordination and family support.

*Category 5: Policy Development and Implementation*

- There is a lack of online reporting for missing persons, as well as an absence of a consistent and streamlined process for reporting such cases.
- Currently, there is a lack of accountability or established guidelines for non-policing agencies to diligently search for their missing persons prior to involving the police. This raises concerns about the default reliance on police involvement.
- There is no Memorandum of Understanding between police and community agencies on an agreed procedure when someone goes missing from care.
- No policy that dictates when an investigation should be escalated and the factors that must be present for the escalation to occur.

**In reviewing the recommendations from both inquiries as summarized above, the HPS can move forward with the following:**

**a. Developing a strategic plan; including review and potential amendments to missing persons investigations (“MPI”) policies;**

A proposal has been created for the implementation of a MPU. The proposal is comprehensive and lays out the structure of the unit, their responsibilities and how missing person investigations will be investigated.

**b. Giving priority to MPIs and change in culture;**

The creation of the MPU will ensure a team of specialty trained officers will be conducting missing person investigations and prioritizing them. The Unit will also be responsible for providing training for the police service and updating policy, to ensure appropriate response and facilitate cultural change in regards to these investigations.

**c. Consistent coordination of MPI;**

The MPU Sergeant will be responsible for overseeing and assigning investigations to the Unit. The team will be able to work together to support investigations, provide resources and ensure consistency in investigations.

**d. Use of civilian support workers, civilians in duties not required for a sworn officer related to MPI, coordination and family support;**

The proposal for the MPU includes a request for a fulltime civilian support worker. (See further explanation of this Civilian Support Worker role under Recommendation #15)

Incorporating a civilian member into the Missing Persons Unit will bring a number of advantages that will significantly enhance the overall response to missing person cases. The benefits include the inclusion of diverse perspectives, fostering stronger community connections, cultural competence, prioritizing victim-centric approaches, support for non-enforcement roles, and fostering increased public trust and accountability. The involvement of a civilian member enriches the Unit's ability to deliver a comprehensive, community-focused, and effective response to missing person cases.

**e. Use of FOCUS tables;**

In order to foster continuous dialogue and collaboration with the community, the HPS intends to establish High Risk Focus Tables. These table be will comprised of representatives from diverse stakeholders who will come together in regular case conferences to collectively review and discuss high risk cases. By actively involving the community in these discussions, the HPS aims to tap into their valuable expertise and insights, allowing for the shaping and refinement of their approach to handling missing person cases. A starting point for these tables was introduced during the early phases of community consultation in creating the MPU.

**f. Continuity of investigations;**

The MPU Sergeant will be responsible for overseeing and assigning investigations to the Unit. The team will be able to work together to support investigations, provide resources and ensure consistency in investigations. Having a team will allow for coverage while investigators have time off, training, etc.

**g. Maintenance and development of community partnerships and, in particular, the Indigenous community;**

Recognizing the importance of community engagement and the incorporation of diverse perspectives, the HPS made a conscious effort to actively seek input from community members and organizations in the foundational work of creating the MPU. This was achieved through a thorough and inclusive consultation process aimed at gathering valuable

insights on the most effective approaches to address missing person cases.

The initial consultation occurred on December 15, 2022, wherein representatives from 17 community agencies came together to engage in a constructive dialogue with the HPS. The focus of the discussions revolved around understanding the impact of missing persons on their respective organizations and exploring the nature of their relationship with the HPS during such instances. The insights and concepts generated during this consultation formed a solid foundation for further engagement.

On January 24, 2023, the HPS continued the consultation process with 14 community agencies, ensuring a diverse range of perspectives were considered. This inclusive approach extended to engaging Indigenous leaders, community groups, mental health professionals, and other stakeholders. By actively seeking input from these various sources, the HPS aimed to obtain a comprehensive understanding of the challenges and potential solutions, fostering a collaborative environment.

