

*Investigating the Need for Structural and Functional Reform of
Ottawa Police Service and Ottawa Police Services Board*

How Will Council Ensure that Citizens Have Access to Records Which Define the Need to Reform Ottawa Police Service?

Dr. Barry Wellar

Professor Emeritus, University of Ottawa

President, Information Research Board

<http://wellar.ca/informationresearch/>

POLICE REFORM PROJECT

Report 4

Ottawa, Canada

November 6, 2020

A. Introducing Question 3, Police Reform Pilot Study

As journalists and activist citizens can attest, asking some politicians questions is one thing, getting them to provide timely, pertinent, informative, unambiguous answers is often quite something else.

My recent, similar experiences in that regard involving City of Ottawa politicians directly, as well as indirectly through examination of governance materials involving accountability and transparency obligations of politicians, include three related activities:

1. The transparency and accountability pilot study, [*Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice*](#);
2. Intensive examination of the terms of the City of Ottawa Code of Conduct for Politicians (<https://ottawa.ca/en/city-hall/accountability-and-transparency/accountability-framework/code-conduct-members-council-and-related-policies>); and,
3. Examination of the criteria used to select winners of the Code of Silence award which is presented annually by journalists to public agencies which are recognized for their failure to properly inform citizens. (https://caj.ca/blog/2019_code_of_silence_award_nominations)

Based on those and other governance experiences, and discussions with a panel of experts in public policy processes and policing, the following question was selected as the one to start the investigation into the need for structural and functional reform of Ottawa Police Service and Ottawa Police Services Board:

Question 1

In order to meet duty of care and standard of care obligations, is it prudent and/or necessary that Council explicitly adopt the principle that any reform initiative is primarily intended and is so designed to serve citizens, and to also explicitly stipulate that the principle is to be fully respected in practice by Ottawa Police Service, Ottawa Police Services Board, Members of Council and staff, and city staff?

With question 1 asked and answered, and the report posted, [*How Does Ottawa Council Ensure that a Police Reform Initiative Primarily Serves the Interests of Citizens?*](#),

question 2 asks City of Ottawa politicians whether an instruction is required on their part to ensure that Ottawa Police Service provides citizens the level of access that citizens want, rather than the level which Ottawa Police service might wish to provide.

Question 2

Is it necessary that an instruction be given to Ottawa Police Service to open its records to public access with reasonable invasion of privacy and confidentiality limitations rather than what amount to “cover-up restrictions”?

With question 2 asked and answered, [How Does Ottawa Council Ensure that Citizens Have Free, Easy, Timely, and Direct Online Access to Ottawa Police Service Records?](#), question 3 asks City of Ottawa politicians about ensuring that citizens have access to the records which are critical to fully understanding the need for structural and functional reform of the police service agency.

Question 3

Given that complaints are made in communities across Canada about citizens not having adequate access to police records, what steps will mayor and councillors take to provide citizens with a level of access to police records which are essential to understanding how to effectively and efficiently achieve police service reform involving such issues as transparency, accountability, performance assessment and, top-of-list, the allocation of funds for management and operational activities?

The point of the question to be explicit about its intent is that records contain the data from which information is derived, and access to records is required in order for citizens to become informed about needed reforms involving such issues as transparency, accountability, performance assessment, and, top-of-list, the allocation of funds for management and operational activities.

I have suggested on previous communications and reports ([Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice](#)) that at minimum citizens should have free, easy, timely, and direct online access to public records, and I welcome suggestions from mayor and councillors that improve on my suggestions about achieving the level of access to Ottawa Police Service records which is desired by citizens.

The next section outlines the rationale underlying the content and the directive nature of question 3.

B. The Rationale Underlying Question 3

The history of public inquiries hosted by federal, provincial, and municipal governments is a long, tedious, and distressing tale of taking too long, spending too much, producing too little, and achieving next to nothing in terms of substantive, systemic change, regardless of the topic.

Or, to re-phrase, keyword searches associating terms such as “success”, “benefits”, and “achievements” with “public inquiry”, “board inquiry”, and “public commission inquiry” produce numerous results in the way of promises before the inquiry begins.

However, when all is said and done, after numerous photo-ops, press releases, and group interviews, the inquiry outcomes are too frequently described by phrases such as

- “Same old, same old”;
- “All talk and no action”;
- “Plus ça change, plus c’est la même chose”;
- “Re-arranged the deck chairs on the Titanic”;
- “All that time and money for nothing”;
- “Layers of jargon mean no transparency”;
- “A total sham”;
- “All photo-op, no substance”;
- “Accountability is just a buzz word”;
- “Mushy terms of reference mean mushy outcomes”;
- “Just a stalling tactic”;
- “Heavy on promise, light on performance”;
- “Strong beginning, weak ending”;
- “All start, no finish”;
- “A total cave-in to vested interests, nothing for citizens”
- “Déjà vu all over again”
- “The cover-up continues”;
- “It was designed to reveal nothing, and succeeded”
- “The lawyers did very well.”

