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A. INTRODUCTION

Over the past decade many First Nations communities have established their own police services in an attempt to make policing in their communities more effective, efficient, professional and culturally responsive.

The establishment of police services has also required the development of First Nations Police Governing Authorities (PGAs) to monitor police operations and to ensure the police service is accountable to the communities it serves.

A challenge faced by many communities has been to put in place the type of structure that can balance the conflicting responsibilities of sincere community representation and competent police governance. Effective policing must be ensured while at the same time cultural and social concerns of the communities must be met.

During the developmental stage, First Nations PGAs often have minimal experience and do not know what their role is or what is expected of them. Little training has been available for new members. People have done the best they can, borrowing from lessons learned by other PGAs and through trial and error.

The purpose of this manual is to provide information based on the experiences of some existing First Nations PGAs and to assist individuals in exploring their roles and responsibilities.

In order to accomplish this goal, interviews were conducted with seventeen (17) key people familiar with the establishment and operations of First Nations PGAs. This included twelve (12) PGA members, and five (5) Chiefs of Police. As well, consultations were undertaken with several regional representatives of the Solicitor General of Canada as was a review of relevant materials including research literature and existing tripartite agreements.

Special thanks to the First Nations Police Governing Authorities who participated in this project:

Akwesasne Mohawk Police Commission
Anishinabek Police Services Board
Blood Tribe Police Commission
Dakota Ojibway Tribal Police Commission
Kitigan Zibi Anishinabeg Police Committee
Nishnawbe-Aski Police Services Board
Siksika Nation Police Commission
Six Nations Police Commission
Stl'atl'imx Nation Tribal Police Board
Wiwemikong Police Services Board

B. STRUCTURE OF FIRST NATIONS POLICE GOVERNING AUTHORITIES

I. OVERVIEW

This section examines how First Nations PGAs are structured. Issues addressed include the size of the PGA and how members are selected and appointed. Other issues examine how long people can serve on PGAs and the issue of re-appointing members.

As one of the key responsibilities of a PGA is to ensure that the interests of the community are represented, the majority of members are selected from the community, and reflect the make-up of the community (i.e. elders, youth, women). Council involvement within these structures is usually restricted in order to limit the potential for political interference. However, as elected representatives of the people, some Council involvement provides a valuable liaison between the PGA and the Band Council.

II. SIZE OF FIRST NATIONS POLICE GOVERNING AUTHORITIES

The size of PGAs varies from police service to police service, and ranges from a minimum of three (3) members to a maximum of ten (10) members. As a general rule, the PGA should be large enough to ensure broad community representation, but should not be so large as to be unmanageable.

III. HOW MEMBERS ARE APPOINTED

There are two methods of membership appointment:

Method #1: Chief and Council

The most common method by which members are appointed to the PGA is by Chief and Council. The two most common selection processes utilized by Chief and Council are:

1. Individuals are chosen by Chief and Council and approved by the PGA.
2. Individuals are appointed by Chief and Council after nomination by the PGA.

Potential PGA members are usually screened based on related experience, education and to ensure the potential candidate does not have a criminal record. Once the screening process is complete, there is usually a formal interview process before the appointment would be recommended to the Chief and Council.

Method #2: Elections

Community members are elected by the community at large to serve on the PGA.

IV. *THE SELECTION OF MEMBERS*

It is important to attract dedicated, community oriented individuals who share an understanding of culturally relevant community policing. Some PGAs use recruitment criteria in the selection of individuals, others advertise either through the local newspaper or through the Band Office.

Examples of criteria to identify potential members are as follows:

- **An individual who is respected by the community:**
 - who is of good moral character;
 - who is a good citizen;
 - who is easy to converse with;
 - someone who is a long-term resident of the community;
 - an individual who is familiar with the community, culture and language;
 - an individual who is active in the community and has established associations with the community's leaders;
 - an individual who is aware of his/her community's values and concerns;
 - an individual who does not have a criminal record;
- **Personal Suitability**
 - an individual who is able to deal rationally about issues;
 - an individual who is able to work in a group setting as part of a team;
 - an individual who is open to new ideas;
 - an individual who speaks honestly;
- **Experience**
 - an individual who has a general knowledge of policing issues;
 - an individual who has relevant background experience in justice-related fields;
 - an individual who has a general knowledge of the different social and health services in the community;

V. *WORKING COMMITTEES*

To be a good police commission you have to know what is going on. Working committees mean you have people with relevant expertise structured in those areas. It keeps the authority

within the police commission without having to delegate it to external agencies.

