

The Weight of Fitting the Description: Using Critical Race Theory to Explore Black and Indigenous Youth Perceptions of the Police

by

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AUTHOR'S DECLARATION

I hereby declare that I am the sole author of this thesis. This is a true copy of the thesis, including any required final revisions, as accepted by my examiners.

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Abstract

Effective law enforcement is contingent on public support. A growing volume of research examining public perceptions of the police suggest that trust and confidence in the police is very low among youth and specific racialized populations. However, there is a gap in Canadian research that examines the complexities of the relations between racialized youth and the police. The following dissertation employs a mixed-methods approach to explore youth perceptions of the police in Canada. With a focus on a racially diverse sample of Black, Indigenous and White youth, the study aims to examine whether there are racial differences with respect to confidence in law enforcement. Using Statistics Canada's 2014 General Social Survey (GSS) on victimization (cycle 28), the first study specifically examines Black, Indigenous and White youth's attitude toward the police. Both bivariate and multivariate analyses suggest that race plays a significant role in identifying Canadian youth's perception of the police. Thus, in Canada, Black and Indigenous youth have lower confidence in the police compared to their White counterparts. Furthermore, a multivariate analysis suggests that gender, geographic location and previous victimization also have an impact on confidence in police.

The results of these findings go against Canada's international reputation as a tolerant multicultural society. However, due to formal and informal bans on the collection of race-based data, little is known about racialized youth perceptions of police within Canada. Thus, to have a better understanding as to why Black and Indigenous youth report negative perceptions of the police, the second study employs the critical race methodology of composite counter storytelling. This approach will highlight the perspectives of Black and Indigenous youth in Toronto, Canada's largest metropolitan city, and explore their experiences with law enforcement. This aims to counter Canada's international status as a multicultural utopia and demonstrate how legal criminal justice actors, such as the police, perpetuate the marginalized status of Black and Indigenous youth through the process of criminalization.

Continuing a critical race perspective, the final study explores the impact of both negative experiences and perceptions of the police among Black and Indigenous youth in Canada. The findings suggest that as a result of perceived racial bias within policing, Black and Indigenous youth are less likely to report personal violent victimization to law enforcement officials. As a result, I argue that in Canada, due to systemic racial bias within policing, both Black and Indigenous youth are at an increased risk of violent victimization, and thus furthering their vulnerability and marginalization within society. The concluding chapter explores the implications of these findings and policy recommendations for Canadian police agencies.

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Dedication

To Nyala, Nolan, and Scot -- who inspire me to push for a racially just society.

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Chapter 1

Introduction

“Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police” (Sir Robert Peel, Principle 7 of modern policing).

As the recent police killings of unarmed Black men and women in the U.S galvanize global discussions on the oppression and marginalization of Black peoples through law enforcement, Canada too, has been forced to address its own reality. Concerns over systemic racial bias in policing has existed for decades (Lewis 1989; Lewis 1992; McLeod 1996), however Canada’s reputation as a racially harmonious country, both within and outside of its borders, has thwarted any meaningful change. But with global calls for police reform, discussions are no longer in silos or focused on the U.S.; instead the experiences of Black and Indigenous peoples in Canada are beginning to be discussed in the mainstream (Cecco 2020).

A review of numerous Canadian police service mission statements reveals an overarching focus on building public trust. In fact, several statements highlight their commitment to work in partnership with the public and neighbourhood organizations in order to increase the quality of police work and ensure civilian safety (for example, see Calgary Police Service; Peel Regional Police Service, Toronto Police Service, York Regional Police). The general consensus among police scholars is that effective law enforcement is contingent on public support (Vogel 2011). Thus, a growing volume of American, Canadian and British research have examined public perceptions of the police (Brown and Benedict 2002; Bridenball and Jesilow 2008; Vogel 2011). This research has found that civilians who are not satisfied and/or harbour unfavourable perceptions of the police are less likely to report

criminal activity or cooperate with police investigations (Brown and Benedict 2002; Tyler and Fagan 2008; Vogel 2011). Furthermore, research suggests that people who view the police as “illegitimate” are less likely to comply with the law (Tyler 2006).

Most Canadians support law enforcement, and continue to do so in the midst of global calls for police reform¹, however numerous studies demonstrate that attitudes towards the police can vary dramatically across demographic groups (Owusu-Bempah and Wortley 2009, Sprott and Doob 2014). A review of the literature in the U.S., U.K, Australia, and Canada suggests that trust and confidence in the police is particularly low among youth and specific racialized populations – namely, Black and Indigenous youth (Brunson 2007; Bowling and Phillips 2007; Hurst and Frank 2000; Kappeler and Gaines 2015; Rigby and Black 1993; Slocum, Wiley, and Esbensen 2016; Vogel 2011; Wortley and Owusu-Bempah 2009). Thus, having a better understanding of youth and racialized perspectives has been identified as an important area of study (Gau and Brunson 2010)

Youth are more likely to experience police encounters for two important reasons. One, youth are more likely to be involved in property and minor violent crime, thus increasing their chances of a police interaction (Leiber et al. 1998). Two, there are growing concerns over school safety and, as a result, there are an increasing number of police officers within schools to promote school safety (Brick et al. 2009). Thus, having a better

¹ June 16, 2020 survey reviewing confidence in the police conducted by Leger and Association for Canadian Studies <https://leger360.com/surveys/legers-weekly-survey-june-16-2020/>.

understanding of youth perspectives on police legitimacy is important given their relatively high rates of contact with police (Brick et al. 2009; Bridenball et al. 2008). Furthermore, exploring the factors that influence perceptions of police among racialized youth is of great importance as findings can help police services develop and implement policies and strategies to build better relationships with all members of their community. While there is a growing body of research into perceptions of police among racialized youth from the U.S. context (Vogel 2011) very little is known from a Canadian perspective. The purpose of the following study is to address this gap in Canadian scholarship².

Canadian researchers have long identified policing practices and formal government policies that contribute to the differential treatment of Black and Indigenous populations (Perry 2011; Mosher 1998; Tator and Henry 2006). As such, a growing body of research has consistently revealed that both Indigenous and Black youth and adults are grossly over-represented in the Canadian correctional system (Cardoso 2020; Correctional Investigator 2020; Owusu-Bempah and Wortley 2014). Similar to debates in the United States and the United Kingdom, Canadian scholars, justice officials and policy-makers are now debating the extent to which this over-representation is the result of higher rates of racial minority offending or racial bias within the criminal justice system. Blagg (2012) suggests that both explanations have considerable merit. They contend that there are a number of factors

² This research was supported by funds to the Canadian Research Data Centre Network (CRDCN) and Statistics Canada. Although the research and analysis are based on data from Statistics Canada, the opinions expressed do not represent the views of Statistics Canada.

including over-policing and other forms of systemic bias that negatively impact Indigenous and Black communities. Thus, not surprisingly, Indigenous and Black youth often feel that they are targeted by criminal justice officials and subsequently develop feelings of alienation from Canadian society (James 2010).

A growing body of research suggests that both groups perceive high levels of racial bias within the justice system as well as discrimination within the education, social welfare, health care and employment institutions (Sprott and Doob 2014; Blagg 2012; Wortley and Owusu-Bempah 2009). In fact, data consistently show that Black and Indigenous populations are more likely to live in poverty, suffer from high unemployment rates and have low educational attainment (Grant, Walks, and Ramos 2020; Maynard 2017).

Canadian legal scholar, David Tanovich (2006), argues that to understand the status of marginalized peoples, one should approach the issue from the perspective of critical race theory (CRT), which maintains that inequality and discrimination are “deep seated aspects of the Canadian legal system that cannot be easily erased” (pg. 139). Therefore, despite national legal statutes that claim a commitment to fairness and equality (Charter of Rights and Freedoms 1982), the basic tenet of CRT is that racism exists and that the law is both a “product and promoter of racism” (Matsuda 1996, pg. 22). Thus, legal actors such as the police continue to perpetuate the marginalized status of Black and Indigenous populations in Canada by criminalizing them (Aylward 1999).

Critical Race Theorists could simply point to the multitude of studies that support the argument that race may influence legal decisions (Engen et al. 2002, Fitzgerald and Carrington 2011; King and Johnson 2016; Wortley and Tanner 2003; Wortley and Owusu-

Bempah 2012). To illustrate, recent correctional figures suggest that both Indigenous and Black Canadians are grossly over-represented within the criminal justice system (Cardoso 2020; Correctional Investigator 2014; 2020). While Indigenous people make up approximately 5% of the Canadian population, in 2019, they accounted for 30% of the population under federal correctional supervision. Similarly, Black peoples make up only 2.9% of Canada's population, yet they account for approximately 9.0% of the federal correctional population. There is evidence to suggest that White Canadians charged with similar offences are more likely to be released or given more lenient sentences (Aylward, 1999; Samuels-Wortley 2019). Furthermore, a growing number of Canadian studies argue that Black and Indigenous youth perceive the police and criminal justice officials to be biased against members of their racial community (Black Experience Project 2014; Cao 2011; Wortley and Owusu-Bempah 2016). CRT theorists argue that to have a true understanding of the impact of racial discrimination, one must turn to those who experience it. Therefore, exploring the impact of race is at the forefront of theoretical inquiry.

Theoretical Orientation – Critical Race Theory

Derrick Bell Jr., the founder of CRT, argues that to understand society's functionality, an examination of race must be at the forefront of all inquiries (1995). Further promoted by legal scholars Richard Delgado, Mari Matsuda, and Kimberlé Crenshaw, these CRT theorists maintain that regardless of legal statutes that promote equality, it is still the case that race, racism, and power continue to influence the operation of all social institutions, including the criminal justice system. Therefore, according to CRT, it is not by random chance or accident that racialized peoples remain disadvantaged with respect to most major social indicators,

including education, health, employment and housing (Bell Jr. 1976). Similarly, it should come as no surprise that racialized peoples are the most negatively impacted by the criminal justice system. CRT aims to understand why, despite institutional declarations of equality and anti-discrimination, there continue to be gross racial disparities throughout the legal system -- disparities that further entrench the marginalization and oppression of racialized peoples (Delgado and Stefancic 2017).

The stories of Black and Indigenous peoples are therefore seen as a form of knowledge production (Solórzano and Yosso 2002). Storytelling acts as a crucial component of data gathering. By highlighting the stories of racialized peoples, one can begin to counter the accepted notion that society is colorblind. CRT aims to seek and validate the experiences of those who have suffered from discriminatory treatment. Uplifting and centering the “voice of color” (Obasogie 2013) can provide a better understanding of the impact that race and racism play in the lives of racialized people.

Critics of CRT argue that the focus on storytelling and subjective experiences cannot prove racism. In response, early critical race theorists argued that positivist traditions that often promote quantitative methodologies cannot capture the everyday experiences of racialized people (Delgado and Stefancic 2017). Therefore, the theory’s focus on storytelling, as the preferred method of inquiry, has led to a rejection of quantitative techniques.

However, recent thinking acknowledges that a narrow, qualitative focus can potentially minimize the theory’s importance (Obasogie 2013). Thus, some critical race scholars have now acknowledged that quantitative methods may be required to document widespread racial disparities to demonstrate that justice is not race neutral (Obasogie 2013).

Therefore, my study employs a mixed-methods approach and includes an analysis of national crime victimization data to document racial differences in perceptions of the police. Inclusion of a quantitative component in my study aims to contribute to an advanced inquiry into police and youth relations. As Wooley (2009) notes, a mixed-method analysis can lead to a robust sociological study when exploring youth perspectives. At a time when police and racial community relations are under global scrutiny (Cecco 2020), by highlighting national trends that demonstrate racial differences in perceptions of the police, along with prioritizing the stories of Black and Indigenous youth, the following study aims to show that a critical race lens can directly challenge the socially constructed belief that there is equality before the law.

One cannot ignore growing racial tensions that are increasingly placing racial groups in silos in Canada. There are an increasing number of protests among members of Black and Indigenous communities who are expressing concerns over racial bias in policing. For instance, the phenomenon of racial profiling and the shooting deaths of Black men and women by police, for example, have sparked the Black Lives Matter movements in many Canadian cities (Cecco 2020). Furthermore, the national inquiry into the over-representation of missing and murdered Indigenous women forced the former Royal Canadian Mounted Police (RCMP) Commissioner, Bob Paulson, to admit that racism and sexism are problems within Canada's national police force, only to be refuted by the current RCMP Commissioner, Brenda Lucki, years later (Kaye and Jacobs, 2015; LeBlanc and Kirkup 2020). So, while it appears that the majority of Canadians recognize that racialized communities experience discrimination within Canadian society, in their study exploring

discrimination, Anderson and Coletto (2016) found that half of White respondents feel that they experience some form of discrimination within society as well. Thus, it is not surprising that in response to concerns over racially biased practices within policing and the criminal justice system, there is a counter movement that argues “All Lives Matter” too (Carney, 2016).

I therefore argue that it is important to include an analysis of the perceptions of White youth in the study’s CRT analysis. I do so to provide a nuanced discussion on confidence of the police among a racially diverse sample. Furthermore, an inclusion of White perceptions aims to highlight any racial differences and therefore support the argument that race indeed influences youth’s experiences, and therefore perceptions of law enforcement in Canada.

Literature Review

Police Legitimacy: A Definition

Police legitimacy is directly linked to public confidence and trust in police services. The concept reflects the extent to which members of the public have faith in the police and believe that it is a legitimate or valid institution. It is argued that perceived police legitimacy is strongly associated with the public’s level of support for the police, their willingness to cooperate with police investigations and their willingness to comply with the law (Tankebe et al. 2016; Harkin et al. 2015). Tyler and Fagan (2008: 235-236) state that:

Legitimacy is a feeling of obligation to obey the law and to defer to the decisions made by legal authorities. Legitimacy, therefore, reflects an important social value, distinct from self-interest, to which social authorities can appeal to gain public deference and cooperation. In past research, legitimacy has been measured using items reflecting the perceived obligation to obey legal authorities, as well as trust and confidence in authorities.

In recent scholarship, the concept of police legitimacy has been closely linked to Tyler's (2006) theory of procedural justice. Tyler (2006) argues that how fairly, honestly or impartially people are treated by the police will have a greater impact on perceived police legitimacy than legal outcomes. In other words, procedural justice may be more important than substantive justice. Furthermore, Tyler (2006) argues that if the police can increase their legitimacy by improving procedural justice, they can expect greater levels of public cooperation and compliance. Tyler (2006) also suggests a number of strategies that the police can utilize to improve their perceived legitimacy including: 1) Providing people with the opportunity to explain themselves before making decisions; 2) Adequately explaining why and how police decisions are made; 3) Providing civilians with opportunities to complain and/or voice displeasure about police decisions and/or treatment; and 4) Treating people politely or with courtesy and respect (Tyler, 2011). In sum, Tyler argues that the most important dimension to police–civilian interactions is the perceived fairness of the process or the perceived fairness of police actions and behaviours.

According to the theory of procedural justice, individuals will determine whether they were treated with fairness – and whether their police interaction was courteous, compassionate, objective and respectful – through a “process-based criterion” (Gau and Brunson 2010 pg. 256; Vogel 2011). As an illustration, imagine that a police officer has stopped to question an individual. How that officer conducts the stop and justifies their actions will ultimately influence how that individual processes this interaction and their overall relationship with the police. If that individual perceives the officer as justified in

engaging in the stop, and feels that they have been treated with respect, the interaction may solidify perceptions of the police as legitimate. However, if a person is treated rudely or unfairly, the legitimacy of police may be undermined (Gau and Brunson, 2010).

As discussed above, research consistently reveals less favourable police perceptions among racial minorities, youth, and the residents of economically disadvantaged communities (Brown and Benedict 2002; Bridenball and Jesilow 2008; Gau and Brunson 2010; Tyler 2011; Vogel, 2011). For instance, Canadian, American, and British research suggests that, compared to the White majority, racial minorities tend to have less trust in the police and are more likely to believe that the police engage in unjust, discriminatory behaviours (Brown and Benedict 2002; Gau and Brunson 2010; Craig et al. 2010; Sampson and Jeglum-Bartusch 1998; Sindall et al. 2017; Wortley and Owusu-Bempah 2009). Similarly, a number of studies have documented that young people have significantly less confidence in the police than older people and that they often perceive that they are subjected to greater police attention and harassment due to their age (Friedman et al., 2004; Sindall et al., 2017). It has been argued that youth and racial minority populations may have lower levels of perceived police legitimacy because they are subjected to lower levels of procedural justice (Vogel, 2011). The following section further explores the relationship between perceptions of police and police legitimacy.

The Impact of Perceptions of Police on Police Legitimacy: Why it is Important to Study

The police are public servants. Thus, distrust in the role that they play within society can serve to delegitimize the government as well as the police themselves (Brown and Benedict, 2002; Vogel 2011). This fact underscores the importance of police legitimacy

research. One of the ways that researchers measure police legitimacy is through public attitudes towards the police. Studies have shown that negative perceptions of the police can have a direct impact on crime control in two ways (Vogel, 2011). First of all, people with negative perceptions are less likely to report criminal activity or cooperate with police investigations, thus impeding crime identification and reduction. For example, Vogel's (2011) study found that African American and Asian urban residents were less likely to hold positive perceptions of the police and consequently were less likely to report criminal activity to law enforcement officials. Similarly, Serpe and Nadal (2017) found that members of the trans community perceive the police to be biased against their community and thus were less likely to cooperate with police and often failed to report criminal activity.

Secondly, a growing number of scholars have argued that negative perceptions of the police can directly increase criminal offending among persons who hold those views. In direct relation to procedural justice and police legitimacy, these researchers have found that some civilians, particularly racialized citizens, often feel that the police are unfair and engage in discriminatory practices. These feelings, in turn, foster the perception that they are not respected in society. Consequently, these citizens may fail to follow societal norms and justify their own engagement in criminal activity (Gau and Brunson, 2010; Holtfreter et al., 2016). To exemplify, Holtfreter and colleagues (2016) argue that youth may engage in delinquency based on how they view police. Using data from the National Evaluation of the Gang Resistance Education and Training (G.R.E.A.T) program, which surveyed over 3,000 youth, Holtfreter and her colleagues (2016) found that negative police contact increased youths' support for violence. Overall, these findings suggest that youth dissatisfaction during

police stops or arrests had a negative impact on attitudes towards the police and these negative perceptions ultimately influenced subsequent criminality. Such studies demonstrate the importance of positive and perceived fair police interactions. Not only do these perceptions have an impact on how police are seen within society, but they can also have an impact on their ability to effectively promote community safety (Kappeler and Gaines 2015). Thus, it is important for police services to be aware of the populations in which their perceived legitimacy falls short.

Who reports negative perceptions of the police?

Research suggests that the majority of the population have favorable views of the police. Most people think that the police, for example, are doing a decent job fighting crime and ensuring public safety (Brown and Benedict 2002; Kappeler and Gaines 2015; Vogel 2011). However, studies consistently show that there are major variations based on race, age, socioeconomic class, and sexual orientation (Bridenball and Jeslilow 2008; Brown and Benedict 2002; Friedman and Lurigio 2004; Sampson and Jeglum-Bartusch 1998; Sindall et al. 2017; Serpe and Nadal 2017; Vogel 2011). For example, in their examination of over 100 articles reviewing perceptions and attitudes towards the police, Brown and Benedict (2002) found that race, age, and residential neighborhood were salient predictors of negative perceptions of the police. In relation to race, Black peoples consistently reported less favorable views than their White counterparts. Common sentiments among Black peoples include the perception that the police are corrupt, unfair, harsh and tougher on racial minority civilians than their White counterparts.

Similarly, a Toronto survey reveals that while an equal proportion of Black and White respondents feel that the police are doing a “good job” enforcing the law, patrolling the streets and ensuring public safety, Black respondents are much more likely to perceive police discrimination based on race, social class, gender and age. Black respondents are also much more likely to feel that they were treated “unfairly” and “disrespectfully” during their last police encounter (Wortley and Owusu-Bempah 2009; 2011). Doob and Sprott’s (2014) analysis of data from Canada’s General Social Survey produced similar results.

These sentiments mirror the feelings of 45 young males interviewed for Gau and Brunson’s qualitative (2010) study which explored youth perceptions of police tactics in St. Louis, Missouri. Most respondents perceived the police as unfair and aggressive and believed their “socioeconomic status and/or race made them de facto suspicious persons in the eyes of officers” (pg. 272). Many respondents, even those who were not engaged in a criminal activity, were subject to ‘stop and frisks’ by the police leading to feelings of “shame, embarrassment, [and] anger” (pg. 273). Respondents felt “dehumanized” and believed these encounters were an abuse of power and helped to discredit the role of the police in their community.

Perceptions of police racial discrimination are not limited to the Black community. Both Canadian and American studies suggest that Indigenous communities perceive unfair treatment from the police. In one of the few American large-scale surveys to examine Indigenous perceptions of the police, Redner-Vera and Galeste (2015) found that Indigenous youth hold much more negative views of the police than White youth. Furthermore, much like Black youth, Indigenous youth believe the police engage in discriminatory practices that

represent “a system that reinforces the cultural oppression of Indigenous peoples” (pg. 288). These findings are very similar to recent Canadian research which has revealed that Indigenous Canadians also have much less confidence in the police than their White counterparts (Cao, 2014). Cao (2014) found that Indigenous people have a very negative perception of police and have specifically expressed concerns over trust and their negative encounters with police. Cao (2014) thus argues that police services need to adopt adequate measures within their organizations that can help gain the confidence of Indigenous people and other racialized communities.

Studies consistently find that, after controlling for various factors including race, gender, socioeconomic status, type of neighbourhood, education and police contact, young people hold more negative attitudes towards the police than older people (Brown and Benedict 2002; Brick et al. 2009; Bridenball et. al 2008; Sindall et al. 2017; Redner-Vera and Galeste 2015; Rengifo and McCallin 2017; Vogel, 2011). Brick and colleagues (2009) argue that this may be due to the fact that youth disproportionately come into contact with police for calls related to order maintenance (such as loitering and noise complaints). However, youth are also seeing an increase in police contact for non-criminal purposes due to increased police presence within schools for community programming.

In their comprehensive study, Friedman and colleagues (2004) examined how youth perceived police treatment during recent encounters. They also examined how recent treatment impacted overall perceptions of the police and youth willingness to assist police during criminal investigations. The researchers conducted a survey involving 900 high school youth from a diverse urban district within Chicago. Their findings suggest that the most

common reason youth report being stopped by the police is because they “looked suspicious” (pg. 9). Youth who believed that they were treated disrespectfully (i.e., yelled or cursed at, called names, physically assaulted, etc.) were more likely to have a negative attitude toward the police. Youth who perceived disrespectful treatment also claimed the police made them feel more nervous than safe. Furthermore, youth who felt disrespected were more likely to feel that the police do not treat people fairly, believe the police are only interested in locking people up, do not think police work is difficult, and would not assist an officer who needed help. The general sample felt that the criminal justice system was biased and felt that the police engaged in a harassing manner “because they think they can get away with it” (pg. 13). The study also underscored the importance of vicarious experiences. Those who had observed other youth being treated disrespectfully (even if they had not received such treatment themselves) had more negative attitudes towards the police.

As stated by Gau and Brunson (2010): “For people to believe that the police are fair and that the force they wield is legitimate, they must see officers’ actions as reasonable and equitable” (pg. 267). Thus, police legitimacy cannot be achieved if any member of the community perceives their own interactions or the interaction of others with police to be unjust, fraught with unprofessionalism or bias. Thus, the role of police contact and its influence on police perceptions is critical. In their study on juvenile attitudes towards police, Brick and colleagues (2009) found that individuals who had frequent contact with police held less favorable attitudes towards the police compared to those who had little or no contact. Bridenhall and Jesilow (2008) produced similar findings in their study on the formation of attitudes toward the police. They found that those who had more frequent direct experiences

with police reported more negative attitudes towards the police. The demeanor of police was also cited as an important factor. Those who had no contact with the police had the most positive attitudes, followed by those who had contact but described the police as polite and respectful, followed by those who had more negative police interactions.

Canadian research also suggests that the frequency of being stopped, questioned and searched by the police reduces confidence and increases perceptions of police bias (Wortley et al. 1997; Wortley and Owusu-Bempah 2009). Furthermore, the impact of both age and race on negative police perceptions is reduced once frequency of police stops has been taken into account. This suggests that both youth and racial minorities are more likely to have negative attitudes towards the police because they are more likely to experience frequent, involuntary contact with law enforcement officials (Wortley and Owusu-Bempah 2009; Wortley et al. 1997).

It is not only direct police encounters that can have a negative impact on police perceptions. Studies are increasingly showing the effects of negative vicarious police experiences. Almost half of Friedman and colleagues (2004) youth sample reported that they had witnessed their peers experience physical or verbal abuse by a police officer. Youth described situations where an officer “pushed him on the ground and busted his head with a flashlight”, and another described an incident where an officer “slammed on them and put their knees in the middle of their backs”. Most of these youth expressed that these experiences left them “upset”, “angry” and “disgusted” (pg. 16).

Parental influence and socialization processes can also impact youth perceptions of the police. In their study on the formation of attitudes towards the police, Sindall and

colleagues (2017) found a strong relationship between parental views and a youth's perception of the police. The researchers found that parents' direct experience with police has a significant impact on how the youth perceive the police. Thus, a negative experience from a parent will manifest itself and extend to their child(ren) or a positive experience will result in their children expressing positive perceptions of police. Interestingly, the researchers found that parental perceptions moderated the age factor. Thus, even though perceptions of police are more negative among older youth, the negative perception was found to be less among the youth who had parents who held favorable views of police.

In sum, negative encounters with police – whether direct or indirect – can have a detrimental impact on attitudes towards the police and police legitimacy. It is important to note that a growing body of research suggests that the impact of negative experiences cannot be reversed by positive experiences. For example, an important finding in Holtfreter and colleagues (2016) study was that even when a youth experienced a positive interaction with police, that interaction did not mitigate previous negative interactions or previous negative vicarious experiences. Despite experiencing a positive interaction, these youth continued to distrust the police and perceive them as discriminatory. This finding is consistent with research conducted by Skogan (2006) which suggests that negative encounters with the police have a much more significant impact on perceptions of the police than positive encounters.

Research Questions

To examine confidence in the police from a Canadian context, this dissertation will explore the following research questions:

- RQ1: Are racialized youth, particularly Indigenous and Black, more likely than White youth to report negative perceptions of police?
 - Do other theoretically relevant factors, such as gender, neighbourhood type, previous victimization, and police contact influence perceptions of the police?
- RQ2: What factors contribute to the formation of Indigenous, Black, and White youths' perceptions of police?
 - What are youths' lived experiences with the police?
 - Do youth themselves believe race impacts youth/police interactions?
 - Do youth believe other theoretically relevant factors influence youth/police interactions?
- RQ3: How do perceptions of police impact reporting criminal activity to the police?

The following questions are examined through three separate studies. The studies are outlined below.

Methodology

To answer the identified research questions, a sequential mixed methods approach is employed. While some scholars continue to argue that it is best to conduct research using only one method (Sale et al. 2002), I choose to follow a pragmatic approach in the belief that an integration of methods and theoretical perspectives can help provide a more nuanced understanding of a phenomenon under study (Onwueguzie and Leech 2005). Pragmatists believe that an external reality exists that is independent of our minds, which closely follows the traditions of positivist quantitative researchers. However, pragmatists also argue that

there are multiple interpretations and truths. Thus, one explanation of reality is not better than the other. This approach is relevant in relation to studying youth's perceptions of police. Multiple variables have been used to explore causal relationships with perceptions of police however a large body of research consistently suggests that race and age have a salient effect. Researchers following a positivist quantitative perspective could simply end their study as they would have relevant data to suggest that race and age matter. However, this analysis would be too narrow and ignores a thorough examination into the factors that may influence perceptions of law enforcement. One must dig deeper to derive an understanding of the formation of these perceptions. Including a qualitative approach allows me to explore the various experiences that may influence youth perceptions of police. Furthermore, I explore the subsequent impact of these perceptions, including reporting victimization to the police.

Study 1: Canadian youth perceptions of police: A quantitative analysis

To answer question 1, I conduct a quantitative study that analyses the full dataset of Statistics Canada's 2014 General Social Survey (GSS) on victimization - cycle 28. The extensive cross-sectional survey includes a random sample of Canadians 15 years or older and explores perceptions of crime and the criminal justice system (Statistics Canada, 2016a). I use a subset of the survey and only focus on the responses of participants within the 15 to 24 age category (n= 3958), which represents 15.3% of the sample³.

³ Classification of youth is based on the definition of youth by Statistics Canada. Please see <https://www150.statcan.gc.ca/n1/pub/11-630-x/11-630-x2017004-eng.htm>. Also see, Human Resources and Skills Development Canada.

From the youth category (ages 15-24), I will look at individual characteristics including race (White, Black, Aboriginal)⁴, geographic location (urban and rural), gender (male or female), and I will be guided by previous studies that used the GSS to explore perceptions of police within the general Canadian population (Cao 2011; O'Connor 2008; Sprott and Doob 2014). Respondents in all previous surveys (2004 and 2009) including the current survey, were asked to rate how good a job they believed their local police service were doing in six areas, including enforcing laws, promptly responding to calls, supplying information to the public on how to reduce crime, ensuring safety, being approachable and easy to talk to, and treating people fairly. The responses will be used to explore whether there are any differences in police perceptions among Canadian youth on the independent variables of interest (i.e. race, geographic location, gender). Furthermore, I explore contextual factors that have been identified in the literature as salient factors when exploring perceptions of the police. This includes previous victimization and previous police contact.

Following a critical race perspective, analyses of the national victimization survey is used to specifically examine whether there is a relationship between race and youth perceptions of the police in Canada. Therefore, using both bivariate and multivariate techniques, the survey data explores the relationship between both individual characteristics and contextual factors that impact youth perceptions of the police. Logistic regression is used to explore bivariate relationships between race and various forms of perceptions of the

⁴ General Social Survey, Cycle, 2014 Victimization, Main file, specifically asks the respondents “Are you an Aboriginal person, that is, First Nations, Metis or Inuk (Inuit),” however the thesis will refer to the first peoples of Canada (First Nations, Metis, or Inuk) as “Indigenous”.

police. Furthermore, linear regression is used to explore the multivariate relationship between police perception scales and various independent variables including gender, geographic location, previous police contact, previous victimization, and neighbourhood characteristics. The study demonstrates that there are indeed racial disparities with respect to confidence in the police and demonstrates that when controlling for the identified factors, Black youth across Canada consistently report lower perceptions of the police. By exploring the lived experiences of a sample of Black youth in Toronto and the GTA, study 2 provides insight into why.