Given the uninspiring history of public inquiries across Canada, the third question among five is designed to serve multiple objectives with a cutting edge to them.

First, based on lessons learned from an extensive review of the literature, **it is critical to make distinctions about the character of politicians**, and especially when the issue is challenging, unsettling, and has strong advocates on both sides.

Question 3 therefore seeks to separate the 'wheat from the chaff', and the 'fence sitters from decision makers', so to speak, by causing the responses to be directed in such a way that they directly or indirectly inform citizens about the character of the politicians who are being asked their positions about the need for reform of Ottawa Police Service and Ottawa Police Services Board.

As for the reason to emphasize the character of politicians when it comes to the matter of doing their jobs, it appears fair to say that at minimum citizens as a group expect politicians to demonstrate

- honesty over lying,
- fairness over bias,
- truth over deceit,
- clarity over bafflegab,
- transparency over secrecy,
- decency over meanness, and
- accountability over running for cover, hiding out, buck-passing, etc.

In the case of police reform, however, due to the nature of the issue the character bar has to be set much higher than just expecting politicians to perform as reasonable members of a civilized society.

That is, because of positive and negative aspects of the police presence in the daily lives of many citizens, there is a basic bottom line for citizens who favour the idea of investigating the need for police and service board reform.

Namely, concerned citizens need to know from the outset which politicians can be trusted to ensure that the reform process is above reproach.

Further, since the police reform issue is not likely to be resolved in the immediate future, this kind of finding could be a useful contribution to evaluating candidates in upcoming municipal elections.

Examination of comments about previous reform initiatives in Canada reveals that many comments have been made about the character strengths and flaws of participating politicians.

Question 3 is designed to assist in identifying the character make-up of City of Ottawa politicians, and to thereby provide an indication of the likely support for a police service and police services board reform initiative which is above reproach.

Towards that end, Table 1 presents a selection of character features which are pertinent to a police service and police services board reform initiative.

Responses to question 3 by City of Ottawa politicians are intended to reveal which character strengths and flaws are present around the council table for this item.

Table 1. Character Strengths and Flaws of Politicians Pertinent to the Results of an Ottawa Police Service and Ottawa Police Service Board Reform Initiative

- Politicians who primarily serve the public interest in thought and deed, and those who do not;
- Politicians who are beholden to vested interests, and those who are not;
- Politicians who are in conflict of interest positions, and those who are not;
- Politicians who march to their own drummer during council discussions, and those who do not;
- Politicians who keep their constituents informed in a timely manner, and those who do not;
- Politicians who openly communicate their positions on topics of public interest, and those who do not;
- Politicians who know how to ‘think outside the box’, and those who do not;
- Politicians who are easily intimidated, and those who are not; and
- Politicians who meet or exceed standards of transparency and accountability stated in their Code of Conduct, and those who do not.

Second, when it comes to establishing the gravity of the reform movement, it should be clear to everyone that this is not a ‘here today gone tomorrow’ concern.

By way of brief illustration, pertinent yields several weeks ago from Google’s search engine include the following keyword phrases and numbers of results:

- “police reform” = 245,000,000
- “investigate police power” = 113,000,000
- “police reform in Canada” = 64,000,000
- “police reform ottawa” = 10,300,000
- “police corruption Ontario” = 4,200,000
- “defund police movement” = 3,550,000
- “ottawa police excessive force” = 2,300,000
- “defund police meme” = 1,600,000
- “police brutality ottawa” = 721,000
- “defund police ottawa” = 483,000

While there is duplication among the results for phrases, by any measure associated with designing, enacting, implementing, and enforcing laws in order to achieve peace, order, and good government in communities across Canada, these are large numbers.

Moreover, all of these numbers are increasing rather than decreasing, so from a public interest perspective police-related issues are accompanied by a gravity factor that is both apparent and societally significant.

Of course, the gravity of the issue can be denied or ignored by politicians, as broadcast and social media news reports so often inform us.

However, one purpose of this investigation is to identify the positions of City of Ottawa politicians on a matter which seemingly should be at the top of all their to-do lists now, rather than later.

There are numerous dimensions that express the gravity of the police reform issue, and one of them with practical, strategic, and tactical significance is that of money.

Apparently many readers learned from the first police reform pilot study report, [*Investigating the Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board*](#), that the Ottawa Police Service budget for 2020 is \$362,000,000.00.