Based on the input gathered from the community consultations, a set of recommendations was unanimously developed regarding the essential components of forthcoming missing person investigations.

These recommendations included:

- Creation of a fully operational investigative Missing Person Unit: This unit will be staffed by a Sergeant, 3 Detective Constables, and a Civilian Support worker. They will be responsible for investigating missing person cases and working closely with community partners to build trust and support families.
- Implementing an online reporting tool to enable public reporting and enhance the collection of accurate information. This tool will enhance the ease and accuracy of reporting information related to missing persons.
- Engaging a Civilian community support individual to assist in missing person investigations.
- Incorporating advisory tables or focus groups to aid in identifying at-risk individuals, allocating adequate resources to prevent future missing person incidents, and facilitating information sharing during active missing person investigations.
- Improved Risk Assessment: Development of an enhanced Risk Assessment tool to identify high-risk cases and allocate resources

accordingly. This will aid in prioritizing investigations and ensuring appropriate response and support.

The MPU will continue to engage with the community members and agencies who were a part to this process, to foster relationships in relation to missing person investigations and capture their input and recommendations.

**h. Timely media releases;**

The HPS recognises the importance of releasing information to the public in a timely manner in missing persons investigations and understands this could assist in the person being located faster and in good health. As per the policy, the HPS will prepare and determine when to release information to the media to assist in locating the missing person. High priority is given to the media release, especially in exigent circumstances.

**i. Partnerships with youth institutions and, in particular, child and youth mental health facilities, and;**

On December 15, 2022 and January 24, 2023, The MP Coordinator facilitated an inclusive consultation process with 17 community agencies including but not limited to; Children’s Aid Societies, Indigenous leaders, mental health professionals and various other social service agencies including shelters who are impacted by Missing Persons. The unanimous consensus underscored the importance of improving ongoing collaboration. In response, the police and stakeholders are uniting to form a committee dedicated to maintaining these relationships and enhancing relevant policies and procedures, particularly regarding repeat missing person cases, as the outcome of the Missing Person Unit proposal is awaited.

**j. Creation of an implementation strategy.**

The preliminary stages of the implementation strategy have occurred with the proposal for a Missing Person Unit. To inform the MPU proposal, the following steps were taken:

- 1.5 day HPS Internal consultation
- 2 day external community consultation
- Provincial Missing Person Working Group input
- Caseload analysis
- Environmental scan of other police services Missing Person Units
- Cost analysis for MPU

Once the MPU is approved for implementation, further discussion and planning will be conducted for rollout and training within the service.

13

**Recommendation status: Ongoing**

**Recommendation: Provide training for officers in the MPU, and other officers who may work in conjunction with the MPU, on missing persons investigations. Such training may include programs or courses offered by other police forces and/or programming put on by HPS officers with particular experience and expertise in missing persons investigations. Such training should address issues such as identifying and dispelling stereotypes that arise in relation to missing persons, conducting risk assessments for missing persons, collecting information from the person/organization reporting a missing person, using investigative tools and techniques that assist in conducting missing person investigations.**

Response: The MPU, once established, will be responsible for providing training to the HPS on missing person investigations.

The Ontario Police College is currently developing a Missing Person Investigators Course. This will allow MPU investigators, and other members of the HPS, to attend provincial training.

The HPS has supported the MP Coordinator in remaining current in missing person investigations, training and best practices by attending:

- Missing Person Training Day 2022 – Toronto Police Service
- The National Missing Person Conference 2023
- Provincial Missing Person Working Group meetings quarterly

The MP Coordinator current provides the following training for the police service:

- Provides ongoing training sessions with the Communications Branch, Community Safety Division Officers, and the community regarding Medic Alert Connect Protect
- Ensures training materials related to the newly formed Missing Person Act and the use of Urgent Demands are uploaded to CPKN (Canadian Police Knowledge Network) and accessible to all members
- Provides regular training reminders to educate police officers about missing persons and how to handle vulnerable members of the community who may wander due to cognitive issues

