



TORONTO POLICE SERVICE
**RACE-BASED
 DATA
 COLLECTION
 STRATEGY**



FREQUENTLY ASKED QUESTIONS

June 2022

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Overview

1. What is the purpose behind this work? Why is Toronto Police collecting this data?

The purpose of collecting race-based data is to assess whether racial disparities exist in policing, and if so, what can be done to eliminate them.

In 2019, the provincial government directed that all police services in Ontario begin collecting race-based data in instances of reportable use-of-force. In response to the OIPRD's 2019 report "*Breaking the Golden Rule*," we went a step further and also included the collection of race-based data related to strip searches.

2. Why is this work important?

The Toronto Police Service (the Service) has made police reform and being responsive to our communities a top priority. We have been listening and taking actions to repair community trust.

However, we cannot fully understand or change what we do not measure.

The Service's Race-Based Data Collection (RBDC) Strategy is providing us with valuable data and insights to address and reveal trends to help us identify, monitor and eliminate systemic racism in our policies and practices. It is also allowing us to identify ways we can better support our members in their delivery of fair and equitable policing.

3. What are some important facts we should know?

- The findings on reportable use-of-force and strip searches released on June 15, 2022 are from data collected in 2020.
- The findings confirm that Black, Indigenous, and racialized people are over-represented in both use-of-force incidents as well as in strip searches.
- The RBDC Strategy is meant to address issues of systemic racism and will not be used to further stigmatize communities or identify individual officers. Instead, our analysis will help us adjust our policies and practices to eliminate systemic bias.
- We have identified 38 action items to address the findings. We will work with communities, our members, and our partners to further develop the items that are in progress or that we have not yet started, and to identify additional areas where we can do better.
- This is only the beginning of this work. The findings from 2020 will act as a baseline to build upon in the years ahead. We are committed to continued engagement with our members and communities as we expand the types of data we collect and analyze, and co-develop actions in response.
- We would encourage everyone to visit our [RBDC webpage](#) on TPS.ca for comprehensive information on the strategy, the findings, how we collected and analyzed data, and how we are working with our community partners to find solutions. The QR code at the top of these FAQs will link you to the page.

4. Why did the Service look at the enforcement action population as a comparison for use-of-force and the arrest population as a comparison to strip searches, instead of the general population?

To determine disproportionality and over representation of a specific race group in use-of-force and strip searches, we have to first determine the appropriate “population group”, or “denominator” to compare it to.

In use-of-force, our analysis looks at the “enforcement action” population, and in strip searches, our analysis looks at the “all arrests” population, rather than City of Toronto Resident Population. This allows us to compare outcomes against the population that actually had contact with police. Comparing outcomes to the resident population is useful to understand broad systemic issues in society and how that impacts different groups, but it is not as useful at telling us what effect policing practices and policies have on those outcomes. Our goal is to focus our efforts on the actions that we can control.

Taking a multiple benchmark approach lets us see the different outcomes in the policing pathway for each race group. Identifying these patterns helps us to know where there may be opportunities for improvement to reduce use-of-force and strip search outcomes and to more accurately identify the issues that contribute to disparate outcomes.

RBDC Analysis Framework

5. What is Systemic Racism?

Systemic racism occurs when institutions or systems create or maintain racial inequity often as a result of hidden institutional biases in policies, practices, and procedures that privilege some groups and disadvantage others. It is the “normal ways of doing things” that are often unintended or unconscious and that have a negative impact on racialized people. That includes when members of Indigenous, Black, and racialized groups are singled out for greater scrutiny or different treatment.

6. Are there legal requirements for TPS to collect, analyze and report race-based data?

Yes, the Province’s [Anti-Racism Act](#) requires the public sector to collect race data. For policing, all services across Ontario must collect race data in all use-of-force reports. The Service expanded the scope of collection to include strip searches. The Province’s [Anti-Racism Data Standards](#) guides the collection, management and analysis of race-based data. The Toronto Police Services Board’s [policy](#) specifically directs the Service on how to collect and analyze race-based data.