**Lewis Staats
Former Chairperson
Six Nations Police Commission**

Working committees consisting on average of two or three PGA members, are an ideal way to guarantee that the police governing authority effectively deals with its many responsibilities.

In general, committees should be put in place to deal with the following:

- policy
- finance
- hiring
- complaints (if applicable)
- discipline

Specialized committees are also good vehicles because they allow the PGA to address a number of responsibilities and to stay strong and informed as a result.

VI . THE CHAIRPERSON

Usually, the Chairperson is elected by a majority vote of the PGA membership. The Chairperson has a number of obligations. S/he must ensure that all meetings are run democratically and that the police governing authority speaks as a collective.

The Chairperson is responsible for making sure that the PGA members carry out their duties in a professional manner. Wherever the potential for conflict exists, the Chairperson must ensure that the situation is dealt with immediately.

The Chairperson is also responsible for the overall management of the affairs of the PGA, which includes the following:

- calls all meetings to order;
- establishes meeting date, time and place;
- establishes the meeting agenda;
- ensures meetings run on schedule;
- ensures minutes of meetings are prepared, distributed and appropriate follow-up is carried through;
- liaises with the Chief of Police;
- liaises with the Chief and Council;
- liaises with external PGA's and services;
- attends conferences and workshops as a representative of the PGA;

VII. TERM OF APPOINTMENT

The average term of appointment of a member of a PGA is two to three years. Council members generally serve two-year terms, which coincide with the duration of their elected office. It is wise to stagger the appointments of members to the PGA to ensure continuity and stability of the police governing structure.

VIII. ELIGIBILITY FOR RE-APPOINTMENT

Some PGAs limit the number of terms an individual can serve. Terms are generally flexible and based on the amount of community interest. The more interest is generated in the community, the more likely the number of terms an individual can serve will be limited.

The re-appointment of community members to the PGA is dependent upon the type of appointment process used and requires either the re-nomination of the individual by the police governing authority, or the re-election of the individual by the community.

The re-appointment of Council members to the PGA is, of course, dependent upon the re-election of the Council member and the corresponding desire of the re-elected Council member and/or Chief and Council to extend the term.

C. ROLES AND RESPONSIBILITIES OF FIRST NATIONS POLICE GOVERNING AUTHORITIES

I. OVERVIEW

PGAs differ in the extent to which they are able to direct their police services. In general, First Nations PGAs govern their respective police services in four (4) main areas:

1. They develop policies and provide direction concerning policing philosophy, priorities and objectives;
2. They are responsible for the employ of the Chief of Police, Deputy Chief of Police, constables and civilian staff;
3. They develop the budget;
4. They establish mechanisms for public complaints and discipline.

II. POLICIES AND PROCEDURES

Policies are the primary instruments by which a police service is governed. Policies should be developed which take into account:

Goals and Objectives: Priorities need to be clearly stated and goals and objectives developed which define what the police role should be.

Governing Procedures: Code of conduct, conflict of interest and other relevant policies need to be put in place to ensure the PGA and police service operate ethically.

PGA/Employee Relations: Guidelines must be put in place which outline the duties of the Chief of Police, and other members of the police service. The development of clear policy ensures that all members of the police service know what is expected of them.

Community acceptance of the police is strengthened when rules are set up which make both the police service and the PGA accountable to the people.

a. The Development of Policy

The PGA is responsible for developing policy. It is imperative that the development of policy respects community needs.

Accordingly, two areas of importance are: the mission statement and the strategic plan. Both help establish the objectives which state how the police service should be governed in the present and the direction it should take in the future.

i. The Mission Statement

The Mission Statement reflects the ideology which should govern the police service. The input of the community into the development of a mission statement is necessary to ensure that police services reflect the policing philosophy of the community. In developing a mission statement, attention should be given to encouraging the participation of the community, Chief and Council and members of the police service. In addition, the statement should be brief, but clearly describing the purpose of the organization.

Following is the Mission Statement developed by the Blood Tribe Police Commission:

The Blood Tribe Police Commission have a duty and obligation to provide for the maintenance of peace, order and security for the members of the Blood Tribe and the general public and to promote and require the observance of law and order within the Blood Reserve and surrounding areas; and to be cognizant of the particular and special needs of the Blood Indian people; and to be dedicated to the preservation and maintenance of Blood Tribe customs and traditions through a fully empowered Blood Tribe Police Service.

