

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

Does Access to Police Records Affect the Ability of Citizens to Decide on the Need to Reform Ottawa Police Service?

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POLICE REFORM PROJECT Report 5

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A. Introducing Question 4, 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 question 3 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.

With question 3 asked and answered, [How Will Council Ensure that Citizens Have Access to Records Which Define the Need to Reform Ottawa Police Service?](#), question 4 asks City of Ottawa politicians if they 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.

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 4.

B. The Rationale Underlying Question 4

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”;
- “Ran out of gas on day one, running on fumes ever since”;

- “A total cave-in to vested interests, nothing for citizens”;
- “Déjà vu all over again”;
- “Another trip to nowhere on the taxpayer dollar;
- “The cover-up continues”;
- “It was designed to reveal nothing, and succeeded”; and,
- “The lawyers did very well.”

Given the uninspiring history of public inquiries across Canada, the fourth 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 4 therefore seeks to separate the ‘wheat from the chaff’, the ‘decision makers from the fence sitters’, and the ‘thorough thinkers from the dabblers’, 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 due regard for

- public interest over private gain,
- evidence over vague notions,
- fact over fiction,
- honesty over lying,
- fairness over bias,
- truth over deceit,
- rational, logical consistency over erratic flip-flopping.
- 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 4 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.

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.

Responses to question 4 by City of Ottawa politicians are intended to reveal which character strengths and flaws are present around the council table for this item.

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 numbers of results for a selection of phrases:

- "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 4 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 4 and variations of question 4 many times this year and in the years ahead, it is important to have all sitting politicians on record from the earliest moment.

Question 4 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 4 regardless of how politicians respond.

C. The Design of Question 4

Question 4

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?

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 so on.

As for the nature of these relationships, engagements, and interactions, they manifest themselves in numerous 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 be able 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 near-50 years, and a researcher with interests in many of the records that seem likely to be among the holdings of Ottawa Police Service, it is frequently the case at the present time that access to Ottawa Police Service 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 4 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 4 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, and deliberations for the 2021 budget are in process, 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?

As for the money aspect, **News Flash**. The 2021 budget estimates are just out as of this writing on November 04, and the proposed Ottawa Police Services budget is set at \$376,000,000, that is, \$376 million, which is an increase of \$14,000,000, that is, \$14 million over last year.

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 4 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.*

The closing comment on the design of question 4 refers to several events that occurred during the month of October. These events are among those which underline the reasons for asking mayor and councillors if they agree that proper access to police records needs to be in place in order 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:

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 fatal 2016 arrest of Abdirahman Abdi. 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.

A critical part of the motion of October 28 vis-à-vis question 4 is the section,

“potential alternative models of community safety response”.

There could be many such models, and citizens must be able to fully participate in the evaluation of their relative strengths and weaknesses.

After all, and presumably, these models are not being developed at taxpayer expense as ‘ivory tower exercises’, or to pass tax dollars on to favourite consultants, or as sources of amusement for politicians and their agents, or members of OPS or OPSB.

That being the case, in order for citizens to properly evaluate any proposed “potential alternative models of community safety response”, citizens must have proper access to the records held by Ottawa Police Services.

If not, then the development of these potential alternative models of community safety response becomes little more than a ‘dog and pony show’, with limited public utility.

Further, and without belabouring the obvious, proper access to OPS records means that citizens are enabled to thoroughly examine the past and current activities of OPS as a basis for evaluating the “potential alternative models of safety response” proposed by OPS.

Anything less, to underline the importance of question 4, means that citizens are obliged to take at face value whatever is said by politicians and their agents, as well as by members of OPS and OPSB who may be seen to be in conflict of interest positions.

However, as thousands of broadcast and social media stories over just the past year make clear, on the matter of police reform many citizens have moved into demanding an ‘open book’ on politicians and police service agencies.

Or, to re-phrase, in Ottawa and numerous other localities in Canada and abroad they are rejecting notions such as “Ask us no questions and we’ll tell you no lies”, “Take our word for it, you can trust us”, “Ignorance is bliss”, “No need to read the fine print”, “Everything is under control and above board”, and, “We can’t find evidence of those kinds of incidents or patterns”.

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 the 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, and the report on question 2, [*How Does Ottawa Council Ensure that Citizens Have Free, Easy, Timely, and Direct Online Access to Ottawa Police Service Records?*](#), was posted on October 31.

Further, a reminder email about question 4 was sent to members of council on November 2 setting a due date of November 9 for responses. The email sent to Councillor Rawlson King, who was recently appointed Member, Ottawa Police Services Board, is reprinted for illustrative purposes.

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Monday, November 2, 2020 3:47 PM
To: Rawlson.King@ottawa.ca
Subject: OPS Reform Survey Question 4, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: King

Good day, Councillor King,

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, 2, and 3 of the survey have been administered, and the results may be viewed in reports at <http://wellar.ca/informationresearch/Publications.html>.

I do not have a record of your response to survey question 4, which follows for your convenience.

Question 4. 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?

Please respond to question 4 on or before November 9, 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 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

Similar to questions 1 and 2 which are satisfied by Yes or No replies, or are assigned to the No Reply category, or an “F”, question 4 asks politicians for their opinion about a matter that could have been considered during any thinking that was done while contemplating questions 1, 2, or 3, namely,

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?

In the event that the reader may be in need of clarification about the phrase “...as soon as access to records is up to speed ...”, it is recalled that on frequent occasions in a number of reports in a prior 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*](#)), and in previous reports for this study, that proper access for citizens has been defined at minimum as citizens having free, easy, timely, and direct online access to public records, including police service records.