Or, to re-phrase in the interests of clarity and emphasis, the Ottawa Police Service budget amount is 362 million dollars, or, if you wish, \$362 million.

That figure, regardless of how it is expressed, represents about \$360 for every individual resident of Ottawa, and is almost 10% of the entire City of Ottawa 2020 budget.

It therefore seems inevitable that as council proceeds with discussions about the 2021 budget, serious questions will be raised and vigorously debated about the need to significantly reduce the police service budget in view of the city's very difficult financial situation due to COVID-19.

By any municipal governance measure, therefore, since \$362 million is a substantial amount of money for any city in Canada, it is reasonable for citizens to want to engage their politicians in deep, information-based discussions about such things as value for money.

And, as a core part of a reform agenda, it is prudent to ask, "How much of that money could be returned to taxpayers with little loss to service, or, perhaps, allocated to other services and/or other service agencies"?

Third, based on broadcast and social media reports, it is imperative that question 3 cut to the chase and take into account the negative perception held by many citizens about the sincerity of Ottawa's municipal politicians when asked to address a controversial and contentious issue such as the need for structural and functional reform of Ottawa Police Service and Ottawa Police Services Board.

Based on the experience of the Chronicling pilot study, [*Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice*](#), we know that it is no easy matter to obtain straightforward responses from some City of Ottawa politicians.

However, since it appears likely that City of Ottawa politicians will be asked question 3 and variations of question 3 many times this year and in the years ahead, it is important to have all sitting politicians on record from the earliest moment.

Question 3 is therefore designed to have staying power over the long term, and even after members of the current council leave office. A legacy consideration, you might say, resides in question 3 regardless of how politicians respond.

C. The Design of Question 3

Question 3

Given that complaints are made in communities across Canada about citizens not having adequate access to police records, what steps will mayor and councillors take to provide citizens with a level of access to

police records which are essential to understanding how to effectively and efficiently achieve police service reform involving such issues as transparency, accountability, performance assessment and, top-of-list, the allocation of funds for management and operational activities?

Every municipality in Ontario has duty of care and standard of care obligations. As a result, failure to meet them can have negative implications and consequences for citizens with regard to their mental health, physical health, emotional well-being, social well-being, peace of mind, financial well-being, use of time, quality of life, enjoyment of property, value of property, and however else citizens are affected by what a municipality does and does not do when identifying, adopting, and implementing its politician-approved policies, plans, programs, and operational activities.

In addition, duty of care and standard of care conditions are frequently used in civil actions, whereby plaintiffs allege that because municipalities failed duty of care and/or standard of care obligations, injury, death, loss of quality of life, degradation of property, or other negative consequence occurred.

Ottawa Police Service, like other municipal police service organizations, has a number of different kinds of relationships, engagements, and interactions with citizens as individuals, members of organizations, members of communities, property owners, motor vehicle operators and passengers, business operators and customers, and in numerous other ways and forms during the process of the agency and its personnel carrying out their law enforcement, crime prevention, emergency response, support service, and whatever other duties are assigned to the agency and its personnel by municipal, provincial, and/or federal government authorities responsible for designating police service structures, functions, and operations.

Consequently, given the pervasiveness of police service agencies, it is incumbent upon citizens in a free and democratic society to “keep tabs” on those agencies. And, one way to “keep tabs” is by evaluating their performance through monitoring and examining the contents of the agencies’ records.

However, it has been my experience as an Ottawa citizen for the past 50 years, and a researcher with interests in many of the records that seem likely to be among the holdings of Ottawa Police Services, it is frequently at the present time that access to Ottawa Police Services records is not only difficult at best, it is impossible.

Indeed, the **ACCESS DENIED** stamp on the cover page of [Interim Report 14. Asking the Question: Is Freedom of Information Legislation a Citizens’ Conduit to Public](#)

[Records, or an Institutional Barrier to Public Records?](#) is the result of what I regard as a benign data request of Ottawa Police Service which was rejected, and no explanation was provided or could be obtained.

Simply put, there was no way available to me to access the records of interest, which made Ottawa Police Service an ideal example to put on the cover of a report dealing with institutional barriers to public records.

Question 3 for this phase of the pilot study is therefore based on empirical evidence of citizens who have found in their experience that Ottawa Police Service does not provide citizens free, easy, timely, and direct online access to public records.

And, question 3 is also based on broadcast and social media reports which raise questions about access to Ottawa Police Service records and those of other police service agencies across Canada.

Which brings me to politicians, and their experience with accessing Ottawa Police Service records.

Bearing in mind that these same politicians approved a \$362,000,000 police budget for 2020, it seems reasonable to expect that some of them would have conducted their own research into what Ottawa Police Service does for that massive amount of money, and what better place would they have to look for answers than into the records of the agency's operations and activities?