Study 2: Using Critical Race Theory's method of counter-storytelling to explore youth perceptions of the police

Study 2 addresses question 2 through in-depth interviews with 15 White, 15 Black, and 4 Indigenous youth who report having personal interactions with the police. The purpose of this approach is to gain a deeper understanding of how youth perceive their encounters with police. I compare the experiences and subsequent perceptions of the police among a sample of Black, Indigenous and White youth. Participants include youth from Toronto and Greater Toronto Area (GTA) based community organizations including youth services, youth shelters, afterschool programs, and legal services agencies specific to both Indigenous and Black peoples.

Guided by critical race theory, the study employs a counter-narrative approach. The aim is to deconstruct the police narrative that they attempt to treat all citizens with respect and fairness. The basic element of the CRT approach argues the need to examine the systemic and subtle forms of racism that perpetuate the marginalization of racialized people.

To achieve this, critical race theorists focus on the experiences and perspectives of the marginalized. Therefore, the study focuses on the personal experiences of both Black and Indigenous youth. While the focus of these interviews are on Black and Indigenous youth, I also explore and compare the perspectives of White youth. Could varying experiences among both racialized and White youth negatively impact youths' attitudes towards the criminal justice system and influence criminal behavior? Do White youth feel race influences their interaction with police? What factors contribute to their perceptions of police? Asking these questions allows the opportunity to compare and contrast the experiences and perceptions of White youth with their racialized counterparts. Traditional critical race theorists may reject this inclusion and argue that the stories and experiences of racialized should be at the forefront (Bell Jr. 1987). I agree that racialized voices should be the focus, however, I argue that including the experiences of White youth can further support the notion that there are indeed racial differences when it comes to police interaction. As such, this rejects the notion that the Canadian criminal justice system is fair and equitable.

Thematic analysis is used to explore common themes identified among Black and Indigenous youth. These themes are the focus of analysis. The inclusion of White youths' experiences with the police are used in comparison and thus sheds light into the varying experiences with law enforcement. This approach aims to demonstrate that Black and Indigenous youth are in fact subject to harsher interactions when they encounter the police.

Study 3: Using critical race theory to explore reporting victimization to the police among Black and Indigenous youth

The previous study demonstrates that perceptions of racial bias has an impact on how racialized youth view and perceive the police. Study 3 identifies the impact of those perceptions. For the final study in the dissertation, I continue to employ a CRT approach and explore how Black and Indigenous youths' perceptions of the police influence their motivation to report their own victimization to law enforcement officials. Based on semi-structured interviews with 15 Black and 4 Indigenous youth, the study suggests that most of these youth are either hesitant or will not report their victimization to the police due to direct negative experiences in the past. Thematic analysis will be used to explore themes, experiences, and trends among these racialized youth. Having a better understanding as to why Black and Indigenous youth fail to report to the police is of great importance. Civilian reporting is needed to identify community crime levels and civilian cooperation with police investigations is needed to solve crime. Therefore, police officials need to be informed as to how interactions between individual police officers and racialized youth is a matter of public safety.

Conclusion

The following dissertation contributes to the academic literature in two important ways. First, study 1 will be the first quantitative study to use recent national crime victimization survey data to directly compare perceptions of the police among Indigenous, Black, and White youth across Canada. This knowledge provides a contemporary benchmark to identify varying perceptions of the police among a racially diverse segment of the Canadian population. While modern policing is meant to serve the public (Peel 1829), it is becoming clear that Black and Indigenous people in Canada do not believe they are included

(Samuels-Wortley 2021). By adopting a mixed-methods approach that incorporates a critical race perspective, this research will specifically explore the lived experiences of traditionally disenfranchised Canadians. Therefore, the current research aims to highlight Black and Indigenous voices and experiences that have often been silenced. This is to gain a better understanding of how perceptions of the police develop within specific racialized segments of the Canadian population. Having this knowledge is important as global conversations exploring the role of police in modern society continues to be discussed in the mainstream.

The following dissertation may provide policy makers with additional data to develop specific interventions to 1) address systemic racial bias in policing and 2) ultimately improve police/community relations, particularly among young Black and Indigenous peoples. My study aims to help development meaningful strategies that improve community policing practices and thus increase the perceived legitimacy of both the police and broader Canadian criminal justice system.

Chapter 2 – Canadian youth perceptions of the police: A quantitative analysis

Introduction

Research on public perceptions of the police has found that civilians who are not satisfied with and/or harbour unfavourable perceptions of the police are less likely to report criminal activity or cooperate with police investigations (Brown and Benedict 2002; Bridenball and Jesilow 2008; Tyler and Fagan 2008; Vogel 2011). Furthermore, research suggests that people who view the police as “illegitimate” are less likely to comply with the law (Tyler 2006). International studies conducted in the U.S., Britain, and Australia demonstrate that perceptions of police are lower among youth than adults and are particularly low within racialized communities (Bridenball and Jesilow 2008; Brown and Benedict 2002; Bowling and Phillips 2007; Hurst and Frank 2000; Rigby and Black 1993; Slocum, Wiley, and Esbensen 2016). By contrast, little is known about racialized youth perceptions of police within the Canadian context. This is in part due to both formal and informal bans on the collection of race-based crime statistics in Canada. Thus, research efforts that quantitatively study police and minority interactions in order to explore potential racial disparities is quite limited (Cao 2014; Spratt and Doob 2014; Wortley, 1999). However, exploring this demographic may be of particular importance as emerging research consistently reveals that both Indigenous and Black youth and adults are grossly over-represented in the Canadian correctional system (Office of the Correctional Investigator 2020; Owusu-Bempah and Wortley 2014; Wortley and Owusu-Bempah 2012). Indigenous peoples now account for 30% of the correctional population, despite representing only 5% of the overall population.

Furthermore, Black peoples, particularly women, continue to be the fastest growing racialized segment within the correctional population (Correctional Investigator 2014).

Similar to debates in Australia, the United States, and the United Kingdom, Canadian scholars, justice officials and policy-makers are now debating the extent to which this overrepresentation is the result of higher rates of minority offending or racial bias within the criminal justice system. A number of scholars suggest both explanations have considerable merit (Blagg, 2012, Monchalin, Marques, Reasons, and Arora 2019; Little, Stewart, and Ryan 2018). Reports and studies indicate that members of Indigenous and Black communities are overrepresented in violent and property crime statistics (see Truth and Reconciliation Report 2015; Wortley and Owusu-Bempah 2016). However, research also suggests that there are a number of factors including increased surveillance and other forms of systemic bias that may account for Black and Indigenous peoples' overrepresentation within crime data (Samuels-Wortley, 2019; Fitzgerald and Carrington, 2014; Wortley and Owusu-Bempah, 2016). Thus, not surprisingly, Indigenous and Black youth often feel that they are targeted by criminal justice officials and subsequently develop feelings of alienation from Canadian society (see Feathers of Hope 2014; James, 2010). Scholars argue that these feelings and experiences with discrimination and alienation may have a particular impact on racialized peoples and help explain criminal offending (Bowling and Phillips 2007; Unnever and Gabbidon 2011; Unnever and Owusu-Bempah 2019). As Unnever and Gabbidon (2011) argue, ongoing stereotypes of Black peoples' criminality and inferiority permeates American society. Therefore, Black peoples are subject to limited economic, educational, and social

opportunities. The researchers theorize that as a result of this systemic oppression, some Black peoples may engage in criminal offending.

Policing is one area that warrants specific attention due to the nature of their role in the criminal justice process. As an initial point of contact with members of the community and special powers of discretion in interpreting whether one's behavior is criminal or not, police essentially are the gatekeepers to the justice system (Samuels-Wortley, 2019).

Numerous international studies with racialized populations similar to Canada, such as the United States, Britain and Australia, suggest that Indigenous and Black communities, in particular, are over-policed and experience harsher treatment (Bowling and Phillips, 2003; Gau and Brunson, 2010; Little, Stewart, and Ryan, 2018; Redner-Vera and Galeste, 2015). Similarly, Canadian researchers have long identified policing practices that contribute to the differential treatment of Black and Indigenous populations (Perry 2011; Mosher, 1998; Tator and Henry, 2006).

More recently, emerging research and government inquiries suggest members of Black and Indigenous communities, in particular, have strained relations with police (Fearon and Farrell, 2019; McNeilly, 2018; Meng, 2017; Tulloch 2018, Wortley, 2019). However, much of this research is limited to selected Canadian metropolitan areas, including Halifax, Toronto, and Thunder Bay. Research highlights that both groups have strained relationships with the police, however few studies compare the experiences of Black and Indigenous populations (note Fearon and Farrell, 2019; Sprott and Doob, 2014 as exceptions), despite emerging data that suggests both racial groups are grossly overrepresented in Canada's criminal justice data (Office of the Correctional Investigator, 2014; 2020). It can be argued

that both groups have suffered from Canada's colonial past, Indigenous peoples as result of colonialism, and Black peoples as a result of the legacy of slavery, yet there is little Canadian research into the perceptions of, and experiences with police of Black and Indigenous peoples. Furthermore, to the author's knowledge, previous Canadian research has not directly compared the experiences of Black and Indigenous youth with the experiences of youth from the White majority. The few Canadian studies that have explored perceptions of police, on a national level, use Canada's General Social Survey victimization data, however these studies typically combine all racial minority groups into a single "visible" minority category (Cao 2011, 2014; O'Conner 2008), thus making it difficult to ascertain any differences (for a notable exception, please see Sprott and Doob 2014).

There are no known national quantitative studies exploring confidence of police in Canada among Black, Indigenous, and White populations. Furthermore, the few Canadian studies that have examined perceptions of police tend to focus on adult populations (Cheng 2015; Cao 2011, 2014; Sprott & Doob 2014), thus little is known about youth perspectives. This study aims to address these multiple omissions. By making these distinct racial comparisons, the following study will contribute to the limited research that explores perceptions of police among Black, Indigenous and White youth from a Canadian perspective.

In the pages that follow, I will review the concepts of perceived legitimacy and compliance and explain how these concepts relate to police confidence. I will then document international studies and Canadian research that suggest criminal justice institutions, such as police agencies, engage in discriminatory police practices that disproportionately impact

Indigenous and Black communities, which may in turn influence the perceived legitimacy of police among these racialized communities. This discussion aims to provide insight into why members of Indigenous and Black communities, in particular, may harbour negative perceptions of police in Canada. I frame this discussion through a brief review Canada's colonial and slave trade past to demonstrate that historic and contemporary racial bias, specific to Black and Indigenous communities in Canada, may influence higher surveillance by police, resulting in strained relations between these racialized communities. This aims to support my hypothesis, that in comparison to White youth, Black and Indigenous youth in Canada will report lower confidence in the police. To test this assumption, I use Statistics Canada's 2014 General Social Survey on victimization (GSS). In order to provide a robust examination of police perceptions, the analysis will also control for contextual variables that are known to impact perceptions of the police (Bowling and Phillips 2003; Cao, Frank, and Cullen 1996). Results from the current study will guide discussion on future directions for both police services and research.

Police Legitimacy: A Definition

Police legitimacy is directly linked to public confidence and trust in police services. The concept reflects the extent to which members of the public have faith in the police and believe that it is a valid institution. It is argued that perceived police legitimacy is strongly associated with the public's level of support for the police, their willingness to cooperate with police investigations and their willingness to comply with the law (Tankebe et al. 2016; Harkin et al. 2015). Tyler and Fagan (2008: 235-236) state that:

Legitimacy is a feeling of obligation to obey the law and to defer to the decisions made by legal authorities. Legitimacy, therefore, reflects an important social

value, distinct from self-interest, to which social authorities can appeal to gain public deference and cooperation. In past research, legitimacy has been measured using items reflecting the perceived obligation to obey legal authorities, as well as trust and confidence in authorities.

In essence, police perceptions not only impact how police are seen within society, but can also have an impact on their ability to effectively promote community safety (Kappeler and Gaines, 2015).

In recent scholarship, the concept of police legitimacy has been closely linked to Tyler's (2006) theory of procedural justice. Tyler (2006) argues that how fairly, honestly or impartially people are treated by the police will have a greater impact on perceived police legitimacy than legal outcomes. In other words, procedural justice may be more important than substantive justice. It has been argued that youth and racial minority populations may have lower levels of perceived police legitimacy because they are subjected to lower levels of procedural justice (Vogel, 2011).

Importance of exploring racialized perspectives of the police

The general consensus among police scholars is that effective law enforcement is contingent on public support (Vogel 2011). Thus, a growing volume of U.S., British, Australian, and Canadian research have examined public perceptions of the police. Research on public perceptions of the police has ranged from opinions concerning police efficacy to issues of trust and perceived fairness (Brown and Benedict 2002; Bowling and Phillips, 2007; Bridenball and Jesilow 2008; Vogel, 2011). A review of the literature suggests that trust and confidence in the police is particularly low among those who identify as male and racialized, particularly among Black, Indigenous, and Hispanic groups (Brick, Taylor, and Esbensen,

2009; Gau and Brunson 2010; Hurst and Frank 2000; Kappeler and Gaines 2015; Vogel 2011; Wortley and Owusu-Bempah 2009), who perceive racial bias in police practices (i.e., racial profiling, differential charging practices, disproportionate use of force on members of racialized communities). Most studies that examine perceptions of police tend to focus on adult populations, despite a number of studies that suggest attitudes towards the police are greatly influenced by prior attitudes developed during adolescent years (Brandl, Frank, Worden, & Bynum 1994; Brunson 2007; Gau 2010; Rosenbaum, Schuck, Costella, Hawkins, & Ring 2005). Thus, less is known about youth perceptions of police (Sindall, McCarthy, and Brunton-Smith 2017), particularly among racialized populations (Gau and Brunson 2010). Therefore, having a better understanding of youth and racialized perspectives has been identified as an important area of study (Gau and Brunson 2010; Stewart, Morris, and Weir, 2014).

Critical Race Theory: An argument for a “Quantcrit” approach.

Canadian legal scholar, David Tanovich (2006), argues that to understand the status of marginalized peoples, one must explore critical race theory (CRT), which maintains that inequality and discrimination are “deep seated aspects of the Canadian legal system that cannot be easily erased” (pg. 139). The basic tenet of CRT is that racism exists and that the law is both a “product and promoter of racism” (Matsuda 1996, pg. 22). Thus, legal actors, such as the police, continue to perpetuate the marginalized status of Black and Indigenous populations in Canada by criminalizing them (Aylward 1999).

Early critical race theorists (Bell Jr. 1980; Freeman 1978) argued that the law often perpetuated the ideals of the oppressor giving little voice to the historically oppressed (i.e.,

Black peoples from the legacy of slavery). As a result, much of the critical race scholarship aimed to focus on the experiences and perspectives of the “victims” (Freeman 1978 pg. 1053) of historical oppression. As a result, contemporary critical race theorists generally reject traditional methods of scientific inquiry, such as quantitative analysis, arguing that these methods cannot capture the nuances of Black life (Bonilla-Silva and Zuberi 2008; Carbado and Roihmayr 2014). Thus, they argue, gathering the stories of racialized peoples is the best method of inquiry to capture the experiences of racialized peoples in a White supremacist society. These stories aim to dismantle the notion that legal statutes and actors that promote fairness and equality applies to all (Delgado and Stefancic 2017). However, some critical race scholars have now acknowledged that a focus on storytelling does not allow for a robust exploration into the impact of racial bias. Thus, there have been recent calls to incorporate quantitative methods to document widespread racial disparities to help counter the State argument that justice is race neutral (Obasogie 2013). Identified as a ‘Quantercrit’ approach, these scholars also argue for a critical examination into how quantitative methods have been used to help perpetrate negative perceptions about racialized peoples (Gillborn, Warmington, and Demack 2018; Sablan 2019).

A ‘Quantercrit’ approach continues to place race and racism at the forefront of analysis (Sablan 2019). Scholars who follow this perspective acknowledge that quantitative data can be used as a tool to document racial disparities, however they also argue that exploring the nuances of racism is not adequately explained with rigid positivistic methodologies. Therefore, quantercrit researchers posit that the voices and insights of racialized peoples must also be included in analyses that explore any phenomenon of study that examines race and

racism (Gillborn, Warmington, and Demack 2018). Quantcrit scholars also call for a critical review of the quantitative process. They highlight that “numbers are not neutral” (Gillborn, Warmington, and Demack 2018 pg. 158) and acknowledge that the creation of datasets and categories are influenced by *who* is responsible for developing these datasets (Walter and Andersen 2013). For example, in Canada, public national datasets group all racialized people within a single “visible minorities” category, thus it is difficult to ascertain any differences *within* individual racial categories (Sprott and Doob 2014). Quantcrit scholars would argue that this demonstrates quantitative research is not objective, but in fact involves a great level of discretion.

Nonetheless, quantcrits posit that quantitative analysis can a powerful tool to help dismantle systems of oppression (Gillborn et al. 2018), by demonstrating gross racial disparities. In addition to the narratives of racialized peoples, quantitative data can be used to explore the impact of White supremacist and racist social structures (Sablan 2019). In the context of the criminal justice system, and more particularly policing, quantitative data can be used to document how race may impact policing interactions and subsequent decisions by demonstrating gross racial disparities in police contact. The voices and stories of racialized peoples are then included to provide a better understanding of how race impacts the lives of people of color. The following study follows this ‘quantcrit’ approach and begins by documenting research that highlights the overrepresentation of Black and Indigenous peoples within police data.

Literature Review

American Research

Research based in the U.S. that explores confidence in the police suggest that the majority of the population have favorable views of the police. However, these studies consistently show that there are major variations based on race, age, socioeconomic class, and sexual orientation (Bridenball and Jeslilow 2008; Brown and Benedict 2002; Friedman and Lurigio 2004; Sampson and Jeglum-Bartusch 1998; Sindall et al. 2017; Serpe and Nadal 2017; Vogel 2011). In their examination of over 100 articles reviewing perceptions and attitudes towards the police, Brown and Benedict (2002) found that race, age, and residential neighborhood were salient predictors of negative perceptions of the police. The authors argue that race, indeed, is a particular focus that deserves attention when exploring attitudes towards the police, as members of the Black community consistently reported less favorable views than their White counterparts. Common sentiments among Black individuals include the perception that the police are corrupt, unfair, harsh and tougher on racial minority civilians than Whites.

These sentiments mirror the feelings of 45 young Black males interviewed for Gau and Brunson's qualitative (2010) study which explored youth perceptions of police tactics in St. Louis, Missouri. Most respondents perceived the police as unfair and aggressive and believed their "socioeconomic status and/or race made them de facto suspicious persons in the eyes of officers" (pg. 272). Many respondents, even those who were not engaged in a criminal activity, were subject to 'stop and frisks' by the police leading to feelings of "shame, embarrassment, [and] anger" (pg. 273). Stop and frisk is characterized as a stop

conducted by police who perceive a person(s) is about to engage in criminal behavior. Thus, police are free to stop, search and question any individual deemed ‘suspicious’, in an effort to ‘maintain order’. These stops can be pedestrian or by vehicle. Respondents reported feeling “dehumanized” and believed these encounters were an abuse of power and helped to discredit the role of the police in their community.

Studies exploring confidence in police consistently demonstrate the significance of contact when evaluating trust and legitimacy of the police (Brick, Taylor, and Esbensen, 2009; Smith and Hawkins 1973); this is particularly relevant for members of racialized communities (Friedman, Lurigio, Greenleaf, Albertson 2004; Slocum, Wiley, and Esbensen 2016; Rengifo and McCallin 2017), as they perceive over-surveillance and harsher treatment. The perception that racialized men are subject to increased ‘stop and frisk’ procedures, for example, is supported by a number of studies (Kraska, 2007). Research suggests that African Americans and Hispanic Americans are much more likely to be subjected to ‘stop and frisk’ than White Americans (Kraska 2007), even though police are less likely to retrieve a weapon or confiscate drugs, as a result of the police procedure (Alexander 2010; Harris 2002; Miller and Alexander 2016).

These police procedures have a direct effect on police perceptions among members of racialized communities. In a recent study, Rengifo and McCallin (2017) found that Black and Latino youth in several New York city districts hold negative views of the police, due to the perceived over-surveillance of members of these racialized communities. These views, in turn, impacted the perceived legitimacy and effectiveness of the police serving their communities. While Black youth in the study held less favourable views than their Latino

counterparts, both racialized groups perceived police interactions to be illegitimate.

However, young Black men were more likely to perceive negative police encounters to be racially motivated.

Racialized Oppression – The impact of the “War on Drugs”

There may be validity to the perception that police focus on Black and Latino populations as the probability of incarceration in the U.S. is highly racialized (Alexander 2010). To illustrate, data suggest that 49% of Black men will be arrested for a non-traffic violation by their 23rd birthday, compared of 38% of White men. Furthermore, Black individuals are twice as likely to be arrested then their White counterparts, and 6 times more likely to be incarcerated, for similar offences (Miller and Alexander 2016). Similarly, nationally, Latino men are twice as likely to be incarcerated than their White counterparts (Pettit and Gutierrez 2018).

Khalil Muhammad (2011), a prominent American historian, argues that from the abolition of slavery, criminality has been used to preserve the notion that Black peoples are inferior and dangerous. He argues that these sentiments are ingrained within American social institutions, and the criminal justice system in particular is structured to maintain African American oppression. As such, he argues that moral panics are often created around Black criminality to justify surveillance and confinement (i.e., mass incarceration). As such, some U.S. scholars argue that the contemporary justification for police surveillance and intervention within racialized communities can be traced back to the declaration of the “war on drugs” in the late 1980’s and early 1990’s, as it had a significant impact on Black and Latino citizens. At that time, U.S president Ronald Reagan declared that drug users and

traffickers were demoralizing the state and thus were a direct threat to American citizens and their values (Balko 2013; Kraska 2007; Miller 1996). The former president further initiated hysteria by claiming there were distinct similarities between threats posed by Communism and the threats posed by drug users. Reagan argued that much like Communism, drug users put American citizens at risk and had the potential to destroy the nation. Miller (1996) notes that the anti-drug war became synonymous with Black and Latino communities as many media outlets produced material that showcased African American and Latino individuals as the typical “drug users”.

Reagan called for enhanced police powers in order to ensure the enforcement of tough anti-drug legislation. As a result, police were granted the right to stop and detain anyone they deemed suspicious of engaging in drug use in order to combat localized drug activities. Thus, local police services were able to engage in aggressive street interrogations, such as “stop and frisk” within “high crime” communities. During such “stop and frisk” encounters, civilians must provide identification, explain their presence in the community, and submit to a search for drugs and weapons (Kraska 2007).

As a result, legal scholars suggest that despite declining crime rates in the U.S., police surveillance of Black and Latino communities has resulted in a steady rise in incarceration rates among members of these racialized communities (Miller and Alexander 2016). Thus, it is not surprising that Black, Latino, and Indigenous populations perceive that the police engage in discriminatory behaviours.

Australian Research

Similar to Canada, Australia has a history of colonization among its Indigenous peoples. Baldry and Cunneen (2014) argue that historical policies led to the exclusion of Indigenous peoples being recognized as full citizens. As a result of their secondary citizenship, Indigenous peoples were confined through various social institutions including boarding schools, orphanages (similar to residential schools in Canada), mental institutions, as well as the correctional system. To illustrate, between 1988 to 2008, the Indigenous imprisonment rate rose from 1234 to 2492 per 100,000 of population, while the non-Indigenous rate was both significantly lower and increased at almost half the Indigenous rate. Baldry and Cunneen (2014), argue that the “role of colonial difference” was instrumental in constructing the racialization and perceived inferiority of Indigenous peoples. Thus, the legacy of colonialism has led to the justification of the surveillance, intervention and control of Indigenous peoples through the current criminal justice system. Thus, not surprisingly, many Australian studies show that both Indigenous adult (Collins, Noble, Poynting and Tabar; 2002; White, Perrone, Duerra, and Lampugnani, 1999) and youth populations (Rigby and Black, 1993; Sivasubramaniam and Goodman-Delahunty, 2008) perceive police to be racially biased. The following section explores Indigenous relations from a Canadian context.

Canadian Research - Canada's colonial past

Studies exploring perceptions of police among Indigenous populations in Canada is scant (Cao 2014). However, the limited research available suggests that they too have lower confidence in the police and perceive that Indigenous communities are targeted and over-

surveilled (Cao 2014; Provincial Advocate for Children and Youth 2016). In an Ontario provincial report, supported by the Ministry of the Attorney General and the Ministry of Children and Youth Services, 150 Indigenous youth from both Toronto and Thunder Bay were asked to discuss their overall perceptions of the Canadian criminal justice system. Authors of the report suggest that “policing was seen as the most immediate and visible sign of the failure of Ontario’s justice system to serve their communities” (Provincial Advocate for Children and Youth 2016, pg. 41). Indigenous youth felt that police officers, particularly those of non-Indigenous heritage, were slow to respond when youth or their families were in need, found the police to be intimidating, and essentially failed to create a sense of protection. Instead, youth expressed feeling “unsafe” in police presence. Many youth felt that police had little regard for the history of Indigenous peoples in Canada, and how the effects of colonialism has maintained the marginalization of their communities. Furthermore, many youth note the role that police have played in “a lengthy history of mistrust” of many social institutions in Canada (Provincial Advocate for Children and Youth, 2016, pg. 43).

To have a better understanding of the Indigenous experience in Canada, one cannot avoid examining historical state-induced policies that aided in the marginalization of Indigenous people (Gilmore-Dickson 2016). The Indian Act (1876) formalized this process by forcing Indigenous people onto reserves, land surrenders, and residential schools. While colonialism is often associated with taking land to achieve full control, a colonizer also aims to change the beliefs and values of the colonized (Smith 1999); thus, historical Canadian state policies aimed to ‘civilize’ and ‘Christianize’ Indigenous populations (as cited in Gilmore-Dickson 2016) in an attempt to dilute all Indigenous cultures and turn the “red men

to white” (pg.82). Scholars contend this process is in an attempt to disenfranchise Indigenous people by teaching them to detest their culture and adopt the principles and values of a non-Indigenous way of life – socially, spiritually, and politically (Gilmore-Dickson 2016, Monchalin 2016).

As such, Indigenous communities were legally sanctioned onto reserves, with had little access to food and care (Nettlebeck and Foster 2012). Furthermore, children were forced to leave their land to attend state sanctioned residential schools. During this time, police were always present and tasked with the role to enforce. To illustrate, the North-West Mounted Police (NWMP), now known as the Royal Canadian Mounted Police (RCMP), were at the forefront to ensure “wild Indian” compliance (Monaghan, 2013 pg. 504; McNielly 2018). Even today, the RCMP and other law enforcement agencies continue to act as the guardian of the government, when in disputes with Indigenous communities over land rights (i.e., Oka Crisis, Wet’suwet’en blockades). Thus, police and Indigenous relations have always been strained. Furthermore, a number of national reports acknowledge the devastating effects of colonization on Indigenous communities (see Truth and Reconciliation Report 2015; Indigenous Murdered and Missing Women and Girls 2019) which have resulted in direct links to deep social inequities such as unequal access to education, healthcare, employment, or services that could improve their social position (Maynard 2017; Gilmore-Dickson 2016). Thus, Indigenous life in Canada continues to be characterized by poverty, high rates of alcohol and drug use, suicide, domestic violence, sexual violence, and lack of opportunity, all significant risk factors for criminal engagement (Gilmore-Dickson 2016).

This is evidently clear as Indigenous peoples are grossly overrepresented in the criminal justice system.

In 1995, the Royal Commission on Aboriginal Peoples (1995) highlighted numerous studies that demonstrate the overrepresentation of Indigenous peoples in Canadian correctional facilities transcends both age and gender. A recent report released by the Correctional Investigator (2020) suggest that these figures have only increased. These sentiments were repeated in the Truth and Reconciliation report. To illustrate, recent data demonstrates that Indigenous youth made up 46% of admissions to correctional services in 2016-17, despite making up only 8% of the youth population. The overrepresentation is most pronounced for young Indigenous women who accounted for 60% of female youth provincial/territorial custody admissions. The proportion of Indigenous youth in provincial/territorial custody relative to their proportion in the population was about 5 times higher for Indigenous male youth and 7 times higher for Indigenous female youth (Statistics Canada 2018). Some researchers may point to data that suggest Indigenous peoples commit more serious offences (Ruddell and Gottschall 2014), though Indigenous and non-Indigenous youth are generally charged for similar offences, including administration of justice, assault, theft, and break and enter (Rudin and Zimmerman 2014). However, in an examination of youth custodial admissions from 2004-2010, Rudin and Zimmerman (2014), found that Indigenous youth were more likely to be sentenced to custody than their non-Indigenous counterparts for the same offences. Similarly, Indigenous youth were less likely to be offered an extra-judicial sanction, an alternative to a custodial sentence, which is intended for all

youth charged with a crime. The authors suggest that systemic racial bias may help explain the overrepresentation of Indigenous youth in the criminal justice system.

While racial bias in policing is often identified within national inquiries as a problem regarding the treatment of Indigenous peoples in Canada (Truth and Reconciliation 2015; MMIWG 2019), researchers acknowledge that a significant gap in Canadian scholarship is an exploration of the overrepresentation of Indigenous peoples in the criminal justice system due to discriminatory police practices (Gilmore-Dickson 2016). This is surprising as there is evidence that suggests police officers have negative, stereotypical attitudes towards Indigenous peoples (Roache 2018), which may be a factor in the over-surveillance of Indigenous peoples. The experiences of the Black community may, however, provide some insight. Much like individuals from Indigenous communities, members of the Black community within Canada perceive broad social bias. Furthermore, a number of studies suggest that racial bias within the criminal justice system, in particular with police, may be a contributing factor in the gross overrepresentation of Black peoples within the correctional system. The following section will explore a number of studies that highlight police over-surveillance of Black peoples in Canada, which may contribute to negative perceptions of police.

History of Black Populations in Canada

While slavery never formally existed in Canada, contrary to popular belief Black people were informally enslaved within both French and English colonies until the 1800's, prior to Canada's independence from English rule (Maynard 2017; Wortley and Owusu-Bempah 2016). After the abolishment of slavery in the United States, many Black peoples

settled in Nova Scotia, Ontario, and western Canada. However, they were treated as subordinates as they lived in poor conditions, had limited access to land ownership, and were subjected to state sanctioned segregated schools. Segregated schools for Black children continued well into the 1960's (Henry and Tator 2005).

