

THE POLICING OF THE RESERVED INDIAN

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CHAPTER ONETHE INDIAN

For two centuries, the Hudson's Bay Company ruled Canada's North-West, and through its agents had provided for the maintenance of law and order in the vicinity of its posts. The surrender by the company of its lands to the British Government in 1869, which had been sought by an address from the Parliament of Canada in 1867, was followed by the formal transfer of the area to the Dominion on July 15, 1870 (16). However, during the late 1860's and the early 1870's, lawlessness was rampant. Horse stealing, inter-tribal warfare, and frequent murders were the rule. From outlaw trading forts dotting the prairies the traders doled out whiskey to the Indians in exchange for buffalo robes, furs and horses (14). The trade in buffalo robes and furs, which were readily bartered for whiskey, arms and ammunition, proceeded at a great pace, until lamentable results that ensued compelled the Government's attention to this state of affairs (10).

To what a pitch of disorder the Indians were being hastened is made evident in the report of Colonel Robertson-Ross, the Adjutant-General, who was dispatched by the Canadian Government in the summer of 1872 to make "a reconnaissance of the north-west provinces and Indian territories

of the Dominion." In this interesting document he gives concise particulars of the methods employed by the illicit American traders to plunder the Indians and supply them with the much-coveted "fire-water."

"When at Edmonton and the Rocky Mountain House," he states, "I was informed that a party of American smugglers and traders had established a trading post at the junction of the Bow and the Belly Rivers... It appears, they have for some time carried on an extensive trade with the Blackfoot Indians, supplying them with rifles, revolvers, goods of various kinds, whiskey and other ardent spirits, in direct opposition to the laws both of the United States and the Dominion of Canada, and without paying any customs duties for the goods introduced into the latter country... The demoralization of the Indians, the danger to the white inhabitants, and injury resulting to the Country from this traffic are very great. It is stated upon good authority that during the year 1871 eighty-eight of the Blackfoot Indians were murdered in drunken brawls among themselves, produced by whiskey and other spirits supplied to them by those traders(10).

To instance the general lawlessness in the north-west, the report proceeds:

It appears that of late years no attempt has been made to assert the supremacy of the law, and the most serious crimes have been allowed to pass unpunished(10)...

The reconnaissance carried out by Colonel Robertson-Ross was instituted by the then Canadian Prime Minister, Sir John A. MacDonald, and it had for its main object the consideration of a more or less military force to be established

in the north-west. Robertson-Ross recommended that a military force of five hundred mounted rifles should be established at once. He suggested that their uniforms should include red coats because many Indians had told him that their tribes had grown to trust their "old brothers" the red-coated soldiers formerly stationed in the Red River district (H.M. 6th Regiment of Foot - at Fort Garry, 1846-48) (14). "We know that the soldiers of our Great Mother wear red coats and are our friends," one Indian said(8). Accordingly, the scarlet tunic was selected as part of the uniform of the new Force as evidence that they came in peace.

Father Scollen, an Irish priest who labored among various Indian tribes, was appalled at their state. Before the coming of the whiskey traders, the Blackfoot were "a proud haughty, numerous people (perhaps ten thousand on the British side of the line) having a regular politico-religious organization...Since that time their number has decreased to less than one-half, and their systematic organizations have fallen into decay...It was painful to me to see the state of poverty to which they had been reduced. Formerly they had been the most opulent Indians in the country, and now they were clothed in rags, without horses and without guns(17). By the summer of 1874, many of the leaders were convinced that their tribes would be exterminated. Fatalistically,

they held their camps together as best they could, but saw no hope for their survival. "They have an awful dread of the future," Father Scollen observed(17). A trader who travelled among them at this time shared their pessimism and predicted "their inevitable ...extinction from the face of the earth(9).

On May 23, 1873, the enabling bill was given royal assent for the establishment of "a Police Force in the North-West Territories" and also for criminal courts, common jails and the appointment of magistrates. The police force would be a civil force of not more than three hundred police in uniform, headed by a commissioner and several officers, who would also be ex officio justices of the peace. Other members would include a paymaster, a veterinary surgeon, and various ranks of constables and sub-constables. Armed simply, but effectively, and mounted on "the hardy horse of the country," the police would patrol the frontier, collect customs, prevent whiskey trading with the Indians and generally maintain law and order. The force would be responsible to Ottawa, and not to the local authorities as were the police in the provinces(14). On August 30, 1873, the Order-in-Council was passed and the force officially came into being(1).

The mobilization of the North-West Mounted Police and their initial establishment in the North-West Territories

was accomplished in little over a year. The first appointments on September 25, 1873, were followed by wide-spread recruiting in eastern Canada. Recruits were dispatched in stages to Manitoba, where, by June, 1874, the force was assembled at its authorized strength, equipped, and given basic training. On July 8, a few weeks after the hoped-for date of departure, the force began a four month trek into the region it was to police. Late fall saw it established in winter quarters and coming to grips with its first policing duties.

The issues which first concerned the North-West Mounted Police, and which remained predominant throughout its first decade, arose out of the many problems faced by the native population of the Canadian plains. The total number of Indians is in question, but was probably of the order of thirty thousand souls,¹ whose tribes were not only in conflict with each other, but whose way of life contrasted sharply with that of the white settlers.

It is estimated by anthropologists that when the white man arrived a little over four centuries ago, approximately

1 The 1881 Census of Canada gives the total as 49,472, derived from a combination of estimates and treaty payments, while the 1885 Census sets it as 20,170 based on reports from Indian agents, for the districts of Assiniboia, Saskatchewan and Alberta.

a quarter of a million Indians and Eskimos inhabited what is now Canada(28). The white man's diseases, for which they had no resistance, took a heavy toll on native life. This, combined with warfare, reduced their numbers to about one hundred thousand by the beginning of the twentieth century. However, this situation soon reversed itself and the population is now above what it was in the sixteenth century and the rate of increase is, in fact, almost double the national average. The aboriginal population is now close to five hundred thousand people.

One out of every hundred Canadians is registered as an Indian today on the Band List kept by the Department of Indian Affairs and Northern Development(3). Seventy-four percent of the total Indian population, which is approximately 250,000, reside on the 2,265 reserves in Canada administered by the Department of Indian Affairs and Northern Development. Approximately 130,000 live in the Canadian Shield and are thus isolated from the majority of the white population and also other Indians.

The term "Indian" bears a special meaning within the law and does not include everyone who is called an "Indian" in the ethnic sense of the word. Section 2(1) of the Indian Act defines an "Indian" as "a person who pursuant to this Act is registered as an Indian or is entitled to be registered as an Indian." An Indian who is entitled to do so, registers in the "Indian Register" which is maintained in the Depart-

ment of Indian Affairs and Northern Development(4). The "Indian Register" is simply a listing composed of Band Lists and General Lists. A person who is a member of a band and is entitled to be registered shall be entered in the Band List for that band while the name of every person who is not a member of a band and is entitled to be registered is entered in a General List(4). Section 11 of the Act states: "a person is entitled to be registered if that person -

- a) was considered (by statute of May 26, 1874) (5) to be entitled to use and enjoy the lands belonging to the various tribes and bands of Indians in Canada;
- b) is a member of a band
 1. for whose use and benefit, in common, lands have been set apart or, since the 26th of May 1874, have been agreed by treaty to be set apart, or
 2. that has been declared by the Governor-in-Council to be a band for the purposes of this Act;
- c) is a descendant of one of the persons described above(5).

Sections 12 and 13 of the Indian Act specify those persons entitled to be registered as Indians, and includes all persons of Indian blood and their descendants, who have signed either a treaty or surrender with the Crown and reside on an Indian reserve. Non-Indian women who have married males entitled to be registered under the previous description and their descendants may also be registered as Indians under the Act, but Indian women who marry males not entitled to be registered and their descendants may not be so registered(5). Among those individuals excluded from registrations is any person who "has received or has been allotted half-breed lands or money scrip(4)." This generally refers to those Métis of the Prairie provinces who chose scrip or lands as an alternative to treaty rights.

A last major category of excluded persons are those Indians who have chosen to "enfranchise" under Section 109 of the Indian Act and are no longer considered to be an Indian by the operation of Section 110 of the Act. Enfranchisement is the process by which an Indian gives up both the benefits and burdens of the Indian Act. Indians living on reserves can apply for enfranchisement by making application to the Department of Indian Affairs and Northern Development on the basis of the ability of the individual Indian to successfully maintain himself off the reserve by

means of a steady job. If he can establish that he is a responsible person who will not become a burden on the community, the federal cabinet will pass an Order-in-Council granting him enfranchisement. The successful applicant obtains all the rights and obligations of an ordinary Canadian citizen. Unfortunately, Indians who use this process of leaving the reserves are completely cut off from any ties they may have had with the reserve. They are able to visit the reserve but they are not able to stay there for any length of time. The enfranchised man's wife and children are also no longer deemed to be Indians within the meaning of the law.

Throughout the nineteenth century as settlements pushed westward across the face of Canada, treaties were made on behalf of the Crown with the Indians for the surrender of those rights and interests which the Indians held in the land. In return the Indians were placed on small parcels of land, called reserves, along with the receipt of certain other benefits which varied from treaty to treaty. In most of the treaties the benefits included a small annuity, the right to hunt and fish for food on the reserves and unoccupied Crown land, the right to some educational services and in some cases, a medicine chest which would "...be kept at the house of each Indian Agent, in case of sickness(17)..."

Three treaties were signed prior to Confederation in 1867, the earliest being the Robinson Treaties of 1850, under which the territory now comprising most of north-western Ontario was surrendered to the Crown. The Robinson Treaties set the pattern for the post-Confederation treaties in which the territories now joining the western provinces and the Northwest Territories were ceded to the Crown by the Indians. There were eleven of these treaties, the last of which was signed in 1923. However, approximately fifty percent of Canada's registered Indian bands have made no treaties and, therefore, have not surrendered their aboriginal rights to the land. "If these claims to the land were upheld, the Indians could reclaim about three-quarters of British Columbia, all of Quebec and the Atlantic Provinces, the central and eastern portion of the Northwest Territories, about ninety percent of the Yukon, and the whole of the Mackenzie District of the Northwest Territories(28)."

Treaties were signed in utmost good faith by the commissioners and by the Indians. For example, at Treaty Six, Lieutenant-Governor Morris said:

Again, I say, all we seek is your good;
I speak openly, as brother to brother,
as a father to his children, and I would
give you a last advice, hear my words...
My words, when they are accepted, are
written down, and they last, as I have
said to the others, as long as the sun
shines and the river runs(17).

There is no doubt that the treaties were necessary for the westward growth of the Dominion of Canada. The truth is that the Dominion Government acknowledged that the Indians held title to the land. In order to acquire lands to permit mining and homesteading in Canada by non-natives, the Government acknowledged the necessity to negotiate with the natives for the land. The Indians, who were the natives concerned, were regarded as the Queen's subjects, as were the non-natives coming in to settle, but they were special subjects, the owners of the land.

The Queen's negotiators believed that the Indians were in a weak bargaining position. The white settlers, surveyors and miners were too numerous to be excluded, even if the Indians had been willing to take up the rifle. The slaughter of the buffalo had nearly exterminated the magnificent animals before Treaty Six was signed. The food supply of the Indian was threatened. Smallpox had killed a large number of Indians and almost decimated them. But yet, encouraged by whiskey and gun traders, they had not given up the inter-tribal warfare in which they engaged, although most Indians were by then sick of it. It was recognized that the Queen's Mounted Police Force were needed to keep out the whiskey and gun traders and to keep the peace between the tribes. Consequently, the Indians accepted with

hope these efforts but at the same time were fearful that the price of peace would be confinement to reserves, a requirement to abandon hunting, and service in front lines of somebody else's war(12).

This presumption of the weak bargaining position of the Indians was expressed in 1871 by Adams G. Archibald, the Lieutenant-Governor of Manitoba, who reported on the negotiations of Treaty Two:

In defining the limits of their reserves, so far as we could see, they wished to have about two-thirds of the province. We heard them out and then told them it was quite clear they had misunderstood... We told them that whether they wished it or not, immigrants would come in and fill up the country; that every year from this one twice as many in number as their whole people there assembled would pour into the province and in a little while would spread all over it, and that now was the time for them to come to an arrangement that would secure homes and annuities for themselves and their children... We requested them to think over these propositions till Monday morning

If they thought it better to have no treaty at all, they might do without one, but they must make up their minds; if there was to be a treaty, it must be on a basis like that offered(17)...

The burden of discharging the provisions of these treaties fell entirely to the Dominion Government by subsection 24 of Section 91 of The British North America Act, 1867(20), which gave to the Parliament of Canada the ex-

clusive power to deal with "Indians and lands reserved for the Indians." To deal with the problem of the administration of the reserves provided for in the treaties and the whole problem of the status of Indians in the nation, the Federal Government passed legislation in 1868 in which the reserves were placed under the Department of the Secretary of State(24). This was followed in 1869 by legislation which dealt, to a greater extent, with the legal rights of Indians on the reserve and their gradual enfranchisement(25). Both of these acts were then consolidated by Parliament in 1880 into the forerunner of the present day Indian Act by the Indian Act 1880(26).

The Indian Act was passed with the intention of implementing the terms of the treaties and of establishing the status of Indians in Canada, making it the main body of law from which the legal rights of Indians flow. It is from this legislation that the legal position of the Indian is primarily determined rather than by the treaties themselves(11).

In speaking to those on these "reserves", Lieutenant-Governor Archibald said in 1871:

Your Great Mother, therefore, will lay aside for you 'lots' of land to be used by you and your children forever. She will not allow the white man to intrude upon these lots. She will make rules to keep them for you, so that as long as the

sun shall shine, there shall be no Indian who has not a place that he can call his home, where he can go and pitch his camp, or if he chooses, build his house and till his land(17).

It was onto these parcels of land that Indians were herded like buffalo and kept in place by the Northwest Mounted Police. Later the Federal Government assigned Indian Agents to supervise their adjustment on the land. While the rest of the country progressed into the twentieth century, the Indians remained behind. They were able to eke out only a meagre existence from the land(29). Through the colonial-like legal framework created by the Indian Act for the administration of the reserve, the Indian communities were locked into a structure completely outside the mainstream of Canadian society. The Indian became the serf-like recipient of an all-powerful alien White bureaucracy which, playing the role of a benevolent dictator, mercilessly, if unintentionally, debased and destroyed the rightful heritage of a proud and fine people(7).

With these developments, the police became an instrument of the government in carrying out the terms of the treaties reached with the Indians. While the police were not responsible for Indian policy, they were involved in the process of moving Indians to reserves, in treaty annuity payments, in rendering emergency relief when near-starvation occurred,

and at times, in specific areas, in administering all Indian affairs. The traditional Indian practice of horse stealing was a continuing problem, and, as settlement increased, cattle stealing and killing added to it, but there were few other serious crimes involving the native population. In their relations with the Indians the police were able to secure their respect and co-operation, and were, on the whole, remarkably successful in contending with these problems, doing much to better the lot of the Indians of the Canadian plains and making possible the peaceful settlement of the region(16). As Crowfoot, head Chief of the Blackfoot, stated, "If the Police had not come to the country," he asked, "where would we be all now? Bad men and whiskey were killing us so fast that very few, indeed, of us would have been left to-day. The Police have protected us as the feathers of the bird protect it from the frosts of winter(17).

The paternalistic, rigid trusteeship system created by the Indian Act perpetuates a complete unilateral dependence on the part of the Indian ward(7). Accordingly, Section 18 of the Act gives the Minister of Indian Affairs and Northern Development a discretionary power to authorize the use of reserve lands for schools, hospitals and various other welfare projects which the Minister may desire to initiate

once the consent of the band has been obtained. An individual Indian living on the reserve cannot acquire property in the land on which he resides. He may receive possession of the land only by obtaining a Certificate of Possession from the Minister for the land which the band has allotted him(4). Once an Indian has received a Certificate of Possession it entitles him to reside on the land specified and nothing more. He may not lease the land to anyone who is not a member of his band and may not sell it or transfer it in any other manner(4). Even if he does transfer his right of possession to someone else within the band, he must obtain the approval of the Minister under Section 24 of the Act. An Indian is therefore prohibited from devising the land of which he is in possession to either his wife or his children so that ultimately the only use he may make of it is to reside on it. If he makes improvements to the lands, he does so at the risk of later being removed from it by the Minister without receiving compensation for his improvements, the Minister or his Department having the power to award compensation at their discretion(4).

The local government of the reserve is largely in the hands of the Indian Affairs Branch of the Department. Under Section 73 of the Indian Act, the Governor-in-Council is invested with a discretionary power to make regulations for such matters as medical treatment, hospitalization and health

services on the reserves. In addition, he may provide for the inspection of dwellings on the reserve and make regulations concerning sanitary conditions in both public and private premises.

A measure of self government exists for the inhabitants of the reserves under Section 74 which enables the Minister, when he deems it necessary for the good government of the reserve, to declare that a band council may be elected by all persons of twenty-one years of age on the reserve. The council consists of one chief and one councillor for every one hundred members of the band provided that there shall never be more than twelve and no less than two councillors(4). The band council is authorized under Section 81 to make by-laws for such matters as the health of residents, regulation of traffic, construction and maintenance of roads, ditches and fences and the use of all public facilities. These by-laws must not, however, be inconsistent with the Indian Act or any regulations made under it and are subject to the powers of disallowance of the Minister(4).

When the Indian Affairs Branch feels that the band has reached a more advanced state of development and political sophistication, the powers of the band council may be extended into the areas of higher finance. They may then raise money through business taxes and licences for band

projects and activities subject always to the approval of the Minister(3).

The finances of the reserves are almost exclusively within the control of the Indian Affairs Branch acting through the power of the Minister. Both the capital and revenue monies of the band are held by the Government in the Consolidated Revenue Fund(4). Capital monies are derived primarily from the sale of surrendered lands or capital assets while revenue monies are obtained primarily from the sale of the jointly owned produce of the band(4). Together these monies constitute the band fund - all the financial assets of the tribe. Under Section 64 the Minister may, with the consent of the band council, direct the expenditure of monies for various public works and welfare projects. The band council is however powerless to make expenditures on such projects itself without the consent of the Minister.

The Department of Indian Affairs spends approximately 175 million dollars annually in welfare, education, housing, economic development and administration. Health costs reach about 100 million dollars. These figures do not include expenses borne by provincial governments for jails, police protection and services for indigent Indians who have left their reserves, nor do they reflect the expenses of the R.C.M.P., although much of their work in the West involves

Indians. Family Allowance, pensions and unemployment insurance account for more millions.

Few Indians have permanent jobs. Many are employed on a seasonal basis in sugar-beet work, potato picking, labor, construction, pulp cutting, fishing and their jobs are often low-paying and hard manual labor. During the off-seasons, they live on Family Allowance or Unemployment Insurance. Half of all Indian families earn less than one thousand dollars a year, and seventy-five percent, less than two thousand dollars. These "earnings" are not the actual income from employment or industry, but include Family Allowance and other government income which, on even the most self-supporting reserves, make up the bulk of the annual income.

Indians are becoming homeless, since new family formations are taking place at the rate of 1250 or more a year. Funds available for housing are insufficient to reduce the existing backlog of critically needed Indian homes or to keep up with new family formations.

...after 15 years and \$200 million the federal government has acknowledged that its program to build houses for Canada's native people is inadequate... the failure is so great that the government proposes to spend over the next five years six times the amount spent over the last 15 years on Indian and Inuit housing... the cabinet document, prepared by the Department of Indian Affairs and Urban Affairs, sets a five year target of 20,000 new houses

and repairs to 9,000 existing houses... In a bid to make the change more acceptable to Indian and Inuit organizations, the government proposes a five-year program involving an expenditure of \$1.6 billion(27).

Indian communities are so deficient in utilities that minimum standards of health and decency are difficult to keep them operating. Inadequate lighting affects the work of school children and the absence of basic plumbing facilities makes it difficult for Indian children to maintain a standard of cleanliness acceptable in public schools. The reserve is a welfare state without the luxuries: in reality it is but a poor man's ghetto(7).

Half the Indian population is under 15 years of age. These children remain uneducated and often illiterate. Forty percent of Indian children enter school unable to understand English or French; sixty-one percent fail to reach grade eight; and ninety-seven percent fail to reach grade twelve. (The grade attained is often no indication of the level of the Indian child's achievement, since he is often promoted on the basis of size and age rather than competence). About 35,000 adult Indians are now considered illiterate and virtually unemployable.

...The picture I have painted shows reservation communities at the bottom of the economic totem pole, lowest on the scale of social and economic progress. The people on these reservations have a culture, but

these people live under a culture of poverty. Join this poverty to isolation, add a substandard quality of education, subtract economic growth, bracket with one hundred years of paternalism, and you have a modern math problem too tough for the Indian alone to answer(2)...

The Indians' view of the white man's attempt to solve this problem is expressed in the book Wahbung Our Tomorrows:

The white man brought his legal system to Canada with him, but its purpose was to control the Indian tribes and legalize the takeover of Indian land to protect the settler against the Indian. The conflicts between the Indian and whiteman's law over the past century have not erased this view. For the Indian has been in conflict with the law far more than the whiteman has been, and as a people, the Indian has got the short end of the stick. Our land is largely gone, our people have far more than their proportion of the total population in jail(13).

A cursory glance at crime statistics in Canada gives the impression that there is an immense social problem concerning the Native offender. A disproportionate number of Native persons are charged with offences(15). Statistics gathered by the Law Reform Commission of Canada in their most recent study of Native (which includes Indians, Métis and Inuit (Eskimos)), crime in Canada have shown that Native offenders are usually involved in minor crimes(15). Yet large numbers of Indians are incarcerated. More detailed examination of their criminality reveals that the incarceration is for breaches of relatively minor Provincial and Municipal statutes and for the non-payment of small fines.

It also reveals that their criminality revolves around a few specific offences such as assault, minor theft, and breaches of the Liquor Acts and Highway Traffic Acts. In Saskatchewan, for instance, where Native peoples comprise 12.7 percent of the total population, almost 60 percent of all admissions to Provincial Institutions are Natives. The "Provincial Statistics 1970-71" for Saskatchewan indicate that there were 2,420 municipal and provincial offences committed by sentenced inmates in Saskatchewan Correctional Centres. Indians and Métis made up most of this number: 1,732 or 71.6 percent of all breaches of provincial statutes and municipal by-laws by sentenced inmates were committed by Natives(23).

The vast majority of offences in this category were breaches of two statutes; the Liquor Act(21), and the Vehicles Act(22); 2,245 out of 2,420 offences by sentenced inmates were under these Acts. Of the 1,154 that were breaches of the Liquor Act, 861 or 74.6 percent were committed by Native people. Similarly, there were 1,091 separate offences under the Vehicles Act committed by sentenced inmates, with 749 or 68.7 percent having been committed by Indians or Métis. For all other provincial statutes and municipal by-laws there were 175 separate offences by sentenced inmates, with Indians and Métis accounting for 122 or 69.7 percent of

this number(20). (The term "separate offences" means that the statistics indicate the number of offences committed by sentenced inmates rather than the actual number of inmates detained. An inmate who has been sentenced for two offences will be counted twice.) Similar patterns of "over representation" can be seen across the country, especially in the Western Provinces and the Northern Territories(18).

While the total percentage of Native inmates in institutions is high, one can see dramatic decreases in these percentages as the seriousness of the offence increases. While, as previously mentioned, Natives comprise 60 percent of population of Provincial Institutions in Saskatchewan, they comprise only 23 percent of the population of the Federal Penitentiary for Saskatchewan in Prince Albert. Even in this institution, 87 percent of the Native inmates are serving sentences under five years, whereas the comparable figure for non-Native inmates is only 52 percent(18).

These figures are merely a current re-affirmation of what countless investigations and reports have shown over the past twenty years - that Natives are being incarcerated mainly for less serious offences of a particular nature, that the vast majority of Native offenders are not part of a dangerous criminal element which must be segregated from the rest of society and, more particularly, there has been

no discernible progress in alleviating the terrible injustices done to the Native people, who are obviously not receiving equal treatment from the Canadian judicial system(18). As was indicated, Natives proportionately commit more of the less serious offences than the non-Native population, therefore it would be thought that alternatives to incarceration, such as probation would be more readily available to them. This does not seem to be the case. Natives constitute 60 percent of all inmates in Provincial Institutions, but, they represented only 26 percent of all probation cases in 1971-72. Part of this differential is due to the location of Indian people in rural or remote areas, their lack of employment opportunities and their generally low socio-economic condition. For those Indian people who are a federal responsibility, lack of clear-cut jurisdiction between the federal and provincial authorities for provision of service is a further complication(6). The network of probation officers in the northern areas is thin. The result is jail sentences for Native offenders whereas in other places people would receive probation because probation officers are available(19). While most magistrates appeared anxious to use probation as an alternative to incarceration, the practical limitations of the service as it applies to Indians precluded its use(6).

Some of the conclusive results dealing with Native criminality in Canada from the study "The Native Offender and the Law" are listed hereunder:

- a) Native women constitute a much greater proportion of the female prison population than do Native men of the male prison population. In Saskatchewan, the figure is approximately 90 percent.
- b) A large number of Native offenders are sent to jail for non-payment of fines. In 1970-71, 57.4 percent of all Natives admitted to Saskatchewan jails, constituting one-third of all admissions, were admitted for non-payment of fines, and the time spent constituted 18.1 percent of total days served by Natives.
- c) Federal offences committed by Native offenders are more likely to be offences against the person. The more common federal offences committed by Natives are assault, theft, breaking and entering, causing a disturbance, and driving offences involving the use of alcohol. Native offenders rarely are involved in narcotics offences.
- d) Native offenders in both provincial and federal institutions have a higher recidivism rate.

- e) Much, if not most, Native crime is associated with the use of alcohol. The association may be direct, such as in the offences of impaired driving, public drunkenness, and causing a disturbance; or it may be indirect, such as assault following drinking, or theft or breaking and entering to obtain alcohol.
- f) The Native offender is less likely to receive probation or a pre-sentence report, whether sentenced in a rural or urban area. Facilities are not as available in rural areas, where most Natives live, and the differential in urban areas partly may be explained by the less serious nature of charges against Native persons.

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CHAPTER TWO

THE POLICE

The term "police", derived from the Greek word for town or city, polis, usually means the arrangements made in all civilized countries to ensure that the inhabitants keep the peace and obey the law(5). The evolution of police systems has followed, slowly but consistently, the emergence and development of cities. The heterogeneity, mobility, and anonymity of population that characterize urban areas together with the various problems indigenous to city life have presented a greater need for more formal means of social control than those found in villages(10). Historically, as law-making evolved so did law enforcement. When kings had power and they made their own laws, they had to enforce them, and this they did by means of the army or the nobility. As the power of the kings diminished and the law-making power of the people increased, the law-enforcement powers passed into the hands of the people.

In England, the "night-watch system" of the eighteenth century marked the beginning of the transition of law enforcement from an arm of the ruler to an arm of the people. That system, however, which required civilians to patrol city streets "slowly and silently and now and then to listen,"

had its drawbacks. It was very difficult to compel the citizens to take their turns and, since most of the watch pursued regular work during the day, sleeping while on watch duty was common(8). To complicate the picture, the industrial revolution saw the urban immigration of vast numbers of people. Thousands of them, because of low wages, unemployment, and poverty, were forced to live under the most degraded of conditions. Many became depressed, disorganized and hostile. There was a complete breakdown of law and order, especially in London. The informal means of social control which worked reasonably well in hamlets and villages were not sufficient for life in the city or the conditions of the time. Adequate means of formal control had not, as yet, been established. Crime increased. The ancient and outmoded system of magistrates and constables became weakened, powerless, and corrupt. The need for a new and different type of system, an organized police force, became apparent.

Various Parliamentary Commissions were appointed to find a solution to lawlessness in England. Effective measures came, however, only in 1829, when Sir Robert Peel, Home Secretary, saw the passage of the Metropolitan Police Act establishing the Metropolitan Police Force under the control of the Home Office. The new paid force superseded the parish constable and local watch, but not the Bow Street

patrols, Police Office Constables, or the Marine and River Police who remained outside the control of the Metropolitan Police Force until 1839, by which date they had all been absorbed into it. The City of London was not included in the Metropolitan Police district, and maintains to this day its own independent force(5). The task of organizing and designing the "New" Police, as they were called, was placed in the hands of Colonel Charles Rowan and Richard Mayne. These were both Commissioners and were given headquarters at the Home Office which was later moved to a private house at 4 Whitehall Place and so the headquarters of the "New" or Metropolitan Police became known as Scotland Yard.

The partnership was a famous one and they brought into existence the first organized law enforcement agency. The foresight and wisdom of these men is evident when consideration is given to the guiding rules that they established which contain the objectives of the Force they created.

1. To prevent crime and disorder, as an alternative to their repression by military force and severity of legal punishment.
2. To recognize always that the power of the police to fulfill their functions and duties is dependant on public approval of their existence, actions,

and behaviour, and on their ability to secure and maintain public respect.

3. To recognize always that to secure and maintain the respect and approval of the public means also the securing of the willing co-operation of the public in the task of securing observance of laws.
4. To recognize always that the extent to which co-operation of the public can be secured diminishes, proportionately, the necessity of the use of physical force and compulsion for achieving police objectives.
5. To seek and to preserve public favour, not by pandering to the public opinion, but by constantly demonstrating absolutely impartial service to Law, in complete independence of policy, and without regard to the justice or injustices of the substance of individual laws, by ready offering of individual service and friendship to all members of the public without regard to their wealth or social standing, by ready exercise of courtesy and friendly good-humour, and by ready offering of individual sacrifice in protecting and preserving life.
6. To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public co-operation to an

extent necessary to secure observance of law or to restore order; and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.

7. To recognize always the need for strict adherence to police-executive functions, and to refrain from even seeming to usurp the powers of the judiciary or avenging individuals or the State, and of authoritatively judging guilt and punishing the guilty.
8. To recognize always that the test of police efficiency is the absence of crime and disorder, and not the visible evidence of police action in dealing with them(11).

American colonists in the 17th and 18th centuries naturally brought to America the law enforcement structure with which they were familiar in England. In many colonial cities the colonists adopted the British constabulary-nightwatch system. As early as 1636 Boston had night-watchmen, in addition to a military guard. New York and Philadelphia soon developed a similar nightwatch system. The New York nightwatchmen were known as the "Rattlewatch", because they carried rattles on their rounds to remind those

who needed reminding of their watchful presence(12). In Canada the city of Toronto formed the first urban Police Force in 1835 and this innovation soon spread to other communities. The first force was composed of five constables and a chief of police to operate under the direction of the High Bailiff and the City Magistrate. The strength of six continued until 1852 when twelve constables were sworn in. In 1859 the force was organized as a proper police department and it had a strength of thirty-two men.

In most cases, the early policemen were chosen from the community in which they lived. Their role and existence was known to all in the community. The policemen were fully committed to responding to reported crimes, and devoting their efforts and energies towards mainly the solution of crime. Yet their presence and existence in the community did perform a preventative role. As communities were relatively small and isolated, as laws were less profuse and complex, as all people in the area knew of and understood their role, as they had an extensive knowledge of local affairs, as the courts almost invariably responded with substantial punitive adjudications, and as conviction frequently resulted in social opprobrium and stigmatization, all that was necessary for the policemen of that time to do, to function effectively, was to diligently pursue their investigative activities.

In Canada, the federal force is the Royal Canadian Mounted Police, which was formed in 1873 as a constabulary to police the North-West. Its members are appointed peace officers for the whole of Canada, and in actual practice have jurisdiction anywhere in Canada with respect to any federal statute.

The Royal Canadian Mounted Police is under the control of the Solicitor General, to whom the Commissioner of the R.C.M.P. is directly responsible. The senior officer of the divisional headquarters in each province is in turn responsible to the Commissioner at R.C.M.P. headquarters in Ottawa for administration purposes and in matters relating to federal statutes. Enforcement of the Criminal Code, however, is, by authority of the British North America Act, a provincial responsibility. The Royal Canadian Mounted Police Act however, states:

the Solicitor General may, with the approval of the Governor in Council, enter into arrangements with the government of any province or with the approval of the Lieutenant-Governor in Council of any province, with any municipality in the province, for the use or employment of the Force or any portion thereof, in aiding the administration of justice in the province or municipality, and in carrying into effect the laws enforced therein(3).

By virtue of such arrangements made with the provinces, the R.C.M.P. acts as the provincial police force in British Columbia, Alberta, Saskatchewan, Manitoba, New Brunswick,

Nova Scotia, Prince Edward Island and Newfoundland. Although the Royal Northwest Mounted Police were responsible for provincial policing in Saskatchewan and Alberta from 1905 to 1917, the present arrangements have been in effect since 1928 in Saskatchewan, since 1932 in Alberta, Manitoba, New Brunswick, Nova Scotia and Prince Edward Island, and since 1950 in British Columbia and Newfoundland. In these eight provinces, the R.C.M.P. is employed in the enforcement of the laws of the provincial legislature and the Criminal Code of Canada, and in the carrying-out of certain other police duties agreed upon by the federal and provincial governments. Only Ontario and Quebec maintain their own provincial forces.

Where the R.C.M.P. acts as the provincial police force there must be a provision in provincial legislation appointing members of the R.C.M.P. as peace officers for the province. In Manitoba, for example, under the provisions of the Provincial Police Act, all members of the R.C.M.P. are appointed constables for the province and are thereby given authority, which they would not have otherwise, to enforce provincial statutes. The same procedure is followed where the R.C.M.P. is under contract to carry out municipal police duties; provisions are contained in provincial statutes whereby members of the Force are appointed municipal constables for

the purpose of enforcing municipal by-laws.

In provinces where the R.C.M.P., by agreement, enforces provincial statutes and the Criminal Code, it reports directly on matters involving these to the Attorney-General of the province. Similarly, in municipalities where it is responsible for law enforcement, it reports directly to the municipal authority concerned. The R.C.M.P. is the only police force in the Yukon and Northwest Territories. There it enforces all laws and ordinances. In these areas the Minister of Justice assumes the responsibilities of a provincial Attorney-General.

The Police are a civic agency concerned with public order. They are an agency of Government. In examining the Police, the focus is on the primary role of the police. However, each person has a somewhat different impression of the nature of the police function, based primarily upon his personal experiences and contacts with police officers, and there is a widespread popular conception of the police, supported by the news and the entertainment media. Through these, the police have come to be viewed as a body of men continually engaged in the exciting, dangerous and competitive enterprise of apprehending and prosecuting criminals. Emphasis upon this one aspect of police functioning has led to a tendency on the part of both the public and the police

to underestimate the range and complexity of the total police task(12). Certainly there are many specialized areas of investigative roles for the police, dealing with such matters as Organized Crime, Drug Syndicates and National Security. However, the backbone of the police is that group on the beat in the case of the municipal police or on detachment in the case of Provincial and Federal police. Here are the uniformed men who are continually in the eyes of the public, by whom the reputation and traditions of the complex organization have largely been built(2). They are immediately responsible for the peace and security of the citizens in their homes and on the streets. The policeman on point duty directing traffic must ensure the smooth flow of vehicles and the safety of the pedestrian. The constable on the beat watching, waiting and checking the doors of business houses must be available for any emergency. The detachment man is on call at any hour of the day and night. The duties of the police demand the employment of uniformed men, and detectives who specialize in the investigation of certain types of crime - murder, arson, theft, safe-blowing or illicit traffic in narcotics and spirits. Often the duties of the detachment man include those one associates with the detective, for he must be an all-round investigator though he has recourse to the assistance of specially trained men stationed at strategic points.

In early times, the policemen concentrated on their investigative duties. The other duties of the policeman were perhaps being achieved as a by-product. It was then only necessary for the policeman to consciously pursue the investigative aspect. It was in this area that the rewards of the task were achieved. Policemen sought to be recognized as capable investigators. A man's success could be measured by his ability to solve crime. At the present time, this can still be seen as the aspect of the policeman's function in society as having the greatest appeal. It is the application of investigative competency and skill, arrived at through experience and exposure to other successful investigators, that the policeman is able to pit his intelligence and capability against the ever elusive criminal and achieve a measure of success and fulfillment from identifying the perpetrator of a crime and effecting his eventual arrest. This self-image of the policeman can be seen reflected in the whole organization of police forces today. Police training is heavily weighted in the technical skills of investigative competency. Advancement can be seen more rapid in those areas where investigative skill is the criteria. This aspect of the police function in society has been pursued and developed to a refined level. The examination of any police force in Canada today will reveal

the majority of skill and expertise being deployed in an investigative capability. In fact, it is usual to encounter investigative tasks being identified as areas of speciality wherein certain investigators are as specialists in Fraud, Homicide, Morality or Drugs. All of these specialist groups perform exclusively investigating roles. They are usually so situated in the organization as to be the type of jobs sought after by all younger policemen in the organization. It is the goal of the young policeman to improve his level of investigative competency to a point that he will be selected for such specialized investigative tasks. This self-concept of the policeman predominantly concerned with the investigative role is necessarily shaped by the legal ramifications of law enforcement. The policeman is essentially an evidence gatherer and tracer of perpetrators of crimes. He is, in fact, an offence technician concerned with the examination of crime scenes and the subsequent collection of evidence useable in court to result in the conviction of the offender following his arrest.

The technological explosion of the last two or three decades has not been without its effect on law enforcement agencies. In recent years we have witnessed the development of elaborate laboratory facilities to assist police with scientific aids. Most police forces are equipped with Crime

Scene technicians capable of using certain scientific processes in the collection of evidence. Most police forces are generally well equipped with transport, radio equipment, radar, breathalyzer and other scientific developments which will assist them in solving crime. Considerable attention has been devoted to the development of office and paper flow systems to reduce clerical burdens and free the policeman's time for other duties. It would be safe to say that the police have become highly systemized. Of very recent times, we have witnessed the implementation of massive computerized information systems which have further made use of modern technology in crime solving. To summarize, through various applications of mechanization, systemization and automation, the police have pursued a course of continually improving investigative competency and mechanical efficiency aimed primarily at their concept of crime investigation and offender apprehension.

Since their beginning, all police forces have adopted some form of the classic military style. In some countries of the world, the Civil Police are more closely aligned with the military system of management and control than in others. In the western world, all police forces generally tend to conform to a military type structure. Even though nomenclature used for the various ranks does vary, there is a common

thread of military bearing evident in all police forces. Perhaps in the beginning, the military provided the only alternative whereby the Police could be distinctive and readily identifiable. Many of the original policemen came from military backgrounds. In the R.C.M.P. in particular, several of the early leaders had extensive and illustrious military careers before becoming policemen. As late as 1938, the Commissioner of the R.C.M.P. came from the Army. Many other leaders in the Force have military experience or training. Police Forces not only adopted the military appearance, but also the military method of command structure and rule book philosophy. The disciplinary codes used in most police forces today have some semblance to the rule book military pattern. Examination of the achievements of the R.C.M.P. would perhaps permit us to contend that it was this style and philosophy that facilitated and permitted those achievements. Considering the conditions under which those men existed, it is likely that the "Command obey military style" was very necessary to exercise the kind of control then required. The force had of necessity to function as a quasi-military unit.

Today, however, conditions have changed. The day to day operation of providing good police service in a very complex modern society, entails the policemen on the street

analyzing situations, weighing alternatives and taking action on their own initiative in what is essentially a split second decision. To improve the effectiveness of every policeman in this environment, it is necessary that he have a good understanding of the objectives of the organization and of the needs of the community in which he serves, so that the action that he does take will be conditioned by these pre-conceived concepts.

Recent studies have demonstrated that only a small portion of those incidents reported to the police are actually crimes within the definition of the law. In Canada it has been estimated that eighty percent of all incidents reported to the police are of a non-criminal nature(1). So clearly, in practice, the police are involved in a great many tasks outside of the crime solving function. If their primary task transcends the role of evidence gathering and crime solving, it is important that we identify the true nature of these roles so that one can concentrate police effort in those areas where maximum effectiveness can be achieved. Examination of duties actually performed indicate that the broader functions of the police in society encompass three major areas(6). These are:

- a. Providing emergency services.
- b. Maintaining public order.
- c. Controlling crime.

In providing Emergency Services, the police have accepted the responsibility to respond to any situation in the community that in any way disturbs its citizens. The record books are full of calls to a whole range of incidents which run the gauntlet of human interaction. Such complaints range from very trivial to very serious incidents and most often are not confined to criminal acts. However, the public expect the police to respond to these situations, and the police do.

The public has become accustomed to expect certain conditions to prevail in society and it is part of the responsibility of the police to take action necessary to achieve this, the maintenance of public order. This activity requires the police to have a good understanding of the make-up of the community and the lifestyle of the people living there. It could be described as a role aimed at perpetuating community tranquility. It is a peace keeping role and is often achieved through means other than evidence gathering and prosecution of offenders. It often amounts to the anticipation of the events in the community and planning police action, or co-ordinating resource agencies to control such events in a manner acceptable to society at large. It is a crisis prevention activity and constitutes a fundamental task of police agencies.

Crime Control, the third function of the police, carries a broader connotation than crime solving. Inherent in the concept of crime control is the idea of using police resources in any and every possible manner to effectively reduce the incidents of crime. It includes crime prevention and crime solving.

Proponents of the narrow legalistic view of the policeman's role as being primarily concerned with solving crime contend that the responsibilities beyond the scope of solving crime could well be performed by other agencies and that the policeman should be freed to pursue his crime solving activities. The President's Crime Commission Report in the United States, published in 1967, contends that a dichotomy may exist between the enforcer and helper roles of the police, and has suggested that different classes of personnel should be employed for these different tasks. Many do not agree with this. Confining the policeman to the narrow and negative role of a crime solver and law enforcer could further alienate him from the main stream of the public and gradually reduce his effectiveness even in that role. In fact, it could be argued that the police today have isolated and alienated themselves to some extent from the public, because of a stress on crime solving. It has placed them in a situation where they are seen most frequently either

seeking evidence or applying the heavy hand of the law - both situations which are not likely to endear the policeman to those people so encountered. The increasing dissatisfaction and alienation, both on the public and the police, can only deepen the cleavage between them and result in increasing dissatisfaction on both sides. Increasing segments of the public would become conditioned to react in a negative way to such policemen and, on the other hand, the policemen meeting increasing levels of hostility to their actions would tend to respond accordingly. Many would suggest that it is this narrow concept of the policeman's role that has contributed to some extent to the diminishing effectiveness of the police efforts of controlling crime.

Prevention of crime, which would seem at first glance to be acceptable to the police, has not been adequately developed. Efforts at crime prevention are often viewed by policemen as "un-policemenlike" as they do not fit the investigator image(6). Crime prevention is often little more than arranging patrol schedules so that police resources will be deployed somewhat in relation to their frequency of offences. But even this is not far from the crime solving function as it increases the probability of catching persons committing offences.

It becomes increasingly obvious that the police have roles in society beyond crime solving and offender apprehension. They have, by practice alone, assumed a response role to attend to any situation of need in the community. They have a need to demonstrate a positive and helper role image through which they can develop, secure and maintain public respect and support. As this is a significant factor in considering effective crime prevention and effective crime solving, it will only be when both the police and the public fully understand the mission of the police, that effective crime control can be achieved.

The starting point for evaluating the various police roles must be to identify the police relationship to the law. It is the sworn duty of all policemen to maintain, enforce and uphold the law, and the dereliction of this duty is a violation of the law itself for which the policeman can be punished. This tie to the law places the police in somewhat of a paternalistic role in relation to society and this should be recognized at the onset. However, it was never the intention of society to have the law rigidly applied. It has even been contended that in contemporary society there are not merely ethical but legal foundations for institutionally regulated departures(7). Inherent in our system is the exercise of discretion by those people empowered to enforce

the law - a discretion that is judiciously used. The band that ties the police to the law could hence be seen as an elastic one that thickens and becomes more rigid as the gravity of the offence increases. In this area, the policeman has little or no room for the exercise of discretion, but in the enforcement of less serious and more social regulatory rules of society, the policeman has greater flexibility(4).

While there exists a duty imposed upon the policeman to enforce the law, the policeman must enforce it with discretion if he is to achieve the greatest good for the community at large. The exercise of discretion can produce the best results only if it is exercised with a sound understanding of the total objectives in the community. It is hence necessary for the policeman not only to be knowledgeable in the law that he is enforcing, but also, to have a good understanding of his role, and the community in which he operates and the relationship of the one to the other in terms of the community's needs for crime control and law enforcement.

Whether or not the real role of the police is to respond only to calls of a criminal nature and engage themselves in the solution of crime is really a question of no import at this time. Examination of complaint records reveals that between seventy and ninety percent of calls received by the

police are, in fact, non-criminal in nature. The public expect the police to respond to almost any and every problematic situation. In these circumstances the police have a duty to comply and in order to do so it is necessary for them to know their limitations, and have an intimate knowledge of all the agencies and services which can supply the proper help. It is not necessary for them to usurp the roles and functions of the multitude of agencies in the community that are available to provide counselling, assistance or help to citizens but they do have the initial responsibility to respond to a request for assistance and once the objectives of the police - the protection of life and property, maintenance of law and community tranquility - have been secured, to be in a position to provide the right kind of advice and guidance that will lead the complainant to the proper source of help. When such a course of action is not followed, as sometimes happens, citizens become dissatisfied with the kind of service the police provide, even though they may recognize that the police cannot provide the assistance expected(6).

Even though from early times it was accepted, following Sir Robert Peel's contention, that prevention was the basic mission for which police exist, the subsequent development of the work ethic, preoccupied with solving crime, has resulted in prevention assuming lesser significance.

Compounded by the fact that many police forces, until recent times, have been greatly under-staffed, prevention activities have been relegated to a position whereby they are pursued when time permits. As an indication of this view of preventive capability, one needs only to examine the training programs in existence. Prevention, while it is mentioned as a desirable objective, is not developed in any meaningful way. Policemen are not helped to identify prevention possibilities. Left to their own ingenuity, policemen conduct various activities, such as participation in sports or with young people, as comprising and contributing to prevention. Such activities are pursued without any analysis of the problems of the community, and without the program being specifically designed to respond to a particular problem. It is frequently reflective of the individual policeman's dissatisfaction with an overly negative role and an attempt on his part to achieve a feeling of positive contribution. Such activities may be worthwhile and produce results in an accidental sort of way, but in the world of today the best results can be obtained by teleological activity.

Offence-oriented direct prevention has been practiced by many police agencies assuming the form of assigning police manpower in relation to the incidence of crime. This

involves the scheduling of men so that the greatest number of resources are deployed at those times and in those places when the frequency of offences is the highest. While there is a preventive consideration to having the most men on when the most offences occur, the crime solving consideration in the increase of the likelihood of apprehending offenders, tends to be given greater weight. This is necessarily so because the preventive component here is so dependent on the crime solving - the increase in the probability of arrest supplying the motivational content to the prevention(6).

Victim oriented prevention has some credibility amongst policemen, but it is not pursued sufficiently and is often relegated to a position of lesser importance in the total scheme of policing. Basically, prevention in this category centres around hardening targets. It is concerned with helping people protect themselves and their property from offenders. Examples of this type of prevention are programs aimed at improving business premise security, such as alarm systems, locking devices, etc. Another example would be programs aimed at identifying cheque passers in business activities. Still further, would be efforts aimed at improving residential security and identifying items of value so that if stolen, they can be identified for Court purposes. The number of programs that could be pursued

under this category is limited only by the capability of the preventive programs aimed at the victims of the particular type of crime they have under consideration. There is ample room for the development of meaningful programs in this area. However, it is not uncommon to see some program initiated in a particular area receive some positive publicity, and other police forces following suit, without any consideration to the relevance of the program to the crime problems of the community. It may well be that the techniques developed in one area can be applied in another but this should only be done after the problems have been examined and a decision made regarding the best tools for the achievement of the maximum benefits.

Crime prevention must take into account the offenders likely involved in the commission of the crimes being considered and it may well be that some measure of control of that problem can be achieved through the development of a positive offender oriented type of prevention program. There is little likelihood of achieving any success in this area in relation to already hardened or committed criminals. This aspect of prevention is likely to be most effective in dealing with young offenders. There are a great many young people in society today that live in various conditions of stress and frustration. These people are very vulnerable

to influence. The absence of any positive association with policemen represents a void in their opportunity for proper development. In fact, a program by the police aimed at likely young offenders in the early stage of their developments, may well be one of the most effective preventive measures that can be developed. Most policemen when stationed in an area are soon able to identify the various groups or gangs of young people which show the type of attitude consistent with their progression into increasingly serious areas of crime. However, until they are actually suspected of offences, police give them little attention, thereby passing up the most opportune time to establish some relationship with such a group(6). It may need be nothing more than a very casual type of friendliness that will have a desired effect. The requirement here, is that police thinking be somewhat long-ranged. It is most usual for the policeman to be concerned with the problems of yesterday and today and not consider their impact on future problems(6). This fact represents one of the most significant defects in the crime solving law enforcement orientation of policemen.