And, of course, there could be some politicians who have not frequently accessed Ottawa Police Service records, or have only a superficial grasp of the access challenge.

In either case, question 3 asks politicians to see the access problem from the perspective of citizens, and with regard to very significant matters of concern, including:

- transparency,
- accountability,
- performance assessment and, top-of-list,
- the allocation of funds for management and operational activities.

And, as a closing comment on the design of question 3, several events occurred during the month of October which underline the reasons for specifically asking mayor and councillors about steps they will take to ensure that citizens have proper access to police records:

1. A motion on October 14, that council move funds (1.5%) from the Ottawa Police Service budget to the public health budget. The motion failed 4-20.
https://www.ottawamatters.com/local-news/council-votes-down-motion-to-move-money-from-police-budget-to-public-health-2793458?utm_source=Email_Share&utm_medium=Email_Share&utm_campaign=Email_Share
2. On or about October 15 and continuing to the present date, numerous broadcast and social media reports on the acquittal of Constable Daniel Montsion, Ottawa Police Service, of charges of manslaughter, aggravated assault and assault with a weapon in the forceful takedown arrest of Abdirahman Abdi by several officers in 2016. Mr. Abdi, who died subsequent to the controversial apprehension, suffered from a mental illness condition.
3. A motion on October 28 that City Council encourage the Ottawa Police Services Board to undertake a public consultation and report outlining potential alternative models of community safety response ...” The motion passed unanimously.

The reference to “steps” entails a degree of design specificity which is appropriate and reasonable under the circumstances, a matter that will be pursued in a special report which recalls those three events and the matter of “consequences”.

D. How Long to Wait for Responses? Just Long Enough

Experience suggests that a number of politicians subscribe to the view expressed many years ago by the late, great U.S. Republican Senator from Illinois, Everett Dirksen, who opined, “When I feel the heat I see the light.”

And then there are those who respond in a timely manner by nature and do not require prodding, as well as those who have little regard for transparency or accountability and simply choose to not engage.

Alternatively, because feedback on pilot study design is valued while the study is in progress, there are methodological reasons for getting on with the study in a timely manner rather than waiting around for responses to arrive when politicians finally deign to participate. Or not.

In this case the initial communication about the police reform pilot study went to Mayor and Councillors on September 8, and each member of council received a personal communication on September 9.

In addition, the initial pilot study report, [Investigating the Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board](#) was posted on September 27, 2020, and the report on question 1, [How Does Ottawa Council Ensure that a Police Reform Initiative Primarily Serves the Interests of Citizens?](#) was posted October 18.

Further, a reminder email about question 3 was sent to members of council on October 15 setting a due date of October 31 for responses. The email sent to Mayor Jim Watson, Member, Ottawa Police Services Board, is reprinted for illustrative purposes.

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Saturday, October 17, 2020 10:47 AM
To: Jim.Watson@ottawa.ca
Subject: OPS Reform Survey Question 3, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: Watson

Good day, Mayor Watson,

On September 09 2020 I sent you an email with the subject heading, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: Meehan, and on October 1, 2020 I informed council of the publication, [Investigating the Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board](#).

Questions 1 and 2 of the survey have been administered, and the results may be viewed in due course at <http://wellar.ca/informationresearch/Publications.html>.

I do not have a record of your response to survey question 3, which follows for your convenience.

Question 3. Given that complaints are made in communities across Canada about citizens not having adequate access to police records, what steps will mayor and councillors take to provide citizens with a level of access to police records which are essential to understanding how to effectively and efficiently achieve police service reform involving such issues as transparency, accountability, performance assessment and, top-of-list, the allocation of funds for management and operational activities?

Please respond to question 3 on or before October 31, 2020 so that publication of results may proceed in a timely fashion.

Thank you.

Dr. Barry Wellar, C.M., GISP
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

Relative to questions 1 and 2 which are satisfied by Yes or No replies, or are assigned to the No Reply category, question 3 asks politicians for details which entail having substantive knowledge about the inner workings of Ottawa Police Service in order to intelligently prescribe the steps to take in order to

“.... provide citizens with a level of access to police records which are essential to understanding how to effectively and efficiently achieve police service reform involving such issues as transparency, accountability, performance assessment and, top-of-list, the allocation of funds for management and operational activities.”

As for the expectation that members of council have substantial knowledge regarding the challenges and opportunities associated with accessing OPS records, this seems reasonable.

After all, by way of a brief comment associating Ottawa politicians and the police service, the annual OPS budget is more than \$360 million, and it consumes about 10% of the City of Ottawa’s annual budget. This amount is far from ‘chump change’, and all the more so during a time when COVID-19 is cause for increased calls on the public purse while many people and businesses are caught in economic and financial binds.

