Ministère
de la Sécurité
publique

Racial and Social Profiling Prevention,
Detection, and Intervention Guide

Commitment and Mobilization

Votre
gouvernement

Québec

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MESSAGE FROM THE DEPUTY MINISTER

I take pleasure in presenting the *Racial and Social Profiling Prevention, Detection, and Intervention Guide* produced by the Ministère de la Sécurité publique. The tool is intended to offer the mangers of Québec police forces guidance with a view to maintaining and enhancing relations between individuals and police officers.

The day-to-day challenges that police officers face are constant and focus on their mission to offer the public quality services in a spirit of respect for individual rights. Their occupation is a demanding one and police action often occurs in public. To preserve community trust and act without discrimination in a pluricultural, complex society poses a major challenge.

Despite the vigilance that police forces display, real or perceived situations tainted with racial and social profiling can emerge and undermine the legitimacy of certain interventions involving groups or individuals.

We therefore felt that it was necessary to elaborate a guide that sets out common ground to support police officers and their managers to enable them to carry out their day-to-day work with integrity and professionalism. Moreover, I would like to pay tribute to the determination of police officers, who want to maintain the public's trust.

Participation by representatives of civilian agencies in the consultation and workshops that underpin the guide's production should be noted. The contribution by civil society has enabled us to better structure the measures and consider the entire array of concerns pertaining to racial and social profiling.

Through the collaboration of the Comité sectoriel issu du milieu policier sur le profilage racial et social, this tool enables us to better grasp the phenomenon to better respond to it. The substantial contribution from the Service de police de la Ville de Montréal (SPVM), a pioneer in the elaboration of deliberations in this field, has also been decisive.

Brigitte Pelletier

Deputy Minister of Public Security

FOREWORD

Throughout Québec, police officers are constantly interacting with the public both in situations where they aid individuals and to prevent or suppress crime. Respect, integrity, and professionalism guide their actions. In so doing, they maintain public trust in their work, which guarantees the legitimacy and security of their initiatives.

Responding to real or perceived profiling poses a challenge to police forces. The Ministère de la Sécurité publique is proposing the *Racial and Social Profiling Prevention, Detection, and Intervention Guide* to the managers of Québec policing services.

Given that the topic is complex and encompasses both the mission of a police department, respect and individual dignity, staff training, community relations, and the maintenance of peace and public safety, the guide proposes a broad range of measures.

Managers of police forces who wish to adopt or enhance an action plan can draw inspiration from this guide and find therein the appropriate measures, especially from the standpoint of community relations and racial or social profiling problems.

The guide reflects the deliverables in the *Together We Are Québec: Immigration, Participation, and Inclusion Action Strategy 2016–2021* of the Ministère de l'Immigration, de la Francisation et de l'Intégration.

It is a work tool that seeks to ensure the maintenance of quality relations between individuals and police officers at a time when the sociodemographic changes that are readily apparent throughout Québec are demanding responses from police officers adapted to Quebecers' needs. Consequently, problems related to mental health, homelessness, sexual abuse, the marginalization of certain groups, public demonstrations, or response plans aimed at counteracting a local public security problem are all examples of situations that can arise and with respect to which all police forces must prepare themselves and know how to act or react appropriately.

It also reflects the desire of the MSP and all Québec police services to broaden dialogue with the public at a time when public concerns and the operational conditions of policing services must converge in mutual understanding. Quebecers' feeling of security and the legitimacy of police work will thus be bolstered for the considerable benefit of our institutions and peace and public safety.

The guide is intended for the managers of police forces. Its elaboration in the Ministère de la Sécurité publique was assigned to the Comité sectoriel issu du milieu policier sur le profilage racial et social, with the mandate to design a work tool to respond to the legitimate expectations of individuals and police forces concerning practices that are or can be perceived as discriminatory. It also benefited from input from organizations in civil society.