After various immigration waves in the 1960s and a renewed focus on multiculturalism, Canada saw an influx of Caribbean and African immigrants in order to fill labour shortages within domestic, teaching, and nursing sectors (as cited in Henry and Tator 2005; Maynard 2017; Wortley and Owusu-Bempah 2016). The majority came from either Jamaica, Haiti, or Nigeria. According to the 2011 census, the Canadian Black population had increased to 950,000 people with the majority residing in Ontario (60%) followed by Quebec (24%). Despite the increase in immigration numbers, Black people make up less than 3% of the Canadian population (as cited in Wortley and Owusu-Bempah 2016) and are severely marginalized within Canadian society. To illustrate, Black peoples have higher rates of unemployment, lower incomes, and lower levels of educational achievements. Much like Indigenous peoples, Black people are grossly overrepresented in the criminal justice system (Office of the Correctional Investigator 2014; Maynard 2017; as cited in Wortley and Owusu-Bempah 2016).

There is growing evidence to suggest that higher rates of police surveillance may be one of the factors contributing to the over-representation of Black peoples in the Canadian criminal justice system (Meng 2017; Tanovich 2005; Wortley and Tanner 2003; Wortley and Owusu-Bempah 2016; Wortley 2020). These practices, often referred to as racial profiling, suggest that law enforcement officers often focus on the race of civilians rather than

behaviour or other legally relevant factors (Satzewich and Shaffir 2009; Tanovich 2005; Wortley and Tanner 2003). To illustrate, the release of recent street check statistics from several major Canadian police services (e.g., Toronto police) reveal that between 2008 and 2013, Black youth, between 15-24 years, had a “street check” rate that was 8 times higher than the street check rate for White youth (Tulloch 2018). Street checks record non-criminal interactions with the police. The police argue that this practice is vital for investigative purposes and is a way to collect intelligence on suspicious persons or activities.

Specific to youth populations, in a study of over 3,400 Toronto high school students, results showed that over 50% of Black respondents reported multiple stops in a 2-year period. This was significantly higher than their White (23%), Asian (11%) and South Asian (8%) counterparts. The authors of the study note, however, that students who reported engaging in delinquent acts were more likely to be stopped by police, thus showing that police do focus on factors other than race when making a stop or arrest. However, a number of Canadian studies do suggest there is still a disproportionate level of police contact among low-risk minority youth, suggesting that their race was indeed a factor (Fitzgerald and Carrington 2011)

Furthermore, Meng’s (2017) review of Toronto Police Service’s stop and search data from 2003 to 2012 suggest that Black youth were subject to more police stops compared to their White counterparts. Meng (2017) found that the percentage of stops increased during that time period, while White youth consistently decreased. Meng (2017) found that most of these stops occurred either in areas with a high White population or in a high crime area. The youth who were stopped were subject to questioning and a practice called “carding.” During

carding, the police would record any information that the officer deemed of interest, including intimate family details and any friends or associates of that individual. The cards did not record any criminal activity, they were simply used for 'informational purposes'. The police argued the practice was vital for investigative purposes and was a way to collect intelligence on suspicious persons or activities. Despite Black peoples making up 3% of the population, they represented 22% of individuals who were stopped for questioning. The police claimed Black peoples were overrepresented due to the notion that they were more likely to be involved in homicides and crimes involving drugs and guns. Despite the police argument that the practice of carding was vital to enforcing the law, the police could not produce any data to show that the information led to increased arrests or charges. Instead, Black Toronto residents expressed feelings of intrusiveness, harassment, and intimidation (Meng, 2017).

An interesting finding was that a significant percentage of the stops involving Black youth occurred in White neighbourhoods. The author argues this may represent officer's conceptions of race and place. The high rate of Black stops within White neighbourhoods suggests that Black peoples are viewed as suspicious persons who may be motivated to commit crime in Whites spaces. Maynard (2017) argues that this increased surveillance of Black peoples confirms that they are subjected to increased control as they are not able to move freely without suspicion from law enforcement. This is problematic as Canadian research also suggests that the frequency of being stopped, questioned and searched by the police reduces confidence in the police and increases perceptions of police bias (Wortley et al. 1997; Wortley and Owusu Bempah 2009). Furthermore, the impact of both age and race

on negative police perceptions is reduced once frequency of police stops has been taken into account. This suggests that both youth and racial minorities are more likely to have negative attitudes towards the police because they are more likely to experience frequent, involuntary contact with law enforcement officials (Wortley and Owusu Bempah 2009; Wortley et al. 1997).

Research Questions

One cannot ignore the data that consistently show that in some Canadian cities, Black and Indigenous youth are more likely to receive police attention (Canadian Press 2017; Meng 2017; Wortley and Owusu-Bempah 2011). If so, this may be reflected in how they perceive police. For the current study, I ask the following:

1. Are there any racial differences with respect to perceptions of police among youth in Canada?
2. Are Indigenous and Black youth more likely than White youth to report negative perceptions of police?
3. After controlling for relevant factors such as police contact, number of victimizations, region, and perceived neighbourhood safety, does race still influence perception of police?

Methodology

I use Statistics Canada's 2014 General Social Survey (GSS) on victimization (cycle 28) to explore the research questions. I was guided by previous Canadian studies that used the GSS to explore perceptions of police within the general Canadian population (Cao 2011, 2014; O'Connor 2008; Sprott and Doob 2014). This survey is ideal as the data provides

insight into the perceptions of and experiences with the criminal justice system from a verified sample of the Canadian population. However, unlike these previous studies (Sprott and Doob 2014 are a notable exception), I use the full dataset which is not available to the public. A public version of the dataset includes most measures but excludes disaggregated racial categories. In the public dataset, respondents are identified as either White, Indigenous, or a visible minority, therefore researchers combine all non-Indigenous racial minorities into one category (Cao 2011; 2014; O'Connor 2008) making it impossible to explore specific racial differences regarding perceptions of the police. This is problematic as research demonstrates that different racial groups experience and perceive police differently (Peirone, Maticka-Tyndale, Gbadebo, and Kerr 2017; Sprott and Doob 2014; Wortley and Owusu-Bempah 2009).

Due to both formal and informal bans on the collection of race-based statistics in Canada (Wortley 1999), gaining access to racially disaggregated data is a difficult process. To demonstrate, I was required to submit a written proposal to Statistics Canada outlining my intended research. Once approved, I was required to provide fingerprints, photos, passport information, and marriage documentation to the Royal Canadian Mounted Police.⁵ Analysis could only be conducted in the Research Data Centre at the University of Waterloo, and no information can be released without an additional vetting approval process from a designated

⁵ Please note, submitting fingerprints and photos is common practice to gain access to any confidential Statistics Canada dataset. However, it was requested that I also include passport and marriage documentation. Justification for providing such information to the police was not adequately explained, however, access to the dataset would not have been granted without submitting the requested documentation to police.

Statistics Canada research analyst. This lengthy process underscores the challenges of gaining access to race-based data in Canada.

The extensive cross-sectional survey includes a random sample of Canadians 15 years or older and explores perceptions of crime and the criminal justice system (Statistics Canada 2016). The survey captures respondents living in all provinces (excluding individuals living full time in federal institutions and the territories). Respondents were selected through probability random sampling (Kalton 1983). Using a telephone sampling frame, Statistics Canada (2016a) gathered landline and cellular numbers from census data and various sources available to them. The frame included groups of one or more numbers that were associated with the same address. Using telephone numbers to contact potential survey participants may automatically exclude individuals without a telephone (Dillman 2004), however Statistics Canada (2016a) estimates that less than 1% of the population do not have a phone and thus are confident that they captured a representative sample. The initial contact list included a random sample of 79,000 telephone numbers. Data was collected from January 2014 – January 2015. Potential participants were contacted and interviewed by telephone at which time respondents were informed that the survey was completely voluntary. A total of 33,127 respondents participated equating to a response rate of 53.9%.

I use a subset of the survey and only focus on the responses of participants within the 15 to 24 age category (n= 3958), which represents 15.3% of the sample.⁶ This subset of the

⁶ Classification of youth is based on the definition of youth by Statistics Canada. Please see <https://www150.statcan.gc.ca/n1/pub/11-630-x/11-630-x2017004-eng.htm>. Also see, Human Resources and Skills Development Canada.

survey data helps to inform our understanding of Canadian youth's attitude toward the police. From the youth category (15-24), I look at individual characteristics identified in the literature as factors that may influence perceptions of police, including geographic location (urban and rural), race (White, Black, Aboriginal)⁷, gender (male or female), number of victimization incidents, police contact, and perceived neighbourhood safety.⁸

Similar to previous GSS surveys exploring perceptions of police,⁹ respondents were asked to rate how good a job they believed their local police service was doing in six areas including enforcing laws, promptly responding to calls, supplying information to the public on how to reduce crime, ensuring safety, being approachable and easy to talk to, and finally, treating people fairly. The responses to these items are used as my dependent variables and examine differences between the views of Indigenous, Black and White Canadian youth. Respondents were asked to rate police as *good*, *average*, or *poor* on each item. When examined as single item dependent variables, these variables were coded to reflect 1 = good, 0 = other (average or poor).

Previous studies using the GSS to explore police perception found the most significant differences for visible minorities were with respect to approachability and

⁷ General Social Survey, Cycle, 2014 Victimization, Main file, specifically asks the respondents "Are you an Aboriginal person, that is, First Nations, Metis or Inuk (Inuit)," however the thesis will refer to the first peoples of Canada (First Nations, Metis, or Inuk) as "Indigenous."

⁸ The original analysis intended to explore socio-economic status by looking at household income, which was captured by tax data. However, this could not be done due to the large number of missing responses from the youth category.

⁹ Previous surveys conducted in 2004 and 2009.

fairness, thus the authors suggest the two questions regarding interpersonal interactions with police may be especially important for visible minority groups (Cao 2011; Sprott and Doob 2014). The other measures were then grouped to create a scale that examined perceptions of police based on technical aspects policing. The following study follows the same logic. To evaluate interpersonal perceptions, an interpersonal scale is created by combining “being approachable and easy to talk to” as well as “treating people fairly.” Results were coded as 0 = *poor* 1 = *average* 2 = *good*. Responses to these two items were collapsed into a single interpersonal interaction scale ranging from 0 to 4. Therefore, the higher the number, the more positive respondents feel about interpersonal perceptions of police. To evaluate technical perceptions, a scale is created by combining “enforcing the law,” “promptly responding to calls,” “supplying information to the public to reduce crime,” and finally “ensuring safety.” Results were coded as 0 = *poor*, 1 = *average*, 2 = *good*. The combined scale ranges from 0 to 8. Again, the higher the number, the more positive respondents feel about the technical competencies of police.

All survey respondents were asked what racial group they self-identify with. Thus, to explore race, all respondents who identified as *White* were coded = 0, *Black* = 1, *Aboriginal* = 2, therefore, on these analyses, White acts as the reference category.

In addition to race and perceptions of the police, *gender* (0 = *male*, 1 = *female*) and *geographic location* (0 = *rural*, 1 = *urban*) were controlled to ensure proper model specification.

To explore *perceived safety*, respondents were asked, "How safe do you feel from crime walking alone in your area after dark?" According to Cao (2014), this measure is ideal when measuring fear because it "assesses whether people actually experienced worry over potential crime victimization in their own neighbourhood" (see Ferraro and Grange 1987). The original responses include 1 = very safe, 2 = reasonably safe, 3 = somewhat unsafe, 4 = very unsafe. This variable was recoded to 0 reflect respondents who expressed unsafety (3, 4) and 1 to reflect respondents who expressed safety (1, 2).

For the *neighbour reporting a crime*, respondents were asked "Would your neighbour report a crime?" The original variable responses included, very likely = 1, somewhat likely = 2, somewhat unlikely = 3, and Not likely at all = 4. The variable was recoded to reflect responses 3, 4 = no (0), and responses 1, 2 = yes. The variable is included to reflect previous research which suggests neighbourhood context is important when exploring perceptions of the police (Cao et. al., 1996)

Regarding *police contact*, respondents were asked if, in the past 12 months, they had contact with police on six separate items including public information, traffic violation, witness to a crime, being arrested, emotional/alcohol abuse, family member mental health, or other. This variable was recoded to reflect any respondents who reported any form of police contact = 1, no contact = 0.

To measure *victimization*, respondents were asked to report total number of victimizations in the previous 12 months (none, victimized once, victimized twice, or victimized 3 or more times). Any respondent with one or more experiences of victimization was coded 1, and a respondent with none was coded 0.

The initial analysis started with all youth within the 15-24 years of age category, however any youth with missing responses to the variables above were excluded from the analysis. Therefore, the final sample included a total of 2,018 respondents, which represents 6% of the entire sample. To ensure accuracy, all analyses employed sample weights. These weights adjust statistical estimates in order to ensure the sample accurately reflects the characteristics of the population (Statistics Canada 2019).

Analysis Plan

The analysis begins with a bivariate test to examine the relationship between race and the measures of police performance (see table 1) by presenting the odds ratios as generated through a series of bivariate logistic regression models. In order to present survey weighted results (as required by Statistics Canada) regression models were estimated instead of chi-square tests.¹⁰ While ordinal logistic regression models would ideally have been used for this sort of dependent variable, the proportional odds assumption was violated in some models. For this reason, the decision was made to dichotomise the dependent variables into “good” versus “other” and to use logistic regression for the bivariate analyses. The “other” category reflects respondents who answered “fair” and “poor” to the items that explore police perception. I then proceed to estimate multivariate models predicting the interpersonal interaction and technical abilities outcomes. Using the interpersonal and technical police scale, a series of OLS regressions are presented.¹¹

¹⁰ Statistics Canada (2019) produced bootstrapped sample weights as a way to account for any differences between the sample and population.

¹¹ These are survey weighted, bootstrapped linear regression models (500 replications).

Findings

Bivariate Results

Table 1. Bivariate logistic regressions predicting perceptions of police doing a “good job” by racial group.

DV	IV	OR	SE	p
Enforcing the law ^a	White	-		-
	Black	.455*	.149	.01
	Indigenous	.639	.163	.08
Responding to calls ^a	White	-		-
	Black	.510*	.077	.04
	Indigenous	.529*	.005	.01
Treating people fairly ^a	White	-		-
	Black	.454*	.166	.03
	Indigenous	.979	.240	.93
Supplying information ^a	White	-		-
	Black	.685	.229	.26
	Indigenous	1.20	.308	.48
Ensuring safety ^a	White	-		-
	Black	.727	.277	.40
	Indigenous	.739	.191	.25
Being approachable ^a	White	-		-
	Black	.604	.210	.15
	Indigenous	.862	.215	.55

Note: These results are from separate logistic regression models for each DV with racial group as the predictor variable.

^aPolice do a “good job”=1 * $p < .05$ ** $p < .01$

In general, the data suggest that Black and Indigenous youth are less likely to believe that the police are doing a “good job” in comparison to their White counterparts. Black youth score lower on each of the six policing measures than White and Indigenous youth (see table 1). However, racial differences only reach statistical significance for perceived enforcement

of the law, responding to calls, and treating people fairly. For Indigenous youth, the only significant difference between Indigenous and White youth is with respect to responding to calls.

Overall, the odds of a Black youth reporting that the police do a good job enforcing the law is 54% lower than White youth. The odds of a Black youth reporting that the police do a good job responding to calls is 49% lower than White youth, and the odds of a Black youth reporting that the police do a good job treating people fairly is 55% lower than White youth.

For Indigenous youth relative to White youth, the odds of reporting that the police do a good job responding to calls is 47% lower.

Consistent with previous research, the current study suggests that Canadian Black youth are less likely to report police “treat people fairly” and “enforce the law.” This finding also coincides with Cao (2011), who found that the strongest effect for minority respondents was in relation to perceived fairness. However, without an opportunity to disaggregate the data, it was difficult to know what racial minority had the worst perceptions of police fairness. The current study suggests that Black respondents may be that racial category. Interestingly, the only police measure where both Black and Indigenous youth are similar (and reach statistical significance) is in regard to “responding to calls.” In comparison to White youth, both Black and Indigenous youth are less likely to report police do a good job at “responding to calls.” For Indigenous youth, this assertion is supported by a number of national inquiries that suggest police, in particular, fail to respond to calls for service when Indigenous peoples are the victims (Feathers of Hope 2016; Missing and Murdered Women

and Girls 2019; Truth and Reconciliation Report 2017). In fact, after the MMIWG inquiry was released, RCMP Commissioner Brenda Lucki apologized to the families of the victims by acknowledging that racist attitudes among police officers resulted in police failing to respond when Indigenous women and girls were in time of need (McKenna 2018).

Furthermore, in the Feather of Hope report exploring relations between Indigenous youth and police, many youth felt that police services in their communities did not have the same resources as police in non-Indigenous communities, and thus were not as quick to respond when in time of need. This is significant as, in Canada, a high proportion of Indigenous youth reside in rural areas (Statistics Canada 2016b). Thus, rural location may also help understand this finding.

In addition to the above, further bivariate linear models were done to explore the relationship between race and additional control variables that have been used to explore confidence in police (see table 2). Previous research suggests, for example, that victims of crime evaluate the police more negatively than non-victims. Previous research also suggests that frequent contact with the police can lower confidence in law enforcement. Furthermore, gender, geographic location, and perceived neighbourhood safety have been identified as factors that may impact attitudes towards the police.

Bivariate results suggest that Indigenous youth are more likely to report recent victimization, in comparison to their Black and White counterparts. Results are statistically significant. This is consistent with a number of studies that suggest, both in Canada and internationally, that Indigenous peoples (including youth) are more likely to experience victimization (Scrim 2017). For Black youth, in comparison to their White and Indigenous

counterparts, they report feeling less safe in their neighbourhood. Results are statistically significant. Racial differences do not exist with respect to the other control variables, including gender, whether a neighbor would report a crime, and police contact.

Police contact is somewhat surprising as a number of studies suggest that police contact has a significant impact on perceived confidence in police (McAra and McVie 2005). However, numerous studies suggest that for racialized youth, many experience police contact not related to engaging in criminal behaviour, but often as a result of police procedures such as ‘stop and frisk’ or ‘street checks’ (Bowling and Phillips 2007; Fitzgerald and Carrington 2011; Wortley and Owusu-Bempah 2016). The GSS does not account for this form of contact. The survey summarizes a contact as including “public information, traffic violation, witness to a crime, being arrested, emotional/alcohol abuse, family member mental health, and other.” Therefore, contact that includes aggressive stops is not recorded. Therefore, I view the lack of significance regarding police contact with some reservation.

Finally, in regards to geographic location, due to low cell count numbers within a racial category I am unable to report these results. This is unsurprising as in Sprott and Doob’s (2014) study on confidence in police among racialized populations, the authors were limited to an examination of urban respondents due to the fact that only 1.3%, or 46 out of 19,422 minority participants reported living in a rural area or small town. As the current study explores an age-restricted subsample, one can expect extremely low numbers within specific racial categories, such as Black respondents, who report living in rural areas. However, as noted in a separate report describing Canada’s rural population, Statistics Canada (2016b) reports that close to 30% of Canada’s Indigenous population reside in rural

areas. Thus, rural location will be included in a multivariate analysis exploring police confidence.

Table 2: Relationship between race and additional control variables, by racial group.

DV	IV	<i>b</i>	<i>SE</i>	<i>p</i>
Victimization	White	-	-	-
	Black	.000	.060	.09
	Indigenous**	.210	.061	.00
Feeling safe	White	-	-	-
	Black*	-.171	.080	.03
	Indigenous	.007	.027	.77
Neighbours to report crime	White	-	-	-
	Black	-.046	.032	.14
	Indigenous	-.035	.035	.32
Police contact	White	-	-	-
	Black	.010	.074	.88
	Indigenous	.100	.064	.18
Gender ^a	White	-	-	-
	Black	.070	.081	.39
	Indigenous	-.011	.060	.85
Population centre ^b	White	-	-	-
	Black	-	-	-
	Indigenous	-	-	-

Notes: ^aFemale=1, ^bUrban=1. **p*<.05 ***p*<.01

Multivariate Analysis

While the bivariate analysis suggests a relationship between race and perceived confidence in police, it is important to assess whether this dynamic holds once other relevant factors are controlled. Thus, using the police interpersonal and technical abilities scale, a

series of OLS regressions were estimated. Table 3 displays the multivariate analysis of perceptions of the police's interpersonal abilities, and Table 4 displays police technical abilities. Both models account for respondent's race as well as control variables identified in the literature as factors that may influence police perception including police contact, perceived safety in one's community, victimization, and gender.

Table 3. Linear regression predicting perceptions of the police interpersonal abilities (n=2018)

	<i>b</i>	SE	<i>p</i>
Victimization	-.419**	.083	0.000
Feeling safe	.243	.133	0.068
Neighbours to report crime	.456**	.172	0.008
Police contact	-.102	.084	0.227
Gender ^a	.170*	.070	0.016
Population centre ^b	-.136	.091	0.136
Black ^c	-.525*	.246	0.034
Indigenous ^c	.040	.141	0.775

Notes: ^aFemale=1, ^bUrban=1, ^cWhite=0. * $p < .05$. ** $p < .01$. $R^2 = 0.05$.

Table 4. Linear regression predicting perceptions of the police technical abilities (n=2018)

	<i>b</i>	SE	<i>p</i>
Victimization	-.814**	.137	0.000
Feeling Safe	.868**	.208	0.000
Neighbours to report crime	.928**	.278	0.001
Police Contact	-.128	.121	0.292
Gender ^a	.205	.113	0.070
Population centre ^b	-.409**	.136	0.003
Black ^c	-.646*	.281	0.022
Indigenous ^c	-.154	.023	0.514

Notes: ^aFemale=1, ^bUrban=1, ^cWhite=0. * $p < .05$. ** $p < .01$. $R^2 = 0.05$.

The results suggest that female youth, youth who live in rural areas, and respondents who report that their neighbors would report crime score significantly higher on the interpersonal scale. By contrast, victimization is negatively related to scores on the interpersonal scale. Finally, Black youth score significantly lower on the interpersonal interactions scale than White youth.

The second multivariate model reveals that respondents who feel safe in their own neighbourhood, and those who believe their neighbours would report crime tend to score higher on the Police Technical Ability Scale than others. However, youth who report living in urban areas, and those who report higher rates of victimization score lower on this scale. As with the interpersonal scale, Black respondents score significantly lower on the Technical Ability Scale than their White counterparts – even after controlling for other factors. Similar to the bivariate results, police contact is not a significant predictor on either the interpersonal or technical abilities scale. This is contrary to Canadian and American research which suggests that police contact is a significant predictor of negative perceptions of the police (Brick, Taylor, and Esbensen 2009; Cao 2014; Friedman, Lurigio, Greenleaf, Albertson 2004; Slocum, Wiley, and Esbensen 2016; Rengifo and McCallin 2017). Once again, I suspect that this may have to do with the nature of the police contact variable. The GSS measure, in my opinion, does not adequately distinguish between positive, negative and neutral interactions with the police, thus providing little contextual insight into the level of contact.

These regressions suggest that Black youth are significantly less likely to report positive perceptions of the police than White youth. However, the data, somewhat surprisingly, suggest that differences between White and Indigenous youth are not significant.

Discussion

According to the GSS, overall perceptions of police among youth are favorable in Canada. However, the results also indicate that Black youth have less confidence in the police than their White counterparts. Consistent with previous international studies, the data demonstrates that Black youth in Canada, too, are less likely to report positive perceptions of police in comparison to their White counterparts. This effect holds when controlling for other contextual factors that influence police perception. This suggests that the selected contextual and individual variables -- police contact, geographic location, gender, feelings of safety, and victimization -- do not fully explain these negative perceptions. Thus, in Canada, being Black is a strong predictor of police confidence.

This is an important finding, as the limited number of Canadian studies that have used national data to explore perceptions of the police have not looked at race; fewer specifically examine the Black experience. With growing unrest in Canada over police interactions with Black communities (Angus Reid Institute 2020), this research provides sufficient data to demonstrate that negative perceptions of the police among Black youth is a national problem. Some critical race theorists may note that the numbers do not provide substantive insight into why Canadian Black youth may perceive the police more negatively than their White (and possibly their Indigenous) counterparts. However, following a “quantcrit” perspective, I

argue that these data, in particular, help justify the need to add Canada in the discussion on potential racial bias within policing. Much of what is known is based on U.S. data (Alexander 2012), however, this national-level analysis challenges the notion that Canada is immune from potential racial bias. Therefore, previous Canadian studies that demonstrate disproportionate contact with law enforcement among Black youth (Meng 2017) may be reflected in more negative perceptions of the police.

While the variables included in the regression model including gender, geographic location, victimization, and perceptions of community safety, do not fully explain the negative perceptions Black youth have of law enforcement, they may provide insight into the negative perceptions of Indigenous youth. Consistent with previous research, victimization is a strong significant predictor of police confidence (Apple and O'Brien 1983; Cao et al. 1996; Homant et al. 1984; Koenig 1980; Sindall, McCarthy, and Brunton-Smith 2017; Smith and Hawkins 1973). The current data suggests that those who experience victimization are more likely to report low confidence in the police on both interpersonal and technical ability. This finding warrants special attention. In their groundbreaking study exploring the relationship between victimization and attitudes toward police, Smith and Hawkins (1973) argue that victimization is an important contextual factor to explore as the role of police is directly related to assisting those who are in distress or victims of a crime. Thus, they argue that individuals who experience victimization are more likely to have contact with police. Following this logic, victims of crime may be more apt to negatively evaluate police performance. As Canadian research consistently demonstrates that Indigenous peoples are disproportionately represented in crime victimization data (Scrim 2017), the current study

may demonstrate that victimization among Indigenous youth, to the extent that it leads to negative interactions with police, is an important factor when exploring perceptions of police, as opposed to race. Crime data suggests that a high proportion of youth experience childhood domestic victimization. Furthermore, young Indigenous women are more likely to be victims of intimate partner violence and sexual abuse compared to young non-Indigenous women (Collin-Vézina, Dion, and Trocmé 2009; Hoffart and Jones 2018).

A number of Canadian studies have begun to explore the impact that colonization and post-colonialism have had on maintaining the marginalization of Indigenous peoples and their subsequent risk of violent victimization (Brownridge 2003; Daoud, Smylie, Urquia, Allan, and O'Campo 2013; Hoffart and Jones 2018). Hoffart and Jones (2018) examined the relationship between domestic violence and intergenerational trauma among Indigenous populations in Canada. One important finding suggests that the physical, sexual, and emotional abuses that took place in state sanctioned residential schools from the late 1800's to the late 1990's contributed greatly to the normalization of family violence within Indigenous communities. This holds significance as Indigenous youth have expressed concern over non-Indigenous police officers lack of knowledge of Canada's colonial history among non-Indigenous police officers, and its subsequent impact on Indigenous communities (Feathers of Hope 2014; Truth and Reconciliation Report 2017). For Black youth, victimization is also a strong predictor of perceptions of police. But, unfortunately due to lack of formal documentation on victimization among Black peoples in Canada, there is little opportunity to explore the impact of historical oppression among Black Canadians.

For both perceptions of interpersonal and technical abilities, findings suggest that a neighbour's likeliness to report a crime to police is statistically significant. This finding supports Cao, Frank, and Cullen's (1996) argument that community context variables are important determinants of perceived confidence in police. They argue that community context matters. In relation to one's neighbours, the researchers suggest that a strong social bond with a community "may encourage their identification with and positive evaluation of formal institutional arrangements" (pg. 13). Therefore, in relation to police, "informal collective security encourages feelings of formal collective security" (pg.13). In other words, if one feels that neighbours are mutually invested in the security of a community, they too will harbour positive perceptions of local police. This finding may also suggest that the more confidence a community has in the police, the more likely they are to provide the necessary support to assist police to keeping a neighbourhood safe.

In relation to interpersonal perception of police, gender appears to be a significant predictor. Female respondents are more likely to report positive perceptions of police. As suggested by previous research, this may be due to the fact that women's interactions with police are less likely to be hostile (Apple and O'Brien 1983; Thomas and Hyman 1977). This finding may also support the chivalry hypothesis, which posits that, within the criminal justice system, women are treated more leniently (Farrell 2015). This is evidenced in Britton and Zvi's (2018) study on chivalry and attractiveness bias in police officer judgements. Findings suggest that female offenders are more likely to be treated "forgivingly" than offenders who are men. The gender effect, however, disappears in relation to perceived technical ability.

For technical ability, perceived safety in one's neighbourhood is statistically significant. Respondents who are more likely to report feeling safe in their neighbourhood at night are more likely to report that police are good at the technical aspects of their job. Much like the argument above regarding community context, the finding may suggest that confidence in perceived safety may be linked to an overall perception of formal social institutions such as the police.

Finally, geographic location (rural vs. urban) is statistically significant. Respondents who live in urban areas are less likely to report positive perceptions of police in relation to technical ability. This supports research conducted by Adorjan, Ricciardelli, and Spencer (2017), who demonstrate that overall, rural youth have positive perceptions of police. Due to the nature of rural communities, youth are more likely to know the police who serve their community, thus increasing perceived trust. This may also be something to note in relation to Indigenous youth. Unlike other nations with high Indigenous populations (including Australia and the U.S), in 1992 Canada developed a First Nations Policing Program in an effort to provide specialized and culturally relevant policing to a number of First Nations and Inuit rural communities (Jones, Ruddell, Summerfield 2019). Thus, these initiatives may have an impact on how rural Indigenous youth perceive their local police.

Future Directions

The current study contributes to the extant Canadian research on perceptions of police in a number of ways. First, the current study is one of the few to focus on the youth population. This is of particular importance as numerous studies exploring perceptions of

police find that age is a significant predictor (Fagan and Tyler 2005; Hurst and Frank 2000; McAra and McVie 2005, 2010). Furthermore, the current study places a focus on Black and Indigenous peoples, who consistently report negative perceptions of police in studies conducted in the U.S., the U.K., and Australia. This is of particular importance from a Canadian context, as a ban on race-based statistics in Canada has resulted in few studies exploring the relationship between race and confidence in police. Consistent with previous international studies, the current study demonstrates that Black youth in Canada (and to a lesser extent Indigenous youth), too, are less likely to report positive perceptions of police in comparison to their White counterparts. Studies based in the U.S. consistently show that Black youth are more likely to report lower confidence in police as a result of aggressive police practices (i.e., ‘stop and frisk’) that are perceived to be racially biased. Previous Canadian research suggests that similar police practices also have a significant impact on Black peoples, but unfortunately the current data does not adequately capture this level of police contact or perceived racial bias. Nonetheless, identifying race as a strong predictor when exploring confidence in Canadian police is an important finding.