The Blood Tribe Police Commission will ensure that the Blood Tribe Police preserve the quality of life and security of the Blood Reserve community by dedicating its resources to preventative community policing. The Blood Tribe Police will focus on crime prevention, crime detection, apprehension and community safety through the utilization of positive community relations, education, appropriate technology and their knowledge and respect of Blood Tribe customs, traditions and the Blackfoot language.

ii. The Strategic Plan

Assists the governing authority to identify its organizational objectives. Specifically, a well thought out strategic plan will assist in the determination of long range goals which will allow the PGA to perform its duties more effectively. The development of a comprehensive strategic plan requires that the PGA:

- identify and respond to community needs;
- identify shifting community needs;
- direct resources to issues identified as priority;
- critically look at how it performs its job through regular performance evaluations to identify where change is required.

A strategic plan must be developed which allows a PGA to identify its goals as well as the barriers that may impede their achievement. This will help the governing authority to develop specific plans of action to address whatever problems may arise and will increase the potential for success.

b. Drafting Policy

Drafting policy is time consuming but worth the investment of time. It is a good idea to have a method in place which will guarantee organization. The following is one method introduced at a First Nations Policing Conference held in June of 1994 of how to draft policy.

Example Method:

1. Decide who to involve in the drafting of a policy -- whether it is a committee made up of two or three people or whether it is the entire PGA.

2. Establish an outline:
 - Identify issues
 - Develop categories
 - Set time frames
3. Assign priorities by ranking issues in order of their importance.
4. Set up a work plan with guidelines to ensure that the work is finished on time, materials are available for easy reference and the process is actively moving towards the drafting stage.
5. Draft Policies. It is important that policies are written as briefly and clearly as possible as follows:
 - clearly number and title each policy;
 - write complete sentences;
 - the reader must be told what action to take;
 - the policy must include the purpose, to ensure that the reader knows why a certain action is appropriate;
 - all policies must be consistent with the philosophy of the PGA and the police service;
 - the policy should describe what action is required, not how to specifically carry out that action;
 - statements should be clear and concise.
6. Review and revise policy. After the policy is written, other PGA members should be given the opportunity to make comments and recommendations for additions, deletions, and/or changes.
7. Implement the policy. Once a policy is approved by the entire PGA, it is ready to be put in place. At this point, it is important that all people affected by the policy be made aware of its existence.
8. Review policy on a regular basis. It is important to review policies on a regular basis to make sure that the policy is relevant and provides enough detail to ensure that any interpretation of the policy is acceptable to the PGA. It is not uncommon for policies to change over time, and in fact reflects the ability of the police service to adapt to changing community needs.

c. Policy vs. Operational Procedures

The role of the First Nations PGA is to provide policy direction for the police service. The responsibility of the Chief of Police is to develop procedures which put the policy into practice. Sometimes

policy and operational/procedural matters become confused. When this happens, it usually means that a clear line between the two has not been agreed upon.

The best way to avoid problems of this nature is to have a solid policy and procedural manual in place which distinguishes between policy and operational matters. A clear distinction between the two will lessen the incidence of any problems.

III . EMPLOYEE RELATIONS

a. Overview

First Nations PGAs are responsible for developing policy concerning the hiring of the police personnel. As well, they have an obligation to ensure that policy is put in place governing the conduct of the Chief of Police, regular members and civilian employees. PGA's are accountable for any action of the former that may bring into question the credibility of the organization as a whole.

b. Recruitment of the Chief of Police

Choosing a Chief of Police is very important because it is this person who will guide the police service. Before a PGA hires a Chief of Police a needs assessment of the police service should be done. This should include:

- an honest evaluation of the strengths and weaknesses of the police service;
- a long-term assessment of the service delivery needs of the community;
- the qualities desired of a Chief of Police and how the skills brought to the job will benefit the organization as a whole.

After a needs assessment has been completed, it makes sense to have a selection process in place to guarantee that the best individual for the job is hired. The following is one example of how to organize this complex undertaking:

- establish selection and recruitment guidelines;
- develop a job description;
- be clear on the objectives of the police service;
- select a committee which will be responsible for the testing and interview phase
- determine the tests and interview schedule to be used;

- make sure members of the PGA are prepared for the interview phase and are knowledgeable of their responsibilities;
- develop guidelines for reference checking;
- develop an employment offer;
- develop an employment contract.

