

Chief Frank Bergen  
Chair Pat Mandy  
155 King William Street  
Hamilton, Ontario  
L8N 4C1

February 13, 2024

Dear Chief of Police, Chair of the Hamilton Police Service Board, & HPS Board Members,

On February 1<sup>st</sup>, 2024, Hamilton Police Services published a call for applications for people to apply to serve as [Community Advisors for a Race and Identity-Based Data Strategy \(RIBD\) on a Community Advisory Panel](#). On the Hamilton Police website, it states that “The RIBD strategy is focused on understanding and addressing police impact on racial inequalities, including differences in outcomes like use of force among racial groups, internal policies, and training practices”, also Chief Frank Bergen is quoted as saying “As Chief, I cannot stress enough the value of community involvement in shaping our Race and Identity-Based Data strategy. The establishment of a Community Advisory Panel (CAP) is a pivotal move towards better transparency and accountability”. On the website the 2020 directions from Ontario’s Ministry of the Solicitor General to record the race of individuals in use of force incidents is referenced, and the 2017 Anti-Racism ACT. The Chief is also quoted as contributing, “It’s crucial that community members bring their perspectives, expertise and lived experience, to guide us in analyzing critical data on issues like use of force. Their input is not just welcome- it is essential for ensuring this approach is fair, effective, and truly reflective of the community’s needs.”

This website and call for applications actually represent a key example of the ongoing refusal of Hamilton Police to listen to community, be transparent, and accountable. What has been omitted here are the several ways community members [here in Hamilton from Black and racialized communities](#) have provided advice on matters related to systemic racism in policing and have been erased from this call, the input they have provided denied, and [recommendations on related matters over the last 20 years dismissed](#). Specifically, what has also been omitted are the directed calls for input on such a committee to guide the process, provide input from Black and racialized community leaders on the work of the group, the composition of the committee, the analyses to be fostered, the [questions to be asked that have occurred with meetings, and feedback provided between Black and racialized community members in Hamilton and member of Hamilton Police](#).

This story is not new. In fact, Black and Racialized community leaders have suggested a community-led, [independent process](#) for establishing this committee. Over the last year, Black and Racialized community leaders and members have directly shared with Hamilton Police the issues of mistrust, systemic racism, racial profiling, and harm that have resulted from the actions of Hamilton Police. In 2020 Hamilton police recognized systemic racism in policing but have not demonstrated this recognition with respect to the recent work. Specifically, while the Chief of Police apologized privately to a group of Black community members, for his comments “[disparity does not equal discrimination](#).” We are yet to see any revisions to the 2022 Use of Force report reflecting his private comments to

the Black Community. Additionally, his apology has not translated into any policy changes on how the Hamilton Police Services chooses to engage with the Black community.

What also has been omitted are the context from which the direction from Ontario's Ministry of the Solicitor General to record the race of individuals in use of force incidents arises. That context is the acknowledgment of systemic racism in policing that the Hamilton Police Service has been asked to acknowledge and has failed repeatedly to do so. Also, Hamilton Police have met with Black and Community leaders about the establishment of a Hate Crime Review Team. When Black and Racialized community members offered feedback that the design was inadequate and potentially harmful, Hamilton Police decided that they wanted to proceed anyway. When the process for the establishment of the Community Advisory Panel was challenged, community leaders and members were asked to consult with community and that their input would be included. They were then informed that the call was going out anyway, without their input. There have been several reports, and press conferences over many years, with recommendations to address issues of systemic racism in policing in Hamilton that have not been addressed. No update on progress has been given.

If Hamilton Police wish for transparency, accountability, and community input yet they have repeatedly neglected the contributions, voices and lived experiences of Black and Racialized community members, then where do we begin? Hamilton Police making plans to address systemic racism should not omit the lived experiences of Black community members. Our communities have and will continue to offer models that speak to uphold the highest level of community engagement, integrity, and human rights.

This is why we are calling for a community-led process that:

1. Steered by an independent anti-racism committee comprised of diverse community members who live or work in Hamilton and are referenced in the HPS Use of Force Report. Examples ( [Black \(3.4 disproportionate index\)](#), [Middle Eastern \(1.28 disproportionate index\)](#), [Indigenous \(1.12 disproportionate index\)](#)) The anti-racism committee should be tasked with creating an evaluation matrix and formulating questions for the application, contributing to a structured and comprehensive community selection process.
2. Adopts an application process used by the City of Hamilton appointments to Boards and Agencies, as not all community members may be comfortable with an application process hosted by the Hamilton Police Service.
3. No HPS involvement in the anti-racism committee selection process. A hands-off approach to the selection process is central to maintaining independence and objectivity throughout the RIBD Strategy
4. The role of the Hamilton Police Service would be as non-voting members (To provide background information).

We offer these actions as a path forward to ensure that communities impacted by Police Use of Force are centered on how their data is collected and used to change policies and legislation. These calls are based on the Ontario Human Rights Commission report ["Policy on Eliminating Racial Profiling in law enforcement."](#) It is this report that led to the development of the Human Rights Project in the Peel Region to address Use of Force and Racial Profiling. The undersigned below have followed the developments surrounding the establishment of the Community Advisory Panel and believe an in-person meeting would provide an opportunity to discuss concerns in a detailed and constructive manner.

We look forward to your response at your earliest convenience.

Sincerely,

Hamilton Anti-Racism Resource Centre (HARRC)

Black community members who have engaged in HPS community discussions

Afro-Canadian Caribbean Association (ACCA)