Furthermore, race may play a role in the other variables that demonstrate a relationship to police confidence. To illustrate, the data suggests that victimization has a strong relationship to police perceptions, both in relation to interpersonal and technical ability. This may be a notable finding in particular for Indigenous youth, as data consistently demonstrates that they are overrepresented in Canadian crime victimization data (Scrim 2017). The current study does not isolate the combined effect of being Indigenous and experiencing victimization, therefore not allowing for comparisons between Indigenous

youth who have or have not been victimized. Furthermore, the current study does not explore differences in victimization across White and Black racial groups. However, the data does suggest that victimization is a salient factor in relation to perceptions of the police, therefore this should be explored further. This may be particularly relevant to Indigenous communities. To illustrate, recent national inquiries have forced the RCMP, Canada's national police service, to acknowledge their history in failing to attend to crime victimization within Indigenous communities. As such, if further analysis suggests that victimization is found to be particularly relevant to the perceptions of police among Indigenous youth, this would support the notion that police services in Canada should become better informed on victimization within Indigenous populations. This, in essence, coincides with suggestions made by Indigenous youth in the Feathers of Hope inquiry (2016), that police services in Canada must have a better understanding of Canada's colonial past and its subsequent traumatic impact (i.e. increased victimization) on Indigenous communities. Despite the introduction of the First Nations Policing Program in 1992 intended to provide culturally relevant policing to First Nation communities, a recent study suggests that underfunding and a decrease in the number of Indigenous police officers in the program has undermined the goals of the initiative (Jones, Ruddell, Summerfield 2019). The authors also highlight that Indigenous policing is one of the least studied areas of law enforcement in Canada. Results from the current study suggest that future research should explore Indigenous policing, and how this may influence police perceptions among Indigenous youth.

Finally, echoing previous studies on confidence in police (Cao 2011; Cao et al. 1996), community context matters. The current study suggests that a belief that neighbours would

report a crime is significant when evaluating police perception, both on interpersonal and technical abilities. For technical ability, perceived community safety is a particularly robust predictor of positive police perceptions. Future research should explore this further. May informal connections (i.e., neighbourhoods) influence perceptions of formal social institutions (i.e., the police), and may it be the other way?

The current study of course has its limitations. While both bivariate and multivariate analyses were completed, future research should go further to test mediating or moderating relationships. A mediation analysis would allow for an exploration as to whether race influences perceptions of the police through its effect on other variables. For example, while not explored in the current study, it may be that being Black or Indigenous is related to lower socio-economic status (SES) and that low SES is the more proximal cause of poor perceptions of the police. In this way, race would influence perceptions of police via its effect on SES. Furthermore, a moderation analysis would allow for an exploration of the ways that race structures the relationship between perceptions of police and relevant covariates. For example, rural status may be differentially related to perceptions of the police across the various racial categories. Some scholars argue that few studies explore the intersection of race and class, and suggest that socio-economic status is a strong predictor of perceptions of the police and may explain why some Black individuals have a positive perception of the police (Kappler and Gaines 2015). Furthermore, with the finding that victimization is indeed a robust indicator in exploring perceptions of the police, it would be of benefit to conduct an interaction analysis that explicitly addresses the combined effect of

race and victimization. As such, future studies should employ mediating and moderating analyses to explore the relationship between race and perceptions of the police further.

Despite the exclusion of these analyses, the current study is consistent with a strong body of U.S., U.K., and Australian research that suggests when exploring youth perceptions of the police, race matters. Furthermore, the current study demonstrates that, in Canada, race is particularly salient for Black youth. Unfortunately, the quantitative data does not provide adequate insight into the factors that influence this relationship. Therefore, the study underscores the limitations of quantitative data further supporting the ideals of “quantcrit” research. This highlights the importance of including narratives in studies exploring potential racial bias (Rengifo and McCallin 2017). Regarding police and minority relations, quantitative data is important to highlight racial disparities, however qualitative data can provide further insight into the impact of perceived racial bias and discrimination in policing. The following chapters aim to remedy this omission and will provide youth’s lived experiences and explore their interactions with police. The next chapter will focus on the experiences of Black and Indigenous youth in Toronto as well as areas in the Greater Toronto Area.

Chapter 3 – Using Critical Race Theory method of composite counter-storytelling to explore youth perceptions of the police

Introduction

Canadian police services often promote multicultural and equity values, but researchers have long identified practices that contribute to the differential treatment of Black and Indigenous populations, in comparison to their White counterparts (Mosher 1998; Tator and Henry 2006). This includes concerns over racial profiling (Wortley and Tanner 2003), harsher arrest decisions (Samuels-Wortley 2019a), as well as the collection of citizens personal information through ‘carding or street checks’ (Meng 2017). Evidence suggests that these arbitrary practices have a significant impact on perceptions and support for the police, particularly from racialized communities (Wortley and Owusu Bempah 2016). Research based in the United States, United Kingdom, and Australia have established that perceptions of law enforcement are particularly low among youth and Black and Indigenous communities (Bridenball and Jesilow 2008; Brown and Benedict 2002; Bowling and Phillips 2007; Hurst and Frank 2000; Rigby and Black 1993; Slocum, Wiley, and Esbensen 2016). However, by contrast, little is known about perceptions of the police within the Canadian context (Cao 2014; Sprott and Doob 2014). This is largely due to both formal and informal bans on the collection and dissemination of race-based data from many social institutions, including the criminal justice system. To illustrate, it was not until 1999 that official crime statistics and victimization surveys in Canada integrated “Black” as a racial category (Millar and Owusu and Bempah 2011). Despite its inclusion, racial data is only available to formal employees of Statistics Canada. Therefore, to gain access to racially disaggregated data in Canada,

academic researchers must go through a rigorous vetting process and become an unofficial employee of Statistics Canada (Millar and Owusu-Bempah 2011; Statistics Canada 2020). These formal barriers have in turn supported police institutions reluctance to release race-based data. In fact, for years Canadian police officials have publicly stated that collecting race-based data impedes privacy concerns but also demonstrates a lack of concern for “all cultures and races” and is therefore “not beneficial or appropriate” (Quan 2012, para 7, 18). While some policing institutions are starting to see the utility in collecting race-based statistics (Toronto Police 2020b), these historical barriers have greatly impeded Canadian research on the intersection of race and racial bias within policing (Wortley 1999).

Scholars argue that exploring youth perceptions of the police is of particular importance as most studies that examine perceptions of law enforcement tend to focus on adult populations, despite a number of studies that suggest attitudes towards the police vary by age (Brandl, Frank, Worden, & Bynum 1994; Gau 2010; Rosenbaum, Schuck, Costella, Hawkins, & Ring 2005). Thus, less is known about youth perceptions of the police (Sindall, McCarthy, and Brunton-Smith 2017), particularly among racialized populations (Gau and Brunson 2010; Brunson and Pegram 2018). Police scholars have long argued that effective law enforcement is contingent on public support (Vogel 2011) as citizens who have negative perceptions of police are less likely to report criminal activity or cooperate with police investigations. Research also suggests that negative perceptions of the police may increase fear of crime, lead to distrust in other social institutions and reduce citizen compliance with the law (Brown and Benedict 2002; Tyler and Fagan 2008; Vogel 2011). Therefore, having a

better understanding of racialized youth perspectives has been identified as an important area of study (Gau and Brunson 2010; Stewart, Morris, and Weir 2014).

With a dearth of Canadian scholarship that explores potential racial bias and discrimination within policing, there is an opportunity to explore this phenomenon through a critical race lens. Rooted in legal studies, critical race theory (CRT) has contributed to both a conceptual and theoretical understanding of how the law is used to uphold socially constructed beliefs of race, in an effort to maintain white privilege and white supremacist ideals (Obasogie 2013). More specifically, the theory maintains that regardless of legal statutes that promote equality, race, racism, and the power of white supremacy is embedded in the law (Delgado and Stefancic 2017). Therefore, as legal scholar, Mari Matsuda (1996) states, the law is both a “product and promoter of racism” (pg. 22).

A number of scholars note that the theory may be particularly relevant to the field of criminal justice and criminology as a growing body of research demonstrates that the criminal justice system also functions on processes and procedures that ultimately maintain the marginalization of racial minority communities (Delgado and Stefancic 2007; Gonzalez Van Cleve and Mayes 2015; Obasogie 2013). With Canada’s commitment to their national and international reputation as a multicultural utopia, a critical race framework may contribute to an advanced inquiry into the complex relationship between race, crime, and the criminal justice system. Placing race and racism at the forefront can allow a better understanding of how police and minority youth relations may be facilitating the marginalization and oppression of Black and Indigenous youth in Canada.

A major tenet of CRT focuses on the experiences and knowledge of racialized people in order to challenge socially constructed beliefs of equality (Bell 1992; Delgado and Stefancic 2017). Therefore, through the CRT method of composite counter-storytelling, this paper will highlight the perspectives and experiences of Black and Indigenous youth to dispel the myth of equitable treatment by Canadian police officers. Their collective stories aim to create a better understanding of what it means to be a racial minority in the presence of law enforcement, in Canada. The focus on Black and Indigenous youth is in response to emerging data which suggests that both groups are grossly overrepresented in Canada's youth correctional system (Rankin, Winsa, and Ng 2013), yet there is relatively little Canadian research into their experiences with the criminal justice system, including the police (Cao 2014). The police are of particular importance as they play a vital role in determining who enters the justice system. With discretionary powers to interpret and enforce the law, in essence, the police are the gatekeepers to the criminal justice system (Maynard 2017).

In the pages that follow, I will first provide a brief discussion of the origins of critical race theory. This discussion intends to illustrate that the theoretical orientation can be applied to an examination of the police. This discussion will also highlight the Canadian police narrative, which stresses a commitment to community safety through equitable and fair practices. In response, the growing evidence of differential police treatment that negatively impacts both Indigenous and Black communities in Canada will be reviewed. This aims to address my hypothesis that Black and Indigenous youth experience harsher treatment by police, and thus perceive the police to be racially biased. To explore this, I conduct semi-structured interviews with a sample of Black, Indigenous and White youth in Toronto,

Canada's largest city, as well as areas within the greater Toronto region. These interviews are then used to create a critical race composite counter-story (Delgado 1989; Solorzano and Yosso 2002) to refute the police equality narrative. Findings from the study will highlight how the lived experiences of Black and Indigenous youth with law enforcement officials in Toronto have a significant impact on their perceptions of the police. Thus, consistent with U.S. research (Vogel 2011), perceptions of racial bias may be influencing the perceived legitimacy of the police in Canada.

Literature Review

“Diversity is our strength” – Canada’s colorblind approach

Exploring race and racism in Canada is particularly salient as the country is often perceived to be a multicultural utopia. This sentiment is largely due to legal statutes unique to Canada, such as the Multiculturalism Act (1988) and the Charter of Rights and Freedoms (1982), which aims to demonstrate a national commitment to equality and respect for diverse communities. Yet, recent Canadian data reveals that social inequality is highly racialized (Grant, Walks, and Ramos 2020; Statistics Canada 2018). Black and Indigenous peoples, in particular, are more likely to live in socially disadvantaged communities, and score lower on a number of quality-of-life indicators including access to adequate housing, education, job opportunities and health care (Grant et. al. 2020; Maynard 2017; Statistics Canada 2018). Furthermore, emerging data reveals that both Indigenous and Black youth and adults are grossly over-represented in the Canadian correctional system (Office of the Correctional Investigator 2014; 2020). To illustrate, Indigenous peoples now account for 30% of the correctional population, despite representing only 5% of the overall population. Black

peoples also continue to be the fastest growing racialized segment within the correctional population with most recent data indicating that Black peoples account for 8% of the correctional population, despite representing 3.5% of the overall population (Correctional Investigator 2014; Public Safety Canada 2018). There is evidence to suggest that the overrepresentation of Black and Indigenous peoples in the Canadian correctional system is a result of police over-surveillance and harsher charging practices that have a significant impact on these racial communities, in particular (Alyward 1999; Rudin and Zimmerman; Samuels-Wortley 2019a; Wortley and Owusu-Bempah 2016;). However, the myth of multiculturalism and racial tolerance has made it difficult to explore the role of systemic racial discrimination in Canadian society.

Often mirroring the language of Canada’s Charter of Rights and Freedoms, several law enforcement agencies highlight their commitment to work in partnership with the public and neighbourhood organizations in order to increase the quality of police work and ensure civilian safety in an equitable manner.¹² To illustrate, as presented on the Toronto Police Service website, the agency highlights that they respect and uphold the “rights and freedoms” of all citizens (Toronto Police Service 2020a). They state that their officers are free from bias and stereotypes and are held to a higher standard by being accountable for inappropriate behaviour. Furthermore, they stress that they treat all people with empathy, respect, equity, and dignity. But a growing number of Canadian studies argue that Black and Indigenous

¹² For example, see Calgary Police Service; Durham Regional Police; Halifax Regional Police; Peel Regional Police Service; Toronto Police Service; York Regional Police.

youth, in particular, perceive the police and criminal justice officials to be biased against members of their racial community (Black Experience Project 2014; Cao 2014; Wortley and Owusu-Bempah 2016). Canadian legal scholars Tator and Henry (1996) argue that the focus on equality and fairness among police services is a unique form of racism, as the approach directly aims to deny the existence of racial bias. They argue these competing sentiments suggest the police operate through *democratic racism* which is:

An ideology in which two conflicting sets of values are made incongruent to each other. Commitments to democratic principles such as justice, equality, and fairness conflict but coexist with attitudes and behaviors that include negative feelings about minority groups, differential treatment, and discrimination against them (Henry and Tator 1996, pg. 22).

To illustrate this, in a study that explores how Canadian police perceive racial profiling, Satzewich and Shaffir (2009) found that officers often refer to the multicultural nature of Canadian society to deny racial bias during interactions with members of the community. Instead, police frequently stress that they engage in *criminal profiling* and thus focus on ‘what doesn’t fit’ and signs of ‘suspicious activity’ that may indicate potential law breaking (Meng 2017; Satzewich and Shaffir 2009). For example, one police officer stressed that he will “go to where the crime is...I’m going to be pulling over people who do crime...you go where the fish are if you’re going to catch fish” (Satzewich and Shaffir 2009, pg. 210). In other words, the police are not racially biased, but simply concentrate on criminal behaviour (Engen et al. 2002; Fitzgerald and Carrington 2011). Thus, in essence, law enforcement

officials conclude that their focus on certain racial groups is a result of higher levels of criminal activity.

Indeed, a number of Canadian, U.S. and British studies support this claim (Fisher 2016; Melchers 2007; Monchalin and Marques 2016; Waddington 1999; Wortley and Owusu-Bempah 2016). Wortley and Owusu-Bempah (2016), for example, they provide empirical evidence that in Canada, both Black and Indigenous offenders are more involved in some types of crime – especially violent crime and street gang activity – than the members of other ethno-racial groups. Similarly, in a recent survey of high school students in Western Canada, Indigenous youth reported significantly higher rates of both property and violent offending than White students (Gilmore-Dickson 2016). But, unlike the simplistic *criminal profiling* argument, these authors note that the devastating effects of colonization on Indigenous communities (see Truth and Reconciliation Report 2015; Indigenous Murdered and Missing Women and Girls 2019) have resulted in direct links to deep social inequities such as unequal access to education, healthcare, employment, or services that could improve their social position (Maynard 2017; Gilmore-Dickson 2016). Thus, Indigenous life in Canada continues to be characterized by poverty, high rates of alcohol and drug use, suicide, domestic violence, sexual violence, and lack of opportunity, all significant risk factors for criminal engagement (Maynard 2017; Gilmore-Dickson 2016). Similar arguments have been made with respect to the legacy of enslavement among Black peoples (Maynard 2017). Scholars argue that it is these negative perceptions of Black and Indigenous communities that attract police attention (Comack 2012; Maynard 2017; Monchalin 2016). While *criminal profiling* may be used to explain their presence in racial minority communities, crime data

may also be used to construct a criminalized picture of all Black and Indigenous peoples (Phillips and Bowling, 2003). Therefore, police play a role in maintaining discriminatory perceptions and negative stereotyping of racialized communities.

A number of studies conducted in the U.S. (Alexander 2012; Harris 2002; Miller and Alexander 2016; Skogan 2005; Rosenbaum et al. 2005; Weitzer et al. 2008) suggest that discriminatory police practices may contribute to the disproportionate number of racialized youth who come into contact with police. To illustrate, research suggests that African Americans and Hispanic Americans are much more likely to be subjected to ‘stop and frisk’ or vehicle stops than White Americans (Skogan 2005; Weitzer et al., 2008) even though police are less likely to retrieve a weapon or confiscate drugs as a result of the police procedure (Alexander, 2010; Harris, 2002; Miller and Alexander, 2016). Similar studies are emerging in Canada.

Despite recent national declarations of reconciliation and commitment to address the marginalization and subsequent incarceration of Indigenous peoples (see Truth and Reconciliation Report 2015), a recent report released by the Correctional Investigator (2020) suggest that these figures have only increased. To illustrate using youth statistics, recent data demonstrates that Indigenous youth made up 46 per cent of admissions to correctional services in 2016-17, despite making up only 8 per cent of the youth population (Statistics Canada 2018). Racial bias in policing is often cited as one cause of this over-representation. While studies exploring perceptions of police among Indigenous populations in Canada is limited (Cao 2014), what is available suggests that Indigenous people perceive that their communities are targeted and over-surveilled (Provincial Advocate for Children and Youth

2016). They report that they believe the police are unfair and thus ineffective. Research also suggests that police officers have negative, stereotypical attitudes towards Indigenous peoples. It is thus not surprising that data suggest that Indigenous youth are more likely to be formally charged – especially in cases of minor property crime in comparison to White youth (Rudin and Zimmerman 2014). Evidence demonstrating differential treatment of Black youth is also emerging. In a study that explores the charging decisions of a local Canadian police service, Samuels-Wortley (2019a) found that Black youth are more likely to be charged and less likely to be cautioned than White youth and youth from other racial backgrounds for the same minor criminal offences.

Furthermore, there is growing evidence to suggest that higher rates of police surveillance may be one of the factors contributing to the over-representation of Black peoples in the Canadian criminal justice system (Meng 2017; Tanovich 2005; Wortley and Tanner 2003; Wortley and Owusu-Bempah 2016). These practices – often referred to as racial profiling -- suggest that law enforcement officers often focus on the race of civilians rather than behaviour or other legally relevant factors.

To illustrate, Meng’s (2017) review of Toronto Police Service’s stop and search data from 2003 to 2012 suggest that Black youth are subject to more police stops compared to their White counterparts. Meng (2017) found that the percentage of stops increased during that time period, while White youth consistently decreased. Most of these stops occurred either in areas with a high White population or in a high crime area. The youth who were stopped were subject to questioning and a practice called “carding.” During carding, the police record any information that the officer deems of interest, including intimate family

details and any friends or associates of that individual. The cards did not record any criminal activity, they were simply used for ‘informational purposes.’ Despite the argument that the practice of carding was vital to enforcing the law, the police could not produce any data to show that the information led to increased arrests or charges (Meng, 2017). These results suggest that race is a master status that, in and of itself, attracts police attention. Thus, the police narrative that stresses fairness and equality is faulty.

Maynard (2017) argues that this increased surveillance of Black peoples in Canada confirms that they are subjected to increased control as they are not able to move freely without suspicion from law enforcement. Therefore, much like racial minorities in the U.S., emerging data suggests that both Black and Indigenous youth are at an increased risk to experience harsher treatment and hyper-surveillance by law enforcement. This is problematic as U.S. and Canadian research suggests that the frequency of being stopped, questioned and searched by the police reduces confidence in the police and increases perceptions of police bias (Brunson 2007; Brunson and Gau 2010, Wortley et al. 1997; Wortley and Owusu-Bempah 2009).

Research on perceptions of the police among racial minorities tend to centre around concerns of over-policing (i.e. increased surveillance) in their communities. However, there are a number of scholars who suggest that exploring the role of under-policing within these communities is equally important (Ben-Porat 2008; Boehme, Cann, and Isom 2020; Brunson 2020; Dhillon 2015). For example, Brunson (2020) suggests members of Black and other racialized communities believe the police demonstrate a lack of empathy and inaction when it comes to their own experiences with victimization. As a result, law enforcement officials

are perceived to be ineffective and illegitimate. As such, Boehme and colleagues (2020) argue that when exploring perceptions of the police, it is important to establish a clear distinction as to the factors that influence these perceptions. They acknowledge that confidence in the police can be influenced by a number of factors that represent either concerns about over-policing or under-policing, and thus argue the two factors deserve their own “empirical attention” (pg. 9).

They set out to accomplish this in their recent study which explores the relationship between race, ethnicity, and perceptions of over and under policing. Using the Project on Human Development in Chicago Neighbourhoods (PHDCN) Community Survey, which includes a sample of 7,489 adults across 342 neighbourhood clusters, the authors find that both Black and Latinx persons are more likely to report the over-policing of their communities, in comparison to their White counterparts. However, Black persons are more likely to report under-policing in their communities, in comparison to their White counterparts. The authors conclude under and over policing are therefore distinct and unique concepts that deserve independent attention. They too suggest, exploring these concepts separately further supports the notion that race and ethnicity is a salient factor when it comes to examining community police relations.

The under-policing of racialized communities is also an area of concern within the Canadian context as a number of federal and provincial reports document police inaction during missing persons or homicide investigations involving Indigenous peoples (see Aboriginal Justice Implementation Commission 1991; Broken Trust 2018; Inter-American Commission on Human Rights 2014; Missing and Murdered Indigenous Women and Girls

2019). To illustrate, family members recall delayed responses in calls for service or when seeking assistance in finding a missing family member. Furthermore, a number of incidents demonstrate police failing to properly investigate death cases that were later deemed homicides (Ben-Porat 2008; Broken Trust 2014; Inter-American Commission on Human Rights 2014; Missing and Murdered Indigenous Women and Girls (MMIWG) 2019). In fact, after the MMIWG inquiry was released, RCMP Commissioner Brenda Lucki apologized to the families of Indigenous victims by acknowledging that racist attitudes among police officers resulted in police failing to respond when Indigenous women and girls were in time of need (McKenna 2018).

Researchers also suggest police inaction is a result of racially biased police perceptions that racialized peoples are problematic citizens who are responsible for their own marginalization and thus do not deserve police protection (Aboriginal Justice Implementation Commission 1991; Dhillon 2015; Gau, Corsaro, Stewart, and Brunson 2012; Klinger 1997; McGuire and Murdoch 2021; Perry 2006). These racially biased perceptions of racialized communities, however can have dire consequences. If racialized peoples do not believe the police will protect their communities, researchers suggest this can lead to citizen's attempting to deal with crime in their communities, on their own -- i.e. vigilante justice (Kubrin & Weitzer 2003a; 2003b; Torres 2017), increased vulnerability to violence (Crowther 2013), and a decreased willingness to call police when in need (Carr et. al., 2007; Kane 2005).

Unfortunately, very little is known about perceptions of under-policing within Black communities in Canada (Maynard 2017; Wortley 2019). As such, this lack of data

demonstrates the need to have a better understanding of the experiences that influence both Black and Indigenous peoples' perceptions of law enforcement in Canada.

Theoretical Orientation -- Critical Race Theory

Critical race scholarship grew from a desire to explain such persistent social inequalities for people of color, despite legal statutes that support egalitarianism. Legal scholars including Derrick Bell, Kimberlé Crenshaw, Mari Matsuda, and Richard Delgado sought a critical examination into how the law systematically maintained injustice and inequality for racial minorities. To illustrate this point, Bell (1978) uses the civil rights movement in the 1960's to show that despite African Americans gaining access to 'equal' rights, Black peoples, in particular, continue to experience racial disparities on all social indicators of progress. Thus, regardless of legal statutes (similar to Canada's Multicultural Act and Charter of Rights and Freedoms) that promote equality, race and racism still plays a significant role in determining one's social status.

As such, scholars promoting CRT posit that race is ordinary and deeply embedded in society's functionality. Therefore, race is a salient factor that impacts the everyday experiences and life chances of racialized people. Theorists staunchly reject the notion of colorblindness. They argue legal statutes that claim racial neutrality merely serve to make racial discrimination harder to prove. Furthermore, theorists contend that there is little incentive to eradicate racism as the marginalization of racialized peoples serves both the interests of White elites and the White working class in maintaining the status quo. This further supports the notion that race is socially constructed. Critical race theorists contend this is done to justify one's perceived value in society, making it easier to validate the

continued marginalization and oppression of racialized peoples (Delgado and Stefancic 2017).

In an effort to demonstrate these basic tenets, CRT upholds the role of storytelling as the ideal method of inquiry. Rooted in both African and Indigenous traditions, storytelling is seen as “an essential for [oppressed groups] own survival” (Delgado 1989 pg. 2436). Early critical race theorists including Bell (1989, 1992) and Delgado (1992) stressed the importance of the story as a powerful tool of liberation to contrast the dominant narrative promoted by those in power. The story is seen as a legitimate form of knowledge production as it comes from the voices and experiences of those who experience racial discrimination. The story is meant to empower those who are traditionally marginalized, as their voice can systematically deconstruct national myths of equality. By uplifting and centering the “voice of color”, society can have a better understanding of the impact that race and racism plays in the lives of racial minorities (Obasogie 2013).

Critique of CRT – The utility in exploring “whiteness”

Years after its development, founding CRT theorist, Richard Delgado and colleague Jean Stefancic argued the theory had room to grow (1997). They suggested that if race is a social construct, to maintain critical engagement researchers should also examine the concept of “Whiteness” (1997) and its role in maintaining white supremacy. A growing subset of criminologists agree (Henne and Shah 2015; Smith 2014; Webster 2008). They argue that the discussion surrounding race and crime is too narrow and binary in focus (Webster 2008; Smith 2014). Often comparisons are made between Black and White racial categories, in turn

viewing the categories as homogenous. As a result, the binary focus fails to view any differences in individual characteristics within these racial categories. To illustrate, Webster (2008) argues that there is a hierarchy of Whiteness, and that a White person's position in society and propensity for criminal behavior is influenced by factors such as geographic location, gender, and socioeconomic status. Additional scholars argue that many Whites perceive a difference and otherness among themselves (Smith 2014; Torkelson and Hartmann 2010; Webster 2008) and as a result the perceived 'otherness' acts to marginalize those who do not fit the ideal 'White'. Thus, identifying White as a default or "master" racial category does a disservice to the study of crime. Synonymous with the goals of critical race theory, these scholars argue a need to examine crime through a critical white lens in order to have a more nuanced understanding of the factors that may influence perceptions of the criminal justice system and criminal behaviour. They argue that it is just as important to understand how "whiteness" is socially constructed and influences a person's privilege and position in society. However, a critical analysis must also include an examination of the factors that may negate that privilege (Smith 2014) and may cause a White individual to negatively perceive societal institutions, including the police. Following this argument, in addition to exploring perceptions of police among racialized youth, my thesis aims to explore the experiences and perceptions of White youth as well. More specifically, the experiences of homeless White youth, who may be perceived as an outsider (Webster 2008). I must make it clear that I am not implying that race or the color of one's skin is not a salient factor in how one perceives and may experience the criminal justice system, in fact to the contrary. I simply aim to provide a more nuanced exploration of "race" and examine if other factors,

such as SES, may yield some similarities or differences in how White, Black and Indigenous youth perceive the police.

Research Questions

Little is known about the lived experiences of youth who encounter police in Canada (Cao 2014), but even less about the experiences of racial minority youth. May the experiences of Black and Indigenous youth in Canada support the argument that they are subject to differential treatment based on their race? If so, what are the impacts of this perceived racial bias and how does it influence perceptions of the police? To explore further the current study examines a sample of Black, Indigenous and White youth in the city of Toronto, which has the largest Black and Indigenous population in Canada (Statistics Canada 2018).

While the study does follow a critical race method of inquiry and focuses on the experiences and perceptions of Black and Indigenous youth, in order to have a full understanding of the lived experiences of racially marginalized youth in Canada, I believe it is relevant to explore and compare the perspectives of their White counterparts. As previously noted, in Canada there continues to be a strong sentiment that all are treated equally, thus the author aims to demonstrate the varying experiences of Black, Indigenous and White youth. Some critical race scholars may argue that the inclusion of White youth distracts from the goals of centering racialized voices (Obasogie 2013), however, I challenge this by arguing that the inclusion of White youth and their experiences with the police may further demonstrate variance in the treatment of racial minority youth. If White youth do

indeed experience a state sanctioned institution differently than their racialized counterparts, this explicitly demonstrates White privilege in action. By examining the experiences of an ethnically diverse sample of youth, the study allows one to see if Canadian police, indeed, do treat all with “respect, equity, and dignity,” (Toronto Police Service 2020a) and establish whether there is in fact ‘equality before the law’. If the stories of youth in this study demonstrate that these sentiments apply to a particular racial group, the equality narrative promoted by Canadian law enforcement agencies can be dismantled.

The current study explores the following research questions:

1. Do experiences with the police differ between youth from Black, Indigenous and White racial backgrounds?
2. Do youth perceptions of the police vary by racial background?

Methodology and Setting Description

The current study is based on in-depth semi-structured interviews with 34 young Black, Indigenous and White men and women from the Toronto region, who have had direct contact with the police. Interviews were conducted between February 2019 and March 2020. Participants ranged from the age of 16 to 24, with a mean age of 18. Fifteen (15) participants identified as White, four of which were woman, fifteen (15) identified as Black, with four woman and finally, four (4) youth identified as Indigenous men. Participants for the study were sought with the help of community partners with a local youth shelter, legal aid clinics, as well as youth afterschool programs in the Toronto region (see table 3.1). The author was given permission to present to youth within these organizations to explain the purpose of the

study. Furthermore, promotional posters were distributed to each organization. The author explained that the study was voluntary, participation would be kept confidential, and they would be paid \$30 for their time. Interviews were conducted in private offices provided by the organizations and lasted, on average, for about an hour. However, five interviews took place off-site at local libraries. Finally, at the request of the youth participant, one interview was conducted through email correspondence, facilitated by staff members at a local youth shelter.¹³

TABLE 3.1: Sample Characteristics

	Number	Percent
Race		
Black	15	44.1
White	15	44.1
Indigenous	4	11.8
Gender		
Male	26	76.5
Female	8	23.5
Age		
16-17	12	35.3
18-19	12	35.3
20-24	10	29.4
Recruitment location		
Shelter	18	52.9
After-school program	15	44.1
Legal clinic	1	2.9
Total	34	100.0

¹³ Interview questions were provided to the youth by email, through a staff member’s organization account. The youth returned the completed answers to the staff member’s email account. The youth’s name and contact information were never shared with the author.