It is said of our democratic system that the law, being the enactments of our elected representatives, is the will of the majority and that people will tend to voluntarily comply with the law. Certainly not all people comply with

all laws at all times, but by and large, most people tend to comply with the law most of the time. As the police are charged with the responsibility of enforcing many laws it is desirable that the manner in which these laws are going to be applied by the police be communicated. Many laws have existed for years and the public are generally well informed as to how these laws will be applied. However, with the great increase in the number of laws and their increasing rapidity of change, it is likely that an increasing number of people will be less and less informed on the details of law today(6). The police, being the body charged with applying the laws, are the only people that could communicate this information. The role as an educator is very closely tied to the prevention, particularly in relation to victim oriented preventive programs. It is the young people who have no history of exposure to the law, or to the police, who are at the stage of their lives where they are first encountering the various laws. It is therefore very desirable that such people be given the opportunity to have some understanding of the law, and also the manner that the law is going to be applied. Given at the right time in their development, exposure along these lines has a very positive preventive value.

The role of an educator does not fit with the self-concept of the policeman as a crime solver. Following the crime solver role, a great many policemen have not the knowledge of or the capacity to communicate, either the intention of the law or the role of the police, adequately(6). Many policemen feel very insecure in discussing the law or their role in a satisfactory manner with a group of people. Such a task could be entrusted to a group of specialists, but then such a group would not be intimately concerned or knowledgeable with the particular problems of a particular area and then discourse would tend to be general. Further, the benefits of such communication are two-way. While the policeman imparts information regarding the law and the role of the police, an opportunity to gain a better understanding of the community in which he is working is provided him. A policeman following a pure investigative and law enforcement pattern is not subjected to this influence and there is nothing to ensure that his objectives and his priorities will always be consistent with those of the people of the area.

Law enforcement is a role that is largely misunderstood by both policemen and the public. It only needs to be pointed out that when enforcing the law, it is likely that the policeman who has a good understanding of the area in which he works and of the people to whom he is applying

the law, will exercise discretion in a manner likely to produce the greatest amount of community good. Distinct from the crime solving role, the area of enforcement generally refers to the application of those laws by the police where the enforcement is generated directly from police activity. There is no complaint of these incidents; they are usually offences detected by the police as in the case of liquor, traffic and drug offences. While the policemen may go about this task in an objective manner endeavoring to enforce the law fairly and impartially, the reaction from the person on whom it is being enforced is usually far from objective. In fact, the enforcement of such laws frequently generates outright hostility on the part of the person on whom it is being applied. For him it is an emotional experience. It is this area of police work that generates the most criticism and demands the greatest amount of self-control and composure on the part of policemen, often under almost intolerable circumstances. It is the area of police work that experience and maturity seem to improve the members' capability, but which produces continual exposure to people, and may well influence the policeman's overall attitude towards his task. In addition to this, a policeman is the most supervised public servant in the community. Being a community disciplinarian, he

works under a disciplinary code and is liable to some form of punishment that could affect his vocation as well as his career, for any infraction. Any excess zeal in carrying out his duties makes him liable to both criminal and civil action according to the law of the country(9). Much of his work is done in public and he is carefully watched. His work, attitude, manner, efficiency and ability are supervised within the force. He has a number of superiors whose duty it is to report anything they see going wrong with the individual policeman. When the policeman is in court, he comes under scrutiny of the Judge, the Crown Attorney and the defense counsel. His work is supervised by the news media, and any abuse he may impose on others is quickly taken up by the civil rights organizations found in most communities. The policeman has to act under and react to the continuous threat of internal and external control when responding to unfavorable conditions, and his actions and reactions can never be tempered by the achievement of broader based policing objectives.

While the basic responsibility of the police is to prevent and detect crime, it is obvious that in a modern society both are becoming more difficult to achieve. It is equally obvious that if the police are to be more effective in keeping the community secure by combatting

crime, society must accept more responsibility for fighting some of the causes of modern crime, doing away with the conditions in the community which encourage it. If society does not accept this challenge there appears to be little the police can do to prevent a continual and alarming increase in the crime rate as Canada has witnessed during the last decade(9).

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CHAPTER THREE

THE INDIAN AND THE POLICE

Under Section 20 of the Royal Canadian Mounted Police Act(2), provisions exist for the provinces to enter into agreement with the Federal Government to have the R.C.M.P. administer justice and carry into effect the criminal law and the laws of a particular province. Eight of the ten provinces, the Yukon and Northwest Territories, have such contracts with the Federal Government and the R.C.M.P.. The same section of the Act provides the authority for similar arrangements to be made with municipalities, and in eight of the provinces where the R.C.M.P. are the provincial police, they also police 140 municipalities. Under contract with a province, the R.C.M.P. enforces the criminal law, the federal statutes and provincial laws, whereas municipal laws will not be enforced by them unless there is a separate agreement with a municipality. The term "municipality" refers to a town, and if it is under fifteen hundred in population, the R.C.M.P. is required to police it under the terms of the contract with the province - if over that figure, the town is responsible to provide its own policing, often acquiring the R.C.M.P. to do the job.

The provincial police in Ontario and Quebec carry out

provincial law enforcement duties in those two provinces in the same manner as the R.C.M.P. does in the remaining provinces. The two forces also contract for policing, but like the other provinces, Ontario and Quebec have municipal police departments that enforce most laws which the provincial police are not concerned with when not under municipal contract. The R.C.M.P. are responsible for enforcing most federal statutes in these two provinces (the Criminal Code exempted) and, over the years, have been particularly active in the enforcement of drug, taxation, customs and excise laws.

The economic and social development of a community is related directly to the degree of law and order which prevails in that community. Effective policing is essential for the maintenance of law and order, and the police play a major part in determining the way in which laws are enforced and disorder circumvented; indeed, for many in the community the relationship with the police is their only direct experience with the system of law and order. Given the recognized need for good policing, Indian communities or reserves have a right to expect as good policing as other Canadian communities(3). On page two of the Circular Letter No. 55, published by the Indian Affairs Branch, September 24, 1971, the policy regarding policing services

and the jurisdiction of the Federal Government, the provincial governments and the Indian bands is set out. It is clear from these statements that the Federal Government has very limited authority to provide policing services to Indian bands. Enforcement of the Criminal Code and of provincial statutes to which all Indians are subject is the responsibility of the provincial governments. Each province has enacted legislation setting out the authority for the operations of the police forces within its jurisdiction. Basically, the provinces have stipulated that communities of adequate size must provide essential police services for their residents. Where the community is too small or where there is unorganized territory, the service will be and is provided by the provincial police force. The fact that most provinces have entered into contractual arrangements with the R.C.M.P. to meet their obligations does not transfer the basic authority or responsibility for the service to the Federal Government.

Apart from band by-law enforcement, the bulk of the policing needs felt by Indian communities are those which, in a non-Indian community, are services provided by the municipal or provincial police force. It is not likely that the situation changes by reason of a community being Indian or by reason of its location on an Indian reserve. The

Indian community itself must enforce its by-laws as does any other community. Police services should be provided by the police force normally charged with that responsibility. For most Indian communities, because of their small size, this would mean the provincial force.

The official starting point of the Criminal Justice System is its police forces and it is at this point that Native people have their most frequent contact with the system. The nature of the relationship between Native people and the police cannot be stereotyped. Sometimes the relationship is held to be good; sometimes it is held to be poor. The relationship varies with the community, the detachment and the individuals involved(1). The role of the police in a democratic society as has been outlined earlier, is to prevent crime, to detect crime and to apprehend offenders, to maintain order in the community in accordance with the rule of law, and to inform the public with respect to police procedures and the law. The Police in a democratic society must carry out their functions on behalf of the community and should exercise only the powers entrusted to them by the community, or else they deteriorate to the status of a police in a totalitarian state.

The feeling that pervades in many Indian communities is that the principles that should govern the behaviour of

the police in a democratic state do not form the basis of their relationships with the police. Blatant discrimination and lack of concern on the part of the police remains a major problem(6). The residents of the reserve do not have adequate protection. No attempt is made to ensure that they can live peacefully in their homes without being disturbed by drunks or petty criminals. It almost appears that there is little concern over what one Indian does to another, even if it be killing. For a variety of reasons, some of which stem from the isolated and remote nature of some reserves, policing has been less than adequate. R.C.M.P. officers go into reserves frequently only when there is a crime to solve and they have come to be looked upon by the Indian as an intruder, not as a friend protecting them(10). A disproportionately high incidence of petty crime on the reserves bears mute testimony to this(3).

Police relationships with Indians appear to be more positive and healthful in the Maritimes than in the rest of Canada. The incidence of crime among the Indian people in these areas is relatively low, not only in comparison to other parts of Canada, but also in relation to the non-Indian crime rate within the area. In the Prairie Provinces, British Columbia and the two northern territories, in general, relationships between the police and the Indian

people are less amicable and, have reached a stage where bitterness prevails on both sides. This is particularly true where police officers have rural detachments containing many Métis settlements or Indian reserves. The constant surveillance sometimes required by the Indian and Métis communities can, under these circumstances, produce an open dislike on the part of the police to those inhabitants. When this occurs, the Indian people, in turn, respond by being withdrawn and uncommunicative when sober and highly belligerent and aggressive when drunk(4).

Where there is no police presence on a reserve, policing is done on a complaint-oriented basis. That is, the police only turn up when they are called, and they are called only when there is trouble. In many places, even when complaints are made, because the nearest police detachment is a long way off, and it may have other responsibilities of higher priority elsewhere in its area, even the complaint-oriented system does not work satisfactorily. This is the style in which Police forces serve rural areas within their jurisdiction. In urban areas the style is different. While all Indian reserves may not require the same type of policing as towns or villages, the nature of an Indian reserve may demand a type of policing much more like that than that which is normally given to the rural areas of a province(3).

Examining the policing of reserves, the Task Force dealing with Policing on Reserves has concluded that:

- a) the Indian peoples on reserves require better and more adequate policing to meet the needs of their communities;
- b) present policing on reserves is primarily complaint-oriented;
- c) much greater emphasis should be placed on preventive policing;
- d) preventive policing on reserves will increase their sense of security and contribute to the growth of strong viable communities;
- e) the present band constable system cannot provide the high standard of policing required for Indian communities on reserves;
- f) a new system of policing is required, broad and flexible enough to meet the particular needs of evolving communities in the different regions;
- g) any system should offer to Indian peoples an opportunity to police themselves within the structure of an existing police force;
- h) option 3(b) (this option provides for a branch or contingent of Indian special constables, recruited, operated and supervised by a provincial

police force, of which it would be an integral part) would seem to be broad and flexible enough to meet the particular needs of evolving communities in the different regions.

The existing situations, policies and methods respecting law enforcement on Indian Reserves has clearly delineated a series of problems. Some of the more common of these general problems are:

1. The Geographic Location

- a) The geographic location of the Reserve in relation to the applicable law enforcement agency. This distance may result in:
 - i) a lengthy delay in "police response" time, the number of patrols, or the "police presence";
 - ii) a lack of immediate back-up assistance for the local constable particularly in times of rowdyism;
 - iii) a local resistance to the police agency's authority.
- b) a scattered or split population, a population of small groups over a large area with limited immediate communication, a small reserve, or small population or physical land features,

may make effective policing and patrol difficult, particularly in relationship to costs.

2. The System of Communications

- a) the majority of crimes appear to be related to the use or misuse of alcohol. A general lack of knowledge of the law, available services, individual rights, etc., may lead to a miscarriage of justice. Preventative and educational measures seem to be indicated as much or perhaps more than enforcement.
- b) the language or cultural differences between the residents and the members of the force serving them often causes difficulties and strained relationships.
- c) where a developing reserve is in, or immediately adjacent to, an urban centre co-operation between the applicable enforcement agencies is difficult to achieve. The difference in life styles creates additional problems and the variations in the applicable laws of each can create confusion.
- d) social conditions, availability of recreational facilities, degree of employment, cultural or developed attitudes toward the law and its enforcement agencies would all appear to have a

bearing on the type, number, or degree of seriousness of crimes.

At the National Conference on Native Peoples and the Criminal Justice System held at Edmonton, Alberta on February 3-5, 1975, the following recommendations on "Policing" were put forward:

ONTARIO POSITION PAPER:

- a) Native communities have a choice between a first-class native police force, the Ontario Provincial Police, or a municipal force;
- b) Native women should have equal opportunities in police work;
- c) A training course in native rights and culture by native people for policing dealing with natives;
- d) Ontario Provincial Police should hire more native officers;
- e) Permanent liaison officers for Ontario Provincial Police and municipal forces;
- f) Native input into Police commissions.

INUIT TAPIRISAT:

- a) A cultural orientation course should be taken by any R.C.M.P. officer sent to the North. Probably community councils are the bodies appropriate for designing such courses in conjunction with the R.C.M.P. Such courses would endeavour to acquaint R.C.M.P.

- officers with Inuit people on their terms and might include living with Inuit families for a period as civilians and learning the rudiments of the language.
- b) Southern municipalities have control over the municipal police who serve them. In the North the community has no such control. If any respect is to be paid to the principle that the police are the servants of the public, then community councils should have control over the police in the same way as do southern municipalities. This could be achieved by initiating a system whereby a police officer enters a community for a probationary period and is evaluated by the community according to an agreed set of criteria.
- c) A primary function of police in northern communities should be the education of the children and adults in the community of the law, of people's rights when charged with an offence, etc.

ALBERTA NATIVE COUNSELLING:

- a) Police officers should be actively encouraged by their respective forces to become more involved on a personal, informal and unofficial basis with the residents of Reserves and communities with high Native populations.

- b) In addition to the regular community relations programs, police forces should develop programs with specific reference and relevance to Native communities.
- c) The selection of police officers, both new recruits and experienced men, for duty in or near Native communities should be a careful task with more emphasis placed on the personal suitability of the officer for duty in these areas.
- d) The training received by new police officers should include sessions which deal exclusively with Native society in order to familiarize the officers with the nature of the communities in which many of them will serve.

OTHER RECOMMENDATIONS:

- a) That more regular visits should be made by police.
- b) That there be native involvement in policing.
- c) That the standard police caution be in simple language.
- d) That the Federal Government initiate a recruitment and training system for native R.C.M. Police.
- e) Fully trained R.C.M.P. constables on reserves.
- f) Local Police Commission
- g) That the Chief have the authority to advise police who enter a reserve to investigate family assaults.

In the Task Force "Policing On Reserves" (1973), an interim report deals with "Development of Alternative Methods for Policing on Reserves". For this report, the suggestion was made that Indian bands be asked, through their associations, to indicate their preference for one of the alternatives. All available alternatives were made to fit into a spectrum, which was divided into areas on the basis of the institution which would be the principal authority for the policing function. It would determine the basic nature of the police force actually providing the services. The simplest form of policing lay in variations of the existing band constable system where the principal authority is vested in a band council. These are included in Area 1. In Area 2 are the options in which the principal authority was vested in a municipality. The most complex and sophisticated options involve either, Indian provincial police forces, or Indian contingents in existing provincial police forces, where the principal authority is vested in a province. These options are included in Area 3. The options were listed:

AREA ONE - Band Council Policing:

- a) Civil by-law enforcement only constable;
- b) Supernumerary special constable enforcing by-laws and federal and provincial laws with respect to minor offences; and

- c) Supernumerary special constable with authority to enforce all federal and provincial laws.

AREA TWO - Municipal Policing:

- a) Purchase of police services from existing forces;
- b) Band is considered, by province, for purposes of policing, as a municipality; and
- c) Use of existing police services.

AREA THREE - Provincial Policing

- a) a separate Indian police force; and
- b) an Indian branch or contingent of an existing police force, of which it would be an integral part.

The results of the survey showed an overwhelming preference for option 3(b). This was broadly acceptable to most Provincial Governments and to provincial police forces. (The 3(b) option provides for branches or contingents of Indian special constables, recruited, trained and supervised as an integral part of provincial forces.) This option generally commended itself to the parties involved because it seemed likely to provide a high standard of policing on reserves, and in such a way that Indians themselves could make the major contribution. Referring to the R.C.M.P. program of Special Indian Constables, David Ahenakew, chief of the Federation of Saskatchewan Indians, told the first seven graduates, "It is a special moment in our history..."

and it is something that will be remembered for a long time to come(5).

The R.C.M.P. program for Special Indian Constables is designed to attract more Indians to the R.C.M.P., to train as constables. These constables, it is thought, would be better-suited and better able to deal with the specific problems confronting Indians and would help bridge the gap between the R.C.M.P. and native persons. The Province of Saskatchewan has entered into an agreement with the Federal Government (The Department of Indian Affairs and Northern Development and the Department of the Solicitor General) which will allow the R.C.M.P. to recruit, train and employ 32 Indian people as Special Constables in the Force within a four-year period. The plan has been adopted in order to provide an enriched police service to Indian reserves. The Special Constables will be added to the strength now serving on detachments adjacent to Indian reserves where the police work will relate primarily to matters involving Indians. Approximately seventy percent of the special constable's time will be spent carrying out normal police duties. The remaining thirty percent will be spent carrying out preventative policing duties on the reserves, which will include working with the Chiefs and Band Councils to improve the quality of service(8).

The Special Constables it is felt will provide an important communication link between the R.C.M. Police and the Indian Communities(8). The Special Constable will be in a position to influence the attitudes of the R.C.M. Police members with whom he is serving by familiarizing them with the Indian philosophy and attitudes, on the one hand, and to communicate better with the Indian people in matters involving policing(8).

The Saskatchewan Corrections Study Committee, September 1971, recommended the following:

...that immediate steps be taken to develop the Special Constables System for coverage of the reserves, with consideration in the future of an Indian police force. The objectives of the plan which we have proposed would be to increase the police coverage of the reserves, make police authority more readily acceptable to the residents of such reserves, qualitatively improve the policing of the reserves through the use of officers personally familiar with Indian living patterns, and provide a medium through which the Indians could gradually assume more responsibility for the control of their own conduct.

The Committee further recommended that training courses for the police be developed to include subject matter on the Indian Métis population. This would include data and information on the contemporary situation of the Indian, the history of the Indian, plans and expectations for the future, and the role of the police in ameliorating problems and facilitating the process of integration. The purpose

would be to develop understanding of the techniques and approaches through which the legal authority of Canadian society may be presented to the Indian in ways designed to elicit positive reactions(7).

The Royal Canadian Mounted Police recruit training program contains a block of instruction of approximately 65 hours under the heading "The Police Function". This block contains a series of lectures on subjects such as police philosophy, human relations, the police role (including crime prevention, law enforcement, police-community relations), the criminal justice system around which other areas of academic instructions are patterned. Included are sessions on minority groups in which lectures and discussions are focused on the Canadian Indians. Sessions are given by both members and representatives of the Indian Community. The sessions cover:

- a) Indian culture
- b) Historical development of reserves
- c) Indian reaction to hostility
- d) Attitudes reflected by antisocial behaviour
- e) Economic plight of the Indian
- f) Social disorganization with Indians moving into cities
- g) Internal problems

- h) Impact of liquor on life style
- i) How Indians are helping themselves
- j) How the police can help the Indian

The area of Canadian Indians is discussed on other training courses or sessions relating to police-community relations. The Senior Police Administration Course for example, includes a four hour block devoted to Native Communities and Contemporary Problems, which is given by a Native person.

Gloria George, vice-president of the Native Council of Canada, indicated that there was a serious lack of communication between native peoples and the R.C.M.P. and that this has created a bitter mess which could lead to disaster. Further, that at the root of the problem is a deep and serious misunderstanding on the part of the R.C.M.P. about how natives live, share and own property(9). Miss George stated that she gives lectures in Ottawa to police training classes on native life. "But I'm only given two and a half hours, and that's hardly enough." Miss George told the Marin Inquiry into the R.C.M.P. that:

...some effort also has to be made to raise the level of knowledge most Indians have about the R.C.M.P. and the law. "Their lack of knowledge is so basic they'll often ask what is bail, what is a magistrate and even what is a courthouse. But they all know what prison is(9).

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CHAPTER FOUR

RESEARCH SETTING AND METHODOLOGY

The manner in which he has been dealt, historically and currently, seems to indicate that the major problem as far as the Indian is concerned has been a failure on the part of officialdom to understand his cultural heritage and to appreciate the social milieu in which he is being forced to operate. On the one hand, he is being treated as an incompetent, irresponsible individual denied all elements of self determination as far as personal development is concerned, while on the other hand, in the maintenance of law and order, he is required to display a competence and responsibility far beyond that required of any other Canadian. This situation apparently is not one peculiar to the Indian, it is one in which most problem groups supposedly find themselves. Within this context the problems connected with law enforcement appear to stem from a disjuncture between the law officer's concept of policing the problem group and the problem group's concept of the duties and functions of law officers, a disjuncture that has its roots in the law officer's lack of knowledge of the cultural heritage and the social and economic conditions of the policed people - a knowledge that gives meaning to policing.

This study is designed to test the hypothesis that the lack of knowledge on the part of the policeman of the cultural heritage of the Indian people and the socio-economic conditions in which they live is mainly if not wholly responsible for the problems the police encounter in the policing of Indian people. The hypothesis is to be tested from the policeman's point of view. This orientation has been adopted in this study because it is felt that the policeman's view plays a dominant role in policing as the policeman is one of the principal actors. As was noted earlier, there has been little or no empirical research done in Canada dealing with the policeman's viewpoint of policing the "reserved Indian". A number of studies deal primarily with the Indian's or Native's perception of his peoples' involvement with the Criminal Justice System - the police being an integral part of it. Agencies, such as the Canadian Corrections Association and the Law Reform Commission have had experts study the problem and present their viewpoint.

The police force chosen and investigated in this study was the Royal Canadian Mounted Police. It has as one of its many functions, the responsibility of policing Indian reserves. In addition, it has contractual arrangements to police eight of our ten provinces. Consequently, it has total responsibility for the policing of a large number of Indian reserves. Restriction of the study to the R.C.M.P. meant the exclusion from

the study of reserves in Ontario and in Quebec, which are policed by the Ontario Provincial Police and the Quebec Provincial Police. This exclusion, it was felt, would have a beneficial rather than detrimental effect on the study for a number of reasons. First, as recruiting for the R.C.M.P. is on a national basis and the provincial police on a provincial basis, the effect of parochial biases which may enter the policing picture was minimized. Second, the collection of the necessary data was facilitated in that preliminary negotiations regarding permission and the like had to be conducted with only one police force. Third, while the variation in the calibre of the police was being minimized, no such minimization in the variation of the Indians policed was occurring. Seventy-two percent of the total Indian bands in all provinces are represented in different geographical locations within the eight different provinces. These Indian bands represented a good cross section of different cultural linguistic groups of varying population size that could still be chosen.

The Indians of Canada are grouped according to bands, each of which is a separate community occupying one or more reserves of land set aside for its use and benefit by the Canadian Government. A pamphlet called Linguistic and Cultural Affiliations of Canadian Indian Bands published by the

Department of Indian Affairs and Northern Development, Ottawa, 1970, lists the Indian Bands. There were a total of 558 bands. As the study of all these bands would have constituted too great a task, a sample had to be selected for study. In the selection of the sample, there are a multitude of procedures that could be adopted. In this study we desired to examine specific types of reserves that would permit comparisons on the basis of location and population size. Hence it was decided to take what may be called a purposeful sample.

Newfoundland had no Indian bands listed. The Yukon Region and Prince Edward Island had so small a number of bands listed, that selection of even all of them would not permit meaningful comparison on a geographical base. Quebec and Ontario were policed by their respective provincial police forces, and bands from them were excluded by the restriction of this study to the R.C.M.P. The bands for study, hence had to be selected from the provinces of Nova Scotia, New Brunswick, Manitoba, Saskatchewan, Alberta and British Columbia. There was a total of sixty-five bands chosen for this study which represented an overall Indian population of approximately 51,334.¹

1 Total populations of registered Indians living on reserves, under study, as of December 1973 - obtained from computer print-outs at Department of Indian Affairs, Ottawa.

The sample was selected by viewing a map of each of the provinces in this study to determine the location of various Indian bands, and to ensure that the bands were selected from different parts of the provinces. This was done to obtain as varied a sample as possible. The total number of bands selected was not a preconceived number but was the total arrived at when the final selection was made.

TABLE 1: Characteristics Of Bands Selected For Study

A. NOVA SCOTIA

	<u>BAND</u>	<u>LANGUAGE OR DIALECT</u>	<u>CULTURE AREA</u>	<u>POP.</u>	<u>DETACHMENT</u>	<u>MANPOWER</u>
1.	Chapel Island	Micmac	Algonkian	168	St. Peter's	3
2.	Eskasoni	Micmac	Algonkian	1284	Sydney	20
3.	Pictou Landing	Micmac	Algonkian	174	New Glasgow	12
4.	Wagmatcook	Micmac	Algonkian	237	Baddeck	5
5.	Whycocomagh	Micmac	Algonkian	234	Baddeck	5
6.	Indian Brook	Micmac	Algonkian	524	Stewiacke	12

Total Number of Bands in Province: 12

B. NEW BRUNSWICK

	<u>BAND</u>	<u>LANGUAGE OR DIALECT</u>	<u>CULTURE AREA</u>	<u>POP.</u>	<u>DETACHMENT</u>	<u>MANPOWER</u>
1.	Big Cove	Micmac	Algonkian	964	Richibucto	10
2.	Burnt Church	Micmac	Algonkian	555	Neguac	4
3.	Tobique	Micmac	Algonkian	447	Perth-Andover	7
4.	Eel River	Micmac	Algonkian	221	Campbellton	22
5.	Woodstock	Micmac	Algonkian	143	Woodstock	10

Total Number of Bands in Province: 15

C. MANITOBA

1.	Cross Lake	Cree	Algonkian	1565	Norway House	13
2.	Norway House	Cree	Algonkian	2003	Norway House	13
3.	God's Lake	Cree	Algonkian	771	Norway House	13
4.	St. Theresa Point	Cree	Algonkian	920	Norway House	13
5.	Fort Alexander	Ojibway	Algonkian	1528	Powerview	6
6.	Split Lake	Cree	Algonkian	712	Thompson Rural	38
7.	Nelson House	Cree	Algonkian	1077	Thompson Rural	38
8.	Mathias Colomb	Cree	Algonkian	843	Lynn Lake	10
9.	Barren Lands	Chipewyan	Mackenzie R.	452	Lynn Lake	10
10.	Long Plain	Ojibway	Plains	353	Portage La Prairie	25
11.	Little Grand Rapids	Ojibway	Algonkian	518	Lac Du Bonnet	8
12.	Oak River Sioux	Dakota	Plains	650	Hamiota	3
13.	The Pas	Cree	Algonkian	961	The Pas Rural	18

	<u>BAND</u>	<u>LANGUAGE OR DIALECT</u>	<u>CULTURE AREA</u>	<u>POP.</u>	<u>DETACHMENT</u>	<u>MANPOWER</u>
14.	Peguis	Cree and Ojibway	Algonkian	1374	Fisher Branch	4
15.	Waywayseecappo	Ojibway	Plains	421	Rosburn	5
16.	Pine Creek	Ojibway	Algonkian	291	Winnipegosis	5
17.	Sandy Bay	Ojibway	Alginkian	1063	Amaranth	5
18.	Churchill	Chipewyan	Mackenzie R.	263	Churchill	7

Total Number of Bands in Province: 54

D. SASKATCHEWAN

1.	Cote	Ojibway	Plains	802	Kamsack	12
2.	Cowesses	Cree	Plains	371	Broadview	11
3.	Lac La Ronge	Cree	Algonkian	2025	La Ronge	8
4.	Montreal Lake	Cree	Algonkian	753	Waskesiu	3
5.	Gordon	Ojibway & Cree	Plains	665	Punnichy	7
6.	Carry the Kettle	Assini- boine & Dakota	Plains	573	Indian Head	12
7.	Little Pine	Cree	Plains	617	Cut Knife	5
8.	Onion Lake	Cree	Plains	1009	Onion Lake	4
9.	Whitebear	Cree, Ojibway, Assiniboine	Plains	544	Carlyle	17
10.	Sandy Lake	Cree	Plains	850	Shellbrook	6
11.	Nut Lake	Ojibway	Plains	745	Rose Valley	4
12.	Fond du Lac	Chipewyan	Mackenzie R.	371	Stony Rapids	4

Total Number of Bands in Province: 67

E. ALBERTA

	<u>BAND</u>	<u>LANGUAGE OR DIALECT</u>	<u>CULTURE AREA</u>	<u>POP.</u>	<u>DETACHMENT</u>	<u>MANPOWER</u>
1.	Blackfoot	Blackfoot	Plains	2099	Gleichen	8
2.	Blood	Blackfoot	Plains	4078	Cardston	16
3.	Cold Lake	Chipewyan and Cree	Plains	686	Cold Lake	9
4.	Ermineskin	Cree	Plains	747	Wetaskiwin	24
5.	Saddle Lake	Cree	Plains	2068	St. Paul	18
6.	Slave of Upper Hay River	Cree	Mackenzie R.	1034	Assumption	3
7.	Wabasca	Cree	Algonkian	781	Slave Lake	11
8.	Sturgeon Lake	Cree	Algonkian	541	Valleyview	12
9.	Peigan	Blackfoot	Algonkian	1472	Pincher Creek	13

Total Number of Bands in Province: 41

F. BRITISH COLUMBIA

1.	Port Simpson	Tsimshian	Pacific Coast	816	Prince Rupert Rural	24
2.	Squamish	Squamish	Pacific Coast	854	Squamish	15
3.	Williams Lake	Shuswap	Plateau	199	Williams Lake	22
4.	Moricetown	Carrier	Plateau	394	Smithers	14
5.	Finlay River (Ingenika)	Sekani	Mackenzie R.	99	Mackenzie	7
6.	St. Mary's	Kootenay	Plateau	97	Cranbrook	37
7.	Bella Bella	Kwakiutl	Pacific Coast	917	Bella Bella	1

	<u>BAND</u>	<u>LANGUAGE OR DIALECT</u>	<u>CULTURE AREA</u>	<u>POP.</u>	<u>DETACHMENT</u>	<u>MANPOWER</u>
8.	Cowichan	Cowichan	Pacific Coast	1297	Duncan	22
9.	Ucluelet	Nootka	Pacific Coast	225	Ucluelet	5
10.	Ashcroft	Shuswap	Plateau	40	Ashcroft	14
11.	Hazelton	Gitksan	Pacific Coast	495	Hazelton	5
12.	Fort Nelson	Slave	Mackenzie R.	230	Fort Nelson	10
13.	Masset	Haida	Pacific Coast	666	Masset	5
14.	Lytton	Ntlakyap- muk	Plateau	661	Lytton	5
15.	Lake Babine	Carrier	Plateau	707	Burns Lake	9

Total Number of Bands in Province: 190

The successful conduction of the study depended on the co-operation of the R.C.M.P. A memorandum was forwarded to Headquarters, Ottawa, in September, 1974, requesting permission for the conduction of the study. Permission was granted on November 4, 1974, with the stipulation, however, that authorization from each Commanding Officer of each province under study was required. Requests for this authorization were then made to the Commanding Officers. The authorization was granted in the month of January, 1975, with the stipulation that the R.C.M.P. facilities of mailing channels, etc. could

not be used and that the questionnaire would have to be answered on a voluntary basis only by the members concerned. This was precisely what we desired and posed no problem. The Indian bands selected from each province were then forwarded to the respective Commanding Officers who in turn advised the writer which detachments were responsible to police them. The approximate manpower of each detachment was then obtained from R.C.M.P. Headquarters, Ottawa, but it was understood that the total manpower of each detachment was not necessarily involved with reserve policing and that some of the men were occupied with municipal or traffic duties.

Within the framework of the main hypothesis that the lack of knowledge on the part of the policeman of the cultural heritage of the Indian and the socio-economic conditions in which they live was mainly if not wholly responsible for the problems the police encounter in the policing of Indian people, subsidiary hypotheses were formulated. These contended in general terms that the nature of the problems the police encountered were in some way related to -

- a) The training the individual policeman received at the recruit level and/or the in-service training level (courses offered to policemen who are actively involved in police duties) in the realm of policing Indians.

- b) The policeman's perception of whether the Indians, with whom the policeman comes in contact, have an understanding of different spheres of the Criminal Justice System.
- c) The police presence, on the reserve, in the realm of enforcement, prevention and police-Indian relations.
- d) The personal contact the individual policeman has with the Indian Band Council, the Indian juvenile and the Indian offender, and involvement in community programs that influence such contact.
- e) The policeman's individual views of the Indian peoples, in general, with respect to communication, education, economic and social status.
- f) The individual policeman's views on how the policing of the Indian has or has not affected the policeman personally.

Information necessary for the testing of these hypotheses was obtained through a questionnaire given every member of every detachment studied. This questionnaire sought first to obtain information on the personal background of each member, and then his responses to a series of specific questions. Most of these questions relate to conclusions arrived at in other studies regarding policing problems.

The testing of the hypotheses in this study called for an evaluation of the reserves to be studied in terms of the

overall policing problems. In order to obtain information for this evaluation, a second questionnaire was sent to be answered by the officer-in-charge of the detachment seeking the necessary information. In this questionnaire specific information was obtained about the location, size, manpower and rank structure of each detachment. Also received was relevant data about the reserve being policed in respect to its location, size and population and its situation regarding liquor privileges on the reserve land. The second section of the questionnaire requested detailed statistics of Indian and non-Indian charges for a variety of offences. (Appendix A). Charge rates were computed from the totals for Indian and non-Indian populations to aid in the analysis.

Six hundred and forty questionnaires were mailed to the members of fifty-nine detachments on June 16, 1975. Return of the completed questionnaires, from the respondents, were mailed directly to the researcher at his home. The respondents were not required to identify themselves on the completed questionnaire, but it was imperative that the researcher know what detachment the questionnaire came from as each police detachment would be analysed on an individual case basis.

Of the 59 detachments selected for this study, responses were received from 41 - 69% response rate. The following

table depicts the pattern of responses to the questionnaires from each province:

<u>Province</u>	<u>No. of Detachments Selected for Study</u>	<u>Returned</u>	<u>Studied</u>
Nova Scotia	5	5	3
New Brunswick	5	2	1
Manitoba	13	8	2
Saskatchewan	12	7	6
Alberta	9	7	5
British Columbia	15	12	9
Totals:	59	41	26

Many of the detachments did not complete the statistical questionnaire. Consequently, it was necessary to analyze the detachment results in two groups: (a) with statistical data and (b) without statistical data. The statistics supplied may not be entirely accurate as the differentiation between Indian and non-Indian offenders was based solely, in many cases, upon the individual policeman's knowledge of the offenders when checking the appropriate arrest or file ledger. Further, the same offender may have been charged more than once in any or one offence category, therefore the total offences may not reflect the actual number of individual offenders involved. Despite these problems, it was felt, however, that the statistics supplied do indicate general trends which cannot be ignored.

In the final analysis of the responses, a standard statistical technique like the Chi-Square Test was thought to be applicable. The statistical testing had to be done on two levels. Some hypothesis had to be tested on an individual level, others on a detachment level. There were two ways to do this: The data could have been analysed for each detachment separately, or they could have been analysed for all detachments lumped together. The first procedure appeared preferable because of the unique nature of each detachment but insufficient numbers made it impractical. Grouping all detachments together would have robbed the analysis of some of the richness of the data. Hence it was decided to analyze the data using a descriptive case study format, treating each case as unique but nonetheless seeking to formulate generalizations which include all of the cases of the phenomenon with which this study is concerned. The specific technique that would be used is that used by Cressey in his study of embezzlers.

Although reference has been made to a main hypothesis and subsidiary hypotheses, they are neither stated as hypotheses nor are they meant to be in the strict sense of the word. They are in reality the orientation with which this study is undertaken and would form the basis of the formulation of the first hypothetical explanation. The

data from one detachment will form the basis of the first hypothetical explanation. The data from the other detachments will be utilized to test this hypothesis, determining whether the hypotheses fits the facts and leading to the reformulation of the hypotheses so as to produce hypotheses that would adequately explain all the facts.

The perfect form of scientific knowledge is universal generalizations which permit the discernment of exceptions. This discernment of exceptions makes possible the perfection and refinement of the generalizations. Although the old adage "the exception proves the rule" allows investigators to overlook negative cases, the casual treatment of negative cases can act as an impediment to the growth of knowledge. Negative cases are the growing point of science(1). Exceptional instances must force the rejection and revision of the generalizations. This is the rationale behind the methodology adopted in this study.

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CHAPTER FIVE

RESULTS OF ANALYSIS OF DATA

This study has been undertaken to test the hypothesis that the lack of knowledge on the part of the policeman of the cultural heritage of the Indian people and the socio-economic conditions in which they live is mainly if not wholly responsible for the problems the police encounter in policing Indian people. The hypothesis is being tested from the point of view of the policeman. For the testing of the hypothesis, information has been gathered on:

- a) the policeman's view of Indian people in general, with respect to communication, education, economic and social status;
- b) the policeman's view of the understanding that Indians have of the Criminal Justice System;
- c) the role of the police on the reserve;
- d) the contact that the police have with the Indian people and their involvement in community programs;
- e) the special training the policeman has had regarding the policing of Indians; and
- f) the effect that policing an Indian reservation has had on the policeman.

The hypothesis is being tested using the method of analytic induction.

The data for the study was obtained from questionnaires sent to detachments policing reserves in British Columbia, Alberta, Saskatchewan, Manitoba, Nova Scotia and New Brunswick.

In the Province of British Columbia there were a total of 190 bands, 15 of which were chosen for the study. Questionnaires were sent to the detachments policing these bands and responses were obtained from 12 - an 80% response rate. The data from these detachments involve 27 Indian reservations and a total of 9601 Indians and 125,750 non-Indians.

In the Province of Alberta there were a total of 41 bands, 9 of which were chosen for the study. Questionnaires were sent to the detachments policing these bands and responses were obtained from 7 - a 77.8% response rate. The data from these detachments involve 11 Indian reservations and a total of 14,350 Indians and 36,063 non-Indians.

In the Province of Saskatchewan there were a total of 67 bands, 12 of which were chosen for the study. Questionnaires were sent to the detachments policing these bands and responses were obtained from 7 - a 58.3% response rate. The data from these detachments involve 13 Indian reservations and a total of 9,750 Indians and 26,570 non-Indians.

In the Province of Manitoba there were a total of 54 bands, 18 of which were chosen for the study. Questionnaires were sent to the 13 detachments policing these bands and

responses were obtained from 8 - a 61.5% response rate. The data from these detachments involve 14 Indian reservations and a total of 14,313 Indians and 53,000 non-Indians.

In the Province of Nova Scotia there were a total of 12 bands, 5 of which were chosen for the study. Questionnaires were sent to the detachments policing these bands and responses were obtained from 5 - a 100% response rate. The data from these detachments involve 6 Indian reservations and a total of 4,000 Indians and 100,300 non-Indians.

In the Province of New Brunswick, there were a total of 15 bands, 5 of which were chosen for the study. Questionnaires were sent to the detachments policing these bands and responses were obtained from 2 - a 40% response rate. The data from these detachments involve 2 Indian reservations and a total of 900 Indians and 12,800 non-Indians.

The responses received from a detachment have been analyzed and treated as a case. Twenty-six detachments gave complete data and are used here. Incomplete information was obtained from fifteen detachments.

CASE 1

The information from this case indicates that the Indians were seen by the police as being poorly educated, seasonally employed people mostly on welfare with a proud heritage and caring well for their children. They were also seen as people who had an adequate understanding of

the law and legal procedure although they did not readily utilize these provisions and assist in the apprehension of offenders and the solution of cases. Indians were not seen by the policeman as committing offences to escape the rigors of reservation living. Indians displayed resentment at being governed by Canadian law and they resented its enforcement.

The police presence on the reservation was mainly enforcement though prevention through patrolling, it was claimed, could be said to occur. Special community programs which would tend to bring the police into frequent face to face communication contact with the Indian were considered helpful though none seem to have been undertaken. But special efforts at bettering relations with Indians through special liaison officers, civil commissions or councils were not considered necessary at all.

The policeman in this detachment had not received any special training for his posting at this reservation. He did not believe such training necessary nor even possible. However, he did appreciate the cultural peculiarities of the Indian and conceded that the Indian Special Constable at a detachment would be helpful because of his knowledge of Indian customs. But, in his opinion, what is really needed as far as policemen policing Indians are concerned are special qualities on the part of the policeman.

The policeman in this detachment claims that he had had a rewarding experience policing the reservation but would prefer not to repeat it.

CASE 2

The data from this case indicates that the Indians were poorly educated, seasonally employed people mostly on welfare who neglected their children. They were seen as a people who had an adequate understanding of the law and legal procedures. They tended to utilize the provisions of Canadian law although they felt they should not be governed by it and displayed a tendency to withhold assistance. They resented the police presence on the reserve and were not seen as committing offences to escape the rigors of reservation life.

The police presence on the reservation was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs that would improve police-Indian communication contact were considered helpful but the police felt that such programs had to be desired by the Indians if they were to meet with any success. However, special efforts at bettering relations with Indians through special liaison officers, civil commissions or councils were felt to be neither necessary nor desirable.

The police in this detachment had had no special training but they felt that special training certainly would have helped. They also felt that the presence of an Indian Special Constable would help for liaison purposes and as an example of Indian-white co-operation to the youth. They did not feel that special qualities on the part of the police were necessary for policing Indians.

Policing Indians had had a demoralizing effect on the policemen at this detachment.

Comparison of the two cases shows many similarities and dissimilarities. The similarities are:

1. Indians do have an adequate understanding of the law and legal procedure.
2. Indians do not engage in criminal activity to escape the rigors of reservation living.
3. Indians do feel resentful of being governed by Canadian law enforced by non-Indian personnel.
4. Police activity on Indian reservations is mainly enforcement oriented.
5. Police resent control and review of their behaviour by special liaison officers or local civil commissions or councils.

The dissimilarities are:

1. The poorly educated, seasonally employed Indian mostly

- on welfare was proud of his heritage and cared well for his children in Case 1, while in Case 2 he was not proud of his heritage and he tended to neglect his children;
2. In Case 1 the Indians displayed a reluctance to utilize the provisions of the Canadian law while in Case 2 they tended to display no such reluctance;
 3. Policemen in Case 1 did not feel the need for special training, they felt policemen should have special qualities to successfully police Indians while the policemen in Case 2 felt the need for special training. Special qualities did not appear to them to be helpful;
 4. Special community relations programs considered helpful had not been tried out in Case 1 but in Case 2, they had been tried out and their success was found to be dependent on the desire of the Indians for such programs;
 5. Policing Indians had a demoralizing effect in Case 2 while it was a rewarding experience in Case 1.

Case 1 and Case 2 differ from each other in yet another and important respect. When the offences committed in Case 1 are considered, those committed by the Indians are found to be quality wise different from those committed by non-Indians and quantity wise much less. It can be described consequently as a "trouble-free" reservation. The situation

in Case 2 is different. Offences committed by the Indians are quality wise different from those committed by non-Indians, but quantity wise they are much greater making it describable as a "trouble-bound" reservation. With this difference it would be possible for us to hypothesize:

1. The police and Indians define themselves in negative polarity with each other but it is not the polar definition that is the proximate and particular cause of policing problems;
2. When the situation of the Indian is associated with a loss of pride and dignity on his part, the Indian becomes problematic and policing assumes problem proportions. An important characteristic of the change is the tendency to reluctantly use the provisions of the law as a means of social control.
3. When policing assumes problem proportions, efforts by the police to rectify the situation usually fail because of a lack of know-how.

In this connection, another factor that needs consideration is the fact that in Case 2 the non-Indian population was much larger than the Indian, while in Case 1 the Indian population was the larger. The ratio of Indians to non-Indians indicates a greater possibility of Indian - non-Indian contact in Case 2 than in Case 1. This fact leads

to the additional hypothesis that increasing outgroup contacts promote Indian criminality perhaps through the breakdown of conventional social controls.

CASE 3

Case 3, like Case 2 is one that has policing problems. It is what may be called a "trouble-bound" reservation and as in Case 2 - the other "trouble-bound" reservation, it is one in which the non-Indian population outnumbers by far the Indian. The data from this case indicates the Indians were a poorly educated, seasonally employed people mostly on welfare who neglected their children. They were seen as a people who had an adequate understanding of the law though perhaps not of procedure. They tended to utilize the provisions of the law although they felt they should not be governed by it and displayed a tendency to withhold assistance. They resented the police presence on the reservation and did not commit offences to escape the rigors of reservation living.

The police presence on the reservation was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian communication and contact were considered helpful but it was found such programs had to be desired by the Indians if they were to meet with any success.

Special efforts at bettering relations with Indians through special liaison officers may be helpful but civil commissions or councils were not felt necessary or desirable.

There was a lack of consensus regarding the necessity of special training. Some policemen felt that special training would help while an equal number felt that what policemen policing Indian reservations needed was special qualities. Nevertheless, they all agreed that an Indian Special Constable would be helpful because of the special knowledge he brought.

Though policing Indians had had a demoralizing effect on some, in the main the experience had been a rewarding one which they had no objection to repeating.

In addition to this, the data from Case 3 also suggested that the main source of frustration to police work here came from frequent transfers which hindered consolidation of work begun.

The data from Case 3 does lend support to the general hypotheses that:

1. Indians and police define themselves in negative polarity with each other but that it is not the polar definition that is the proximate and particular cause of policing problems.
2. When the situation of the Indian is associated with a loss of pride and dignity on his part, he becomes

problematic and policing assumes problem proportions.

An important characteristic of the change is the tendency to reluctantly use the provisions of the law as a means of social control.

4. Increasing outgroup contact promotes Indian criminality perhaps through the breakdown of conventional social controls.

The data does not support the hypothesis that police efforts to rectify the situation have failed because of the lack of know-how. The data from this case requires this hypothesis to be reformulated:

While special training providing know-how is helpful in police efforts to rectify the situation, it is not essential: it can be acquired through contact on the job. What is apparently needed is a permanency which will help integrate the police officer into the Indian community and destroy the polar definitions.

The redefinition of this hypothesis carries the suggestion that with the loss of pride and dignity on the part of the Indian and his use of the provisions of the law as a means of social control, the polar definitions of the police and the Indians do contribute to the problematic situation. In consequence, hypothesis 1 too requires redefinition:

Indians and Police define themselves in negative polarity with each other. Though the polar definition is not a

proximate and particular cause of policing problems, the integration of the police into the community and the subsequent destruction of the polar definition would help alleviation of the situation.

CASE 4

Case 4 is a "trouble-bound" reservation and like such others is one in which the non-Indian population outnumbers the Indian. The data from this case indicates the Indians were a poorly educated, seasonally employed people mostly on welfare, inadequately housed, drunk, dirty and neglecting their children. They were people who had an adequate understanding of the law and procedure, although they did not readily utilize these provisions and assist in the apprehension of offenders and the solution of cases. They resented being governed by Canadian law and its enforcement. They did not commit crime to escape the rigors of reservation living.

Police presence on the reserve was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian communication contact were considered helpful but such programs it was found had to be desired by the Indians if they were to meet with any success. Special efforts at bettering relations with Indians through special liaison

officers was considered helpful but civil commissions or councils were not felt necessary or desirable.

There was a feeling that special training would help and that no special qualities on the part of the policemen were necessary for policing reservations. An Indian Special Constable it was thought would not help because of Indian reaction to authority.

Though policing Indians tended to sensitize police towards the social problems of Indians, the experience was depressing but perhaps no different than policing any other area with similar socio-economic problems. However, the preference was for no repetition of the experience.

This case presents data calling for the redefinition of two of the hypotheses. First, in this case unlike in the case of the other trouble-bound reservations, there has not been a tendency on the part of the Indians to utilize the provisions of the law. Hence hypothesis 2 should be redefined:

When the situation of the Indian is associated with a loss of pride and dignity on his part, the Indian becomes problematic and policing assumes problem proportions. Though the change is frequently associated with a tendency for Indians to utilize reluctantly the provisions of the law as a means of social control, this tendency is not an invariable characteristic.

A second datum in this case calling for reformulation of a hypothesis is the stress on the need for training. In this case, though it is conceded that policing sensitizes the police to the special problems of Indians and the sensitizing could help in the integration of the police in the community, there was an unmistakable feeling that special training was definitely helpful. In view of this, hypothesis 3 should be reformulated to read:

Though job permanency helping to integrate the policeman into the community and consequently destroy deleterious polar definitions does tend to reduce policing problems, a special know-how for policing Indians is necessary. Though this know-how could be acquired on the job, prior special training is of considerable value.

