



LONDON POLICE SERVICES BOARD

“Deeds Not Words”

To: Chair and Members of the London Police Services Board

Date: December 15, 2022

Subject: **Police Response to Swatting Calls / Police Treatment of Transgendered Individuals**

Report: 22-121

Board Action:

- ☒ Update / Information Purposes Only
- ☐ Seeking Input
- ☐ Seeking Decision
- ☐ Evaluation

On August 5, 2022, LPS officers responded to a complaint of an individual threatening to attend City Hall to shoot people.

Information at the time led officers to a location where one individual was arrested, and a residence searched.

Investigation determined that the report to police was a ‘swatting’ incident – a false report made to lure a large number of armed police officers to a particular location - and the person arrested was released unconditionally. Investigation revealed that the individual arrested had been the subject of a previous swatting incident in another jurisdiction.

There has been significant public discourse as a result of the above incident and two specific issues have arisen - the police response to swatting incidents and the police treatment of a transgender individual. This report provides an update and some further information relating to these issues in an effort to address the concerns raised and to clarify some of the misconceptions that have circulated.

Police Response to Swatting Calls:

Swatting is a phenomenon known to police. Communication operators and police officers must carefully balance information reported to them against the possibility such information could be false and intended to invoke a response for other purposes. When emergency calls are received, typically with limited information, officers must err on the side of caution and treat them as real until information is received to satisfy themselves otherwise. In the case of a reported weapon, potential for active shooter or similar emergency, armed officers would attend to ensure the safety of the public. There is a public expectation that such calls are taken seriously. Officers are trained to

downgrade their response or de-escalate as information changes or if it becomes clear the call was not a legitimate threat, as occurred in the above matter.

The August 5th incident was reviewed, and it was determined that responding officers acted appropriately based on the information available to them at the time. The actions of responding officers were based on their duty to protect the public, and themselves, given the genuine belief that an individual was in possession of a firearm and had threatened to shoot people.

I acknowledge that an armed police response can be a traumatic experience; however, the safety of our officers and members of the public cannot be compromised when responding to occurrences of this nature. I am thankful this matter concluded without physical injury to anyone. I fully support the officers' response based on the information they had at the time.

As a result of this swatting incident a system is being utilized to flag locations or persons who have been the subject of previous swatting. This information is maintained in a national database and is available to any officer, Canada wide, who queries an individual on a police database. To be clear, the existence of such a flag does not necessarily mean police would not respond to an emergency but it is additional information to help guide the level of response.

To date, no charges have been laid against the person(s) responsible for the swatting call.

Police Treatment of Transgendered Individuals:

The person arrested and taken to police holding cells is a transgendered individual. Reports that the individual was repeatedly 'deadnamed' (referred to by a previous name and gender) by officers are not accurate as confirmed by audio and video recordings capturing the period in custody. I have reviewed the recordings and found our officers were polite, respectful, and professional.

It is recognized however that a property bag in which the individual's personal items were stored was labelled with a previous name (her deadname) which was generated from our internal records management system.

To clarify, when an individual has an initial interaction with police, their personal information is entered into the records management system. That information is retained and used (prepopulated) in any subsequent interactions. This process, although established for administrative efficiency, resulted in the labelling of this individual's personal items utilizing her deadname. Regardless of intention, I acknowledge that this significantly impacted the individual. Recognizing this impact, we have completed a comprehensive review and improved related processes.

Police are not automatically notified when an individual changes their name, nor are individuals who legally change their name required to report that to the police. As a result, we have implemented a process to inform officers on what to do when they are interacting with an individual who has legally changed their name and how to reflect this change in our records management system.

Additionally, we reviewed our procedures and processes to determine the impact they could have on transgendered individuals. The following changes have been implemented or are in the process of being implemented:

1. All relevant London Police Service procedures have been reviewed.
 - a. Through this review the Fair and Impartial Policing procedure and manual have been updated, a summary of which is posted on our website
 - b. A new procedure has been developed outlining the steps required for a name change within our records management system
 - c. Our Care of Persons in Custody procedures have been updated to ensure that they are respectful and inclusive to transgendered individuals
 - d. Ongoing collaboration with LGBTQ2+ community members to ensure we are responsive to the needs of the LGBTQ2+ community
2. All London Police Service training, as it relates to interactions with transgendered individuals has been reviewed.
 - a. Immediate training was provided to members working in our Headquarters Detention Unit about the treatment of transgendered individuals
 - b. Training manuals for Headquarters Detention Unit staff have been reviewed and updates are being finalized
 - c. Continued commitment to understanding the evolving needs of our communities through outreach and continued education to all members of LPS.

Recommendation(s):

It is recommended the Board receive this report for their information and awareness.

SUBMITTED BY: Chief Williams, Chief of Police

Attachment(s): Fair and Impartial Policing Procedure (Summary)

General

The London Police Service procedure on Fair and Impartial Policing leads with a statement of commitment to internal and external fairness and equity in its dealings with members of the public and with its employees. The procedure acknowledges that bias is a universal phenomenon of human nature which, left unchecked, leads to discrimination. In the policing context, biased decisions and actions lead to the erosion of trust and confidence in the police on the part of the public.

Glossary

Key concepts relevant to the elimination of bias in policing are defined in the procedure, notably:

Fair and Impartial Policing: a commitment to provide quality policing services to all people in a respectful, professional, fair, and impartial manner without discrimination based on protected grounds of the Ontario Human Rights Code.

Cultural Humility: a lifelong commitment to self-evaluation and critique, to redressing power imbalances and to developing mutually beneficial and non-paternalistic partnerships with communities on behalf of individuals and defined populations.

The procedure defines and prohibits “bias-based profiling” and “racial profiling”, and contrasts both with “investigative profiling”, a permissible tactic based on behaviours and the description of a specific individual.

Accountability

The procedure holds all members accountable for the delivery of fair and impartial service free of discrimination based on stereotyping and bias. Individuals holding certain positions throughout the organization (e.g., supervisors, senior leaders) have added responsibilities specific to addressing behaviour that contravenes the procedure.

Training

The procedure calls for the regular delivery, and annual review, of education in bias-recognition for all members of the LPS, to promote accountability; support equitable, fact-based decision-making; preserve police legitimacy; and maintain public trust.

Human Resources

The procedure lists several high-frequency HR processes (e.g., hiring, promotions, performance appraisal, etc.) in recognizing the potential for bias and discrimination to pervade everyday activities that touch the entire organization, and reaffirms the LPS commitment to fair and equitable treatment of all who operate within it, or who interact with it.