Consequently, the phrases **proper access** and **access to records is up to speed** are seen as synonymous with **free, easy, timely, and direct online access**.

It also warrants making explicit that no City of Ottawa politician asked about the phrase “access to records is up to speed”. As a result, it is presumed that anyone who saw the phrase “access to records is up to speed” construed it as intended, that is, *free, easy, timely, and direct online access to police records*.

And, if it was not so construed, then I expect that I would have been advised in that regard. No politician raised the matter.

With regard to 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 2020 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 4, and attributing the kinds of character strengths listed in Table 1 to all members of council, the due date of November 09 was set to receive responses to question 4.

E. Responses to Question 4

In the interests of accuracy, email texts which elaborate on a Yes or No response are incorporated as received, there is no editing.

As done previously for questions 1, 2, and 3, failure to reply is recorded as No Reply. Anything else, including an exchange with a politician, is included verbatim to ensure that the record is complete for future reference.

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

Question 4

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?

Member of Council

Response

Mayor Jim Watson..... No Reply

Councillor Riley Brockington..... No Reply

Councillor Rick Chiarelli..... Reply received, email included

From: Chiarelli, Rick [mailto:Rick.Chiarelli@ottawa.ca]

Sent: Friday, November 6, 2020 5:08 PM

To: Barry Wellar

Subject: Re: OPS Reform Survey Question 4, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: Chiarelli

Mr Wellar,

Please be advised that Councillor Chiarelli is exercising the option not to participate in a survey at this point in time.

Thank you for your understanding,

Regards,

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 Reply received, email included

From: Luloff, Matt [mailto:Matt.Luloff@ottawa.ca]

Sent: Monday, November 2, 2020 4:53 PM

To: Barry Wellar

Subject: Re: OPS Reform Survey Question 4, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: Luloff

Hi Mr. Wellar,

Thank you for giving me the opportunity to contribute to your research.

While I am not a member of the Ottawa Police Board, I want to see greater accountability and better civilian oversight for the force. I think that providing more public data is a good start. People need to understand what they are paying for. There exist significant barriers at the provincial level to police reform, but I believe council showed our commitment to being a part of the solution by unanimously approving a letter to the province asking for more powers for the Chief of Police in matters of discipline for officers found to be conducting themselves in an unbecoming manner. I believe that police reform is sorely needed and have high hopes that Police Chief Sloly will continue to work hard on his bold agenda, and I will be paying close attention as this process unfolds. Part of this needs to be the provision of publicly-accessible data.

Thank you again.

Matthew

Councillor Catherine McKenney..... Reply received, email included

From: McKenney, Catherine [mailto:Catherine.Mckenney@ottawa.ca]

Sent: Tuesday, November 3, 2020 12:21 PM

To: Barry Wellar

Cc: Loan, David

Subject: Re: OPS Reform Survey Question 4, Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board: McKenney

Hi Barry,

Thank you for your email.

I agree that it is essential to have public access to police records and that this is one key to supporting the public making decisions on policing. However, data by itself is often not useful to the public without expert interpretation and the ability to have questions answered. For the public to make fully informed decisions, we need complete

data, forums and mechanisms for understanding that data, and expert opinions on what to do with the data.

While we're at it, Barry, I do not believe I have yet answered Question 5, so let's go to it. The question is:

Question 5. Do mayor and councillors have any suggestions as to what else could be done to ensure that citizens have proper access to the records/data which are needed to effectively and efficiently participate in a police service reform initiative involving such issues as transparency, accountability, performance assessment and, top-of-list, the allocation of funds for management and operational activities?

In response, I suggest that open-source digital data-collection and availability would be the most useful mechanism for ensuring transparency and accountability.

Thank you again for your email, Barry.

Warm regards,
Catherine

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

Councillor Carolanne Meehan* No Reply
Councillor Shawn Menard..... No Reply
Councillor Scott Moffatt..... No Reply
Councillor Jenna Sudds..... No Reply
Councillor Tim Tierney..... No Reply

*Councillors Deans, King, and Meehan are Members, Ottawa Police Services Board

F. Comments on the Responses by City of Ottawa Politicians to the Question 4

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?

It is a common test practice in designing survey questions to have loopback as well as confirmation and validation questions. Comparing question 4 to the previous questions, question 4 serves all those purposes.

Further, comparison of question 4 to numerous survey questions put to politicians at all levels in Canada and abroad reveals that in terms of content and design question 4 is pertinent, straightforward, and reasonable.

With regard to the absence of replies, 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, for reform action plans to be above reproach, and for those 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 politicians comprising the City of Ottawa Council. That is, two responses were received from 24 members of Ottawa council on a matter that deals with a fundamental principle of an informed citizenry in a free and democratic society.

Whether the two respondents and the 22 non-respondents have a little or lot of company in municipal governments across Canada, and elsewhere, is a question which remains to be confirmed by the administration of question 4 in those localities.

Finally, it may be useful to recall for those undertaking a related pilot study, that Information Research Board 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 4 directly addresses the institutional barrier issue by inquiring as to whether City of Ottawa politicians “.... 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?”

Until question 4 is answered in detail, and acted upon, 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 5.

Question 5. *Do mayor and councillors have any suggestions as to what else could be done to ensure that citizens have proper access to the records/data which are needed to effectively and efficiently participate in a police service reform initiative involving such issues as transparency, accountability, performance assessment and, top-of-list, the allocation of funds for management and operational activities?*