Youth who have lived experiences with police were the focus of the study. This was done to ensure that perceptions of the police were based on youth who have had contact with the police. This includes police-initiated encounters including involuntary police stops, questioning or arrests, as well as any calls for service. While there is a growing body of research that suggests vicarious experiences as well as familial perceptions may influence how youth perceive law enforcement (Friedman et al 2004; Sindall et al. 2017), the aim of the study is to explore whether youth perceive direct police encounters were influenced by their race. Thus, youth who were more likely to experience a police interaction were targeted for the study. The decision to recruit youth who reside in shelters is done for two reasons. One is in response to previous research that suggests “street youth” are more likely to encounter police (McCarthy and Hagan 1991, 1992). Furthermore, a Canadian study exploring the life experiences of Toronto street youth suggest that many street youth are likely to have experienced previous victimization (Gallupe and Baron 2009). Experiences with victimization has been identified as an important contextual factor when examining perceptions of police as the role of police is directly related to assist those who are in distress or victims of a crime (Smith and Hawkins 1973). Thus, researchers argue that individuals who experience victimization are more likely to have contact with police (Apple and O’Brien 1983; Cao et al. 1996; Homant et al. 1984; Koenig 1980; Sindall, McCarthy, and Brunton-Smith 2017; Smith and Hawkins 1973). Following this logic, victims of crime may be more apt to evaluate police performance. However, I too want to explore whether low SES among White participants may influence their perceptions of the police. This is in response to

critical White scholars who suggest SES may influence their experiences with social actors (Smith 2014; Webster 2008). In essence, they argue class is significant when exploring the experiences of White individuals. Therefore, participants from each racial background come from a youth shelter, as well as the after-school program. Additionally, a small sample of Indigenous youth were interviewed from local legal agencies.¹⁴

All youth were asked questions about their overall impression of the police, whether they trust and respect the police, their perceptions of safety in the presence of police and finally, all youth were asked to share both positive and negative interactions that they had with law enforcement officials. I specifically asked about the factors that helped shape their opinions of law enforcement and the broader justice system.

To highlight the experiences of racial minority youth, I follow a composite narrative approach, which is one of three forms of counter-storytelling within the critical race paradigm (Bell 1987, 1995; Solórzano and Yosso 2002). In this method, composite characters are created based on study participants. They are then situated within a story that speaks to their experiences with racism (Solórzano and Yosso 2002). The composite story allows one to use collective stories to create a single character. This method aims to demonstrate that experiences with racism and white supremacy is a shared reality for racial minorities (Bell 1992; Cook and Dixson 2013; Solórzano and Yosso 2002). These stories aim to empower the traditionally marginalized and give voice to those who are best suited to

¹⁴ The initial intent was to include a larger Indigenous sample, however due to COVID-19 restrictions (the global pandemic), the author was not able to recruit additional participants.

speak to the harms of systemic oppression. My decision to develop a composite story was also influenced by the deeply rich and personal experiences shared by the participants themselves. Synonymous with the sentiments of qualitative researchers who also utilize narrative approaches (Adams 2008; Cook and Dixson 2013; Willis 2018), I felt selecting a limited number of quotes to identify salient themes would not capture the nuances revealed in the youth's traumatic stories. As Delgado (1989) notes, the story is a "powerful means for destroying mindset" (pg. 2413). Indeed, the narratives shared by the youth in the study do counter institutional claims that all people experience equitable rights.

Mode of Analysis

All interviews were transcribed and analysed by the author. This process allows for a deep familiarization with the data (Nowell, Norris, White, and Moules 2017). Focusing on the stories of the Black and Indigenous youth participants, preliminary codes were created to explore potential themes. These codes are a reflection of youths' responses to the open-ended questions that explore overall impressions of law enforcement, as well as both direct and vicarious police encounters. Initial codes included "perceived differential treatment," "fairness," "police representation," "safety," "victimization," and "criminal engagement." From these initial codes, common themes were identified. Many Black and Indigenous youth expressed feelings of racial bias in their encounters, unequal protection in comparison to White neighbourhoods, lack of attention to issues within their racialized neighbourhoods, and finally fear in the presence of police. The author then turned to the semi-structured interviews of all White participants to determine whether these sentiments were also expressed. Not one

expressed these codes. Based on this observation, four salient themes on racial minority youth perceptions of the police were identified. In comparison to their White counterparts, Black and Indigenous youth perceive the police 1) single out, and thus over-surveil youth from their racial background; 2) are racially biased and contribute to the criminalization of youth from their racial background; 3) do not make youth from their racial background feel safe; and finally, 4) do not protect communities that are predominately racialized.

To capture these themes, I create a counter-story to refute the police narrative that they serve and protect all communities equally. In an effort to create an impactful story that stays true to the narratives of Black and Indigenous youth in the study, I avoid improvisation and use verbatim quotations from the original interviews (Willis 2018). To help create dialogue for the upcoming story, literal quotes from a prominent Canadian police official are used to denote the police narrative. Fortunately, as a result of the global discussions surrounding policing, there are no longer a shortage of think pieces, quotes and/or public dialogue from Canadian law enforcement officials addressing racially biased policing. Bell (1995) argues that critical race writing should be “characterized by the use of the first person...[with] an unapologetic use of creativity” (899). Therefore, the decision to have Black and Indigenous youth narratives juxtaposed to word-for-word quotes of a well-known Canadian police official not only aims to demonstrate common institutional responses to issues raised by the youth study, but also provide a deeper understanding of the harms of biased law enforcement practices. This process aims to show that the narratives used to develop the story are not a work of fiction, but taken directly from the original transcripts in the study (Willis 2018). Few words are added by the author. However, any words added by

the author (in an attempt to create flow in the story) are *italicized* to help the reader identify author improvisation.

Reflexivity

Critics of qualitative research argue that a researcher's values and assumptions can have an impact on what is deemed important and included in analysis (Creswell and Miller 2000). However, qualitative researchers have argued that it is near impossible to assume that any research is objective and value free (Johnson et al. 2007). Even the selection of a topic is based on what the researcher deems important. Credibility is considered one of the most important components in establishing validity and trustworthiness within qualitative research (Tashakkori and Teddlie 2003). Thus, a qualitative researcher must acknowledge two important perspectives (Creswell and Miller 2000) in order to increase a study's credibility and validity. First, the researcher must decide the 'lens' through which they choose to validate the study, which can be through the lens of the researcher, the participants in the study, or through an external researcher. Secondly, the researcher must decide their paradigm assumption. As I will be using CRT to guide the qualitative exploration, I will follow a critical paradigm which aims to explore how an individual's experiences are constructed and interpreted. The critical paradigm acknowledges that our perspectives may be situated in our social, political, economic and ethnic position in society (Creswell and Miller 2000).

Similar to other qualitative methodologies, critical race theorists stress the importance of reflexivity (Nowell, Norris, White, and Moules 2017; Solórzano and Yosso 2002) as the validity and credibility of the research may be called into question and assumptions may be

challenged. Thus, it is important that I be upfront about my ‘lens’ as the researcher and acknowledge the role that my values and assumptions may play in the research. I, a Black woman and scholar, am researching a taboo topic (Wortley 1999) that is influenced by my own experiences as a racial minority in Canada. It is important that I be upfront about my ‘lens’ as the researcher and acknowledge the role that my values and assumptions may play in the research. I must acknowledge that as a Black woman, my gender and racialized status may influence what I “see” but also what the participants decide to share with me. To increase the credibility of the study, I completed a reflexive journal in which I expressed my own thoughts and perspectives during the data gathering process. I did so, as I felt it was important to disclose my own assumptions, beliefs, and biases in order for the reader to have a better understanding of my position in the research (Nowell, Norris, White, and Moules 2017). Perhaps my race and position within this research may influence the identified themes, however inclusion of the quantitative study in the previous chapter demonstrates that Black and Indigenous do indeed report more negative perceptions of the police. The importance of the current study is to understand why.

Some qualitative researchers advocate for a level of separation from their research (Patton 2002), but for me, this is not a choice. Instead, I choose to frame that my position as a race scholar, who is in fact racialized, gives me the opportunity and privilege to identify and thus share the nuances of Black life in Canada. While this carries a great deal of responsibility (Richie 2012), it too plays a role in working towards racial justice.

Story background

The story centres around Toronto's former police chief, Mark Saunders. As the first Black police chief in Toronto's history, his appointment was celebrated, but seemingly represented little change for racialized communities. His time as police chief included a number of controversies including his support of formal surveillance policies which had a disproportionate impact on Black communities, inaction in the midst of several racialized LGBTQ persons who went missing and later discovered murdered, as well as his refusal to meet with BLM activists after the police-initiated shooting death of Andrew Loku, a Black man in a mental health crisis in 2016 (Gillis 2020).

Like a growing number of police leaders, both in the United States and Canada¹⁵, in the midst of the police reform movement, Mark Saunders announced that he too would be leaving his post as chief, despite having more than a year left on his 6-year tenure. Many questioned why Saunders, one of the few Black police chiefs in Canadian history, would leave at a pivotal time in policing that called for reform and increased accountability to Black and Indigenous communities. Despite this, Saunders maintained that he was proud of the police service and "not leaving with a heavy heart...as I believe [Toronto] is the best law enforcement agency in the world" (YouTube 2020). This grandiose claim however ignores the years of complaints and inquiries into Toronto police misconduct, including recent survey

¹⁵ Police resignations in Canada include Durham Regional Police. In the U.S., they include Atlanta, GA and Rochester, NY

data that demonstrates Black and Indigenous peoples, in particular, are less likely to trust the Toronto police (Fearon and Farrell 2019). Therefore, the following lived experiences and stories told by Black and Indigenous youth aim to counter the former police chief, and question whether Toronto law enforcement officials can in fact be lauded as ‘the best in the world’. Quotes from Mark Saunders come from his official resignation speech to the media, as well as a letter penned to Toronto citizens, weeks after his announcement¹⁶.

The following counter-story takes place in a boardroom at Toronto Police Headquarters, where Mark Saunders personally announces his resignation to members of the Chief’s Youth Advisory Committee (CYAC). This committee is in actual existence and is described as a youth group that allows the chief a “point of reference in the community to engage in constructive dialogue with appropriate, recognized community spokespersons” (Toronto Police 2020c). However, members of the committee are selected by the police and there is no public documentation identifying who or what has been achieved through these consultations. Furthermore, as noted on the committee website, the Chief himself does not attend these meetings. Instead, a senior officer is assigned to the committee “to ensure...an effective flow of information between the Executive branch and the committee” (Toronto Police Service Website 2020c). Therefore, for the following story, I have created five composite characters who serve as members of the CYAC. Each character represents several

¹⁶ Toronto police chief Mark Saunders announces he is resigning at the end of July https://www.youtube.com/watch?v=D6MWyhV_yc8; Toronto police moving quickly to combat anti-Black racism

youth participants in the study. Kerry represents the young Black women in the study, Sean and Jay represent the young Black men, and Nathan represents the young Indigenous men. Finally, I also include Tom, who represents the White youth in the study. While Tom will not be a dominating voice in the story, I purposefully include the White experience to directly demonstrate racial differences in police interaction. Tom represents what Solórzano and Yosso (2002) refer to as the “majoritarian” (pg. 31), the stories that manifest the dominant narrative. In this context, Tom represents white privilege at work. He provides the reader an opportunity to see what policing should and could represent to all.

The Counter-story

Chief resigns, but everything is fine!

Mark Saunders walks into the executive board room at 40 College St., for what may be his last meeting as Toronto Police Chief. Kerry, Sean, Jay, Nathan, and Tom, members of the Chief’s youth advisory committee, are already seated and can’t believe they are finally meeting the top cop. In the past, a member of his senior team would attend meetings on the Chief’s behalf. But not this time. The Chief specifically requested to meet with the team to share a few words to address the future of the service upon his departure. Kerry, Sean, Jay, Nathan, the only Black and Indigenous members on the committee were looking forward to this very moment. With the Chief leaving in the middle of a global movement calling for police reform and accountability to Black and Indigenous communities, if there was ever a time in history to let him know just how they felt about policing in Toronto, it was now.

The Chief opens the session. *“Hi. It is so great to finally meet you all. As I’m sure you have already heard, within a few weeks I will be retiring and leaving my post as Chief of police.*

However, before I leave, I want to reassure you that we recognize that above all else, the Toronto Police service will continue to do everything that it can to ensure that public trust is at the forefront of every word and every deed. After 37 plus years of serving I believe we are the best law enforcement agency in the world. You know, this is the big show, this is the last dance when it comes to policing in Canada. Many are called but few are chosen to become a member of this organization. I've watched this service from start to finish, grow, learn, listen, and serve the greatest, 4th largest city in the North American continent and the most diverse city in the world. And with that, I wish you all well."

The Chief gives the committee a nod and gets ready to leave. Kerry nervously raises her hand. She's been in a room of law enforcement officials before, to talk about her negative experiences as a young Black woman with school resource officers. She felt intimidated and scared then. She felt the same apprehension and fear now, but was determined to speak. Kerry states "*Sorry Chief but when I think of the police, all I can think of are bald White men in their 30's or 40's who don't live in the city, and don't care about my community. So, I don't really think the Toronto police represent or really are the best for our city*".

Silence fills the room. The Chief looks perplexed.

Despite his own fear, Nathan wants to support Kerry by also sharing his feelings. As an Indigenous young man, he too feels the whiteness of the service impacts how on they interact with his community. Nathan states "*Yeah, y'all just wave your badge like it's some kind of honour when it's not suppose to be that way. You're suppose to do your job and not use it to your advantage but I see a lot of cops act like we have to listen to them and force yourselves on us when we're not doing anything wrong. It's unfair, I've had lots of encounters where I've just walked and gotten stopped and searched because I look like someone or something. And I do think I'm stopped more because I'm Native. I'm not saying there aren't good cops, but some can be biased.*

The Chief responds, “I understand concerns have been raised in the past and we have listened. Accountability and transparency are the fabric of public trust, public trust is the fabric that creates community safety. *We are doing our best to keep you all safe*”.

Sean fidgets in his seat. He doesn't trust the police and doesn't believe a word about accountability and transparency. He'll never forget his first encounter with the police. He wants the Chief to understand that his negative experience shaped the way he viewed police forever. Sean raises his hand and begins to speak. “One time in grade 9, I was walking home from school with some friends. The cops just rolled up on us. They told me to shut the fuck up. They pushed us against the car and got very aggressive. They arrested me and my friends and brought us to the station. I said what is wrong with you people. He just kept saying shut the hell up and didn't give us our rights. Just no explanation. I was in a holding cell for the evening. While I was there they gave me a lawyer who said I don't have to say anything but he still didn't tell me what I did wrong. I had no idea what it was about. That's when I started getting really scared. I was just getting into high school at that time and had been in no trouble. We all went home the same day. There was no court or nothing – just went home and nothing happened. It was weird and 2 years later, I still don't know why I was stopped. I think of that every time I see police. *What did I do to deserve that?*”

The Chief seems to be searching for the right words to say. He hastily states “The Toronto Police receive almost 2 million calls for service annually. Are we right every time? No. But we do hold ourselves accountable. We have a duty not just to serve and protect without bias, but to care, to strive for excellence. Our members want to do right by our city, by our colleagues, and by our families. *And we take that very seriously.*”

Sean responds “I respect the time your officers put in their jobs. Of course, they have family to feed and I respect the fact they they're out there risking their lives, it's courage you know, so I give them kudos for that. But in my community, I see it all the time. Your police officers racially profile. They are unfair. You believe we're all doing crime but that's unfair because

for the good guys that don't do anything, they still target us, without actual proof, which I feel is disrespectful and not professional.”

Kerry responds “*Exactly! To be honest*, I think there are certain communities the police protect, and certain communities they enforce. The communities they protect are upper middle-class neighbourhoods that are mostly White, and then in areas where they have darker skin, they're just stopping people on the street and collecting information on them so that they are an easier target to enforce in the future.”

Tom interjects “*Well*, I think the police treat people fairly, and the police have to abide by the law, that is fair. Doesn't matter if you are Black, White, Indigenous, anything. You have to abide by the laws of the police and that's just it. I mean, I probably shouldn't admit this, but I remember a time where a group of friends broke into an abandoned house and broke some stuff. The police came and were a lot more friendly than you would think with a bunch of hooligans like us. They were not at all angry at all. They just said they could give us a ticket, but didn't, and told us not to do it again. No one got a ticket. There were Black and Asian guys they treated us all the same.”

Jay, who has been quiet the whole time spoke up. “*Are you being serious man, you think the police are cool just cause they didn't arrest you and your one Black and Asian friend?*” Jay scoffs. “Man, there is a lot of killing going on in my neighbourhood. Okay! I have friends that have died. Families don't know who have done it. I have noticed a lot of young Black teens are dying. I know it may be because of what they are doing and stuff, but what are the police doing to help protect my community? It just seems like the cops don't really care to help those who really are in need. And it seems like the police always get there too late to actually help anyone. Sure, they'll clean up the mess, but they're kind of like “alright, let's get this over with”, they don't really care about the situation or the people.”

Kerry agrees “Yeah. The police don't know what it is like to live here, they know that crime happens here, but they don't see why it is happening or what leads these kids to do all this

fucked up shit. That's what's wrong, we need more police that are actually from the community, they're less likely to shoot their own community members and treat them like shit."

Kerry pauses for a moment and then continues, "I don't think the police care about Black people. I feel like there is an aspect in policing where a lot of the White police are just inherently scared of us, you know? Or they have this perception that we are already doing something wrong, so it doesn't matter. They will always come into a situation looking at us like criminals, so there is nothing we can say or do that will change their mind. So, I think they have an inherent bias, maybe because of their own community or where they are from, but I don't think your officers can serve all communities equally".

The Chief responds "*Kerry, I'm glad you brought that up because, we as a service have been working on potential bias.* With regards to anti-Black racism, I want to share areas we are already investing in. First, we are in year two of a best-in-class training program that goes beyond what most public sector organizations have offered. We are learning what anti-Black racism is, about implicit and explicit bias, and about the experiences that affect the Black community in relation to systemic discrimination and policing. And, implicit bias training is mandatory for our officers".

Sean laughs. He can't believe what he is hearing "*Wait, so you're only learning now what Anti-Black racism is? That's weird when complaints over anti-Black racism with Toronto police have been around for decades* (Lewis 1989; Lewis 1992; McLeod 1996). Don't you know what it feels like to be singled out because of the color of your skin? It's demeaning and embarrassing. I was at this house party with a bunch of White kids. Me and my friends were the only Black kids there. We were invited by the White girl throwing the party so it was cool. Believe it or not most of the White kids were doing drugs and crazy stuff! I guess the neighbours called the police. Me and my boys were just having a good time, in the basement like, just turning up". Sean smiles and shrugs his shoulders. Members of the

committee give a nervous laugh. Sean continues “We didn’t even know the police were outside until we came outside for a bit. So, the cops see us and say “oh you need to come here” and I’m thinking to myself, why? No one else was asked to come. Guess they didn’t want to believe it was the White kids, but it was! And when I’m trying to explain we were invited to the party and just dancing, they didn’t want to hear us. They lined up me and my boys and asked us if we had weed. When they couldn’t find weed on me, they let me go, but my boy was charged. But yeah, it was just us who were pulled aside. And its shitty, you know. Cause obviously you see your friends are looking at you. It’s so stereotypical, who wants to be in that position? If we are all to be treated fairly then line us all up together. The White kids, the Black kids, all of us. Don’t make it so obvious that because of the color of their skin, they have more privilege than us cause they saw us go into the police car, for the same crime, but were getting punished more, it doesn’t make sense”.

Jay adds “Yeah, it’s like that time when me and my friends got stopped, I was the only Black guy in the group and the police only made eye contact with me. They’re asking about a crime that had happened at our school but they only wanted to take me in for questioning, for absolutely no reason. Man, you can’t trust police after that. You don’t want to trust them, you don’t want to be around them, you don’t want to respect them”.

Sean exclaims “*Right!?* Out of 10 black kids, 8 will experience a racial situation with police. I feel like it is just something you have to come to terms with. We always seem to “fit the description”. But you just got to pick yourself up and dust yourself off and go about your day.”

Tom looks uncomfortable. He is hesitant but speaks anyway. “*Okay, I hear you.* But, when you see people complaining about the way an officer has treated someone, it’s usually because they brought that onto themselves. Because, they’re the officers who are only trying to do their job and what they’re told to do. From my own perspective, I don’t judge what the police do, they have a job to properly make sure that we are all safe. So maybe it might be mistaken identity, but

they're just doing their job to get rid of drug dealers and bad people. I think police are good people and their doing their best to keep us safe from chaotic behaviour”.

The Chief jumps in “*Yes, exactly!* I rarely make comparisons to other entities, but these are different times, so let me say the following: we are the fourth largest municipal policing service in North America and we are leaders in officer training and service delivery. Policing in Canada is different than in the United States, in civilian oversight, recruitment, training and transparency, and we are fortunate as citizens in a large, growing urban city, for that”.

Sean responds “I don't know about that Chief. I don't have a lot of experiences with the police but the few that I do haven't been positive. Yeah, you'll hear 'oh that's the States', but then you just see the same thing happen here. I don't feel safe around the police. When I see them, it's always a feeling of 'uh oh', something's going to happen even though I'm not doing anything. I get that all cops aren't bad, but the cops are bullies. There was one time where I was arrested for an assault charge. It was the first time I was ever handcuffed. I'm sitting in the back of the police car, quiet. I didn't want to say anything. There were two police officers and they drove me to my uncle's house. One of them was like 'oh this guy's too quiet, he's no fun' or whatever and kept saying stuff like that. When we got to my uncle's house, one officer went to the door to talk to my uncle and then other police officer turns to me and is like 'oh, if I was your uncle, I would beat the shit out of you'. The way they came about it really affected me. It was like they saw me in a certain light based on the charge report and started treating me like that from the bat. I was 13 years old, I'm was a good kid, it's just stuff happened but I got treat like an awful criminal. I didn't really have any opportunity to say my side. I find that weird too, someone could just say that you did something and the police will just come and arrest you and not even ask you whether you did it or not”.

The Chief responds. “*I am sorry to hear that.* Again, we haven't been perfect but we have always tried to move towards excellence. We never stop, we always listen, and serve with

compassion. Listen, in my first appearance to every recruit that joins this organization, I tell them, we are looking for guardians not warriors.”

Tom jumps in. “*Yes!* I have mental health issues and when I got into some trouble, the police were calling me to make sure I was better, and making sure I was doing good for myself. I feel very comfortable around police, there has never been a police encounter that I think that has made me feel uncomfortable. I think even if there was a time that I was going through that type of thing, I would think police would help me.”

Kerry responds “*That’s great for you, Tom, but from my experiences the police are definitely not guardians to me. And honestly, it’s probably because you’re White that the police showed you compassion.*”

Tom wholeheartedly disagrees. He exclaims, “It wasn’t because I was White, are you kidding me! I’d rather not speak on racial terms, I’d rather say that all of us, even if you’re Black, White or Indigenous, that we are all the same person inside, and I think the police are not people who would actually judge by race. I don’t think they ever have. Even if there are stories that people said that police shot them down because they’re Black, I don’t believe it was on purpose, to kill that person. I think they’re were just doing it to protect themselves”

Kerry responds “*Oh really, Tom. You think the cops only pull out their guns for ‘protection’? Let me tell you about a time where my friends and I were having a small campfire at a school field after hours. Someone called to report a fire, so the police ended up showing up. We all got kind of scared, so my friends started running, but I stayed. The first thing the cop did was pull his gun and point it at me. I was explaining that we were having a small fire and roasting marshmallows. The cop was asking me questions like who I was and what I was doing with the gun pointed at me the whole time. I was talking to him and explaining we were just having a small fire. He kind of just made me put out the fire and he didn’t put his gun away until I put out the fire, then nothing went further. What did he need protection from, Tom? I was the only one there and I was like, 13. I do feel like if it was a different group of people,*

the officer wouldn't have pulled his gun. *You know what*, it was at that point that I realized all they see you as is a criminal.”

The Chief responds. *“That is inconsistent with our values and I can't answer to that officer's actions but I know that we are working to be better. We must move to action. It's a reality that many are grasping with new urgency. The people of Toronto need to know that their police service has been working for years to prepare for this moment. We created the 2017 Transformational Task Force, and it was a game-changer. It is what policing should look like in Toronto. We came away with a singular focus: our communities. Our communities are at the core of everything we do.”*

Kerry jumps in. *“If you really want to be a part of the community, then show up other than to arrest us. The only time police are around my neighbourhood is to arrest a young person, never to do anything fun. I went to a nice little Catholic elementary school when I was younger and there was a lot of Ukrainian, a lot of like Northern European people, and I saw police presence there, but like the right kind of presence but then going into communities that need safety, the only time you see police is to arrest someone. There is a police station right across from my high school, which is mostly Black and Brown people, have police ever gone there to do programming or whatever? No! Police never make an attempt to bridge anything with us. These White schools have held barbecues on the same day that we held barbecues but the police are more likely to go to the White schools. There is literally no effort, whatsoever!”*

Kerry pauses and then continues “There's so much work to be done. Our community already has such a distrust and aversion to police. So, I get that it might be hard to build a positive relationship with us, but you're also a person at the end of the day, so I feel like relationships need to be built way earlier. No just popping in after a friend's been arrested or after I've been arrested to check in, you know. At that point, police already mean something horrible. So, from day one, you all need to be a positive and show some compassion”.

The Chief responds “*I am listening*. It is not possible for police to function without trust. We have a duty not just to serve and protect without bias, but to care, to strive for excellence, and to change when needed.”

Kerry goes on “*I don’t feel like you all care*, just from my personal interactions with the police. When I was younger, I would have to call the police a lot because I didn’t feel safe, and I would just watch the police treat me and my family like criminals when we were the victims. And that’s when I started to realize, we are not the same. It’s scary when there is stuff happening and you don’t feel safe enough to call the police because you don’t think they’re going to do anything or they are going to treat you like you’re the criminal or can get you arrested. Honestly, I think the police represent protection for a certain type of people, I think the police are necessary, but it wasn’t created to make sure people like me are safe and meant more to put people like me in jails. And you know what, that what makes it harder for people my age to have a good life. I’ve seen so many people get charged for something which ruins their life and they start doing bad stuff since they already have a record. They know what they’re doing, we’re easier targets”.

Nathan chimes in. “*Yeah!* I’ve had a lot of encounters where I’ve just walked and literally gotten stopped and searched because, I look like someone or something. The police will use anything to get to me. *Ya’ll* come in Native communities and look down on us when you talk to us. You’re always looking around searching for something, they’re not even paying attention to conversation, they are looking around all the time, and they didn’t even have a reason to look around...it’s weird”.

Kerry nods in agreement “*Your* officers don’t seem that interested to serve and protect people like me, who are in need. I don’t feel safe. I don’t take the police seriously, if they don’t take me seriously. Also, it effects my whole relationship with them. I can’t respect police that seem to be selective in who they help. You can’t do that in any other field, you just wouldn’t

be able to do that. I've worked retail and have been held to a higher standard of treating everyone the same then the police are, it's sad."

The Chief responds "*I hear you. We, as a service, are listening. The Black community, in particular, is telling us who they are and who we are and we will move to action. Toronto has been working for years to prepare for this moment. We are committed to listening and working together with the public and governments for change.*"

Jay gets agitated and shifts in his seat. But he can't stay quiet any longer. He blurts out "*What do you mean by that Chief? I saw in your resignation speech earlier, you say 'I see a lot of young Black boys getting killed by young Black boys and law enforcement deals with those symptoms' and that '[you] want to help find the cure for the disease'. Just so I'm clear Chief, do you and the police see Black people as a disease that needs a cure? Do you know how dangerous those words are? You associate Black people with a disease and that probably is exactly how the police see us. Cause whenever I do see a police officer, I think they just look at me as a Black kid, who's going to end up doing the same crimes as another Black kid. To them, I'm just another nigga*".

The Chief calmly stands up and states "I am angry, as a Black man, a father, a husband, a brother, a son and police chief. There are no words to describe the anguish of the lived experiences of some members of our Black, racialized and vulnerable communities. *All I can say is, we are committed to listening and working together with the public and governments for change. With that, I leave the rest of the meeting to my executive team. I thank you all for your time, but now I must go.*" The Chief abruptly turns and leaves the room.

Silence fills the room upon the Chief's departure. The members of the committee look at each other, not knowing what to say.

Kerry breaks the silence “Unless I feel like the police are actively trying to protect me or that they stand for something that protects everyone, they’ll never help resolve the issues that our communities are facing. We shouldn’t need armed officers to make sure we are all socially responsible, especially when we are all navigating systems that are kind of pinned against us”.

Everyone nods in unison.

Kerry turns to her fellow youth committee members and eloquently states, “I don’t think police are the answer, but they’re also advertised as the only answer, and that needs to change”.

Discussion

Law enforcement agencies in Canada often maintain that they engage with all members of the community in a fair and respectful manner. However, the stories told by Kerry, Sean, Jay, and Nathan suggest otherwise. Similar to numerous U.S. studies exploring police interactions within marginalized racial communities (Brunson 2008; Gau and Brunson 2010), their stories suggest that, in Canada, discriminatory experiences, including events of police violence within Black and Indigenous communities, can begin at a very young age. Despite law enforcement’s declaration of fairness and equality, and the Toronto police service’s apparent commitment to Canada’s multicultural narrative, these young Black and Indigenous peoples have been subjected to traumatic encounters with the police.

To note, more than a third of Black participants (6) in the study stated that the police often justify stops by stating that the youth “fit the description” of a suspect in a criminal investigation. This gave many Black youth the impression that police did not see them as an

individual but as a potential criminal. As a result, they do not feel that they are treated with respect and are subjected to rights violations. The perceptions of Black youth – that they are targeted for special police attention – has been supported by the release of official street check statistics from several major Canadian police services (Meng 2017; Tulloch, 2018). For example, statistics from the Toronto police, reveal that between 2008 and 2013, Black youth between 15-24 years had a “street check” rate that was 8 times higher than the street check rate for White youth (Tulloch 2018). 14 out of the 15 young Black participants (93%) in the study felt that the police engage in differential treatment. The stories of Black youth’s experiences suggest that they believe these encounters are evidence of racially biased policing. The stories told by Black youth suggest that they believe these encounters are evidence of racially biased policing. Indeed, 47% of the Black youth (7 participants) in the study identified an encounter where they were with White or other racialized friends during a police encounter and believed they were treated differently than their non-Black friends. Indigenous participants expressed similar perceptions of unequal treatment. They perceive that the police hold negative stereotypes of people within First Nations communities, and as a result influence police behaviour.