7. Why is TPS collecting officer perception of a person’s race?

The Service is collecting information to understand systemic racial bias and systemic racism in policing by collecting officer perception of an individual’s race based on what they can observe about the individual with whom they are interacting.

Perception is important to understand unconscious biases, assumptions and other internal thought processes that may impact decision-making. This will help us to make improvements to our policies, procedures, practices and training.

8. How can you be sure that the data is entered properly and accurately?

A Use of Force Report goes through several internal check points to ensure the data is recorded correctly and in accordance with legislation. Intentionally falsifying police records constitutes as misconduct.

9. What if the officer's perceived race is different from how someone self-identifies?

Perceived race is an important measurement to help us understand if we treat people fairly, regardless of how we perceive their race.

Perceived race and self-identified race are two different things, although they may closely intersect for most people. For this analysis, we are focused on whether there are trends in how officers perceive individuals and any impacts on their outcomes, and not about how people personally identify.

10. What is a racial disparity? What is a disproportionality?

Disproportionality is a measure of a racial group's presence in an interaction and compares it to that group's presence in the reference population. Disparity measures a racial group's difference in outcomes by comparing it to the outcomes of another group.

Engaging Communities and Members of the Service

11. Have communities been a part of the process?

Yes. Community engagement is a core part of the RBDC Strategy. From the beginning, we partnered with community organizations and engaged broadly with the public, including at town halls and focus groups. We established a Community Advisory Panel (CAP) dedicated to supporting all aspects of the Strategy and met regularly with community stakeholders, and the Board and Chief's community-based committees.

We also regularly engaged with the Board's Anti-Racism Advisory Panel (ARAP), the Police and Community Engagement Review (PACER) committee, and the City of Toronto Confronting Anti-Black Racism (CABR) Unit.

12. How have Indigenous members of communities been engaged?

TPS met with the Chief's Aboriginal Community Consultative Committee early on about the RBDC Strategy. We partnered with Native Child and Family Services to conduct focus groups with Indigenous members of the public, and met regularly with the Indigenous Justice Division (Ministry of Attorney General) for strategic advice and input.

To further support our efforts, the Service hired an Indigenous Engagement Specialist to help us increase cultural competencies needed as a foundation for building relationships. Developing and implementing a specific Indigenous Engagement Strategy is a priority for the Service.

We have more work to do to meaningfully engage with Indigenous peoples in Toronto and we acknowledge that greater efforts must be made to build trusted relationships with

Indigenous peoples and organizations. Developing and implementing a specific Indigenous Engagement Strategy is a priority for the Service.

13. Will communities continue to be engaged and involved in the Strategy?

Yes. Community partnerships and collaboration are necessary to the success of the Strategy. We need to embed community perspectives and be informed by lived experiences in order for changes to stick and have real impact on the ground. As the strategy progresses and we continue to monitor racial disparities, we will rely on community partnerships to make sure we are going in the right direction, make necessary adjustments, learn and improve together.

14. How were front line officers engaged in the process?

Front line experiences and perspectives are necessary for the analyses to be meaningful, accurate, and useful. Engaging with members of the Service is also a priority to ensure that changes have real and sustained impacts. We engaged with uniform and civilian members of the Service from all ranks and units in several ways:

- Unit Champions from each Division and specialized unit are informed about the Strategy and its progress so that they can regularly engage and support their peers to understand and get feedback about race-based data collection and analyses.
- A team of Inspectors have been selected to support Unit Champions, and to provide resources and seek the perspectives of officers.
- Police Constables are embedded in the Equity, Inclusion and Human Rights Unit to support the RBDC Strategy and lead internal engagements.
- Race-based data discussions have been incorporated into relevant training modules, such as In-Service trainings, to hear members' thoughts, questions and to understand their concerns.
- Members and communities will continue to be engaged as we expand the types of data we collect and analyze, and co-develop actions in response.

Analyzing and Reporting Data

15. Who analyzed the data?

The Service has a dedicated team of subject matter experts in the Equity, Inclusion and Human Rights Unit (EIHR) leading the work. Members of the unit provide expertise in equity, human rights, research methods, and engagement, and have partnered with internal subject matter experts in TPS data systems and analysis. The Service also hired Dr. Mai Phan, an external consultant who is an expert in race data for equity purposes, to join EIHR to support the Service in all aspects of this work, including providing strategic advice, guiding engagements, and developing and conducting analyses.