Further, police stories are reported multiple times every day by broadcast and social media, members of council are often featured in these police-related stories, including police-based promotions and photo-ops, and the police service makes its presence known in every ward throughout the city on a daily basis, and at Ottawa Police Services Board meetings.

This kind of relationship goes far beyond mere familiarity, and points directly to responsible politicians developing a substantive understanding of **how** to “*effectively and efficiently achieve police service reform involving such issues as transparency, accountability, performance assessment and, top-of-list, the allocation of funds for management and operational activities.*”

Given that timeframe, the straightforward nature of question 3, and attributing the kinds of character strengths listed in Table 1 to all members of council, the due date of October 31 was set to provide responses to question 3.

E. Responses to Question 3

In the interests of accuracy, email texts are incorporated as received, there is no editing.

As done previously for questions 1 and 2, failure to reply is recorded as No Reply. Anything else, including any exchange with a politician, is included verbatim.

Table 4. Response to Question 3 by City of Ottawa Politicians

Question 3

Given that complaints are made in communities across Canada about citizens not having adequate access to police records, what steps will mayor and councillors take to provide citizens with a level of access to police records which are essential to understanding how to effectively and efficiently achieve police service reform involving such issues as transparency, accountability, performance assessment and, top-of-list, the allocation of funds for management and operational activities?

Member of Council

Mayor Jim Watson..... No Reply

Councillor Riley Brockington..... No Reply

Councillor Rick Chiarelli..... Reply (email included with comments)

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Sunday, October 25, 2020 9:38 PM

To: Rick.Chiarelli@ottawa.ca

Cc: George A. Neville ; Doug Arnold; joanmclark; Craig MacCaulay; granda k; Ronnie A

Dunn

Subject: OPS Reform Pilot Study Research Methodology

Councillor Chiarelli

I replied to your questions about the design of the Ottawa Police Service and Ottawa Police Services Board pilot study, and I now return to ask about your claimed education, training, and expertise in research methodology.

In my experience of teaching university research methods courses for about 30 years, employment as a senior research officer in the Government of Canada, qualified as an expert witness for multiple civil cases, and many dozens of published research papers, the matters you raise have nothing whatsoever to do with research methodology, and that is a matter of serious concern.

In particular, as a City of Ottawa councillor you are engaged in dealing with numerous policy, program, plan, and operations issues, many of which involve an understanding of research methodology in order to achieve informed decision-making. However, your questions suggest to me that your understanding of research methodology is far below that which I have regularly encountered for many years in academe, government, business, and in community activities.

Since you based your questions on your familiarity with research methodology, please provide information about your education, training, publications, or other productions which support your claim so that I might better appreciate how you process committee and council materials, as well as communications from me and other Ottawa residents.

Since a number of research-related issues are currently before council and area residents, I look forward to receiving your response at the earliest moment.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Monday, October 19, 2020 8:47 PM
To: 'Chiarelli, Rick'
Cc: 'Moffatt, Scott'; 'Hubley, Allan'; 'McKenney, Catherine'; 'Meehan, Carol Anne'; 'Deans, Diane'; 'El-Chantiry, Eli'; 'Darouze, George'; 'Gower, Glen'; 'Watson, Jim (Mayor/Maire)'; 'Harder, Jan'; 'Sudds, Jenna'; 'Cloutier, Jean'; 'Leiper, Jeff'; 'Egli, Keith'; 'Dudas, Laura'; 'Fleury, Mathieu'; 'Luloff, Matt'; 'King, Rawlson'; 'Brockington, Riley'; 'Menard, Shawn'; 'Kavanagh, Theresa'; 'Tierney, Timothy'; 'George A. Neville'; 'Doug Arnold'; 'joanmclark'; 'Craig MacCaulay'; 'granda k'; 'Chianello, Joanne (CBC)'; 'Willing, Jon'; Chad.Aiken@alumni.carleton.ca; 'Ferraro, Krista'; 'Burns, Kathy A (Police)'; 'integrity / intégrité'; 'Ronnie A Dunn'; tpender@therecord.com; 'Vestimetra'
Subject: RE: OPS Reform Survey Question 3, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: Moffatt

