Community Education Workshop
Police Complaints Process
Length of Session: 2 hours

Workshop Objectives:
At the end of the session participants will:
1. Understand the Police Complaints Process
2. Understand the required steps in filing a complaint
3. Have the ability to fill out a police complaint form accurately

Draft Agenda
1. Introduction and brief overview **(5 minutes)**
2. Group guidelines **(5 minutes)**
3. Basic Rights/Role of Police Brainstorming (if necessary) **(20 minutes)**
4. Living Complaint Exercise **(20 minutes)**
5. Break **(5 minutes)**
6. Tips on Documenting a Compliant **(15 minutes)**
7. Frequently Asked Questions and Answers **(20 minutes)**
8. Role Plays (if time permits) **(5 minutes)**
9. Wrap-up **(10 minutes)**
10. Evaluations **(10 minutes)**

Materials Needed:
- Flip chart paper
- Colored markers
- Scrap paper and pens
- Tape
- Police Complaint Forms
- Overhead projector
- Scenarios
- Brochures, flyers and agency contact information
- Evaluation forms

1. Introduction / Overview (5 minutes)

This workshop is intended to help educate the public about the police complaints process. It will deal with issues including; what a police complaint is, who can file a police complaint, after filing a complaint, what steps you can take if a complaint is deemed vexatious or frivolous and the importance of filing a complaint.

Facilitator Notes
At this time the facilitator should go over the outline of the workshop for the group. This can be done verbally or written on flip chart paper.
Suggestion: As a warm-up have the group go around and introduce themselves.

2. Group Guidelines (5 minutes)
In the large group, invite participants to set the ground rules for the session. These can include;

- respecting each other,
- listening to one another,
- one person speaks at a time,
- everyone has the right to participate, everyone has the right to pass;
- confidentiality (what is said in the room, stays in the room).

Facilitator Notes
If it is a short session, these rules can be prepared ahead of time, and participant's can be invited to add to it.

3. Brainstorming Session "What are my rights/Human Rights in Canada?" (20 minutes)
Once the group has settled explain that they will be conducting a brainstorming session. Explain that a brainstorming session is a group discussion in which there are no right or wrong answers, but this is just an opportunity for participants to share information and knowledge while developing a common understanding of the issue.
The following are the type of answers that should come out of a brainstorming session:

Duties of Police Officers (20 minutes)
The goal of this section is to familiarize participants with the basic role and duties of the officers of the Toronto Police Service. This can be done again through a brainstorming session with participants. The following are some of the specifics of that should come out of brainstorming session.

- Protecting life and preventing injury
- Protecting property
- Preserving the peace
- Preventing crimes and other offences and providing assistance and encouragement to other persons in their prevention
- Assisting victims of crime
- Apprehending criminals and other offenders and others who may lawfully be taken into custody
- Laying charges and participating in prosecutions
- Executing warrants that are to be executed by police officers and performing related duties
- Performing the lawful duties that the chief of police assigns
- Enforcing municipal by-laws
- Completing prescribed training

Facilitator Notes
Participants may have a number of questions about what police offices can and can not do at this point. As the facilitator you should try and focus the questions to matters just discussed vs. individual cases. The next section Q&A is the section that can best answer most general questions.

4. Living Complaint Exercise (20 minutes)
This exercise is based on a theatre warm-up exercise called Living Machine. The purpose of this exercise is to simplify the somewhat confusing process of the Police Complaints process. First ask a participant to be the "Living Complaint". Next assign the colour coded card to group participants, they will be the various "stages/responses" that a complaint may receive. Have the "Complaint travel from one stage to the next using the colour coded cards and the information written on the back.

Facilitator Notes
This section requires materials that are not electronically available. We recommend that you develop your own participatory, interactive exercise to walk people through the police complaints process.

5. Break

6. How to fill out a Complaint Form (15 minutes)
Using the overhead in a large group setting, discuss (give tips on) how to fill out a police complaints form. Use the details of the provided example for this section.

Facilitator Notes
Be careful of time with this session as people may start to ask "what-if questions". If time is starting to run short simply write down the question in the "parking lot" and deal with them after the core material has been covered.

7. Question and Answer Period (15-20 minutes)
In almost every case participants will have general questions about the law or a particular situation involving the police. This section provides an opportunity for people to ask questions

Facilitator Notes
Some questions may be too specific for the facilitator to answer. Simply remind the group that resources will be handed out including contact information for legal clinics and in some cases to contact a lawyer for legal advice.

8. Role Play (20 minutes)
Workings in pairs or small groups provide each pair or group a scenario outlining a complaint. Have one person act as an intake/support worker and the other person as the complainant. In the big group have people present their case and discuss any challenges they may have had in documenting the case.

9. Wrap-up
The wrap-up section provides the participants and facilitators the opportunity to share some final thoughts on the workshop and the topic.

10. Evaluations (10 minutes)

Give participants time at the end of the session to fill out the evaluation forms.

Facilitator Notes
It is important to receive feedback from participants so that as facilitators we can learn and grow with each session.

Scenario 1:

Jamal (40) and his wife Farrar (38) were walking home at 11:00pm on a Friday night. They had just finished celebrating a Muslim holiday at their friend's house and were taking home a dish of sweets from the party.

They were nearing their apartment building when a couple of police who were patrolling the streets stopped their car just ahead of them. Two police officers got out and blocked the sidewalk. "Who are you and where do you think you're going?" asked the first officer. "I am Jamal, and this is my wife Farrar. We are on our way home," stated Jamal. "Is there something wrong, officers? " asked Farrar. The second officer told them that they had reason to believe that Jamal was carrying an illegal weapon. "Empty your pockets on the car here!" he said to Jamal. He told Farrar that he wanted to look through her purse. Farrar refused to give them her purse. She stated that she felt that the officers had no right to search them like that. The officers then pushed Jamal towards the car and threatened to arrest him for obstructing the police. As they pushed him, the dish of sweets fell to the ground and shattered.