There are clear racial differences in regards to the young White participants in the study. All 15 White participants in the sample felt that police do a good job protecting the community and believe when police are called, they act professional and feel that the police treat them with respect. Therefore, despite the majority of White participants (87%) being “street youth”, there was little divergence in their positive views of the police. As illustrated in ‘Tom’s’ narrative, some White participants specifically speak to race to demonstrate their

belief that the police are fair and do not engage in discriminatory behavior. ‘Tom’ believes the law applies to all, no matter one’s race. To him, this was made clear when he experienced an interaction in which he and his racialized friends were not charged for breaking into an abandoned house. The officer’s actions convinced him that the police are fair and treat all the same. Furthermore, Tom believed one’s attitude is a salient factor in how police treat civilians. Therefore, for some White youth, their perception of equal treatment is based on how they were treated when stopped for engaging in illegal activity. Indeed, 40% of White youth (6 participants) in the study felt that “you will be treated the way you treat others” (i.e., the police). The implication in this narrative is that they perceive that negative treatment by police may be a result of one’s own attitude and demeanor. To illustrate, a young White man, whose story was not featured in the counter-story, remembers a time he smoked marijuana and stole a bag of chips from a convenience store. Police were called. The youth acknowledges that the officer threatened to arrest him, but instead the youth was given a fine. This youth attributes the lesser consequence to his own attitude. The youth felt that because he was respectful, the officer returned the favour by being “very respectful and understanding too”. Therefore, for some White youth, their perception of equal treatment is based on how they were treated when stopped while engaging in illegal activity.

The stories of young Black and Indigenous respondents however suggest that they believe they are being treated differently by police as a result of their race. Sean, Jay, and Nathan base their perception of unequal treatment as a result of involuntary police stops. In other words, they were stopped while engaging in normal everyday activities (i.e., walking with a group of friends). They feel singled out and subsequently develop a lack of trust and

respect for law enforcement. Indeed, Canadian research also suggests that the frequency of being stopped, questioned and searched by the police reduces confidence in the police and increases perceptions of police bias (Wortley and Owusu-Bempah 2016). This is supported within the composite story as for many of the Black and Indigenous youth in the study, their overall perception of police is strongly influenced by perceptions of unequal treatment. This suggests that encounters with police that are perceived to be influenced by racial bias are not easily forgotten or dismissed.

Some Black and Indigenous respondents feel the police aid in criminalizing youth from their community. As Kerry states “the only time you ever [see] the police is to arrest somebody”. For this young woman, she feels that police do little to produce community engagement, but instead arrest and detain people in her predominately Black community. Kerry’s perception is that police are more concerned about finding Black youth at fault as opposed to showing any concern for their safety. For her, encounters with law enforcement confirm her perception that members in the Black community are perceived to be criminals in the eyes of the police. Both the Black and Indigenous characters are able to draw on a number of experiences that shape this overall perception of police. However, their words also demonstrate a belief that law enforcement officials aid in criminalizing Black communities and fail to provide proper protection from victimization. Stories like these correspond with growing evidence that suggest higher rates of police surveillance in racialized communities may be one of the factors contributing to the over-representation of Black peoples in the Canadian criminal justice system (Maynard 2017). Numerous studies suggest that Black and

Indigenous peoples come under much higher levels of police surveillance – particularly in regard to police stop and search practices (Henry and Tator 2006; Meng 2017; Maynard 2017; Tanovich 2005; Wortley and Tanner 2003). The stories told by Kerry, Sean, and Jay suggest that they interpret their police encounters as an attempt by police to criminalize them.

This too was suggested by Nathan as he believes police stereotype Indigenous communities. He believes that Indigenous youth are not taken seriously as officers frequently turn interviews into an interrogation of about the youth's own behaviour. To Nathan, this amplifies the perception that police care to only criminalize Indigenous peoples rather than to help or protect them.

This again is in opposition to perceptions among White youth. For most, police represent protection. When asked about their overall perception of police, 10 respondents, 67% of the sample, specifically noted protection as a major role for police. To illustrate, a young White woman (not included in the counter-story) states that the police “are people who protect us, people who are there for us, just like heroes in the city.” This supports Tom's assertion that the police care for his wellbeing. Tom expresses a feeling of comfort while in the presence of police, particularly at a time of mental duress. This is in stark contrast to growing national public concerns over the death of both Black and Indigenous peoples while in the presence of police during mental health crisis. To illustrate, within a 2-month period during the Spring of 2020, four individuals of Black and Indigenous descent died while Canadian police were on scene for ‘wellness’ checks (Cecco 2020). On April 6th, D’Andre Campbell, a young Black man, was shot and killed by a Peel Regional police officer when his family called police seeking help to address Campbell's mental health. On May 27th,

Regis Korchinski-Paquet, a young Afro-Indigenous woman died in the presence of 6 Toronto police officers when her family called for assistance to address Korchinski-Paquet's mental health. On June 4th, Chantel Moore, a young Indigenous woman, was shot and killed by Edmundston, New Brunswick police during a "wellness check". On June 12th, Rodney Levi, an Indigenous man, was shot and killed by RCMP in New Brunswick after a local pastor called police to express concern over Levi's state of mental health.

These deaths come after a number of provincial inquiries, dating back to the early 90's, into how police handle mental health calls involving racialized peoples¹⁷. The most recent inquiry follows the Toronto police shooting death of Andrew Loku, a Black man in mental distress. In response, the Ontario Ministry of the Solicitor General called for anti-Black racism education, as well as improved mental health and crisis training for the Toronto police (Ministry of the Solicitor General 2017). While Toronto police responded with an 'anti-racism' committee to address public concerns (Gillis 2017), ongoing evidence suggest that Black and Indigenous peoples are at an increased risk of harm by police, especially while in mental distress (Cecco 2020).

The perception that police fail to protect Black and Indigenous peoples while in need, but instead focus on criminalizing them, is deeply felt by many of the racialized participants. Consequently, there is little trust or confidence that the police treat racialized peoples fairly or with dignity. This is in contrast to the young White participant who expresses comfort in the police while in crisis. In fact, when discussing how they feel about police, several Black

¹⁷ Please see <http://www.ohrc.on.ca/en/book/export/html/23851> and <https://www.falconers.ca/wp-content/uploads/2015/07/Donaldson-UARR-Report-and-Summary.pdf>

and Indigenous youth express feelings of fear and anxiety. Not noted in the counter-story, one young Black woman expressed feeling “on edge” when she sees police, because for her, “they represent an ominous power that can strike down at any time”. Similarly, a young Black man suggests that whenever he sees a police officer, “I feel like any moment they can say anything just to get me over to talk to them and I can be in the back of the police car in handcuffs”. This demonstrates that, for some young Black peoples, the presence of police instills fear, not comfort.

In contrast, White youth do not express feeling fearful when in the presence of police. Instead, as one young White woman expressed, she feels scared when she sees police, as to her they signify criminal activity in the area. She, however, does not fear her personal safety at the hands of police. This sentiment further highlights the difference in what police signify for Black and Indigenous youth, in comparison to their White counterparts.

The perception that police fail to protect Black and Indigenous peoples while in need, but instead focus on criminalizing them, is deeply felt by many of the minority youth in the study. This is consistent with the literature which suggests those within racialized communities also perceive under-policing when in need of assistance or protection (Ben-Porat 2008; Boehme et al. 2020; Brunson 2020). Consequently, there is little trust or confidence that the police treat racialized peoples fairly or with dignity. Instead, there is fear and anxiety. These sentiments further highlight the difference in what police signify for Black and Indigenous youth, in comparison to their White counterparts.

With the perception that police focus their attention on criminalizing Black and Indigenous peoples, there too, is a sense that the police do not care to ‘serve and protect’

racialized communities, which is in direct opposition to the police equality narrative. Black and Indigenous youth do not feel that they receive the same protection in comparison to their White counterparts. This is illustrated by both Kerry and Sean when they speak to violence within their communities. Similarly, Kerry feels that because individual police do not live in her community, they have little incentive to protect those within it. Furthermore, she expresses the belief that race influences who the police protect.

While the police are meant to be the guardian of all citizens, it is perceived by Black and Indigenous youth that they are not subject to this protection. In contrast, not one White youth in the study sample expressed concern over police offering help when in need. Thus, compared to their White counterparts, these narratives suggest that Black and Indigenous youth do not perceive the police, the state sanctioned institution meant to serve and protect, was meant for them. These sentiments are consistent with previous research which suggests that Black people are the victim of both over-policing and under-policing; i.e., that Black people are more likely to be the target of proactive policing efforts but also that police are slow to react to cases of Black victimization and trauma (Boehme et al. 2020; Brunson 2020; Maynard 2017).

While not identified in the counter-story, a small number of White youth in the study do acknowledge potential racial bias. However, they do not believe it is a problem in Canada. To illustrate, one young White woman expresses that she “always thought police treat people fairly but [is] learning about racial profiling on TV”. She is also quick to note that the issue “may not be so much in Toronto, but in the States.” This sentiment is similar to the Chief’s narrative, who too suggests that Toronto differs from the United States. The Chief instead

relies on Toronto's "diversity" in an attempt to demonstrate that the police organization is the "best in the world". This seemingly appears to be a distraction and opportunity to promote the multicultural narrative, further entrenching the idea that racial discrimination is not as much of an issue in Canada. As critical race theory would suggest, the sentiment of diverse harmony (in essence, the idea of colorblindness) makes it difficult to truly engage in in-depth conversations exploring the role that racial bias plays in policing. Therefore, greater knowledge on the devastating impact of systemic racial bias to Black and Indigenous communities is diluted.

Overall, the stories suggest that Black and Indigenous youth perceive the police to be racially biased and it is lived experiences that have helped shaped these perceptions. In contrast, many White youth believe the police are fair; and interestingly, this too is based on lived experiences. Thus, these differing perceptions suggest that police in Canada may be treating both Black and Indigenous youth differently than their White counterparts.

Conclusion

By exploring Black and Indigenous youth perceptions through a critical race composite counter-story, the narratives suggest that the police are highly influential in the lives of young people, and may even contribute to the construction of what it means to be Black and Indigenous in Canada. With increasing youth incarceration rates among Black and Indigenous communities, these stories provide insight into the impact that these disparities have on young people. Thus, when it comes to examining youth perceptions of police, race matters in the Canadian context. The data reveal that these perceptions are based on lived

experience. This is an important finding as the dominant discourse highlights the over-representation of Indigenous and Black peoples in the criminal justice system, but often fails to acknowledge the structures that explain this reality.

For example, many Black and Indigenous youth in the sample perceive that the over-policing and surveillance of their communities is contributing to the over-representation of Black and Indigenous peoples in the criminal justice system. Furthermore, the interviews expose the issue of under-policing with respect to addressing victimization within these communities. The narratives suggest that Black and Indigenous youth feel the police view them as criminals -- even when engaged in normal, everyday activities. I argue that it is these experiences that truly erode trust and confidence in the police within the Black community. For Indigenous youth, they fear negative stereotypes of First Nations peoples influence how police interact with them. Therefore, despite Canada's reputation as a tolerant, multicultural society, the narratives in the counter-story demonstrate that Black and Indigenous youth are less likely to buy into the equality narrative, particularly with respect to the delivery of police services. Prioritizing the stories of Black and Indigenous youth provides a narrative that stands in opposition to the dominant belief that the police serve and protect all. Addressing this can lead to a nuanced understanding of the impact of police presence in racialized communities.

Caution should be made when interpreting the results since, as expected with qualitative research, the findings cannot be generalized to all Black, Indigenous, and White youth in Canada. While I make an effort to gain insight into the perceptions of White street youth in response to previous studies that suggest they are more likely to encounter police

(Gallupe and Baron 2009), I should have also made the same effort to gain insight into the perceptions of Black youth who are considered ‘low risk’ and may have more positive perceptions of law enforcement (i.e. Black youth who reside in higher SES areas). This may yield varying perceptions of the police. However, it is important to note that previous studies, conducted in both the US and Canada, demonstrate that perceptions of the police continue to be low among Black populations, even when controlling for factors, such as SES (Fitzgerald and Carrington 2014; Gau and Brunson 2010).

Furthermore, my interview questions do not ask about gang or crime involvement, therefore it is difficult to ascertain whether the youth I interviewed are more likely to encounter police due to ‘high risk’ behaviours (Fitzgerald and Carrington 2014). In addition, the sample explores the experiences of youth who are policed in urban areas; however, perceptions and experiences may differ for youth who are policed in rural communities. May policing structures and policies in rural communities facilitate better community relations? Exploring these questions can add to the growing body of research that explores perceptions of the police in Canada.

Regardless, this critical race study on perceptions of racial discrimination within Canadian policing justifies further research into how racial bias may impact the functioning of the criminal justice system. These results strengthen the argument that it is necessary to examine the Canadian justice system from a critical race framework. While race based data is necessary to determine disparities, including the voices and stories of racial minorities leads to a better understanding of their experiences with criminal justice actors. The perception that

the True North is strong and free will never be accurate unless the country commits to sincere racial justice.

Chapter 4: Using Critical Race theory to explore reporting victimization to the police among Black and Indigenous youth

Introduction

Police rely on the community to report criminal activity (Bennet & Wiegand 2004; Desmond, Papachristos, and Kirk 2016), however both national and international data consistently show that individuals who experience both violent and non-violent victimization often fail to report to the police (Baumer 2002; Gottfredson and Gottfredson 1988; Vynckier 2012; Xie and Baumer 2019). To illustrate, recent Canadian data (Statistics Canada, 2014) demonstrates that just under one-third (31%) of all incidents of victimization were reported to law enforcement. This figure signals a downward trend. Both academics and policy-makers acknowledge that unreported crime is an important area of study as official statistics fail to capture the true nature of criminal activity within communities, thus impeding law enforcement agencies' ability to implement relevant crime prevention and intervention strategies (Rennison, Gover, Bosick and Dodge 2011). Various studies have explored how gender, age, social class, and race (Boetang 2016) structure the likelihood of reporting victimization to the police, however in their review of the literature, Xie and Baumer (2019) highlight that very few studies thoroughly examine the contextual dynamics that may influence a citizen's decision to report.

Previous research has established that personal victimization is more likely to be reported if the incident is deemed "serious" -- including events involving robberies, break-ins, theft of a motor vehicle, physical injuries, or financial loss (Finkelhor & Ormrod 2001; Fishman 1979; Gartner & Macmillan 1995; Goudriaan et al. 2006; Greenburg & Beach 2004;

Hart & Colavito 2011; MacDonald 2001; Pino & Meier 1999; Skogan 1976; Xie et al. 2006), but there continue to be mixed results on the contextual factors that decrease reporting violent victimization to the police. Some studies have found that previous police contact has an impact on reporting (Finkelhor and Wolak 2003; Xie et al. 2006) while others have found that previous contact has no effect (David and Henderson 2003; Fishman 1979; Goudriaan et al. 2004), therefore there continue to be debates surrounding the impact of previous police contact (Powers, Khachatryan, Socia 2018).

Policing researchers suggest those with negative perceptions of law enforcement are less likely to be cooperative with the police (Brown and Benedict 2002; Bowling and Phillips 2007; Bridenball and Jesilow 2008; Vogel 2011). A number of studies, including the previous chapters, suggest that both Black and Indigenous youth are likely to report lower confidence in the police as a result of perceived racial bias. Following this logic, race may be a salient factor to explore when it comes to reporting victimization to law enforcement. While some studies do acknowledge race when discussing underreporting (Baumer 2002; Bosick et al., 2012; Rennison et al., 2011), very few thoroughly examine how perceptions of racial discrimination within policing may be a significant deterrent (see Anderson 1999; Kwak, Dierenfeldt, McNeeley 2019 as a notable exception). The current study aims to explore this further. In doing so, the following research will address a number of gaps in crime reporting literature. Most analyses focus on adult populations (Rennison et al. 2011), however the present study becomes one of few to focus on a youth population (see Anderson 1999; Carr, Napolitano, and Keating 2007 as notable exceptions). The experiences of youth are important to explore as Canadian data suggest individuals between the age of 15 and 24

are more likely to be victims of violent crime (Allen and McCarthy 2018), therefore having a better understanding of their motivation to report their victimization to the police is an important area of examination (Rennison et al. 2011). Furthermore, by having a racially diverse sample of youth, the current study aims to explore how racial differences in perceptions of the police may ultimately influence reporting violent victimization to law enforcement. Most studies exploring the impact of race utilize quantitative data as a method of inquiry (Kwak, Dierenfeldt, and McNeeley 2019), thus limiting an opportunity to explore the nuances of race and racism. However, the nature of the current project provides an opportunity to explore how perceived racism within policing has an effect on racialized youths' motivation to report violent victimization to the police. Admittedly, examining reporting practices to the police was not an intended focus at the outset, however as one of the first Canadian studies to explore Black, Indigenous, and White youths' experiences with law enforcement, this allowed for an exploration as to how negative perceptions of the police can impact citizen cooperation. To have a better understanding of racialized youths' decision to report violent victimization to the police, the following chapter continues to follow a critical race perspective and examine the lived experiences of Black and Indigenous youth with the police in Canada. Their narratives will provide further insight into how previous experiences with the police may influence their decision to turn to law enforcement when in need.

Exploring the experiences of Black and Indigenous youth is of particular importance as research consistently demonstrate that members from these communities are overrepresented in crime victimization data. Canadian data shows that in comparison to their

White and other racialized counterparts, Indigenous peoples are overrepresented in violent victimization statistics, including homicide (Perreault, 2015; Monchalin, 2016). While data on victimization within Black communities in Canada is scarce (Samuels-Wortley, 2019b), what is known suggests that members of the Black community are also at an increased risk of both violent and non-violent victimization¹⁸. Research suggests that serious violent crimes are disproportionately concentrated in racialized communities as a result of systemic structures that have placed Black and Indigenous peoples at a disadvantage for decades (Maynard 2017; Monchalin 2016). Similarly, a growing body of Canadian research exploring the relationship between violence and intergenerational trauma, as a result of colonialism and enslavement within Indigenous and Black communities (Maynard 2017; Monchalin 2016), is beginning to emerge. Therefore, I intend to argue that negative perceptions of the police among Black and Indigenous youth, as a result of perceived racial bias within law enforcement, deters these youth from reporting their own violent victimization to the police. If supported, this suggests that in Canada, these youth, in particular, are at a great disadvantage due to both their increased risk of violent victimization, as well as an inability to receive help from a state sanctioned institution that is meant to serve and protect all.

¹⁸ To illustrate, hate crimes targeting the Black population remained one of the most common types of hate crimes (16% of all hate crimes). Hate crimes against Black communities tend to be more non-violent but does not diminish the impact. According to Canadian General Social Survey on Victimization (2014), 5% of respondents (330,913 incidents) believed that they had been a victim of a hate crime, with race being the most common motivator (over half of those who reported a hate crime), followed by sexual orientation, age, and religion. However, two-thirds of respondents who reported being a victim of a hate crime did not report. The most common reason for not reporting was the belief that police would not consider it important enough (64%).

In the pages that follow, I briefly review the literature that explores identified factors that influence reporting to the police. I will then turn to a discussion on racial bias and its impact on the perceived legitimacy of the police. This section intends to demonstrate the importance of exploring perceived racial discrimination and how it may play a role in Black and Indigenous youth's motivation to contact police if the victim of a violent crime. The next section explores how the historical oppression of Black and Indigenous communities in Canada may increase violent victimization for youth within these communities. This aims to demonstrate that examining the literature on reporting violent victimization through a critical race lens may provide better insight as to why racial minorities may be less likely to report to legal authorities. The narratives of Black and Indigenous youth within the study suggest that the majority are not likely to report if the victim of a violent crime. Implications of these findings are explored further.

Literature Review

The decision to report crime to law enforcement is often examined through rational choice theory. In this context, researchers argue that citizens will weigh the costs and benefits of reporting crimes to the police (Clarke & Cornish 1985; Clayman & Skinns 2012; Meares 1997). However, Xie and Baumer (2019) argue that the binary nature of this sort of analysis is too simplistic and fails to examine contextual factors that may influence what one may perceive as a "cost" or "benefit". Indeed, some studies have explored mitigating factors, such as the victim/offender bonds (Felson & Pare 2005), immigration status and fear of deportation (Davis and Henderson 2003; Vynckier 2012), victim involvement in the crime

itself (Berg et al. 2013) as well as factors directly related to the police including previous police stops (Berg et al. 2013), however few studies thoroughly explore the impact of perceived racism. As Unnever (2019) argues, traditional criminological theories are used to provide a general understanding of crime but fail to adequately explore or disentangle the experiences specific to Black peoples in a White supremacist society. Therefore, some scholars argue that racial disparities in offending and victimization are not properly understood (Unnever and Owusu-Bempeh 2019). The same lack of understanding may be applied to an examination into the reporting of crime and personal victimization to the police. This is important to explore as research consistently demonstrates that Black peoples are less likely to have trust and confidence in the police (Black Experience Project 2014, Wortley and Owusu-Bempeh 2016).

Racial Bias in Policing

A growing volume of American (Zhao et al. 2011; Unnever et al. 2011; Gabbidon et al. 2011; Weitzer and Tuch 2006; Reitzel and Piquero 2006; Skogan 2006; Hagan et al. 2005; Weitzer and Tuch 2005) and British studies (Bradford 2011; Bradford et al. 2009; Bowling and Phillips 2002) have firmly established that certain racial minority groups, including Black, Hispanic and Indigenous peoples, have much more negative views about the police and the wider justice system than their White counterparts. Racial minorities are also much more likely to perceive that the police and justice system are racially biased.

Exploring perceptions of racial discrimination is quite relevant within the Canadian context as recent studies have demonstrated that racialized groups within Canada also perceive high levels of discrimination within the criminal justice system (Cao 2011, 2014;

Sprott and Doob 2014; Wortley and Owusu-Bempah 2009). Black and Indigenous peoples, in particular, are much more likely to perceive that the police and justice system are racially biased (Sprott and Doob 2014; Cao 2014; Cao 2011), and both historic and recent data suggests this to be true. Despite Canada's identity as a country of multiculturalism, many past laws and current legal practices exemplify a history of racism and the construction of the deviant 'other'. In 1995, the *Commission on Systemic Racism in the Ontario Justice System* found that many legal structures within the legal system were racially biased. To illustrate, the report found that Black peoples were more likely to be apprehended by the police, police drew their weapons more frequently when apprehending a racialized suspect for 'minor crimes, and finally more Black men report being 'unfairly' stopped and questioned by the police compared to Whites and Asians (Wortley and Owusu-Bempah 2011).

Similarly, the *Royal Commission on Aboriginal Peoples* (1995) highlighted numerous studies that demonstrate that Indigenous people are grossly overrepresented in Canadian correctional facilities. Racial bias in policing was often cited as one cause of this overrepresentation. Indigenous people consistently reported that they believe the police are unfair and thus ineffective. Furthermore, study participants suggested that police officers held negative, stereotypical attitudes towards Indigenous peoples, which resulted in higher arrest rates for minor property crimes, in comparison to non-Indigenous peoples (Hylton 2002). Decades later, similar commissioned reports suggest little has changed. Indigenous people not only experience over-policing in their communities, but under-policing as well (McNielly 2018; see Missing and Murder Indigenous Women and Girls Inquiry 2019). To illustrate, in response to a growing number of unsolved sudden death investigations involving Indigenous

peoples, a commissioned report, *Broken Trust, Indigenous People and the Thunder Bay Police Service* (2018), found that police officers often failed to complete the most basic requirements necessary for sudden death investigations. This finding supports concerns that had been raised by Indigenous peoples, that the city's police service often failed to take their victimization seriously. McNeilly (2018), the author of the report, concluded that it was due to racist attitudes and stereotypes held by the police involving Indigenous people that led to inadequate sudden death investigations. This finding supports researchers who also suggest, in Canada, Indigenous victimization is not taken seriously by law enforcement officials (Ben-Porat 2008; Dhillion 2015; Palmater 2015)

More recently, a report commissioned by the Ontario Human Rights Commission (2020), found that in comparison to their White and other racialized counterparts, Black people in Toronto are more likely to be arrested, charged, and experience injury or death in the presence of police. The author of the report suggests that the rate of Black peoples killed by police is higher than some American jurisdictions, thus dispelling the myth that Canadian policing is superior to the U.S. (Wortley 2020). Similar reports have found that both Black and Indigenous peoples are overrepresented in police stops (i.e., street checks) in other Canadian police jurisdictions including Ottawa, Halifax, Edmonton, and the RCMP (Tulloch 2018; Wortley 2019). Unfortunately, few studies have explored the phenomenon of under-policing within Black communities in Canada (Maynard 2017; Wortley 2019). However, there is reason to believe perceptions of under-policing, as a result of racial bias, also has an impact on the way that Black youth perceive the police (Samuels-Wortley, 2021). Thus, the phenomenon of under-policing in Black communities in Canada deserves further attention.

Procedural Justice

Researchers suggest that police contact and procedures that are perceived to be racially biased has led to an erosion of trust and confidence in the police (Wortley and Owusu-Bempah 2011). In his theory of procedural justice, Tyler (2003) argues that an individual's propensity to cooperate with legal authorities is greatly influenced by subjective judgements about the perceived fairness of the process and procedures by the police. Many studies have supported the idea that procedural justice can shape an individual's reaction to law enforcement and influence whether an individual sees the police as legitimate. In essence, if legal actors, such as the police, are viewed as legitimate, citizens are more likely to turn to them when in need. However, Tyler (2003) suggests that due to perceived discrimination, racial minorities are less likely to support and cooperate with legal authority due to a belief that they are consistently treated unfairly. Thus, when looking at the reporting practices of racialized persons, researchers suggest procedural justice has merit. If members of racialized communities believe there is a lack of fairness when dealing with the police, then feelings of unfairness impact subsequent cooperation and reporting crime to law enforcement. In their research study exploring Black youth encounters with the police, Carr, Napolitano, and Keating (2007) found that most youth would not report a crime to the police due to negative experiences that were perceived to be racially motivated. Similarly, Desmond, Papachristos, and Kirk (2016) found that people in predominately Black neighbourhoods in Milwaukee were less likely to call the police after a highly publicized police brutality case involving Frank Jude, an unarmed Black man. The authors suggest police violence against members of the African American community may prevent them

from calling law enforcement officials when in need, therefore resulting in a reduction to their personal safety.

Scholars suggest an erosion of trust and confidence in the police within racialized communities has created a subculture focused on self-protection, therefore placing racialized peoples at risk of harm (Anderson 1994, 1999; Desmond, Papachristos, Kirk 2016).

Sociologist Elijah Anderson (1999) argues that as a result of a deep-seated distrust of law enforcement, Black peoples in particular adopt a “code” in which a culture of violence emerges within communities that are already subject to increased risk of violence. To illustrate, American researchers have long argued that structural, cultural, and situational factors play a role in the increased rates of violent victimization against both Black women and men (Asbury, 1987; Hampton et al., 2003. Peterson and Krivo 1993). They contend that as a result of a history of enslavement and the Jim Crow era, African Americans have historically been subjected to economic and political inequities in comparison to their White counterparts (Alexander 2012; Billingsley 1992; Blauner 1972). As a result, they argue that the economic, educational, and employment disparities, as a result of this inequity, have led Black peoples into poverty or the conditions that may increase the risk of both engaging and being a victim of violent behavior (Cazenave & Straus 1990; Kim, Willis, Latterner, and LeGrange 2016). To illustrate, when examining intimate partner violence, U.S. studies consistently find that Black men and women are victimized by their partners at significantly higher rates than any other racial category (Hampton et al. 2003; Rennison & Welchans 2000, West 2002). Some scholars contend that the persistent lack of opportunities for Black individuals has been a source of anger, frustration, and hopelessness and is thought to

perpetuate violence in these communities (Hampton et. al. 2007). This also extends to research into gun crime and violence. Several U.S. studies argue the same factors contribute to the overrepresentation of violent crimes among Black and Hispanic peoples (Krivo et al. 2009; Krivo & Peterson 1996; Kubrin & Weitzer 2003; Peterson & Krivo 1993; Sampson and Wilson 1995; Stretesky et al. 2004; Wang & Arnold 2008).

Racialization of Victimization in Canada

There is a significant absence of documented data examining the historical and persistent marginalization of Black populations in Canada. A recent report from the United Nations Human Rights Council (UNHRC) acknowledges that the historical oppression of enslavement has indeed played a direct role on the present social conditions of Black people in Canada, by facilitating “spatial segregation, economic disadvantage and social exclusion”. Furthermore, the authors conclude that anti-Black racism in Canada is “deeply entrenched in institutions, policies and practices” (UN, 2016). However, due to a lack of access to race-based data, the authors acknowledge that this “obscures the realities and specific concerns of African Canadians” (United Nations, 2016), thus perpetrating the myth that Canada does not operate under similar institutionalized inequalities that lead to significant racial disparities similar to the U.S. Therefore, violence within Black communities in Canada are often viewed as a cultural problem as opposed to a reflection of structural barriers (Symon 2002).

However, from what we do know, Black peoples too are severely marginalized in Canadian society, specifically in relation to employment, wages, adequate housing, and overrepresentation within the criminal justice system. To illustrate, data from 2011-2016 suggests that in comparison to the rest of the population, the employment gap between both

Black men and women in Canada widens each year. Even when controlling for other relevant socioeconomic factors, including education, the unemployment rate in Canada is highest among Black peoples with a post-secondary degree (Statistics Canada 2020). This supports recent Canadian studies which found that fictitious resumes that include a racialized or (Black sounding) name submitted for real jobs were least likely to receive an interview in comparison to White candidates with similar qualifications and experiences (Eid 2012; Oreopoulous 2011). Furthermore, Canadian data show that Black peoples are overrepresented in Toronto's poorest neighbourhoods. In fact, 25% of Black peoples living in low-income areas of Toronto (Canada's largest city) have a post-secondary education. Canadian urban geographer, David Hulchanski (as reported in the Toronto Star, 2018), suggests that these figures are consistent with concerns over systemic discrimination.

As a number of studies suggest that areas of deprivation are more likely to experience crime (Perkins and Sampson 2015), the overrepresentation of Black peoples in areas of poverty in Canada suggest that they too are at an increased risk of being a victim of a crime. Yet, little is known about Black violent victimization in Canada. Black Canadians are subject to similar inequities that place them at an increased risk for experiencing violent victimization, but due to lack of access to the relevant data, this phenomena has not been adequately explored (Samuels-Wortley 2019b). However, examining the impact of Canada's colonial past against Indigenous populations and its relation to violent victimization within their communities may provide insight into the relationship between historical oppression and violent victimization among Black peoples as well.

In their examination of the colonization of Indigenous populations and the informal slavery practices perpetrated against Black peoples in Canada, The Aboriginals Peoples Collection (2009) argue that the historical oppression of Indigenous and Black peoples has had a similar impact on their status within modern Canadian society. This in no way implies that the historical experiences and traumas are the same; the purpose of acknowledging a relationship between Indigenous and Black communities is to show that the two groups share a historical form of oppression that has led to their subordinate status within Canadian society. Thus, examining the documented data on Indigenous peoples may be used to shed some light into the plight of Black peoples in Canada as well.

