To Serve and Protect Whom? Using Composite Counter-Storytelling to Explore Black and Indigenous Youth Experiences and Perceptions of the Police in Canada

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Abstract
Research based in the US and Britain have established that perceptions of the police are particularly low among youth and racialized communities. However, by contrast, little is known about racialized youth perceptions of the police within Canada. Due to formal and informal bans on the collection of race-based data, Canada maintains its international reputation as a tolerant multicultural society. Using the critical race methodology of composite counter-storytelling, this paper will highlight the perspectives of Black and Indigenous youth 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.

Keywords
critical race theory, composite counter-story, race and racism, policing, youth delinquency, victimization

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Introduction

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, 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).

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 & Henry, 2006). This includes concerns over racial profiling (Wortley & Tanner, 2003), harsher arrest decisions (Samuels-Wortley, 2019), as well as the attainment of citizens personal information through “carding or street checks” (Meng, 2017). Evidence suggests that these practices have a significant impact on perceptions and support for the police, particularly from racialized communities (Wortley & Owusu-Bempah, 2016). Research based in the United States, United Kingdom, and Australia have established that positive perceptions of law enforcement are particularly low among youth and Black and Indigenous communities (Bowling & Phillips, 2007; Bridenball & Jesilow, 2008; Brown & Benedict, 2002; Hurst & Frank, 2000; Rigby & Black, 1993; Slocum et al., 2016). However, by contrast, little is known about perceptions of the police within the Canadian context (Cao, 2014; Sprott & Doob, 2014). This is greatly 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 & Owusu-Bempah, 2012). 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 & 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, 2020a), 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 toward the police are influenced by adolescent years (Brandl et al., 1994; Gau, 2010; Rosenbaum et al., 2005). Thus, less is known about youth perceptions of the police (Sindall et al., 2017), particularly among racialized populations (Brunson & Pegram, 2018; Gau & Brunson, 2010). 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 & Benedict, 2002; Tyler & Fagan, 2008; Vogel, 2011). Therefore, having a better understanding of racialized youth perspectives has been identified as an important area of study (Gau & Brunson, 2010; Stewart et al., 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 & 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 & Stefancic, 2007; Obasogie, 2013; Van Cleve & Mayes, 2015). 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 racial 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 & 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 et al., 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 as to 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 and Indigenous 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; Solórzano & 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, has 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.
“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 Canadian Multiculturalism Act (1988) and the Canadian 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 et al., 2020). 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 overrepresented 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 (Office of the Correctional Investigator, 2014). 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 these racial communities, in particular (Aylward, 1999; Rudin & Zimmerm, 2014; Samuels-Wortley, 2019; Wortley & 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.

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, Kimberle 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 (1976) 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 racism 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 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 & 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, p. 2436). Early critical race theorists including Bell (1987, 1992) and Delgado (1989) stressed the importance of the story as a powerful tool of liberation to contrast the dominate 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). Theorists believe the story has power to both dismantle and then promote a reconsideration of current power relationships (Bell, 1976, 1992; Delgado, 1989).

Indigenous and Black criminalization in Canada: Discriminatory Police Treatment and Surveillance

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.¹ 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). They state that their officers are free from
bias and stereotypes and are held to a higher standard by being accountable for inappropriate behavior. 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 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 & Owusu-Bempah, 2016). Canadian legal scholars, Tator and Henry (2006), 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.

A number of studies conducted in the U.S. (Alexander, 2010; Miller & Alexander, 2016; Rosenbaum et al., 2005; Skogan, 2005; Weitzer et al., 2008), suggest that discriminatory police practices may contribute to the disproportionate number of racial minority 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 & 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 Commission of Canada, 2015), a recent report released by the Office of the Correctional Investigator (2020) suggest that these figures have only increased. To illustrate youth statistics, recent data demonstrates that Indigenous youth made up 46% of admissions to correctional services in 2017 to 18, despite making up only 8% of the youth population (Malakieh, 2019). 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, 2014). They report that they believe the police are unfair and thus ineffective. Research also suggests that police officers have negative, stereotypical attitudes toward 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 & 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 (2019) 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 & Owusu-Bempah, 2016; Wortley & Tanner, 2003). These practices—often referred to as racial profiling—suggest that law enforcement officers often focus on the race of civilians rather than behavior 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 or street-checks.” During this procedure, the police record any information that an officer deems of interest, including intimate family details and any friends or associates of that individual. The cards did not record any criminal activity, but are used for “informational purposes.” The police argue the practice is vital for investigative purposes, yet the police could not produce any data to show that the information led to increased arrests or charges (Meng, 2017).

Maynard (2017) argues that the evidence of increased surveillance of Black peoples in Canada suggests that they are subjected to increased control and cannot move freely without suspicion from law enforcement. Therefore, much like racial minorities in the U.S., emerging Canadian 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; Gau & Brunson, 2010; Wortley & Owusu-Bempah, 2016).