14	<p><b>Recommendation status: Ongoing</b></p> <p><b>Recommendation:</b> Review and revise the risk assessment process and policies that govern whether a missing person is classified as “Level 1” or “Level 2”, as well as whether an urgent search is required. The revised risk assessment factors, as well as search urgency factors, should be evidenced-based and clearly defined. In determining whether an MPI is classified as a “Level 1”, the revised process should require gathering additional information about the missing person, including but not limited to:</p> <ul style="list-style-type: none"> <li>a. any history of suicidal behaviours (ideations or attempts);</li> <li>b. whether the person is in an out-of-home placement at a mental health facility for children and youth; and,</li> <li>c. whether the missing person is an Indigenous youth.</li> </ul> <p><b>Response:</b> In December 2022, the HPS made the following additions to the Risk Assessment Check List:</p> <ul style="list-style-type: none"> <li>a. History of suicide attempts</li> <li>b. Indigenous youth</li> <li>d. Aboriginal changed to Indigenous</li> </ul> <p>In addition, the following occurrence type changes were made:</p> <ul style="list-style-type: none"> <li>a. Habitual changed to Repeat</li> <li>b. Option to specify whether the individual is in an out-of-home placement at a mental health facility for children and youth vs Group Home.</li> </ul> <p>The Search Urgency Chart and revised policies will be implemented after establishing the MPU and the necessary policies. This will require careful consideration and collaboration to ensure the policies align with the needs and expectations of all stakeholders involved.</p>
15	<p><b>Recommendation status: Completed</b></p> <p><b>Recommendation:</b> Once a risk assessment has been completed, ensure that all missing person cases are triaged to determine the appropriate response to a person’s disappearance, including whether that response should involve a combination of the police and/or other community organizations and/or a multi-disciplinary response. Consider an appropriate role for community members or organizations as part of the missing person investigation, or in a debrief with the missing person once the investigation is concluded.</p> <p><b>Response:</b> All missing person cases as per policy, require a Search Urgency Chart be completed as soon as practicable. For incidents in which one or more risk</p>

factors are present (Level 1), mobile response will be conducted and the patrol Sergeant and Staff Sergeant are to be notified. The patrol Sergeant will respond to the scene for all Level 1 missing person incidents, provide support, field supervision and ensure the Staff Sergeant is updated. The Staff Sergeant will request the necessary resources and notify the Divisional Commander or the Duty Officer. The HPS has specialized resources available for exigent ground searches for missing persons including:

- Specialized Search Managers and Ground Search officers
- GPS tracking equipment
- Mounted Unit, ATVs and Marine Unit
- Emergency cellphone tracking
- Drone Operations

Community members and organizations are of high consideration during missing person investigations. Each case is different and has to be evaluated on its own set of circumstances. In cases where there is public involvement in searching for a missing person, the HPS designates a Volunteer Coordinator to organize those to attend to help and utilize volunteers in a meaningful way.

One of the main roles of the Civilian Support Worker in the MPU will be to work with and coordinate support with community agencies. This will ensure individualized response for the unique missing person, and help agencies best provide resources to the missing person and their family.

The Role of the Civilian Support Worker:

- immediately liaise with the family, social agencies or other individual(s) and maintain consistent contact and support throughout the investigative process and return home;
- control all information released by the investigative team to the victim, family, and close associates and ensure they are treated with sensitivity;
- ensure all information releases to the general public are preceded by similar releases to the victim;
- without jeopardizing any investigative strategy, discuss the need and the rationale for public information releases;
- ensure all information releases to the Missing Person family are authorized by the Missing Person Case Manager;
- ensure sufficient resources and personnel are in place to provide appropriate assistance to the missing person and their family;
- assist missing persons who have returned in obtaining support, assistance, referrals and compensation;
- work closely with the appropriate support service liaison or Victim/Witness Assistance Program personnel to ensure the appropriate and consistent