CASE 5

Case 5 is different from the other cases that have been studied so far. With the definition of trouble-free and trouble-bound adopted in this study in relation to the relative Indian : non-Indian charge rates and patterns, this detachment is neither trouble-free nor trouble-bound. The charge rates for Indians and non-Indians are more or less similar. So are the patterns. Consequently, the reservations being policed here could be looked upon as occupying a "non-special status" - neither trouble-free nor trouble-

bound. However, from the point of view of population distribution, the non-Indian population outnumbers the Indian.

The responses from this detachment indicate the Indians were poorly educated, seasonally employed people mostly on welfare, good natured, proud of their heritage, adequately housed and dressed and having well-cared-for children. They were people who had a good understanding of the law and procedure. They tended to readily utilize these provisions and be of assistance to the police in the apprehension of offenders and the solution of cases. They did not resent being governed by Canadian law nor did they resent its enforcement. They did not commit crime to escape the rigors of reservation living.

Police presence on the reservation was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian contact and communication were considered helpful. No special obstacles were placed in the implementation of these programs by the Indians. Special efforts at bettering relations with Indians through special liaison officers were thought to be of some help but civil commissions or councils were not considered necessary or desirable.

There was a feeling that special training would be helpful and that no special qualities were required on the part of the police officer. Neither was it thought that Indian Special Constables would be of any advantage.

Policing these reservations has had no effect on the policemen and they were indifferent about policing another reserve.

In addition to this, the data from this case suggests that the police take extra precautions in contact situations with Indians and have been instructed to be more liberal when enforcing laws as far as Indians were concerned, though they claim that the Indian is dealt with in the same way as any other person.

The data from this detachment indicates that the Indians do not define themselves in negative polarity with the police, though the police have displayed a reluctance to abandon their polar definition. However, as far as actual enforcement is concerned, the police adopt a liberal attitude which may tend to neutralize the effect of their reluctance to abandon the polar definition.

The non-special status of this detachment with regards to trouble may be associated with the disappearance of the polar definitions. In consequence, the first general hypothesis requires reformulation to read:

1. Offence patterns, quality and quantity-wise similar to a non-Indian community occur on an Indian reservation when Indians do not define themselves in negative polarity with the police. When Indians and police define themselves in negative polarity with each other, the patterns are different quality-wise and can be quantity-wise trouble-free (much less than non-Indian) or trouble-bound (much more).

Increased outside contact in this case had not led to increased criminality. The increased contact here has been associated with a complete acceptance, on the part of the Indian, of the provisions of the Canadian law and its enforcement. This finding demands reformulation of hypothesis 4 to read:

Increasing outgroup contacts promote Indian criminality perhaps through the breakdown of conventional social controls unless the process is also associated with a complete acceptance by the Indian of the legal and formal social controls embodied in the Canadian law.

CASE 6

Case 6 is a trouble-bound reservation and like such others is one in which the non-Indian population outnumbered the Indian. Here again most violations involve liquor. The responses from this detachment indicate the Indians were a poorly educated, seasonally employed people mostly on welfare

who neglected their children. They were people who had an adequate understanding of the law but not of legal procedures. They tended not to utilize the provisions of the law and even felt they should not be governed by the laws. They were suspicious of police presence on the reservation and while they were not positively antagonistic to the police, they displayed a tendency to withhold assistance. Some Indians, especially juveniles, did commit offences to escape the rigors of reservation living.

The police presence on the reservation was mainly enforcement oriented though preventive patrolling did occur. Special community relations programs improving police-Indian contact and communication were thought helpful but it had been found that such programs had to be desired by the Indians if they were to meet with any success. Special efforts at bettering relations with Indians through special liaison officers was also considered helpful but civil commissions or councils were thought not necessary or desirable.

There was a feeling that special training certainly would have helped and that special qualities were not necessary for policing Indians. An Indian Special Constable it was thought would not help as the problems encountered by Indians were usually within the nearby town and not on the reserve.

Policing Indians had not affected the policemen here as Indians were found to be similar to any other group in society.

In addition to this, the data in this case suggests that the police take extra precautions in contact situations with Indians, though they claim that the Indian is dealt with in the same way as any other person, especially as far as liquor related offences are concerned.

In general the data from this case supports all the four hypotheses. However, the finding that Indians tend to commit offences to escape the rigors of reservation living calls for the reformulation of hypothesis 2. This hypothesis should perhaps be expanded to read:

When the situation of the Indian is associated with a loss of pride and dignity on his part, the Indian becomes problematic and policing assumes problem proportions. An added factor could be the rigors of reservation living though this is frequently not contributory. The loss of pride and dignity is usually associated with a tendency on the part of the Indian to reluctantly use the provisions of the law as a means of social control. This tendency, however, is not an invariable characteristic.

CASE 7

Case 7 is a trouble-free reservation but unlike such

others it is one in which the non-Indian population outnumbered the Indian. Although the non-Indian population outnumbered the Indian in the detachment area, the remoteness and inaccessibility of the Indian reserve limited contact between Indians and non-Indians and made it similar in this respect to other trouble-free cases. The responses from this detachment indicate that the Indians were poorly educated, mostly on welfare, neglecting their children, but proud of their heritage. They were also people who had a good understanding of the law and procedure. They did not readily utilize the provisions of the law, nor did they assist in the apprehension of offenders and the solution of cases. They resented being governed by the Canadian law and resented its enforcement. They did not commit crime to escape the rigors of reservation life.

The police presence on the reserve was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs for improving police-Indian contact and communication were considered helpful. However, no attempts in this direction had been made. Special efforts at bettering relations with Indians through special liaison officers, civil commissions or councils were not considered necessary or desirable.

Special training would not help, nor were any special qualifications required to police Indians in the opinion of the policemen. However, an Indian Special Constable would help for easing communication.

Policing this Indian reservation had had no effect on the policemen personally but they preferred not to repeat the experience.

The data from this case supports the hypotheses as stated.

CASE 8

The charge rates for Indians and non-Indians shows Case 8 to be a trouble-bound one with the rate for Indians thrice as much as that for non-Indians; and as in the case of other similar reservations, the non-Indian population outnumbered the Indian.

The responses for this case indicate that the Indians were poorly educated, seasonally employed people mostly on welfare, neglecting their children. They were people who had a good understanding of the law, but not of procedures. They did not readily utilize these provisions of the law, neither did they assist in the apprehension of offenders or the solution of cases. They resented being governed by Canadian law and its enforcement. They resented police presence on the reservations. They did not commit offences to escape the rigors of reservation living.

Police presence on the reservation was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian contact and communication were thought beneficial. No special obstacles had been placed in the way of implementation of these programs by Indians. Special efforts at bettering relations with Indians through special liaison officers was considered helpful but civil commissions or councils were thought to be neither necessary nor desirable.

Special training was considered to be helpful, but on the job experience was thought more valuable. No special qualifications were thought necessary. An Indian Special Constable, however, was thought to be helpful for liaison purposes.

Policing these Indian reservations had had no effect on the policemen and they had no objections to policing another reserve.

In addition to this, the data from these reserves suggests that the police take extra precautions in contact situations with Indians though they claim that the Indian is dealt with in the same way as any other person.

The data in this case does not call for a reformulation of the hypotheses.

CASE 9

In Case 9, too, the charge rates for Indians and non-Indians show it to be a trouble-bound one and as in the case of other such detachments the non-Indian population outnumbered the Indian.

The responses for this detachment indicate the Indians were poorly educated, seasonally employed people mostly on welfare neglecting their children. They were people who had an adequate understanding of the law and legal procedures. They tended to utilize the provisions although they felt they should not be governed by the laws and displayed a tendency to withhold assistance. They did not commit offences to escape the rigors of reservation living.

The police presence on the reservation was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian contact and communication were considered helpful but such programs, it was found, had to be desired by the Indians if they were to meet with any success. Special efforts at bettering relations with Indians through special liaison officers was also thought beneficial but civil commissions or councils were not thought to be necessary or desirable.

There was a feeling that special training would have been

helpful, but that special qualities were not necessary for policing Indians. The presence of an Indian Special Constable was thought beneficial for liaison purposes as he was familiar with the reserve, its residents and maintained their respect.

Policing Indians had had a demoralizing effect on the policemen and they had no desire to repeat the experience. This was the position of half the number here. The remainder had not been so affected and had no objection to a similar assignment.

The data in this case too calls for no reformulation of the hypotheses.

CASE 10

The detachment in Case 10 is responsible for the policing of a trouble-bound reservation and like such others is one in which the non-Indian population outnumbers the Indian. Here again, most violations involve liquor.

The responses from this detachment indicate the Indians were poorly educated, mostly on welfare and neglecting their children. They were people who had an adequate understanding of the law and procedure and though they tended to readily use these provisions, they did not assist in the apprehension of offenders and the solution of cases. Yet only a few appeared to resent Canadian law and its enforcement. They did not commit crime to escape the rigors of reservation living.

The police presence on the reservation was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian contact and communication were considered helpful but such programs it had been found, had to be desired by the Indians if they were to meet with any success. Special efforts at bettering relations with Indians through special liaison officers it was thought would be helpful, but civil commissions or councils were considered neither necessary nor desirable.

There was a feeling that special training would help and that no special qualities were necessary for policing Indians. However, an Indian Special Constable, it was thought, would be beneficial because of his special knowledge.

Policing Indians had had a demoralizing effect on the policemen here. However, most had no objection to policing another reserve.

The data from this case does not call for reformulation of the hypotheses.

CASE 11

Case 11 detachment is responsible for the policing of a trouble-bound reservation but unlike similar others is one in which the non-Indian population is identical in size to the Indian.

The data from this detachment indicate the Indians were mostly on welfare, generally lazy individuals with an immense respect for the R.C.M.P. They were people who had little understanding of the law or procedures. Although they showed a tendency to readily utilize the provisions of the law, the assistance they gave the police in the apprehension of offenders and the solution of cases was erratic. They resented being governed by the Canadian law and its enforcement. With the exception of some juveniles, they did not commit offences to escape the rigors of reservation living.

Police presence on the reservation was primarily preventive in nature. Special community relations programs improving police-Indian contact and communication it was felt were helpful and no special obstacles had been placed by Indians in the way of their implementation. Special efforts at bettering relations with Indians through special liaison officers, civil commissions or councils were considered desirable.

There was the feeling that though special training would help, special qualities were necessary to police reservations. A Special Indian Constable it was thought would be an asset for communication purposes and also for the respect he would receive from the Indians.

Policing Indians had sensitized the policemen to them and they had no objections to policing another reserve.

In this case, the similarity in the size of the Indian and non-Indian population calls for a reformulation of hypothesis 4. Though there has been a breakdown of conventional social controls without a complete acceptance of the legal and formal social controls embodied in the Canadian law, and an increasing tendency to utilize the provisions of the law as a means of social control, the process does not appear to have been dependent on increasing out group contacts. The hypothesis would hence have to be expanded to read:

Indian criminality is perhaps promoted through a breakdown of conventional social controls occasioned by outgroup contact unless the process is associated with a complete acceptance by the Indian of the legal and formal social controls embodied in the Canadian law. Though the criminogenic conditions are predicated by a preponderance of non-Indian population in the area, when the populations are of equal size the same situation could result.

CASE 12

This case is also a trouble-bound reservation and like such others is one in which the non-Indian population outnumbers the Indian. Here again, most violations involve liquor.

The responses from this detachment indicate the Indians were a seasonally employed people on welfare who neglected their children. They were people who had an adequate understanding of the law but not procedure and though they readily utilized these provisions displayed a tendency to withhold assistance. They resented Canadian law and its enforcement. They did not commit crime to escape the rigors of reservation life.

The police presence on the reservation was mainly enforcement oriented though preventive patrolling did occur. Community relations programs improving police-Indian contact were thought helpful but it was found that such programs had to be desired by the Indians if they were to meet with any success. Special efforts at bettering relations with Indians through special liaison officers, civil commissions or councils were considered neither necessary nor desirable.

It was felt that special training would help and that special qualities were also necessary to police Indians. An Indian Special Constable, it was thought, would be beneficial because of his special knowledge.

Policing Indians had been a rewarding experience for most policemen here and they would repeat the experience.

The data in this case does not demand reformulation of the hypotheses.

CASE 13

Case 13 is a detachment responsible for the policing of a trouble-bound reservation where, like such others, the non-Indian population outnumbers the Indian. Here again most violations involved liquor.

The data from this detachment indicates the Indians were a poorly educated, seasonally employed people, mostly on welfare who neglected their children. They were people who had an adequate understanding of the law and legal procedures. They tended to utilize the provisions of the law although they felt they should not be governed by the laws and displayed a tendency to withhold assistance from the police. They did not commit offences to escape the rigors of reservation living.

Police presence on the reservation was mainly enforcement and counselling oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian communications were thought helpful. No special obstacles had been placed by the Indians in the way of implementation of these programs. Special efforts at bettering relations with Indians through special liaison officers were not considered necessary or desirable. Neither were civil commissions or councils.

Special training was thought unnecessary but special qualities were considered required for policing Indian reservations. An Indian Special Constable, it was thought, might be helpful for communication and improving police-Indian relations.

Policing Indians had had a demoralizing effect on the policemen at this detachment but most would not object to policing another reserve because the problem cannot be avoided.

The data in this case too calls for no reformulation of the hypotheses.

CASE 14

This case is a trouble-bound reservation where the Indian population slightly outnumbered the non-Indian. Here once more, most violations involve liquor.

The responses from this detachment indicate the Indians were poorly educated, mostly on welfare, neglecting their children, but possessing strong cultural ties to each other. They were people who had an adequate understanding of the law and legal procedures. They tended to utilize the provisions of the law although they felt they should not be governed by the laws of Canada and displayed a tendency to be uncooperative with the police. They did not commit offences to escape the rigors of reservation life.

Police presence on the reservation was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian contact and communication were considered helpful but it was noted that such programs had to be desired by the Indians in order to meet with any degree of success. Special efforts at bettering relations with Indians through special liaison officers, it was thought, would help but civil commissions or councils were considered neither necessary nor desirable.

It was the opinion that special training would help and that special qualities were also required. An Indian Special Constable, it was thought, would be helpful because of his knowledge of the situation and because he would achieve Indian trust and cooperation.

Policing Indians had had a very demoralizing effect on the policemen at this detachment and it was an experience they did not wish to repeat.

In this case, since the Indian population is greater than the non-Indian, it is apparent that the evident breakdown of conventional social controls is not dependent on an increasing outgroup contact predicated by a preponderance of non-Indians. This calls for a reformulation of hypothesis 4. Thus:

Indian criminality is perhaps promoted by a breakdown

of conventional social controls occasioned by outgroup contact unless the process is also associated with a complete acceptance by the Indian of the legal and formal social controls embodied in the Canadian law. Though the conditions are predicated by a preponderance of non-Indian population in the area, such a preponderance is not always necessary.

In addition to this, in this case, strong cultural ties were evident among the Indians. This calls for a reformulation of hypothesis 2. It would have to be expanded to read:

When the situation of the Indian is associated with a loss of pride and dignity on his part, the Indian becomes problematic and policing assumes problem proportions. An added factor could be the rigors of reservation living though this is frequently not contributory. The loss of pride and dignity is usually associated with a tendency on the part of the Indian to reluctantly use the provisions of the law as a means of social control. This tendency, however, is not an invariable characteristic. The loss of pride and dignity is not necessarily associated with the destruction of all cultural ties between the Indians.

CASE 15

Case 15 is a detachment responsible for the policing of a trouble-bound reservation where like such others the non-Indian population outnumbers the Indian. Here again, most violations involve liquor.

The responses from this detachment indicate the Indians were poorly educated, seasonally employed people mostly on welfare neglecting their children. They were people who had an adequate understanding of the law and legal procedures. They tended not to utilize the provisions of the law and even felt they should not be governed by the laws. The Indian assistance given to police investigation was erratic. Some Indians, especially juveniles did commit offences to escape the rigors of reservation living.

Police presence on the reservation was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian contact and communication were considered helpful but it was felt that such programs had to be desired to meet with any success. Special efforts at bettering relations with Indians through special liaison officers, civil commissions or councils were not considered to be necessary or desirable.

There was a feeling that special training certainly would have helped and special qualities were also necessary for policing Indians. An Indian Special Constable would be beneficial in developing closer cooperation between Indians and police.

The effects felt by the men from their experience in policing Indians ranged from frustrating and demoralizing

to rewarding or having no effect on them at all. However, most had no objection to a similar assignment.

The data from Case 15 tends to support the general hypotheses and demands no reformulation.

CASE 16

This case is a trouble-bound reservation where similar to others, the non-Indian population outnumbered the Indian.

The responses from this detachment indicate the Indians were poorly educated, on welfare, inadequately housed and neglecting their children. They were people who had an adequate understanding of the law and legal procedures. They felt they should not be governed by the laws and did not readily utilize the provisions of the law or provide assistance in the apprehension of offenders and the solution of cases. They resented the police presence on the reserve. Some Indians, especially juveniles, tended to commit offences to escape the rigors of reservation living and to gain attention.

Police presence on the reservation was mainly enforcement oriented though prevention through patrolling occurred regularly. Special community relations programs improving police-Indian contact and communication were thought to be helpful but they had to be desired by the Indian if they were to meet with any degree of success. Special efforts

at bettering relations with Indians through special liaison officers would be helpful it was thought, but civil commissions or councils were considered neither necessary nor desirable.

It was agreed that special training would be helpful but certain qualities were also required. An Indian Special Constable would be very helpful because of the special knowledge he brought.

Policing Indians had been a demoralizing and frustrating experience for the policemen.

The data in this case, too, supports the hypotheses as stated.

CASE 17

Case 17 is a detachment responsible for the policing of a trouble-bound reservation where, like several others, the non-Indian population outnumbered the Indian. Here again, most violations involved liquor.

The responses from this detachment indicate the Indians were poorly educated, on welfare, proud of their heritage and neglecting their children. They were people who had an adequate understanding of the law and legal procedures. They tended to utilize the provisions of the law, but were reluctant to give assistance to the police in the apprehension of offenders and the solution of cases. They did not commit crime to escape the rigors of reservation living.

Police presence on the reservation was mainly enforcement oriented though prevention through patrolling occurred frequently. Special community relations programs improving police-Indian contact and communication were considered desirable but it was felt that such programs can only meet with success if desired by the Indians. Special efforts at bettering relations with Indians through special liaison officers would it was thought be helpful but civil commissions or councils were considered unnecessary.

There was the feeling that no adequate special training was possible, but special qualities were deemed necessary to police reservations. It was agreed that an Indian Special Constable would be helpful for liaison purposes.

Policing Indians had had no effect on the policemen and they would not object to policing another reserve.

The data in this case does not call for a reformulation of the hypotheses.

CASE 18

This case is a trouble-free reservation where the Indian population greatly outnumbered the non-Indian.

The responses from this detachment indicate the Indians were largely illiterate, on welfare, aware of their cultural ties and neglectful of their children. They were people who did not adequately understand the law and its procedures but

did not resent Canadian law and its enforcement. They did not readily utilize the provisions of the law but did assist in the apprehension of offenders and the solution of crimes. Some Indians, especially juveniles did tend to commit offences to escape the rigors of reservation life.

Police presence on the reserve was mainly in conjunction with prevention and enforcement, with patrols being made frequently. Special community relations program improving police-Indian contact and communication were considered helpful. No obstacles were placed in the way of implementation of these programs by Indians. Special efforts at bettering relations with Indians through special liaison officers, civil commissions or councils were deemed unnecessary.

There was a lack of consensus regarding the necessity of special training. However, it was agreed that special qualities were required to police reservations. An Indian Special Constable was considered helpful because of his knowledge of Indian life and the language.

Policing Indians had sensitized the policemen toward the Indian life style but they preferred not to police another reserve at their next posting.

The data from Case 18 lends support to the hypotheses as stated.

CASE 19

Case 19 is a detachment responsible for the policing of a trouble-bound reservation and like several others is one where the non-Indian population outnumbers the Indian. Here again most violations involved liquor.

The responses from this detachment indicate the Indians were poorly educated people on welfare who neglected their children. They were people who had an adequate understanding of the law and legal procedures. They tended not to utilize the provisions of the law and some felt they should not be governed by the laws of Canada. The Indians displayed a tendency to withhold assistance from the police. They did not commit offences to escape the rigors of reservation living.

Police presence on the reservation was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian contact and communication were considered helpful but such programs it was found had to be desired by the Indians if they were to meet with any success. Special efforts at bettering relations with Indians through special liaison officers were thought to be helpful but civil commissions or councils were not considered necessary or desirable.

There was the feeling that special training would not be helpful but certain qualities were thought to be necessary for policing Indians. It was the opinion that an Indian Special Constable would not help as they were found to be inconsistent and received less of the Indian respect than non-Indian policemen.

Policing Indians was depressing and had had a demoralizing effect on the majority of the policemen which half of them had no desire to repeat.

This data demands no reformulation of the hypotheses.

CASE 20

This case is a trouble-bound reservation like several others where the non-Indian population outnumbered the Indian. Here again, most violations involved liquor.

The responses from this detachment indicate the Indians were poorly educated, on welfare and were neglecting their children. They were people who had a good understanding of the law and legal procedures although they did not readily utilize these provisions or assist in the apprehension of offenders and the solution of cases. They resented the police presence on the reserve and also resented being subjected to the Canadian law and its enforcement. They did not commit offences to escape the rigors of reservation living.

The police presence on the reservation was mainly prevention or enforcement oriented with regular patrols occurring. Community relations programs bringing the police into close communication with the Indian were thought to be helpful but such programs apparently had to be desired by the Indian if they were to meet with any degree of success. Special efforts at bettering relations with Indians through special liaison officers, civil commissions or councils were considered neither necessary nor desirable.

There was a lack of consensus regarding the necessity of special training. Some policemen felt that special training would help while an equal number felt that such training was not possible and personal experience was the answer. It was thought that an Indian Special Constable would not help because of his compromising position and Indian reaction to authority.

Policing Indians had had a demoralizing effect on some of the policemen, but had had no effect on others. However, half of the policemen preferred not to police another reserve.

The data from this case tends to support the existing hypotheses.

CASE 21

Case 21 detachment is responsible for policing trouble-bound reservations where the non-Indian population outnumbered the Indian.

The responses from this detachment indicate the Indians were poorly educated, seasonally employed people mostly on welfare neglecting their children. They were people who did not have an adequate understanding of the law or legal procedures. They tended not to utilize the provisions of the law and resented being governed by the laws of Canada. However, the Indians were fairly cooperative with investigating policemen. They did not commit offences to escape the rigors of reservation life.

The police presence on the reservations was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian contact and communication were considered helpful but it was found that such programs had to be desired by the Indians if they were to meet with any degree of success. Special efforts at bettering relations with Indians through special liaison officers, civil commissions or councils were not considered to be necessary or desirable.

There was the feeling that special training would not be helpful but special qualities were thought to be necessary for policing Indians. It was thought that an Indian Special Constable would not be an asset as he would receive little respect from Indians.

Policing Indians either had frustrated the policemen or

had not affected them at all, although half of them had no desire to repeat the experience.

No reformulation of the hypotheses is necessary as a result of this data.

CASE 22

This case is a trouble-bound reservation like several others where the non-Indian population outnumbers the Indian. Here again, most violations involved liquor.

The responses from this detachment indicate the Indians were poorly educated, seasonally employed and neglecting their children. They were people who had an adequate understanding of the law and legal procedures and readily utilized these provisions and assisted the police in investigations. Some Indians, however, did resent being governed by Canadian law and being subjected to its enforcement. Some Indians, especially juveniles, did commit offences to escape the rigors of reservation life.

The police presence on the reserve was mainly related to enforcement and counselling though prevention through patrolling did occur. Community relations programs improving police-Indian contact and communication were considered to be helpful. However, no attempts in this direction had been made. Special efforts at bettering relations with Indians through civil commissions or council were considered neither

necessary nor desirable. However, the subject of liaison officers met with a lack of consensus.

There was the feeling that special training would help but no special qualities were thought to be necessary for policing reservations. An Indian Special Constable would not help, it was felt, because of the small size of the reserve.

Policing Indians had had no effect on the policemen, but they preferred not to repeat the experience.

This data lends support to the general hypotheses as stated.

CASE 23

Case 23 is responsible for the policing of a trouble-bound reservation where the non-Indian population outnumbered the Indian.

The responses from this detachment indicate the Indians were a poorly educated people on welfare who neglected their children. They were people who had an adequate understanding of the law and legal procedures though they resented being governed by Canadian law and its enforcement. They did not readily utilize the provisions of the law and had a tendency to withhold assistance during police investigations. The Indians did not commit offences to escape the rigors of reservation life.

Police presence on the reservation was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian contact and communication were considered helpful but it was felt that such programs had to be desired by the Indian in order to meet with any degree of success. Special efforts at bettering relations with Indians through special liaison officers, civil commissions or councils were thought to be unnecessary.

There was the feeling that no special training or qualities were necessary to police a reservation. An Indian Special Constable was thought to be helpful because of his special knowledge of the reserve and his ability to communicate with the Indians.

Policing Indians had had a demoralizing effect on the policemen and they preferred not to police another reserve.

The data from Case 23 also supports the hypotheses.

CASE 24

This case is a trouble-bound reserve. The charge rate for Indians is five times that for non-Indians. As in similar cases, the non-Indian population greatly outnumbers the Indian.

The responses from this detachment indicate the Indians were a poorly educated people on welfare who neglected their

children. They were people who had an adequate understanding of the law and legal procedures and readily utilized these provisions but displayed a tendency to withhold assistance from investigating policemen. They only resented Canadian law and its enforcement when they were in conflict with it. They did not commit offences to escape the rigors of reservation living.

Police presence on the reservation was mainly enforcement oriented though prevention through patrolling did occur. Special community relations programs improving police-Indian contact and communication were helpful it was thought and no obstacles were encountered from the Indians in the implementation of such programs. Special efforts at bettering relations with Indians through special liaison officers, civil commissions or councils were thought to be neither necessary nor desirable.

There was the feeling that special training would help and special qualities were also thought to be required. Special Indian Constables were not considered helpful according to past experience with them.

Policing Indians had had mixed effects on the policemen and all preferred not to repeat the experience.

The data from Case 24 supports the hypotheses as stated.

CASE 25

In this case the detachment is responsible for policing a reservation that is neither trouble-free nor trouble-bound. The charge rates for Indians and non-Indians are more or less similar. So are the patterns. Consequently, the reservations being policed here could be looked upon as occupying "a non-special status" - neither trouble-free nor trouble-bound. However, from the standpoint of population distribution, the non-Indian population greatly outnumbers the Indian.

The responses from this detachment indicate the Indians were a poorly educated, seasonally employed people, mostly on welfare who neglected their children. They were people who had an adequate understanding of the law and legal procedures. They readily utilized the provisions of the law and assisted in the apprehension of criminals and the solution of crimes. They did not commit offences to escape the rigors of reserve life.

Police presence on the reservation was mainly enforcement oriented though prevention through patrols did occur and resident Indian constables helped. Community relations programs improving police-Indian contact and communication were considered helpful. No special obstacles were placed in the way of such programs by the Indians. Special efforts at bettering relations with Indians through special liaison

officers may be helpful it was thought, but civil commissions or councils were considered neither necessary nor desirable.

There was a lack of consensus regarding the necessity of special training. Some policemen felt that special training would help while an equal number felt that Indians required no special policing knowledge. Nor was it felt that any special qualities were required. Special Indian Constables were considered to be helpful for language purposes and because they were better accepted by the Indians.

Policing Indians had had no effect on the policemen and they had no objection to policing another reserve.

The data from this case does not demand reformulation of the hypotheses.

CASE 26

This case is a trouble-bound reservation where, like many others, the non-Indian population outnumbers the Indian.

The responses from this detachment indicate that the Indians were a poorly educated people who neglected their children. They were people who had an adequate understanding of the law and legal procedures and readily utilized these provisions. However, they resented being governed by Canadian law and its enforcement and displayed a tendency to withhold assistance. They did not commit offences to escape the rigors of reservation life.

Police presence on the reserve was mainly enforcement and public relations oriented. Prevention through patrols was done only by the Indian Constable. Community relations programs improving police-Indian contact and communication were considered helpful, but it was found that such programs had to be desired by the Indians to meet with any success. Special efforts at bettering relations with Indians through special liaison officers was thought to be helpful but civil commissions or councils were considered unnecessary.

There was the feeling that no special training or qualities were necessary for policing reservations. An Indian Constable was thought to be beneficial as he was more readily accepted by the Indians.

Policing Indians had demoralized one policeman and educated the other, but both preferred not to police another reserve.

This data also supports the hypotheses as stated.

The data from the cases result in our hypothesizing:

1. a) Official patterns of Indian criminality, quality and quantity wise similar to that of a non-Indian community occur when Indians do not define themselves in negative polarity with the police.
- b) When Indians and police define themselves in negative polarity with each other, the patterns are different

quality wise and can be quantity wise trouble-free (much less than non-Indian) or trouble-bound (much more).

2. a) When the socio-economic situation of the Indian - poorly educated, only seasonally employed and frequently on welfare - is associated with a loss of pride and dignity on his part, the Indian becomes problematic and policing assumes problem proportions.
 - b) An added factor could be the rigors of reservation living but this is frequently non-contributory.
 - c) The loss of pride and dignity is usually associated with a tendency on the part of the Indian to reluctantly use the provisions of the law as a means of social control. This tendency, however, is not an invariable characteristic.
 - d) The loss of pride and dignity is not necessarily associated with the destruction of all cultural ties between Indians.
3. a) Though job permanency helping to integrate the policeman into the Indian community and consequently destroy deleterious polar definitions does tend to reduce policing problems, a special know-how for policing Indians is necessary.

- b) Though this knowledge could be acquired on the job, prior special training is of considerable value.
4. a) Indian criminality is perhaps promoted through the breakdown of conventional social controls unless the process is also associated with a complete acceptance by the Indian of the legal and formal social controls embodied in the Canadian law.
- b) Though the conditions are predicated by a preponderance of the non-Indian population in the area, such a preponderance is not always necessary.

Be this as it may, the cases also suggest:

1. Official patterns of criminality of Indians and non-Indians become similar when the Indian community becomes fully acculturated and assumes a cultural similarity to the non-Indian.
2. Dissimilar patterns of criminality - quality wise - is an expression of cultural dissimilarity.
3. The process of acculturation is associated with an increasing tendency to utilize the provisions of the law as a means of social control and it is also associated with an increase in criminal behaviour.
4. As the process of acculturation becomes completed there is a complete acceptance of the legal and formal social controls embodied in the Canadian law and a subsequent reduction in criminal behaviour.

These suggestions lead to the conclusion that the problems of policing are inextricably interwoven in the problems of culture contact and acculturation. The data also suggest that while the reduction in criminality is largely influenced by the Indian's identification with the non-Indian population, attempts made by the police to promote this identification do promote alleviation of the situation. The crux of the problem appears to be the Indian and police polar definition of each other. As this polar definition stems from a recognition of a difference, the data obtained from this study does not support our original hypothesis that the lack of knowledge on the part of the policeman of the cultural heritage of the Indian people and the socio-economic conditions in which they live is mainly if not wholly responsible for the problems the police encounter in policing Indian people. What is necessary to obviate the problems is apparently the destruction rather than the perpetration of the cultural differences. This could be done by the integration of the policeman into Indian culture or the integration of the Indian into non-Indian culture. The data from this study suggests that the latter is the more potent. The data, however, is the policeman's opinion. What would the opinion of the Indian reveal is a question that may be interesting to answer.

CHAPTER SIXSUMMARY AND CONCLUSIONS

As was previously noted in this study, there has been little or no empirical research done in Canada dealing with the policeman's viewpoint of policing the "reserved Indian". A number of studies have dealt primarily with the Indian's or Native's perception of his peoples' involvement with the Criminal Justice System. All these studies indicate the existence of a number of problems in all the domains of the System. As far as the police are concerned the problems appear to stem from a disjuncture between the law officer's concept of policing the Indian and the Indian's concept of the duties and functions of the law officers, a disjuncture that has its roots in the law officer's lack of knowledge of the cultural heritage and the social and economic conditions of the policed people - a knowledge that gives meaning to policing. Following this identification of the problem suggestions have been made that the police be exposed to a training program focusing on Indian or Native culture and also that Indian or Natives be recruited as Special Constables to assist in the interpretation of situations. However, the empirical evidence in support of this position is not conclusive.

This study was designed to test the hypothesis that the policeman's lack of knowledge of the cultural heritage of the Indian people and their socio-economic conditions was mainly if not wholly responsible for the problems the police encounter in policing Indian people. The hypothesis was tested from the point of view of members of the Royal Canadian Mounted Police who have as one of their many functions, the responsibility of policing Indian reserves. Questionnaires were forwarded to detachments policing Indian reserves in British Columbia, Alberta, Saskatchewan, Manitoba, Nova Scotia and New Brunswick. The detachments drawn were those policing Indian bands selected for study. There were a total of 65 bands which represented an overall Indian population of approximately 51,334. Fifty-nine detachments, involving approximately 416 policemen, were found to be responsible to police these bands. Of the 59 detachments responses were received from 41 (69% response rate) which included a total of 250 policemen - a response rate of 60%. Twenty-six detachments gave complete data and were used for analysis. The responses from the remaining 15 were incomplete in that the necessary statistical material was not provided and hence could not be used in the analysis. The summaries of the data from the detachments are provided in Appendix B and C respectively.

The data was analysed using the technique of analytic induction. This technique was used because with the present state of knowledge it presented itself as the most appropriate. The analysis led to the conclusion that the problems of policing are inextricably interwoven in the problems of culture contact and acculturation but not involved with the policeman's lack of knowledge of Indian culture. The data suggests that while the criminality of the Indian was largely influenced by the extent to which he identified with the non-Indian population, attempts made by the police to promote this identification do promote alleviation of the situation. The crux of the problem appears to be the perception that the Indian and the police have of each other, forcing them to define themselves in negative polarity with each other. As this polar definition stems from a perception of a difference, the data obtained from this study does not support our original hypothesis.

In fact, the data suggest that what is necessary to obviate the problems is apparently the destruction rather than the perpetuation of the cultural differences. This could be achieved by the integration of the policeman into the Indian culture or the integration of the Indian into the non-Indian culture. The data from this study, which is the policeman's opinion, suggests that the latter is the more

potent. What would the opinion of the Indian reveal is a question that may be interesting to answer.

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APPENDIX "A"

STATISTICAL INFORMATION

STATISTICAL PERIOD: 1 JAN 74 to 1 JAN 75 or if difficult
to obtain due to new "coding" then
1 JAN 73 to 1 JAN 74.

DEFINE: total number of infractions cleared by charge under each category for:

- a. Indian Offenders (reserve - registered)
- b. Non-Indian Offenders.

1. Category One: Liquor Infractions - Provincial Liquor Statute (including holding offences):

a. Total No. Indians Charged: _____

b. Total No. Non-Indians Charged: _____

2. Category Two: Impaired Drivers (Sec. 236 C.C. & 234 C.C.)

a. Total No. Indians Charged: _____

b. Total No. Non-Indians Charged: _____

3. Category Three: Suspended Drivers (238 C.C.)

a. Total No. Indians Charged: _____

b. Total No. Non-Indians Charged: _____

4. Category Four: Break, Entry and Theft

a. Total No. Indians Charged: _____

b. Total No. Non-Indians Charged: _____

5. Category Five: Theft Over \$200.00

a. Total No. Indians Charged: _____

b. Total No. Non-Indians Charged: _____

6. Category Six: Theft Under \$200.00
- a. Total No. Indians Charged: _____
 - b. Total No. Non-Indians Charged: _____
7. Category Seven: Common Assault
- a. Total No. Indians Charged: _____
 - b. Total No. Non-Indians Charged: _____
8. Category Eight: Assault Causing Bodily Harm
- a. Total No. Indians Charged: _____
 - b. Total No. Non-Indians Charged: _____
9. No. of Indians charged under the Indian Act and Sections:

NO.

SECTIONS

INDIVIDUAL QUESTIONNAIRE

TO BE ANSWERED BY ALL MEMBERS

1. AGE: _____ RANK: _____ YEARS OF SERVICE: _____
2. Number of years or months policing Indian areas: _____
3. Educational Standing: _____
4. What is your home town or city: _____ Province: _____
5. Father's occupation (if retired or deceased what was his occupation): _____
6. What would you personally estimate the percentage of your work is involved with the policing of your reserve(s): _____
7. Prior to joining the Force, did you have any direct or indirect association with Indians?

ANSWER: YES NO

If "YES" please elaborate on your previous association:

- a. Direct - (personal friends or personal contacts)

- b. Indirect - (as an uninvolved observer - e.g. noticed Indians in town or city on streets, etc.)

IF "YES" - WHY?

IF "NO" - WHY?

7. Do you feel that the Indians in your area have an understanding of their legal rights?

PICK ONE ANSWER:

- a. YES:
- b. NO:
- c. MOST OF THE INDIANS DO:
- d. MOST OF THE INDIANS DO NOT:
- e. OTHER: elaborate:

8. Do the Indians in your area understand court procedure?

PICK ONE ANSWER:

- a. YES:
- b. NO:
- c. MOST OF THE INDIANS UNDERSTAND:
- d. MOST OF THE INDIANS DO NOT UNDERSTAND:
- e. OTHER: elaborate:

9. Do most Indian people enter "guilty" pleas because they do not really understand the concept of "legal guilt" and "innocence"?

ANSWERS:

YES:

NO:

13. If you are investigating a complaint on the reserve involving an Indian, do you find that the Indians on the reserve are:

ANSWERS:

- a. GENERALLY HELPFUL:
- b. NOT HELPFUL AT ALL:
- c. IT DEPENDS ON THE NATURE OF THE COMPLAINT:

COMMENTS:

14. Is your greatest presence on the reserve:

- a. MAINLY COMPLAINT ORIENTATED:
- b. PRIMARILY PREVENTATIVE:
- c. ENFORCEMENT ORIENTATED:
- d. OTHER: elaborate:

15. Do you think that the Indian reserve receives adequate policing?

ANSWERS: YES: NO:

ELABORATE ON YOUR ANSWER:

16. What are the major causes of the complaints that you re-involving Indians (if one is outstanding mark only one):

- a. LIQUOR:
- b. FAMILY DISPUTES:
- c. ASSAULT:
- d. THEFT:
- e. WILFULL DAMAGE:
- f. OTHER: Specify:

24. If there is an Indian Band Council on your reserve(s), do you think a member should have a good working liaison with its members?

ANSWERS: YES: NO:

IF "YES" what benefit is gained by having a working liaison with the Indian Band Council?

IF "NO" - WHY?

25. If there is an Indian Band Council on your reserve(s), do you know who the members of the Council are?

ANSWERS: YES: NO:

26. Is it important to know the administrative function of the Indian Band Council?

ANSWERS: YES: NO:

27. Are Police - Indian community relations programs important?

ANSWERS: YES: NO:

IF "YES" - WHY?

IF "NO" - WHY?

28. What Police - Indian community relations programs are you personally involved in?

29. Are Indian education classes dealing with various spheres of the Criminal Justice System necessary?

ANSWERS: YES: NO:

IF "YES" or "NO" - WHY?

30. Are you personally involved in legal education programs for the Indians?

ANSWERS: YES: NO:

IF "YES" - what are the programs offered?

31. Do you think it is (pick one answer):

- a. A Policeman's responsibility to give legal educational courses to Indians?

ANSWERS: YES: NO:

IF "YES" or "NO" - WHY?

- b. The responsibility of some other agency to give a course of instruction?

Specify agency -

- c. Other: Specify:

32. Are the Indians receptive towards Police - Indian community relationship programs?

ANSWERS: YES: NO:

IF "NO" - WHY?

33. If an Indian is intoxicated in town do you usually?
- a. Arrange for transportation home?
 - b. Arrest and detain until sober?
 - c. If he or she is not causing trouble avoid the Indian?

Give reason for your action:

34. In relation to the Indians on the reserve(s) please "tick" the characteristics which best describes them:

- | | |
|------------------------|---|
| 1. Illiterate | 12. Children well cared for |
| 2. Literate | 13. Children poorly cared for |
| 3. Poorly Educated | 14. Possess strong cultural ties to each other. |
| 4. Well Educated | 15. Proud of their heritage |
| 5. Gainfully employed | 16. Industrious |
| 6. Seasonally employed | 17. Lazy |
| 7. On welfare | 18. Adequately housed |
| 8. Poor financially | 19. Inadequately housed |
| 9. Middle income | 20. Adequately dressed |
| 10. Upper income | 21. Other: Specify: |
| 11. Good natured | |

35. As a policeman how has the policing of Indians affected you personally?

- ANSWERS:
- a. INCREASED MY SENSITIVITY TO THE INDIAN PEOPLE:
 - b. DEMORALIZING:
 - c. REWARDING EXPERIENCE:
 - d. NOT AT ALL:
 - e. OTHER: Specify:

Please elaborate on your answer:

36. Do you feel that the Indians in your area respect the members of our Force?

ANSWERS: a. YES:
b. NO:
c. MOST OF THEM DO:
d. MOST OF THEM DO NOT:

37. Do you feel that men being transferred into your Indian area should have special qualifications?

ANSWERS: YES: NO:

IF "YES" - what do you think are the necessary qualifications or qualities a man should have when dealing with the Indians in your area?

38. Does liquor seem to play an important role in the life style of the Indian in your area?

ANSWERS: YES: NO:

IF "YES" - WHY?

39. If the choice was yours, would you police another Indian Reserve?

ANSWERS: YES: NO:

IF "YES" or "NO" - WHY?

40. How long would you personally like to be stationed at the Detachment you are now at?

WHY?

APPENDIX "B"

CASE 1POLICE AREA DESCRIPTION

1. Size of detachment area: an island 3 miles by 5 miles
2. Geographical location: British Columbia
3. Size of Indian Reserve: the entire island
4. Distance reserve from detachment: detachment on the
reserve
5. Total percentage of man hours policing reserve: 100%
6. Other: a) Reserve: wet
b) Indian Act being enforced

POLICE PERSONNEL

One constable (100% questionnaire response) is stationed at this detachment on an approximate six month temporary basis. This policeman is described as follows:

- a) Age: 25 years
- b) Years of Service: 4 years, 7 months
- c) Years Policing Indian Reserves: 3 years
- d) Educational Standing: Grade 12
- e) Province of Origin: Saskatchewan
- f) Percentage of Time Spent Policing Reserve: 100%
- g) Contact With Indians Prior To Joining the Police:
strictly "indirect" - as an uninvolved observer.

PROSECUTION STATISTICS: 1 DEC 74 - 30 JUN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	30	0	30
2. Impaired Driving	3	0	3
3. Suspended Driving	0	0	0
4. B.E. and Theft	4	1	5
5. Theft Over	0	1	1
6. Theft Under	0	1	1
7. Common Assault	10	0	10
8. Assault Causing	6	0	6
TOTAL CHARGES	53	3	56
POPULATION	1200	50	1250
RATE/100 POPULATION	4.41	6.0	

Percentage Indian Charges To Total Charges: 94.64%

Percentage Population Indian: 96.0%

This case is that of a detachment whose area is an island 3 miles by 5 miles situated 20 miles off the west coast of B.C. The entire island is an Indian Reservation occupied by an Indian Nation. The policing is done by one constable, stationed on the reserve for 6 months of the year and spending his entire time policing the reserve. In this detachment area there are approximately 1200 Indians and 50 non-Indians. During the period 1 Dec 74 through 30 Jun 75 there were a total of 56 charges laid against residents. Most of the charges were against Indians. However, when rates are computed the rate for the non-Indian population is greater than that for the Indian. Over half of the charges were for violations of liquor laws, with Common Assault constituting the second largest category of offences for which charges were laid.

The police officer at this detachment had not had any theoretical or practical training with respect to policing Indians prior to his assignment here nor did he feel that it would be possible for anyone to give such a course. It was not felt that such a course would have been of any benefit in policing this reserve. Further, it was his belief that each Indian tribe was so basically different from the other that it would be impossible to organize such a course. However, the policeman claimed that it would be beneficial to have an Indian Special Constable of equal status as he would know the people, their culture and be able to cope with a problem under tense conditions. The policeman indicated that a policeman assigned to police Indians should have special qualities. He should not "fly off the handle" easily and should not entertain the idea of changing the Indian.

In the detachment area, most of the Indians, it was contended, have an understanding of their legal rights. Though they apparently do not understand court procedures, it was unlikely that they plead guilty to a charge because they did understand the concept of "legal guilt". The policeman indicated that the Indians did not intentionally commit offences, during inclement weather, to gain food and shelter through incarceration and that incarceration was not a means sought by the Indian juvenile to rid himself from the Indian reserve environment. Very few Indians here felt that the Canadian Law was a "foreign" law and should not apply to them due to their cultural upbringing, but they tended to be reluctant, contended the policeman, to report an offence, even if they themselves were the victim, possibly due to a fear of repercussion from the Indian offender or

other Indians on the reserve. This fear, it was contended, was extended also into the realm of testimony for the Crown against another Indian from the reserve. Yet, if the policeman was investigating a complaint on the reserve, the Indians were generally helpful but again it depended upon the nature of the complaint and whether or not the Indians felt the assistance given would involve them personally.

There were legal aid and native court counsellors available to the Indian offenders here. The counsellors, it was thought, were helpful in clarifying court proceedings and explaining the various spheres of the Criminal Justice System but, the policeman contended, some of the counsellors felt that most of the Indians charged were done so because they were Indian. The policeman felt that by holding court on the reserve the native offender would be subjected to social peer pressure and condemnation from his own people thus providing a good preventive program. There was an Indian Police Liaison N.C.O. in British Columbia who was a police-Indian contact person who listened to Indian complaints and explained the role of the police to the Indians. The policeman here was uncertain as to the value of such a Liaison Officer. Having a police commission or citizens' committee in the community to which policemen would be answerable, in some manner, to complaints lodged by Indian people against policemen was not thought to be a good concept, contended the policeman, although no reasons were given.

The police presence on the reserve was primarily preventive and enforcement oriented. Preventive patrols were done more than once a shift with the majority of police-Indian contact being in the realm of enforcement leading to charge(s). The policeman indicated that the reserve received adequate policing due to the size of the area and Indian population. The amount of preventive police work done on the reserve was explained as being inadequate as there was only one policeman and he had not the time to do preventive patrols "around the clock".

The major complaints received by the policeman, in relation to Indians, were family disputes and assaults. Liquor seemed to be an important element in the life style of the Indians here and if an Indian was intoxicated in town, the policeman usually arranged for transportation home, if he was not too busy with other police work. While patrolling the reserve, no apprehension was felt and the same enforcement techniques and procedures were maintained when policing the Indian or non-Indian population.

A policeman here should have a good working liaison, contended the policeman, with the Indian Band Council and know its administrative function, although, the policeman did not personally know the Council administrators.

Police-Indian community relation programs were important for both the police and the Indians and were achieved, by the policeman, through "face-to-face" communication. The Indians were receptive towards this method of contact and a good working relationship existed between the majority of the Indian juveniles and the police officer.

Indian education classes dealing with various spheres of the Criminal Justice System were a necessity here, contended the policeman, and it should be the policeman's responsibility to instruct such courses. The policeman was not personally involved with such endeavours as he was by himself and could not find the time.

The policing of Indians had been a rewarding experience for the policeman here but, if the choice was his, he would not police another Indian reserve as the work was too frustrating. The maximum period of time the policeman preferred to be stationed at his present posting was six months.

The policeman perceived the Indians, in his area, as poorly educated, seasonally employed, on welfare, middle income, children well cared for, proud of their heritage, adequately dressed and that most of the Indians respected members of the R.C.M.P.