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 and Indigenous youth in the city of Toronto, which has one of the largest Black and Indigenous populations in Canada (City of Toronto, 2020; Statistics Canada, 2019).
The study follows 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. 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 and Indigenous youth. By examining the experiences of Black and Indigenous youth, in particular, the study allows one to see if Canadian police, indeed, do treat all with “respect, equity, and dignity,” (Toronto Police Service, 2020) and establish whether there is in fact “equality before the law.” If the stories of these youth demonstrate otherwise, the equality narrative promoted by Canadian law enforcement agencies can be dismantled.

Methodology and Setting Description

Data for the current study is drawn from a larger mixed-method research project that explores confidence in police among youth in Canada. The larger study also includes an exploration of the experiences and perceptions of White youth. However, the present study is based on in-depth semi-structured interviews with 19 young Black and Indigenous men and women from the Toronto region, 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. 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 Black, including four woman, and four (4) youth identified as Indigenous men. Participants for the study were sought from youth shelters, legal aid clinics, as well as youth afterschool programs in the Toronto region. The author explained that the study was voluntary and that participation would be kept confidential. Youth were paid $30 for their time. Interviews were conducted in private offices provided by the organizations and lasted, on average, an hour. However, two interviews took place, off-site, at local libraries.

Youth who have lived experiences with police are the focus of the study. This is done to ensure that perceptions of the police are based on direct encounters. While there is a growing body of research that suggests vicarious experiences as well as familial perceptions may influence how youth perceive law enforcement (Sindall et al., 2017), the aim of the study is to explore whether youth perceived that their direct encounter with police was influenced by race. The decision to recruit youth who reside in shelters is in response to previous research that suggests “street youth” are more likely to encounter police (Gallupe & Baron, 2009; McCarthy & Hagan, 1991, 1992).
Participants from each racial background came from the shelter, as well as the after-school program. Additionally, a small sample of Indigenous youth were interviewed from local legal agencies. 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 ask youth to discuss 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; Solórzano & 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 & 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 & Dixson, 2013; Solórzano & Yosso, 2002). These stories aim to empower the traditionally marginalized and give voice to those who are best suited to speak to the harms of systemic oppression. The author’s 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 & Dixson, 2013; Willis, 2019), the author 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” (p. 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 et al., 2017). Focusing on the stories of Black and Indigenous youth participants, preliminary codes were created to explore potential themes. These codes are a reflection of youths’ responses to 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 (who were included in the larger study) to determine whether these sentiments were also expressed. Not one White youth 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, 2019). 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 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, 2019). 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.

**Moment of Reflection**

Similar to other qualitative methodologies, critical race theorists stress the importance of reflexivity (Nowell et al., 2017; Solórzano & 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. 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 toward racial justice.

**Brief Story Background**

The counter-story centers around Toronto’s former police chief, Mark Saunders. As the first Black police chief in Toronto’s history, his appointment in 2015 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 crises in 2016 (Gillis, 2020).

Like a growing number of police leaders, both in the United States and Canada, in the midst of the police reform movement during the Summer of 2020, 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 data that demonstrates Black and Indigenous peoples, in particular, are less likely to trust the Toronto police (Fearon & 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.” Verbatim 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 announcement.\textsuperscript{4} 

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 Service, 2020b). 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 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, 2020b). Therefore, for the following counter-story, I have created five composite characters who serve as members of the CYAC. Each character represents several 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. As previously noted, I also include literal quotes from the former Toronto Police Chief, Mark Saunders. While Chief Saunders will not be a dominating voice in the story, I purposefully include direct quotes to represent what Solórzano and Yosso (2002) refer to as the “majoritarian” (pg. 31), the stories that manifest the dominant narrative. In this context, Chief Saunders represents a racial minority who in fact adopts the majoritarian police narrative. He too provides the reader an opportunity to see what policing could and should represent to all.

**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, and Nathan 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 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, are the only Black and Indigenous members on the committee and are 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, fourth 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 30s or 40s 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 police service impacts how officers interact with his community. Nathan states “Yeah, ya’ll just waive your badge like it’s some kind of honour when it’s not supposed to be that way. 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 officers put in their jobs. Of course, they have a 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.”