In the majority of cases, the Chief of Police is hired by the police governing authority and appointments are approved by the Chief and Council.

A combination of values and experience to look for in a potential Chief of Police are as follows:

- knowledge of policing from a First Nation perspective;
- senior level management paired with a knowledge of police work;
- education;
- a balanced view of the world;
- an ability to work well with people;
- a sensitivity to community needs;
- a respect for the stated goals of the PGA;
- the ability to get the community involved in police initiatives;
- the ability to instill pride in the members of the police service.

C. How to Ensure the Chief of Police is Accountable to the Police Governing Authority

The Chief of Police is accountable to the PGA for the entire police service. This includes:

- operations;
- resources: capital, financial and human;
- conduct: including his/her own and that of each individual employee.

The following is how a number of First Nation PGAs ensure their respective Chiefs of Police are accountable and in the process balance these conflicting responsibilities:

- Through the presentation to the PGA of activity reports on a regular basis, which include status reports of complaints against the police, changes in personnel, changes in police procedure, and budget status reports.
- Through performance evaluations which measure how successful the Chief of Police has been in meeting his/her obligations and the overall objectives of the police service as predetermined

by the PGA.

If performance evaluations are to be effective in guaranteeing job accountability, the following criteria should be considered when developing evaluation guidelines:

- a job description outlining the responsibilities of the Chief of Police;
- identification of goals at the beginning of a performance period and the time lines for their accomplishment;
- an evaluation mechanism to determine whether the agreed upon goals have been met;
- a professional development plan that allows the Chief of Police to identify items that are considered important for his/her career growth;
- a performance review to discuss goal achievement on a regular basis;
- a performance appraisal to compare performance results to performance expectations.

d. The Recruitment and Hiring of Regular Members

The hiring of regular members of the police service is often done on a co-operative basis by the Chief of Police and the PGA. The following is an example of how police personnel are recruited:

1. The Chief of Police makes a staffing request to the PGA;
2. Applications are solicited for vacant positions, and are sent to the Chief of Police;
3. The Chief of Police is responsible for ensuring that background checks on prospective candidates are completed;
4. Once background checks have been completed, a list of potential candidates is put together and sent to the PGA and an interview schedule is developed;
5. The interview process begins. The two most common interview processes are outlined below:
 - a) A committee (usually made up of the Chief of Police, the Chairperson of the PGA and a PGA member or neutral third party – the idea being that the committee should have PGA representation but not be too large as to be cumbersome) interviews and selects the individual. The PGA approves all appointments. OR
 - b) The Chief of Police does the screening and interviewing of the candidates and makes a recommendation to the PGA. The PGA approves all appointments.

IV. THE BUDGET

The budget of most First Nations Police Services is predetermined in the tripartite agreement for a three to five year period. It is the responsibility of the PGA to do financial projections on a regular basis in order to determine the most effective way to utilize resources. Because the budget is predetermined in most cases, the PGA is obligated to work within established guidelines to define the objectives of the police service. This requires that PGA's establish clear long-range goals for their respective police services and are able to prioritize issues in order that resources are utilized to their fullest advantage.

It is imperative that the PGA members understand the basics of financial management because they are accountable to the Chief and Council for any deficits which may be incurred.

It is the responsibility of the Chief of Police to stay within the parameters established by that budgetary policy. In addition, monthly financial status reports must be submitted to the PGA on a regular basis detailing the status of expenditures.

V. COMPLAINTS AND DISCIPLINE

The power of the police to fulfill their functions and duties is dependent on public approval of their existence, actions and behaviour and on their ability to secure and maintain peace.

Murphy & Muir

First Nations PGAs are responsible for ensuring that mechanisms are in place for public complaints and discipline. In general, the administration of complaints and discipline is a relatively standard procedure. All First Nations PGAs must adhere to the regulations set out in their respective provincial Police Acts or the procedures established through the tripartite agreement.

1. Complaints About Police Service/Officers

a. Complaints

- Complaints about the police service and/or constables should be made in writing to the Chief of Police of the PGA.
- In the first instance, the Chief of Police is usually responsible for the investigation of

complaints relating to the police service of the conduct of an individual officer.