Councillor Chiarelli,

In the interests of convenience and accuracy, responses to your inquiry are incorporated in the text of your communication in **red**.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: Chiarelli, Rick [mailto:Rick.Chiarelli@ottawa.ca]
Sent: Monday, October 19, 2020 7:21 PM
To: Barry Wellar
Cc: Moffatt, Scott; Hubley, Allan; McKenney, Catherine; Meehan, Carol Anne; Deans, Diane; El-Chantiry, Eli; Darouze, George; Gower, Glen; Watson, Jim (Mayor/Maire); Harder, Jan; Sudds, Jenna; Cloutier, Jean; Leiper, Jeff; Egli, Keith; Dudas, Laura; Fleury, Mathieu; Luloff, Matt; King, Rawlson; Brockington, Riley; Menard, Shawn; Kavanagh, Theresa; Tierney, Timothy; George A. Neville; Doug Arnold; joanmclark; Craig MacCaulay; granda k; Chianello, Joanne (CBC); Willing, Jon; Chad.Aiken@alumni.carleton.ca; Ferraro, Krista; Burns, Kathy A (Police); integrity / intégrité; Ronnie A Dunn; tpender@therecord.com; Vestimetra
Subject: Re: OPS Reform Survey Question 3, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: Moffatt

Good evening Mr Wellar,

Upon further review of your previous communications, a few questions regarding your survey methodology have arisen and I would appreciate some clarifications.

As someone who has studied research methodology as it pertained to my own field of studies, I couldn't help but notice a few things that seemed inconsistent with my own experience in conducting as well as participating in other research. **I have no idea of your education, training, expertise, or experience, so that comment is not instructive. In any event, your concerns have nothing to do with research methodology.**

1. Informed consent - Previous correspondences were not identified as being surveys. Do you routinely inform participants and obtain informed consent prior to their participation in a survey? (It would appear from previous emails this is not consistently done.) **Totally not required. Politicians can answer or not answer questions, whether one or one hundred. There is a Code of Conduct which purportedly governs their behaviour, and then there is the matter of dealing with citizens in general and ward constituents in particular, as well as media representations, and, perhaps, other considerations which enter into decisions by politicians about engaging with citizens, other politicians, vested interests, etc. However, you are not being asked to do anything that requires me to obtain informed consent. You can as they say, just walk away and let the political chips fall where they may.**

2. Use/sharing of the data. - Do you inform participants on how the data will be collected and used? **Does the word 'INVESTIGATION' which is on all pilot study reports and all emails ring any bells about the purpose of any "DATA" collected? Actually, for clarification which seems to be needed, data as in observations on a number of variables are not part of the pilot study. You and other members of council are asked several questions about a matter of public interest involving public money, which you and they can answer or not, choice is yours and theirs, obviously, and the results are posted on a website for everyone to see, including the politicians, a practice which is employed by municipal politicians across Canada, including some right here in Ottawa. Indeed, you were informed at the outset about the presence of a report which sets out the entire pilot study research process. [Investigating the Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board.](#)**

3. Code of Ethics, Protection of Privacy. - I could not find either one linked in any of your emails or on your website. Please indicate if you have either and where I can find it. **Perhaps you have confused this pilot study with some other body of work. Your**

concern is not a pertinent consideration, because this is public business, and does not involve private citizens in any way, shape, or form. Hence, privacy and confidentiality in municipal government, two topics that I conducted original research on more than 40 years ago, are not at issue. I repeat and underline the word public for your consideration.

Thank you for clarifying this information,

Chantal Lebel

Director of Strategic Affairs & Communications
Office of Councillor Rick Chiarelli
City of Ottawa | 110 Laurier Ave W.
Ottawa, Ontario K1P 1J1
[613.580.2424 ext 12599](tel:613.580.2424)
Chantal.Lebel@Ottawa.ca

..

Councillor Jean Cloutier.....	No Reply
Councillor George Darouze.....	No Reply
Councillor Diane Deans.....	No Reply
Councillor Laura Dudas.. ..	No Reply
Councillor Keith Egli.....	No Reply
Councillor Eli El-Chantiry.....	No reply
Councillor Mathieu Fleury.....	No Reply
Councillor Glen Gower.....	No Reply
Councillor Jan Harder	No Reply
Councillor Allan Hubley	No Reply
Councillor Theresa Kavanagh.....	No Reply
Councillor Rawlson King.....	No Reply
Councillor Catherine Kitts	No Reply
Councillor Jeff Leiper	No Reply
Councillor Matt Luloff	No Reply
Councillor Catherine McKenney.....	Reply (email included)

From: McKenney, Catherine [mailto:Catherine.Mckenney@ottawa.ca]
Sent: Monday, October 19, 2020 3:38 PM
To: Barry Wellar
Cc: Loan, David
Subject: Re: OPS Reform Survey Question 3, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: McKenney

Hi Barry,

Thank you for your email. The question you raise is complex because the authority for management of the police is shared between the Province of Ontario and the City of Ottawa via the Police Services Board.

Many of the issues with the police fall to the province through various Acts and the most we can do is write to the Province requesting information and amendments.