	<p>treatment and consideration of missing persons and their families (during and following the investigation); and,</p> <ul style="list-style-type: none"> <li>• Ensure family/witnesses are informed of the case status on a regular basis.</li> </ul>
16	<p><b>Recommendation status: Ongoing</b></p> <p><b><u>Recommendation:</u> Improve the HPS’ system for collecting and reviewing information relating to missing persons investigations, including considering the use of Powercase, alternatives to the Occurrence Enquiry Log system, and the ability to flag individual reports/occurrences where an individual demonstrates suicidal behaviours (ideations or attempts) (rather than just flagging the name of the individual).</b></p> <p><b><u>Response:</u></b> The HPS aims to enhance its reporting approach by implementing an advanced online reporting tool, designed to maximize the amount of information obtained from reporters. This state-of-the-art tool has been empirically validated and demonstrated its ability to surpass traditional police questioning methods in eliciting comprehensive and detailed responses. By adopting this innovative reporting strategy, the HPS seeks to ensure accurate documentation and efficient sharing of all relevant information pertaining to missing person cases among investigations. This approach will ensure a thorough understanding of each case, facilitating well-informed decision-making and effective allocation of resources. This intuitive platform will streamline communication and coordination among investigators, promoting seamless collaboration and timely actions. The HPS is currently exploring the tool and our capacity to integrate it into the police service.</p>
17	<p><b>Recommendation status: Ongoing</b></p> <p><b><u>Recommendation:</u> In consultation with residential homes and child and youth mental health facilities like Lynwood, develop a common joint responsibility protocol governing the process, roles and responsibilities when it comes to searching for youth who have left congregate settings without permission. The protocol should address:</b></p> <ol style="list-style-type: none"> <li><b>a. the circumstances in which a missing persons report should be filed;</b></li> <li><b>b. the information to be provided as part of that report;</b></li> <li><b>c. the residential home’s responsibilities prior, during, and after filing a report</b></li> <li><b>d. the HPS’s responsibilities prior, during and after filing a report; and,</b></li> <li><b>e. Responsibility for conducting a debrief/return interview with the youth, and in particular with youth who habitually leave such facilities without permission, including whether such interviews may be best performed by other community groups or organizations such as Justice for Children and Youth.</b></li> </ol>

	<p><u>Response:</u> The MP Coordinator has been in contact with Lynwood Hall, group homes, and foster homes, to discuss establishing a more streamlined reporting protocol that encompasses both police and social agencies.</p> <p>The Ministry of Children, Community and Social Services (MCCSS) have been consulted regarding potential collaboration, but there has been limited interest expressed thus far.</p> <p>All stakeholders involved have agreed on the need for a joint protocol, which was discussed and unanimously supported during the MPU community consultation meetings.</p> <p>The MP Coordinator has attended multiple missing person conferences at the provincial, national, and international levels, revealing that all policing agencies face similar challenges due to limited consistency in reporting policies between social agencies and policing agencies. This issue extends beyond HPS, indicating a larger systemic issue.</p> <p>The MP Coordinator is actively involved in a provincial collaboration with the RCMP focused on developing protocols for return home interviews. Currently, the RCMP is on the verge of launching a pilot project that will involve multiple municipal policing agencies.</p>
18	<p><b>Recommendation status: Ongoing</b></p> <p><b><u>Recommendation:</u> In consultation with organizations like Hamilton Children’s Aid Society and other agencies servicing high-risk youth, develop a joint process whereby HPS and other community stakeholders come together to review any case of a missing youth from an out-of-home placement, on a timeline to be determined by the Missing Persons Coordinator based on the risk assessment for a particular youth.</b></p> <p><u>Response:</u> The MP Coordinator has been engaged in continuous discussions with Catholic Children's Aid agencies regarding the provision of services for high-risk youth. The focus is on exploring the potential for developing a collaborative process involving the police and community stakeholders to review out-of-home high-risk cases. However, this initiative is currently in its early stages due to the substantial nature of these recommendations.</p>
19	<p><b>Recommendation status: Completed</b></p> <p><b><u>Recommendation:</u> Establish the role of an Indigenous Liaison within the HPS. This position would be filled by an Indigenous police officer whose responsibilities would include outreach and engagement with First Nation and Indigenous communities.</b></p>