CASE 2POLICE AREA DESCRIPTION

1. Size of detachment area: 8800 square miles
2. Geographical location: British Columbia
3. Size of Indian Reserve: 2 square miles
4. Distance reserve from detachment: $\frac{3}{4}$ of a mile
5. Total percentage of man hours policing reserve: 65-75%
6. Other: a) Reserve: wet
b) Indian Act not being enforced

POLICE PERSONNEL

One sergeant, two corporals and seven constables (70% questionnaire response) are stationed at this detachment. The following is a description of the seven police personnel who answered the questionnaire:

- a) Age: Maximum: 30 years
Minimum: 20 years
Average: 24.1 years
- b) Years of Service: Maximum: 8½ years
Minimum: 6 months
Average: 3.85 years
- c) Years Policing Indian Reserve Areas:
Maximum: 7½ years
Minimum: 6 months
Average: 2.6 years
- d) Educational Standing Beyond Grade 12: 1 member
- e) Province of Origin: B.C., Alta., Sask., Man., Ont.
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c: no reply
Other Members: 42.8%
- g) Contact With Indians Prior To Joining The Force:
 - i) 3 members had "direct" contact: friends at school or worked with Indians.
 - ii) 2 members had "indirect" contact: noticed in town intoxicated, noticed in stores and bars, noticed fighting on streets.
 - iii) 2 members had no contact with Indians.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	285	90	375
2. Impaired Driving	22	56	78
3. Suspended Driving	5	4	9
4. B.E. and Theft	6	14	20
5. Theft Over	0	4	4
6. Theft Under	5	4	9
7. Common Assault	5	2	7
8. Assault Causing	5	2	7
<u>TOTAL CHARGES</u>	333	176	509
<u>POPULATION</u>	1152	5000	6152
<u>RATE/100 POPULATION</u>	28.9	3.52	

Percentage Indian Charges To Total Charges: 65.42%

Percentage Population Indian: 18.72%

The detachment covered in this case encompasses 8,800 square miles. The detachment members are responsible for the policing of an Indian Reserve located approximately three-quarters of a mile from the detachment. There are approximately 1,152 Indians on the Reserve with 5,000 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there was a total of 510 charges laid against residents, in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. Over 75% of the charges were for violations of liquor laws. Impaired Driving constituted the second largest category of offences for which charges were laid.

There was only one policeman at this detachment who received a course of instruction on the policing of Indians while attending his recruit training. The course, approximately six hours in length, involved listening to an R.C.M.P. instructor relate his personal policing experience with Indians and although the course was interesting, served no useful purpose. Most of the men in this detachment felt that a training course on the subject of Policing Indians should be given to members. Knowing Indian demands, Indian customs and what Indians "want from life" would give the policemen a greater understanding of the Indian people. There was, however, one member who claimed that such a course would not be beneficial for the reason that policemen do not treat native people any differently than they treat others. It was his contention that the natives, not the police, were having a problem and that working experience with the Indians was far the better teacher. The policemen also felt that no special qualifications were needed to police reserves.

The members here did not feel that there was a language barrier between themselves and the Indians, though that possibility did seem to exist in the case of older native people, who usually communicated in their own dialect and misunderstood many English words. The majority of the men felt that an Indian Special Constable would be an asset to the detachment for liaison purposes. In addition, such a position would have a positive psychological effect on the Indian youth by showing them that an Indian person can maintain a position of respect and authority, and can work well with white people on an equal basis. Some, however, indicated that experience had shown an Indian Special Constable to be more of a hindrance than a help, without specifically stating

how. They did, however, contend that the Special Constable may be an asset on a reserve larger than this one, where the police could not be expected to know the people well.

Most of the Indians here had an understanding of their legal rights and court procedure. They did not plead guilty to a charge as a result of misunderstanding the concept of "legal guilt". The consensus of opinion was that the Indians did not intentionally commit offences during inclement weather to gain food and shelter through incarceration. Nor was it felt that incarceration was a means sought by the Indian juvenile to rid himself of the reserve environment.

It was not thought that the Indians felt the Canadian law to be foreign to them, but that many Indians tended to feel that they, as natives, should not be governed by these laws. The Indians on this reserve were not reluctant to report an offence. However, the assistance given by the reserve residents in the investigation of a complaint, was dependent upon the nature of the complaint and the relationship of the Indian to the victim and the offender. The Indians did however convey the impression that they felt the police had no right to be on the reserve.

There were native court counsellors and legal aid available to the Indian offenders here. The counsellors, it was felt, were inadequately trained, but apparently helpful in clarifying court proceedings and the workings of the Criminal Justice System to the natives. Holding court on the reserve to subject the Indian offender to social pressure from his peers was thought to be wishful thinking as this procedure had not worked for non-Indians. The Divisional Police-Indian Liaison N.C.O. was not thought to be a beneficial feature due to his lack of presence at the detachment. The members felt that any contact between the police and the Indian people was better dealt with at the detachment level. The police were not in favour of a police commission or a citizens' committee. It was felt that the rights of the policemen should be protected against the many unfounded complaints laid against them and that furthermore, because of the personal embarrassment involved, policemen should be able to prosecute those people who lodge such unfounded complaints. It is obvious that appropriate action is taken against policemen when complaints are verified.

The police presence on the reserve was primarily complaint oriented though members felt that their major personal contact with the Indians was in the realm of counselling. The policemen felt that the reserve received adequate policing. Regular patrols were made day and night and they reacted quickly on all complaints, although most complaints received from Indians were unjustified. Some of the policemen felt that the preventive patrols were effective as far as police-Indian relations were concerned. Verbal communication with the native people while patrolling the reserve and personal advice given when minor disputes arose helped cement good relations. Other policemen, however, did not agree. These believed that the Indians had no interest in police-Indian relations and that the younger Indians even felt the police were intruding on the Indians' private world.

All policemen agreed that most complaints on the reserve were liquor oriented, and that it was this alcohol problem that gave rise to most of the complaints about family disputes, assault and wilful damage. Liquor played an important role in the lifestyle of the Indians of this area because they were living on welfare and had little to do with their time. The reaction to an Indian found intoxicated in town tended to vary from policeman to policeman. Most frequently he would be arrested and detained until sober mainly because of the likelihood of the Indian creating trouble either in town or on his return to the reserve in an intoxicated state. If no trouble was anticipated, no action would be taken. Occasionally, however, arrangements would be made to have him transported home.

Most of the policemen claimed that no special precautionary measures were taken when patrolling the reserve or investigating a complaint. Some, however, claimed that such measures were taken as the Indian was unpredictable when intoxicated. Two man patrols and back-up units were the extra measures taken when necessary.

The policemen felt that they should have a good working liaison with the Indian Band Council for the purpose of exchanging mutually useful information about reserve residents. The Band Council has also been an effective investigative aid to the policemen. The majority of the men knew the members of the Band Council but felt it was unnecessary to know the Council's administrative function.

The members felt that police-Indian community relations programs were important for developing a better relationship and understanding between the Indian and the police, but it is necessary that the programs be desired by the Indians. However, only two policemen were involved with a sports program while the remaining five were not only uninvolved, but had no plans for implementing any such programs. Most of the policemen felt they had a good working relationship with the Indian juveniles.

It was not thought that Indian education classes dealing with the Criminal Justice System would be of any benefit to the natives of this area. It was felt, however, that if these classes were to be given, they should be available for non-Indians also, and should be a responsibility of the Indian Affairs Department, not the police.

In general, the policemen found the policing of Indians to have had a demoralizing effect on them personally. The factors leading to this reaction involved the Indians' tendency to resort to alcohol rather than trying to improve their situation, their laziness and complacency about living in such appalling conditions. One lone member, however, found working with Indians to be a rewarding experience but did not state why he found it so. With one exception, the policemen indicated that they had no desire to police another Indian reserve because it was felt to be an exercise in futility and was too depressing to be in constant contact with people who were always drinking, fighting and living in de-graded conditions. There were various responses to the question about the desired length of posting here but basically the consensus of opinion centred around a maximum of two years, citing the Indian problem, the size of the detachment and enlarging personal experience as the reasons.

The general picture that the policemen had of the Indians was that they were illiterate, on welfare, neglectful of their children, poorly educated, seasonally employed and financially poor. It was further felt that the majority of the Indian population in this area had no respect for the police.

CASE 3POLICE AREA DESCRIPTION

1. Size of detachment area: 1,350 square miles
2. Geographical location: British Columbia
3. Size of Indian Reserve: 3 square miles
4. Distance reserve from detachment: detachment on the
reserve
5. Total percentage of man hours policing reserve: 33 1/3%
6. Other: a) Reserve: wet
b) Indian Act not being enforced

POLICE PERSONNEL

One sergeant and four constables (80% questionnaire response) are stationed at this detachment. The following is a description of the four police personnel who answered the questionnaire:

- a) Age: Maximum: 40 years
Minimum: 20 years
Average: 28.3 years
- b) Years of Service: Maximum: 18 years
Minimum: 1.5 years
Average: 7.6 years
- c) Years Policing Indian Reserve Areas:
Maximum: 16.5 years
Minimum: 1 year
Average: 7.8 years
- d) Educational Standing Beyond Grade 12: 0 member
- e) Province of Origin: Alberta
Saskatchewan
Manitoba
Ontario
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c: 30%
Other members: 50%
- g) Contact With Indians Prior to Joining the Force:
 - i) 3 members had "direct" contact: worked with Indians; classmates at school.
 - ii) 1 member had "indirect" contact: noticed Indians in cities and towns.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	37	6	43
2. Impaired Driving	21	18	39
3. Suspended Driving	2	1	3
4. B.E. and Theft	5	1	6
5. Theft Over	0	1	1
6. Theft Under	5	1	6
7. Common Assault	6	1	7
8. Assault Causing	4	1	5
TOTAL CHARGES	80	30	110
POPULATION	800	2200	3000
RATE/100 POPULATION	10.0	1.36	

Percentage Indian Charges To Total Charges: 72.72%

Percentage Population Indian: 26.66%

This detachment in this case is situated on the upper portion of an Island, with an area encompassing 1350 square miles. The detachment members police one Indian Reserve. The detachment is located on the reserve which has an Indian population of approximately 800 with 2200 non-Indians dispersed throughout the remainder of the detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 110 charges laid against residents, in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. The greatest number of charges were for violations of liquor laws, with Impaired Driving constituting the second largest category of offences for which charges were laid.

The policemen here have not received a course of instruction on the policing of Indians while attending their recruit training. Two of the policemen at this detachment felt that a training course should be given to members at the recruit and provincial "in-service" training levels. Such courses would give the policemen greater insight into the cultural background of the Indian thereby increasing the policeman's understanding of how the Indians perceive their life. This, the policemen contended, would aid and assist them when working with the Indians. The remaining two policemen at the detachment disagreed and contended that a course could not be organized as there were too many different Indian tribes with varied cultural backgrounds. Two policemen felt that new members being transferred to this detachment must have the human qualities of patience, tolerance and not be prejudiced towards Indians. The Indians, contended some of the policemen, were similar to children. They preferred to have their own way.

The majority of the members here did not feel there was a language barrier between themselves and the Indians. However, an Indian Special Constable would be an asset to the detachment as he would know the Indian people thus a free exchange of knowledge would ensue. The policemen indicated that they were frequently transferred, consequently the older Indians looked upon them as strangers. The Indian Special Constable would resolve this situation as the Indians could identify with him, on a permanent basis.

The policemen were divided on whether or not the Indians understood their legal rights but the majority felt the Indians did not understand court procedure. The Indians understood the concept of "legal guilt" and offences were not

intentionally committed during inclement weather to gain food and shelter through incarceration. Nor was it felt that incarceration was a means sought by Indian juveniles to rid themselves from the reserve environment.

It was thought that some Indians felt the Canadian Law to be foreign and should not apply directly to them. However, Indians on this reserve were not reluctant to report an offence, contended two policemen. The remaining two policemen disagreed indicating that Indians would not report an offence as they felt the policemen would not investigate it, especially if an Indian was a suspect. The assistance given to an investigating policeman on the reserve depended entirely upon the nature of the complaint, who the policeman spoke to and which Indians were being investigated.

There were native court counsellors and legal aid available to the Indian offenders here. The counsellors, contended the policemen, act in an advisory capacity attempting to assist the Indian offender but it was too soon to know how beneficial the counsellors' endeavors were. Holding court on the Indian reserve to subject the Indian offender to social pressure from his peers was thought to be an unsound concept. No matter where court was held, contended the policemen, the number of Indian offences would not change and if the Indians were interested in attending court, they could do so in town. The Divisional Police - Indian Liaison N.C.O. was thought to be a beneficial feature, contended two policemen, as he was in a position to create better police - Indian relations. However, the Liaison N.C.O. had not been in the detachment area for over one year. The consensus of police opinion was that they did not favor a police commission or citizens' committee. It was felt that policemen were presently governed by a sufficient number of regulations and that the Indians received too much preferential treatment. Further, it was suggested that the Indian Act should be removed from the statutes thereby placing the Indians on an equal status with the non-Indian community.

The police presence on the reserve was evenly divided between complaint oriented and preventive policing. The police - Indian contact was in the realm of enforcement leading to charge(s), counselling and police - Indian relation contact. The majority of the policemen felt that the reserve received adequate policing. Regular patrols were done, by the majority of the policemen, more than once a shift but two policemen indicated that the number of preventive patrols was not adequate for the size of the reserve as there was a lack of manpower. Preventive patrols were effective for enhancing

police - Indian relations accomplished by stopping and communicating with the Indian reserve residents.

The policemen agreed most complaints on the reserve were liquor, family disputes, assault and theft oriented. Liquor played an important role in the lifestyle of the Indians here as many seemed to indulge at all times of the day. The reaction to an Indian found intoxicated in town depended entirely upon the degree of intoxication and whether or not the Indian in question was causing trouble.

One policeman felt a degree of apprehension when patrolling the reserve alone and this stemmed from a feeling of "not being wanted" by the Indian people. He further indicated that when working late at night and upon receiving a serious complaint from the reserve the precaution of having two men per car was followed for self-protection.

The policemen felt they should have a good working liaison with the Indian Band Council as the Council spoke for the reserve populace and was thus an important investigative aid. The majority of the policemen knew the Council members and contended it was important to know the Council's administrative functions.

Only two policemen indicated that police - Indian community relations programs were important for developing insight and knowledge of Indian lifestyle. Also, an understanding of the Indian land claim problems resulted from communicating with the Indians through programs. One policeman was involved with sports and bicycle safety programs for both Indian and non-Indian youth. One policeman was organizing an Indian baseball team and the consensus of opinion was that it depended entirely upon the Indian person(s) whether or not they were receptive to programs. Most of the policemen felt they had a good working relationship with only a small percentage of the Indian juveniles.

It was thought that Indian education classes dealing with the Criminal Justice System would be beneficial for the Indians. The classes would assist the Indians in understanding their legal rights, privileges and increase their awareness of the entire Criminal Justice System. However, contended the policemen, the classes should be made available to all citizens. None of the policemen were involved with such classes and indicated that the responsibility of giving them should lie with the Band Council or the Legal Aid Branch

as lawyers did not generally like policemen trespassing in their domain.

Two policemen found the policing of Indians to have had a demoralizing effect on them personally. The factor leading to this reaction was that the more the policemen aided the Indians the less the Indians would do for themselves. The remaining policemen found the policing of Indians to be either a rewarding experience, as exposure to them had increased an understanding of them, or had not personally affected them at all. With one exception, the policemen indicated they would police another reserve. The desired length of posting varied from a maximum of one year, as the work was unchallenging, to three years, with no reason(s) given.

The general picture the policemen had of the Indians was that they were poorly educated, seasonally employed, on welfare, poor financially, lazy, children poorly cared for, possessing strong cultural ties and that most of the Indians respected the police.

CASE 4POLICE AREA DESCRIPTION

1. Size of detachment area: 45,000 square miles
2. Geographical location: British Columbia
3. Size of Indian Reserve: unknown
4. Distances reserves from detachment: 5 miles; 67 miles south and remainder more distant - access by airplane.
5. Total percentage of man hours policing reserves: reserves are not policed but patrolled on request from Chief - same as detachment area.
6. Other: a) Reserves: wet
b) Indian Act not being enforced.

POLICE PERSONNEL

One sergeant, two corporals and six constables on detachment and two constables on Highway Patrol (81.8% questionnaire response) are stationed at this detachment. The following is a description of the nine police personnel who answered the questionnaire:

- a) Age: Maximum: 32 years
Minimum: 20 years
Average: 26.1 years
- b) Years of Service: Maximum: 12 years
Minimum: 8 months
Average: 6.33 years
- c) Years Policing Indian Reserve Areas:
Maximum: 11 years
Minimum: 2 months
Average: 3.91 years
- d) Educational Standing Beyond Grade 12: 0 members
- e) Province of Origin: Alta., Sask., Man., Ont., N.B.
- f) Percentage of Time Spent Policing Reserves:
N.C.O. i/c: not supplied
Other members: 10%
- g) Contact With Indians Prior To Joining The Force:
 - i) 3 members had "direct" contact: went to school; lived with and worked with Indians.
 - ii) 4 members had "indirect" contact: noticed Indians on city streets, in fights and intoxicated, on reserve and in school.
 - iii) 2 members had no contact with Indians.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	90	123	213
2. Impaired Driving	7	51	58
3. Suspended Driving	0	3	3
4. B.E. and Theft	5	5	10
5. Theft Over	11	5	16
6. Theft Under	23	4	27
7. Common Assault	9	11	20
8. Assault Causing	3	8	11
TOTAL CHARGES	148	210	358
POPULATION	200	7500	7700
RATE/100 POPULATION	74.0	2.8	

Percentage Indian Charges To Total Charges: 41.34%

Percentage Population Indian: 2.59%

This detachment has an area encompassing 45,000 square miles. The detachment members are responsible to police Indian Reserves located 5 miles and 67 miles respectively from the detachment with access gained, to many of the areas, by airplane only. There are approximately 200 Indians on the reserves with 7500 non-Indians in the remaining detachment area, 2,000 of which are Métis. During the period 1 Jan 74 through 31 Dec 74 there were a total of 358 charges laid against residents, in the eight offence categories. Most of the charges were against non-Indians. However, when rates are computed, the rate for the Indian population is greater than that for the non-Indian. Over half of the charges were for violations of liquor laws. Impaired Driving constituted the second largest category of offences for which charges were laid.

Two policemen at this detachment had received a course of instruction on the policing of Indians during their recruit training. The course was not thought to be of any benefit due to its generalized nature and the fact that it dealt only with Saskatchewan Indians who were felt to be much different to B.C. Indians. The majority of the men thought that a well-structured course would be beneficial in giving some insight to the problems Indians encounter when posted to reserve detachments. These men felt that such a course should be given both at the recruit and at the "in-service" training levels. It was felt that men being stationed here required no special qualifications except, as one policeman mentioned, "guts".

No language barriers were encountered at this detachment. It was felt that an Indian Special Constable would be of no benefit since he would experience too many conflicts of interest when dealing with people he knew personally. It was noted also that the Indians were aggressive towards "authority figures" and would not likely react any differently to an Indian in a position of authority.

It was the majority opinion that most Indians understood their legal rights and court procedures. A misunderstanding of the concept of "legal guilt" did not influence them when entering guilty pleas. Indians did not, generally commit offences during inclement weather to gain food and shelter through incarceration. Nor was this a means sought by the Indian Juvenile to escape the Indian reserve environment, but was used by many young Indians to raise their peer image. It was not known whether or not the Indians felt the Canadian

law to be foreign and consequently inapplicable to them. The Indians tended to be a close-knit community who did not welcome assistance from outside agencies, especially the police, and therefore were reluctant to report an offence, even if they were personally the victims. They feared repercussions from reporting on friends or family and preferred to handle these problems themselves. It depended on the nature of the complaint and the people involved whether or not the Indians were helpful to the police in their investigations.

There were native court counsellors and legal aid available to the Indian offenders. It was felt the court counsellors were helpful, not only to the Indians in explaining the court system and arranging for legal aid, but also to the police in their tasks. The concept of holding court on the Indian reserve was not well received by the policemen at this detachment. It was felt that the present court system was adequate for all Canadians and should not be partitioned for separate minority groups. The Divisional Police-Indian Liaison N.C.O. was thought to be a beneficial feature but the suggestion was made that the province is too large for only one man to serve adequately. The policemen were not in favour of a police commission or a citizens' committee as it was felt that the present procedural guidelines for lodging complaints against policemen were adequate and effective for all Canadian citizens.

The police presence on the reserve was mainly complaint oriented. Furthermore, the personal contact with the Indians primarily resulted from enforcement leading to charges, followed by counselling. It was felt that because of the frequency of patrols, the quick response to complaints combined with charges of police harassment by the Indians if over-policed, this reserve received adequate policing. It was agreed that the preventive police work done was effective in curtailing offences that may occur outside private homes but that this had a very limited effect on the majority of complaints which arose from offences committed within private dwellings. (i.e. stabbings, assaults) Preventive patrols were useful in developing good relations with the young Indian children but seemed to have no beneficial effect with the teenagers, who resented the police presence on the reserve.

Liquor played a very important role in the lifestyle of these Indians, leading the policemen to agree entirely that liquor was the basic cause for most complaints and that it was this problem that resulted in assaults, family disputes,

theft and wilful damage. The course taken by the police when an Indian was found intoxicated in town depended entirely upon the actions of the Indian concerned and his degree of intoxication.

Most of the policemen did not feel any apprehension when patrolling the reserve, but did take the extra precautions of reporting their whereabouts and locking the cars when out of them due to the fact that the Indians were unpredictable people.

The members here felt it was important to maintain a good working liaison with the Indian Band Council. It was thought to be beneficial in keeping the lines of communication open and helpful to the police in their role since the Band Council exerts some control on the reserve. The majority of the policemen knew the Band Council members, but indicated it was not important to know the Council's administrative function.

Police-Indian community relations programs were uniformly thought to be of some merit in developing mutual understanding and trust, but the members felt that most Indians are not interested in such programs. Two policemen were involved with sports activities and several others were interested in starting such programs with the Indian youth. However, it was noted that it was not the inception of such programs that was difficult, but the maintenance of good or any attendance by the Indians. The majority of the policemen stated that they had a good working relationship with only a small percentage of the Indian juveniles.

Indian education classes dealing with the Criminal Justice System would not interest the Indian people. It was further felt that there was no necessity to give preferential treatment in this regard to the Indian when the present educational channels are open to everyone. Consequently, no members were involved in such a program, nor was it felt should they be, as the responsibility lay with the Indian Affairs Department.

Most policemen found that their contact with Indians had increased their sensitivity towards understanding the Indians' social problems and limited goal opportunities in life.

The men at this detachment were divided in their opinion about policing another Indian reserve. Four members felt that it was no different policing reserve areas than any other area, that problems were generally similar. Conversely, four members

contended that they would not care to police another reserve as they found the work too depressing since it seemed to be an exercise in futility. The maximum length of stay desired was from one year to three years.

The general description given by the policemen of the Indians of this area was that they were poorly educated, seasonally employed but otherwise on welfare, had children poorly cared-for, were lazy, inadequately housed, drunk and dirty. The majority of the policemen furthermore, had the impression that most of the Indians did not respect police officers.

CASE 5POLICE AREA DESCRIPTION

1. Size of detachment area: 990 square miles
2. Geographical location: British Columbia
3. Size of Indian Reserves: a) 5000 square miles
b) 5656 square miles
4. Distances reserves from detachment:
 - a) 6 miles
 - b) 10 miles
5. Total Percentage of Man Hours Policing Reserve:
not supplied
6. Other: a) Reserves: wet
b) Indian Act not being enforced.

POLICE PERSONNEL

One sergeant, one corporal, five constables on detachment and one corporal and five constables on Highway Patrol (84.6% questionnaire response) are stationed at this detachment. The following is a description of the eleven police personnel who answered the questionnaire:

- a) Age: Maximum: 40 years
 Minimum: 21 years
 Average: 28.3 years

- b) Years of Service: Maximum: 20 years
 Minimum: 1 year
 Average: 8.1 years

- c) Years Policing Indian Reserve Areas:
 Maximum: 10 years
 Minimum: 9 months
 Average: 4.6 years

- d) Educational Standings Beyond Grade 12: 2 members

- e) Province of Origin: British Columbia
 Alberta
 Saskatchewan
 Manitoba
 Ontario

- f) Percentage of Time Spent Policing Reserve:
 N.C.O. i/c: 2%
 Other Members: 9.2%

- g) Contact With Indians Prior To Joining the Force:
 i) 6 members had "direct" contact: worked with
 Indians; went to school and played sports
 with Indians.
 ii) 3 members had "indirect" contact: noticed in
 town and intoxicated in city.
 iii) 2 members had no contact with Indians.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	1	21	22
2. Impaired Driving	12	88	100
3. Suspended Driving	2	9	11
4. B.E. and Theft	0	22	22
5. Theft Over	2	3	5
6. Theft Under	4	10	14
7. Common Assault	1	4	5
8. Assault Causing	1	4	5
TOTAL CHARGES	23	161	184
POPULATION	425	4500	4925
RATE/100 POPULATION	5.4	3.5	

Percentage Indian Charges To Total Charges: 12.5%

Percentage Population Indian: 8.62%

This detachment has an area encompassing 990 square miles and a reserve area of 10,656 square miles. The detachment and highway patrol members are responsible to police the Indian Reserves located 6 miles and 10 miles respectively from the detachment. There are approximately 83 Indians on one reserve and 342 on the other reserve with 4500 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 188 charges laid against residents, in the eight offence categories. Most of the charges were against non-Indians. However, when rates are computed the rate for the Indian population is greater than that for the non-Indian. Over 50% of the charges were for Impaired Driving violations. Liquor and B.E. and Theft constituted the second largest categories of offences for which charges were laid.

One policeman at this detachment received a course of instruction on the policing of Indians while attending recruit training. The eight-hour course entailed lectures by two native speakers on the state of reserves, ideals held by Indian people and what led them to crime. However, the course was found to be too short and too general to be of any benefit in the field. The majority of the policemen felt that a well-structured course should be given at the recruit and "in-service" training levels to help provide the policeman with greater insight and understanding of the problems of minority groups and how to best deal with them. However, they felt that policemen assigned to this detachment did not require any special qualifications.

There was no language barrier between the police and the Indians on this detachment. Because the Indian population was so small and the present Police-Indian rapport good, it was felt that a Special Indian Constable was unwarranted.

The Indians here knew their legal rights and the majority of them, especially the younger Indians, understood court procedure. The Indians did not plead guilty due to a misunderstanding of the concept of "legal guilt", nor did they commit offences during inclement weather to receive food and shelter through incarceration. Furthermore, incarceration was not used by the Indian juveniles as a means to escape the reserve environment. Very few of the Indians, it was contended, felt that Canadian law was foreign and should not apply to them. The Indians were found to readily report offences, even to the point of being chronic complainers, and were generally helpful to the policeman conducting an investigation.

Legal aid and native court counsellors were available to the Indian offenders. Since the counsellor's position was a relatively new one, no judgement could be made on its benefit to the people. The idea of holding court on the reserve was held to be ridiculous. In the opinion of the members, Indians must be treated in the same manner as all other Canadians and should not be segregated. The policemen felt the Police-Indian Liaison N.C.O. was of some benefit but all were against a police commission or citizens' committees as they felt the Indians must realize they cannot be afforded preferential treatment but may use the same channels available to all Canadians.

The police presence on these reserves was mainly complaint oriented. However, most of the personal police-Indian contact was made through sports activities. Because frequent patrols to the reserve were made and complaints were handled quickly and efficiently, the members felt the reserve to be receiving adequate policing. The majority of the policemen found the amount of preventive police work to be adequate and half of them thought it was beneficial for promoting better police-Indian relations through free-flow communication.

Liquor played an important role in the lives of the Indians since welfare money was easily obtained, unemployment was common and the Indians had too much idle time. Consequently, the policemen indicated that liquor was the root cause for most complaints. When an Indian was intoxicated in town he was dealt with in the same way as any other person, but the course of action depended entirely on the degree of intoxication.

Very few of the policemen felt any fear when patrolling the reserve or stopping a car driven by an Indian. However, the majority of them used extra precautions or different enforcement techniques in these situations because of the unpredictable nature of the Indian, their tendency to be excitable and resentful when drunk and because of the increasing number of newly militant Indians on the scene today. It was also noted that because of the ignorance and poverty of the average Indian, the policemen were instructed to be more liberal when enforcing laws.

The majority thought it beneficial to have a good working liaison with the Indian Band Council for the purpose of exchanging mutually valuable information about reserve people and activities and the police function in the community. Most men knew the members of the Council and thought it important to understand the Council's administrative function.

The policemen were in favor of police-Indian community relations programs. They felt them to be invaluable in developing communication, friendship and trust with the Indians, which in the end improves all spheres of policing. Most of the members are involved with such activities including an extensive sports program which is received well by the Indians. These policemen also had a good working relationship with most Indian juveniles.

The men here felt that no education classes dealing with the Criminal Justice System should be given exclusively to the Indians. It was their opinion that Indians, to be treated as equals, required no preferential treatment, and if interested, should use their own initiative in this matter. However, if such a course were given, the policemen thought it should be organized by the Indian court counsellors and the police should not be involved.

The majority of the men indicated that the policing of Indians had not affected them personally at all. Generally, they were also indifferent about policing another reserve and the suggested maximum posting at this detachment varied from one to four years.

These Indians were perceived to be poorly educated, on welfare when not seasonally employed, good natured, lazy (some), proud of their heritage, adequately housed and dressed, having well cared for children and in general having respect for the policemen.

CASE 6POLICE AREA DESCRIPTION

1. Size of detachment area: 625 square miles
2. Geographical location: British Columbia
3. Size of Indian Reserve: 48 square miles
4. Distance reserve from detachment: 6 miles
5. Total percentage of man hours policing reserve: 15%
6. Other: a) Reserve: wet
b) Indian Act not being enforced

POLICE PERSONNEL

Inspector autonomous detachment (35 policemen) with one sergeant and two constables (100% questionnaire response) who deal directly with the Indians at this detachment. The following is a description of the three police personnel who answered the questionnaire:

- a) Age: Maximum: 38 years
Minimum: 28 years
Average: 32.6 years
- b) Years of Service: Maximum: 19 years
Minimum: 2.5 years
Average: 10 years
- c) Years Policing Indian Reserve Areas:
Maximum: 8 years
Minimum: 6 years
Average: 7 years
- d) Educational Standing Beyond Grade 12: 1 member
- e) Province of Origin: Alberta
Ontario
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c: 1%
Other members: 20%
- g) Contact With Indians Prior to Joining the Force:
 - i) 2 members had "direct" contact: personal friends; worked with Indians.
 - ii) 1 member had "indirect" contact: noticed Indians in town or city.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	110	149	259
2. Impaired Driving	25	100	125
3. Suspended Driving	3	8	11
4. B.E. and Theft	24	52	76
5. Theft Over	0	3	3
6. Theft Under	12	24	36
7. Common Assault	3	13	16
8. Assault Causing	1	2	3
<u>TOTAL CHARGES</u>	178	351	529
<u>POPULATION</u>	224	21000	21224
<u>RATE/100 POPULATION</u>	79.46	1.67	

Percentage Indian Charges To Total Charges: 33.64%

Percentage Population Indian: 1.05%

This detachment has a 625 square mile policing area. Three detachment members are responsible to police the Indian Reserve located 6 miles from the detachment. There are approximately 224 Indians on the Reserve with 21,000 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 529 charges laid against residents, in the eight offence categories. Most of the charges were against non-Indians. However, when rates are computed the rate for the Indian population is greater than that for the non-Indian. The greatest number of charges were for violations of liquor laws. Impaired Driving constituted the second largest category of offences for which charges were laid.

There was only one policeman at this detachment who had received a course of instruction on the policing of Indians while attending his recruit training. The course, approximately four hours in duration, involved listening to a Saskatchewan Native Representative and was beneficial, depending upon the "type" of Indian the policeman dealt with. The policemen at this detachment felt that a training course on the subject of policing Indians should be given to members at the recruit and "in-service" training levels. Many policemen, it was contended, did not have a good working relationship with Indians and this may result from a lack of understanding and knowledge of the Indians on the policeman's part. Further, many policemen had never had any contact with Indians until their first transfer to a reserve area. The policemen also felt that no special qualifications or qualities were needed to police reserves.

The members here did not feel that there was a language barrier between themselves and the Indians. The majority of the policemen felt that an Indian Special Constable would not be an asset to the detachment as any problems the Indians found themselves in were usually within the town and not on the reserve. Also, an auxiliary Indian policeman had been employed at the detachment, but resigned due to the pressure exerted upon him from his own band members.

Most of these Indians had an understanding of their legal rights but not court procedure. They did not plead guilty to a charge as a result of misunderstanding the concept of "legal guilt". The Indians did not intentionally commit offences during inclement weather to gain food and shelter through incarceration although, some Indian juveniles did use incarceration as a means to extract themselves from the Indian reserve environment.

It was thought that some of the Indians felt the Canadian law to be "foreign" and should not apply to them due to their different way-of-life. The Indians on this reserve were reluctant to report an offence as they did not want to get involved and preferred to resolve the incident in their own way. However, the assistance given a policeman in the investigation of a complaint was dependent upon the nature of the complaint and whether the investigation would aid the Indians. If a warrant, however, had to be served, the policemen found it difficult to locate the subject.

There were native court counsellors and legal aid available to the Indian offenders here. The counsellors, it was felt, provided a valuable service as they helped the Indian offenders prepare court cases and familiarized them with the law. Holding court on the Indian reserve to subject the Indian offender to social pressure from his peers was thought to be a positive suggestion. Also, the holding of court on the reserve would afford the Indians the opportunity to familiarize themselves with the law and court procedure. The Divisional Police - Indian Liaison N.C.O. was thought to be a beneficial feature but the police were not in favor of a police commission or a citizens' committee being exclusively organized for Indians. The policemen contended that the Indians should not receive preferential treatment as being Canadian citizens, they should follow the same procedures that are made available to other segments of society.

The police presence on the reserve was primarily complaint oriented with the majority of police - Indian contact being the realm of enforcement leading to charge(s). The policemen felt that the reserve received as much, if not more policing than other ethnic groups within the community. Preventive patrols were usually maintained on a weekly basis as the Indians were usually in the town and, generally, did not want patrols to be made on their reserve on a frequent basis. Also, the work volume on the reserve was low as most of the offences committed by the Indians were in town. The majority of the policemen felt that preventive patrols were not effective as far as police - Indian relations were concerned. The Indians, it was contended, were suspicious of whitemen, especially policemen, and thus the communication with the police was generally within the realm of "why" the policemen were on the reserve.

The policemen indicated that most complaints on the reserve were liquor oriented, and that it was this alcohol problem that gave rise to most of the family disputes and

assaults. Liquor played an important role in the lifestyle of the Indians. The majority of them were intoxicated most of the time. The usual police response to an Indian found intoxicated in town was to arrest and detain until sober. The same procedure was followed for the intoxicated non-Indian.

The policemen did not feel apprehensive when patrolling the reserve, but indicated that different precautions and enforcement techniques were maintained as compared to the policing of the non-Indian community. Two man patrols were used on night complaints as more caution was generally required as Indians were aggressive when intoxicated, especially when in a group, and the Indians had access to firearms.

The policemen felt that they should have a good working liaison with the Indian Band Council for the purpose of increasing an understanding of mutual roles. The policemen did not know the Council members but felt it was necessary to know the Indian Band Councils' administrative function.

The policemen felt that police - Indian community relations programs were important for developing a better relationship and understanding between the Indian and the police thereby making a policeman's job generally easier. However, only one policeman was involved with communication meetings with the Indians. The Indians, it was contended, were not receptive to community programs and showed no initiative in organizing programs. However, one policeman felt that the police had not made any effort to organize programs. However, one policeman felt that the police had not made any effort to organize programs with the Indians. If the choice was theirs, the policemen would like to attend Band Council meetings to discuss problems related to law enforcement thereby creating a closer personal contact with the Indians. The majority of the policemen had a good working relationship with a small percentage of the Indian juveniles.

It was not thought that Indian education classes dealing with the Criminal Justice System should be given exclusively to Indians but made available to all segments of society. It was felt, however, that if these classes were to be given, they should be organized by the legal profession as lawyers are better qualified to give them.

In general, the policemen found the policing of Indians had not affected them personally as Indians were considered similar to any other group in society. With one exception, the policemen indicated that they would police another reserve as Indians are not a problem, as long as they are treated fairly. The desired length of posting here varied from a maximum of three to five years as the policemen enjoyed the area and the people.

The general picture that the policemen had of the Indians was that they were poorly educated, seasonally employed, on welfare, children poorly cared for, lazy, adequately housed and that most of the Indians had no respect for the police.

CASE 7POLICE AREA DESCRIPTION

1. Size of detachment area: 16,440 square miles.
2. Geographical location: British Columbia
3. Size of Indian Reserve: 700 acres
4. Distance reserve from detachment: 230 miles
5. Total percentage of man hours policing reserve: 2%
6. Other: a) Reserve: wet
b) Indian Act not being enforced.

POLICE PERSONNEL

One sergeant, one corporal, five constables and one corporal in charge of Marine Services (62.5% questionnaire response) are stationed at this detachment. The following is a description of the five police personnel who answered the questionnaire:

- a) Age: Maximum: 41 years
Minimum: 25 years
Average: 30.6 years
- b) Years of Service: Maximum: 21 years
Minimum: 4 years
Average: 10.4 years
- c) Years Policing Indian Reserve Areas:
Maximum: 14 years
Minimum: 1 year
Average: 8.3 years
- d) Educational Standing Beyond Grade 12: 0 members
- e) Province of Origin: B.C., Alta., Sask., Man.
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c: 2%
Other members: 2.75%
- g) Contact With Indians Prior To Joining the Force:
 - i) 3 members had "direct" contact: personal friends, went to school and worked with Indians.
 - ii) 2 members had no contact with Indians.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	0	21	21
2. Impaired Driving	0	79	79
3. Suspended Driving	0	2	2
4. B.E. and Theft	0	10	10
5. Theft Over	0	8	8
6. Theft Under	0	4	4
7. Common Assault	0	4	4
8. Assault Causing	not supplied	not supplied	not supplied
TOTAL CHARGES	0	128	128
POPULATION	200	8000	8200
RATE/100 POPULATION	0	1.6	

Percentage Indian Charges To Total Charges: 0%

Percentage Population Indian: 2.43%

This detachment area encompasses 16,440 square miles. The detachment members are responsible to police the Indian Reserve located 230 miles from the detachment, access being gained by aircraft during daylight hours. There are approximately 200 Indians on the reserve with 8000 non-Indians, in the remaining detachment area. During the period 1 JAN 74 through 31 DEC 74 there were a total of 128 charges laid against the non-Indian residents only, in the eight offence categories. Over 50% of the charges were for Impaired Driving violations. Liquor constituted the second largest category of offences for which charges were laid.

The policemen here had not received a course of instruction on the policing of Indians while attending their recruit training. Most of the men at this detachment felt that a training course on the subject of policing Indians should not be given to members. There were too many reserves, they explained, with different customs and unique problems, depending upon the degree of isolation of the reserve, to structure a comprehensive course on. The policemen also felt that no special qualifications were needed to police the Indian reserve here.

The policemen here did not feel that there was a language barrier between themselves and the Indians. Further, the majority of them felt that an Indian Special Constable would be an asset to the detachment as the reserve Indians might feel more at ease in his presence and communicate freely with him.

Most of the Indians had an understanding of their legal rights and court procedure. They did not plead guilty to a charge as a result of misunderstanding the concept of "legal guilt". The consensus of opinion was that the Indian did not intentionally commit offences during inclement weather to gain food and shelter through incarceration. Nor was it felt that evacuation was a means sought by the Indian Juvenile to rid himself of the reserve environment.

It was thought that very few of the Indians felt the Canadian Law to be "foreign" and should not apply to them due to their different way-of-life. The Indians on this reserve, the majority of the policemen contended, are reluctant to report an offence for fear of possible reprisal from the other Indian residents on the reserve. Also, as the reserve was such a distance from the detachment many of the Indians felt that they could cope with their own problems. However, the assistance given by the reserve residents in

the investigation of a complaint, was dependant upon the nature of the complaint.

There were no permanent native court counsellors but permanent legal aid was available to the Indian offenders here. Holding court on the Indian reserve to subject the Indian offender to social pressure from his peers was thought not be a practical concept as the reserve was too isolated and distant from the detachment. The Divisional Police-Indian Liaison N.C.O. was not thought to be a beneficial feature as one policeman could not, in 35 years, acquaint himself with all the problems on all of the reserves in British Columbia. The police are not in favour of a police commission or a citizens' committee. It is felt that the Indians should be left alone to live their lives in the way they so desire. If a commission was organized for Indians, however, the policemen indicated that commissions should then be organized for all minority groups.

The police presence on the reserve was primarily complaint oriented with the major police-Indian contact in the realm of enforcement leading to charge(s). Due to the remoteness of the reserve and since air transportation was required to travel there, the policeman felt that once a month preventive patrols did not permit the reserve to have adequate policing. However, the policemen felt that the preventive patrols that were done, were effective as far as police-Indian relations were concerned. Verbal communication and showing films to the Indians aided in creating this relationship.

The policemen agreed that most complaints on the reserve were liquor oriented. Liquor played an important role in the lifestyle of the Indians of this area as they were not interested in working and were living in a very isolated area. An Indian found intoxicated in town was usually arrested and detained until sober. This procedure was normally followed by the policemen as the Indian reserve was too distant to arrange for transportation home.

The policemen felt no apprehension when visiting the Indian reserve. Different precautions or different enforcement techniques were not taken by the policemen when on patrol in the reserve area.

The policemen felt that they should have a good working liaison with the Indian Band Council for the purpose of discussing many of the complaints that occur on the reserve.

Further, if the Council favours the police presence on the reserve, the entire reserve population would generally share that attitude. The majority of the policemen knew the members of the Band Council and felt it was necessary to know the Council's administrative function.

The policemen felt that police-Indian community relations programs were important for developing a mutual understanding between both parties. Further, the policemen can inform the Indians of the new methods and procedures of health and personal hygiene. However, none of the policemen were involved with such programs and did not know if the Indians would be receptive towards them. Most of the policemen felt they had a good working relationship with the majority of the Indian juveniles.

The majority of the policemen thought that Indian education classes dealing with the Criminal Justice System would be of benefit to the natives. It was felt that such courses would improve the Indians' knowledge of the entire system but that the policemen were not involved with the giving of such courses. If courses were organized, they should be given by lawyers contended the policemen.

In general, the policemen found the policing of Indians to have had no effect on them personally. Indians, it was contended, are similar to any other policing segment of society. The majority of the policemen had no desire to police another Indian reserve because it was felt to be an exercise in futility. The desired length of posting at this detachment varied from a maximum of one to four years.

The general picture that the policemen had of these Indians was that they were illiterate, poorly educated, on welfare, neglectful of their children, lazy, proud of their heritage and adequately housed. It was further indicated that the Indians here respected the police.

CASE 8POLICE AREA DESCRIPTION

1. Size of detachment area: 2000 square miles
2. Geographical location: British Columbia
3. Size of Indian Reserves: a) 10 square miles
b) Four are approximately $\frac{1}{4}$ square mile to 1 square mile
4. Distances reserves from detachment: Five reserves within a 20 mile radius
5. Total percentage of man hours policing reserves:
5% - reported that the majority of the Indian people reside in North Vancouver as North Vancouver is the main residential area for the North Shore Indians.
6. Other: a) Reserves: wet
b) Indian Act not being enforced.

POLICE PERSONNEL

One staff sergeant, two corporals and fourteen constables (88.2% questionnaire response) are stationed at this detachment. The following is a description of the fifteen police personnel who answered the questionnaire:

- a) Age: Maximum: 40 years
 Minimum: 19 years
 Average: 25.9 years

- b) Years of Service: Maximum: 16 years
 Minimum: 10 months
 Average: 5.9 years

- c) Years Policing Indian Reserve Areas:
 Maximum: 14 years
 Minimum: 3 months
 Average: 4.3 years

- d) Educational Standings Beyond Grade 12: 2 members

- e) Province of Origin: British Columbia
 Alberta
 Saskatchewan
 Manitoba
 Ontario
 Quebec

- f) Percentage of Time Spent Policing Reserves:
 N.C.O. i/c: not supplied
 Other Members: 8.9%

- g) Contact With Indians Prior To Joining The Force:
 i) 9 members had "direct" contact: personal
 friends; played sports with and worked
 with Indians.
 ii) 2 members had "indirect" contact: noticed on
 streets; noticed drunk on streets.
 iii) 4 members had no contact with Indians.

PROSECUTION STATISTICS: 1 JAN 73 - 1 JAN 74

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	1	63	64
2. Impaired Driving	6	143	149
3. Suspended Driving	2	10	12
4. B.E. and Theft	1	21	22
5. Theft Over	0	19	19
6. Theft Under	1	20	21
7. Common Assault	1	18	19
8. Assault Causing	(Listed	Under Common	Assault)
TOTAL CHARGES	12	294	306
POPULATION	200	14000	14200
RATE/100 POPULATION	6.0	2.1	

Percentage Indian Charges To Total Charges: 3.92%

Percentage Population Indian: 1.4%

The detachment has an area encompassing 2000 square miles. The policemen are responsible to police the Indian Reserves located within a 20 mile radius of the detachment. There are approximately 200 Indians dispersed over the 5 reserves and 1400 non-Indians in the remaining detachment area. During the period 1 Jan 73 through 31 Dec 73 there were a total of 306 charges laid against residents, in the eight offence categories. Most of the charges were against non-Indians. However, when rates are computed the rate for the Indian population is greater than that for the non-Indian. The greatest number of charges were for Impaired Driving violations. Liquor constituted the second largest category of offences for which charges were laid.

There were six policemen at this detachment who had received courses of instruction, varying from two to ten hours in length, on the policing of Indians, at the recruit training level. The courses, instructed by R.C.M.P. and Indian personnel, entailed lectures on the Indian Act and various Indian problems. Four of these men found the course to be of some benefit to them in the field, but the other two men thought the course to be too general to give any insight into the different situations and problems met in various areas. The majority of the men felt that a well-structured course of instruction should be given at both the recruit and "in-service" training levels. They felt it was important for policemen to know and understand the problems of the minority group in order to police effectively. However, the four men who had taken an "in-service" course on Indian problems and the role of the R.C.M.P. on the reserve indicated that actual experience with this situation was far more valuable than taking the course had been. Furthermore, it was agreed that no special qualifications were required to police effectively.

Although there was no language barrier between Indians and police, most of the members agreed that an Indian Special Constable would be a good liaison between the Indians and the police.

In the opinion of the policemen, the Indians understood their legal rights, but most did not understand court procedure as was also true for the non-Indians. The Indians did not tend to plead guilty through a lack of understanding of the concept of "legal guilt". These Indians did not intentionally commit offences in order to gain food and shelter through incarceration during cold weather, nor did the juveniles appear to seek incarceration as a means to escape their environment.

It was contended, however, that some of the Indians felt the Canadian law to be "foreign" to them and felt they should be exempted because of their different lifestyle. The members were divided in their opinion on the reluctance of Indians to report offences. Those that reported some reluctance cited the opinion that the Indians did not trust outsiders and preferred to look after their own problems. In most cases, whether or not the Indians co-operated with the police during the investigation of a complaint depended on the nature and seriousness of the complaint. The Indians were especially hesitant if the suspect was an Indian.

Legal aid and native court counsellors were available to the Indian offenders here. The counsellors were thought to be beneficial as, by helping the Indians with their problems, they gained their trust and respect. In the opinion and in one case, the experience of the policemen, to hold court on the reserve would only serve to further isolate the Indians from Canadian society rather than help them understand that as Canadian citizens they should abide by the laws of the country. The member having experience with this experiment found no results of a preventive nature accruing from it. The Police-Indian Liaison N.C.O. was thought to be an asset in B.C., but there was no need for a police commission or citizens' committee as the British Columbia Police Commission handled all complaints against policemen effectively and no preferential treatment was required by the Indians.

Complaint investigation resulted in most of the police presence of the reserve and the majority of the personal contacts were made in the course of enforcement leading to charges. Although preventive patrols were usually made only when answering a complaint, they were felt to be adequate, as most Indians resented police presence and most complaints were of a nature that was not curtailed by such patrols (i.e. assaults). There was some indication that such patrols did assist in developing better communication with the Indians. It was generally felt the reserve was efficiently served through prompt response to problems, as was the rest of the detachment area.

Because of their environment, lack of initiative and lack of a sense of responsibility, the Indians, it was contended, gave liquor an important role in their lives. It was this use of liquor that gave rise to most of the complaints stemming from the reserve, many of which were family disputes. No preferential or different treatment was given an Indian

intoxicated in town and the course of action taken depended upon the state of intoxication and the amount of potential for future trouble.

Four policemen indicated some degree of apprehension was felt when policing a reserve. Because some Indians, with weapons in their possession, had an inability to cope with alcohol, (one member had been threatened by drinking Indians) and because most Indians were unpredictable, the policemen felt some cause to fear for their safety. As a result, the extra precautions of using two man patrols and having back-up units available were taken when policing the reserve.

A good working liaison with the Indian Band Council was thought important as a means for gaining information and co-operation since the Council has complete control over the functions on the reserve. Maintaining a good relationship has preventive advantages because good police-Council communication tends to lead to good police-reserve communication. Although only two members knew all the Council members, it was unanimously agreed that it was important to know the Council's administrative function.