Questions and perspectives for analyses were also informed by engagements with both internal members and external communities and stakeholders. The RBDC Strategy

Community Advisory Panel (CAP) was established to provide diverse community perspectives and lived experiences to inform analyses and interpretation of results.

In addition, the Service partnered with the Wellesley Institute and contracted independent researchers, Dr. Lorne Foster and Dr. Les Jacobs, to conduct reviews of our analyses and data practices and make recommendations to the Board.

16. What were the major considerations when analyzing the data?

From talking to Service members as well as stakeholders and the RBDC Community Advisory Panel (CAP), we identified key questions to explore with our data, to include context and look at the data in different ways.

By working together to co-develop questions and perspectives to test, our analysis is very in-depth and uses more of our data while also protecting the privacy of the public and our members. Some examples of things we took into consideration are:

- Are there differences by race in the highest type of force used?
- Are incidents associated to more violent offences more likely to involve a use-of-force, regardless of race?
- Are there differences by gender for each race group in use-of-force compared to the enforcement action population?
- Are there differences for youth for each race group in use-of-force compared to the enforcement action population?
- Are there racial disproportionalities in people who come into contact with police for enforcement-type actions?
- Are use-of-force incidents more likely to be associated with arrests than with other types of enforcement activities?
- Do uses of force originate from proactive events or reactive calls for service?
- Does time of day impact use-of-force by race?
- Were situations associated to weapons (weapons were perceived or calls for service) more likely to involve a reported use-of-force and are there any racial disproportionalities?
- Were there differences by race for use-of-force incidents taking into account the primary offence type?
- Are certain calls for service (i.e.: violent calls for service, persons in crisis, calls in progress) more likely to result in use-of-force incidents and racial disproportionalities?
- Are people who come into contact or who are arrested more frequently more likely to have a use-of-force or strip search?
- Are strip searches and use-of-force incidents related to crime rates within a division?
- Do incidents such as failure to appear or comply and involving warrants impact uses of force/strip searches by race?
- Are the racial disproportionalities in use-of-force or strip searches related to the racial breakdown of a division's resident population?

- Where in the city do uses of force or strip searches happen by race?
- Were there differences in reasons for strip searches by race?
- Are there racial disproportionalities in strip searches when bookings, instead of arrests, are used as a benchmark, instead of arrests?
- Did the change in Procedure 01-02 (Search of Persons) reduce strip searches and racial disproportionalities?
- What is the rate of items found during strip search data by race?

17. How is the analysis an accurate reflection of policing since the majority of police interactions are reactive and driven by 911 calls for service?

For the analysis to have impact, it must reflect the operational context of policing so we can identify what is working and where we need to improve. This includes understanding if, when an officer arrives on scene, they are providing the same level of service to everyone, regardless of their race, and whether there are disparities in use-of-force and strip search outcomes.

18. Are recent operational changes reflected in the analysis (e.g. changes to Strip Search procedures in 2020)?

Yes, they are. To properly understand strip search results, we need to provide context, which includes procedures and any changes. For 2020, this means analyzing the data in a way that recognizes major changes to the strip search procedure and booking form that took place in October 2020.

19. Are you comparing outcomes to the resident population or will you take into account who police interact with in order to understand differences by race?

Comparing outcomes to the resident population is useful to understand broad systemic issues in society and how that impacts different groups. But it is not as useful at telling us what effect policing practices and policies have on those outcomes, or where we need to focus to make positive change specific to policing.

To best understand use-of-force and strip search decisions, we will compare outcomes against the population that experienced an enforcement action (for use-of-force) and arrests and bookings (for strip searches). An individual must have a relevant interaction with police before they can experience one of these outcomes. This will help us more accurately measure racial disparities in police outcomes, once an interaction occurs.