- The Chief of Police will look at the complaint to decide if it is valid and how it should be handled.
- The Chief of Police can deal with the complaint informally through employing conflict resolution or mediation strategies; or the Chief of Police can deal with the complaint formally through an investigation or a disciplinary hearing.
- The informal mediation of complaints is a preferred course of action, but depending upon the circumstances, is not always possible.
- Some serious complaints may justify the use of an outside organization for the purposes of investigation. In addition, an outside agency may be employed when there is or appears to be a conflict of interest.
- It is the responsibility of the PGA to ensure that complaints against the police service are dealt with.
- Upon completion of an investigation by either an outside agency or the Chief of Police, the complainant must be given written notice of the end result and his/her right to appeal the decision to the PGA or Citizen Review Board or other applicable public complaints regime.
- If a complaint was filed against a police officer, s/he must be advised of any disciplinary action and made aware of his/her right to file a grievance through the established grievance procedure.
- Examples of internal disciplinary action imposed by a Chief of Police are:
 - a verbal or written warning;
 - a reassignment of duties;
 - a suspension for a certain number of days without pay;
 - demotion in rank.
- The dismissal of a constable cannot occur without the approval of the PGA.

b. Complaints Against the Chief of Police

Complaints against the Chief of Police are usually handled in the following ways:

- An outside agency may be used for this purpose; or
- A committee may be established for the purpose of investigation.

Investigation by an outside organization is felt to be the best method due to its perceived objectivity. This exercise must not only be fair, but it must appear to be fair. It is important that during an investigation into the conduct of the Chief of Police that the PGA is not seen as partial.

An outside agency may make recommendations concerning discipline but the PGA has the right to decide on suitable punishment. The Chief of Police must be made aware of any disciplinary action and his/her right to appeal.

c. Appeals

In general, First Nations PGAs do not investigate complaints in the first instance because it could undermine their primary role as an appeals body. As an appeals structure, their responsibilities include:

- the review of evidence into investigations;
- hearing recommendations into investigations;
- viewing evidence and hearing discipline recommendations;
- reviewing grievances of constables who feel discipline was unfair.

Some First Nations PGAs also have the option to set up tribunals or public inquiries if they feel that an investigation into a complaint was questionable and the public interest would be best served as a result.

Any action concerning appeals by the PGA must be communicated to the complainant. In the majority of cases, decisions of the PGA are final.

d. Citizen Review Boards

Independent Citizen Review Boards are one way to make the public complaints process more community oriented. These structures would be made up of community members who would keep track of public complaints about the police service and/or members of the police service, as well as to review complaints. Furthermore, these bodies would have the power to hold public inquiries.

VI. TRAINING

a. Available Training

Training for members of First Nations PGAs is often available through information sessions, workshops, seminars and conferences from the following sources:

- Provincial Police Commissions
- Police Board Associations (Canadian Association of Police Boards and provincial police board associations)
- Municipal Police Services Boards
- Ministry of the Solicitor General of Canada
- Provincial/territorial government departments responsible for law enforcement

These organizations offer training in:

- policy making;
- directing the Chief of Police and monitoring performance;
- budgeting from a policy driven point of view;
- community based policing and determining community needs;
- strategic planning;
- personnel relations.

b. Training Within the PGA Structure

As stated before, the training of members of First Nations Police Governing Authorities is minimal. It is intermittent and occurs on an informal basis through the following methods:

- The use of a formal selection process by some PGAs affords them the opportunity to recruit an individual with relevant experience. Such a person would be knowledgeable of policing issues and training requirements would be minimal.
- Prior to recruitment, an individual is asked to attend a number of PGA meetings in order that an awareness of membership roles and responsibilities be acquired.
- Experienced PGA members will educate less experienced individuals.

c. Training Issues That Require Attention

Role of the PGA in relation to specific management areas:

Issue: A problem between PGAs and Chiefs of Police may arise the former

attempts to unduly influence the management function.

Solution: Clear policy and training is needed to define the relationship between the PGA and the Chief of Police which states that the PGA is not to become involved in the management of day-to-day police operations.

Role of the PGA in relation to the police service:

Issue: PGA members need to know that they are not police officers and as such have no right to direct officers in how they perform their jobs.

Solution: A clear distinction between day to day operations and policy must be made.

Respect for the non-politicization of the police service:

Issue: The PGA must understand the importance of its role as a political buffer between the police service and the Chief and Council. The police must never act on behalf of the Chief and Council.