Police-Indian community relations programs were thought to be beneficial in improving co-operation, understanding and better liaison between both groups. The one policeman involved with sports programs with the Indians found them to be receptive to such activities. Sports activities, permanent Indian-liaison policemen and school police education programs were thought to be worthwhile programs for future implementation. The majority of the men stated that they had good working relationships with the majority of Indian juveniles.

It was the consensus of opinion that education classes on the Criminal Justice System were necessary to improve the Indians' understanding of how the system operates. However, none were involved in any such classes and it was felt that competent lawyers, teachers or Indians should organize and present the classes as the police have neither the time nor the manpower to do an efficient job of it.

Over half of the policemen indicated that policing Indians had not affected them at all as they were aware that each minority group possesses its own idiosyncrasies but

this did not change the fact that all groups must be treated equally. Because most of the men found the work to be interesting, and no different to policing non-Indian areas, they would not mind being stationed to another reserve detachment, and felt a three to five year term here was desirable.

The Indians in this area were perceived to be literate, though poorly educated, on welfare when not seasonally employed, good-natured but lazy, proud of their heritage, adequately housed and dressed, but poorly caring for their children. These Indians, it was felt, held policemen in respect.

CASE 9POLICE AREA DESCRIPTION

1. Size of detachment area: 70 square miles
2. Geographical location: British Columbia
3. Size of Indian Reserves: 600 acres
4. Distances reserves from detachment: 1 mile.
5. Total percentage of man hours policing reserves:
percentage varies considerably - approximately 8 hours
daily.
6. Other: a) Reserves: wet
b) Indian Act not being enforced

POLICE PERSONNEL

One staff sergeant, two sergeants, three corporals, eighteen constables and one Indian constable (60% questionnaire response) are stationed at this detachment. The following is a description of the fifteen police personnel who answered the questionnaire:

- a) Age: Maximum: 41 years
Minimum: 21 years
Average: 29.2 years
- b) Years of Service: Maximum: 22 years
Minimum: 6 years
Average: 8.5 years
- c) Years Policing Indian Reserve Areas:
Maximum: 21 years
Minimum: 1½ months
Average: 6.2 years
- d) Educational Standing Beyond Grade 12: 3 members
- e) Province of Origin: B.C., Alta., Sask., Man.,
Nova Scotia.
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c: not supplied
Other Members: 20.1%
- g) Contact With Indians Prior To Joining The Force:
 - i) 5 members had "direct" contact: school friends; played sports with and worked with Indians.
 - ii) 3 members had "indirect" contact: noticed Indians on streets and on reserves.
 - iii) 7 members had no contact with Indians.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	99	202	301
2. Impaired Driving	36	130	166
3. Suspended Driving	3	8	11
4. B.E. and Theft	14	21	35
5. Theft Over	3	12	15
6. Theft Under	26	90	116
7. Common Assault	6	35	41
8. Assault Causing	10	11	21
TOTAL CHARGES	197	509	706
POPULATION	2300	25000	27300
RATE/100 POPULATION	8.56	2.03	

Percentage Indian Charges To Total Charges: 27.9%

Percentage Population Indian: 8.42%

This detachment has an area encompassing 70 square miles. The detachment members are responsible to police the reserves located 1 mile from the detachment. There are a total of approximately 2300 Indians on the reserves with 25,000 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 706 charges laid against residents, in the eight offence categories. Most of the charges were against non-Indians. However, when rates are computed the rate for the Indian population is greater than that for the non-Indian. The greatest number of charges were for liquor violations. Impaired Driving constituted the second largest category of offences for which charges were laid.

Four policemen at this detachment received courses on policing Indians while attending recruit training. The courses, varying in length from two to twenty hours, were instructed by R.C.M.P. and Indian personnel and entailed lectures on the Indians' historical and cultural background, their social and legal problems, and their attitude towards the police. The opinion was divided as to whether or not the course had been beneficial. Eighty percent of the men felt that a well-structured course of this type should be given at recruit and "in-service" training levels as it was felt such a course would broaden understanding of the Indians' problems and behaviour leading to more efficient policing. However, of the two men who had taken a short "in-service" course on this subject, only one found it to be of any benefit. This course involved discussion of the Indian problems and the role of the R.C.M.P. on the reserve. It was agreed that no special qualities were required of policemen stationed to this detachment.

No language barrier existed between the police and the Indians on this detachment. They agreed that their Indian Special Constable was an asset as he was familiar with the reserve and its residents and maintained their respect.

The policemen here felt that most Indians did understand their legal rights and court procedure. There was little evidence that Indians plead guilty because of a misunderstanding of the concept of "legal guilt" and "innocence". There was no indication that Indians sought incarceration during inclement weather to obtain food and shelter or that Indian juveniles used this means to escape their environment. It was thought that some of the Indians did feel the Canadian law to be a "foreign" law and should not apply to them due to their different lifestyle. Most men did not find the

Indians reluctant to report offences, but whether or not they were cooperative depended entirely on the nature of the complaint, who was suspect and who was investigating.

Legal aid and a native court counsellor were available to Indian offenders here. The counsellor was thought to be very beneficial especially in his ability to explain the offender's situation to the court. It was the majority opinion that since neither Indians, nor any minority groups, should receive preferential treatment over other Canadians, there was no need to hold court on the reserves. The Indian Liaison N.C.O. in B.C. was thought to be effective, but since there is a Police Commission in British Columbia, no new police commissions or citizens' committees are required. The men felt that the organization of such groups would eventually lead to a double standard of justice - one for whites and one for Indians, with the policemen bearing the brunt of the "flack". It was also suggested that this would only serve to further segregate the Indians from Canadian society.

Complaints led to most of the police presence on the reserve and the primary personal Indian-police contact was made in conjunction with enforcement and counselling. Preventive patrols were done once a shift. Since the crime rate on these reserves was low because the Indians spent most of their time in town, this was felt to be adequate. These patrols were thought to be effective in gaining the confidence of the Indians through relaxed communication. In the opinion of the majority of the policemen, the reserves were receiving adequate policing.

Because of much idle time, the Indians here had generally developed a problem with liquor. It was this problem that was at the root of most complaints received from the reserve. The general policy for dealing with intoxicated Indians in town was to arrange transportation home if transportation was available.

Although none of the policemen indicated they felt apprehensive when patrolling the reserves, some did say that different precautions and enforcement techniques were used. For their own protection the men used two men per car and quicker back-up units along with extra care and discretion when handling Indian problems to prevent any complaints about police discrimination which, it was stated, the Indians were always ready to report.

The majority of the men felt that to have a good liaison between the police and the Indian Band Council was mutually beneficial. The Council members were seen to be an investigative aid, a source of information and a means through which greater mutual understanding and confidence could develop. In turn, the police assisted the Council with the administration of by-laws. Only half of the policemen knew the Band Council members but most felt it important to know its administrative function.

Police-Indian community relations programs were thought beneficial in developing trust, confidence and cooperation between the two groups. Three members were involved in activities such as baseball and helping organize a Friendship Centre, but it was not known just how receptive the Indians were to such programs. Some of the policemen were interested in organizing additional sports activities, a legal education course and one member suggested a course that would instruct the Indians in personal hygiene, self-education and improving their environment. Most of the policemen felt they had a good working relationship with most Indian juveniles.

It was felt by most that since it is every citizen's civic responsibility to become familiar with the laws of the land, and that Indians should not receive special treatment, any special Indian Education classes on the Criminal Justice System were unnecessary. None of the policemen were involved with such courses, and since policemen are not trained as educators and may not be accepted as such by the Indians, that any courses introduced should be handled by lawyers or some other independent agency.

Half of the policemen found it to be very demoralizing to police Indians who had no pride or self-esteem, who refused to learn from their mistakes, who would not help themselves or make plans for the future and who only seemed interested in vanilla, women and good times. The rest of the men found this experience had no effect on them personally. The men were also divided in their attitudes about policing another reserve area. Half did not wish to because they found their work not only unsatisfying, but an exercise in futility. The other men felt no major problems arose when policing Indians. Because most of the men liked the area, people and experience, they preferred to remain there from two to five years.

The Indians in this area were generally judged to be literate, though poorly educated, on welfare when not seasonally employed, good natured but lazy, neglectful parents, inadequately housed, adequately dressed and strong in their cultural ties to each other. Additionally, most of the policemen thought they were respected by most Indians.

CASE 10POLICE AREA DESCRIPTION

1. Size of detachment area: 150 square miles
2. Geographical location: Alberta
3. Size of Indian Reserve: 200 square miles
4. Distance reserve from detachment: 10 miles
5. Total percentage of man hours policing reserve: 25%
6. Other: a) Reserve: dry
b) Indian Act not being enforced

POLICE PERSONNEL

One staff sergeant, two corporals and ten constables (61.5% questionnaire response) stationed at this detachment. The following is a description of the eight police personnel who answered the questionnaire:

- a) Age: Maximum: 31 years
 Minimum: 20 years
 Average: 24.3 years

- b) Years of Service: Maximum: 9½ years
 Minimum: 1 year
 Average: 4.8 years

- c) Years Policing Indian Reserve Areas:

 Maximum: 8 years
 Minimum: 10 months
 Average: 3.9 years

- d) Educational Standing Beyond Grade 12: 1 member

- e) Province of Origin: B.C., Sask., Ont., Nova Scotia.

- f) Percentage of Time Spent Policing Reserve:

 N.C.O. i/c: not supplied
 Other Members: 68%

- g) Contact With Indians Prior To Joining The Force:

 i) 1 member had "direct" contact: worked with
 Indians.

 ii) 6 members had no contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	214	74	288
2. Impaired Driving	25	74	99
3. Suspended Driving	4	3	7
4. B.E. and Theft	2	6	8
5. Theft Over	0	0	0
6. Theft Under	7	7	14
7. Common Assault	4	0	4
8. Assault Causing	3	0	3
<u>TOTALS</u>	<u>259</u>	<u>164</u>	<u>423</u>
<u>POPULATIONS</u>	<u>1600</u>	<u>9000</u>	<u>10600</u>
<u>RATE/100 POPULATION</u>	<u>16.18</u>	<u>1.82</u>	

Percentage of Indian Charges To Total: 61.22%

Percentage of Total Population Indian: 15.09%

This detachment encompasses 350 square miles. The detachment members are responsible to police the Indian Reserve located 10 miles from the detachment. There are approximately 1,600 Indians on the Indian Reserve with 9,000 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 423 charges laid against residents, in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. Over 50% of the charges were for violations of liquor laws. Impaired Driving constituted the second largest category of offences for which charges were laid.

The policemen at this detachment had not received a course of instruction on the policing of Indians while attending their recruit training. The majority of the policemen, however, felt that such a course should be given at either the recruit or provincial "in-service" training levels. The course would give policemen some insight and understanding, prior to being transferred into a reserve, of the many daily problems Indians were confronted with and the difficulties policemen had when in contact with this troubled ethnic group. Also, the Indian race was unique as it had a different social and economic base. Knowing and understanding the social, economic and Indian customs would aid a policeman in resolving Indian family problems and disputes. The remaining policemen disagreed, indicating that a course could not be so structured as many reserves had different customs and cultures. Further, it was suggested that experience with Indians was the better teacher. One policeman had taken a course at the provincial "in-service" training level given by R.C.M.P. native and government personnel. As a result of knowledge gained from the course on the amount of money that was spent on Indians, the policeman now finds himself less tolerant with them. The Indians, he indicated, received ample financial assistance yet many of them still display little initiative to improve their own status. A policeman being transferred to this detachment does not require special qualifications or qualities to work with the Indians.

The policemen contended that there was not a language barrier between themselves and the Indians. However, an Indian Special Constable would be an asset to the detachment as he would be able to communicate fully with the Indians. Also, the Constable would be beneficial as he could investigate many of the minor complaints and would

know where to locate certain Indians for investigative purposes.

Most of the Indians understood their legal rights and court procedure. The Indians did not plead guilty to a charge as a result of misunderstanding the concept of "legal guilt". The Indians, it was contended, did not intentionally commit offences during inclement weather to gain food and shelter through incarceration. Nor was it felt that incarceration was a means sought by the Indian juvenile to rid himself of the reserve environment.

It was thought that very few Indians here felt the Canadian law was a "foreign" law and should not apply directly to them. The Indians on this reserve were not reluctant to report an offence. In fact, contended the policemen, the Indians were frequent complainers, but would seldom lay a charge against one of their own people, as they lived in a close-knit community containing friends and relatives. The reasons for reporting an offence, therefore, was to have a troublemaker temporarily removed. The assistance given to an investigating policeman on the reserve depended entirely upon the nature of the complaint. However, the Indians generally had seen nothing, had heard nothing and said nothing.

There were native court counsellors and legal aid available to the Indian offenders at this detachment. The counsellors, contended the policemen, were beneficial as they explained court procedure, spoke on behalf of the Indian offenders and attempted to get Indian alcoholics into treatment centres. Holding court on the Indian reserve to subject the Indian offender to social pressure from his peers was generally thought to be an unsound concept. The Indian offender was presently being judged by his peers, in the present court system, without positive results. As Canadian citizens, they should use the same services available for all ethnic groups. Alberta did not have a Divisional Police-Indian Liaison N.C.O. but the consensus of police opinion was that it would be beneficial to have one. The majority of the policemen did not favour a police commission or citizens' committee. It was felt that the R.C.M.P. had an adequate system for internal investigations and that most Indian complaints were petty in nature. As it was, policemen had enough pressure upon them from courts and lawyers.

The police presence on the reserve was mainly complaint oriented with the major police-Indian contact being in the realm of enforcement leading to charge(s). Preventive patrols were made more than once a shift and the policemen contended

that the reserve received adequate policing. In fact, the Indians demanded prompt police response and patrols were maintained day and night. The amount of preventive patrolling was more than adequate, contended the policemen, as the majority of the complaints involved drinking in homes and preventive patrols cannot deter that activity. Preventive patrols were not effective for enhancing police-Indian relations, indicated the majority of the policemen, as they did not have the time available to speak to the Indian residents. Also, the Indians did not like the policemen on the reserve and preferred to drink. Consequently, speaking or reasoning with the Indians was a waste of a policeman's time.

The policemen agreed that most complaints on the reserve were liquor oriented. Liquor played an important role in the lifestyle of the Indians. In fact, many of the Indians were alcoholics. The reaction to an Indian found intoxicated in town was to arrest and detain until sober. The reasons for this police action was that transportation home could not be found for the intoxicated Indian and that they usually impeded and molested other people on the streets. Also, the non-Indian residents and Indian residents on the reserve expected the policemen to remove intoxicated people from public areas.

Five policemen felt apprehensive when patrolling the reserve alone as intoxicated Indians were hostile and tended to "gang-up" on a lone policeman. Offences involving firearms and knives were on the increase on the reserve. Indians seemed to have no value for life or property and felt that the policemen were intruders. Consequently, the policemen indicated that different precautions and enforcement techniques were used on the reserve as compared to the non-Indian community. The precaution of two men per car was followed for self-protection and the policemen felt that more discretion was used when dealing with the Indians as compared to non-Indians.

The policemen felt that they should have a good working liaison with the Indian Band Council as the Council was the contact that the police could use to pass suggestions for change onto the Indian reserve inhabitants. It also was a good investigative aid. The majority of the policemen knew the Council members and indicated that it was important to know the Council's administrative function.

Police-Indian community relations programs were important for developing personal respect between both parties and for helping the Indians develop greater knowledge about the laws of the country. However, it was mentioned that the Indians showed little initiative towards developing programs and were not motivated towards helping themselves. Two policemen were involved with sports programs for the Indians and indicated that the Indians were not generally receptive towards such programs. Four policemen would, however, like to organize sports and education courses for Indian youth and appoint a detachment police-Indian liaison policeman whose sole purpose would be to organize such programs. The majority of the policemen felt they had a good working relationship with the majority of the Indian juveniles.

It was thought that Indian education classes dealing with the Criminal Justice System were not necessary as there were native court counsellors and legal aid available to the Indians for consultation. Also, the Indians should not receive preferential treatment over non-Indian residents. None of the policemen were involved with such programs and indicated that the responsibility of giving them should lie with another government agency as policemen were too busy, were not educators and were enforcement oriented.

Five policemen found the policing of Indians to have had a demoralizing effect on them personally. The factors leading to this reaction was that the policemen were dealing with constant drunken Indians who had no "willpower" for self-improvement. Further, the Indians neglected their children and abused everything, from education to houses, that was given to them. The remaining policemen felt that the policing of Indians had not affected them at all. With three exceptions the policemen indicated that they would police another reserve. The desired length of posting at this detachment varied from a maximum of two to six years as the policemen enjoyed the area and variety of police work.

The general picture that the policemen had of these Indians was that they were poorly educated, on welfare, poor financially, inadequate parents, lazy, adequately housed and jobless because the government gives them money. The policemen contended that most of the Indians respected them.

CASE 11POLICE AREA DESCRIPTION

1. Size of detachment area: not known
2. Geographical location: Alberta
3. Size of Indian Reserve: not known
4. Distance Reserve from detachment: detachment on
reserve
5. Total percentage of man hours policing reserve: 70%
6. Other: a) Reserve: wet
b) Indian Act being enforced -
Section 97: intoxicated on
a reserve.

POLICE PERSONNEL

One corporal and two constables (33.3% questionnaire response) are stationed at this detachment. The following is a description of the one police personnel who answered the questionnaire:

- a) Age: 33 years
- b) Years of Service: 13 years
- c) Years Policing Indian Reserve Areas: 6 years
- d) Educational Standing Beyond Grade 12: 0 members
- e) Province of Origin: British Columbia
- f) Percentage of Time Spent Policing Reserve: 70%
- g) Contact With Indians Prior To Joining The Force:
 - i) 1 member had "direct" contact:
personal friends.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	37	5	42
2. Impaired Driving	5	0	5
3. Suspended Driving	2	0	2
4. B.E. and Theft	23	0	23
5. Theft Over	1	1	2
6. Theft Under	1	1	2
7. Common Assault	23	0	23
8. Assault Causing	11	1	12
TOTALS	103	8	111
POPULATIONS	850	850	1700
RATE/100 POPULATION	12.11	.94	

Percentage of Indian Charges To Total: 92.79%

Percentage of Total Population Indian: 50%

The detachment members are responsible to police the reserve on which it is located. There are approximately 850 Indians on the reserve with 850 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 111 charges laid against residents, in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. The greatest number of charges were for violations of liquor laws. B.E. and Theft and Common assault constituted the second largest category of offences for which charges were laid.

The one policeman, who answered the questionnaire, had not received a course of instruction on the policing of Indians while attending his recruit training. He did, however, indicate that such a course should be given at either the recruit or provincial "in-service" training levels. The course would give policemen a better understanding of Indian problems, thereby ensuring that the average policeman would have a more positive attitude toward the Indians. The policeman had taken a two day course, at the provincial "in-service" training level, given by Indian and R.C.M.P. personnel. The course had not changed the policeman in his approach to the Indians as he felt that he had had a good working relationship with Indians throughout his service. A policeman being transferred to this area should be a patient, understanding person when dealing with Indians.

The policeman contended that there was a language barrier between himself and the Indians. This language difficulty became apparent when the Indians were in the courtroom and when he attempted to communicate with older Indians. An Indian Special Constable would therefore be an asset to the detachment to alleviate the language difficulty, and also the band would respect and be proud of him.

Most of the Indians did not understand their legal rights and court procedure. However, they did not plead guilty to a charge as a result of misunderstanding the concept of "legal guilt". On the contrary, if an Indian did not understand the charge, the Judge would either reserve plea or enter a plea of "not guilty" on his behalf. The Indians, it was contended, did not generally commit offences during inclement weather to gain food and shelter through incarceration. Some of the Indian juveniles, however, did use incarceration as a means to extract themselves from the reserve environment.

It was thought that most Indians on the reserve felt the Canadian law was a "foreign" law and should not apply directly to them. Some of the Indians on this reserve were reluctant to report an offence but it depended entirely the personality of the Indian, contended the policeman. Certain Indians did not want to get involved with the police while others not only did not hesitate in reporting an offence, but expected an immediate police response. The assistance given to an investigating policeman on the reserve depended entirely upon the nature of the complaint. If the complaint was minor, the Indians were not helpful. If serious, however, the Indians would "point a finger" at the offender to lead the policeman away from themselves.

There was a native court counsellor and legal aid available to the Indian offenders here. The counsellor, contended the policeman, was not very beneficial as he was Métis and could not speak the Indian language. The policeman indicated that court was held in the Band Administration Building and that numerous Indians were present and took an interest in the proceedings. Word spread quickly when an Indian was sentenced to jail or fined. The policeman felt the court was an educational experience for the Indians but did not necessarily reduce the number of Indian offences. The policeman felt that the Province of Alberta should have a Police-Indian Liaison N.C.O. and favored the organizing of a police commission or citizens' committee. If a complaint was lodged against a policeman by an Indian the Band Council should be given all the pertinent information involved in the complaint and not just that information supplied by the complainant.

The police presence on the reserve was primarily preventive in nature with the major police-Indian contact being in the realm of counselling and police-Indian relations. Preventive patrols were made once a shift and the policeman contended the reserve received adequate policing, as the detachment was on the reserve. Increasing preventive patrols, however, would greatly enhance police-Indian relations. The policeman felt that the preventive patrols that were done were effective for increasing police-Indian relations. This was accomplished by talking to the Indians about matters not pertaining to offences.

Most complaints on the reserve were related to liquor. The policeman felt that liquor played an important role in the lifestyle of the Indians. All of the Indians' spare money went towards purchasing it. The reaction to an Indian

found intoxicated in town was to arrest and detain until sober. The reason for this action was that the intoxicated Indian usually returned home; caused trouble and the police would then have to respond.

The policeman felt no apprehension when patrolling the reserve alone. Different precautions or enforcement techniques were not taken or used when patrolling the reserve. The same policing policy was followed for the Indian and non-Indian communities.

The policeman indicated that a good working liaison with the Indian Band Council was important to have as the Council had the respect of the entire tribe. The Band Council members were known by the policeman and he felt that it was important to know the Council's administrative function.

Police-Indian community relations programs were important for developing respect and trust between both parties. The policeman was involved with sports programs for the Indians and indicated that the Indians were receptive to them. A program that the policeman would like to organize, if the choice was his, was a "law and its meaning" discussion group composed of policemen, Indians and native court counsellors. The policeman had a good working relationship with the majority of the Indian juveniles.

It was thought that Indian education classes dealing with the Criminal Justice System would be beneficial. Although the policeman was not involved with such classes, he felt they should be organized and be given by both policemen and lawyers.

The policing of Indians had increased the policeman's sensitivity toward them. He indicated that he had gained considerable knowledge and an understanding of different tribes in various geographical locations within the Province. The policeman would police another reserve as he felt he understood the Indian people.

The general picture that the policeman had of the Indians was they they are on welfare, lazy and respect the members of the R.C.M.P.

CASE 12POLICE AREA DESCRIPTION

1. Size of Detachment Area: 1088 square miles
2. Geographical Location: 50 miles east of Calgary
3. Size of Indian Reserve: 174,600 acres
4. Distance Reserve From Detachment: 3/8 of a mile
5. Total Percentage of Man Hours Policing Reserve: 67%
6. Other: a) Reserve: Wet
b) Indian Act not being enforced

POLICE PERSONNEL

One sergeant, one corporal and eight constables (80% questionnaire response) stationed at this detachment. The following is a description of the eight policemen who responded to the questionnaire:

- a) Age: Maximum: 40 years
Minimum: 21 years
Average: 28.5 years
- b) Years of Service: Maximum: 20 years
Minimum: 14 months
Average: 6.17 years
- c) Years Policing Indian Areas:
Maximum: 7 years
Minimum: 7 months
Average: 2.4 years
- d) Educational Standing Beyond Grade Twelve: 1 member
- e) Provinces of Origin: B.C., Alta., Sask.
- f) Time Spent Policing Reserve:
N.C.O. i/c - 80%
Other Members: 89%
- g) Contact With Indians Prior to Joining Force:
 - i) 8 members had "direct" contact - Indian friends; played sports with Indians; worked with Indians and went to school with Indians.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	171	33	204
2. Impaired Driving	47	30	77
3. Suspended Driving	7	0	7
4. B.E. and Theft	18	0	18
5. Theft Over	2	0	2
6. Theft Under	16	0	16
7. Common Assault	18	0	18
8. Assault Causing	4	0	4
TOTAL CHARGES	283	63	346
POPULATION	2800	3213	
RATE/100 POPULATION	10.10	1.96	

Percentage of Indian Charges To Total: 81.79%

Percentage of Total Population Indian: 46.56%

This detachment has an area encompassing 1088 square miles. The detachment members are responsible to police the Indian Reserve located 3/8 of a mile from the detachment. There are approximately 2800 Indians on the Indian Reserve with 3213 non-Indians in the remaining detachment area. During the period 1 JAN 74 through 31 DEC 74 there were a total of 346 charges laid against residents, in the light offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. Over 50% of the charges were for violations of liquor laws. Impaired Driving constituted the second largest category of offences for which charges were laid.

Two of the policemen here had taken a four hour course during their recruit training that was given by R.C.M.P. and Indian personnel and which covered the topics of native problems, police involvement in the community and resource social agencies. One man felt the course helped prepare him for his posting but both men found experience to be the better teacher. Most of the members thought it important that an extensive well-structured course on policing of Indian people be given at both the recruit and "in-service" training levels. It was suggested that such a course should serve to make the policeman more aware of Indian problems and their causes, Indian behaviour and reasons for it and the fact that there are two sides to every story. Two of the men had attended a short lecture course at the in-service level given by people from the university, Indian Affairs and Indian organizations and, although one man thought it to be of some minor benefit, felt it had not altered his dealing with Indians. Most of the policemen felt that men being transferred to this detachment should have a great deal of patience, a lack of prejudice and some understanding of the situation they are coming into.

The men found that there was a language barrier between the Indians and the police and that the Indians tended to use this barrier to their own advantage, leading to a lack of co-operation with the police. Most agreed that an Indian Special Constable would be beneficial in removing this language problem, in assisting investigations and in gaining the confidence of the Indians.

Although it was felt that most Indians understood their legal rights and did not tend to plead guilty because of ignorance of the concept of "legal guilt" and "innocence", it

was also evident that most did not understand court procedure. Incarceration did not seem to be used by the Indians as a source of food and shelter during cold weather, nor was it used by Indian juveniles as a means of escaping their environment. The policemen indicated that some of the Indians on the reserve did think Canadian law to be foreign to the Indian people and felt they should be exempt from it. The Indians were not reluctant to report offences but whether or not they were co-operative with investigating policemen depended on the nature of the complaint, who was involved and who was questioned.

Legal aid and native court counsellors were available to the Indian offenders here. In the opinion of the policemen, the court counsellors provided a beneficial service by arranging for legal aid, counselling the offenders and speaking on their behalf in court. Most of the members were not in favour of reserve courts. Here, the court is directly across the tracks from the reserve and deals almost exclusively with Indians but shows no signs of reducing crime by the creation of social pressure on the offenders. It was felt that a Divisional Indian Liaison N.C.O. would be ineffective because the size of the province would prevent the development of the mutual familiarity and trust between himself and the people that is essential for success. The detachment N.C.O. is better known and better qualified to handle this position in his own area. The policemen agreed that the present system for dealing with complaints against policemen was very fair and adequate, leaving no necessity for further police commissions or citizens' committees.

The major police presence on the reserve is a result of complaints and most personal police-Indian contact is made in the course of law enforcement.

As the reserve here was heavily patrolled by both R.C.M.P. and Tribal police, it was thought to be receiving adequate policing. Preventive patrols, made several times a day, helped to reduce possible wilful damage, theft and impaired driving offences and also provided a good opportunity to promote friendly Indian-police relations.

In the opinion of the policemen, liquor seemed to be all the Indians lived for and was the major cause of complaints received. If an Indian was found intoxicated in town, he was usually arrested and detained until sober for his own protection and for the prevention of future trouble he may cause if returned to the reserve.

None of the policemen felt apprehensive about patrolling the reserve, but different precautions were taken, as compared to the non-Indian community. Two man patrols were used at night for self-protection from the violent nature of most complaints.

The policemen thought it important to have a good working liaison with the Indian Band Council. The Council was a good source of information about reserve residents and activities and provided a means for further developing mutual understanding between the Indians and the police. All of the men knew the members of the Band Council and most felt it important to know the Council's administrative function.

Police-Indian community relations programs were judged important for establishing a line of communication and understanding between both parties, thus helping to alleviate many problems on the job. Five members were involved with programs varying from sports activities to social service committees, giving talks at schools and attending social functions. In general, the Indians appeared to be receptive to these programs, but did not want "whiteman's" ideas and courses thrust down their throats. A manpower shortage was preventing the implementation of such desired programs as driver training, youth groups and linguistic classes. Most of the men felt they had a good working relationship with the Indian juvenile.

The policemen thought it would be beneficial to have classes on the Criminal Justice System organized to give the Indians a greater insight into the formulation of laws and the formality of court procedure. They thought that such classes should be given by lawyers, through the school system or by members of the Band Council.

Most of the policemen here felt that working with Indians had been a rewarding experience or had increased their sensitivity to the problems Indians face and their understanding of Indian behaviour. Most found the work interesting and diversified. These men would not mind policing another reserve. However, two members found the situation too demoralizing and futile and preferred non-Indian detachments. The length of posting suggested varied from one to five years with the reasons varying from "too demoralizing" to "the longer the stay, the greater the success".

The majority of the policemen perceived these Indians to be generally literate, seasonally employed or on welfare, good natured but lazy, proud of their heritage, adequately housed

and neglectful of their children. It was thought that most Indians did respect the R.C.M.P.

CASE 13POLICE AREA DESCRIPTION

1. Size of Detachment Area: 538 square miles
2. Geographical Location: Alberta
3. Size of Indian Reserve: 144 square miles
4. Distance Reserve From Detachment: 8 miles
5. Total Percentage of Man Hours Policing Reserve: 60%
6. Other:
 - a) Reserve: wet
 - b) Indian Act not being enforced.

POLICE PERSONNEL

One sergeant, one corporal and seven constables (66.6% questionnaire response) stationed at this detachment. The following is a description of the six police personnel who answered the questionnaire:

- a) Age: Maximum: 39 years
 Minimum: 22 years
 Average: 29.3 years

- b) Years of Service: Maximum: 21 years
 Minimum: 1 year
 Average: 9 years

- c) Years Policing Indian Reserve Areas:
 Maximum: 7 years
 Minimum: 7 months
 Average: 3.1 years

- d) Educational Standing Beyond Grade 12: 2 members

- e) Province of Origin: British Columbia
 Saskatchewan
 Manitoba
 Ontario

- f) Percentage of Time Spent Policing Reserve:
 N.C.O. i/c: 50%
 Other members: 51%

- g) Contact With Indians Prior To Joining The Force:
 - i) 2 members had "direct" contact:
 personal friends; played sports;
 worked with Indians.

 - ii) 4 members had no contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	460	300	760
2. Impaired Driving	23	68	91
3. Suspended Driving	4	5	9
4. B.E. and Theft	10	25	35
5. Theft Over	1	6	7
6. Theft Under	7	21	28
7. Common Assault	24	15	39
8. Assault Causing	5	3	8
TOTALS	534	443	977
POPULATION	900	15,000	15,900
RATE/100 POPULATION	59.33	2.95	

Percentage of Indian Charges To Total: 54.65%

Percentage of Total Population Indian: 5.66%

This detachment has an area encompassing 538 square miles. The detachment members are responsible to police the Indian Reserve located 8 miles from the detachment. There are 900 Indians on the Indian Reserve with 15,000 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 977 charges laid against residents, in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. Over half of the charges were for violations of liquor laws. Impaired Driving constituted the second largest category of offences for which charges were laid.

Three policemen at this detachment had taken a course, at the recruit level, on the policing of Indians. The course varied from one to twelve hours in length, and involved lectures by Indian people on how the Indians are mistreated in today's society. One member felt the course helped prepare him for his transfer to an Indian area detachment but the other two felt the hypocrisy of the instructor and the shallowness of the course only served to further alienate their sympathies toward the Indians' plight. Most of the men felt that no such courses would be helpful to the policemen, but if they were given, should cover all Canadian minority groups. Two policemen had taken a two day course at the "in-service" level given by Indian Affairs personnel which dealt with Indian culture and problems. However, both men felt the course had had no effect on the way they policed Indians. It was contended that a policeman being transferred to this detachment should be patient and be able to treat Indians as equals.

No language difficulty was encountered with the Indians of this area but the men were divided in their opinion of what benefits would be afforded by an Indian Special Constable. Half of the men thought he would provide a valuable service by easing communication and by giving the Indians an authority figure to whom they could relate. In opposition, the other men felt that such a constable would be ineffective and constantly faced with conflicts of interest.

The Indians seemed to understand their legal rights, court procedure and the concept of "legal-guilt" and "innocence". These people did not intentionally commit offences during poor weather in an attempt to gain food and shelter through incarceration, nor did the Indian juvenile use this means to escape the reserve environment.

Very few of the Indians were thought to consider Canadian law to be "foreign" to them and their way of life. They were not reluctant to report offences but their co-operation in investigations depended on the nature of the complaint and who was involved.

Legal aid and native court counsellors were available to Indian offenders here. The court counsellors were thought to need more training, but were helpful in arranging legal aid for offenders and as interpreters in court. The policemen felt that to hold court on the reserve would have no preventive effects as no such evidence is present now even though Indians frequent the courts considerably. The present system was seen to be adequate and the men were against preferential treatment for the Indians. The men felt that a Divisional Indian Liaison N.C.O. would not be effective because of the size of the province and the detachment members were sufficiently qualified to handle their own detachment complaints. They also considered the present system for receiving complaints against policemen to be adequate and saw no necessity for police commissions or citizens' committees. Besides, it was felt that as soon as special services were organized for Indians, they would feel discriminated against.

Most of the police presence on the reserve is the result of complaints and the majority of the police-Indian contact was made in conjunction with enforcement and counselling. Due to a shortage of manpower, most members thought the reserve was not receiving adequate policing. Preventive patrols were usually made on a weekly basis and this was thought to be adequate because of the fact that most complaints were received at night and were of a nature not easily prevented. These patrols were also thought to be useful in narrowing the communication gap between Indians and the police.

It appeared to the policemen that everything the Indians did hinged on their ability to acquire liquor and remain intoxicated. Most of the Indians' welfare payments were spent on liquor, leaving little left for the provisions of a decent lifestyle. Liquor was related to almost all complaints received from this reserve. Indians found intoxicated in town were arrested and detained until sober to prevent them from causing any future trouble.

None of the policemen felt any apprehension when patrolling reserves but most indicated that the extra precaution of two man patrols, not needed in the non-Indian community, was taken during the evening to avoid confrontation situations with groups of intoxicated Indians.

The Indian Band Council acted as the spokesman for the reserve residents and the police felt it was important to have a good working liaison with them so that any problems or information could be transmitted both ways. Most of the members knew the Band Council and felt it was also important to know its administrative function.

Police-Indian community relations programs were thought to be important for providing friendly personal contact and increased co-operation between both parties. One man was involved in such a sports program and found the Indians to be receptive towards it. One member was interested in seeing an alcoholic rehabilitation program, a private reserve police force and permanent reserve counsellors introduced here. The policemen felt they had a fairly good working relationship with Indian youth.

As Indians have the same chance as everyone else to learn about the Criminal Justice System, and haven't done so, it was thought to be apparent that they had no interest in the subject, making it senseless to introduce any such educational program. However, if such classes were to be introduced, some agency other than the police should be responsible for them.

Almost all of the policemen found their policing experience to be very demoralizing. Working with Indians was said to be an exercise in futility because of the impossibility of helping people who don't wish to help themselves. However, most indicated they would accept another reserve posting because it was felt that nothing was gained by avoiding the problem and there was a good variety of work. The ideal length of posting here ranged from "never" to five years with such reasons as work variety, deplorable conditions and pleasant location cited.

In the opinion of the policemen, Indians here were generally poorly educated, on welfare when not seasonally employed, good natured but lazy, neglectful of their children, adequately dressed and housed but not interested in home maintenance or repair. Furthermore, most of these Indians appeared to have some respect for the members of the R.C.M.P.

CASE 14POLICE AREA DESCRIPTION

1. Size of Detachment Area: 1392 square miles
2. Geographical Location: Alberta
3. Size of Indian Reserve: 525 square miles
4. Distance Reserve from Detachment: 20 miles to main
townsite
5. Total Percentage of man hours policing reserve: 80%
6. Other: a) Reserve: wet
b) Indian Act not being enforced

POLICE PERSONNEL

One staff sergeant, two corporals and seventeen constables (60% questionnaire response) stationed at this detachment. The following is a description of the twelve policemen who responded to the questionnaire:

- a) Age: Maximum: 36 years
Minimum: 21 years
Average: 26.5 years
- b) Years of Service: Maximum: 18 years
Minimum: 10 months
Average: 6.31 years
- c) Years Policing Indian Areas: Maximum: 9 years
Minimum: 5 months
Average: 3.49 years
- d) Educational Standing beyond grade twelve: 3 members
- e) Provinces of Origin: B.C., Sask., Man., Ontario.
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c: not supplied
Other Members: 84%
- g) Contact with Indians Prior to Joining Force:
 - i) 2 members had "direct" contact: worked with Indians; personal friends; went to school with Indians.
 - ii) 4 members had "indirect" contact: noticed on streets and in stores.
 - iii) 6 members had no previous contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	2186	24	2210
2. Impaired Driving	122	21	143
3. Suspended Driving	13	2	15
4. B.E. and Theft	8	3	11
5. Theft Over	20	3	23
6. Theft Under	4	0	4
7. Common Assault	32	3	35
8. Assault Causing	17	0	17
TOTALS	2402	56	2458
POPULATION	5000	4900	9900
RATE/100 POPULATION	48.02	1.14	

Percentage of Indian Charges To Total: 97.72%

Percentage of Total Population Indian: 50.50%

This detachment has an area encompassing 1392 square miles. The detachment members are responsible to police the Indian Reserve located 20 miles from the detachment. There are 5,000 Indians on the Indian Reserve with 4,900 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 2,458 charges laid against residents, in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. Over 50% of the charges were for violations of liquor laws. Impaired Driving constituted the second largest category of offences for which charges were laid.

Six of the policemen at this detachment had taken a course on policing Indians during their recruit training. The courses, from two to twenty hours in length, were given by R.C.M.P., university and Indian personnel and dealt with Indian problems and how to handle them and the police role in the community. Two men felt their course had helped prepare them for an Indian detachment posting by giving them some insight into the organization of a reserve, how to deal with Indians theoretically, and Indian attitudes toward the police. Two of the men disagreed, stating their course was of no benefit and in fact, one Indian lecturer had served to destroy any good impressions the men had about Indian people. Most of the members of this detachment thought that a well-structured course on the subject may help a policeman decide if he is able to cope with reserve policing, may help members to better understand Indian's problems by learning their background and culture and may help make inexperienced policemen aware of what to expect on certain reserves. Such a course, it was felt, should be given at both recruit and "in-service" training levels. One member had taken a course at the provincial level dealing with the history of Indians, band management, health, education, past and future problem areas and the basis of treaties, and had found it of minor benefit to him. The men here thought that a policeman being transferred to their detachment should be open-minded and easy-going, unbiased, have a sense of humour and above normal patience. It was also added that men should not police the reserve for more than two years so that new men with fresh attitudes would be frequently arriving.

There was not much evidence of any language difficulties here, but if any did arise it was noted that six Special Indian Constables and one Indian female employee were available to assist.

Most of the policemen agreed that a trained Special Constable would be helpful in knowing the reserve, the people and their location, and in gaining the trust and respect of the Indian people, thereby improving their cooperation with the police. It was noted that the present Special Constables had very limited power making it difficult for them to do an effective job which is degrading for them in the eyes of their people.

It was thought that most of the Indians understood their legal rights, court procedure and the concepts of "legal guilt" and "innocence". They did not appear to deliberately commit offences during inclement weather in order to gain food and shelter through incarceration, nor did the juveniles use this method in order to escape the reserve environment. The policemen indicated that some of the Indians on the reserve did feel the Canadian law to be "foreign" to their way of life. However, they were not reluctant to report offences but tended to withhold information from investigating policemen if it was to their own or their family's benefit, as they feared retaliation.

Legal aid and native court counsellors were available to Indian offenders here. It was the majority opinion that the counsellors could be beneficial but they gave poor advice, confused the Indian and delayed court action, thus slowing down the whole legal process. However, they were helpful in explaining court procedures to the Indian in his native tongue. The majority of the men were not in favour of holding court on the reserve because they felt that Indian social pressure would not deter the Indian offender. This opinion was based on the fact that there was absolutely no evidence of this at present, even though ninety percent of the court's cases involved Indian offenders. It was thought that a Provincial Indian Liaison N.C.O. would be helpful in educating the Indians on the role of the police. The men were not in favour of police commissions or citizens' committees being organized to hear Indian complaints against members. They thought that such groups would serve to curb police initiative, that members should be answerable only to the R.C.M.P. and that there was no reason why Indians should not use the present system, which is adequate, the same as any other Canadian citizen.

Complaints led to the major police presence on this reserve and most police-Indian contact lay in the realm of enforcement leading to charges. In the opinion of the men, the reserve received adequate policing as patrols were made more than once a shift. However, since most of the time and manpower was occupied in dealing with complaints, effective preventive police work was limited. What little was done, though, seemed helpful in reducing the communication gap between the two parties when there was time to stop and talk to the people.

Most of the complaints received from the reserve were related to liquor. In the opinion of the policemen, the Indians received too much welfare money, which they spent almost entirely on liquor.

If this liquor problem could be solved, most crime and complaints would be under control. An intoxicated Indian in town was arrested and detained until sober in order to protect the individual, prevent future trouble and because past experience had shown that if taken home, they only continue to drink and return to town again.

Three policemen stated that they felt apprehensive when patrolling the reserve because of the unpredictability of the Indian people and because liquor usually led to violence. All of the men used extra precautions on the reserve to what they felt necessary in town. These precautions included two man patrols, ready back-up units, covering one's self well in all family dispute situations, relaying their location and carrying protective equipment. (i.e. a shotgun) These extra measures were felt necessary for self-protection and avoidance of physical trouble since many complaints involved violence.

The men thought it beneficial to have a good liaison with the Indian Band Council as it was through them they could get feed-back on their policing methods and gain useful information about the reserve residents. Most of the policemen knew all or some of the Council members and thought it was important to know its administrative function.

Police-Indian community relations programs were seen to be important for developing mutual good will, understanding and cooperation. Two of the members were involved with such sports activities but the majority of the men found these Indians to be uncooperative and unresponsive and therefore felt these programs to be ineffective. If the choice was theirs, the policemen would like to initiate youth clubs, driver training courses, more sports programs and alcohol

rehabilitation programs in this area. In general, the policemen did not feel they had a very good working relationship with the Indian juveniles.

The men were not in favour of special classes for Indians on aspects of the Criminal Justice System for the reason that most Indians are no less educated on this subject than whites, there would be no interest shown and those Indians with problems do not care. One member was already involved in giving lectures on drugs and the Highway Traffic Act. If courses were to be organized, the men felt they should be the responsibility of the Department of Indian Affairs, the Band Council or probation officers as it is felt that there should be a buffer zone between theory and enforcement.

Most of the men at this detachment found their policing experience there to be very demoralizing as it was difficult for a policeman to get past the drunks to the good people, the work seemed futile and was unrewarding and there seemed to be so much time, energy and money wasted on a people who didn't care and had no self-respect. Most of the men preferred not to police another reserve as the work was too depressing and seemed to be an exercise in futility. They also felt it was a poor atmosphere in which to raise their children. The suggested length of posting varied from one year to six with the following reasons given: too depressing, no sense of accomplishment, the work reduces initiative, and contrastingly, working with Indians was a good experience.

Most of the policemen perceived these Indians to be literate, on welfare, good natured but lazy, neglectful parents, poorly educated, adequately housed and dressed, and possessing strong cultural ties to each other. Most, it was thought, did respect the members of the R.C.M.P.

CASE 15POLICE AREA DESCRIPTION

1. Size of Detachment Area: 1900 square miles
2. Geographical Location: Alberta
3. Size of Indian Reserve: 60 square miles
4. Distance Reserve from Detachment: 8 miles
5. Total Percentage of Man Hours Policing Reserve: 5590
6. Other: a) Reserve: wet
b) Indian Act being enforced.

POLICE PERSONNEL

One staff sergeant, three corporals and twelve constables (62.5% questionnaire response) stationed at this detachment. The following is a description of the ten policemen who responded to the questionnaire:

- a) Age: Maximum: 49 years
Minimum: 21 years
Average: 31.8 years
- b) Years of Service: Maximum: 24 years
Minimum: 1.5 years
Average: 4.8 years
- c) Years Policing Indian Areas:
Maximum: 10 years
Minimum: 2 months
Average: 4.8 years
- d) Educational Standing Beyond Grade Twelve: 2 members
- e) Province of Origin: British Columbia
Saskatchewan
Manitoba
Ontario
Nova Scotia
Prince Edward Islands
England
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c: 30%
Other members: 64%
- g) Contact With Indians Prior to Joining Force:
 - i) 1 member had "direct" contact - went to school with Indians.
 - ii) 2 members had "indirect" contact - noticed Indians in town.
 - iii) 7 members had no previous contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	652	223	875
2. Impaired Driving	31	85	116
3. Suspended Driving	2	2	4
4. B.E. and Theft	7	3	10
5. Theft Over	3	0	3
6. Theft Under	5	7	12
7. Common Assault	4	3	7
8. Assault Causing	16	3	19
TOTALS	720	326	1046
POPULATIONS	900	5000	5900
RATE/100 POPULATION	80.0	6.52	

Percentage of Indian Charges To Total: 68.8%

Percentage of Total Population Indian: 15.25%

This detachment has an area encompassing 1900 square miles. The detachment members are responsible to police the Indian Reserve located 8 miles from the detachment. There are 900 Indians on the Indian Reserve with 5000 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 1046 charges laid against residents, in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. Over 75% of the charges were for violations of liquor laws. Impaired Driving constituting the second largest category of offences for which charges were laid.

One member at this detachment had taken a two hour course as a recruit on policing Indians, but found it to be of no benefit to him upon being transferred here. Most of the men thought a well structured course, given at the recruit level, would be beneficial in learning about Indian goals and their way of life, and how to improve police-Indian relations. Two men had attended an "in-service" course given by R.C.M.P. and Indian personnel but were divided in assessing its benefits. Almost all of the policemen felt that members being transferred to this area should have a prior knowledge of Indians, a cool disposition, a sense of humor, patience and both physical and mental strength.

Language caused no problems for the policemen at this detachment. Most of them thought an Indian Special Constable would be an asset in developing closer co-operation between Indians and the police because the Indians would relate to the Special Constable but some men felt he may have trouble being accepted on both sides.

Most of these Indians seemed to understand their legal rights, court procedure and the concepts of "legal guilt" and "innocence". The Indians did not seem to intentionally commit offences during cold weather in order to gain food and shelter through incarceration. However, the members agreed that some Indian juveniles did use this method in an attempt to escape the reserve environment. The majority of the policemen thought that the Indians on the reserve used the "foreign" Canadian law theory to their own benefit. They tended to agree with the law if they were the victims but felt it shouldn't apply to them if they were at fault. The Indians were seen by some of the members to be reluctant to report offences for fear of retaliation and seemed to

prefer to settle matters themselves. The Indians were generally co-operative with investigating policemen especially if they could give evidence against enemies or in matters dealing with offences against children, but failed to be of any help when friends or relatives were involved.

There was legal aid for offenders here, but no native counsellors were available. Most of the policemen were in favour of holding court on the reserve. Although most Indians felt the court system to be a "joke" and it didn't help reduce crime, at least the Indian offenders appeared to face charges more readily and it gave residents a chance to see court in action. It was suggested that an Indian Magistrate might help. There was no Indian Liaison N.C.O. in Saskatchewan and the members of this detachment felt the position to be unnecessary as the job would be better handled at the detachment level, the province has too many reserves for one man to handle and the Indians wouldn't communicate with a stranger. The men also felt there was no need for police commissions or citizen committees as the present system is just and adequate and most Indian complaints against policemen are unfounded.

The police presence on this reserve was primarily complaint oriented, with most police-Indian contact being made in conjunction with enforcement leading to charge. Preventive patrols were made at least once a shift. The men judged the reserve to be adequately policed because they found that too many patrols were resented by the Indians. The amount of preventive police work was also judged to be adequate because most of the trouble occurred inside private homes which were entered only in response to complaints. Preventive patrols were seen to be useful in developing better communication and a bond of trust with some of the Indians.