Some issues, such as budget/process, should be addressed through the Police Services Board budget process and the follow-up meeting of Ottawa City Council. The changes there must be systemic - we need Board members appointed who have the drive to change the way we approach the police budget and police processes and to ensure we get answers.

Catherine McKenney
Councillor / Conseiller
Somerset Ward / Quartier Somerset
613-580-2484

Councillor Carolanne Meehan..... No Reply

Councillor Shawn Menard..... No Reply

Councillor Scott Moffatt..... Reply (email included with comments)

From: Moffatt, Scott [mailto:Scott.Moffatt@ottawa.ca]
Sent: Saturday, October 17, 2020 11:16 AM
To: Barry Wellar
Subject: RE: OPS Reform Survey Question 3, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: Moffatt
Mr. Wellar,

Our previous communication has rendered your current requests as not being a priority for me.

Thanks,

Scott Moffatt

Councillor, City of Ottawa

Chair, Environment Committee

613-580-2491 | RideauGoulbourn.ca

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Monday, October 19, 2020 4:48 PM

To: 'Moffatt, Scott'

Cc: Allan.Hubley@ottawa.ca; Catherine.McKenney@ottawa.ca; Carolanne.Meehan@ottawa.ca; Diane.Deans@ottawa.ca; Eli El-Chantiry; George.Darouze@ottawa.ca; Glen.Gower@ottawa.ca; Jim.Watson@ottawa.ca; Jan Harder; Jenna.Sudds@ottawa.ca; Jean.Cloutier@ottawa.ca; Jeff.Leiper@ottawa.ca; Keith.Egli@ottawa.ca; Laura.Dudas@ottawa.ca; Mathieu.Fleury@ottawa.ca; Matt.Luloff@ottawa.ca; Rawlson.King@ottawa.ca; Riley.Brockington@ottawa.ca; Rick.Chiarelli@ottawa.ca; shawn.menard; Theresa.Kavanagh@ottawa.ca; Tim.Tierney@ottawa.ca; George A. Neville ; Doug Arnold; joanmclark; Craig MacCaulay; granda k; Joanne Chianello; jwilling@postmedia.com; Chad.Aiken@alumni.carleton.ca; krista.ferraro@ottawa.ca; Burns, Kathy A (Police); wellar.barry@gmail.com; integrity@ottawa.ca; Ronnie A Dunn; tpender@therecord.com; 'Vestimetra'

Subject: RE: OPS Reform Survey Question 3, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: Moffatt

Councillor Moffatt,

Your reply to my communication regarding OPS Reform Survey Question 3, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: Moffatt is more than just childishly irrelevant, it is insulting to every citizen of Ottawa.

You and other members of council are asked a straightforward question posed by a taxpayer, City of Ottawa, and given that you and other members of council are making decisions about how to spend my property tax dollars I expect an answer which is pertinent to the question and not some responsibility-avoidance type of cop-out remark that is petulantly sophomoric.

Further, the question asked is on a matter of public interest involving in excess of \$360,000,000 (\$360 million) of taxpayer dollars or about 10% of the City of Ottawa's annual budget in 2020 and, much more important to individual citizens and their families, it also involves life and death consequences that flow from council decisions about how to spend taxpayer dollars on public safety, public health, public welfare, public transit, public housing, public recreation, public infrastructure, and any other City of Ottawa budget item which could present a more productive alternative to spending funds on Ottawa Police Service activities.

Since you may be unaware of developments in the field of police reform, or possibly, are unable to comprehend what is happening due to lack of relevant expertise on your part, there are numerous initiatives in motion in Ottawa, in Ontario, and across Canada to address the matter of police reform, including those involving the Ottawa Police Service and the Ottawa Police Services Board.

Your reply has no bearing whatsoever on question 3, which is repeated for your further consideration and that of others who read this communication:

Given that complaints are made in communities across Canada about citizens not having adequate access to police records, what steps will mayor and councillors take to provide citizens with a level of access to police records which are essential to understanding how to effectively and efficiently achieve police service reform involving such issues as transparency, accountability, performance assessment and, top-of-list, the allocation of funds for management and operational activities?

You are paid more than \$100,000 per year, so earn your money. And, if you lack the education, training, expertise, or experience to provide informed responses to survey questions, or are afraid of offending Ottawa Police Service, then have the honesty to say so, and refrain from voting on the matter when it goes to committee or council.

As for what might be perceived as my persistence in this regard, it goes with the territory of having been inducted into the Order of Canada for reasons which are directly connected to the access to police records project. The citation from The Governor General of Canada reads as follows in the event that recognition is news to you:

Barry Wellar is a trailblazer in the field of geographic information science (GIS). Professor emeritus at the University of Ottawa, he has been a strong advocate for the field's recognition as a legitimate domain of scientific inquiry as well as a fundamental research tool. He pioneered the use of GIS applications in public-

sector planning at all levels of government, particularly within the urban context. His leadership within the field, both in academia and industry, is extensive and lauded.