Solution: Training is needed to assist PGA members identify unacceptable interference and how to effectively manage this issue.

Training is also required to strengthen the following areas:

- budget development;
- financial management;
- personnel management relations;
- data analysis;
- policy development;
- personal conduct;
- knowledge of general police issues;
- legal authority of the police officer;
- administration of complaints and discipline.

Well-trained individuals guarantee that a PGA is able to perform its duties satisfactorily. Furthermore, effective policing is dependent on a strong governing authority that is able to ensure credible conduct of the police service and its own members.

D. OPERATING PROCEDURES

I. OVERVIEW

This section outlines how the First Nations PGA conducts its business, ensuring that the police service is responsive to the community, while at the same time ensuring police independence from inappropriate partisan and political influences.

II. MEETINGS

PGA meetings are held at least four times per year, and in many cases are rotated between communities in order to encourage community participation. Community input and support of police initiatives is key to their success. In addition, PGA members and the Chief of Police, community members, social service agency representatives and employees of the police service are encouraged to participate.

III. PUBLIC DISCLOSURE

Meetings of the First Nations PGA should be open to the public, however, some issues concerning personnel are confidential and should therefore be discussed in a closed forum or "in camera" session.

IV. HOW POLICE GOVERNING AUTHORITIES ENSURE MEMBERSHIP ACCOUNTABILITY

First Nations PGAs have an obligation to their respective communities to ensure that police services are governed ethically.

Accountability of the structure itself is important. Therefore, discipline policies should be established before a situation arises.

a. Code of Conduct Policies

One method employed by First Nations PGAs for acceptable membership behaviour is establishing code of conduct policies. These policies assure the community that the PGA members have a responsibility to adhere to professional principles. Acceptable behaviour is achieved when code of conduct policies require that all members respect the following guidelines:

- Any legislated act, standard, regulation or by-law that relates to police governance should not be violated.
- "In camera" proceedings of a PGA meeting should remain private.
- Acceptable membership behaviour should be seen as an obligation to the community.

b. Conflict of Interest Policies

Conflict of interest policies are another method used to guarantee acceptable membership behaviour. For these policies to be effective, they should clearly define what conflict of interest is and outline the proper procedure for notifying the governing authority where the potential for conflict exists. Accordingly, a PGA member should:

- Reveal the nature of their interest before the matter is discussed;
- Not partake in any discussion or vote on any issue where possible conflict exists;
- Not influence how other members will vote on issues related to the matter.

Discipline policies alone will not guarantee ethical police governance, and so other accountability measures should also be established:

- The maintenance of record or minute books of all meetings and procedures which document decisions taken, the budget, annual strategic plan, complaints and discipline.
- The submission by the Chairperson of written status reports annually to Chief and Council.
- The requirement that members take an oath of allegiance.

Evaluations of the Police Governing Authority are not yet common, however, evaluations could be useful given the complex nature of police governance and the importance of accountability. Evaluations would require that the PGA focus more on long-term organizational objectives than just on short-term operational requirements. The evaluations process would also contribute to the establishment of professional objectives for police management and encourage active participation of individual PGA members.

Established criteria will also assist in securing acceptable membership accountability. This could include:

- that attendance at board meetings be mandatory;
- that clarification between the role of police governance and management be made;
- that the PGA's goals are in line with policy;
- that evaluations are performed regularly to measure whether goals have been successfully met;
- that the ongoing training of PGA members be mandatory in order that they be knowledgeable of their roles and responsibilities.

The design of a PGA's discipline is a significant challenge. The failure to definitively address methods through which to guarantee ethical conduct will put into question the credibility of the organization as a whole.

V. *THE ISSUE OF NON-POLITICIZATION*

Police Commissions are supposed to represent the community interest and facilitate police accountability to the community.

**Alan Roulette
Dakota Ojibway Tribal Police Commission**

First Nation PGAs are responsible for ensuring that First Nations police services are responsive to the communities they serve. This means that these structures must guarantee police independence from inappropriate partisan and political influences.

Political interference is considered unhealthy because public trust in the police can be undermined if it is felt that the police are not policing for and with the people.

Accordingly, it is important that the police governing authority not allow the police service to act solely in the interest of Chief and Council. To avoid this, emphasis should be placed on:

- rigid recruitment criteria;
- the development of clear discipline policies;
- ongoing training of members to clarify their roles and responsibilities;
- the importance of recognizing the warning signs of political interference and how to manage the issue.