The Indian life in this area revolved around liquor. Because there was so much unemployment, the Indians had too much leisure time and the policemen felt that the Indians drank mainly to escape reality. As a result, liquor was the major cause of all complaints. If an Indian or non-Indian was found intoxicated in town he was arrested and detained until sober in response to a request by the municipality, but also for his own protection and the protection of others.

Most of the policemen felt apprehensive when patrolling the reserve because the Indians were unpredictable and violent when intoxicated, because of previous assaults on policemen and because policemen had been shot at in the past. Precautions not needed when policing the non-Indian community were used when policing the reserve. These included using two man patrols at night, having backup units ready and carrying shotguns to answer complaints. Such precautions were felt to be necessary for self preservation because this reserve had a history of violence.

It was thought important for policemen to have a good working liaison with the Indian Band Council as it helped communication, understanding of mutual objectives and problems and was a good investigative aid. Most of the men knew the members of the Council and contended it was important to understand its administrative function.

Police-Indian community relations programs were considered beneficial for establishing knowledge and trust between both parties and for relieving tension. Four policemen were involved with such activities as sports, photography and bi-monthly meetings with the Band Council. The experience here had been that the Indians were receptive to sports activities but lost interest quickly in any other programs. If the choice was theirs, three policemen would like to initiate more sports activities, a car clinic for youths, and an Indian problem study group co-ordinated with the Department of Indian Affairs. The remaining policemen felt that the Indians must show some interest and initiative before they would personally become involved with new programs. Most of the members stated they had a good working relationship with most Indian juveniles.

Most of the men thought that classes dealing with the Criminal Justice System were necessary, and should be available to all segments of society, but felt it would be very difficult to arouse any Indian interest. If such a course were instituted it should be given by the Department of Indian Affairs or the Provincial Government as it would be too time-consuming for policemen to handle.

Half of the policemen found their experience here to be very frustrating and demoralizing as most of their efforts seemed futile. The remaining members either found the experience rewarding as it increased their knowledge of humanity, or felt unaffected by it all. Most of the men would not reject another Indian area posting as they felt good experience could be gained and they were content to stay at this detachment for four or five years.

In the opinion of the policemen, most of the Indians here appeared to be poorly educated, on welfare when not seasonally employed, lazy and lacking ambition, inadequately housed and neglectful parents. Most of the Indians also seemed to respect the members of the R.C.M.P.

CASE 16POLICE AREA DESCRIPTION

1. Size of Detachment Area: 1,000 square miles
2. Geographical Location: Alberta
3. Size of Indian Reserve: 63 square miles
4. Distance Reserve from Detachment: 17 miles
5. Total percentage of man hours policing reserve:
not supplied
6. Other: a) Reserve: Dry
b) Indian Act is being enforced:
 - a) Two offences under 97(b) - intoxicated on reserve
 - b) Nine offences under 97(a) - intoxicants in possession on a reserve

POLICE PERSONNEL DESCRIPTION

One sergeant, two corporals and nine constables (66.6% questionnaire response) stationed at this detachment. The following is a description of the eight policemen who responded to the questionnaire:

- a) Age: Maximum: 38 years
Minimum: 20 years
Average: 27.7 years
- b) Years of Service: Maximum: 19.5 years
Minimum: 1.5 years
Average: 7.8 years
- c) Years Policing Indian Areas: Maximum: 10 years
Minimum: 9 months
Average: 4.5 years
- d) Educational Standing beyond Grade Twelve: 2 members
- e) Province of Origin: Alta., Sask., Man., Ontario.
- f) Time Spent Policing Reserve:
N.C.O. i/c: 20%
Other Members: 40%
- g) Contact with Indians Prior to Joining Force:
 - i) 3 members had "direct" contact: knew Indians in school; worked with Indians and had Indians as personal friends.
 - ii) 2 members had "indirect" contact: noticed in town; noticed Indians drunk on city streets.
 - iii) 3 members had no previous contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor		could not supply	
2. Impaired Driving	48	103	151
3. Suspended Driving	8	5	13
4. B.E. and Theft	11	4	15
5. Theft Over	3	0	3
6. Theft Under	7	6	13
7. Common Assault	22	6	28
8. Assault Causing	1	0	1
TOTALS	100	124	224
POPULATION	850	7000	7850
RATE/100 POPULATION	11.76	1.77	

Percentage of Indian Charges To Total: 44.6%

Percentage of Total Population Indian: 10.82%

This detachment has an area encompassing 1,000 square miles. The detachment members are responsible to police the Indian Reserve located 17 miles from the detachment. There are 850 Indians on the Indian Reserve with 7,000 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 224 charges, in the seven offence categories. Most of the charges were against non-Indians. However, when rates are computed the rate for the Indian population is greater than that for the non-Indian. Over 50% of the charges were for Impaired Driving violations. Common Assault constituted the second largest category of offences for which charges were laid.

One detachment member here had taken a three hour recruit training course given by a native person on the subject of policing Indians. He found the course had been of no benefit mainly because the course content suggested that the police were to blame for the Indian situation. Most of the men thought a well-structured course on the subject, given at either the recruit or the "in-service" training level would be beneficial. It was the contention that new policemen require some background knowledge of the Indian situation in order to police Indians effectively. The disagreeing members thought experience was a better teacher. One man had taken an "in-service" course given by Indian and R.C.M.P. personnel, but felt it had been of no help to him. A policeman being stationed to this detachment should have patience and some previous knowledge of Indians, be unbiased and open-minded.

There seemed to be no language difficulty with the Indians here but most men agreed that an Indian Special Constable could greatly assist the policemen with his knowledge of the Indian people.

The policemen thought that most of the Indians in their area understood their legal rights and court procedure and did not plead guilty through ignorance of the concepts of "legal guilt" and "innocence". There was no evidence to suggest that the Indians deliberately broke the law in bad weather to gain food and shelter through incarceration but it appeared that Indian juveniles did use this method of escaping their environment and gaining attention. Some of the Indians seemed to feel the Canadian law to be "foreign" and as such shouldn't apply to them. The policemen sometimes found the Indians reluctant to report offences because they wanted no dealings with the law and feared retaliation. It

was also common for charges that were laid to be withdrawn. Whether or not the Indians cooperated with investigating policemen depended on the nature of the complaint, who was involved, who was approached and if the source of information could be kept guilt.

There is legal aid but not a native court counsellor available to the Indian offender here. Most of the policemen were against holding court on the reserve as they felt Indians must accept integration with the rest of society if they are to solve their problems, and this move would only segregate them further. They thought an Indian Liaison N.C.O. would be a beneficial feature but did not approve the idea of police commissions or citizens' committees as the present system was thought to be adequate for receiving complaints.

Police presence on the reserve here was primarily complaint oriented with most of the police-Indian contact being made through enforcement leading to charges. Preventive patrols were made daily by one policeman and weekly by three others as the Indians complained of harassment if patrols were any more frequent. In the opinion of the members, this reserve received more adequate policing than most other reserves and rural areas. The men contended that although preventive patrols helped develop better communication and trust between the police and the Indians, the main problem lay in having the Indians develop some self-control over their drinking habits.

Liquor and assaults formed the basis for most complaints received from the reserve. Because the Indians had too much money and idle time, liquor played an important role in making them feel superior. Most generally, when an Indian was intoxicated in town, he was arrested and detained until sober to prevent further offences.

Most of the members contended that they felt apprehensive when patrolling the reserve, especially at night, because intoxicated Indians usually travelled in groups and could be extremely hostile. Extra precautions taken on the reserve that were not required in town including two man patrols and back-up units were exercised for self-protection.

The policemen thought that ideally it was important to have a good liaison with the Indian Band Council to keep themselves abreast of problems and programs on the reserve and to create a better understanding between both parties, but the members contended that the Council on this reserve

was inefficient, that the Council members were of very little help and, in fact, most failed to attend their own meetings. Half of the policemen knew the Council members and all of them saw no need to understand the Council's administrative function.

Most of the members thought Police-Indian community relations programs were important for fostering mutual cooperation but it has been the experience that once programs were initiated they usually terminated through lack of Indian interest. Two policemen were involved in sports activities, "Program Identification" and a Boy Scout Group was attempted but no Indians were interested in it.

Most of the members indicated that the Indians were not receptive to such programs, but if the choice was theirs, would like to organize further sports activities and a Boy Scout Group. The men felt they had a good working relationship with most of the Indian juveniles.

Education classes for Indians on various spheres of the Criminal Justice System were thought to be a worthwhile venture but should be available to non-Indians as well. None of the men were involved in any such courses and indicated that any such classes should be the responsibility of Provincial Legal Aid, an Indian agency or the Department of The Attorney General, as policemen were enforcers, not teachers.

Half of the policemen found policing Indians to be a demoralizing experience as the Indians were always drinking and fighting and the work situation was a hopeless one. Most of the other men found the experience to be both frustrating and humourous. The men were not concerned with the length of their posting here because the work was well varied between the Indian and non-Indian communities.

Most of the policemen perceived these Indians to be poorly educated, on welfare, good natured but lazy and indifferent, inadequately housed and neglectful of their children. In addition, it was felt that most of the Indians respected the members of the R.C.M.P.

CASE 17POLICE AREA DESCRIPTION

1. Size of Detachment Area: 1,200 square miles
2. Geographical Location: Saskatchewan
3. Size of Indian Reserve: 30 square miles
4. Distance Reserve From Detachment: 8 miles
5. Total percentage of man hours policing reserve: 40%
6. Other: a) Reserve: Wet
b) Indian Act not being enforced

POLICE PERSONNEL DESCRIPTION

One corporal and three constables (100% response) stationed at this Detachment. The following is a description of the four policemen who responded to the questionnaire:

- a) Age: Maximum: 33 years
Minimum: 20 years
Average: 27 years

- b) Years of Service: Maximum: 13 years

- c) Years Policing Indian Areas: Maximum: 7 years
Minimum: 9 months
Average: 4 years

- d) Educational Standing Beyond Grade 12: 1 member

- e) Province of Origin: Sask., Ont., Nova Scotia,
Newfoundland.

- f) Time Spent Policing Reserve:

N.C.O. i/c: 30%
Other Members: 48%

- g) Contact With Indians Prior To Joining Force:
 - i) 1 member had "direct" contact: personal friends.

 - ii) 1 member had "indirect" contact: observed in town.

 - iii) 2 members had no contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	218	70	288
2. Impaired Driving	20	19	39
3. Suspended Driving	0	0	0
4. B.E. and Theft	11	2	13
5. Theft Over	0	0	0
6. Theft Under	3	0	3
7. Common Assault	4	0	4
8. Assault Causing	6	0	6
TOTALS	262	91	353
POPULATION	800	3000	3800
RATE/100 POPULATION	32.75	3.33	

Percentage of Indian Charges To Total: 74.2%

Percentage of Total Population Indian: 21.05%

This detachment has an area encompassing 1,200 square miles. The detachment members are responsible to police one Indian reserve located 8 miles from the detachment. There are approximately 800 Indians on the Indian reserve with 3,000 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 353 charges laid against residents, in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. Over 75% of the charges were for violations of liquor laws. Impaired Driving constituted the second largest category of offences for which charges were laid.

None of the policemen had taken a course on the policing of Indians during their recruit training and most of them thought that a good course on the subject would be impossible to organize because of the considerable differences between reserves. One member had taken an "in-service" course given by an R.C.M.P. member dealing with problems policemen face in their dealings with Indians, but did not comment on its usefulness. It was contended that a policeman being transferred to this detachment should be unprejudiced, sensitive, understanding and should have a sense of humour.

There seemed to be some language difficulty between the police and the Indians in this area because of the difficulty of translating English into the native dialect. Most members thought an Indian Special Constable would help alleviate any distrust between the two groups.

Most of the Indians, it was felt, understood their legal rights, court procedure and the concept of legal "guilt" and "innocence". Most of them did not tend to commit offences during bad weather for the purpose of gaining food and shelter through incarceration nor did most of the juveniles use this method to escape their environment. The policemen couldn't say whether or not the Indians felt Canadian law to be foreign to them. The Indians did not seem to be reluctant about reporting offences but their cooperation with an investigating policeman depended on the circumstances and the people involved.

There was legal aid but no native court counsellors available to the Indian offender. The policemen were uncertain about the feasibility or the usefulness of holding court on the reserve but indicated that they thought a Divisional Indian Liaison N.C.O. would be an asset to the province. The idea of organizing a police commission or citizens' committee

for handling Indian complaints against policemen met with negative response as the men felt the present channels to be adequate.

Police presence on the reserve was primarily complaint and prevention oriented with most police-Indian contact being made in conjunction with enforcement. In the opinion of the members, this reserve received adequate policing. Preventive patrols, made at least once a shift, were felt to be helpful in developing a rapport between the Indians and the police, especially the youth. They also help to reduce Indian suspicion of police presence.

Because of Indian unemployment, liquor played an important role in reserve life and formed the major basis of complaints received. When an Indian was found intoxicated in town, he was usually arrested and detained until sober to protect him from exposure and to prevent future offences. None of the policemen felt apprehensive when patrolling this reserve and most indicated that the same police procedure was followed whether on or off the reserve.

It was contended that a policeman should have a good working liaison with the Indian Band Council as it promoted "goodwill", aided in communication and showed the Council that the police were interested in their affairs. The policemen knew the Council members and thought it useful to know the Council's administrative function.

The policemen thought that Police-Indian community relations programs were important for promoting trust, friendship and mutual understanding between both parties. None of the men were involved however, as the Indians showed no interest in such programs. In fact, Driver Education classes and Alcoholics Anonymous sessions were attempted but met with negative response. Even so, if the choice was theirs, the members would still like to get these two programs operating. The men at this detachment felt they had a good working relationship with most of the Indian juveniles.

Most of the men saw little value in attempting to organize Indian education classes about the Criminal Justice System because of Indian indifference. If such classes were organized, the policemen felt they should be handled by the Attorney General's Department as it would be difficult for policemen to lecture to Indians one day and charge them the next.

The members here found that policing Indians had not affected them except to make them more aware of Indian problems. Most of them would police another reserve as they found the work interesting and preferred to stay at this point two to four years.

The Indians of this area were judged to be poorly educated, on welfare, lazy, proud of their heritage and neglectful parents. Most of them appeared to respect the members of the R.C.M.P.

CASE 18POLICE AREA DESCRIPTION

1. Size of Detachment Area: 23,000 square miles
2. Geographical Location: Saskatchewan
3. Size of Indian Reserves: 50 square miles
4. Distance Reserves from Detachment: 50 miles west via
air, boat or skidoo.
5. Total Percentage of man hours Policing Reserves: 20%
6. Other: a) Reserves: wet
b) Indian Act not being enforced.

POLICE PERSONNEL DESCRIPTION

One corporal, one constable and one special constable (66.6% response) stationed at this detachment. The following is a description of the two policemen who responded to the questionnaire:

- a) Age: Maximum: 32 years
Minimum: 26 years
Average: 29 years
- b) Years of Service: Maximum: 12 years
Minimum: 6 years
Average: 9 years
- c) Years Policing Indian Area: Maximum: 5 years
Minimum: 4 years
Average: 4.5 years
- d) Educational Standing Beyond Grade 12: 0 member
- e) Province of Origin: British Columbia
Manitoba
- f) Time Spent Policing Reserves:
N.C.O. i/c: 80%
Other Member: 80%
- g) Contact With Indians Prior To Joining Force:
i) 2 members had no contact.

PROSECUTION STATISTICS: 1 JAN 72 - 1 JAN 73

(could not supply for year 1974)

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	0	0	0
2. Impaired Driving	0	0	0
3. Suspended Driving	0	0	0
4. B.E. and Theft	1	1	2
5. Theft Over	0	0	0
6. Theft Under	0	0	0
7. Common Assault	4	4	8
8. Assault Causing	2	2	4
TOTALS	7	7	14
POPULATION	1250	60	1310
RATE/100 POPULATION	.56	11.66	

Percentage of Indian Charges To Total: 50%Percentage of Total Population Indian: 95.41%

This detachment has an area encompassing 23,000 square miles. The detachment members are responsible to police three Indian Reserves located 50 miles west of the detachment access being accomplished by air, boat or skidoo. There are approximately 1250 Indians on the reserves with 60 non-Indians in the remaining detachment area. During the period 1 Jan 72 through 31 Dec 72 there were a total of 14 charges laid against residents, in the eight offence categories. The charges were evenly distributed between the Indians and non-Indians. However, when rates are computed the rate for the non-Indian population is greater than that for the Indian. Over half of the charges were for common assault violations. Assault causing bodily harm constituted the second largest category of offences for which charges were laid.

Neither of the policemen at this detachment had taken a recruit training course on the policing of Indians and they could not agree on the merit of having a well-structured course on the subject given at either the recruit or the "in-service" training levels. Prior to his transfer, one of the policemen read files from this detachment and studied a thesis on the Indians of the area but did not find this to be of much help in his dealings with the Indians. It was suggested that only open-minded policemen should be stationed in this area.

There was a definite language barrier between the police and the Indians at this detachment. Since sixty percent of the natives did not speak English and Chipewyan was a difficult language to translate, investigation work was very cumbersome. The Indian Special Constable was very helpful in understanding the Indian life and in translating but his position placed a heavy workload on him.

It was contended that most of the Indians did not understand their legal rights and court procedure. However, it was not thought that many plead guilty through ignorance of the concepts of legal "guilt" and "innocence". The Indians did not tend to deliberately break the law during inclement weather to gain food and shelter through incarceration, but one policeman thought that some Indian juveniles did use this means to escape the reserve environment. It was indicated that very few Indians thought the Canadian law was "foreign" to them. The Indians were generally reluctant to report offences due to fear of revenge and also the fact that very often the victim was intoxicated at the time and could not remember what had happened. The policemen found most Indians fairly co-operative when doing investigations.

There was legal aid but no native court counsellors available to the Indian offender here. It was thought that a court counsellor would be very beneficial as a translator. Since most of the spectators and offenders in the court were Indian and there was no sign that Indian peer pressure resulted in any positive crime prevention, both policemen were against the idea of reserve courts. The men also felt that because detachment policemen were more knowledgeable of the area and the people than a Divisional Indian Liaison N.C.O. would be, they were capable of handling any position he would fill. The idea of organizing a police commission or citizens' committee for handling Indian complaints against policemen met with negative response because the present system was thought to be most efficient, but if the people were not satisfied they should approach the Attorney General about it.

The primary police presence on the reserves was in relation to prevention and enforcement, and most police-Indian contact was made in conjunction with counselling and enforcement leading to charges. Preventive patrols were made more than once a shift by one policeman and two or three times a month by the other. In the opinion of one member, the reserves received adequate policing because they were isolated and occupied eighty percent of the policemen's time. However, the other policeman indicated that distance made it impossible to maintain daily coverage and therefore one reserve was policed on an extended basis. Patrols of two or three days duration were made two or three times a month but should be made more often. Preventive patrols were thought to be helpful in establishing good relations between police and Indians by promoting friendliness, patience and courtesy.

Liquor played a major role in the lifestyle of these Indians and caused most of the complaints received from the reserve. If an Indian was found intoxicated in town he was usually arrested and detained until sober for his own protection and to prevent future problems.

The policemen stated they did not feel apprehensive when patrolling the reserve but exercised more caution as compared to policing the non-Indian community, because the Indians tended to be spontaneous, less afraid of the judicial system and more violent.

The members thought it important to have a good working liaison with the Indian Band Council as it assisted in solving mutual problems and made for better communication. They knew the members of the Band Council and found it helpful to know its administrative function.

Police-Indian community relations programs were judged to be beneficial as they gave the Indian community a better opinion of the police and created more understanding between both parties, thereby making the job easier. One member had been involved in sports activities and the construction of an outdoor skating rink and indicated that the Indians were receptive to anything that is free and done for them. The policemen were not interested in implementing new programs as they felt it was time the Indians did something for themselves. Both members felt they had a good working relationship with most of the Indian juveniles.

Because the Indians had legal aid available to them, the policemen were not in favor of any Indian education classes on the Criminal Justice System. The men felt such classes should be given by the Provincial Government because policemen were not trained to teach law nor were they social workers.

Both policemen found their experience policing Indians had increased their sensitivity to the Indian lifestyle and its accompanying difficulties. One policeman would accept another reserve posting as long as there was an interim non-Indian posting between. The other preferred not to for the reason that the Indians were getting more and more money which goes to the purchase of liquor thereby causing more serious problems. Since this detachment was in an isolated area, had poor education facilities and was not ideal for family life, a maximum posting of eighteen months to two years was suggested.

The Indians were judged by the policemen to be 50% illiterate, on welfare, lazy, aware of their cultural ties to each other, adequately housed and dressed, but neglectful of their children. Most of them also appeared to respect the members of the R.C.M.P.

CASE 19POLICE AREA DESCRIPTION

1. Size of Detachment Area: 1,200 square miles
2. Geographical Location: Saskatchewan
3. Size of Indian Reserve: 50 square miles
4. Distance Reserve From Detachment: 25 miles
5. Total Percentage of Man Hours Policing Reserve: 25%
6. Other:
 - a) Reserve: Wet
 - b) The Indian Act is being enforced
 - a) Sections: Indian Traffic Regulations and Trespassing.
 - b) Total: 30 Traffic Regulations
2 Section 30 - Trespass on Reserve.

POLICE PERSONNEL DESCRIPTION

There is one sergeant and five constables (100% questionnaire response) stationed at this detachment. The following is a description of the six policemen who responded to the questionnaire:

- a) Age: Maximum: 39 years
Minimum: 20 years
Average: 26.6 years
- b) Years of Service: Maximum: 20 years
Minimum: 2 years
Average: 7.25 years
- c) Years Policing Indian Areas: Maximum: 18 years
Minimum: 6 months
Average: 6.25 years
- d) Educational Standing Beyond Grade Twelve: 1 member
- e) Province of Origin: B.C., Alta., Ontario.
- f) Time Spent Policing Reserve:
N.C.O. i/c: 30%
Other Members: 64%
- g) Contact With Indians Prior to Joining Force:
 - i) 2 members had "direct" contact: went to school with Indians; several close Indian friends; worked with Indians.
 - ii) 2 members had "indirect" contact: noticed Indians while hunting; noticed intoxicated on street.
 - iii) 2 members had no contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	165	205	370
2. Impaired Driving	65	35	100
3. Suspended Driving	17	3	20
4. B.E. and Theft	19	1	20
5. Theft Over	2	7	9
6. Theft Under	42	7	49
7. Common Assault	17	1	18
8. Assault Causing	11	0	11
TOTALS	338	259	597
POPULATION	850	2510	3360
RATE/100 POPULATION	39.76	10.31	

Percentage of Indian Charges To Total: 56.6%

Percentage of Total Population Indian: 25.29%

This detachment has an area encompassing 1200 square miles. The detachment members are responsible to police one Indian reserve located 25 miles from the detachment. There are approximately 850 Indians on the Indian reserve with 2510 non-Indians in the remaining detachment area. During the period 1 JAN 74 through 31 DEC 74 there were a total of 597 charges laid against residents, in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. Over 50% of the charges were for violations of liquor laws; Impaired Driving constituted the second largest category of offences for which charges were laid.

One member at this detachment had taken a recruit training course given by a member of the R.C.M.P. dealing with some of the problems that confronted policemen on reserve detachments. However he felt the course was of little benefit to him and found experience to be the better teacher. Most of the men saw no need for a special course on policing Indians as they felt that the younger Indians were being raised in a welfare state, had virtually no culture and should be treated as equals - not better than equals as they now are, and that a theoretical course would not change the problem. According to the policemen here, a member being transferred to the area should have patience, understanding and should have no prejudice against Indians.

The men further felt that an Indian Special Constable would be no asset to the detachment. In their experience with such constables, they found them to be inconsistent with their enforcement and to have less of the Indian respect than non-Indian policemen.

Most of the Indians seemed to understand their legal rights, court procedure and the concepts of "legal guilt" and "innocence". The Indians did not tend to intentionally commit offences in cold weather to gain food and shelter through incarceration. Nor did the Indian juveniles use this avenue to escape their environment but did use incarceration as a symbol of prestige. It was thought that some of the Indians did in fact think the Canadian law was "foreign" and should not apply to them. They were reluctant to report offences for fear of retaliation and preferred to deal with the offender themselves. Whether or not they co-operated with investigations depended entirely on the nature of the complaint.

Legal aid and native court counsellors were available to the Indian offender. In the opinion of the police, the court counsellors only served to prolong the court process and were of no benefit. The majority of the men were not in favor of reserve courts because most Indians consider trouble with the law to be a "joke" and a status symbol. It was thought that such courts would only give Indians preferential treatment they shouldn't have, would discriminate against whites, and would waste a lot of money. The members thought a Divisional Indian Liaison N.C.O. would be an asset to the province but were not in favor of police commissions or citizens' committees as the present system for handling Indian complaints was more than adequate.

The police presence on this reserve was mainly complaint oriented with most police-Indian contact being made in conjunction with enforcement. The members felt that the reserve received more adequate policing than any small town and the Indian Council was pleased with the police efforts. Preventive patrols were made once a shift and were beneficial for developing good rapport with the people and making good contacts. However, it was contended that the reserve should have preventive policing on a steady basis and there were not enough men to accomplish this.

The major cause of complaints from the reserve was liquor. It played a very important role in the life of the Indians. Liquor was all they cared about as it seemed to make them feel superior and the policemen contended that without liquor, there would be no problems. When an Indian was intoxicated he was usually arrested and detained until sober to protect him from exposure and to prevent further complaints.

Three policemen felt apprehensive when patrolling the reserve as the Indians tended to be violent when intoxicated and would not hesitate to harm a policeman so two man patrols were used to discourage physical contact.

It was felt that policemen should have a good working liaison with the Indian Band Council as it provided a direct link with the reserve and mutual ideas and problems could be discussed. Furthermore, the Council was one authority the policemen preferred to have on their side. The members were acquainted with the Indians on the Council and felt it was important to know the Council's administrative function.

Police-Indian community relations programs were thought to be beneficial in developing police-Indian communication but Indians resented having programs forced on them. Most of the detachment members were involved in such activities as sports, talks to youth and Alcoholic Anonymous groups but indicated that most of the Indians were not receptive so the programs did not reach those who most needed them. Driver education was suggested as a potentially useful program for future implementation. Most of the policemen felt they had a good working relationship with most of the Indian juveniles.

The members of this detachment were not in favor of Indian Education programs on the Criminal Justice System for the following reasons: enough information can be gained through the school system, Indians were generally better versed on the subject than non-Indians, and Indians should not be pampered. Since the policemen did not feel it was their responsibility to institute such programs, they thought that if they were to be given, it should be by the Department of Indian Affairs.

Most of these policemen found their experience at this detachment to be depressing. It was demoralizing to try to help people who were given everything, but didn't have enough initiative or self-respect to keep from ruining their lives. Half of the members preferred not to police another reserve because they found no satisfaction came from their efforts. The maximum suggested posting for this area was two years.

The policemen perceived most of the Indians here to be poorly educated, on welfare, good natured but lazy and neglectful of their children and adequately housed. They felt that most of these Indians did respect the members of the R.C.M.P.

CASE 20POLICE AREA DESCRIPTION

1. Size of Detachment Area: 800 square miles
2. Geographical Location: Saskatchewan
3. Size of Indian Reserves: a) 24 square miles
b) 16 square miles
4. Distance From Detachment: 5 and 10 miles
5. Total percentage of man hours policing reserves: 30%
6. Other: a) Reserves: Wet
b) Indian Act not being enforced

POLICE PERSONNEL DESCRIPTION

One staff sergeant, two corporals, nine constables and one Special Constable (92.3% response) stationed at this detachment. The following is a description of the twelve policemen who responded to the questionnaire:

- a) Age: Maximum: 40 years
Minimum: 20 years
Average: 29 years
- b) Years of Service: Maximum: 21 years
Minimum: 6 months
Average: 8.5 years
- c) Years Policing Indian Areas: Maximum: 18 years
Minimum: 3 months
Average: 5.75 years
- d) Educational Standing Beyond Grade 12: 4 members
- e) Province of Origin: B.C., Sask., Man., Ont., Que.,
Nova Scotia.
- f) Time Spent Policing Reserve:
N.C.O. i/c: 50%
Other Members: 43%
- g) Contact With Indians Prior To Joining Force:
 - i) 2 members had "direct" contact: went to school and played sports with Indians; worked with Indians.
 - ii) 6 members had "indirect" contact: noticed in towns and liquor outlets; noticed fishing.
 - iii) 4 members had no previous contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	167	97	264
2. Impaired Driving	46	66	112
3. Suspended Driving	5	3	8
4. B.E. and Theft	1	3	4
5. Theft Over	13	0	13
6. Theft Under	9	10	19
7. Common Assault	22	6	28
8. Assault Causing	5	3	8
TOTALS	268	188	456
POPULATION	1900	6000	7900
RATE/100 POPULATION	14.10	3.13	

Percentage of Indian Charges To Total: 58.77%

Percentage of Total Population Indian: 24.05%

This detachment has an area encompassing 800 square miles. The detachment members are responsible to police two Indian reserves located 5 miles and 10 miles respectively from the detachment. There are approximately 1,900 Indians on the reserves with 6,000 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 456 charges laid against residents, in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. Over 50% of the charges were for violations of liquor laws. Impaired Driving constituted the second largest category of offences for which charges were laid.

There was only one policeman at this detachment who received a course of instruction on the policing of Indians while attending his recruit training. The course, approximately two hours in length, involved listening to an Indian lecturer relate the social and economic plight of the Indian. The policeman felt that the course was not beneficial to him once transferred to his first reserve area as it was too vague. Six of the policemen at this detachment felt that a training course on the subject of policing Indians should be given to members at the recruit training level. An understanding of Indian problems and possible solutions to them would assist in overcoming many pitfalls and prejudices that a new policeman might encounter or develop when coming into contact with Indians for the first time. The remaining six policemen did not favour a course indicating that a policeman must make his own assessment of the Indians from personal contact with them and that a course could not encompass all the different Indian tribes within the province. Two policemen had taken a course at the provincial "in-service" training level related to the policing of Indians. The course was approximately two hours in length given by an R.C.M.P. member but was found to have been of little benefit. The majority of the policemen felt that no special qualifications were required to police these Indian reserves.

The members here did not feel that there was a language barrier between themselves and the Indians. An Indian Special Constable would not be an asset to the detachment, contended the majority of the policemen, as Indian offenders resented authority, no matter who the policeman was. Also, an Indian Special Constable who was a member of the band being policed would create an atmosphere of familiarity which could limit his authority and potential.

These Indians understood their legal rights and court procedure. They did not plead guilty to a charge as a result of misunderstanding the concept of "legal guilt". The consensus of opinion was that the Indian did not intentionally commit offences during inclement weather to gain food and shelter through incarceration. Nor was it felt that incarceration was a means sought by the Indian juvenile to escape from the reserve environment.

It was thought that some of the Indians felt the Canadian law to be "foreign" and should not apply directly to them. The Indians on these reserves were reluctant to report an offence, contended the majority of the policemen, for fear of reprisal from the offender and because the offender was usually related to the victim. Also, the Indians who did report an offence expected the policemen to take action which was legally impossible. When nothing legally could be done, the complainant usually was disappointed and would not report an offence. The assistance given by the reserve residents in the investigation of a complaint, was dependent upon the nature of the complaint and who was involved. However, some of the policemen felt that generally most of the Indians did not want to be instrumental in a prosecution and tended to protect one another. But if the Indians were not aware of the complaint content, they would usually assist the policemen by giving directions on where to locate the culprit(s).

There were native court counsellors and legal aid available to the Indian offenders. The counsellors, it was felt, were not beneficial as they were thought to be uneducated and were usually offenders themselves. Court was held on the reserve by a native Justice of the Peace on a bi-monthly basis. The majority of the policemen contended that by holding court on the reserves the number of Indian offences had not decreased and doubted the educational benefit of such a practice. In fact, contended some of the policemen, Indians did not care which court they attended or who presided. The Divisional Police-Indian Liaison N.C.O. was not thought to be a necessity as the policemen at the detachment were the "real" liaison officers. Furthermore, the Indians should not receive special attention especially when they claimed they wanted equality. The police were not in favour of a police commission or a citizens' committee. It was felt that policemen were subjected to enough harassment and the present investigative system was adequate. Furthermore, most Indian complaints were unfounded and organizing commissions would be a complete waste of money.

The policemen indicated that their own presence on the reserves was either complaint oriented, preventive or enforcement in nature. The majority of police-Indian contact was, however, in the realm of police-Indian relations. The majority of the policemen felt that the reserves received adequate policing. Regular patrols were made by most policemen on a once a shift basis which was effective for reducing the number of serious crimes. Preventive patrols were effective for enhancing police-Indian relations and were accomplished by stopping and talking to the Indians. This practice increased understanding and trust between the police and Indians.

It was felt that the major cause of complaints on the reserves were related to liquor. Liquor played an important role in the lifestyle of the Indians here. One policeman mentioned that the Chief of the Indian reserve estimated that 75-80% of the Indians on his reserve were excessive drinkers. The policemen felt that the cause of this liquor problem was a lack of employment and too much welfare money. The reaction to an Indian found intoxicated in town was to arrest and detain until sober to deter later assaults and complaints on the reserves.

Two policemen felt a degree of apprehension when patrolling the reserve alone. The Indians, they indicated, were noted for their violence and unpredictability and there was a fear of the "unknown" when patrolling the reserves. The majority of the policemen indicated that different precautions and enforcement techniques were taken when policing the Indian reserves, as compared to the non-Indian community. These were noted to be two man patrols and back-up units used for protection against violence.

A policeman should have a good working liaison with the Indian Band Council, contended the policemen. A good liaison increased cooperation and developed trust between both parties. The majority of the policemen knew the Band Council members and felt that it was important to know the Council's administrative functions.

The policemen thought police-Indian community relations programs were important for reducing police-Indian communication barriers and for increasing an understanding and trust between both groups. Four policemen were involved with programs varying from sports, breathalyzer, alcohol prevention and meetings with the Indian Band Council. However, the majority of the policemen felt that the Indians were not receptive to programs. In fact, one Chief apparently does not like "whites" on the reserve. Most of the policemen,

however, felt they had a good working relationship with the majority of the Indian juveniles.

It was thought that Indian education classes dealing with the Criminal Justice System would not be beneficial for the Indians here. The majority of the policemen felt that the Indians had a good basic knowledge of the system and giving courses would be time wasted. Furthermore, the Indians should not receive preferential attention over other ethnic groups. One policeman was involved in giving radar and breathalyzer operation classes to the Indians. The remainder, however, felt it was not their job, but the job of lawyers to give such courses. The policeman's job, they contended, was the prevention and detection of crime, not being educators.

Five policemen found the policing of Indians to have had a demoralizing effect on them personally. There was no meaningful progress made when working with the Indians as they were constantly arresting the same drunken Indians. One policeman indicated he had worked with Indians for 20 years. In that length of time, the Indians' environment had not changed but their way-of-life had deteriorated. Three policemen found that the policing of Indians had not affected them at all while the remaining mentioned that the Indians were trapped on the reserves, had low expectations and had a "care-less" attitude towards life. Six policemen would not police another reserve, if the choice was theirs, as the work was unchallenging, demoralizing and depressing. The remaining, however, would police another reserve as the work was interesting and the Indians were easy to deal with. The average length of posting was two years as the work could be depressing and boring.

The general picture that the policemen had of the Indians was that they were on welfare, poorly educated, lazy, neglectful of their children, good natured, adequately dressed and adequately housed - if the Indians would take care of them. The policemen were evenly divided on whether or not the Indians did or did not respect the police.

CASE 21POLICE AREA DESCRIPTION

1. Size of Detachment Area: 10,000 square miles
2. Geographical Location: Manitoba
3. Size of Indian Reserves: both 1 square mile
4. Distance Reserves from Detachment:
 - a) 70 miles by road
 - b) 75 miles by air
5. Total Percentage of Man Hours Policing Reserve: 50%
6. Other: a) Reserves: Dry
 - b) Indian Act being enforced - Sections 97(a),
97(b).

Total: a) 27 charges Section 97(a).

* Section 97(a) - a person who is found with
intoxicants in his possession
on a reserve.

POLICE PERSONNEL

One sergeant, one corporal and eight constables (100% questionnaire response) stationed at this detachment. The following is a description of the ten policemen who responded to the questionnaire:

- a) Age: Maximum: 34 years
Minimum: 20 years
Average: 27 years
- b) Years of Service: Maximum: 15 years
Minimum: 1 year
Average: 6.25 years
- c) Years Policing Indian Areas: Maximum: 9 years
Minimum: 7 months
Average: 3 years
- d) Educational Standing Beyond Grade Twelve: 2 members
- e) Provinces of Origin: B.C., Alta., Ont., Nfld.
- f) Time Spent Policing Reserves:
N.C.O. i/c - 50%
Other Members - 50%
- g) Contact with Indians Prior to Joining Force:
 - i) 0 members had "direct" contact.
 - ii) 3 members had "indirect contact - noticed in town; noticed intoxicated in poor sections of town.
 - iii) 7 members had no previous contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	16	0	16
2. Impaired Driving	0	0	0
3. Suspended Driving	0	0	0
4. B.E. and Theft	14	0	14
5. Theft Over	9	0	9
6. Theft Under	8	0	8
7. Common Assault	20	0	20
8. Assault Causing	5	0	5
TOTALS	72	0	72
POPULATIONS	2200	30000	32200
RATE/100 POPULATION	3.27	0	

Percentage of Indian Charges To Total: 100%

Percentage of Total Population Indian: 6.8%

This detachment has an area encompassing 10,000 square miles. The detachment members are responsible to police Indian reserves located 70 miles and 75 miles respectively from the detachment. There are approximately 2,200 Indians with 30,000 non-Indians in the remaining detachment area. During the period 1 JAN 74 through 31 DEC 74 there were a total of 72 charges laid against residents in the eight offence categories. All of the charges were against Indians. The majority of the charges were for Common Assault. Liquor violations constituted the second largest category of offences for which charges were laid.

One policeman here had taken a two hour, while another had a twenty hour course, on the policing of Indians, as recruits. The courses, given by Indian speakers, gave the policemen some insight into the plight of today's Indians. However, the policeman who had taken the two hour course felt it was not beneficial once transferred to his first Indian reserve as the Course was not extensive enough. The remaining policeman found his course beneficial. He had some understanding and knowledge about the Indians, upon his arrival at his first reserve area, which made him feel at ease when in contact with the Indians for the first time. The course, unfortunately, failed to discuss the Indian alcohol problem which, contended the policeman, would be important discussion material as 90% of the police-Indian contact was the result of Indian alcohol involvement. Most of the men thought a well-structured course would not be beneficial to policemen as theoretical issues were not relevant to practical situations. Furthermore, the Indians should not receive special status. One policeman had taken a course on the historical and cultural elements of a minority group, at the provincial "in-service" training level, but found the course had not been beneficial when dealing with Indians. Fifty percent of the policemen felt that members being transferred here should have a sense of humour, patience, a lack of prejudice, a previous knowledge of Indians and should be "big and strong".

The majority of the policemen at this detachment felt that there was a language barrier between themselves and the Indians, which led to translation difficulties. However, an Indian special constable would not be an asset as he would receive little respect from the Indians. Furthermore, the reserves did not have suitable candidates who could qualify as an Indian special constable.

The policemen indicated that the Indians did not understand their legal rights or court procedure. The Indians, however, did understand the concept of "legal guilt". Offences

were not intentionally committed during inclement weather to gain food and shelter through incarceration. Nor was it felt that incarceration was a means sought by Indian juveniles to escape the reserve environment.

It was thought that some Indians felt the Canadian law to be "foreign" and should not apply to them. The Indians on these reserves, contended the majority of the policemen, were reluctant to report an offence as they were either too lazy to be bothered or did not want to get involved with the police and possibly the Court. Furthermore, some of the policemen felt the Indians preferred to resolve the incident themselves as a friend was usually the offender. The policemen found the reserve residents to be generally helpful when they were investigating a complaint. In fact, one policeman had found through experience in working on a number of reserves that residents on northern reserves were more co-operative than residents on southern reserves.

There was a native court counsellor and legal aid available to the Indian offenders. The counsellor was thought to be fairly effective in his job as he spoke Cree and could therefore interpret and explain the adversary process to the Indian offenders in their language. The policemen were evenly divided on the issue of holding court on the reserves. One group felt the venture should be tried as Indian peer pressure may deter native criminality. Furthermore, the court process may aid in educating all attending Indians about the legal system. However, the remaining policemen indicated that court was being held on the reserves with no positive effects. Social pressure from the Indian offenders' peers did not reduce the number of offences committed. In fact, the number of offences recorded on the court docket had increased. The consensus of opinion was the Divisional Police-Indian Liaison N.C.O. would not be a beneficial position to create as the job was being done by the member in charge of the detachment. Furthermore, the Indians should not be classified as "special status" people and treated like "babies". The policemen did not favor the organizing of a police or citizens' committee at this point. It was felt that the present system of investigating complaints against policemen was adequate and that having a commission would hinder police work. The commissions were also thought to create community distrust of policemen and were used, by some people, as strictly political platforms.

The police presence on the reserves was mainly complaint oriented with the major police-Indian contact being made in the realm of enforcement leading to charge(s). The consensus of opinion was the reserves received adequate policing. There were special constables policing a few reserves and some policemen felt the Indians could never be satisfied with the policing. The greater the police presence on the reserves the more the Indians complained about being "picked on". On the other hand, if the police presence was not frequent, the Indians would again criticise the police for not giving them adequate service. Preventive patrols were made by the majority of policemen on a weekly basis. However, most felt the number of preventive patrols was not adequate because the reserves were considerable distances from the detachment. Also, due to a shortage of manpower, many minor complaints were not dealt with. When preventive patrols were made, however, police-Indian relations were enhanced. This was accomplished by creating an atmosphere of trust and understanding through open communication.

Liquor played an important role in the lifestyle of the Indians here. It was the cause of most complaints received by the police. Some policemen felt the Indians' drinking habits resulted from being lazy, unemployed and given everything. The reaction to an Indian found intoxicated in town was to prevent later problems on the reserves by arresting and detaining him until sober to prevent later problems on the reserves and as the reserves were too distant from the detachment to arrange for transportation.

Five policemen felt apprehensive when patrolling the reserves as Indians involved with liquor were prone to resist arrest and often the policemen were not in radio contact to call for assistance. The majority of the policemen indicated that different precautions and enforcement techniques were taken when policing the reserves, as compared to the non-Indian community. Care was taken not to raise one's voice or make prejudicial remarks towards the Indians. Furthermore, when in an Indian's house the policemen kept their back to the wall and remained close to the door. These precautions were taken for self-preservation.

The policemen felt they should have a good working liaison with the Indian Band Council as role understanding and co-operation was created between both parties thereby making the policeman's job easier to perform on the reserves. Also, this working liaison afforded the policemen the opportunity to know the Indian people. The majority of the policemen knew the Band Council members and felt it was important to know

the council's administrative functions.

Police-Indian community relations programs were important to show the Indians that policemen were human beings. Good co-operative programs made the policeman's job easier on the reserves. Three policemen were involved with programs ranging from talks on the role of the police, to encouraging Indians to make handicrafts. It depended entirely upon the Indians whether or not they were receptive to programs and six policemen indicated, if the choice was theirs, they would like to organize sports, liquor education and boating courses for the Indians. The policemen felt they had a good working relationship with the majority of the Indian juveniles.

The majority of the policemen were not in favor of Indian education classes dealing with the Criminal Justice System. Some of the policemen felt the Indians should not be treated differently from other ethnic groups and Indians did not want the Canadian law thrust "down their throats". Furthermore, if the Indians were educated to the same extent as non-Indians were then the Indians would become the same liars and perjurers as the non-Indians were. Indians were better left alone. None of the policemen were involved with programs and felt it was not their responsibility to give them but the responsibility of the Department of Indian Affairs.

Two policemen found the policing of Indians to have had a demoralizing effect on them personally. One of these policemen mentioned he had never had ill feelings towards Indians but after working with them found them to be dirty, smelly and lazy. The remaining policemen felt the policing of Indians had either not affected them at all or found the work to be frustrating. The frustration, for some of the policemen, stemmed from seeing the Indians, the only minority group given everything, turn around and destroy it. One policeman found the situation disgusting. Five policemen would not police another reserve, if the choice was theirs.

The work was an exercise in futility, policemen were not paid to babysit one segment of society and there were poor hospitals and educational facilities available for a policeman's family in reserve areas. The desired length of posting varied from a maximum of one day to five years with various reasons given.

The general picture the policeman had of the Indians was that they were on welfare, lazy, poorly educated, illiterate, seasonally employed, inadequately housed, good natured, poor in health and the children were poorly cared for. The policemen felt that most of the Indians respected the members of the R.C.M.P.

CASE 22POLICE AREA DESCRIPTION

1. Size of Detachment Area: 44,800 square miles
2. Geographical Location: Manitoba
3. Size of Indian Reserves: One square mile - Indians
have unrestricted land as
area is all Crown Land
4. Distance Reserve From Detachment: 4 miles
5. Total Percentage of man hours Policing Reserve: 20%
6. Other: a) Reserve: wet
b) Indian Act not being enforced

POLICE PERSONNEL DESCRIPTION

One sergeant, one corporal and six constables (62.5% response) stationed at this detachment. The following is a description of the five policemen who responded to the questionnaire:

- a) Age: Maximum: 39 years
Minimum: 22 years
Average: 28 years
- b) Years of Service: Maximum: 14 years
Minimum: 9 months
Average: 6 years
- c) Years Policing Indian Areas: Maximum: 10 years
Minimum: 3 months
Average: 4.75 years
- d) Educational Standing Beyond Grade 12: 2 members
- e) Province of Origin: British Columbia
Quebec
New Brunswick
Ireland
- f) Time Spent Policing Indians:
N.C.O. i/c: not supplied
Other Members: 52%
- g) Experience With Indians Prior To Joining Force:
 - i) 2 members had "direct" contact - Indians as friends; worked with Indians.
 - ii) 1 member had "indirect" contact - noticed in town.
 - iii) 2 members had no contact

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	390	150	540
2. Impaired Driving	3	15	18
3. Suspended Driving	5	8	13
4. B.E. and Theft	34	62	96
5. Theft Over	3	5	8
6. Theft Under	8	9	17
7. Common Assault	(included	Category	eight)
8. Assault Causing	46	38	84
TOTAL	489	287	776
POPULATION	263	2600	2830
RATE/100 POPULATION	185.93	11.03	

Percentage of Indian Charges To Total: 63.0%

Percentage of Total Population Indian: 9.29%

This detachment has an area encompassing 44,800 square miles. The detachment members are responsible to police one Indian village located 4 miles from the detachment. There are approximately 263 Indians with 2,600 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 776 charges laid against residents in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. Over 75% of the charges were for violations of liquor laws. Break Enter and Theft constituted the second largest category of offences for which charges were laid.

One policeman at this detachment had taken a five hour course given by an Indian guest speaker on the topic of policing Indians, but found the course to be of little benefit because of the vast differences between reserves. In his opinion, any course should be given at the provincial level so it could be more specific in areas of history and culture. Most of the other men also favored a well-structured course on the subject and felt it should be given at both training levels. It was hoped that such a course would serve to increase efficient reserve policing by giving the members more insight and understanding of the problems. One member had taken a good in-service course given by R.C.M.P., correctional and Indian personnel but indicated the course had had no effect on his dealings with the Indian people. In the opinion of most of the men, a policeman being transferred to this detachment required no special qualifications.

Very few language difficulties were encountered with the Indians of this area and the men felt the reserve to be too small to necessitate an Indian Special Constable except for occasional interpretation duties.

The indication was that most of the area Indians understood their legal rights, court procedure and the concepts of "legal guilt" and "innocence". Most of them did not tend to break the law during inclement weather to gain food and shelter through incarceration but it was thought that some Indian juveniles used this means to escape their environment. Very few of the Indians felt they should be exempt from the "foreign" Canadian law and were not reluctant to report offences. Furthermore, most of the Indians were generally helpful to an investigating policeman.

Only legal aid was available to Indian offenders here. The policemen were in favor of holding court on the reserves, especially isolated reserves, in hopes of improving the attitude of the accused. However, the Indians would still be confronted with "whiteman's" laws and the question remained as to whether they accepted and respected these laws.

The men were unable to agree on the subject of an Indian Liaison N.C.O. but all were against the organization of a police commission or citizens' committee to hear Indian complaints against policemen as they felt the present system to be adequate. It was also suggested that any such groups be abused by the Indians.