20. What is being done to address the data limitations in the first phase of this strategy?

The Service has undertaken an immense effort to collect, manage, and analyze race-based data in a way that has never been done before, including using calls for service and occurrence data to better understand the context of use-of-force incidents and searches of persons. That said, there continued to be room for improvement in areas where we have identified gaps in what we collect and in what situations. We have identified Information Technology improvements that are part of the RBDC Action Plan and include:

- Working with the province to improve the Use-of-force Report and reporting requirements
- Improving booking and strip search templates, particularly reporting items found

21. How do the findings of this report compare to other police services in Ontario? Is everyone doing the same analysis?

The Service's overall findings are comparable to other police services in Ontario who reported racial disparities in use-of-force incidents. Across Ontario, there is evidence of Black over-representation in use-of-force when compared to their proportion in the resident population and over-representation of different racialized groups, depending on the particular police service.

However, the Service's approach is much more comprehensive and allows us to dig deeper into the data. This is unique amongst all police services. Our analysis takes into account context and other factors so that we can better understand the nuances of use-of-force situations, and where we can focus to reduce disparities in outcomes.

22. Will the Service report all findings, not just negative ones but also results that show areas where we may be doing well?

Yes. We will report all the findings of analyses conducted for all groups and not just those areas where disparities were found. We looked to the data to answer key questions and report the results, even if they did not support commonly held assumptions. Being evidence-based means that we use the best information we have to understand the issue.

23. Will this analysis be continued for years to come?

Yes. The Strategy is an ongoing initiative that is part of how the Service will support the Board, our members, community partners, and stakeholders to work collectively to advance racial equity in policing, and other police reform efforts.

Use of Force

24. What is a Use of Force Report?

A Use of Force Report is a mandated form by the Ministry of the Solicitor General. It captures information about a use-of-force interaction, including the type of incident officers responded to, the type of force used, if a weapon was perceived, and the level of injuries.

Starting in January 2020, the province revised the Use of Force Report form to add perceived race and to comply with the *Anti-Racism Act* and regulation. The revised form also enables every police service to securely submit the form to the Ministry electronically under the *Police Services Act*.

25. When is an officer required to submit a Use of Force Report?

Officers are required to submit a Use of Force Report, as mandated by the Ministry of the Solicitor General, for every incident in which they:

- Used physical force that results in medical attention from EMS or the hospital;
- Drew, pointed or discharged a firearm, or demonstrated or used a taser, regardless of the level of injuries;
- Used a weapon other than a firearm or taser (such as a baton, pepper spray, or police animal) that comes into contact with person, regardless of the level of injuries.

26. For this analysis, what types of force were analyzed and how were they categorized?

For our analysis, types of force were categorized from LOWEST (physical or other type of force), INTERMEDIATE (less than lethal force and handgun drawn) to HIGHEST (firearms pointed or discharged) across all officers involved in the same incident.

27. Why is firearm pointed considered as serious as firearm discharged?

Given the small numbers of incidents where firearms were discharged (4), to include them in the race-based data analysis, we grouped them with firearms pointed.

28. What are the main findings of the 2020 data analysis on use-of-force?

- There were differences by race in use-of-force incidents showing distinct patterns for different race groups. Black, East/Southeast Asian, Middle Eastern and Latino people were overrepresented in reported use-of-force incidents *compared to their presence in enforcement action population*.
- Officers may use multiple use-of-force options in an attempt to deescalate an incident. When force was used, Black people were over-represented in higher types of force used.
- Differences by race remained in incidents after taking into account weapons, calls for service that result in an enforcement action, and frequency of recent involvement in enforcement actions.
- There were differences across locations in use-of-force incident rates after taking into account crime rates and resident population.

29. By how many times were Black, East/Southeast Asian, Middle Eastern and Latino people were overrepresented in reported use-of-force incidents *compared to their presence in enforcement action*?

Black people: 1.6x
 East/Southeast Asian people: 1.2x
 Middle Eastern people: 1.2x
 Latino people: 1.5x

30. Among those who experienced a use-of-force in 2020, which race experienced the highest types of force?

Black, South Asian and East/Southeast Asian people were more likely to experience higher uses of force compared to White people across all use-of-force incidents.