I appreciate that you may have little or no formal or even substantive informal research education, training, expertise, or experience, so I limit my remarks to commenting that it appears reasonable to suggest at least 90 % of OPS operations records and the operations records of police service agencies across Canada have a spatial component.

Consequently, leading an investigation into the need for structural and functional reform of OPS that includes examination of OPS records in general, and the massive proportion of records which have a spatial component in particular, certainly fits within the purview of my education, training, expertise, and experience, and is consistent with the receipt of numerous awards over the past 50 years, including the aforementioned Order of Canada award which is denoted by the C.M. after my name should you be unaware in that regard.

To close, I repeat the statement which addresses head-on your failure to respond in a proper manner to a request from an Ottawa taxpayer, who also engages in public interest research, such as this investigation into the need to reform Ottawa Police Service and Ottawa Police Services Board:

“You are paid more than \$100,000 per year, so earn your money. And, if you lack the education, training, expertise, or experience to provide informed responses to survey questions, or are afraid of offending Ottawa Police Service, then have the honesty to say so, and refrain from voting on the matter when it goes to committee or council.”

Ms. Ferraro, please forward to Members, Ottawa Police Services Board.

Ms. Burns, please forward to Ottawa Police Service Chief Peter Sloly.

Dr. Barry Wellar, C.M., GISP

Professor Emeritus, University of Ottawa

President, Information Research Board Inc.

133 Ridgefield Crescent

Nepean, ON K2H 6T4

CANADA

<http://wellar.ca/informationresearch/>

Councillor Jenna Sudds..... No Reply

Councillor Tim Tierney..... No Reply

F. Comments on the Responses by City of Ottawa Politicians to the Question, How Will Council Ensure that Citizens Have Access to Records which Define the Need to Reform Ottawa Police Service?

Question 3 of the pilot study asks,

Given that complaints are made in communities across Canada about citizens not having adequate access to police records, what steps will mayor and councillors take to provide citizens with a level of access to police records which are essential to understanding how to effectively and efficiently achieve police service reform involving such issues as transparency, accountability, performance assessment and, top-of-list, the allocation of funds for management and operational activities?

Comparison of question 3 to numerous survey questions put to politicians at all levels in Canada and abroad reveals that in terms of content and design question 3 is pertinent, straightforward, and reasonable.

With regard to the absence of reply from members of council, and replies that demonstrate a seemingly abysmal appreciation of the importance of citizen access to police records if citizens are to ensure that police serve the needs of citizens, those are among the matters to be discussed in detail after reporting on the responses to all the questions.

In the meantime, however, it may be instructive to consider the character feature which is the focus of Table 1.

That is, because of the nature of this reform initiative, it appears that in order for reform promises to be above reproach, reform action plans to be above reproach, and the persons leading the reform initiative to be above reproach, the municipal politicians hosting the initiative must be people of substantial character (recall Table 1).

Until we are informed otherwise, the results shown in Table 4 might be cause for questions about the character of a number of politicians comprising the City of Ottawa Council.

Whether they are alone in that regard, or have a lot of company in municipal governments across Canada and elsewhere, is a question which remains to be confirmed by the administration of question 3 in those localities.

Finally, it may be useful to recall for those undertaking a related pilot study, that IRB investigations previously considered the institutional barrier path in the Chronicling project.

Additional terms which describe institutional barriers include those mentioned in [Interim Report 14. Asking the Question: Is Freedom of Information Legislation a Citizens' Conduit to Public Records, or an Institutional Barrier to Public Records?](#), and in [Interim Report 15. Identifying Tactics Used By Politicians to Restrict Citizens' Access to Public Records.](#)

Question 3 directly addresses the institutional barrier issue by inquiring as to “...*what steps mayor and councillors will take to provide citizens with a level of access to police records which are essential to understanding how to effectively and efficiently achieve police service reform involving such issues as transparency, accountability, performance assessment and, top-of-list, the allocation of funds for management and operational activities?*”.

Until question 3 is answered in detail, citizens of Ottawa can safely presume that Ottawa Police Service records will remain virtually inaccessible to the citizens who provide the tax dollars to support the operational police activities that are purportedly documented by those records.

G. Next Step

The next report records and examines the responses of City of Ottawa politicians to question 4.

Question 4. *In your respective opinions, mayor and councillors, do you agree that as soon as access to records is up to speed, a basis is in place for citizens to do their due diligence and examine the records for what they reveal about needed reforms to Ottawa Police Service performance, operations, and management?*