Lastly, the Comité sectoriel issu du milieu policier sur le profilage racial et social comprises representatives of the École nationale de police du Québec, the Service de police de Repentigny, the Service de police de l'agglomération de Longueuil, the Service de police de la Ville de Gatineau, the Service de police de la Ville de Laval, the Service de police de la Ville de Québec, the Service de police de la Ville de Montréal, the Sûreté du Québec, the Association des directeurs de police du Québec, and the Police Ethics Commissioner, who acted as an observer.

DEFINITIONS

RACIAL PROFILING

"Racial profiling refers to any action taken by one or more individuals in a position of authority in respect of an individual or a group of people for reasons of security or public protection, which is based on actual or presumed affiliation factors such as race, colour, ethnic or national origin or religion, without a genuine motive or reasonable suspicion, and which exposes the individual to scrutiny or different treatment. Racial profiling also includes any action by individuals in a position of authority who apply a measure disproportionately to segments of the population, in particular because of their actual or presumed racial, ethnic or national or religious affiliation."[1]

SOCIAL PROFILING

"Social profiling is defined as any action undertaken by one or more people in authority in respect of a person or a group of people for reasons of security, safety or public protection that hinges on elements of discrimination other than racial ones as stipulated in section 10 of the Québec *Charter of Human Rights and Freedoms,* especially social condition, which exposes the individual to scrutiny or different treatment when there are no substantive grounds or reasonable suspicions for doing so."[2] [TRANSLATION]

CRIMINAL PROFILING

Criminal profiling is a work technique that police forces use daily to search for suspects. The technique hinges on information made available to police officers on behaviour, descriptions of suspects, reasonable suspicions or substantive grounds, and facts concerning an offence. Criminal profiling is an integral part of policing, especially on patrol, during questioning, interceptions, when responding to calls, and during interviews and investigations.

"Criminal profiling is a legitimate police practice aimed at identifying a suspect in specific circumstances, once information is obtained related to criminal activity that appears to have been committed by one or more people corresponding to a physical description and whose behaviour (modus operandi) is observed before, during or after the perpetration of an offence. The European Union Agency for Fundamental Rights notes that criminal profiling can be used to handle offences already committed or to prevent possible future offences.[3] [TRANSLATION]

[1] Commission des droits de la personne et droits de la jeunesse, *Le profilage racial : mise en contexte et définition*, 2005, page 15.
[2] *Plan stratégique pour soutenir le personnel du SPVM en matière de prévention du profilage racial et social*, 2018-2021, SPVM.
[3] *Ibid.* In the context of this guide, the definition refers to the legitimate powers and duties of patrol officers. This should not be confused with the expertise of the specialist in behaviourism and criminal behaviour, which hinges on a criminal analysis process, that is, an analysis and evaluation process centred on the facts surrounding a crime, the interpretation of a suspect's behaviour, and interactions with a victim, which are revealed when a crime is committed.

KEY DIRECTION

This guide is in keeping with the mission of police forces[4] to maintain peace, order, and public safety in partnership with the community in a spirit of respect for the rights stipulated in legislative provisions pertaining to human rights.

This guide targets three key interaction-related challenges that call for sustained mobilization by police forces. The three challenges are presented in seven strategic priorities that propose 15 measures.

Challenge – Counteract racial and social profiling Confirm and structure one's commitment through the implementation or enhancement of measures aimed at preventing and detecting racial or social profiling and intervening when they occur.	**First strategic priority – Prevent** Carry out initiatives to heighten awareness among police officers and communicate organizational expectations.
	Second strategic priority – Detect Make note of warning signs of behaviour, practices, and at-risk intervention contexts.
	Third strategic priority – Intervene Deploy measures to take in hand the situations detected.
Challenge – Enhance practices Engage in renewal, update practices according to changes in conditions related to racial or social profiling while implementing or enhancing ongoing staff training.	**First strategic priority – Pinpoint, implement and ensure follow-up to good practices** Draw inspiration from best practices in police, community, public and private organizations. Enhance the initiatives and, where appropriate, establish new practices.
	Second strategic priority – Train staff Integrate an ongoing staff training plan and mobilize staff.
Challenge – Broaden community trust and respect Ensure that police officers attain the objective of providing services for the public that are free of racial and social profiling.	**First strategic priority – Mobilize** Work with community partners concerned with public security to meet this challenge.
	Second strategic priority – Evaluate Critically examine initiatives, readjust according to needs or observations made, and account for initiatives.