Jay, who has been quiet the whole time speaks up. “*Chief*, 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 speaks up “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. 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 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 the Toronto police have been around for decades (Lewis, 1989, 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 remember a time where I was at this house party with a bunch of White kids. Me and my friends were the only Black kids there. Believe it or not most of the White kids were doing drugs and crazy stuff! I guess the neighbours called the police. They show up and only ask us to questions. and I’m thinking to myself, why? Guess they didn’t want to believe it was the White kids, but it was! 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. It’s for the same crime, but we’re 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, eight 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 your-
self up and dust yourself off and go about your day. But honestly, whenever I
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 jumps in “I rarely make comparisons to other entities, but. . .we
are leaders in officer training and service delivery. Policing in Canada is dif-
f erent 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 experi-
ences 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 some are bullies. There was one time where
I was arrested for an assault charge. It was the first time I was ever hand-
cuffed. 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 uncles
house. One of them was like “oh this guy’s too quiet, he’s no fun” or what-
ever and kept saying stuff like that. When we got to my uncles house, one
officer went to the door to talk to my uncle. The 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 cer-
tain 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 a 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. We haven’t been perfect but
we have always tried to move toward excellence. We never stop, we always
listen, and serve with compassion. Listen, in my first appearance to every
recluit that joins this organization, I tell them, we are looking for guardians
not warriors.”
Kerry responds “Your officers certainly act like warriors. I remember 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. 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. 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 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. Police never make an attempt to bridge anything with us.” 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 interjects “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. Police know what they’re doing, we’re easier targets.”

Nathan chimes in. “Yeah! The police will use anything to get to me. Y’all come in Native communities and look down on us when you talk to us. You’re always looking around searching for something, even when there is no 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. 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 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.

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, 2007; Gau & 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 multiculturalism, racialized youth from the present study have been subjected to negative encounters with the police.

The narratives of the young Black and Indigenous respondents reveal 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). Indeed, 47% of Black youth in the study identified an interaction where they were with White or other racialized friends during a police encounter and believed they were treated differently than their non-Black friends. In turn, these youth felt singled out and subsequently developed a lack of trust and respect for law enforcement. This coincides with emerging Canadian research which suggests that the frequency of being stopped, questioned and searched by the police reduces confidence in law enforcement and increases perceptions of police bias (Wortley & Owusu-Bempah, 2016).

To note, more than a third of Black participants (6) in the study stated that officers often justify stops by stating 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 but in fact subject to rights violations. The perceptions of these 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, which suggest that young Black men are grossly overrepresented in street check data (Meng, 2017; Tulloch, 2017).

Some Black and Indigenous respondents feel that the disproportionate attention from police ultimately aid in criminalizing youth from their community. As Kerry states “the only time you ever [see] the police is to arrest somebody.” Essentially, some youth feel that the police do little positive engagement, but instead arrest and detain people in their predominately Black community. Indeed, Kerry’s perception is that police are more concerned about finding Black youth at fault as opposed to showing any concern for their well-being or 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. This too, was suggested by Nathan as he believes police stereotype Indigenous communities. He perceived that the police hold negative stereotypes of people within First Nations communities, and as a result influence officer behavior. Nathan believes that Indigenous youth are not taken seriously when they call the police for assistance as officers can turn interviews into an interrogation of about the youth’s own behavior. To Nathan, this amplifies the perception that police only criminalize Indigenous peoples rather than to help or protect them.

All Black and Indigenous participants are able to draw on a number of negative experiences with police officers that ultimately shape their overall perception of law enforcement. Their narratives demonstrate a collective belief that law enforcement officials aid in criminalizing youth from their communities and fail to provide proper protection from victimization. Consequently, there is little trust or confidence that the police treat racialized peoples fairly or with dignity. Instead, there are feelings of fear and anxiety. This coincides with growing national public concerns over the death of both Black and Indigenous peoples while in the presence of police. 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). These deaths come after a number of provincial inquiries, dating back to the early 90s, into how police handle mental health calls involving racialized peoples. Despite the creation of numerous police “anti-racism” committees to address public concerns, ongoing evidence suggest that Black and Indigenous peoples continue to be at increased risk of harm, in the presence of police, especially while in mental distress (Cecco, 2020; Ontario Human Rights Commission, 2020).

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. To them, race is a dominant factor. Overall, the narratives 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 essence, Black and Indigenous youth perceive the state sanctioned institution tasked to serve and protect all, was not meant for them.

Conclusion

Exploring Black and Indigenous youth perceptions through a critical race composite counter-story, suggests that the police are highly influential in the
lives of young racialized 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 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, as expected with qualitative research, the findings cannot be generalized to all Black, Indigenous, and White youth in Canada. Furthermore, the sample explores the experiences of youth who are policed in urban areas, however may perceptions and experiences differ for youth, particularly Indigenous youth, who are policed in rural communities? Growing evidence suggests that culturally focused law enforcement agencies, such as “Indigenous policing” in Canada, promote positive community engagement (Provincial Advocate for Children and Youth, 2014). If so, 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.

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Notes
1. For example, see Calgary Police Service; Durham Regional Police; Halifax Regional Police; Peel Regional Police Service; Toronto Police Service; York Regional Police.
2. The initial intent was to include a larger Indigenous sample, however due to COVID-19 restrictions (the global pandemic of 2020), the author was not able to recruit additional participants.
3. Police resignations in Canada include Durham Regional Police. In the U.S., they include Atlanta, GA and Rochester, NY.
4. 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. https://www.thestar.com/opinion/contributors/2020/06/25/toronto-police-moving-quickly-to-combat-anti-black-racism.html.
5. 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.
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