	<p><u>Response:</u> In April 2023, the Hamilton Police Service established the role of Indigenous Liaison. The member, a 25 year HPS police officer and a proud member of the Haudenosaunee and Anishinaabe communities, was warmly welcomed into this position by the newly formed Indigenous Consultation Circle. This Circle includes representatives from the Hamilton Regional Indian Centre, De Dwa Da Dehs Nye, the Hamilton Community Legal Clinic, the non-profit organization Niwasa Kendaaswin Teg, and the Hamilton Native Women's Centre.</p> <p>Further, in 2023, it is was a great honor for the HPS to announce the newest addition of its Mounted Unit, a horse named Chief Joseph Sawyer. Chief Joseph Sawyer, belonging to the Mississauga Tribe of the Ojibway Nation, specifically the Eagle Clan (now recognized as the Mississaugas of the Credit First Nations), is a symbolic tribute to the Indigenous heritage and contributions within our community.</p> <p>The creation of the Indigenous Liaison role marks a significant milestone in the ongoing efforts to cultivate trust and strengthen the relationship between the Indigenous community and the police.</p> <p>The Indigenous Liaison role will build upon the remarkable community outreach established by the MP Coordinator and other members of the HPS who have dedicated many years to this important work.</p>
20	<p><b>Recommendation status: Completed</b></p> <p><b><u>Recommendation:</u> Review the process and criteria for issuing a media release to ensure that, where appropriate, timely media releases are issued in missing person investigations, and that due consideration to issuing a media release occurs within set time periods during an investigation.</b></p> <p><u>Response:</u> A review of the policy and process for a media release in missing person cases was conducted. The process includes officers obtaining a photograph of the individual as part of the initial contact with family. As per the policy, the HPS will prepare and determine when to release information to the media to assist in locating the missing person. High priority is given to the media release, especially in exigent circumstances. The HPS recognizes the media release can assist in the missing person being located faster and in good health.</p>
21	<p><b>Recommendation status: Ongoing</b></p> <p><b><u>Recommendation:</u> Provide Indigenous-led cultural competency and cultural safety training to all officers.</b></p>

Response: Enhancing our understanding of Indigenous history is an important endeavor, and the Hamilton Police Service remains steadfast in its dedication to strengthening relationships and building trust within the community.

Over the past several years the HPS has had the honour of working with our community partners to listen, learn and engage with the Indigenous Community through various outreach initiatives and educational sessions for our members.

- From February 2019 to December 2020, the HPS worked in collaboration with the City of Hamilton Urban Indigenous Strategy to establish a strategy aimed at facilitating meaningful, effective, and transparent communication and information-sharing on matters of mutual interest. This initiative aimed to provide a platform for fostering positive engagement and understanding between the HPS and the urban Indigenous community in Hamilton.
- For the month of October 2020, in collaboration with the City of Hamilton Urban Indigenous Strategy, the HPS showcased its first ever Missing and Murdered Indigenous Women and Girls Red Dress exhibit, which was displayed in the courtyard of HPS Div 10. This display, curated and maintained by HPS members, featured hanging red dresses and provided a public education forum for individuals to read and reflect at their own pace. The display created a thought-provoking atmosphere, leaving a profound impact on both the community and HPS members.
- The Legacy of Hope (LOH) Foundation, community and the HPS joined forces to inaugurate three exhibits at Hamilton Division 10 Police Station, running from June 25, 2021, to June 15, 2022. These exhibitions aimed to enhance comprehension of the past and present encounters of Indigenous communities in Canada, emphasizing their strength, cultural legacy, and positive impact on society. The overarching goal was to promote healing and inspire acts of reconciliation. The LOH was comprised of opening and closing ceremonies, along with guided tours of the exhibits, which were made accessible to both the community and members of the HPS.
- The HPS hosted a number of events in our “Lived Experience Speaker Series”. On November 16, 2021, the HPS collaborated with the City of Hamilton, Brantford Police Service, and McMaster University Police to host a virtual session featuring Jesse Thistle, the acclaimed author of bestselling book "From the Ashes." Jesse shared his personal journey as a Métis Cree, delving into his encounters with homelessness, intergenerational trauma, and finding his path. The event took place on Louis Riel Day, symbolizing the Service's commitment to Truth and Reconciliation.