Sustained mobilization with respect to these challenges requires a contribution from all police forces in keeping with their responsibilities and accountability at all levels of intervention. Accordingly, the table in Appendix A summarizes the main measures proposed and Appendix B provides guidance to observe the level of commitment and mobilization among the members of your organization.

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[4] Section 48, *Police Act,* chapter P-13.1.

SPECIFIC MEASURES AND INITIATIVES

This section proposes a series of measures to guide managers in the choice of initiatives to be carried out to satisfy this key direction.

CHALLENGE – COUNTERACT RACIAL AND SOCIAL PROFILING

FIRST STRATEGIC PRIORITY: PREVENT

First measure: Formalize the police organization's commitments pertaining to racial and social profiling prevention, detection, and intervention through:

- the elaboration of key directions, action plans or strategic plans;
- the elaboration or updating of organizational directives;
- the integration at different production stages of the interveners concerned;
- planning evaluation and follow-up with respect to the initiatives.

Second measure: Communicate the commitments to all staff and the public through:

- the elaboration of a public communications plan;
- the posting and promotion of documents, especially on the appropriate websites and intranet sites and by means of other internal tools;
- the integration of the key directions into police reception and advanced training activities.

Third measure: Promote and integrate entirely discrimination-free management practices:

- through the review or updating of organizational policies and directives likely to lead to any form of racial and social profiling;
- by contributing to changes in municipal bylaws.

Fourth measure: Equip staff through:

- access to tools focusing on the sociodemographic profile of the territory, profiling-related issues and the legitimacy of police work and local resources, services, agencies, and key players in the community by means of:
  - o the incorporation into ongoing training programs of profiling-related issues;
  - o the application of directives and practices that foster interaction between staff members and community agencies, services, and associations.

SECOND STRATEGIC PRIORITY: DETECT

Fifth measure: Define mechanisms to detect inappropriate behaviour:

- through the identification of situations at risk of profiling based on information available inside and outside the organization;

- by highlighting the obligations stipulated in section 260[5] of the *Police Act.*

THIRD STRATEGIC PRIORITY: INTERVENE

Sixth measure: Support staff whose behaviour is inappropriate through:

- the application and enhancement of support, guidance, oversight, and training measures;

- the application of complaint follow-up mechanisms;

- the administration of the appropriate disciplinary measures;

- the mobilization of the human resources service to evaluate and detect inappropriate behaviour.

CHALLENGE – ENHANCE PRACTICES

FIRST STRATEGIC PRIORITY: PINPOINT, IMPLEMENT AND ENSURE FOLLOW-UP TO GOOD PRACTICES

Seventh measure: Ensure strategic monitoring of racial and social profiling:

- by pinpointing inspiring or innovative practices;

- through mechanisms to monitor changes in racial and social profiling;

- through an analysis of event reports, decisions, and judgments handed down by judicial bodies.

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[5] "Every police officer is required to inform the director of police of conduct by another police officer that may constitute a criminal offence. The police officer is also required to inform the director of police of conduct by another police officer that may constitute a breach of professional ethics affecting the enforcement of rights or the safety of the public, if the police officer has a personal knowledge of that conduct. The requirements do not apply to a police officer who is informed of such conduct when acting in the capacity of a union representative. Likewise, every police officer is required to take part or cooperate in any investigation concerning such conduct."

Eighth measure: Promote the development and maintenance of links with the public, agencies or groups that are representative of diversity through:

- the organization of or participation in outreach, discussion, or recognition activities;

- the designation of liaison officers between the police department and the communities targeted;

- the promotion of the development of intercultural and social intervention skills;

- public promotion of the mission and work of police officers.