In the end, a strong, well-disciplined PGA is the best defence against political interference.

E. *IDENTIFYING AND MEETING COMMUNITY NEEDS*

I. *OVERVIEW*

The growth of developing a police service to fit a community has to come from within the community.

**Mike Leach, Chief
Lillooet Band**

A number of First Nations communities are making a concerted effort to define culturally relevant policing models. One model of policing may not be applicable to all First Nations communities because of differing needs. Therefore, it is important that police services be developed which fit the community and which promote harmonious relations between the two.

The promotion of positive relations means that First Nations PGAs must become proactively involved in their respective communities. This necessitates that community needs are effectively identified and priorities reflected in police policy.

II. DEVELOPING CRIME PREVENTION STRATEGIES

When you saw a police officer come to your house, you automatically took the attitude that something was wrong ... you had done something wrong.

**Ron Boissoneault
Anishinabek Police Services Board**

First Nation PGAs consider crime prevention important; however, definitions differ about its meaning. The role of these governing structures in the development of prevention strategies varies. Some First Nation PGAs make recommendations to the Chief of Police as to which programs should be developed. Others are actively involved in the creation and establishment these strategies.

Many crime prevention strategies have met with limited success because specific cultural components that would ensure relevancy were not taken into account. To remedy this, certain questions should be considered when developing a crime prevention strategy. These could include:

- Is the issue reflective of an identified community need?
- What particular criteria should the potential crime prevention strategy include?
- To which segment of the community is the strategy directed?
- What are the expectations of the crime prevention initiative?
- What resources are required to develop and implement the crime prevention initiative?
- How long will it take to inform/educate the community about the crime prevention initiative?
- How will the results of the crime prevention initiative be measured?

The potential for success of a crime prevention initiative is dependent upon the community and the police working together.

III. FIRST NATIONS CENTERED APPROACHES

The importance of First Nations tradition is evident in the desire of PGAs to create culturally responsive crime prevention strategies. Specifically, the development of something that the community wants, are comfortable with and is relevant defines the First Nations centered approach. This approach involves employing alternate methods including traditional disciplinary measures where individuals who breach the confidence of the people

own up to their wrongdoing and receive punishment from within the community. The use of mediation and conflict resolution approaches to avoid formally putting people through the justice system are other examples of traditional methods. Recognition of validity of these strategies is important. To encourage this, a number of PGAs place emphasis on the recruitment of police personnel who are able to speak the language and know the traditions of the community. The encouragement of pride in one's heritage is invaluable and will go a long way in making sure that the police service is shaped in a positive manner.

IV. METHODS OF COMMUNITY NEEDS ASSESSMENT

If you want policing to be different from the previous incarnations and more relevant to the community, then you need to have the community take an interest in how policing is defined and what needs to be done to make it more effective. If not, then how is what presently exists an improvement?

**Bob Reid
Chief of Police
Siksika Nation Police Service**

In order to meet community needs, it is necessary to figure out what the community needs are and establish a way of getting this information on an ongoing basis. Both formal and informal methods are used. Following are examples of ways of conducting community needs assessments.

Formal Methods:

1. Police Committees: Are made up of community members for input into how policing should be carried out. They act as an advisory body giving direction to the regional PGA based on community feedback.
2. Interagency Committees: Are made up of various community social service agencies. Communication between the structures allows for effective needs assessment and the co-ordination of objectives. This promotes the development of strategies to deal with community problems.
3. Council Meetings: Are held on a regular basis and are attended by the elected representatives of the community and community members. PGA members often attend these meetings and provide

information to the governing authority on relevant issues raised. In some cases, a council member is also a PGA member providing an ideal position from which to relay information on an ongoing basis to the governing authority.

4. Police Officer Feedback:

Police officers' contact with the community is seen as important by a number of First Nation PGAs. This is accomplished by hiring officers with ties to the community because it is felt that they have a better understanding of relevant issues. Other PGAs interview police officers on a regular basis to measure the people's satisfaction with police services.
5. Chief of Police Report:

The Chief of Police is likened to the "eyes and ears" of the community. Officers are expected to submit regular reports to the Chief of Police on a variety of operational issues. In turn, the Chief of Police reports monthly to the PGA.
6. The Media:

This is an ideal way to inform/educate the community about police initiatives. It also encourages community involvement in making suggestions assisting in the structuring of a more responsive police service.