31. How often are police officers in Toronto using force against people?

In 2020, the Service had approximately 700,000 interactions with the public in response to 911 calls, traffic and pedestrian stops, and other policing activities. Of those, there were 949 or 0.2% reportable use-of-force incidents.

Although the number of reported uses of force was small in comparison to our overall interactions, we recognize that each one is unique and has impacts on individuals, their families, and the officers involved.

32. Which calls for service were most often associated with a use-of-force?

The majority of use-of-force incidents started out as a 911 call and were not proactive events. The largest category by far, making up almost half of the reported use-of-force incidents, were violent calls for service. Of the reportable use-of-force incidents in 2020:

- 48% were associated with a Violent Call for Service
- 9% were Calls in Progress or Just Occurred events (such as break & enters or assaults)
- 7.8% were proactive events (such as vehicle and subject stops)
- 6.8% were Persons in Crisis

For detailed information on our Use-of-force Findings, visit our [Race-Based Data Collection](#) webpage at TPS.ca. In particular, consider watching the *Use-of-force: Measurement & Outcomes* video.

Strip Searches

33. What are the different types / levels of searches?

There are four different levels of searches:

- **Protective Search:** a scope of search that is limited to exterior patting of clothing such as pockets, waistband or areas that may reasonably conceal such items as weapons. It may be described as a “safety search”.
- **Frisk Search:** a more thorough search that may include emptying and searching pockets as well as removal of clothing, which does not expose a person’s undergarments or areas of the body normally covered by undergarments. It could include the removal of belts, footwear, socks, shoes, sweaters, etc.
- **Strip Search:** includes all steps in the protecting and frisk search, and a thorough search of a person’s clothing and non-physical search of the body. That will often require removal or rearrangement of some, or all, of the person’s clothing to permit a visual inspection of a person’s private areas.
- **Body Cavity Search:** are conducted by a qualified medical practitioner or at a medical facility.

34. What are the main findings of the 2020 data analysis on strip searches?

- Strip search rates varied throughout the year and dropped significantly following changes in policy and procedures. The Search of Persons policy change took effect in October 2020, resulting in a significant decline in strip searches:
- There were differences by race in strip search rates which were reduced following the changes in policy and procedure. Black, Indigenous and White people were over-represented *relative to their presence in arrests*.
- There were differences by race after accounting for repeat arrests, including drug-related and weapons offences.
- There were differences across arrest locations by Division in strip searches conducted in 2020.

35. How many people were strip searched in 2020?

In 2020, there were 31,979 arrests, of which 17,096 (53.5%) were booked into custody at a police station. Of those, there were 7,114 strip searches, representing 22.2% of all arrests or 41.6% of bookings that year.

36. What changes took place to strip search policy and procedures?

In 2020, we updated our *Search of Person Procedure*, which resulted in a significant reduction in the overall numbers of strip searches by 90%, and a decrease in disparities as well. All protective and frisk searches are now captured on audio and video, wherever possible, to allow for transparency and accountability. As part of the changes, we developed a robust training module of search of persons, including a review of case law. We also require that all strip searches are authorized by a supervisor and are accurately documented and audited at a divisional and senior management level. Information captured includes the reason for the search and the items found.

37. How much did strip search rates drop following changes in policy and procedures?

Pre-Policy Change: 27% of arrests resulted in a strip search
 Post-Policy Change: 4.9% of arrests resulted in a strip search

38. How much were disparities reduced as a result of the update to the Search of Person Procedure?

Changes in policy and procedures resulted in a reduction in over-representation of Indigenous people arrested, from 1.3x to no over-representation in 2021.

Disproportionalities remained for Black and White people arrested.

For detailed information on our Strip Search Findings, visit our [Race-Based Data Collection](#) webpage at TPS.ca. In particular, consider watching the *Strip Searches: Measurement & Outcomes* video.

What's Next?

39. What solutions will the TPS be putting forward to improve upon these findings?

As a result of the findings from our analyses of strip searches and use-of-force, the Service has identified 38 action items to improve procedures, support members through improved training and coaching, revise and improve governance, continue to engage affected communities and our members, and enhance monitoring and communication of our progress.