Preventive work and complaints accounted for the major police presence on the reserve and most of the police-Indian contact was made in conjunction with enforcement and counselling. The policemen agreed that the reserve received adequate policing as two policemen patrolled it once a shift with the remainder patrolling more than once a shift. The preventive work was also thought to be adequate. It was contended that preventive patrols only served to keep honest people honest and would not keep most criminals from achieving their goals, or reduce crimes of passion. However, such patrols were seen to be effective for developing better Indian-police relations through friendly communication.

Liquor, family disputes and assaults resulted in most of the complaints received from the reserve. Liquor played a major role in the life of these people as they had little else to do with their time. When an Indian or a non-Indian was found intoxicated in town he was usually arrested and detained until sober.

Since none of the policemen felt apprehensive when patrolling the reserve, they used the same precautions and enforcement techniques that they used in the non-Indian community.

It was felt that policemen should have a good working liaison with the Indian Band Council to gain co-operation, respect and knowledge of the "inner" workings of the Band. Most of the men knew the members of the Council and felt it necessary to know its administrative functions.

A majority of the men thought that police-Indian community relations programs created a better working atmosphere for the policemen. However, none of the policemen were involved in such programs, but did feel that sports activities, counselling sessions and monthly meetings to "air" differences on both sides would be beneficial. Most of the men felt they had the respect of the Indian juveniles.

The members did not think that classes on the Criminal Justice System were necessary, but if organized, should be available to all people and should be given by the Department of Indian Affairs.

Most of the policemen found their experience policing Indians had not affected them at all. However, three of the men preferred not to police another reserve as they found the work thankless and preferred to help people who would help themselves. It was contended that a two year posting at this detachment should be the maximum due to isolation, lack of social activities and the excessive use of alcohol by most of the residents.

The Indians were seen to be generally poorly educated, seasonally employed, but poor financially, good natured but lazy, neglectful of their children and adequately housed. Most seemed to respect members of the R.C.M.P.

CASE 23POLICE AREA DESCRIPTION

1. Size of Detachment Area: 3,000 square miles
2. Geographical Location: Nova Scotia
3. Size of Indian Reserves: a) 750 acres
b) 1,000 acres
4. Distances Reserves From Detachment: not supplied
5. Total Percentage of Man Hours Policing Reserves:
 - a) Criminal Code and Liquor Act enforcement:
approximately 60%
 - b) Traffic: approximately 10%
6. Other: a) Reserves: Wet
b) Indian Act not being enforced

POLICE PERSONNEL DESCRIPTION

One sergeant and five constables (83.3% questionnaire response) stationed at this detachment. The following is a description of the five police personnel who answered the questionnaire:

- a) Age: Maximum: 25 years
Minimum: 20 years
Average: 22 years
- b) Years of Service: Maximum: 6 years
Minimum: 7.5 months
Average: 2.9 years
- c) Years Policing Indian Reserve Areas:
Maximum: 4½ years
Minimum: 1 month
Average: 1.6 years
- d) Educational Standing Beyond Grade 12: 0 members
- e) Province of Origin: Nova Scotia, Newfoundland
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c: not supplied
Other Members: 46%
- g) Contact With Indians Prior To Joining The Force:
 - i) 1 member had "direct" contact: casual friends.
 - ii) 1 member had "indirect" contact: noticed Indians in town.
 - iii) 3 members had no contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIAN</u>	<u>NON-INDIAN</u>	<u>TOTAL</u>
1. Liquor	100	100	200
2. Impaired Driving	15	30	45
3. Suspended Driving	1	2	3
4. B.E. and Theft	14	10	24
5. Theft Over	1	2	3
6. Theft Under	8	11	19
7. Common Assault	26	10	36
8. Assault Causing	5	2	7
TOTALS	170	167	337
POPULATION	1100	6500	7600
RATE/100 POPULATION	15.45	2.56	

Percentage of Indian Charges To Total: 50.44%

Percentage of Total Population Indian: 14.47%

This detachment has an area encompassing 3,000 square miles. The detachment members are responsible to police the two Indian reserves. There are approximately 1,100 Indians on the two reservations with 6,500 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 337 charges laid against residents, in the eight offence categories. Most of the charges were against Indians and when rates are computed the rate for the Indian population is greater than that for non-Indians. Over half of the charges were for violations of liquor laws, with Impaired Driving and assaults constituting the second largest category of offences for which charges were laid.

Two policemen had taken a short recruit training course on policing Indians at this detachment. However, the course was given by an Indian and only dealt with the Indians' view of their own existence, so was not of much help to the men in their job. The men at this detachment were generally not in favour of any course on the subject as they felt Indians should be handled the same as everyone else and experience was the only practical teacher. It appeared that a policeman being transferred to this area required no special qualifications.

Although there was no language barrier between the police and the Indians, the men thought an Indian Special Constable would be an asset to the detachment because the Indians would turn to him more readily, especially those who refused to communicate with a "white" officer, and he would know the trouble spots on the reserves.

Most of the Indians seemed to understand their legal rights, court procedure and the concepts of "legal guilt" and "innocence". They didn't appear to break the law intentionally to gain food and shelter during cold weather through incarceration, nor did the Indian juveniles use this avenue to escape their environment. Some of the Indians, however, did seem to think that Canadian law was "foreign" to their way of life and that they should be exempt from it. In general, these people were reluctant to report offences for fear of revenge or getting involved with court action. Many, in fact, laid charges when drunk, but withdrew them when sober again. Indian cooperation with investigations depended entirely on the nature of the complaint and whether or not relatives or friends were involved.

Legal aid and native court counsellors were available to the Indian offenders here. The policemen had mixed feelings about the usefulness of the court counsellors, but were completely against holding court on the reserves. The members contended that the present court system was adequate, that Indians should not receive preferential treatment, that Indians did not fear any aspect of the Criminal Justice System and that court held before their own people would be a "farce". There was presently no Divisional Indian Liaison N.C.O. in the province of Nova Scotia and the policemen felt that there was no need for Indians to have a special officer to turn to when the rest of the citizens did without one. For this reason, also, the men were not in favour of special police commissions or citizens' committees to hear Indian complaints against policemen when the present avenues were satisfactory.

Complaints resulted in the primary police presence on the reserves and most of the police-Indian contact was made in conjunction with enforcement leading to charges. The policemen felt that the reserves received more adequate policing than the rest of the detachment area as patrols were made to the reserves at least once a shift. In fact, it was contended that if the number of patrols were increased, the Indians would complain of police harassment. Most of the members felt that preventive work was effective on only one of the reserves they policed.

Since liquor seemed to be the only enjoyment the Indians knew, it played an important role in their lives and formed the basis of most complaints received from the reserve. The police action taken with anyone found intoxicated in town depended on the circumstances and the degree of intoxication.

Three of the five members said they felt apprehensive when patrolling the reserves. Because of the unpredictability and the violence of the Indians, the men were always "on guard" for the unexpected. The extra precautions needed on the reserve but not in town included two men per car and ready back-up units available to protect the policemen and avoid trouble.

A good working liaison with the Indian Band Council could be effective for improving police-Indian relations through discussion of mutual problems. Most of the men knew the people on the Council but saw no need to understand its administrative function.

Police community relations programs were judged to be just as important with Indians as with anyone else, but they must be taken seriously by both parties and because of this were not always successful. If the choice was theirs, the men would like to organize sports activities for the Indian youth, youth clubs and discussion groups, but felt that while some Indians may be receptive, most were only interested in their own culture, resented whites and wanted no programs "stuffed down their throats". Most of the policemen thought they had a good working relationship with the Indian juveniles of their area.

Because the Indians were conversant with the legal system and had legal aid available to clear up any problems they might have, most of the members did not favour the idea of organizing special Indian classes on the Criminal Justice System. And, if such classes were to be given, they should be the responsibility of legal aid personnel as the policeman's job of enforcement keeps him busy enough.

Most of the policemen at this detachment had found policing Indians to be a demoralizing experience because the Indians were difficult to work with, seemed satisfied with their degradation, and appeared to be a lost cause. Two of the men preferred not to police another reserve because they found the work unpleasant and the Indian life-style disgusting.

Most of the members judged the Indians of the area to be poorly educated, on welfare, adequately housed, lazy and neglectful of their children. They also seemed generally respectful towards members of the R.C.M.P.

CASE 24POLICE AREA DESCRIPTION

1. Size of Detachment area: 1006 square miles
2. Geographical Location: Nova Scotia
3. Size of Indian Reserve: not supplied
4. Distance Reserve From Detachment: 8 miles
5. Total Percentage of man hours Policing Reserve:
Percentage unknown - numerous patrols made
through reserve, on a daily basis.
6. Other: a) Reserve: wet
b) Indian Act being enforced:
Section 97(b) - 5 offences.

POLICE PERSONNEL

One staff sergeant, two corporals and fifteen constables (21% questionnaire response) stationed at this detachment. The following is a description of the four police personnel who answered the questionnaire:

- a) Age: Maximum: 48 years
Minimum: 20 years
Average: 31.3 years
- b) Years of Service: Maximum: 24 years
Minimum: 9 months
Average: 10 years
- c) Years Policing Indian Reserve Areas:
Maximum: 20 years
Minimum: 2 months
Average: 8.5 years
- d) Educational Standing Beyond Grade 12: 2 members
- e) Province of Origin: New Brunswick,
Prince Edward Island
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c: 5%
Other Members: 10%
- g) Contact With Indians Prior To Joining the Force:
 - i) 1 member had "indirect" contact: noticed Indians at school.
 - ii) 3 members had no contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIANS</u>	<u>NON-INDIANS</u>	<u>TOTAL</u>
1. Liquor	4	505	509
2. Impaired Driving	1	148	149
3. Suspended Driving	0	15	15
4. B.E. and Theft	16	11	27
5. Theft Over	0	2	2
6. Theft Under	0	15	15
7. Common Assault	0	21	21
8. Assault Causing	2	0	2
TOTAL	23	717	740
POPULATION	150	20,000	20,150
RATE/100 POPULATION	15.33	3.58	

Percentage of Indian Charges To Total: 3.1%

Percentage of Total Population Indian: .74%

This detachment has an area encompassing 1006 square miles. The detachment members are responsible to police one Indian reserve located 8 miles from the detachment. There are approximately 150 Indians on the Indian Reserve with 20,000 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74 there were a total of 740 charges laid against residents, in the eight offence categories. Most of the charges were against non-Indians. However, when rates are computed the rate for the Indian population is greater than that for the non-Indian. Over half of the charges were for violations of liquor laws, with Impaired Driving constituting the second largest category of offences for which charges were laid.

Two members of this detachment had taken a recruit training course on policing Indians given by Indian personnel. The two hour course taken by one member was of no benefit to him because the lecturer tended to contradict himself, painted a one-sided picture and knew nothing of the Indian situation in Eastern Canada. The second member took a seven hour course which was slightly beneficial in helping him learn how to handle Indians. Most of the men agreed that a well-structured course on the subject should be given at the "in-service" level to men being transferred to reserve detachments in order to help them develop the proper attitudes needed when dealing with Indians. As one member stated, "Anything is better than going in blind". One policeman had taken a brief and ineffectual course at the in-service level given by the Department of Indian Affairs dealing with a general description of Indian Associations. The men felt that anyone being transferred into their area should have training on how to police Indians, should be patient, understanding and able to stand by his own convictions.

Some language barriers did exist between the police and the Indians in this area and the Indians tended to use them to their own advantage. Unco-operative Indians would only speak Micmac and when a group of Indians were speaking their language it was difficult for the policemen to ascertain what was being planned. However, most of the men were not in favor of having an Indian Special Constable at their detachment because of previous experience with them. The two previous Special Constables received little or no co-operation from their people and one was nearly "run off the reserve".

Most of the Indians seemed to understand their legal rights and court procedure and did not tend to plead guilty because of ignorance of the concepts of "legal guilt" and "innocence". The Indians did not intentionally break the law in order to become incarcerated during periods of inclement weather nor did the Indian juveniles use this means of escaping the reserve environment. In the opinion of the policemen, the Indians only felt Canadian law to be "foreign" to them and their way of life if they had broken it, but quickly felt it was judicious if they were the victims. They were not generally reluctant to report offences, but co-operated with investigations only if the nature of the complaint and the people involved afforded their disapproval.

Legal aid only was available to the Indian offenders. Most of the policemen felt that holding court on the reserves would not serve to deter native criminality as they felt Indians to have a different outlook on offences than most other people. Since the Indians were not receptive to outsiders, the men also felt an Indian Liaison N.C.O. would be ineffective. In addition, the idea of organizing police commissions or citizens' committees to hear Indian complaints against policemen met with negative response. The men felt that the present system was adequate, that Indians should not get preferential treatment, and that such groups would be plagued by imagined complaints. It was further added that if other government agencies showed the same interest in the Indian as the R.C.M.P. did, there would be no Indian problems.

The police presence on the reserve was mainly complaint oriented and most police-Indian contact was made in conjunction with enforcement and public relations work. Preventive patrols were made when time permitted, but the reserve still received more policing per capita than the rest of the detachment. The amount of preventive policing was thought to be adequate because the crime rate was relatively low, too many patrols only encouraged minor complaints not normally received and no amount of prevention would deter criminals bent on achieving a certain goal. Stopping and talking to the Indians during such patrols seemed to help develop better relations between the two groups.

Whenever money or liquor was available to the Indians here they drank to excess and it was this problem that led to most of the complaints received from the reserve. An Indian found intoxicated in town was usually arrested and detained until sober to prevent later problems as the Indians were unpredictable in such a state.

Two policemen felt apprehensive when patrolling the reserve because the Indians when drinking were irrational and prone to using weapons and frequent threats and assaults had been made on policemen. When patrolling the reserve they used two men per car to avoid unwarranted violence.

In an ideal situation, the men thought it would be helpful to have a good working liaison with the Indian Band Council so that an avenue could be opened to assess actual conditions and trends on the reserve. However, the policemen contended that the Council for this reserve was not in contact with the people it represented and that the Chief was usually away from the reserve, drunk. Most of the men knew the people on the Council and felt it was important to know its administrative function.

The policemen agreed that Police-Indian community relations programs were important for increasing communication between the two parties and it had been noticed that there were fewer complaints when sports activities were in progress. One policeman was involved with sports activities and felt the Indians to be receptive to them. The men would like to see more youth sports groups implemented and a public relations group to promote the R.C.M.P. The men in this area seemed to have a fair working relationship with Indian juveniles.

Indian education classes on the Criminal Justice System were thought to be unnecessary as the Indians had a fair knowledge of the law but if organized, should not be the responsibility of the R.C.M.P. as policemen were not trained educators and the Indians would feel the police to be biased. It was felt that the Department of Indian Affairs should handle any such classes.

The men in general had mixed feelings about their work experience but all preferred not to police another Indian reserve detachment as they found the work to be demoralizing and unrewarding.

Most of the policemen perceived the Indians in this area to be poorly educated, on welfare, lazy, adequately housed and dressed but neglectful of their children. In addition, most of them appeared to respect the members of the R.C.M.P.

CASE 25POLICE AREA DESCRIPTION

1. Size of Detachment Area: 840 square miles
2. Geographical Location: Nova Scotia
3. Size of Indian Reserve: 20 square miles
4. Distance Reserve From Detachment: 25 miles
5. Total Percentage of Man Hours Policing Reserve: 5%
6. Other: a) Reserve: wet
b) Indian Act not being enforced.

POLICE PERSONNEL DESCRIPTION

One staff sergeant, two sergeants, four corporals and fifteen constables (45.4% questionnaire response) stationed at this detachment. The following is a description of the ten policemen who answered the questionnaire.

- a) Age: Maximum: 34 years
Minimum: 22 years
Average: 28.1 years
- b) Years of Service: Maximum: 14 years
Minimum: 7 months
Average: 7 years
- c) Years Policing Indian Reserve Areas:
Maximum: 5 years
Minimum: 0 years
Average: 1.7 years
- d) Educational Standing Beyond Grade 12: 4 members
- e) Province of Origin: Ontario
Quebec
New Brunswick
Nova Scotia
Newfoundland
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c: not supplied.
Other Members: 4.2%
- g) Contact With Indians Prior to Joining The Force:
 - i) 5 members had "direct" contact:
played sports and worked with
Indians.
 - ii) 5 members had no contact.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIANS</u>	<u>NON-INDIANS</u>	<u>TOTAL</u>
1. Liquor	34	456	490
2. Impaired Driving	8	148	156
3. Suspended Driving	1	20	21
4. B.E. and Theft	4	129	133
5. Theft Over	0	44	44
6. Theft Under	5	79	84
7. Common Assault	30	96	126
8. Assault Causing	(Totals included under item #7)		
TOTAL	82	972	1,054
POPULATION	1,550	37,000	38,550
RATE/100 POPULATION	5.29	2.62	

Percentage of Indian Charges to Total: 7.8%

Percentage of Total Population Indian: 4.02%

This detachment has an area encompassing 1840 square miles. The detachment members are responsible to police one Indian reserve located 25 miles from the detachment. There are approximately 1550 Indians on the Indian reserve with 37000 non-Indians in the remaining detachment area. During the period 1 Jan 74 through 31 Dec 74, there were a total of 1054 charges laid against residents, in the eight offence categories. Most of the charges were against non-Indians. However, when rates are computed the rate for the Indian population is greater than that for the non-Indians. The greatest number of charges were for violations of liquor laws. Impaired Driving constituted the second largest category of offences for which charges were laid.

Three policemen at this detachment received a course of instruction on the policing of Indians while attending their recruit training. The courses, ranging from three to six hours in duration, involved listening to Indian speakers relate experiences and facts of Indian reservation life and the Indian Act. One policeman felt the course was beneficial upon his arrival at his first Indian reserve, as he had had no previous contact with Indians. The remaining policemen, however, found their course to be non-beneficial as it was too short and lacked in content. The policemen at this detachment were evenly divided on whether or not a policeman should receive a training course on the policing of Indians. Those who favored a course, given at either the recruit or provincial "in-service" training level, felt policemen must know, understand and be able to resolve problems they will encounter when in contact with the Indians. This was important for effective policing of Indians. The remaining policemen disagreed indicating that Indians should not be treated differently from other ethnic groups and furthermore, reserves should be policed by Indian Special Constables as the Indians preferred this and resented outside interference. The majority of the policemen felt that no special qualifications were required to police the reserve.

The members did not feel that there was a language barrier between themselves and the Indians. The two Special Constables who policed this Indian reserve were thought, by the majority of the policemen, to be a benefit to the detachment. The Constables had no communication gap with their people and had less difficulty dealing with them, compared to a non-Indian policeman. Furthermore, since their inception there had been a decrease in offences against Indians.

Most of the Indians had an understanding of their legal rights and court procedure. They did not plead guilty to a charge as a result of misunderstanding the concept of "legal guilt". The consensus of opinion was that the Indian did not intentionally commit offences during inclement weather to gain food and shelter through incarceration. Nor was it felt that incarceration was a means sought by the Indian juvenile to escape the reserve environment.

The policemen did not know if the Indians felt the Canadian law to be "foreign" to them. The Indians on this reserve were not reluctant to report an offence and were generally helpful in assisting a policeman who was investigating a complaint.

There were no native court counsellors here but legal aid was available to the Indian offenders. Holding court on the Indian reserve to subject the Indian offender to social pressure from his peers was thought, by the majority of policemen, to be a realistic concept and should be tried. Possibly, Indian peer pressure would be a positive influence in reducing the number of Indian offences. There was a Divisional Police-Indian Liaison N.C.I. in the Province of Nova Scotia. The consensus of opinion indicated the Liaison N.C.O. to be a benefit to both the policemen and the Indians. The police were not in favor of a police commission or a citizens' committee. It was felt the present system of investigating complaints was adequate. Furthermore, a policeman should not be more accountable for his actions to Indians as compared to other residents in the community.

The police presence on the reserve was primarily complaint oriented with the majority of police-Indian contact being in the realm of enforcement leading to a charge(s). The policemen felt the reserve received adequate policing as three Indian Special Constables resided there and were supported by policemen from the detachment. The policemen who worked the reserve south zone area usually did preventive patrols on a once per month basis. They felt these monthly patrols were adequate as the reserve had a low crime rate and the Indian Special Constables were visible on the reserve at all times. Some of the policemen felt that the preventive patrols were effective, as far as police-Indian relations were concerned. These relationships were enhanced by showing a personal interest in the Indians.

The major cause of complaints on the reserve was related to liquor. In fact, the policemen indicated that liquor played an important role in the lifestyle of the Indians because they were unemployed and bored with their lives. The usual reaction to an Indian found intoxicated in town was to arrest and detain until sober. This action was taken because the Indians lived 25 miles from town and therefore could be injured trying to get home and to protect other people from the intoxicated Indian.

Two policemen felt apprehensive when patrolling the reserve alone as the Indians usually travelled in groups and were unpredictable when drinking. However, the majority of the policemen contended the same policing procedures were used whether on or off the reserve.

The policemen felt that they should have a good working liaison with the Indian Band Council for the purpose of learning, understanding and realizing the motivation behind each party's function. Furthermore, gaining respect of the Council would filter directly into the community which the Council represents. The majority of the policemen did not know the Band Council members but felt it was necessary to know the Council's administrative function.

The members felt police-Indian community relations were important for developing a better relationship and understanding between the Indian and the police. However, only one policeman was involved with a sports program and, if the choice was theirs, two policemen would also like to get involved with such a program. The majority of the policemen did not have or did not know if they had a good working relationship with the Indian juveniles.

Most of the policemen were uncertain whether Indian education classes dealing with the Criminal Justice System would be beneficial to the Indians. None of the policemen were involved with such classes indicating that they had no time to give them. Furthermore, a course was attempted, some time ago, but the Indian response was very poor.

In general, the policemen found the policing of Indians to have had no effect on them personally. The majority would police another reserve as the Indians were easy to deal with. Length of posting varied from a maximum of two years to an indefinite period of time as the policemen were satisfied with the work and area.

The general picture that the policeman had of the Indians was that they were poorly educated, seasonally employed, on welfare, poor financially, lazy, adequately housed and the children were poorly cared for. It was further felt that most of the Indian population respected the policemen.

CASE 26POLICE AREA DESCRIPTION

1. Size of Detachment Area: 324 square miles
2. Geographical Location: New Brunswick
3. Size of Indian Reserve: 12 square miles
4. Distance Reserve From Detachment: 5 miles
5. Total Percentage of Man Hours Policing Reserve: 10% as Indian Special Constable on the reserve handles most of the problems.
6. Other: a) Reserve: Wet
b) Indian Act being enforced: Sections 97 and 57
Total offences: 1.

POLICE PERSONNEL

One sergeant, one corporal and four constables (33.3% questionnaire response) stationed at this detachment. The following is a description of the two policemen who responded to the questionnaire:

- a) Age: Maximum: 39 years
Minimum: 25 years
Average: 32 years
- b) Years of Service: Maximum: 19.5 years
Minimum: 16 months
Average: 10.4 years
- c) Years Policing Indian Areas: Maximum: 11 months
Minimum: 6 months
Average: 8.5 months
- d) Educational Standing Beyond Grade Twelve: 1 member
- e) Provinces of Origin: Que., Newfoundland
- f) Time Spent Policing Indians:
N.C.O. i/c - 10%
Other Members - 20%
- g) Contact with Indians prior to Joining Force:
 - i) 2 members had no contact previously.

PROSECUTION STATISTICS: 1 JAN 74 - 1 JAN 75

<u>OFFENCES</u>	<u>INDIANS</u>	<u>NON-INDIANS</u>	<u>TOTAL</u>
1. Liquor	19	146	165
2. Impaired Driving	2	46	48
3. Suspended Driving	4	16	20
4. B.E. and Theft	7	5	12
5. Theft Over	0	2	2
6. Theft Under	1	4	5
7. Common Assault	4	3	7
8. Assault Causing	0	0	0
TOTAL	37	222	259
POPULATION	600	6000	6600
RATE/100 POPULATION	6.16	3.7	

Percentage of Indian Charges To Total: 14.28%

Percentage of Total Population Indian: 9.09%

This detachment has an area encompassing 324 square miles. The detachment members are responsible to police the one Indian reserve located 5 miles from the detachment. There are approximately 600 Indians on the reserve with 6000 non-Indians in the remaining detachment area. During the period 1 JAN 74 through 31 DEC 74 there were a total of 259 charges laid against residents, in the eight offence categories. Most of the charges were against non-Indians. However, when rates are computed the rate for the Indian population is greater than that for the non-Indian. Over half of the charges were for violations of liquor laws. Impaired Driving constituted the second largest category of offences for which charges were laid.

Neither of the responding policemen from this detachment had taken a recruit training course on policing Indians nor did they feel one to be necessary at any level. This opinion was based on their contentions that Indians should not be treated differently so there was no need to learn more about them than any other ethnic group and that reserves should be abolished. Consequently, they also thought no special qualifications were required of men being transferred to this area.

One member experienced some language difficulties because he was french and not very conversant in English. Because of this the Indians tended to ignore him. Both policemen agreed that the Indian Special Constable on the reserve was beneficial as he was more readily accepted by the reserve residents since he spoke their language and was a member of their community.

The Indians in this area seemed to understand their legal rights, court procedure and the concepts of "legal guilt" and "innocence". None of the Indians appeared to deliberately break the law and seek incarceration for any reason such as weather or escaping their environment. The men suggested that most of the Indians in the area did think Canadian law to be "foreign" to their way of life and should not apply to them. However, they were not reluctant to report offences but were very hesitant about testifying against "one of their own".

Legal aid and native court counsellors were available to Indian offenders in this area. The court counsellors appeared to be very beneficial. One member thought reserve courts should be tried, but doubted any positive results would occur. There was no Divisional Indian Liaison N.C.O. in New Brunswick and the members of this detachment were in favor of the concept.

However, they were not in favor of police commissions or citizens' committees as they thought Indian complaints should be handled in the same way as all others were.

Complaints result in the major police presence on the reserve, but most of the police-Indian contact was made in conjunction with both enforcement and public relations. Preventive patrols on the reserve were the responsibility of the Indian Constable and were not made by the detachment members unless absolutely necessary. They felt the Indian Constable, who resided on the reserve, did an adequate job of policing and although they thought the amount of preventive work done by themselves was inadequate, they contended that the Indians did not want to be police.

Liquor played an important role in the lives of these Indians and resulted in most of the complaints received from the reserve. If anyone, white or Indian, was found intoxicated in town, the police made an attempt to find transportation home for the person and, failing that, arrested and detained until sober.

One member indicated that he felt apprehensive when patrolling the reserve because of the unpredictability of the Indians and therefore never went alone to the reserve at night and only rarely during the daytime. The members took the extra precaution of having the Indian Constable accompany them on patrols or when answering complaints to avoid unnecessary trouble.

The policemen felt that they should have a good working liaison with the Indian Band Council so that law enforcement policy and procedure could be better understood. One policeman knew the members of the Council, but didn't think it was necessary to know its administrative function.

The members thought police-Indian community relations programs should help to eliminate the reciprocal hatred between the two groups caused by a lack of communication and comprehension. However, both men indicated the Indians in this area were not receptive to such programs as they seemed to believe the police were always trying to lead them into trouble so they could charge them. If the choice was theirs, the policemen would like the reserves abolished and the Indians integrated so that everyone could enjoy the same programs. Neither man felt he had a good relationship with the Indian juveniles.

They thought that education classes on various spheres of the Criminal Justice System could be helpful if the Indians were willing to listen. Neither was involved in such classes or felt it was his responsibility to give them.

One of the policemen found policing Indians to be demoralizing as no matter how hard he tried to help them, they always let him down. Since it was his first experience with Indians, the other policeman found it to be very educational but could not understand a people who refused to help themselves. Both members preferred not to police another reserve as their efforts seemed fruitless. One member thought that a maximum of one year at this detachment was sufficient.

In the opinion of the policemen, the Indians were poorly educated, lazy and neglectful of their children and adequately housed. Furthermore, they did not respect the members of the R.C.M.P.

APPENDIX "C"

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 6,500 square miles
2. Geographical Location: British Columbia
3. Size of Indian Reserve: unknown
4. Distance Reserve From Detachment: 20 miles
5. Total Percentage of Man Hours Policing Reserve: 5%
6. Other: a) Reserve: Wet
b) Indian Act not being enforced

POLICE PERSONNEL DESCRIPTION

One staff sergeant, two corporals and eleven constables (28.5% questionnaire response) are stationed at this detachment. The following is a description of the four police personnel who answered the questionnaire:

- a) Age: Maximum: 41 years
Minimum: 21 years
Average: 30.3 years
- b) Years of Service: Maximum: 22 years
Minimum: 1 year
Average: 10.7 years
- c) Years Policing Indian Reserve Areas:
Maximum: 13 years
Minimum: 6 months
Average: 5.8 years
- d) Educational Standing Beyond Grade 12: 1 member
- e) Province of Origin: Alta., Sask., Ontario.
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c: 5%
Other Members: 40%
- g) Contact With Indians Prior to Joining The Force:
 - i) 1 member had "direct" contact: worked with and played sports with Indians.
 - ii) 3 members had no contact with Indians.

This detachment has an area encompassing 6,500 square miles. The detachment members are responsible to police the Indian reserve located 20 miles from the detachment. There are approximately 1,500 Indians on the Indian reserve with 12,000 non-Indians in the remaining detachment area. The Indians represent 11.1% of the total policing population.

One policeman at this detachment had received an eight hour course on the policing of Indians while attending recruit training. The course entailed lectures by police and Indian personnel and was thought to be beneficial as it gave the member some insight into Indian problems prior to his transfer. However, most of the policemen at this detachment were not in favour of such a course at any level because Indians were thought to be too unpredictable to set any course guidelines, and that any Indian lecturers would tend to be biased towards the Indians and how they have been exploited. One member had taken a two hour "in-service" course dealing with Indian grievances but found it to be of no benefit. It was agreed that a policeman stationed at this detachment should lack prejudice and have a few years' policing experience.

No language barrier existed between the police and the Indians at this detachment. The policemen were divided in their opinion as to whether an Indian Special Constable would be beneficial. In one's opinion, there were no Indians on this reserve competent enough for the task. However, others felt that better understanding could be achieved between the police and the Indians by the availability of such a constable.

The policemen were also divided on the subject of whether or not the Indians understood their legal rights and court procedure or plead guilty to charges because of an ignorance of the concept of "legal guilt". However, there was no evidence that Indians intentionally committed offences during cold weather to gain food and shelter through incarceration, nor was this method used by the Indian juvenile to escape their environment.

The members had a conflict of opinion about whether the Indians thought the Canadian law should not apply to them because it is "foreign" to their way of life. Most of the Indians were not reluctant to report an offence but would not give any cooperation with the investigation. In fact, once sober, most Indians tended to withdraw all claims to the complaint.

Legal aid and native court counsellors were available to the Indian offenders here. The counsellors' services were beneficial in affording the Indian legal clarification and counselling. Since Indians have ready access to the court in this town, with no preventive results, it was felt that to hold court on the reserve would serve little purpose. It was felt that artificial barriers such as this serve only to prevent the Indian from entering the mainstream of Canadian society. The policemen contended that a Police-Liaison N.C.O. is an asset, but are not in favor of either a police commission or a citizens' committee as it is felt the present channels are adequate, that Indians should not receive preferential treatment and that such commissions usually attract radicals with unfounded complaints.

Complaints resulted in the majority of the police presence on the reserve. Most personal contact with the Indians was made in connection with law enforcement and public relations. Preventive patrols on the reserve were sporadic and because of the distance were usually only made in answer to complaints or to serve warrants. Although the policemen were of the opinion that the reserve did not receive adequate policing, they did feel there was sufficient preventive work being done as the majority of the complaints received were of a nature that was not generally preventable. The men agreed that preventive patrols did serve to improve the rapport between Indians and the police.

Liquor played an important role in the life of the Indians, subsequently affecting the children as well. Liquor was the major cause of most assaults and family disputes resulting in complaints to the police. The course of action taken when a person is intoxicated in this town depends entirely on the degree of intoxication and does not differ from Indian to non-Indian.

One policeman indicated he felt some apprehension when patrolling the reserve and most stated that they used the extra precaution of back-up units while on the reserve. It was also noted that more patience was required when dealing with Indians and more time was spent to ensure the Indians understood the reasons for police actions.

Having a good working liaison with the Indian Band Council was thought to be valuable for understanding and resolving mutual problems and also for investigative assistance. Most of the policemen knew the members of the Council but did not think it necessary to understand its administrative function.

The men felt that ideally Indian-Police community relations programs should be beneficial in developing a better mutual understanding between the groups but felt that any progress made disappeared immediately the Indians became intoxicated and the police were once again seen as the enemy. Although none of the men were involved in such programs, one stated that he would like to see the installation of an Indian Special Constable, while another felt that reserves and welfare should be abolished to allow the Indians to control their own destiny and become part of the Canadian culture. Generally, the policemen did not have a good working relationship with the juvenile Indians.

It was the consensus of opinion that classes on the various spheres of the Criminal Justice System were necessary for most Canadians, Indian or not, as much court time is wasted by this lack of knowledge on the part of the average person. One member was involved with an education program through the Justice Development Commission, but all agreed that such courses should be offered through the school system or some outside agency, as the police do not have the manpower.

The experience of policing Indians had affected the men differently. One found it demoralizing and upsetting, two had learned that it is best not to become emotionally involved with Indians and their problems and the fourth felt that the reserve system was wrong as it forced Indians to be isolated and to live like second class citizens. Only one policeman was decidedly against policing another reserve as he found the work to be too upsetting and his efforts futile. The policemen were generally indifferent about the length of posting.

These men saw the Indians to be poorly educated, on welfare, adequately housed, neglectful parents, lazy and lacking in self-esteem and any sense of responsibility either to themselves or their possessions. The members did not unanimously feel that the Indians in this area respected the police.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 5,500 square miles
2. Geographical Location: British Columbia
3. Size of Indian Reserve: 27,200 acres (total reserves in all)
4. Distance Reserves from Detachment:
 - a) 35 miles
 - b) 50 miles
 - c) 10 miles
 - d) 25 miles
 - e) 30 miles
5. Total Percentage of Man Hours Policing Reserves:
 - a) Reserves: 2%
 - b) Indians: 20%
6. Other:
 - a) Reserves: Wet
 - b) Indian Act not being enforced

POLICE PERSONNEL DESCRIPTION

One staff sergeant and twenty-eight other ranks (17.3% questionnaire response) are stationed at this detachment. The following is a description of the five police personnel who answered the questionnaire:

- a) Age: Maximum: 29 years
Minimum: 20 years
Average: 23.6 years
- b) Years of Service: Maximum: 10 years
Minimum: 8 years
Average: 4 years
- c) Years Policing Reserve Areas: Maximum: 7 years
Minimum: 2 months
Average: 3.13 years
- d) Educational Standing Beyond Grade 12: 1 member
- e) Province of Origin: B.C., Alta., Sask., Ont.
- f) Percentage of Time Spent Policing Reserves:
N.C.O. i/c: not supplied
Other Members: 13%
- g) Contact With Indians Prior To Joining The Force:
 - i) 1 member had "direct" contact: personal friends.
 - ii) 4 members had no contact with Indians.

This detachment has an area encompassing 5,500 square miles. The detachment members are responsible to police eight Indian reserves located 10 miles to 50 miles from the detachment. There are a total of approximately 1,200 Indians on the 8 reserves with 25,000 non-Indians in the remaining detachment area. The Indians represent 4.6% of the total policing population.

There was only one policeman who received a course of instruction on the policing of Indians while attending his recruit training. The course described the Indian financial situation on reserves and stressed that policemen should be open-minded about the Indian liquor problem. The course did not serve any useful purpose, contended the policeman, as it did not explain "why" Indians failed to take care of themselves and had no personal pride. The policemen at this detachment felt that a training course on the subject of policing Indians should be given to members at the recruit and "in-service" training levels. Knowing Indian demands, Indian reactions to problems and realizing that Indians are different people would better prepare policemen when dealing with the Indians. None of the policemen have taken a course at the provincial "in-service" training level. A policeman did not require special qualifications or qualities to police the reserves.

The members here felt that there was a little communication difficulty with the older Indians but that this was not experienced with the younger Indian generation. The majority of the policemen felt that an Indian Special Constable would be an asset to the detachment as the Indians would understand and trust him more than they do an non-Indian policemen.

Most of the Indians in this area did not understand their legal rights or court procedure. However, they did not plead guilty to a charge as a result of misunderstanding the concept of "legal guilt". It was contended that the Indian did not intentionally commit offences during inclement weather to gain food and shelter through incarceration. Nor was it felt that incarceration was a means sought by the Indian juvenile to escape the reserve environment.

It was thought that some of the Indians felt the Canadian law to be "foreign" and therefore should not apply directly to them. The majority of the policemen contended that the Indians were reluctant to report an offence for fear of repercussion for reporting one of their own people, and they preferred to control their own problems. However, the

assistance given by the reserve residents in the investigation of a complaint, was dependent upon the nature of the complaint and whether or not the information given would benefit the Indian giving it. The policemen contended that this form of assistance was also followed by non-Indians.

There were native court counsellors and legal aid available to the Indian offenders here. The counsellors, it was felt, were beneficial in explaining court procedure to the offenders but more counsellors were required for the job. Holding court on the Indian reserves to subject the Indian offender to social pressure from his peers was thought, by the majority of the policemen, to be a worthwhile preventive and educational venture but that it depended entirely upon the seriousness of the offence. The Divisional Police-Indian Liaison N.C.O. was thought to be a beneficial feature for the Province of British Columbia. However, the policemen did not favour the idea of organizing a police commission or a citizens' committee for the Indians. The policemen indicated that British Columbia has a B.C. Police Commission which was available to the Indians who were desirous of lodging complaints. The Indians should not receive preferential treatment and complaints against policemen were better investigated by the R.C.M.P. as they understood police methods and problems.

The police presence on the reserves was primarily complaint oriented with the major police-Indian contact in the realm of either enforcement leading to a charge(s) or police-Indian relations. The majority of the policemen felt that the reserves received adequate policing. Preventive patrols are usually maintained on a weekly basis but it was felt that this was not adequate, even though one Chief felt that the only time the police should be on the reserves was when called. The inadequate number of preventive patrols resulted from a lack of manpower, the distances the reserves were from the detachment and other police priorities. Preventive patrols were effective, as far as police-Indian relations were concerned. Rather than driving directly through the reserves, the policemen stopped and communicated with the Indians thereby creating a greater mutual understanding.

All policemen agreed that most complaints on the reserves were liquor oriented and that it was this alcohol problem that gave rise to most assaults. Liquor played an important role in the lifestyle of the Indians here. The majority of them were alcoholics. If an Indian was found intoxicated in

town the police response depended entirely upon the degree of intoxication, whether or not the Indian was causing trouble and where the Indian resided.

None of the policemen felt apprehensive when patrolling the reserves but two policemen indicated that special precautionary measures were taken as compared to policing the non-Indian community. Two man patrols due to the remoteness of the reserves, and convincing the Indian(s) that the action the policeman was about to take or had taken was fair and just were the extra measures taken.

The policemen felt that they should have a good working liaison with the Indian Band Councils for the purpose of creating a mutual understanding of each other's function and role. The policemen did not know the members of the Councils, as there were several reserves, and the majority of the members felt it was unnecessary to know the Council's administrative function.

The policemen felt that police-Indian community relations programs were important for developing a better understanding of the Indian problems and the Indians, in turn, learned that the police have many roles, other than enforcement. However, none of the policemen were involved with programs but indicated, if the choice was theirs, they would organize sports and alcohol prevention courses. The policemen felt they had a good working relationship with the Indian juveniles.

It was thought that Indian education classes dealing with the Criminal Justice System would be of benefit to these natives. The Indians had limited knowledge of the system, contended the policemen, and such courses would not only be educational but also be crime preventive in nature. None of the policemen were involved with such courses and felt they should be the responsibility of lawyers, not the police.

The policemen found the policing of Indians to be a sensitive and rewarding experience. The factors leading to these reactions were that some of the policemen felt that they were part of the Indian's problems and therefore would like to help them. Also, some of the policemen indicated that it was encouraging to see a people, who were confronted with numerous problems, find many situations amusing. The policemen indicated that they would police another Indian reserve as they enjoyed working with Indians. The length of posting suggested varied from a maximum of four to five years as the policemen liked the area.

The general picture that the policemen had of the Indians was that they were poorly educated, on welfare, good natured, neglectful parents, lazy, inadequately housed and proud of their heritage. It was further felt that the Indians respected the police.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: Not Reported
2. Geographical Location: British Columbia
3. Size of Indian Reserve: Not Reported
4. Distance Reserve From Detachment: 4 miles
5. Total Percentage of Man Hours Policing Reserve: 10%
6. Other: a) Reserve: Dry
b) Indian Act not being enforced.

POLICE PERSONNEL

One sergeant and four constables (60% questionnaire response) are stationed at this detachment. The following is a description of the three police personnel who answered the questionnaire:

- a) Age: Maximum: 25 years
Minimum: 20 years
Average: 22 years
- b) Years of Service: Maximum: 3 years
Minimum: 17 months
Average: 2.1 years
- c) Years Policing Indian Reserve Areas:
Maximum: 2 years
Minimum: 11 months
Average: 1.4 years
- d) Educational Standing Beyond Grade Twelve: 1 member
- e) Province of Origin: B.C., Sask., Ont.,
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c - not reported
Other Members - 25%
- g) Contact With Indians Prior To Joining The Force:
 - i) 1 member had "direct" contact: schoolmates; worked with and played sports with Indians.
 - ii) 1 member had "indirect" contact; noticed in town intoxicated.
 - iii) 1 member had no contact with Indians.

The detachment members are responsible to police an Indian reserve located 4 miles from the detachment. There are approximately 200 Indians on the reserve with 1500 non-Indians in the remaining detachment area. The Indians represent 13.3% of the total policing population.

No courses on the subject of policing Indians had been taken by the policemen at this detachment. Two of the men felt that a well-structured course should be given at both training levels in order to better prepare policemen transferred to reserve areas by enabling them to better understand the sociological aspects of native culture. The other member felt that the subject matter of such a topic was far too vast to be organized into an effective course. All of the policemen felt that no special qualifications were required to police the reserve in this area.

Although there were no language difficulties here, it was the opinion of two members that an Indian Special Constable would be an asset to the detachment as the Indians would more readily identify with him and communications would improve. However, according to the third policeman, a good police-Indian rapport already existed and the simplistic nature of the local problems did not warrant a Special Constable.

Most of the Indians here had little understanding of their legal rights or court procedure. They tended to plead guilty due to an ignorance of the concept of "legal guilt" and innocence. However, there was no evidence to indicate that the Indians intentionally committed offences to gain food and shelter through incarceration during cold weather, nor did the juveniles tend to do so to escape their environment. It was the opinion that very few of the Indians thought the Canadian law, being "foreign", didn't apply to them. It was agreed that most Indians were reluctant to report an offence for fear of retaliation from their own people. The amount of co-operation received from the Indians during an investigation depended on the seriousness of the charge, and who the victim and suspect were.

Legal aid and native court counsellors were available to the Indians. The counsellors were thought to be beneficial in helping the offender understand the legal process and speaking on his behalf in court. The policemen felt that a reserve court would provide a preventive service by both creating peer pressure upon the offender and providing an opportunity for the other Indians to learn more about the court system. The

policemen thought there was no Police-Liaison N.C.O. in B.C. but agreed it would be beneficial to have one. The members also thought that the formation of a police commission or citizens' committee would be a good idea in areas, unlike this one, where the large number of complaints against police warranted it as it would also give the policeman the opportunity to publicly justify any action he has taken.

The police presence on the reserve resulted from a mixture of preventive, enforcement and complaint oriented contact with the Indians. Preventive patrols were made two to three times per week and were thought to be mutually beneficial in the area of police-Indian relations by improving communication and understanding. The fact that there were few serious complaints from the reserve coupled with the preference of the Indians to settle minor problems on their own, led the policemen to feel that the reserve received adequate policing.

Liquor played a major role in the life-style of the Indians as there were no other entertainment or recreation facilities available. The prevalence of drinking led to assaults and family disputes and formed the basis of most complaints received from the reserve. It was felt that many problems would be resolved by the absence of liquor. If an intoxicated Indian in town was not causing trouble, he was usually avoided by the police. The members did not feel any apprehension when patrolling the reserve, nor did they use different precautions or enforcement techniques with the reserve than they did with the non-Indian community.

The policemen thought it important to have a good working liaison with the Indian Band Council as this was helpful in investigations and establishing mutual trust and confidence. One member was acquainted with the Band Council members and all agreed it was helpful to know its administrative function.

Police-Indian community relations programs were thought to be important for bringing Indians in contact with non-Indians on a friendly basis, for reducing tension between the Indians and the police and for building trust and understanding between both factions. Most of the policemen were involved in such sports programs and felt the Indians to be receptive towards them. If the choice was theirs, the policemen would like to attend Band Council meetings for the purpose of explaining Indian legal rights and various aspects of the Criminal Justice System. The policemen generally felt they had a good working relationship with most of the Indians.

It was the consensus of opinion that classes designed to educate Indians on aspects of the Criminal Justice System would be a waste of time due to lack of Indian interest or attendance. They felt the alternative would be to educate the Band Council so they, in turn, could relate any pertinent information to their own people. It was thought to be the responsibility of the Indian Affairs Department to institute any structured courses.

Two of the policemen found their experience policing Indians to be very frustrating, demoralizing and an endless battle. The reasons for this included the frustration of seeing so much human potential drinking itself into a stupor, becoming irrational and ending nowhere. The other member had not been affected at all by the experience. Two of the policemen preferred not to police another reserve for the reasons above, but the third indicated he would because he has experienced little difficulty in policing Indians. The members felt that the length of stay at this detachment should be no longer than six to ten months because of the problems encountered in any very small detachment; getting in a "rut", familiarity with the people making enforcement difficult and the lack of entertainment and recreation.

In the opinion of these policemen, the Indians here were generally poorly educated, on welfare when not seasonally employed, good natured but lazy, adequately housed and dressed, but neglectful of their children and lacking initiative. Most of these Indians did appear to respect the police.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 2000 square miles
2. Geographical Location: Alberta
3. Size of Indian Reserves: 5 reserves - various sizes
4. Distance Reserves From Detachment: $\frac{1}{2}$ a mile
5. Total Percentage of man hours Policing Reserve: 75%
6. Other: a) Reserve: wet
b) Indian Act not being enforced.

POLICE PERSONNEL DESCRIPTION

Two constables (100% questionnaire response) are stationed at this detachment. The following is a description of the two police personnel who answered the questionnaire:

- a) Age: Maximum: 30 years
Minimum: 24 years
Average: 27 years
- b) Years of Service: Maximum: 9½ years
Minimum: 4 years
Average: 6.7 years
- c) Years Policing Indian Reserve Areas:
Maximum: 8 years
Minimum: 2 years
Average: 5 years
- d) Educational Standing Beyond Grade 12: 1 member
- e) Province of Origin: British Columbia
- f) Percentage of Time Spent Policing Reserves: 75%
- g) Contact With Indians Prior To Joining The Force:
 - i) 2 members had "direct" contact: playing sports and going to school with Indians.

This detachment has an area encompassing 2,000 square miles. The detachment members are responsible to police 5 Indian reserves located $\frac{1}{2}$ mile from the detachment. There are approximately 2,500 Indians on the reservations with 100 non-Indians in the remaining detachment area. The Indians represent 96.1% of the total policing population.

One policeman at this detachment had received one lecture on the subject of policing Indians during recruit training and understandably felt it had been of little benefit to him. Both men felt that a well-structured course on the subject should be given at the "in-service" training level, but it was suggested that this course would be more effective if only given to men who had worked with Indians and knew the problems encountered. It was also suggested that the course should include discussion of how to handle typical problem situations that arise in this type of police work. They agreed that men being transferred to this detachment should have a great deal of patience and understanding and would be in a better position if they could understand the Cree language.

There seemed to be some language difficulty especially with the elderly Indians who only spoke Cree. For this reason it was agreed that an Indian Special Constable would be very beneficial.

The two policemen disagreed on whether or not the Indians understood their legal rights and court procedure, but both felt that the Indians did not plead guilty through ignorance of the concepts of "legal guilt" and "innocence". The Indians did not tend to break the law intentionally during bad weather in order to receive food and shelter through incarceration, nor was this a method used by Indian juveniles to escape the reserve environment. Very few of the Indians seemed to think the Canadian law was "foreign" to them and their way of life. The policemen agreed that the Indians were reluctant to report offences, especially assaults, for fear of retaliation and seemed to accept such things as a way of life. Their co-operation during investigations depended entirely on the nature of the complaint and who was involved.