Informal Methods

1. In a number of communities, the people can take advantage of the open door policy made available by police services and/or PGAs. This is a good way for community members to talk about their concerns in a private/informal way.
2. PGA members will casually discuss with community members the relevancy of certain police programs to get an idea of what is working and what is not.

It is important that the community take a proactive role in making their concerns known to their respective governing authorities. Accordingly, Chief and Council have an important role to play. As elected

representatives of the people, they have a duty to identify the strategic roles from which all community social service agencies are to take direction. In turn, the PGA must monitor the establishment of these objectives and put in place policies that are informed from a comprehensive community perspective. A positive partnership between the PGA, police service, community and Chief and Council will mean that community needs can be effectively assessed and strategies developed.

F. CONCLUSION

Governing a police service is a momentous challenge. It requires that the Police Governing Authority honestly represent community interests to the police service. It also requires that the expertise of police administration and their corresponding obligation to direct the day to day operations of the service be respected.

For the community to be properly represented it is important that First Nations PGAs be strong. In this respect, training is required so that members are aware of their responsibilities. Furthermore, effective service delivery is a product of clear policy, developed to reflect the purpose of the organization as a whole.

First Nations PGAs are in an excellent position to model police services that reflect their specific philosophies and are culturally relevant. Accordingly, policing means different things to different governing authorities but in the end must reflect what the community is most comfortable with.

Appendix A - RECOMMENDED READINGS

- Aird, Alexander**
1988
"The Board of Directors." in Road to the Top. Toronto: Doubleday Canada Ltd.
"Picking the Winners." in Road to the Top. Toronto: Doubleday Canada Ltd.
- Carver, John**
1990
Boards that Make a Difference: A New Design for Leadership in Non-Profit- and Public organizations. San Francisco: Jossey Bass Publishers.
- Carver, John**
1991
"The CEO and the Renegade Board Member." NonProfit World 9(6): 14-17
- Chorafas, Dimitri**
1988
"Making a Strategic Plan." in Membership of the Board of Directors. London: MacMillan Press.
- Conrad, William**
1983
The Effective Voluntary Board of Directors: What It Is and How It Works. Ohio: Swallow Press.
- Coulson, Thomas Colin**
1993
"Directorial Knowledge and Skills." in Developing Directors: Building an Effective Boardroom Team. England: McGraw Hill Book Co.
"Developing the Boardroom Team." in Developing Directors: Building an Effective Boardroom Team. England: McGraw Hill Book Co.
"Evaluating Performance." in Developing Directors: Building an Effective Boardroom Team. England: McGraw Hill Book Co.
"Direction and Management." in Developing Directors: Building an Effective Boardroom Team. England: McGraw Hill Book Co.
- Duca, Diane J.**
1986
Nonprofit Boards: A Practical Guide to Roles, Responsibilities and Performance. Arizona: Onyx Press.
- Gillies, James**
1992
"Board Ethics: Personal Principles are not Enough." in Boardroom Renaissance. Ontario: McGraw Hill Ryerson Ltd.

- Lorsch, Jay W. and MacIver, Elizabeth**
1989 "Crisis Management in the Boardroom." in Pawns or Potentates: The Reality of America's Corporate Boards. Massachusetts: Harvard Business School Press.
- "Increasing the Power to Govern." in Pawns or Potentates: The Reality of America's Corporate Boards. Massachusetts: Harvard Business School Press.
- McIntosh, Allan**
1981 Adaptive Design for Co-operative Board/Management Relations. Saskatoon: Co-operative College of Canada.
- Mill, George**
1981 "The Board Is ... The Board is Not." in On the Board. London: George Unwin
- "Groupthink." in On the Board. London: George Unwin
- Municipal Police Authorities**
1990 Criteria for the Selection of Police Service Boards in Ontario Municipalities. Toronto.
- Newman, Pamela J.**
1983 Behind Closed Doors: A Guide to Successful Meetings. New Jersey: Prentice-Hall Inc.
- Ontario Association of Police Services**
1992 "The Roles of a Police Services Board and its Relationship with the Chief of Police." The Police Governor. Vol 2(2)
- Stenning, Philip C.**
1981 Police Commissions and Boards in Canada. Toronto: Centre of Criminology, University of Toronto.
- Waldos, Charles N.**
1986 A Working Guide for Directors of Not for Profit Organizations. New York: Quorum Books.