	<ul style="list-style-type: none"> <li>• On June 9th, 2022, the HPS, in partnership with De Dwa Da Dehs Nye - Aboriginal Health Centre, invited residential school survivor Albert Chokin to speak about his own lived experiences. This session garnered significant attendance and was well-received by HPS members.</li> <li>• In addition to those notable occasions, a range of community pro-action events took place, fostering meaningful connections between the community and police. These events included invitations for the HPS to participate in sunrise ceremonies, sacred fires, lacrosse games, mud runs and Pow Wows. In addition, the Indigenous Community was instrumental in naming HPS’s newest service horse “Chief Joseph Sawyer”.</li> <li>• In 2021 and 2022, The Hamilton Police Service Missing Person Coordinator received two heartfelt gifts from two separate agencies of the Indigenous Community: personalized ribbon skirts. These gestures served as a demonstration of gratitude for her dedication to Truth and Reconciliation efforts and her outstanding contributions to community outreach.</li> </ul> <p>These events and gifts symbolize the continued efforts to foster understanding, respect, and unity between the Indigenous community and the Hamilton Police. They serve as significant steps towards initiating the healing process and efforts of reconciliation.</p>
22	<p><b>Recommendation status: Ongoing</b></p> <p><b>Recommendation:</b> Work in consultation with residential homes and child and youth mental health facilities like Lynwood to develop a living document for each youth in its care that can be readily shared with police if necessary, in the event that the youth is absent from the residence without permission and a missing person’s report is being filed, and in accordance with the requirements under Part X of the CYFSA.</p> <p><u>Response:</u> All parties involved have recognized the necessity of establishing a collaborative protocol, which has been thoroughly discussed and unanimously endorsed, drawing inspiration from the Philomena Protocol (Source: United Kingdom) during the community consultation meetings.</p> <p>Agency meetings are ongoing. The progress is slow due diverse protocols and privacy implications among organizations.</p>
59	<p><b>Recommendation status: Ongoing</b></p>

	<p><b><u>Recommendation:</u> That the MCCSS and all institutional parties to this inquest work together in a collaborative manner towards ensuring that First Nations children have a right to return to their home communities when receiving services under the CYFSA. This should be adopted and developed as “Devon’s Principle”.</b></p> <p><u>Response:</u> The HPS acknowledges the significance of working collaboratively with all other agencies, including the MCCSS, to work towards ensuring that First Nations children have the right to return to their home communities while receiving services under the CYFSA. The HPS advocates for the adoption and development of "Devon's Principle" to accomplish this goal and will seek community collaboration to this end.</p> <p>The HPS remains committed to implementing these recommendations in a timely manner, while prioritizing the establishment of a Missing Person Unit, community outreach and education for our members</p>
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**Note:** The MP Coordinator provided a letter of support for Georgina Island’s appeal to obtain the video footage from the inquest to best support the implementation of the recommendations. In particular, consent was provided for the public release and dissemination of the video footage which contained the MP Coordinator’s testimony.

## Contact Information and Recommendation Referrals

Responses to Jury Recommendations  
Devon FREEMAN Inquest Q2022-22

### HAMILTON POLICE SERVICE

#### Part I: Contact Information

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