Ninth measure: Integrate good practices respecting the use of new information and communications technologies (ICT) through:

- the establishment or updating of a directive on the use of ICT and the social media in the work context.

SECOND STRATEGIC PRIORITY: TRAIN STAFF

Tenth measure: Elaborate skills maintenance mechanisms:

- through planning of training devoted to the prevention of racial and social profiling that focuses on the police officer's powers and duties, know-how, differences of perception, intercultural skills, and societal realities;

- the integration of the question of racial and social profiling into the training cycles of staff members;

- by relying on internal and external resources.

CHALLENGE – BROADEN COMMUNITY TRUST AND RESPECT

FIRST STRATEGIC PRIORITY: MOBILIZE

Eleventh measure: Mobilize the organization's members with respect to the importance of preventing racial and social profiling through:

- outreach activities aimed at eliciting staff support for the organization's commitments.

Twelfth measure: Promote internal and external networking through:

- contacts with key players in the community;
- the organization of or participation in outreach, discussion, or recognition activities;
- the designation of liaison officers between the police department and the public;
- the promotion of practices geared to approaching the organization's partners;
- the establishment of monitoring, advisory and ad hoc committees;
- pooling information gathered with other police forces;
- promotion in the community of the mission and work of police officers.

Thirteenth measure: Foster the development of partnership actions devoted to prevention and problem-solving:

- through the organization of meetings focusing on common objectives or participation in committees to:
  - pinpoint local problems;
  - identify the appropriate solutions;
  - share responsibilities and initiatives.

SECOND STRATEGIC PRIORITY: EVALUATE

Fourteenth measure: Ensure follow-up to commitments through:

- specific assessments of the initiatives undertaken;
- the communication of outcomes.

Fifteenth measure: Ascertain the satisfaction of individuals with the organization's commitments through:

- the establishment of consultation mechanisms.

CONCLUSION

The *Racial and Social Profiling Prevention, Detection, and Intervention Guide* offers a series of guidelines in which dialogue with and outreach to the public, an understanding of conditions in neighbourhoods, and training for police officers on local concerns are indispensable.

At the same time, the need for the public to understand the reality of police officers (response to calls, enforcement of legislation and regulations, crime prevention and suppression) and an understanding of their own complementary role in the maintenance of local public safety are also key components in the creation of public safety at the provincial level.

The Ministère de la Sécurité publique would like to thank all the police representatives on the committee for their participation, perseverance and extensive collaboration in the deliberations that led to the production of this guide. It would also like to thank the representatives of civilian agencies for their constructive comments and participation in the meetings. Lastly, the MSP would like to thank the interveners in police forces for their understanding concerning the availability of documentation.

APPENDIX A

Key direction	Maintain peace, order, and public safety in partnership with the community in a spirit of respect for the rights stipulated in the charters						
Level: Management							
Challenges	Counteract racial and social profiling			Enhance practices		Broaden community trust and respect	
Strategic priorities	Prevent	Detect	Intervene	Pinpoint, implement and ensure follow-up to good practices	Train staff	Mobilize	Evaluate
Measures[6]	1. Formalize the police organization's commitments pertaining to racial and social profiling prevention, detection, and intervention. 2. Communicate this commitment to all staff and the public. 3. Promote and integrate good practices. 4. Equip staff.	5. Define mechanisms to detect inappropriate behaviour.	6. Support staff whose behaviour is inappropriate.	7. Ensure strategic monitoring of racial and social profiling. 8. Promote the development and maintenance of links with the public, agencies or groups that are representative of diversity. 9. Integrate good practices respecting the use of new information and communications technologies (ICT).	10. Elaborate skills maintenance mechanisms.	11. Mobilize the organization's members with respect to the importance of preventing racial and social profiling. 12. Promote internal and external networking. 13. Foster the development of partnership actions devoted to prevention and problem-solving.	14. Ensure follow-up to the organization's commitment. 15. Ascertain public satisfaction with the organization's commitments.