Farrar asked for their names and badge numbers. She wrote these down in her diary, as well as the date, time and location of the incident. Jamal and Farrar decided to file a complaint.

Scenario 2

You are a newcomer to Canada and are living in a housing complex in Toronto. The police frequently patrol your neighborhood. One day an officer knocks on your door. You open the door and the officer asks you something. You are not sure what he is asking because English is not your first language. The officer becomes visibly frustrated because he cannot communicate with you. You think he is looking for something but you are not sure whether he wants to come into your house or not. After a couple of minutes at the door, he pushes past you and proceeds to search your house. He opens the doors to all the rooms and takes a brief look around. Once he is done, he leaves without saying anything further to you. You note the date and time of this incident and decide to file a complaint.

Scenario 3

Jelysa (22) has been living in her new house for a few weeks. She took the day off work to unpack her belongings.
Throughout the day and early evening Jelysa would see a white van parked at various spots on her street. She began to panic and decided it was a good idea to try and get a license plate number and a description of the driver. She walked down the street trying not to be suspicious. Jelysa was close to the van and began to write down the license plate, just as the van sped off. At 11pm, Jelysa was getting ready for bed when she witnessed the white van driving slowly down the street and then out of site. Panic over came her. She dialed 911 and reported the incident. Within 15 minutes two male officers were at her door.

Relived Jelysa explained the every detail of the day, to the police officers. Police officer #1 gave her a disgusted look while officer #2 blurted out "how can a pretty young girl afford a house all by herself?" Jelysa attempted to explain that she works very hard but was cut off by officer #1. "Why are you girls always looking for attention?" Shocked Jelysa yelled, "What are you talking about? There was a man." Officer #2 puffed his chest and leaned into her "Look lady, there's no need to be yelling. It you cannot control yourself we'll do it for you. Not that we mind, with a body like that!" Completely confused Jelysa blurted, "Aren't you suppose to protect and serve?" Officer #1 rolls his eyes and says, "You're hot but not that hot, don't flatter yourself." Completely humiliated Jelysa writes down their badge numbers and informs the officers that she will be making a complaint.

Scenario #4

Lamar (19 years) was driving home to Toronto from Brampton on a Saturday afternoon. Lamar had always been a cautious driver and was very surprised when the police pulled him over.

Immediately Lamar pulled his license and registration from his glove box. The officer approached the vehicle. Lamar politely asked the officer why he had been pulled over. The officer replied, "just give me your license and registration". Lamar handed the officer his ID and paperwork and the officer returned to his vehicle.

As Lamar waited in his car, he thought of what he possibly could have done wrong. The officer returned 15 minutes later. Once again Lamar asked the officer if there was a problem. The officer responded by saying "I'll be the one asking the questions." The officer proceeded to look in the backseat of the vehicle and the passenger seat. "Where are you coming from and where are you going," asked the officer? "I was visiting my uncle and cousins in Brampton and I'm on my way home to Dundas and Bathurst." The officer then went on to ask what the contents of his car trunk were.

Lamar growing frustrated, asked the officer for his badge number. The officer demanded to know why. Lamar stated that he felt that the officer had pulled him over for no reason and that he wished to lodge a complaint. The officer stated, "Well you're not going to get my badge number. "Start your car and get out of here." The officer returned to his car and drove away.

POLICE COMPLAINTS

What is a police complaint?
A police complaint can be categorized in three ways:

1. As a complaint about the **service** provided, for example you may complain that it took officers a long time to respond after you placed a call to them

2. As a complaint about their **policies**, for example you may complain that the police have a policy to search your home if your child is missing and you call to report it.

3. Complaints can also be classified as being about the **conduct of the officer**. This type of complaint relates to the behaviour of a police officer. It lets you explain in your own words why you were offended by the actions of an officer or officers.

Making a complaint
Key points in making a complaint include:

- You must be **directly affected** by the incident in order to file a complaint
- It must be made within **6 months** of the incident that led to the complaint
- It must be **in writing** and **you must sign it**

It is important to have the officers' **badge number and name**. You have the right to ask for this information. Also remember to write down:

- The officers' physical description
- Time, date, and location of the incident
- Names and contact information of any witnesses
- What was said and done by you, the police, and anyone else involved

You can file a complaint through Scadding Court Community Centre or one of the project partners, or you can fill out a form online at:

www.scaddingcourt.org/specialprojects/police.htm
www.torontopolice.on.ca
www.occps.on.ca

After you file a complaint
After you file a complaint, it will be forwarded to the Chief of Police. The Chief has 30 days to determine whether or not the incident require further investigation. You will receive written notice of this decision. If you are unhappy with the Chief's decision, you have the option to appeal through the Ontario Civilian Commission on Police Services (OCCPS). You can talk to Scadding Court Community Centre or one of the project partners about your options.

Importance of filing a complaint

When you file a complaint and the Chief determines that further investigation is required, it goes onto the officer's record. If the misconduct of the officer continues, and more complaints are documented, the case against that officer is strengthened. In the future, you will also have a written record to support your defense should another incident occur.

References:

"Resolving Complaints: Your Guide for Filing Complaints About Police Conduct, Services and Policies in Ontario", Ontario Civilian Commission on Police Services.

The Street Post/Above the Law. Meeting Place Drop-In Centre and Committee to Stop Targeted Policing. Vol. 5 No. 1; Spring 2003