Canadian research demonstrates that Indigenous citizens have historically been subject to inequities in relation to employment, education, and household income (Hylton 2002). These inequities are said to be directly related to historical state sanctioned policies aimed to eliminate and intentionally marginalize Indigenous people (Gilmore-Dickson, 2016). The devastating effects of colonization has had a dire impact on their social position (Maynard 2017; Gilmore-Dickson 2016) resulting in Indigenous life characterized by lack of opportunity, poverty, high rates of alcohol and drug use, suicide, and domestic and sexual violence. Researchers argue that institutionalized racism has ultimately resulted in Indigenous peoples being overrepresented as both perpetrators and victims of violence (Monchalin 2016). For example, in comparison to non-Indigenous peoples, Indigenous peoples are more likely to report being a victim of crime (Boyce 2014). The data suggests that, for women in particular, their Indigeneity matters. Compared to the national average, Indigenous women consistently report higher rates of violent victimization, including

intimate partner violence. In fact, Indigenous women are 6 times more likely to be killed by an intimate partner than their non-Indigenous counterparts (Statistics Canada 2013). Furthermore, when controlling for the factors that increase risk of violent victimization, (including childhood violence, poor mental health, low-income housing, homelessness, and drug use), in comparison to men, Indigenous status among women continues to be a prominent risk factor for being the victim of a violent crime (Boyce 2014). Yet, despite higher rates of violent victimization, Indigenous peoples are least likely to report their victimization to the police (Boyce 2014). Scholars examining the racialized communities and their motivation to report may turn to “the code” literature, however lived experience and negative encounters with the police may also strongly influence the likelihood of calling for police assistance.

Some scholars contend that racial bias and stereotypes influence how police interact with Indigenous peoples and tend to their suffering and victimization (Gilmore-Dickson 2016; Monchalin 2016; Maynard 2017). Indeed, as noted in the previous chapter, Indigenous youth perceive that police come into their communities with negative racial stereotypes which influences how they interact with members of the community. In turn, to the police, victimization within Indigenous communities is seen as a racial problem. This too is suggested within police-initiated research. To illustrate, in their report to the RCMP on public safety, victimization, and perceptions of the police, authors Cohen, Plecas, and McCormick (2006) acknowledge that Indigenous peoples are more likely to experience victimization and attribute this risk to “young age, low educational attainment, unemployment, low level of income, living in a single-parent family, living in crowded

conditions, and high residential mobility” which the authors state is “common in Aboriginal populations” (pg. 5). Similar sentiments were expressed within a national Statistics Canada report (Boyce 2014) examining victimization among Indigenous populations in the country. However, both reports provide little context or insight to explore an acknowledged link between Canada’s colonist history and the continuous marginalization of Indigenous communities (Monchalin 2016; see the Truth and Reconciliation Report 2015). Researchers suggest these negative stereotypes can lead to dire consequences, where law enforcement officials will “under-police” Indigenous communities. They argue if officers perceive Indigenous communities as problematic, law enforcement officials will view people within these communities as immoral (Perry 2006), have little concern if they believe crime in Indigenous communities will not affect outside (i.e. White) communities (Weitzer 2010; Weitzer et. al., 1999), and will perceive that Indigenous peoples are responsible for their own problems, and thus do not deserved protection (Klinger 1997).

As Van Cleve, Gonzalez and Mayes (2015) argue, the construction of Black and Brown peoples as problematic is systematic and ultimately influences how racialized peoples are both seen and treated by criminal justice practitioners. Thus, the negative stereotyping of Indigenous peoples, as illustrated in Cohen and colleagues report, seemingly justifies their victimization. Therefore, if legal authorities perceive that violent victimization is simply “common” within racialized communities and has an impact on the way they treat individuals within these communities, it is likely to contribute to the negative interactions with police common to Black and Indigenous youth. As some researchers suggest, it is these negative experiences that prevent Indigenous and Black peoples from calling the police when

in need (Kwak et al. 2019; Monaghan 2017; Palmater 2015). If so, having a better understanding of Black and Indigenous experiences with the police may significantly contribute to crime reporting research.

Theoretical Orientation -- Critical Race Theory

Critical race theory aims to highlight the centrality of race and racism within the law (Delgado and Stefancic 2017). The police, as an institution, serve as an apparatus of the legal system by enforcing compliance. In relation to the criminal justice system, as the first point of contact, the police play a vital role when it comes to the reporting of crime or personal victimization. Exploring one's decision to report violent victimization to the police through a critical race lens aims to demonstrate the significance of race, and how it shapes the motivations and behaviours of those who are racialized in Canadian society. Scholars promoting critical race theory argue that having a better understanding of the racialized experience, in particular, is important for a number of reasons. They posit that race is ordinary and embedded in society's functionality. Therefore, race is a salient factor that impacts the everyday experiences and life chances of racialized people. As such, theorists staunchly reject the idea that legal institutions are colorblind (Delgado and Stefancic 2017). Therefore, claims that the police treat all individuals equally when addressing personal victimization would be rejected. Critical race theorists could simply turn to the data which demonstrates that in comparison to the White population, Black and Indigenous peoples are more likely to experience violence but less likely to report their victimization to the police (Boyce 2014). Police claiming racial neutrality when addressing victimization merely serves

to make racial discrimination harder to prove. Furthermore, theorists contend that race is socially constructed. Critical race theorists argue this is done to justify one's perceived value in society, making it easier to validate the continued marginalization of racialized peoples. For example, this is demonstrated by Cohen and colleagues (2006) report when exploring the relationship between Indigeneity and victimization and suggesting that social disorder, drug and alcohol use, poverty, and homelessness is particular to Indigenous communities without deeper insights into the social and political structures that exacerbate these inequalities. Instead, by placing the onus on the Indigenous community, higher rates of violent victimization become framed as a racialized problem.

Therefore, critical race theory (CRT) serves as a useful framework when examining the racial differences in reporting victimization to the police. While CRT aims to focus on the social and legal impacts of systemic and institutional racism on racialized communities (Delgado and Stefancic, 2017), it can also provide insight into how the marginality of racialized populations informs their behaviours and actions. The question at hand is whether perceptions of racial bias influence Black and Indigenous youths' motivation to report to the police. Examining this through a critical race lens may provide insight into how Black and Indigenous peoples' marginalized status impacts how they respond to their own victimization. Therefore, by highlighting the stories of racialized peoples, one can begin to counter the accepted notion that the police serve and protect all in an equitable manner. Centering the "voice of color" can provide a better understanding of the impact that race and racism play in the lives of racialized people, even in the pursuit of personal safety.

Methodology

Research Setting

The focus of the current study is of youth residing in the city of Toronto and the Greater Toronto Area in the province of Ontario. The location is of significance as data suggests that of all Canadian provinces, Ontario has the lowest rate of reporting victimization to the police (Perreault 2015). This coincides with the fact that Ontario also has the largest Black and Indigenous population in Canada. At 52.4%, Ontario has more than half of the total Black population in Canada (Statistics Canada, 2019b). Similarly, at 22.4%, Ontario has the largest Indigenous population in Canada (Ontario Ministry of Finance 2016). More specifically, the city of Toronto has both the largest Black and Indigenous population in Canada (City of Toronto 2018; Statistics Canada 2019b) with 37% of Canada's Black population, and almost 3% of Canada's Indigenous population residing in the city.

Exploring a youth sample is particularly important as national data suggests that young Canadians (aged 15-24 years) are more likely to experience victimization. Furthermore, the data demonstrates that in comparison to White and other racial backgrounds, victimization is highest among Indigenous youth (Boyce 2014). However, based on the argument that poverty and marginalization is a factor in increased risk of victimization, there is reason to believe that Black youth are also at a higher risk of experiencing violent crime. Unfortunately, few Canadian studies have explored the experiences of this vulnerable population. Even less have explored the patterns of this demographic reporting victimization to the police. Admittedly, the initial aim of the broader study was to explore the experiences of Black and Indigenous youth with the police and not

reporting practices among these youth. However, the interviews uncovered a troubling trend when discussing personal victimization. The interviews revealed that most Black and Indigenous youth were hesitant to report to the police on the basis that their victimization would not be taken seriously due to their race. Therefore, perceptions of racial bias not only hurt the legitimacy of law enforcement agencies, but may be harming Black and Indigenous youth as well.

Data for the current study are drawn from in-depth semi-structured interviews with 19 young Black and Indigenous peoples from the Toronto region who indicated that they have had direct contact with the police. Interviews were conducted between February 2019 and March 2020. Participants ranged from the age of 16 to 24, with a mean age of 18. Fifteen youth identified as Black of which 4 were women, Finally, 4 youth identified as Indigenous men.¹⁹

¹⁹ The initial intent was to include a larger Indigenous sample, however due to COVID-19 restrictions (the global pandemic), the author was not able to recruit additional participants.

TABLE 4.1: Sample Characteristics

	Number	Percent
Race		
Black	15	78.9
Indigenous	4	21.1
Gender		
Male	15	78.9
Female	4	21.1
Age		
16-17	8	42.1
18-19	5	26.3
20-24	6	31.5
Recruitment location		
Shelter	5	26.3
After-school program	13	68.4
Legal clinic	1	5.3
Total	19	100.0

Participants for the study were sought with the help of community partners with a local youth shelter, legal aid clinics, as well as youth afterschool programs in the Toronto region. The author was given permission to present to youth within these organizations to explain the purpose of the study. Furthermore, promotional posters were distributed to each organization. The author explained that the study was voluntary, participation would be kept confidential, and they would be paid \$30 for their time. Interviews were conducted in private offices provided by the organizations and lasted, on average, for about an hour. However, one interview took place off-site, at a local library. Youth who have lived experiences with police were the focus of the study. This was done to ensure that perceptions of the police were based on direct encounters with the police. While there is a growing body of research

that suggests vicarious experiences as well as familial perceptions may influence how youth perceive law enforcement (Friedman et al 2004; Sindall et al. 2017), the aim of the study is to explore whether youth perceive direct police encounters were influenced by their race. Thus, youth who were more likely to experience a police interaction were targeted for the study.

All youth were asked questions about their overall impression of the police. They were then asked whether their impression of the police would have an impact on reporting a hypothetical act of personal victimization (e.g. physically harmed, stolen from). More specifically, each youth participant was asked the following “Now thinking about how you view police, if you were ever the victim of a violent crime – like a stabbing, a shooting or a robbery – would you report it to the police?” Some Black and Indigenous youth provided lived experiences in which they did or did not report their own victimization to the police. It is these responses that provide context to the findings below. The focus of the current study is to explore the narratives of Black and Indigenous youth who state they would not or are hesitant to report violent victimization to the police.

Findings

For the broader project, a larger sample of youth were interviewed including White participants. This sample of youth suggests that the majority would report their victimization to the police. To demonstrate, 50% (17) of the youth state that they would report a personal violent incident to the police, however this is largely driven by the responses of the sample of White youth. But when comparing the reporting practices of Black, Indigenous and White youth, there are clear racial differences. As Table 4.2 below suggests, the sample of White youth are significantly more likely to report personal victimization to police in comparison to

their Black and Indigenous counterparts²⁰. Caution should be taken in regard to the Indigenous youth percentage. As noted, 75% of Indigenous youth state that they would not report their victimization to the police, however this is based on a small sample (n=4). Regardless, it is important to note and explore the greater proportion of Indigenous youth who would not report their victimization. Similarly, it is also important to explore the proportion of youth who state that they *may* report their victimization to the police. The number of Black and White youth (no Indigenous youth report *maybe*) is similar, however exploring the responses provides further insight into the factors that may affect youths' motivation to report victimization to the police.

Table 4.2: Reporting personal victimization to the police, by race – n (%)

Report Victimization to the police	Black	Indigenous	White
Yes	5 (33%)	1 (25%)	11(73%)
No	6 (40%)	3 (75%)	1 (7%)
Maybe	4 (27%)	-	3 (20%)
Total	15	4	15

The racial differences in reporting to the police are consistent with previous literature that suggest race is a salient factor (Akerman & Love 2014; Chen & Ullman 2010; Rennison et al. 2011). Similar to studies that examine victimization reporting of Black populations (Anderson 1999; Clayman and Skinns; 2012; Kwak et al. 2019; Rosenfield et al. 2003), the following narratives suggest that Black and Indigenous youth are less likely to report due to a

²⁰ A Fisher's exact test was conducted, to account for the small cell counts. The test was statistically significant ($p = .032$).

mistrust in law enforcement. However, the narratives from the present study provide further insight and suggest that this distrust is directly based on lived experiences that confirm their belief that the police are racially biased. The findings suggest the following -- some Black and Indigenous youth believe 1) the police will turn a youth's victimization into an opportunity to criminalize them; 2) the police engage in violence during an interaction and in turn harm youth; and finally, 3) family and/or community members are better suited to handle personal victimization, as opposed to the police. These will be discussed further in the next section.

Victimization becomes criminalization

A common sentiment among both Black and Indigenous youth is a concern that if victimized, calling the police will lead to an investigation into the youth's own behavior. There is a sense that the police will show little compassion. Of the three Indigenous youth who would not report to the police, two feared previous documented contacts with the police would influence police behavior and may lead a subsequent charge. Similarly, of the six Black youth who state they would not report their victimization to the police, four indicate they fear previous run-ins with the police will influence an officer's behavior. I use "Jamal's" story to illustrate this point. Jamal, a 22-year-old Black man living in a youth shelter, spoke of a previous sexual assault and sexual interference charge that stemmed from a consensual relationship. At 21 years of age, Jamal states that he was blinded-sided when he found out that his White girlfriend, "Emily," was 15 years old. Jamal explained that he fell in love with Emily at a time where he was living with friends, after leaving a toxic home environment. He

stated he fell hard for “a girl that seemed to love me, care for me and understand me”. It was a feeling he yearned after stating “I don’t have a mom and I’m always trying to find that, in my girl”. Jamal recalls that Emily said she was a 19-year-old university student, which he believed. However, he came to realize it was not true after a particular date night. After taking Emily to a popular Toronto summer fair, the two returned to Jamal’s friend’s house. Jamal was aware that he was breaking Emily’s curfew, but did not suspect it was a big deal. Later in the evening, Emily frantically stated she needed to return home, as her mother was looking for her. Jamal recalls that within 10 minutes, the police “came busting the door down” and stated that they were looking for Emily. At this point, Jamal claims that he was not aware of what was going on until an officer turned to him and asked “Are you aware of her age? She’s 15! You’re done!” Jamal stated he felt “disgusted”. He goes on to recall the officers aggressively “pointing their fingers in my face, calling me a gross pedophile”. Jamal explains that he is currently in court to fight the charges and hopes all will understand the relationship was consensual. However, he believes the police did not listen to his side of the story, during the initial encounter or at subsequent interviews. Jamal believes his treatment by the police was influenced by his race, as he states “you see a Black man and a White girl, what do you think?” For Jamal, this experience confirmed that he wants nothing to do with the police, even if the victim of a violent crime. Jamal has a deep sense that law enforcement officials will “get my name, harass me, or have my information...and manipulate it all”. These sentiments are consistent with a number of studies that suggest experiences with aggressive policing as well as perceived misconduct at the hands of police has a significant impact on how young Black men view law enforcement (Gau and Brunson 2010; Brunson

(2007). The narrative suggests that these behaviours can also prevent Black youth from reporting their own victimization. This suggests that some Black youth may be in a position of vulnerability if they experience violence in their lives.

This was similar to “Leonard’s” experience. Leonard explained that prior to residing at the youth shelter, he had lived in a hostile home environment with his parents. Leonard revealed that he did not get along with his father and arguments often resulted in violent fights. He spoke of a specific incident where police were called to break up a fight. Leonard felt that the police failed to listen to his side of the story and instead focused on the family’s side of things. Leonard believed his age was a factor in not being heard and as a result felt the police failed to ensure his safety. This is consistent with a number of studies which suggest that youth believe their concerns are ignored due to age (Friedman et al. 2004). Leonard was apprehended during this incident and removed from the home. For Leonard, this incident confirmed his perspective that the police do not care for his safety and may in turn use previous charges to further criminalize him. More specifically, he states “I feel like they would just turn around and come after me”. Some Black and Indigenous youth respondents felt that the police aid in criminalizing youth from their community. As Lena, a young Black woman states “the only time you ever [see] the police is to arrest somebody...they have never made an attempt to bridge anything with us”. For Lena, she feels the police do little to produce community engagement, but instead arrest and detain people in her predominately Black community. “Andrea”, another young Black woman suggests

I think the police represent protection for a certain type of people, I think the police are necessary, but it wasn't created to make sure people like me are safe and meant more to put people like me in jails. When I was younger, I would have to call the police a lot because I didn't feel safe, and I would just watch the police treat me and my family like criminals when we were the victims.

“Andrea” did not expand on her experiences with victimization or why she often had to call police, but made it clear that she felt the police were more concerned about finding any wrongdoing amongst the family as opposed to showing any concern for their safety. This coincides with Lisa, another young Black woman who states,

Police officers say the most fucked up things, the last time I dealt with police officers, you know what one said to me? He said, see you next time...They're just looking to fill their fucking quotas and get people arrested. They'll make you believe you're a criminal before you are even a criminal.

For Lisa, she felt that the police viewed her as a problematic citizen and thus would continuously attract police attention. For her, this encounter confirmed her perception that members in the Black community are perceived to be criminals in the eyes of the police.

Similar sentiments are expressed by Indigenous participants, like Justin. To illustrate, Justin expresses:

You know, some Native people have been through bad times, but police just seem to expect it when they come, and they don't care. All they see is alcoholics, drug addicts, and a whole bunch of other things. So, that's the only outlook they have, that's what they think of most of them. I know Natives have some problems, but police don't see the good ones, they just focus on the bad and think were all the same.

Through these narratives, it is evident that Black and Indigenous youth are able to draw on a number of experiences that shape their overall perception of the police. Their words demonstrate their belief that law enforcement officials aid in criminalizing Black and Indigenous communities and fail to provide proper protection from victimization. Lisa's comment that the police are "just looking to fill their fucking quotas and get people arrested" supports the argument that the police have a significant role in defining and constructing who is criminal. They decide who is to be subject to attention and legal control. Therefore, a focus on racialized communities reflects a process of negative stereotyping and/or profiling. Stories like these correspond with growing evidence that suggest higher rates of police surveillance in racialized communities may be one of the factors contributing to the over-representation of Black peoples in the Canadian criminal justice system (Maynard 2017). Numerous studies suggest that Black and other minority civilians come under much higher levels of police surveillance – particularly police stop and search practices (Henry and Tator 2006; Meng 2017; Maynard 2017; Philips and Bowling 2003; Harris 2010; Tanovich 2005; Wortley and Tanner 2003).

Overall, these narratives suggest that for some Black and Indigenous youth, their failure to report violent victimization to the police is related to the perception that they will not be taken seriously, but instead face scrutiny and potential criminalization. As such, they are not being protected by a legal institution is that meant to serve them.

Victimization leads to police brutality

A troubling trend expressed by some Black and Indigenous youth involve the potential to be victimized by the police themselves. Troy, a 20-year old Black man, recalls an incident in which the police raided his home. He was suspicious of the timing of the raid, as the next day he was to attend court to have charges dropped for a previous incident (Troy did not go into this incident). He explained that the police burst into the home he shared with his mother, and violently apprehended both him and his mother. Troy explained that the officers in attendance “got my mom on the floor, stepped on her neck and gun butt me”. Troy said he recalls the officer look over at Troy as his mother was lying on the floor and smile. Troy was upset by the officer’s demeanor and called the officer “a pussy”. At this point another officer hit Troy with the butt of their gun for the second time. On that day, Troy was charged for assaulting the police officer.

Troy spoke of harassment by the police since the age of 9, in which he was accused of selling marijuana. From his experiences, he believes the police “make stuff worse” and simply “harass Black kids”. Thus, when asked if he would call police if the victim of a violent crime, Troy gave a resounding “No!” He continued to state that the police “just fuck up your life and don’t even care, so I don’t fuck with them”.

Kerry, a young Black woman, states that she does not trust police, and would be hesitant to call if she were the victim of a violent crime but admits she would call the police if she were in need of an ambulance. However, Kerry too recalls a violent incident with police that impacts her perception of safety in the presence of law enforcement. Kerry attended a predominantly racialized high school in Toronto and she often felt that students

were surveilled by the police. She recalls an incident where a group of students were waiting for the bus at a stop directly in front of her school. Police were surveilling the area for what she believed was due to increasing incidents involving students entering the bus from the back to avoid payment. Kerry admits that she too had done this in the past. On this particular day, when a large group of students tried to “rush” onto the bus, Kerry recalls three officers pulling many students off the bus and “literally throwing all of us”. She also remembers seeing “someone [get] beat with a baton”. For Kerry “that made me really say, yeah fuck the police, for real”.

However, it is not only physical harm, but also psychological mistreatments that have influenced how Black youth perceive the police. When speaking of her encounters with law enforcement, Lisa, an 18-year old Black woman, states that she believes Black youth must work hard to not internalize verbal taunts by the police. Lauren recalls many instances where she felt officers used demeaning language when speaking to her, and in her particular encounter where an officer stated that he would “see [her] next time”, she goes on further to state it was upsetting and “was one of the only times that I actually snapped at a police officer”. She further states “I don’t internalize any of the bullshit what they say”.

Several Black youth note psychological taunts or threats in their encounters with the police, including Chris, a 16-year old Black man, who recalls a time he was arrested for an assault charge. He states:

There was one time where I was arrested for an assault charge. It was the first time I was ever handcuffed. I’m sitting in the back of the police car, quiet. I didn’t want to say anything. There were two police officers and they drove me to my uncle’s house. One of them was like ‘oh this guy’s too quiet, he’s no fun’ or whatever and kept

saying stuff like that. When we got to my uncle's house, one officer went to the door to talk to my uncle and then other police officer turns to me and is like 'oh, if I was your uncle, I would beat the shit out of you'. The way they came about it really affected me.

For Chris, this encounter had a significant influence on how he viewed the police. He did not see them as an authority figure that would listen to him when in need, instead Chris felt his victimization was minimized while the police threatened to harm him.

Similarly, Jared, an 18-year old Indigenous man, recalled a 'stop and search' encounter where an officer frequently referred to him as "an Indian" and continuously asked if Jared were drunk. Therefore, it is not surprising that the majority of Black and Indigenous youth state that they would not, or expressed hesitation to, report violent victimization to the police. Instead, many youth expressed alternative solutions.

Informal alternatives

A common sentiment by both Black and Indigenous youth who state they would not or were hesitant to report their victimization to law enforcement officials believe community and/or family members are better suited to address their victimization. To illustrate, 50% of the Black youth (3) and 100% of Indigenous youth (3) who stated they would not report to the police would report to either a community and/or family member.

When I asked Nathan, a young Indigenous man, whether he would report to the police if he were the victim of a violent crime, he revealed he in fact was stabbed and did not report the incident. He shared that he sought help from his father and uncle, who were in a gang. Nathan knew his family would deal with the incident and was not confident that reporting his stabbing to the police would result in a better outcome. Nathan did not go into much detail

about the incident but was adamant that the police are not necessary if one has the support of a gang family. This sentiment supports Anderson's (1999) 'code' literature.

When I asked Terry, a 24-year old Black man, whether he would report violent victimization to the police, Terry confidently stated no. He explains:

I feel that my community would deal with it. Growing up I would always hear from older guys, older family members, if you have an issue let me know, right. If somebody has an issue with you, you let me know. It was never, I can't recall once unless it was my father, right, 'cause he grew up in a different, he grew up with the understanding that the law is right and you just gotta obey and listen to white folk. Just so you don't have no issues. Right. Yeah, they going to be racist but you just gotta deal with it' but I always grew up understanding or hearing "if you have an issue call us", "call me", like older guy friends, cousins or uncles. So, knowing that I was never instructed to call the police, I never grew up into that habit. If I ever had an issue which was pretty rare 'cause I was well respected. If I did have an issue call my boys, right. As they would say I'm gonna ride out for you. I'm gonna ride out, that's not always the best way but you know what I think, it's regular community efforts. So, if I was a victim, even now, I mean even though I have education I'm professional now, it's been ingrained in me that I'm not calling the police.

Terry reveals that he was socialized to view family and community members as an alternative to the police when in need. This also supports Anderson's (1999) 'code of the street' argument. However, he also reveals that these sentiments are a result of a deep-seated belief that the police are racially biased, and thus do not have the best intentions in regard to members of the Black community. This supports the assertion that negative attitudes towards the police can have a significant influence on reporting violent victimization (Boetang 2016).

As for the young Black women, interestingly, not one stated that they would *not* report their victimization to the police. However, all provided insight and their narratives suggest that they do not believe law enforcement officials are the best solution. To illustrate, Keisha states:

There's ways we can resolve things, especially people who are in the community, and you're so used to seeing certain violence and won't turn you off, and they'll know how to deescalate. Police are necessary but kind of like a last minute resort, type of thing. Maybe I'll call if it's my physical wellbeing, cause the police don't really do shit.

Gabrielle was quite reflective on the question. While she did not explicitly state that her community or family were better suited to deal with her victimization, she did express a belief that the police “shouldn't be the only answer”. To explain, she recalls needing to call the police on numerous occasions, due to an abusive ex-boyfriend who had mental health issues. However, Gabrielle states that she never truly felt that the police were helpful. She states, “I've never been like, ‘now I'm safe’, or I have been helped” and in fact expresses that she “wish there was somebody that I could call, like a mental health nurse, because they would be able to do something way more than an officer”. Gabrielle also mentioned race and shared that she often factored in her ex-boyfriend's Jamaican ethnicity before calling the police. She recalls a particular incident in which a bystander called the police.

Me and my ex were in an argument we were outside and he threatened to jump off a bridge, and a car going by saw and called the police. At this time, he was not supposed to be around me, I had charges against him. Three patrol cars rolled up and I was like “fuck, like”, I tried to like walk away, because they're here now, they can help him get mental health resources but if I'm around, all it's going to end up is him

in jail. So, I'm trying to navigate getting help without ruining someone else's life. My ex was born in Jamaica, he's already a target for the police he had no record before this. I weighed all of those things in but I needed to be safe...it's really difficult because there's so many people who won't take that step, thinking about the fact that justice is not going to be applied in a fair way...that was like a really difficult thing to navigate.

While Gabrielle does not specifically look to family or community members as an alternative to the police, her narrative suggests that she does not have confidence in law enforcement and believes mental health professionals are better suited to handle victimization incidents. Gabrielle's sentiments reflect growing calls to 'defund the police' and instead invest in crime intervention strategies that do not involve law enforcement (Hudson 2020).

Overall, the narratives suggest that Black and Indigenous youth perceptions of racial bias within policing may result in a failure to report violent victimization to the police. In other words, these youth question the legitimacy of the police as they believe racial discrimination within law enforcement impedes police officials' ability to assist when in need.

Implications

The stories of these select Black and Indigenous youth suggest that police services need to examine how their own encounters with racialized youth ultimately damage their ability to solve crime as well as keep individuals and communities safe. Police institutions need to re-evaluate their own "bad apples" theory and acknowledge the behaviors and policies that alienate youth. This holds relevance as an increasing body of research suggest that in comparison to positive encounters, negative experiences with the police have a much

stronger impact on perceived police legitimacy. Therefore, for the police to improve trust and cooperation within racialized communities, it is in their best interest to dramatically decrease the negative experiences within those communities.

Some narratives suggest youth may turn to members within their community to address violent victimization. However, this ‘self-protection’ and informal means of dispute resolution could ultimately increase violence and reduce community safety. Previous studies suggest that the street subculture, for Black youth in particular, promotes a “no snitching” code when it comes to reporting crimes and victimization to law enforcement (Anderson 1999; Clayman and Skinns 2012). Furthermore, the previous research looks at the street code in isolation by arguing that the anti-snitching rhetoric is communicated and reinforced through peer and familial associations. However, the current findings suggest that youth may decide not to cooperate with police investigations because of lived negative experiences with law enforcement. Therefore, an important question to explore within the literature is whether negative experiences with the police may in fact reinforce the street code.

Some policing scholars contend that the answer is in building community relations as numerous studies suggest the most effective way to decrease crime and gain support is to engage in community policing (Lum, Koper, and Telep 2011; Maguire and Mastrofski 2000; Telep et al. 2012; 2014; Tyler 1990; 2004). Typically, community policing strategies entail procedures where officers work closely with the community with the idea that the more involved police officers are with a community, the more knowledge they will have on how to interact and keep citizens safe (Lum et al. 2011). While promising, these ideals have

seemingly created little change. Most if not all Canadian police services claim to work for and provide safety to communities through community engagement, yet the narratives suggest that the officers who police the youth in this study continue to engage in behaviours that are believed to be racially biased. Therefore, while police services promote their dedication to community policing (Toronto Police Service 2020a), the reality is, for Black and Indigenous youth, these sentiments have little legitimacy. Black and Indigenous youth continue to have little trust or confidence in the police, and therefore do not turn to them when in need. Could a true commitment to community policing improve these perceptions and thus increase trust and the motivation to report violent victimization? For example, in an Ontario provincial report which included the voices of 150 Indigenous youth from both Toronto and Thunder Bay to discuss their overall perceptions of the Canadian criminal justice system, some Indigenous youth reported positive views of the police and expressed a sense of trust (Feathers of Hope 2014). Many of these youth resided in rural communities where Indigenous policing is the principal form of law enforcement. Maybe the structure of Indigenous policing played a role in this increased trust? If so, could similar cultural policing strategies benefit members of the Black community? Exploring these questions can add to the literature when examining racialized youth's reporting practices to the police.

Conclusion

By prioritizing Black and Indigenous youth perceptions on law enforcement the narratives suggest that a majority of these youth do not feel the police institution serves their interests and as a result are less likely to report violent victimization to the police. Thus, when it comes to examining the reporting practices of racialized youth, perceptions of the

police matter. This is important for police officials to understand as these sentiments have an impact on both individual and public safety. The distrust in the police may be putting members of racialized communities at an increased risk of victimization as a result of self-protection strategies. Furthermore, without an accurate picture of violent criminal activity, the police are not able to effectively assist those in need. When exploring the importance of trust in the police, Sherman (1997) notes “one of the most striking recent findings is...the police themselves create a risk factor for crime simply by using bad manners...consistent scientific evidence supports the hypothesis that less respectful police are towards suspects and citizens generally, the less people will comply with the law” (Sherman, Gottfredson, Mackenzie, Eck, Reuter, and Bushway 1997 pg. 8-1). This too can apply to reporting practices to law enforcement.

The current discussion on how Black and Indigenous youth perceptions of the police impacts reporting violent victimization does leave an important unanswered question. Could positive police interactions with members of Black and Indigenous communities ever mend strained relations and thus increase trust and the motivation to report violent victimization? As noted in the previous section, Indigenous youth have in fact reported positive views of “Indigenous Policing”. If so, culturally based policing should be explored further.