[6] These measures are given by way of an example.

APPENDIX B

To enable you to respond to the measures mentioned earlier, here are some reference points to facilitate the observation of the level of commitment and mobilization of your organization's staff.

CHALLENGE – COUNTERACT RACIAL AND SOCIAL PROFILING

FIRST STRATEGIC PRIORITY: PREVENT

All staff members:

- are familiar with the sociodemographic conditions in the territory and adapt their work to such conditions;
- adopt the organization's values;
- always display ethical, non-discriminatory behaviour;
- contribute to the circulation of information concerning their organization's commitment.

More specifically, immediate superiors:

- communicate and make accessible the organizational commitment;
- ensure that police action hinges on an analysis of crime and intelligence;
- ensure that they produce instructions, assignments and operating plans that are free of racial or social profiling bias;
- explain that everyone has biases, which can affect other people.

SECOND STRATEGIC PRIORITY: DETECT

All staff members:

- can recognize inappropriate behaviour and to evaluate their interventions;
- participate actively in the analysis of their interventions during feedback sessions;
- inform the organization of situations at risk of profiling observed or brought to their attention.

More specifically, immediate superiors:

- pinpoint situations at risk of racial or social profiling;
- are attentive to tension and conflict situations in which the organization is called upon to intervene;
- produce additional tools to detect bias and bias-related behaviour.

THIRD STRATEGIC PRIORITY: INTERVENE

All staff members:

- participate in and integrate support, guidance and oversight measures intended for them.

More specifically, immediate superiors:

- take charge of staff members whose behaviour is inappropriate and ensure follow-up;
- help draw the public and the police force closer together.

CHALLENGE – ENHANCE PRACTICES

FIRST STRATEGIC PRIORITY: PINPOINT, IMPLEMENT AND ENSURE FOLLOW-UP TO GOOD PRACTICES

All staff members:

- offer quality services for the public, by taking the time necessary to explain their intervention;
- are familiar with and integrate good practices pertaining to community relations;
- rely on the problem-solving approach;
- make use of the community resources available;
- integrate community outreach practices.

More specifically, immediate superiors:

- share best practices with their staff;
- encourage and highlight positive initiatives.

SECOND STRATEGIC PRIORITY: TRAIN STAFF

All staff members:

- are active in their ongoing training and receptive to the directives or practices advocated;
- understand and master training content.

More specifically, immediate superiors:

- ensure skills upgrading under optimal conditions;
- ensure active participation by their staff in training.

CHALLENGE – BROADEN COMMUNITY TRUST AND RESPECT

FIRST STRATEGIC PRIORITY: MOBILIZE

All staff members:

- integrate into their day-to-day work the importance of preventing racial and social profiling;
- help heighten the public's awareness of the realities of policing;
- create and maintain a community-based partnership network;
- adequately represent the organization in its activities in the community;
- participate in initiatives stemming from partnerships and contribute to them.

More specifically, immediate superiors:

- build on the partners' expertise;
- adequately assign staff to partnership activities.

SECOND STRATEGIC PRIORITY: EVALUATE

All staff members:

- receive comments and direct individuals to the appropriate bodies, where warranted;
- complete the necessary forms for their snapshot assessment;
- participate actively in the evaluation of the measures that the organization has implemented.

More specifically, immediate superiors:

- elaborate satisfaction criteria, analyze the results in collaboration with the representative of a civilian agency, if need be, and propose corrections, where appropriate;
- congratulate staff for good conduct and honour good works.

BIBLIOGRAPHY

Charter of Human Rights and Freedoms, chapter C-12.

Canadian Charter of Rights and Freedoms, Part 1 of the *Constitution Act, 1982.*

Police Act, chapter P-13.1.

Code of ethics of Québec police officers, chapter P-13.1, section 127.

European Union Agency for Fundamental Rights

https://fra.europa.eu/sites/default/files/fra_uploads/1133-Guide-ethnic-profiling_FR.pdf.

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