For detailed information on our action items, visit our [Race-Based Data Collection](#) webpage at TPS.ca. In particular, consider watching the *Taking Action* video.

40. How will the public know what changes are being made and if they are working?

Transparency and accountability for our actions is a priority for the Service. This means a commitment to monitor and track how we are doing and the progress made, including whether we are meeting our goals. We will work with stakeholders, communities and our members to identify what success looks like, and how our actions are expected to contribute to it. A dashboard will be available to help the public and our members see what progress we are making. We are also required to report on our progress bi-annually to the Toronto Police Service's Board.

41. What are the “other interactions” that will be included in Phase 2?

In Phase 2 of the Strategy, the Service is collected data on arrests, charges, mental health and child apprehensions, and diversions. This expanded view will let us identify racial disparities at other critical interaction points to understand how they affect different outcomes in the policing pathway so that we can make meaningful change.

Protecting Privacy and Access to Data

42. How is TPS protecting personal privacy and confidentiality of individuals about whom the data is collected?

The protection of personal privacy and confidentiality is critically important to the Service's RBDC Strategy. This means that prior to conducting analyses, the data containing race and identity data is made anonymous by removing any personal identifiers, such as occurrence numbers, names, birthdates, badge numbers and other information so that the data cannot be used to directly identify any individual member of the public or officer (i.e., anonymized data).

Anonymized data containing race and identity-based data are securely stored and access is restricted to designated staff with responsibilities to produce, manage, maintain and analyze the data under the Strategy.

Prior to public release, the Service further protects personal privacy by de-identifying the information to further minimize the risk that a unique individual can be re-identified through the use of information, alone or combined. The Service also regularly consults with Ontario's Information and Privacy Commissioner to seek its advice on best approaches to data privacy and confidentiality.

43. Is TPS using race and identity-based data to identify individual officers?

No. The purpose of the RBDC Strategy is to identify and address any systemic racial bias in the Service as a result of policies, procedures, programs and practice. Data pertaining to the individual officers involved in the occurrence, strip search, or use-of-force report will be removed from the data prior to analysis by designated members of the Equity, Inclusion & Human Rights Unit.

44. How is TPS analyzing the data it collects under this Strategy?

To be transparent, fair and accountable for its analyses, the Service is approaching data analyses in several ways. First, the Service is consulting with communities, stakeholders, subject matter experts and internal members to develop an analysis framework that is guiding how we are looking at the data in a principled and open way that reflects understanding of community and policing contexts.

Secondly, a Community Advisory Panel (CAP) was established to advise the Service on the collection, analyses and interpretation of results. This panel is comprised of diverse members of affected communities with lived experiences, including youth, and subject matter experts in community and research.

Thirdly, the Service partnered with the Wellesley Institute and independent researchers, Dr. Lorne Foster and Dr. Les Jacobs, to examine and advise on the Service’s analysis and findings as well as conduct independent analyses to report to the Toronto Police Services Board.

Finally, the Service is committed to open data and open analytics to enable everyone to do their own analysis. Open, informed conversations help contribute to solutions to improve policing.

45. Who has oversight over the data and how it will be protected and used?

The Chief of Police is accountable to the TPS Board for the implementation of the Race-based Data Collection, Analyses, and Reporting Policy. Under the Policy, the Chief is responsible for developing procedures to safeguard the data collected and assign areas accountable for the management, use, and protection of race-based data. All Service members have a responsibility to ensure that personal privacy and data security are protected and to comply with policies and procedures related to personal information and race and identity-based data. To support this, all members, uniform and civilian, receive training specific to the RBDC Strategy.

46. Will the public have access to race and identity-based data?

Yes. The Service is committed to transparency and accountability while protecting personal privacy and ensuring information security in compliance with privacy laws. The Strategy includes an open data requirement and public reporting of analyses to allow the public to access and use de-identified data. The Service will consider and balance the public interest in access to open data and protection of personal privacy to prevent any individuals from being identified in the data.

Under the *Municipal Freedom of Information and Protection of Privacy Act*, individuals continue to have access to their own personal information, including any race and identity-based data, by submitting a request to the [Access and Privacy Section](#).