Caution should be made when interpreting the results since, as expected with qualitative research, the findings cannot be generalized to all Black, Indigenous, and White youth in Canada. Furthermore, I do not explore identified contextual factors which may also influence a youth’s willingness to report their victimization to the police like engagement in criminality or the victim-offender relationship (Berg et al. 2013; Gartner and McMillian

1995). However, the results do suggest that perceptions and experiences with racially biased police may have a significant impact and thus should be explored as a salient factor.

Furthermore, while critical race theorists suggest that the narratives of racialized peoples can serve as a collective representation of a community (Solózano and Yosso 2002), there too is a benefit of including a quantitative component. Narratives provide a nuanced understanding on how Black and Indigenous youths' negative experiences with the police shape their perceptions, however incorporating a larger quantitative analysis can demonstrate disparities in reporting practices among Black and Indigenous youth which can lend insight into the wider impacts of negative police perceptions. Therefore, if quantitative data demonstrates that a disproportionate number of Black and Indigenous youth fail to report their violent victimization to the police, the narratives can further support the argument that perceptions of racial bias in policing is impacting police legitimacy and their ability to effectively protect the communities they serve. The policy implications of these findings will be discussed in the next and final chapter.

Conclusion

Public perceptions of the police are considered an important area of study due to its relation to public safety (Gau and Brunson 2010; Stewart, Morris, and Weir 2014). Research suggests that citizens who hold negative perceptions of law enforcement are less likely to report crime and victimization to the police, cooperate with police investigations, or may view the public institution as “illegitimate” (Harkin 2015; Tankebe et al. 2016; Tyler and Fagan 2008). A large volume of research examining public perceptions of the police suggest that trust and confidence in law enforcement is low among youth and specific racialized populations. Studies based in the U.S., U.K, and Australia have established that both Black and Indigenous youth are more likely to report negative perceptions of the police in comparison to youth from other racial backgrounds (Bowling and Phillips 2003; Gau and Brunson 2010; Little, Stewart, and Ryan 2018; Redner-Vera and Galeste 2015). However, as a result of both formal and informal bans on the collection of race-based data in Canada, academic research exploring the perceptions of Black and Indigenous youth from a Canadian perspective is limited. By employing a mixed-methods approach, the current dissertation addresses this gap and adds to existing research exploring public perceptions of the police. Furthermore, by exploring the issue through a critical race lens, the current findings provide a deeper understanding of the experiences that help shape Black and Indigenous youth perceptions of law enforcement. Having this knowledge may provide law enforcement agencies the insight needed to address the historical tensions between police and racialized communities in Canada.

Summary of Findings

Article 1

Previous Canadian studies using the General Social Survey (GSS) to examine differences in perceptions of police among racialized and White populations in Canada find that racialized citizens are significantly less likely to report confidence in the police (Cao 2011; O’Conner 2008), however these studies failed to disaggregate racial categories. In subsequent studies however, Cao (2014) find that Indigenous people also hold negative perceptions of the police. Similarly, Spratt and Doob (2014) find that Black populations are indeed more likely to report low confidence in the police. However, both studies do not address youth populations in Canada. Therefore, the first article of the dissertation takes a focused approach and specifically explores Black, Indigenous and White youth perceptions of the police in Canada.

Starting with a bivariate analysis, the data suggests that in comparison to their White counterparts, Black and Indigenous youth are less likely to report positive perceptions of the police. More specifically, for Black youth, they are more likely to report negative perceptions of the police in relation to ‘enforcement of the law’, ‘responding to calls’, as well as ‘treating people fairly’. For Indigenous youth, they are more likely to report negative perceptions in relation to ‘responding to the calls’.

Previous research suggests that victims of crime evaluate the police more negatively than non-victims. Previous research also suggests that frequent contact with the police can lower confidence in law enforcement. Therefore, in addition to these contextual factors, I

also examine whether gender, geographic location, perceived neighbourhood safety, and neighbor willingness to report crime impact attitudes towards the police.

The bivariate results indicate that some of these variables are also related to race. For example, both Indigenous and Black youth are more likely to report recent victimization experiences than their White counterparts. Victimization is particularly high amongst Indigenous youth. Furthermore, Black and Indigenous youth also report higher levels of police contact than their White counterparts. Indigenous youth are also more likely to report living in a rural area than their Black and White counterparts.

Following previous Canadian studies using the GSS to explore perceptions of the police (Cao 2014; Spratt and Doob 2014), interpersonal and technical abilities scales were created for the purpose of multivariate analysis. The results suggest that on the interpersonal scale, female youth and respondents who report that their neighbors would report crime tend to score higher. By contrast, previous victimization is negatively related to scores on this dependent variable. Finally, Black youth score significantly lower on the interpersonal interaction scale than both their White and Indigenous counterparts. This suggests that Black youth are less likely report positive perceptions in relation to the interpersonal abilities of the police.

Multivariate analysis of the technical abilities scale reveals that respondents who feel safe in their own neighbourhood, and those who believe their neighbours would report crime, score higher on the scale. However, youth who report living in urban areas, and those who report higher rates of victimization, score lower on this scale. As with the interpersonal scale, Black respondents score significantly lower on the technical ability scale than their White

and Indigenous counterparts – even after controlling for other factors. Again, Black youth appear to hold less positive perceptions of the police in relation to technical abilities.

In sum, these analyses suggest that Black youth, in particular, are significantly less likely to report positive perceptions of the police than their White counterparts. However, the data, somewhat surprisingly, suggest that differences between White and Indigenous youth are not significant. After statistically controlling for other relevant factors the race effect disappears for Indigenous youth, but remains significant for Black youth. In relation to the overall dissertation, article 1 establishes that in Canada, both Black and Indigenous youth are less likely to report positive perceptions of the law enforcement. However, Black youth in particular are more likely to report negative perceptions of the police. To explore further, the next article employs a qualitative critical race approach to examine Black, Indigenous, and White youth's experiences with the police.

Article 2

Critical race theorists contend that racism plays a central role in the functionality of society. Therefore, those who are racialized experience life differently from those who are White. As such, institutional claims to fairness and equality are faulty. It is only through an understanding of the experiences of racialized people that the majority can begin to understand the impact of race and racism. In an effort to demonstrate the basic tenets of CRT, storytelling is seen as an ideal method of inquiry. Rooted in both African and Indigenous traditions, storytelling is seen as “an essential for [oppressed groups] own survival” (Delgado 1989 pg. 2436). As such, to have an understanding of Black and Indigenous youth's

experiences with the police in Canada, article 2 highlights their stories to counter the "equality" narrative promoted by most, if not all, Canadian police organizations.

Using the critical race method of composite counter-storytelling, I develop a story which include five youth characters who are based on a sample of Black, Indigenous, and White youth I interviewed to explore their personal experiences with the police. The story also includes ex-Toronto police chief, Mark Saunders. Saunders character aims to demonstrate the police narrative, which maintains that law enforcement officers engage with all members of the community in a fair and respectful manner. However, juxtaposed to the narratives of Black and Indigenous youth, their stories suggest the opposite. The youths' stories suggest that they experience aggressive police behaviour from a young age. Therefore, despite law enforcement agencies declaration of fairness and equality, Black and Indigenous youth perceive racial bias in their encounters with the police, which ultimately leads to negative perceptions of law enforcement.

The narratives suggest that in comparison to their White counterparts, Black and Indigenous youth 1) Do not believe that they are treated equally or respectfully by the police and are frequently subjected to rights violations; 2) Believe that the police are racially biased and contribute to the criminalization of youth in their communities; 3) Express that the police do not make them feel safe. In fact, these youth are often fearful and anxious around police officers. 4) Believe that the police do not serve their interests or protect the community.

Including the stories of Black and Indigenous youth uncover sentiments that would not have been captured in the national survey explored in the previous article. Therefore, in relation to the overall dissertation, the inclusion of Black and Indigenous youth voices

complements the quantitative data. Through a critical race lens, the narratives reveal the experiences of these youth and may help explain why they are more likely to report negative perceptions of the police. The following article seeks to explore the impact these perceptions.

Article 3

Article 3 explores whether there are any racial differences with respect to reporting victimization to the police. Consistent with previous studies based in the U.S. (Anderson 1999; Clayman and Skinns 2012; Kwak et al. 2019; Rosenfield et al. 2003), the narratives of Black and Indigenous youth suggest that perception of racial bias within policing impacts their motivation to report personal victimization. The sample of Black and Indigenous youth included in the study are less likely to report due to their extreme mistrust in law enforcement. More specifically, the findings suggest most Black and Indigenous youth believe 1) the police will turn a youth's victimization into an opportunity to criminalize them; 2) the police engage in violence during an interaction and in turn harm youth; and finally, 3) as opposed to the police, family and/or community members are better suited to handle personal victimization.

Examining youths' reporting practices through a critical race lens provides further insight into the impact of experienced racism. The narratives suggest that Black and Indigenous youth are at an increased level of vulnerability as they perceive that their racialized status will result in unfair treatment by police, even as a victim. By highlighting Black and Indigenous youths' experiences with the police, the findings continuously suggest unequal treatment. In relation to the overall dissertation, the narratives support the notion that

they are subject to unfair and biased treatment by law enforcement officials. Therefore, the long-standing belief that Canadian police serve and protect all in an equitable manner must be dismantled.

Theoretical Implications

Canada's reputation as a multicultural utopia, both within and outside of its borders, has made exploring racial bias within the country a challenge. Therefore, Canadian citizens have come to believe that we are a nation that has largely escaped the ills of racism that has contributed to the over-policing and subsequent overrepresentation of racialized peoples in the criminal justice system in the US. Drawing on critical race theory as the theoretical framework, this dissertation demonstrates that race and racism is indeed institutionally ingrained within the Canadian criminal justice system. Using both quantitative and qualitative methods through a CRT lens provides a nuanced understanding of the relationship between lived experience and attitudes towards law enforcement.

First, exploring national crime victimization data through a "quantcrit" approach not only establishes that there are clear racial differences in how youth perceive the police in Canada, the approach also allows one to question the objectivity in the collection and dissemination of Canadian data. The State's decision to only release data that does not allow for an exploration of distinct racial groups helps to maintain an illusion of race neutrality, when in fact racial disparities in our justice system continue to widen (Correctional Investigator 2020).

By outlining the process that I, as a researcher, had to take in order to gain access to race-based data demonstrates active barriers that are in place to limit opportunities to explore race and racism within our country. Without concrete data, exploring the systemic challenges faced by racialized communities becomes more difficult. Critical race theorists would argue that these institutional barriers are an attempt to maintain the marginality of racialized groups and thus keep the status quo. Therefore, placing race at the forefront, when utilizing quantitative methodologies, is vital as it can help document widespread racial disparities and counter the State argument that justice, or more specifically in regards to this dissertation, confidence in State actors (i.e. the police), is race neutral.

Traditional CRT methodologies utilize storytelling as a means to gain a nuanced understanding of the impact of racism in the lives of racialized peoples. As such, exploring the stories of Black and Indigenous youth contributes to an advanced inquiry into police and youth relations. As article 2 demonstrates, the narratives suggest that despite police services' commitment to equality, Black and Indigenous youth continue to experience unequal treatment by law enforcement officials. As article 3 demonstrates, it is these experiences that place Black and Indigenous youth in a state of vulnerability as they do not feel protected by the police but instead criminalized by them. Therefore, exploring racialized youth experiences with the police, through a CRT lens, demonstrates that race matters in the Canadian context.

Overall, the quantitative data in the dissertation demonstrates that Black and Indigenous youth are less likely to report positive perceptions of the police, and the qualitative data reveal that these perceptions are based on lived experience. This is an

important finding as the dominant political and media discourse highlights the over-representation of Indigenous and Black peoples in the criminal justice system, but often fails to acknowledge the structures that explain this reality.

Policy Implications

Overall, the studies in the dissertation demonstrate that Black and Indigenous youth are less likely to have confidence in the police, in comparison to their White counterparts. The qualitative results provide further insights and suggest that Black and Indigenous youth perceive that their interactions and experiences with the police are racially motivated and thus do not feel safe in the presence of law enforcement officials that are meant to protect them. Is it possible for these negative perceptions to change?

Some policing scholars contend the answer is in community policing as a number of studies exploring police perceptions suggest the most effective way for law enforcement agencies to gain support is to view the community as a partner (Lum, Koper, and Telep 2011; Maguire and Mastrofski 2000; Telep et al. 2012; 2014; Tyler 1990; 2004). Typically, community policing strategies entail procedures where officers work closely with the community. They contribute to the wellbeing of its citizens by engaging with private and public organizations. The idea is that the more involved police officers are with a community, the more knowledge they will have on how to interact and keep citizens safe (Lum et al, 2011). To illustrate, Lum and colleagues (2011) find that community policing strategies, where officers engaged directly with the community in a manner that was perceived as fair, were seen as more valuable by community members than authoritative

police tactics which were viewed as egotistic. The authors argue that trust can be gained through meaningful community engagement.

A review of a number of Canadian police services' core values suggest many have adopted a focus on community building. To illustrate, the Toronto Police Service promotes that they are "Delivering police services in partnership with the community" (Toronto Police Service Website, 2020a). The Edmonton Police Service's core values indicate that they are devoted to working with the "community – respect and honor the diverse community that we are dedicated to protect and proud to serve" (Edmonton Police Service 2020). Finally, Canada's national police service, the RCMP, "commit to preserve the peace, uphold the law and provide quality service in partnership with our communities" (Royal Canadian Mounted Police 2020).

However, despite increased community policing efforts, public trust in the police has eroded over time. As evidenced by recent public polls, there is growing consensus that police services must address the reality of racial bias and minimize the negative impact that bias has on racialized communities (Angus Reid Institute 2020). As a growing number of Canadian Human Rights reports suggest that Black and Indigenous peoples are more likely to experience aggressive police tactics (Halifax Rights Commission 2018; Ontario Human Rights Commission 2020; Quebec Human Rights and Youth Rights Commission 2011), the narratives in the dissertation suggest it is these practices that are directly related to police distrust. As argued by Wortley and Owusu-Bempah (2016), negative encounters with the police have a more significant impact on perceptions of the police than positive community efforts. As such, if the police want to improve their relationship with racialized communities,

it would be better for them to reduce negative contacts than increase positive ones. Therefore, continuing to overlook aggressive policing practices in racialized communities will only undermine any potential benefits that community policing may have to offer. There must be increased transparency and oversight in relation to police misconduct in an effort to reduce the prevalence of aggressive police tactics.

There no longer is room for debate as to whether racial bias exists within policing. Law enforcement agencies must now acknowledge its existence and focus on how to eliminate systematic racism against Indigenous and Black populations. This of course is not a problem within policing alone. However, police need to acknowledge the role they play in the overrepresentation of marginalized communities in the criminal justice system. For example, the over-policing of racialized communities can lead to the criminalization of people within these communities thus impeding their participation in the legitimate economy and within regular civilian life. Law enforcement agencies must recognize the power of their discretion and critically reflect on any biases that may influence individual officer's behaviours. Changing ingrained biases is beyond the scope of this dissertation, however a welcome step is for police agencies to acknowledge the inequities that maintain the marginalization of Black and Indigenous peoples in Canada. From a critical race perspective, police must see their role as State actors who criminalize the marginalized. They must see value in the State making a concerted effort to promote equal opportunities to those who have been identified as marginalized within society. Any attempt to promote equality would entail a major redistribution of wealth which undermines the power and wealth of the existing elite and disrupts the status quo. This however may never change.

Regardless, at present, police services can demonstrate that they actively value community policing. Thus, police practices and policies must put less of a focus on law enforcement and more of a focus on building a better relationship with the community. Stressing positive interactions with the community will help officers avoid the traditional tactics that focus on aggression and authority. A focus on a relationship-building that is based on respect and fairness can lessen the us vs. them mentality that often exists among both the police and community (Paoline III 2003). Therefore, there needs to be a change in how police work is evaluated and rewarded. Officers should not be rewarded for their law enforcement abilities (such as number of arrests) but rewarded for treating people with respect and dignity. Thus, police training, supervision and performance appraisal should promote community policing and customer service and not hinder efforts to increase procedural justice initiatives (Paoline III 2003). A strong focus on community policing may decrease the prevalence of negative police experiences. This, in turn, may increase police fairness, legitimacy and effectiveness in the eyes of racialized peoples in Canada.

Finally, increasing evidence that racial discrimination within policing is a reality justifies further research into how racial bias may impact the functioning of the criminal justice system. Both the quantitative findings and narratives of Black and Indigenous youth, in this dissertation, strengthen the argument that it is necessary to collect race-based data within the Canadian justice system. Therefore, the State must make it easier to access this data. By empirically validating Black and Indigenous peoples perceptions of racial discrimination, in partnership with members of these communities, solutions on how to achieve racial justice can begin.

Limitations and Directions for Future Research

While the studies included in the dissertation uncover important findings, there are glaring limitations. As critical race theorist Kimberlé Crenshaw (1991) argues, when exploring racial discrimination, there is a need to examine these inequalities through an intersectional approach. An intersectional perspective argues that multiple identities (i.e., gender, race, sexual orientation) can influence a person's social realities (Crenshaw 1991). To illustrate, Black women bear the combined effects of racism and sexism in society, and thus have different experiences compared to White women and Black men. This too has resulted in a number of racial stereotypes that are ultimately used to surveil, discipline and control Black women and girls. Research into how the criminal justice system impacts Black women and girls continues to be a challenge as the suppression of race-based data in Canada impedes the ability to demonstrate racial disparities. However, a report from the Correctional Investigator (2014) highlights that in 2012, Black women represented 9.12% of Canada's incarcerated women population. This is troubling as Black women only represent 3% of the Canadian female population. Thus, the incarcerated rate for Black women is 3 times higher than their presence in the general female population. The report acknowledges that the number of incarcerated Black women is quickly increasing but updated data has not been released for almost 10 years.

As police are the gatekeepers to the justice system, I would argue that the over-policing of racialized communities also contributes to the overrepresentation of Black women in corrections. As suggested in the narratives of young Black women included in the dissertation, many perceive that the police do not take their victimization seriously and are

more interested in interrogating them on their behaviours. I however do not explore this further from an intersectional perspective.

Very little Canadian research addresses racial stereotypes of Black women, however numerous studies based in the U.S. (Nanda 2012) suggest that these stereotypes have an effect, as Black girls, in particular, are more likely to receive harsher punishments in comparison to their White counterparts. Often, Black girls are adjudicated for minor status offences (i.e., truancy, runaways, underage drinking, curfew violations, etc.), despite being vulnerable to mental health issues, sexual victimization, poverty, and family instability. Girls, in general, are more likely to be charged with status offences, however Black girls are more likely to be detained. Thus, both researchers and legal theorists argue that Black women and girls are deeply marginalized in American society (Nanda 2012). This too may be an issue in Canada, as the Correctional Report (2014) indicates that most Black women are in prison for non-violent drug offences. Yet there is little to no discussion to acknowledge that for some Black women, their use of drugs or involvement in the drug trade may be a symptom of poverty and numerous forms of vulnerabilities including domestic violence, sexual abuse, drug addiction, mental health, and housing insecurities. Recent data suggests that young Black women in Canada are employed and educated similarly to their White counterparts, yet Black women are more likely to live in low-income housing and poverty -- areas that are over-policed (Turcotte 2020). Thus, it is becoming increasingly apparent, there is a need to explore how racial biases are having a significant impact on the lives of Black women and girls in Canada, including increased police attention. As such, future studies exploring

experiences and perceptions of the police, should take an intersectional approach, employing both quantitative and qualitative methodologies.

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Appendix A
Recruitment Flyer

Seeking Interview Participants

- Have you had a positive or negative personal encounter with police? (stopped, questioned, arrested?)
- Do you self-identify as Indigenous or Black?
- Are you between the age of 16-24?

Researchers from the *University of Waterloo* are studying youth perceptions of police. We are interested in finding out young adults' opinions and experiences with police. Questions will be asked about your personal encounters and how it may have impacted your perception of police.

TO PARTICIPATE YOU MUST BE 16-24 YEARS OLD
YOUR PARTICIPATION WILL BE KEPT CONFIDENTIAL
INTERVIEWS WILL TAKE BETWEEN 30-60 MINUTES

IN APPRECIATION OF YOUR TIME, YOU WILL RECEIVE \$30.00

**This study has been reviewed by, and received ethics clearance through a
University of Waterloo Research Ethics Committee**

Those who volunteer will arrange an interview at a convenient time and
place.

Please Contact Kanika Samuels-Wortley if interested:
send a private message to @kanikasamuels on Twitter or; email

k2samuel@uwaterloo.ca

Appendix B

Information Letter for Participants

Title of Study: Combining Critical Race Theory and Mixed-Methods to Examine Racialized and White Youths' Perceptions of Police

Faculty Supervisor: Dr. Owen Gallupe, University of Waterloo, Department of Sociology,
ogallupe@uwaterloo.ca

Student Investigator: Kanika Samuels-Wortley, University of Waterloo, Department of
Sociology k2samuel@uwaterloo.ca

To help you make an informed decision regarding your participation, this letter will explain what the study is about, the possible risks and benefits, and your rights as a research participant. If you do not understand something in the letter, please ask one of the investigators prior to consenting to the study. You will be provided with a copy of the information and consent form if you choose to participate in the study.

You are invited to participate in a research study about youth perceptions of the police. The few Canadian studies that have examined perceptions of police tend to focus on adults and therefore little is known about how youth feel about the police. For the purpose of my thesis, I would like to gain a deeper understanding of how youth perceive and interpret their interactions with police and therefore what to interview youth who have encountered the police. I will compare the experiences of Black, Indigenous, and White youth and see how perceptions of police may differ among racially diverse groups. By including youth voices, my study will provide insights into strategies for improving community policing practices and increasing the perceived legitimacy of both the police and broader Canadian criminal justice system.

I. Your responsibilities as a participant

What does participation involve?

You will participate in a semi-structured interview with Kanika Samuels-Wortley. Kanika will ask some demographic questions such as your age, gender, and area of residence. Please note that this information cannot be used to identify you, these details are simply used to gather demographic statistics for the study. Kanika will then ask you about how you feel about the police and why you feel that way. Kanika will ask about any situations where you had a personal encounter with the police. Kanika will also ask how you think the police can improve their relationship with youth. The interview could be as short as 30 minutes or as long as 60 minutes – depending on how much you have to say and how long you want to talk.

Interviews will take place where it is mutually agreeable between you and Kanika (either a space at the organization you found out about the study or somewhere like the library).

To participate in the study, you have to identify as either White, Black, or Indigenous. You also have to be between the age of 16-24.

II. Your rights as a participant

Your participation in this study is completely voluntary. You do not have to be interviewed if you do not want to and you can drop out of the study and withdraw the information you have given us at any time during the interview without any consequences. You can refuse to answer any questions that you do not want to answer. You can also stop the interview and ask Kanika questions about the study at any time.

Your name or contact information is not attached to the information that you give me, thus if you decide that you do not want your interview to be included in the study, I will only be able to guarantee that you can withdraw your participation from this study if you contact me within 48 hours after the completion of this interview. I will give you a card with my contact information at the conclusion of this interview, if you wish to withdraw simply contact me using this information within 48 hours and provide the date and time of your interview. I will only keep the date and time of your interview for 48 hours, which is why I cannot guarantee I can withdraw you after this time. If you want to withdraw your interview after 48 hours, however, every effort will be made to accommodate your request to be removed.

Will I receive anything for participating in the study?

In appreciation of your time, you will receive \$30. *The amount received is taxable. It is your responsibility to report this amount for income tax purposes.*

What are the possible benefits of the study?

Participation in this study may not benefit you directly, however by sharing your story and experiences, you may feel that you have a voice by sharing your story and experiences with the police. You may feel a sense of acknowledgement and empowerment. Whether the experience was negative or positive, the interview will hopefully allow you to reflect and help provide insight into how relations between youth and police can be improved.

What are the risks associated with the study?

Some people may find some of the questions and topics such as your encounter with police upsetting. With this in mind, I want to remind you that if any of the questions upset you that you can refuse to answer and skip these questions without penalty. You do not have to answer any questions you do not wish to. Please keep in mind as well that I will provide you with a list of resources at the conclusion of the interview with the names and numbers of services that can help if you are upset and want to talk to someone at the conclusion of the interview.

Will my identity be known?

Every precaution possible has been taken to ensure your participation is kept confidential. Therefore, I do not want to know personal details about you like your name, your address, your phone number or your email address. Your name will not be put on any of the sheets that contain the answers that you give to me. You also do not have to give me your name on the consent form. That way nobody but me will be able to tell how you answered the questions that I want to ask. Your name therefore will never appear on any of the research reports or analyses that result from this project.

The information that you provide will not be given to any other people – like your parents, your teachers, your employer, the police, or to the courts voluntarily. **In the unlikely event that external pressure to access the data through, for example, through a court order, I would fight this request by obtaining legal counsel. With this being said I want to remind you again that your name will not be attached to the data in any way.** In this study your privacy will be protected **to the absolute best of my ability. With this in mind**

we do need to inform you that there is an exception in that I do have a duty to report to the proper authorities if you express intent to harm yourself or another.

Will my information be kept confidential?

At one point in the interview I will be asking you if I can tape-record your interview. This might help the interview go a bit faster because I will not have to write down all of your answers. It may also help me record exactly what you said – without making a mistake. I want to assure you – once again – that your name will not be placed on the tape. I will also ask you not to say your or anyone else’s names while you are being tape-recorded. This will protect your privacy. If you do agree to be tape-recorded – I will write down all of your answers within 48 hours of the interview. After your answers are written down, I will erase and destroy the tape. This will further protect your privacy. I want to stress to you that – even if you don’t want to be tape-recorded – I still want to interview you. I will just have to write your answers down as you speak.

With your permission, quotes from your interview may be included in my thesis and thus shared publicly. However, because your name is not recorded, your identity and participation in this interview will be confidential.

Please note all data will be electronically encrypted, meaning that a password will be required to access the data. Any written notes will be stored in a locked cabinet belonging to the researcher at the researcher’s residential office. Electronic data (and/or written notes) will be retained for a period of 10 years from the completion of data collection. This allows for future publication use of data materials. No information that would identify you will be stored with the electronic data.

Has the study received ethics clearance?

This study has been reviewed and received ethics clearance through a University of Waterloo Research Ethics Committee (ORE#40623). If you have questions for the Committee contact the Office of Research Ethics, at 1-519-888-4567 ext. 36005 or ore-ceo@uwaterloo.ca.”

Who should I contact if I have questions regarding my participation in the study?

If you have any questions regarding this study, or would like additional information to assist you in reaching a decision about participation, please contact Kanika Wortley by email at k2samuel@uwaterloo.ca or Dr. Owen Gallupe, Faculty Supervisor at ogallupe@uwaterloo.ca.

Appendix C

Consent Form

By providing your verbal consent, you are not waiving your legal rights or releasing the investigator(s) or involved institution(s) from their legal and professional responsibilities.

Title of Study: Using critical race theory to examine racialized and white youths' perception of the police.

I have read the information presented in the information letter about a study conducted by Owen Gallupe and Kanika Samuels-Wortley; Sociology, University of Waterloo. I have had the opportunity to ask questions related to the study and have received satisfactory answers to my questions and any additional details.

I was informed that participation in the study is voluntary and that I can withdraw this consent by informing the researcher.

This study has been reviewed and received ethics clearance through a University of Waterloo Research Ethics Committee (ORE#40623). If you have questions for the Committee contact the Office of Research Ethics, at 1-519-888-4567 ext. 36005 or ore-ceo@uwaterloo.ca.”

For all other questions contact, Kanika Samuels-Wortley at k2samuel@uwaterloo.ca

Do you agree to be interviewed as part of the study?

	I agree to take part in the study.
	I do not agree to take part in the study.

Do you agree to have portions of your interview tape-recorded? I will let you know in advance each time I turn the tape-recorder on.

	I agree to have my interview tape-recorded.
	I do not want to be tape recorded during the interview. The interviewer will have to write down all of my answers.

Do you agree to the use of anonymous quotation in any thesis or publication that comes from this research?

	I agree to the use of anonymous quotations in any thesis or publication that comes from this research.
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I, Kanika Samuels-Wortley have read this consent form to the respondent. I have given the respondent the opportunity to ask questions and they have indicated that they have no more questions to ask. The respondent has now verbally agreed to proceed with the interview.

Dated this _____ day of _____ 20__.

(SIGNATURE OF Kanika Samuels Wortley): _____

Appendix D
Interview Questions

Age:

Gender: Female/Male/Two Spirited

Race:

Ethnicity Canadian? Italian? Jamaican?

Thank you for taking the time to speak with me today. The following questions are simply to gain insight into your overall perception of police.

1. In general, when you think of the police, what comes to mind?
 - a. To you, what do the police represent?

2. In your opinion, how do police treat people in your community?
 - a. Do you believe the police fairly treat the people in your community?

3. Do you believe the police do a good job at protecting your community?
 - a. Do you see a lot of police in your community?
 - b. Do you feel safe when you see police in your community?
 - c. Do you trust the police?
 - d. Do you respect the police?

The following questions are to gain insight into the impact of your lived experiences with the police

4. Now, I want you to think of your encounters with police. Have you ever had a good or positive experience with the police? If so, what is the best or most positive experience you have ever had with the police?
 - a. Why do you believe the interaction was positive?
 - b. Do you think any specific factors helped to make the encounter positive?
 - c. Do you think your race had any influence on the interaction?
 - d. Did this experience have an impact your overall perception of police or just that individual officer(s)?
 - e. Did the encounter in any way have an impact on how you viewed yourself?

5. Have you ever had a bad or negative experience with police? If so, what was the worst or most negative experience you have had with police?
 - a. Why do you believe the interaction was negative?
 - b. Do you think any specific factors helped to make the encounter negative?
 - c. Do you think your race had any influence on the interaction?
 - d. Did this experience have an impact on your overall perception of police or just that individual officer(s)?
 - e. Did the encounter in any way have an impact on how you viewed yourself?

6. Now thinking about how you view the police, if you witnessed or watched a violent crime – like a stabbing, a shooting or a robbery – would you report it to the police?
 - a. Why?
 - b. Has any encounter with police influenced whether you would report or not report a witnessed crime to police?
 - c. *If respondent would report* – What would prevent you from reporting a witnessed crime to police?
 - d. *If respondent would NOT report* – What would help you in reporting a witnessed crime to police?

7. Now thinking about how you view police, if you were ever the victim of a violent crime – like a stabbing, a shooting or a robbery – would you report it to the police?
 - a. Why?
 - b. Has any encounter with police influenced whether you would report or not report a witnessed crime to police?
 - c. *If respondent would report* – What would prevent you from reporting a witnessed crime to police?
 - d. *If respondent would NOT report* – What would help you in reporting a witnessed crime to police?

Final question, if I were to do a presentation on how police can improve their relationship with youth, what do they need to know.