Legal aid and native court counsellors were available to the Indian offenders. The counsellors were poorly trained, but did help to explain the charges to the offenders. Both men thought reserve courts would have no preventive effect as it was their opinion that Indians do not look down on other

Indian offenders. It was suggested that the answer lay in having the Provincial Judge and his interpreter explain to them right from wrong. The men thought that a Divisional Indian Liaison N.C.O. would be an asset to the province. The men had different attitudes toward the organization of a police commission or citizens' committee. One thought a monthly public meeting would be a good idea while the other felt the present system to be most adequate as most Indian complaints were greatly exaggerated.

The police presence on the reserve was mainly preventive. However, most of the police-Indian contact was made through enforcement and counselling. Preventive patrols were made more than once a shift and the reserve was thought to receive very adequate policing. The preventive patrols seemed to be effective for developing more co-operation from the Indians through relaxed personal contact.

Liquor is the basis of the majority of complaints received from the reserve. It played an important role in the lifestyle of the Indians as they were not interested in other activities. Since there were no cells at this detachment, an intoxicated Indian was usually taken home and someone was found to care for him or he was kept in the back of the police truck for a few hours.

One member felt apprehensive when patrolling the reserve because it was very difficult for one person to deal with a group of intoxicated Indians, but found no problems when the people were sober. The men took the extra precaution on the reserve of ensuring that a back-up unit was available mainly because of the Indian tendency to become violent when intoxicated and resist arrest.

By having a good working liaison with the Indian Band Council, it was thought that the policemen obtained a better understanding of Indian problems and could sometimes help the Council to resolve them. One policeman knew the Council members and both felt it was important to know its administrative function.

Police-Indian community relations programs were important for developing greater familiarity with the people and their problems and this made policing easier. There were no such programs at this detachment, but the men did get out and talk to the people as much as possible. If the choice was theirs, the members would not initiate any specific programs,

but one member indicated he would like to take some Indian people on patrol to better help them understand the police position in the community. The men felt they had a fairly good working relationship with Indian juveniles.

The policemen felt lack of interest on the part of the Indians would make education classes on aspects of the Criminal Justice System completely unnecessary. If such courses were organized, the men felt they should be the responsibility of native court counsellors or the Indian Affairs Branch.

Policing Indians had developed an awareness in the two policemen of the Indian way of life. They learned that Indians were not oriented toward material gain nor were they status conscious, but found it pathetic to see so many drink their lives away and so many feel the police were always "picking on them" because they were Indian. One member found the work too demoralizing and too futile to police another reserve but the other policeman stated he would continue to police reserves while single, but felt once married would not care to subject his family to the liquor problems displayed by Indians. Both men felt the posting at this detachment should not exceed two years.

The men saw these Indians to be generally poorly educated, on welfare when not seasonally employed, good natured but lazy and lacking initiative, conscious of their cultural ties to each other, adequately housed and neglectful parents. Furthermore, it was added, these people have even more opportunity to succeed in life than non-Indians and yet fail to take advantage of it. Most of these Indians appeared to respect members of the R.C.M.P.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 2500 square miles
2. Geographical Location: Alberta
3. Size of Indian Reserve: 32 square miles
4. Distance Reserve from Detachment: 3 miles
5. Total Percentage of Man Hours Policing Reserve:
Not supplied.
6. Other: a) Reserve: wet
b) Indian Act not being
enforced.

POLICE PERSONNEL DESCRIPTION

One staff sergeant, two corporals and ten constables (76.9% questionnaire response) stationed at this detachment. The following is a description of the ten policemen who responded to the questionnaire:

- a) Age: Maximum: 43 years
Minimum: 21 years
Average 29.7 years
- b) Years of Service: Maximum: 23 years
Minimum: 1.5 years
Average 8.2 years
- c) Years Policing Indian Areas: Maximum: 6 years
Minimum: 1 month
Average: 2.6 years
- d) Educational Standing Beyond Grade Twelve: 1 member
- e) Province of Origin: British Columbia
Alberta
Saskatchewan
Ontario
- f) Time Spent Policing Reserve:
N.C.O. i/c: not supplied.
Other members: 52.2%
- g) Contact with Indians Prior to Joining Force:
 - i) 2 members had "direct" contact - friends; worked with Indians; played sports with Indians.
 - ii) 3 members had "indirect" contact - lived near reserves.
 - iii) 4 members had no previous contact.

This detachment has an area encompassing 2,500 square miles. The detachment members are responsible to police an Indian reserve located 3 miles from the detachment. There are approximately 700 Indians on the Indian reserve with 3,000 non-Indians in the remaining detachment area. The Indians represent 18.9% of the total policing population.

There was only one policeman who received a course of instruction on the policing of Indians while attending his recruit training. The course, approximately one hour in length, involved listening to a member of the Alberta Métis Association. The policeman felt that the course served no useful purpose as it was lacking in content. The majority of the men at this detachment indicated that a training course on the subject of policing Indians should be given to members at the recruit and provincial "in-service" training levels. A policeman coming into contact, for the first time, with a minority group like the Indians must understand them in order to do his job effectively. The course, however, must be realistic, explaining both the Indian and police viewpoints. Two policemen had taken a course on Indian history, economics and integrative difficulties at the provincial "in-service" training level. The course, two days in length, had changed the policemen in their dealings with the Indians, but they failed to elaborate on this issue. Five policemen felt that a member being transferred to this detachment should not be a bigot, should have an understanding of the Indian culture and the larger the policeman was, the better.

The members did not feel that there was a language barrier between themselves and the Indians. The members thought that an Indian Special Constable would be an asset to the detachment. The constable would have a better grasp and understanding of the Indians and their problems.

Most of these Indians had an understanding of their legal rights and court procedure. They did not plead guilty to a charge as a result of misunderstanding the concept of "legal guilt". The consensus of opinion was that most Indians did not intentionally commit offences during inclement weather to gain food and shelter through incarceration. Some Indian juveniles did, however, use incarceration as a means to escape the Indian reserve environment.

The majority of the policemen were not certain whether or not the Indians felt the Canadian law to be "foreign" to them. The assistance given by the reserve residents in the investigation of a complaint, was dependent upon the nature of the complaint. If the complaint was serious, the Indians were generally helpful but, it was contended by some policemen, the Indians were usually drunk and did not know what was going on.

There were native court counsellors and legal aid available to the Indian offenders at this detachment. The counsellors, it was felt, were of some benefit in explaining the nature and alternatives the offenders had in relation to a charge. Holding court on the Indian reserve to subject the Indian offender to social pressure from his peers was thought, by the majority of the policemen, to be a concept that should be tried on a trial basis to measure its effectiveness. The Divisional Police-Indian Liaison N.C.O. was thought to be a beneficial feature but the policemen did not favor the organization of a police commission or a citizens' committee. The Indians, contended the policemen, were treated fairly by the policemen, should not receive preferential treatment and organizing a standardized committee on all reserves would be an impossible task.

The police presence on the reserve was mainly complaint oriented and preventive in nature. Most police-Indian contact was primarily in the realm of enforcement leading to charge(s). The policemen felt that the reserve received adequate policing. Preventive patrols were made on a once a shift basis and were effective for increasing police-Indian relations. These relations were accomplished by stopping and speaking to the Indians.

All policemen agreed that most complaints on the reserve were liquor oriented since liquor played an important role in the lifestyle of the Indians. The usual police procedure followed when an Indian was found intoxicated in town was to arrest and detain until sober. This policy eliminated any possible problems that may occur upon the intoxicated Indian's return to the reserve.

Two policemen felt apprehensive when patrolling the reserve alone as intoxicated Indians were unpredictable and tended to "gang-up" on a lone policeman, causing possible problems. However, different precautions and enforcement techniques were not used when policing the reserve.

The policemen felt that they should have a good working liaison with the Indian Band Council as it was essential to be able to go to the official body of any Community, to receive assistance with problems that occur or vice versa. Five policemen indicated that they knew the members of the Band Council and that it was important to know the Council's administrative function.

Police-Indian community relations programs were important, contended the policemen, for developing understanding and communication between the Indians and the police. However, none of the policemen were involved with programs but five did indicate if the choice was theirs, that they would like to implement sports and alcohol abuse programs. Most of the policemen felt they had a good working relationship with only a small percentage of the Indian juveniles.

Most of the policemen felt that Indian education classes dealing with the Criminal Justice System would be of benefit as the majority of the Indians had a limited education. None of the policemen were involved with education classes and, if organized, felt they should be given by the Attorney General's Department or by the Department of Indian Affairs.

Three policemen found the policing of Indians to have had a demoralizing effect on them personally. The factors leading to this reaction involved the Indians tendency to constantly resort to alcohol and lack of self-pride. The remaining policemen found working with Indians to be a rewarding experience as they enjoyed dealing with the Indians and the work was diversified. Four policemen had no desire to police another Indian reserve as the living conditions in these areas, for the policemen and their families, were usually poor. Further, some of the policemen felt that the police work on reserves was unchallenging. The majority of the policemen disagreed and indicated that they would police another reserve as the work was interesting, diverse and the experience gained would be beneficial for a policeman's career. There were various responses to the question about the desired length of posting ranging from a maximum of one week to four years, citing the isolation of the detachment, the lack of facilities for children and the interesting work as the reasons.

The general picture that the policemen had of the Indians was that they were generally illiterate, seasonally employed, on welfare, good natured, lazy, inadequately housed, culturally bound and that the children were poorly cared for. It was felt that most of the Indian population respected the police.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: Approximately 1,000 square miles.
2. Geographical Location: Saskatchewan
3. Size of Indian Reserve: Approximately 200 square miles.
4. Distance Reserve from Detachment: 10 miles
5. Total Percentage of Man Hours Policing Reserve: 15%
6. Other: a) Reserve: Wet
b) The Indian Act is being enforced:
 - a) Sections 97(a) - person with intoxicants in his possession on a reserve.
 - b) Indian Act Traffic Regulations.

POLICE PERSONNEL DESCRIPTION

One sergeant, two corporals, and eight constables (45.4% questionnaire response) stationed at this detachment. The following is a description of the five policemen who responded to the questionnaire:

- a) Age: Maximum: 42 years
Minimum: 25 years
Average: 30.6 years
- b) Years of Service: Maximum: 20 years
Minimum: 6 years
Average: 10.9 years
- c) Years Policing Indian Areas: Maximum: 8.5 years
Minimum: 1 year
Average: 5.5 years
- d) Educational Standing Beyond Grade Twelve: 0 members
- e) Province of Origin: B.C., Alta., Nova Scotia.
- f) Time Spent Policing Reserve:
N.C.O. i/c: 80%
Other Members - 52.5%
- g) Contact with Indians Prior to Joining Force:
 - i) 2 members had "direct" contact: went to school with Indians; played sports with Indians and worked with Indians.
 - ii) 0 members had "indirect" contact.
 - iii) 3 members had no previous contact.

This detachment has an area encompassing 1,000 square miles. The detachment members are responsible to police four Indian reserves located 10 miles from the detachment. There are approximately 3,200 Indians on the reserves with 3,000 non-Indians in the remaining detachment area. The Indians represent 51.6% of the total policing population.

None of the policemen had taken a recruit training course on the policing of Indians. However, most of them thought that a well-structured course on the subject should be given at both the recruit and the "in-service" training levels to help prepare men for transfers to reserve detachments. Three of the men had taken an in-service course given by R.C.M.P. and Indian personnel but indicated that the course material was outdated and of no use to them. Most of the policemen felt that no special qualifications were required of members being transferred to this detachment.

No language difficulties were encountered with the Indians. The detachment members felt that the Indians would resent an Indian Special Constable and so were not in favour of having one.

It appeared that most of the Indians here understood their legal rights, court procedure and the concepts of "legal guilt" and "innocence". They did not deliberately break the law during cold weather in order to gain food and shelter through incarceration nor did the juveniles use this means for escaping the reserve environment. It seemed that very few of them felt the Canadian law shouldn't apply to them as it was "foreign" to their way of life. These Indians were not reluctant to report offences but their cooperation with investigating policemen depended entirely upon the nature of the complaint.

There is legal aid but not native court counsellors available to the Indian offender here. In general, the policemen were against holding court on the reserves but were in favour of having a Divisional Indian Liaison N.C.O. as the detachment was short in manpower. It was felt that police commissions or citizens' committees would be a waste of time because the present system is adequate and complaints would only be made to create friction.

Police presence on the reserves was primarily complaint oriented and most police-Indian contact was made in conjunction with enforcement. Although preventive patrols were made once a shift, the men felt that the reserve did not receive adequate policing due to lack of sufficient manpower. However, there did seem to be some indication that preventive patrols were effective for establishing a good rapport with the Indians.

The policemen contended that the absence of liquor would solve most problems as it played an important role in the life of the Indian and caused most of the complaints received from the reserve. An Indian found intoxicated in town was arrested and detained until sober to prevent future complaints upon his return to the reserve.

None of the members felt apprehensive when patrolling the reserve but they took the extra precautions, not used in town, of using two man patrols and calling the office whenever leaving the police vehicle. These extra precautions were felt necessary for self-protection.

The men felt it was important to have a good working liaison with the Indian Band Council for establishing good communication between the two groups. They all knew the members of the Council and felt it beneficial to know the Council's administrative function.

It was contended that Police-Indian community relations programs were beneficial for developing better communication and understanding between the two groups. One policeman was involved with a Lions Club on the reserve and coaching hockey and football teams for Indian children and felt the Indians to be receptive to such programs. Four of the members indicated that they would like to institute more sports activities and attend Band Council meetings. Most of the policemen felt they didn't have a very good working relationship with the Indian juveniles.

Most of the policemen here favoured Indian education classes dealing with the Criminal Justice System in order to increase the Indians' knowledge on the subject and possibly reduce the number of court cases. None of the men were involved with such classes and felt they should be the responsibility of the Federation of Saskatchewan Indians, legal aid agencies or the Department of Indian Affairs.

Two policemen found policing Indians had been a very demoralizing experience because of the way the Indians squandered money on liquor, were neglectful of their children and spent so much time in jail. Two felt it had helped them develop tolerance and the remaining policemen felt no effect from the experience. Most of the men preferred not to police another reserve because they felt they would like to vary their policing experience.

These men saw the Indians to be poorly educated, on welfare, lazy and neglectful parents and adequately housed and dressed. Most of the Indians also appeared to respect the members of the R.C.M.P.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: a) Rural: 40,000 square miles
b) Municipal: 400 square miles
2. Geographical Location: Manitoba
3. Size of Indian Reserves: a) 15 square miles
b) 30 square miles
c) 8 square miles
4. Distance Reserves from Detachment:
a) 70 miles south
b) 60 miles south
c) 70 miles north
5. Total Percentage of Man Hours Policing Reserves: 60%
to reserves and settlements.
6. Other: a) Reserves: All Dry
b) The Indian Act is being enforced: Section 97(b)
a person who is found intoxicated on a reserve.

POLICE PERSONNEL

One sergeant, two corporals and seven constables (90% questionnaire response) stationed at this detachment. The following is a description of the nine policemen who responded to the questionnaire:

- a) Age: Maximum: 44 years
Minimum: 21 years
Average: 27.3 years
- b) Years of Service: Maximum: 21 years
Minimum: 1 year, 9 months
Average: 7 years
- c) Years Policing Indian Areas: Maximum: 15 years
Minimum: 9 months
Average: 4.8 years
- d) Educational Standing Beyond Grade Twelve: 3 members
- e) Provinces of Origin: B.C., Man., Ont., Nova Scotia,
New Brunswick.
- f) Time Spent Policing Reserves:
N.C.O. i/c - 50%
Other Members - 67%
- g) Contact With Indians Prior to Joining Force:
 - i) 3 members had "direct" contact through school and sports.
 - ii) 2 members had "indirect" contact - lived near reserves; noticed in town.
 - iii) 4 members had no previous contact.

This detachment has a rural area encompassing 40,000 square miles and a municipal area encompassing 400 square miles. The detachment members are responsible to police two Indian reserves located respectively 70 miles south and 60 miles south of the detachment, and one Indian reserve located 70 miles north of the detachment. There are approximately 2,150 Indians on the three reserves with 6,000 non-Indians in the remaining detachment area. The Indians represent 26.4% of the total policing population.

Three of the policemen at this detachment had taken a recruit training course given by Indian and R.C.M.P. personnel dealing with the problems of policing Indians and how to handle them. The two to three hour courses were thought to be inaccurate in content and seemed to do more harm than good. However, most of the members felt that a well-structured course on the subject should be given at both the recruit and the "in-service" training levels to assist policemen in understanding Indians and to clarify the way in which each group views the other. One member had taken an "in-service" course given by a Métis professor and felt it had had some effect on his approach to policing Indians. It was suggested that men being transferred to this detachment should be mature, tolerant, friendly but firm, have a sense of humor and a desire to work with Indians.

A definite language barrier existed here between the police and the Indians and because good interpreters were hard to find, much information was lost through translation. For this reason, the men thought an Indian Special Constable would be an asset to the detachment besides the fact that he would be familiar with the ways of the Indian people and be able to make them feel comfortable in the police presence.

The policemen were unsure if the Indians understood their legal rights, but contended that they seemed to understand court procedure and didn't tend to plead guilty through an ignorance of the concepts of "legal guilt" or "innocence". Most Indians didn't break the law during inclement weather for the specific purpose of gaining food and shelter by incarceration, but some of the Indian juveniles did appear to use this method of escaping the reserve environment. Some of the Indians however, did feel that they should be exempt from Canadian law as it was foreign to their way of life. It was contended that many Indians were reluctant to report offences because they feared reprisals, because relatives were often involved, because they tended to accept such things as a way of life and because very often the victim was intoxicated at the time of the offence and couldn't remember who committed the offence.

It depended on the nature of the complaint whether or not the Indians would co-operate with investigating policemen but usually preferred not to "point a finger".

Legal aid and native court counsellors were available to the Indian offender here. The counsellors made arrangements for legal aid and resolved communication barriers but beyond this their usefulness was questioned. Most of the men were in favor of reserve courts but were pessimistic about the deterrent effects they may have because of the fact that most Indian offences were related to liquor. The policemen were also in favor of having a Provincial Indian Liaison N.C.O. but disagreed with the idea of organizing police commissions and citizens' committees as the present system was thought to be satisfactory.

Preventive work constituted the major police presence on the reserves and most of the police-Indian contact was made in relation to enforcement and public relations. As twelve scheduled days per month were allocated to each reserve, during which time the policemen lived in nearby patrol cabins, the men contended that the reserves received adequate policing. The preventive patrols, usually done once a shift, were also thought to be adequate as there was some evidence of a decrease in the number of complaints and serious crimes. It was felt that the process of communication and understanding developed during such patrols was effective in the prevention of trouble.

Liquor caused most of the complaints received from the reserves. It played an important role in the lives of the Indians as they had no jobs or recreation facilities and feel it is a status symbol to be drunk. If an Indian was found intoxicated in town he was arrested and detained until sober since the reserves could only be reached via rail or air and the police wished to prevent future trouble.

Most of the members indicated that they felt apprehensive when patrolling the reserves because the Indians were unpredictable and violent when intoxicated, the reserves have a history of violence and the use of firearms is prevalent. However, they indicated that the same policing procedures were used on or off the reserves

A good working liaison with the Indian Band Council was thought to be necessary to develop co-operation, respect and the understanding of mutual problems. The men knew the Council members and felt it important to know the Council's administrative functions.

The policemen in general saw the importance of Police-Indian community relations programs for developing a basic understanding between both parties. Most of the members are involved with the Indian Affairs Department in organizing an alcohol prevention program and accompanying workshops and felt the Indians to be receptive to such programs. Some of the members would like to organize some recreational facilities for the Indians but felt the Indians must realize that they can't be helped unless they help themselves. Most of the policemen felt they had a good working relationship with the Indian juveniles.

It was contended that classes on the Criminal Justice System would be beneficial for all Canadians, not Indians alone. None of the policemen felt they were trained to give such programs and thought they should be the responsibility of the Department of Indian Affairs, the Attorney-General's Department or Legal aid.

Most of the men at this detachment found the work to be frustrating and demoralizing. The things that most bothered the men were the abandoned children, the drunkenness and the way the people took the tax dollars to get drunk and eventually destroy everything that had been given to them. In the words of one policeman, "working with the Indians was like spitting into the wind; the more you try to do, the less you accomplish". Half of the men preferred not to police another reserve because of the frustrating and unrewarding work associated with it.

In the opinion of the members the Indians of the area respected the R.C.M.P., but were poorly educated, on welfare, lazy and neglectful of their children, lacking any ambition and adequately housed but very filthy.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 3000 square miles
2. Geographical Location: Manitoba
3. Size of Indian Reserves: 96 square miles
4. Distance Reserves From Detachment: 35-50 miles
5. Total Percentage of man hours Policing Reserve:
Unable to supply
6. Other: a) Reserves: wet
b) Very few sections of Indian Act
being enforced except the odd
complaint of trespassing.

POLICE PERSONNEL DESCRIPTION

One sergeant and five constables (50% questionnaire response) are stationed at this detachment. The following is a description of the three policemen who responded to the questionnaire:

- a) Age: Maximum: 28 years
 Minimum: 21 years
 Average: 24.6 years

- b) Years of Service: Maximum: 9 years
 Minimum: 2.5 years
 Average: 5.5 years

- c) Years Policing Indian Areas: Maximum: 8 years
 Minimum: 2.5 years
 Average: 4.8 years

- d) Educational Standing Beyond Grade Twelve:
 2 members

- e) Provinces of Origin: Ontario
 Nova Scotia

- f) Percentage of Time Spent Policing Reserve:
 N.C.O. i/c: not supplied
 Other Members: 31.6%

- g) Contact With Indians Prior To Joining The Force:
 i) 3 members had no previous contact.

This detachment has an area encompassing 3000 square miles. The detachment members are responsible to police two Indian reserves located 35-50 miles from the detachment. There are approximately 800 Indians with 1500-1600 non-Indians in the remaining detachment area. The Indians represent 34% of the total policing population.

One member at this detachment had taken a recruit training course on policing Indians, but because of the great differences found between reserves, felt the course to be of little value. The men in general were unable to agree on which was better; a well-structured course or experience. One member had taken an in-service training course dealing with the methods of policing Indians but indicated that the course had not affected his police work to any degree. The men agreed that no special qualifications were required to police the Indians.

Some language difficulties were experienced between the policemen and the Indians here and coupled with the fact that interpreters were not always reliable, this put considerable restraint on their work. The members felt that the Indian Special Constable at their detachment was an asset because he knew the language and the lifestyle of the Indians in the area.

It was contended that most of the Indians understood their legal rights and court procedure and did not plead guilty through ignorance of the concepts of "legal guilt" or "innocence". There was no evidence that the Indians deliberately sought to be incarcerated during bad weather or that the Indian juveniles used this approach to escape the reserve environment. The policemen suggested that the Indians accepted the Canadian law but felt they were being "picked on" more than the white populace. Most Indians were not reluctant to report an offence but their co-operation with investigations depended on the nature of the complaint and the previous relationship between the policeman and the person interviewed.

Legal aid was available to the Indian offender here. The idea of holding court on the reserve met with a negative response because the men doubted the deterrent effect it would have on Indian criminality and they felt most Indians to be quite knowledgeable about the court system. The policemen felt that the position of a Divisional Liaison N.C.O. would not be effective because he would be a stranger to the Indians and local detachment members were better suited to handle problems in their own area. The men also disapproved

of the organization of police commissions or citizens' committees to handle Indian complaints against policemen.

Complaints and preventive police work accounted for most of the police presence on the reserve and the major police-Indian contact was made in relation to enforcement and counselling. In the opinion of the men, the reserves received adequate policing because the police were there every day and there was an Indian Constable on the reserves. Preventive patrols were made at least once a shift but it was suggested that with more manpower any preventive program could be improved. It was evident that better communication resulted from such patrols.

Liquor played an important role in the life of the Indians here and formed the basis of most complaints received from the reserves. If an Indian was found intoxicated in town, the policemen usually arranged to have him taken home and put in the care of a responsible person.

None of the members indicated that they felt apprehensive when patrolling the reserve, but because liquor tended to cause unpredictable and irrational behavior, the men tended to be more cautious and discreet than they felt it necessary to be in town.

In their opinion it was necessary to have a good working liaison with the Indian Band Council in order to create a better understanding between both parties. The policemen knew most of the Council members but saw no need to understand its administrative functions.

It was thought that ideally Police-Indian community relations programs should be very beneficial, but that the Indians in this area were not receptive to such programs. One member was involved by explaining the police function at Indian meetings and one would like to see an alcohol abuse program instituted. The men generally felt they had a good working relationship with only a small percentage of the Indian juveniles.

Only one policeman thought education classes on the Criminal Justice System would be beneficial to the Indians but felt the responsibility for them should lie with the Provincial or Federal Government.

Two of the three responding policemen found their experience policing Indians to be demoralizing because of the futility of trying to help the Indians when instead of helping themselves, they are abusing what they do have. For these reasons, the men preferred not to police another reserve. The suggested maximum posting for this detachment varied from one to three years.

The policemen here perceived the Indians of the area to be generally poorly educated, on welfare when not seasonally employed, lazy and neglectful of their children, inadequately housed and disrespectful towards members of the R.C.M.P.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 1,200 square miles
2. Geographical Location: Manitoba
3. Size of Indian Reserve: 20 square miles
4. Distance Reserve From Detachment: 15 miles
5. Total Percentage of Man Hours Policing Reserve; 20%
6. Other: a) Reserve: Wet
b) Indian Act being enforced -
Traffic regulations: 3 offences

POLICE PERSONNEL DESCRIPTION

One sergeant and five constables (66.7% response) stationed at this detachment. The following is a description of the four policemen who responded to the questionnaire:

- a) Age: Maximum: 27 years
Minimum: 21 years
Average: 24.5 years
- b) Years of Service: Maximum: 8 years
Minimum: 1 year 9 months
Average: 4.2 years
- c) Years Policing Indian Areas: Maximum: 1 year 7 months
Minimum: 1 year
Average: 1 year 2 months
- d) Educational Standing Beyond Grade 12: 3 members
- e) Province of Origin: Ont., New Brunswick
- f) Time Spent Policing Reserve: N.C.O. i/c: not supplied
Other Members: 28.8%
- g) Contact With Indians Prior to Joining Force:
 - i) 1 member had "direct" contact: Indian personal friend.
 - ii) 3 members had no contact.

This detachment has an area encompassing 1,200 square miles. The detachment members are responsible to police two Indian reserves located 15 miles from the detachment. There are approximately 1,000 Indians residing on the reservations with 8,000 non-Indians living in the remaining detachment area. The Indians represent 11.1% of the total policing population.

Three policemen at this detachment had taken a recruit training course on the subject of policing Indians. The courses, given by university and R.C.M.P. personnel, dealt with the Indian Act, basic reasons for Indian alcoholism, native resentment of whites and the social existence of native peoples. The men found the courses to be of little benefit, however, as it was impossible for any theoretical course to predict how a policeman would react emotionally to any given situation. None of the members thought that a well-structured course on the subject was necessary at any level because they felt that each policeman had to find through experience the methods that were the most effective for him personally and that any course would teach about the "ideal" reserve which doesn't exist. They further thought that no special qualifications were required of policemen posted to this detachment.

No language difficulties were encountered in this area between the police and the Indians, but the members felt that an Indian Special Constable would greatly relieve the work load of the regular members by policing the reserve and making decisions for the Indians on the reserve.

The Indians appeared to understand their legal rights, court procedure and the concepts of "legal guilt" and "innocence". They did not break the law intentionally for the purpose of gaining food and shelter through incarceration during periods of bad weather, nor did the juveniles use this method of escaping their environment. Some of the Indians, it was felt, did seem to feel they should be exempt from the "foreign" Canadian laws. However, they were not reluctant to report offences. In fact, it was noted that they were the first to complain over petty issues and the last to help in investigations. Their cooperation was only gained if they were being questioned about an enemy and if the questions used were direct and to the point as they wouldn't volunteer information.

Legal aid and native court counsellors were available to Indian offenders here. The counsellors were seen to be helpful in advising the Indians of court procedures and ensuring their attendance in court. The men were against the idea of holding court on the reserve as they thought that for the Indians to be seen by strangers, as in the present system, would be more of a deterrent. They contended that the Indians would consider such a move to be a 'joke' as Indian offenders now are considered heroes in the eyes of their peers. The men also thought that the N.C.O. in charge of any detachment would better know the personality of his reserve and would therefore be better capable of handling issues than an outside Indian Liaison N.C.O. The concept of organizing police commissions and citizens' committees also met with negative response for the reason that the regular channels were thought to be adequate.

Complaints resulted in the primary police presence on the reserve and most of the police-Indian contact was made in the process of enforcement. In the opinion of the policemen the reserve received more adequate policing than the rest of the detachment area as the police were present there more than anywhere else. The preventive patrols, done three times a week, were thought to be very adequate and effective in bettering relations between the two groups if the Indians were sober.

Liquor not only caused most of the complaints received from the reserve, it played a very important part in the life style of the Indians. The members thought that this over-emphasis on drinking was caused by the fact that the Government stifles Indian initiative by giving them everything. They would have to go to the city to find work and in doing this they would lose their treaty and welfare rights, so they choose to sit at home and do nothing but drink. The police action taken with intoxicated Indians depended on the degree of intoxication and whether or not the Indian was causing trouble.

Because the Indians were usually intoxicated and in groups, most of the men felt apprehensive when patrolling the reserve. They felt it necessary to take the precautions of sending more than one man to answer complaints, of having two man patrols after dark and back-up units ready in case of violence. Such measures were not felt to be necessary in town.

The members agreed that it was helpful to have a good working liaison with the Indian Band Council as it was a source of useful information. They knew the members of the Council and indicated that it was important to know the Council's administrative functions.

Although the policemen thought Police-Indian community relations were important for developing better police-Indian attitudes, none of them were involved with such programs and the only suggestion made was to prepare Indians for integration. Most of the policemen felt they had a poor relationship with Indian juveniles because the children had been taught by their parents not to associate with "cops".

Because the Indians have legal aid already, there was felt to be no need for any classes on the Criminal Justice System but if they were given, they should be the responsibility of the Department of Indian Affairs.

Most members found the experience at this detachment to be demoralizing. Two of them regretted that they had developed a prejudice against reserve Indians from their futile attempts to help them. However, they would not reject another reserve posting provided they had a reprieve between this one and the next. The maximum suggested posting varied from one to five years as the work was found to be varied and reasonably interesting.

The policemen perceived the Indians to be poorly educated, on welfare, lazy and neglectful of their children and adequately housed. Most also seemed to respect the members of the R.C.M.P.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 8,232 square miles
2. Geographical Location: Manitoba
3. Size of Indian Reserve: 20 square miles
4. Distance Reserve From Detachment: 2 miles
5. Total Percentage of Man Hours Policing Reserve: 40%
6. Other: a) Reserve: Wet
b) Indian Act being enforced

POLICE PERSONNEL DESCRIPTION

One sergeant and six constables (57.1% questionnaire response) stationed at this detachment. The following is a description of the four policemen who responded to the questionnaire:

- a) Age: Maximum: 35 years
 Minimum: 21 years
 Average: 26 years

- b) Years of Service: Maximum: 15 years
 Minimum: 1 year
 Average: 6.6 years

- c) Years Policing Indian Areas: Maximum: 14 years
 Minimum: 6 months
 Average: 6 years

- d) Educational Standing Beyond Grade 12: 1 member

- e) Province of Origin: Sask., Ont.

- f) Time Spent Policing Reserve:
 N.C.O. i/c: not supplied
 Other Members: 75%

- g) Contact With Indians Prior To Joining Force:
 - i) 2 members had "direct" contact: classmates
 Indian; personal friends.

 - ii) 2 members had no contact.

This detachment has an area encompassing 8,232 square miles. The detachment members are responsible to police an Indian reserve located 2 miles from the detachment. There are approximately 2,000 Indians on the reservation with 500 non-Indians in the remaining detachment area. The Indians represent 80% of the total policing population.

One policeman had taken a ten hour recruit training course on the subject of policing Indians but found it to be of no benefit to him once transferred to a reserve detachment, as it had not prepared him for his constant dealings with intoxicated Indians. Most of the policemen agreed that an extensive well-structured course should be given at both the recruit and the in-service training levels to provide the members with necessary background knowledge prior to reserve transfers. It was suggested that such a course should be given by R.C.M.P. personnel who had extensive past and present experience in policing Indians and by natives who were knowledgeable and reasonable in their approach to reserve problems. It was felt that a policeman being transferred to this detachment should have past Indian experience, should have no great aspirations of solving age-old Indian problems and should have the ability to be flexible in his enforcement.

Definite language barriers were encountered in some areas of this detachment, making the policemen virtually helpless without the aid of interpreters, which were few in number. For this reason alone, it was felt that an Indian Special Constable would be an asset but it was also thought that he would be able to gain the Indian trust and be helpful in knowing the reserve people and their whereabouts.

Most of the Indians here seemed to understand their legal rights, court procedure and did not plead guilty through ignorance of the concepts of "legal guilt" and "innocence". Although most Indians didn't seek incarceration for shelter in bad weather, some juveniles did seem to intentionally break the law in order to escape the reserve environment. Most of them seemed reluctant to report offences because they feared retaliation and preferred to accept many minor offences as a way of life. Their cooperation with investigating policemen depended on the nature of the complaint, but usually they preferred not to get involved.

Legal aid and native court counsellors were available to Indian offenders at this detachment. The policemen contended that though the counsellors advised Indians about court procedure, they didn't really care about them. The counsellors tended to gain acquittals by using legal "loop-holes", thus arming the Indians with knowledge they could use to escape future convictions. Most of the men did not agree that reserve courts would have any deterrent effect upon Indian criminality. They were of the opinion that an Indian Liaison N.C.O. would be an asset to the province, but did not favour the organization of police commissions or citizens' committees to hear Indian complaints against members. The policemen judged the present system to be adequate and felt such groups would only serve to start "witch hunts".

The major police presence on the reserve was a result of complaints with most of the police-Indian contact being made in conjunction with enforcement. Because preventive patrols were made once a shift, the men felt that the reserve received adequate policing. Preventive patrols on this reserve were not helpful in fostering better relations because there was rarely any verbal communication.

Liquor was the major cause of complaints received from this reserve. This seemed to result from the fact that approximately eighty-five percent of the Indians had a liquor problem. When an Indian was found intoxicated in town, he was usually arrested and detained until sober to protect himself and the community.

Half of the policemen felt apprehensive when patrolling the reserve because Indians were very violent when intoxicated since they were raised in an undisciplined manner and acted irrationally when confronted with authority. However, the men indicated that the same procedures and enforcement techniques were used whether on or off the reserve.

It was felt to be important to have a good working liaison with the Indian Band Council so that both parties could "air" opinions, and develop an understanding that would be the basis of peaceful co-existence.

The members judged police-Indian community relations programs to be beneficial in giving both parties a chance to see each other in a better light. One member was involved with six such programs ranging from sports to giving public relation

talks in isolated schools. His experience had shown that the receptiveness of the Indians depended entirely on who was organizing the courses. It was suggested that a Police/pal program for Indian children may be worthy of future implementation. The men in general felt they had a good working relationship with only a small percentage of the Indian juveniles.

The members agreed that special classes on the Criminal Justice System were necessary but felt they should be available to all Canadians. None of the policemen felt qualified enough to be involved with such programs and felt the classes should be given by an impartial source appointed by the Provincial or Federal Government.

Most of the men found their experience with Indians to be demoralizing, but felt that the Indians required a "helping hand". The men, in general, had mixed feelings about policing another reserve.

The Indians were perceived to be illiterate, on welfare when not seasonally employed, lazy but proud of their heritage, neglectful of their children, willing to live like parasites off people they disliked. However, most of these people seemed to have some respect for the R.C.M.P.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 4000 square miles
2. Geographical Location: Manitoba
3. Size of Indian Reserves: a) 8 square miles
b) 40 square miles
c) 30 square miles
4. Distance Reserves From Detachment: approximately 5
and 20 miles
5. Total Percentage of Man Hours Policing Reserve:
Unable to supply
6. Other: a) Reserves: wet
b) Indian Act not being enforced.

POLICE PERSONNEL DESCRIPTION

One sergeant, one corporal and five constables (71.4% response) are stationed at this detachment. The following is a description of the five policemen who responded to the questionnaire:

- a) Age: Maximum: 41 years
Minimum: 19 years
Average: 27.4 years
- b) Years of Service: Maximum: 23 years
Minimum: 1 year
Average: 8.4 years
- c) Years Policing Indian Areas: Maximum: 21 years
Minimum: 1 year
Average: 8.4 year
- d) Educational Standing Beyond Grade 12: 0 member
- e) Provinces of Origin: British Columbia
Nova Scotia
New Brunswick
- f) Time Spent Policing Reserves:
N.C.O. i/c: 85%
Other Members: 66.3%
- g) Contact With Indians Prior To Joining The Force:
 - i) 1 member had "direct" contact - personal Indian friends and contact.
 - ii) 2 members had "indirect" contact - noticed Indians in town.
 - iii) 2 members had no previous contact.

This detachment has an area encompassing 4000 square miles. The detachment members are responsible to police three Indian reserves located approximately 5 miles and 20 miles from the detachment. There are approximately 3100 Indians on the three reserves with 2500 non-Indians in the remaining detachment area. The Indians represent 55.5% of the total policing population.

Two members of this detachment had taken recruit training courses varying in length from six to fifteen hours and given by social workers and one Treaty Indian. The men found the courses to be beneficial in giving them a better understanding of Indian life and Indian problems, thus preparing them for reserve postings. All of the men agreed that a well-structured course should be given at both the recruit and the "in-service" training levels to give policemen some understanding of how Indians perceive their role in life and how they perceive the role of the police. They suggested that men being transferred to this detachment should understand Indian problems have personal restraint on their temper, be mature and hard-working, be large physically and preferably have previous Indian experience.

No language difficulties were encountered between the police and the Indians here but the men thought that an Indian Special Constable would be most beneficial in knowing the Indians and their situation.

Most of the Indians seemed to understand their legal rights, court procedure and the concepts of "legal guilt" and "innocence". They did not break the law during periods of cold weather for the sole purpose of gaining food and shelter through incarceration nor did the Indian juveniles use this method of escaping the reserve environment. Although some of them did feel that the Canadian law was "foreign" to their way of life and should not apply to them, they were not reluctant to report offences. However, their co-operation with investigations depended entirely on the nature of the complaint, who was involved and who was questioned.

Legal aid and native court counsellors were available to the Indian offenders but the men were not in favor of holding court on the reserve because it was contended that if any deterrent effect were to be felt at all, it would be with the present court system. The policemen were in favor of having an Indian Liaison N.C.O. but not in favor of police commissions

or citizens' committees as they felt the Indians would take advantage of the situation and abuse the system.

Complaints and preventive work resulted in most of the police presence on the reserves and law enforcement resulted in most of the police-Indian contact. The policemen agreed that the reserves received adequate policing with the Band Constables in residence there and the numerous patrols. Preventive patrols were made once a shift and were seen to be helpful in developing better police-Indian relations. This was achieved by making the Indians aware of the approachability of policemen.

Liquor was the basis for most of the complaints received from the reserve. The Indians appeared to use liquor to escape reality which was considered unfortunate as they were docile and good-natured when sober. The usual police procedure with intoxicated Indians in town was to arrest and detain them until sober to protect the Indians and prevent further trouble.

One of the policemen felt apprehensive when patrolling the reserve because of the unpredictable nature of intoxicated Indians. However, most of the men stated that the same precautions were taken whether on or off the reserve.

A good working liaison with the Indian Band Council served to increase the amount of communication and co-operation between Indians and the police. The members were acquainted with the people on the Council and most felt it was also important to know its administrative functions.

Police-Indian community relations programs were seen to promote good faith and understanding between the two groups besides the educational process that evolves from them. The Indians seemed to be responsive to the sports programs already in effect. In the future, the men would like to introduce discussion groups with the Indians on the role of the police and the newly formed probation service. There did not seem to be a very good working relationship between the police and the Indian juveniles in this area. For this reason, the policemen thought that special Indian classes on the Criminal Justice System would serve to acquaint the youth with Canadian law and help build their respect for it. However, the members felt the responsibility for introducing and teaching such classes lay with the school system and the Department of Indian Affairs.

Most of the detachment members felt no effect from their experience with the Indians and consequently felt they would accept another reserve posting. They found the work interesting and diversified and the Indian people easy to deal with.

The policemen perceived the Indians in this area to be poorly educated, on welfare when not seasonally employed, lazy and neglectful of their children, but adequately housed. They also felt that most of the Indians respected the members of the R.C.M.P.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 725 square miles
2. Geographical Location: Manitoba
3. Size of Indian Reserve: 35 square miles
4. Distance Reserve From Detachment: 2 miles
5. Total Percentage of Man Hours Policing Reserve: 80-85%
6. Other: a) Reserve: Wet
b) Indian Act not being enforced

POLICE PERSONNEL DESCRIPTION

One sergeant and five constables (33.3% response) stationed at this detachment. The following is a description of the two policemen who responded to the questionnaire:

- a) Age: Maximum: 30 years
Minimum: 25 years
Average: 27.5 years
- b) Years of Service: Maximum: 8 years
Minimum: 1 year, 10 months
Average: 4.9 years
- c) Years Policing Indian Areas: Maximum: 7 years
Minimum: 16 months
Average: 4.1 years
- d) Educational Standing Beyond Grade Twelve: 1 member
- e) Provinces of Origin: Alta., Ont.
- f) Time Spent Policing Reserve:
N.C.O. i/c - not supplied
Other Members - 62.5%
- g) Contact With Indians Prior To Joining Force:
 - i) 1 member had "direct" contact - went to school with Indians.
 - ii) 1 member had no previous contact.

This detachment has an area encompassing 60 square miles. The detachment members are responsible to police one Indian reserve located 2 miles from the detachment. There are approximately 2800 Indians on the reserve with 1500-2000 non-Indians in the remaining detachment area. The Indians represent 61.5% of the total policing population.

One member of this detachment had been given a four hour recruit training course on policing Indians but found the course to be too short to be of any benefit to him. The policemen favored a well-structured extensive course to be given at either training level to help prepare men for reserve detachments by increasing their knowledge of the Indian people and their problems. A policeman being transferred to this detachment should have abundant patience.

Language barriers existed between the police and the Indians in this area, making the job very difficult as interpreters are often required, but not easily found. However, the men were not in favor of having an Indian Special Constable because it was felt that he would constantly have conflicts of interest.

The policemen thought that most of the Indians understood their legal rights, court procedure and did not plead guilty through ignorance of the concepts of "legal guilt" and "innocence". Most of the Indians were not in the habit of deliberately breaking the law in order to gain food and shelter through incarceration during periods of bad weather, nor were the juveniles in the habit of using this means to escape the reserve environment. However, there was some indication that the juveniles deliberately tried to be put in jail to conform with the "group". Very few of the Indians seemed to think themselves exempt from the "foreign" Canadian laws. They were generally reluctant, though, to report offences because they feared court procedures. Whether or not they assisted in investigations depended entirely on the nature of the complaint and who was involved.

Legal aid and native court counsellors were available to the Indian offender here. The men generally favored having an Indian Liaison N.C.O. for the province, but were against the organization of police commissions or citizens' committees because of the adequacy of the present system.

Complaints and law enforcement resulted in most of the police presence and police-Indian contact on this reserve.

Preventive patrols were made once a shift by one member and once a week by the other, but both men agreed that due to a lack of manpower they were only scratching the surface. It was suggested that the reserve required permanent policing. The little preventive work that was done seemed to be effective in developing friendlier attitudes on both sides.

Liquor played an important role in the life of these Indians and formed the basis of most complaints received from the reserve. In order to protect the Indian and prevent later altercations, the policemen usually arrested and detained anyone found intoxicated in town.

One policeman felt apprehensive when patrolling the reserve due to the number of times policemen had been attacked verbally and physically in the past. Two man patrols were used to display a "show of strength" on the reserve.

The men contended that policemen should have a good working liaison with the Indian Band Council to discuss current issues of mutual interest. They knew the Council members and felt it helped to also know the Council's administrative functions.

Both members thought good community relations programs helped make the job easier by bringing the police and the Indians together on a personal basis. Neither of the men were involved with such programs and felt the Indians lacked the ambition to be receptive to any. However, the policemen would like to attend Band Council meetings and show films to the Indian people. They felt they had a good working relationship with the Indian juveniles of the area.

One member felt that classes on the Criminal Justice System should be offered to the Indians, who lack much knowledge on the subject, but felt they should be the responsibility of some agency other than the police.

Both the policemen found their experience with Indians to be demoralizing because they constantly felt they were fighting a losing battle, and consequently preferred not to police another reserve. They agreed that the maximum posting at this detachment should be two years.

In their opinion, the Indians were poorly educated, on welfare, neglectful parents, lazy, adequately housed and good natured when sober. They also felt that the majority of the Indian people had no respect for members of the R.C.M.P.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 775 square miles
2. Geographical Location: Nova Scotia
3. Size of Indian Reserve: 25 square miles
4. Distance Reserves From Detachment: 7 miles
5. Total Percentage of Man Hours Policing Reserve: 10-15%
6. Other: a) Reserve: Wet
b) Indian Act not being enforced

POLICE PERSONNEL DESCRIPTION

One staff sergeant, two corporals and eleven constables (14.6% questionnaire response) are stationed at this detachment. The following is a description of the two police personnel who answered the questionnaire:

- a) Age: Maximum: 29 years
 Minimum: 26 years
 Average: 27.5 years

- b) Years of Service: Maximum: 10 years
 Minimum: 7 years
 Average: 8.6 years

- c) Years Policing Indian Reserve Areas:

 Maximum: 6 years 4 months
 Minimum: 5 years 9 months
 Average: 6 years

- d) Educational Standing Beyond Grade 12: 0 members

- e) Province of Origin: New Brunswick, Nova Scotia

- f) Percentage of Time Spent Policing Reserve:

 N.C.O. i/c: not supplied
 Other Members: 22%

- g) Contact With Indians Prior To Joining Force:

 i) 2 members had "indirect" contact: noticed
 on reservation; city streets and in school.

This detachment has an area encompassing 775 square miles. The detachment members are responsible to police one Indian reserve located 7 miles from the detachment. There are approximately 900 Indians with 30,000 non-Indians in the remaining detachment area. The Indians represent 2.9% of the total policing population.

The two policemen who responded to the questionnaire at this detachment had each taken a recruit training course given by R.C.M.P. personnel that dealt briefly with the Indian Act and the instructor's personal experiences with Indians. However, because the course failed to give them an in-depth view of the present Indian situation and Indian behaviour, it was of little benefit to them once posted on their first reserve. The men were both in favour of a well-structured extensive course on the subject and felt it should be given at both training levels to enable policemen to better understand Indian conditions and how best to deal with the people. From experience, one man noted that when sober, the Indians were kind and shy, but once intoxicated, they had to be handled with positive authority. One of the members had also taken a brief "in-service" course on the Indian Act but felt it had had no effect on his policing. However, a good in-service training course was felt to be a prerequisite to a transfer to this detachment.

There were no language difficulties encountered on this detachment, but while both men agreed an Indian Special Constable would be an asset, one felt that he should not come from this reserve as his past might interfere with his enforcement. The other policeman disagreed saying it would be more beneficial to have someone familiar with most of the reserve population and their family backgrounds.

There was uncertainty about whether or not the Indians understood their legal rights and court procedure, but they did not tend to plead guilty through ignorance of the concepts of "legal guilt" and "innocence". There was no evidence that the Indians deliberately broke the law during bad weather in order to gain food and shelter through incarceration nor that Indian juveniles used this method to escape their environment. Very few of them seemed to think they should be exempt from the law as it was foreign to their way of life. However, many Indians were reluctant to report an offence for fear of reprisal and tended to cooperate with investigations only if it was to their benefit to do so.

This area offered legal aid and native court counsellors to the Indian offender. The members there were not in favour of holding court on the reserve as they felt the present system produced more of a deterrent effect by bringing the offenders into unfamiliar territory. They thought that reserve courts might be warranted if all Indian offences were committed at that location, but it was contended that over fifty percent of the Indian criminal offences were committed off the reserve. They agreed that a provincial Indian Liaison N.C.O. would be an asset to the province but were against the organization of police commissions or citizens' committees as they judged the present system for handling complaints to be fair and just and that such groups would only increase the number of unwarranted complaints that were received and investigated at the present time.

Complaints caused most of the police presence on the reserve. The primary police-Indian contact was made in relation to enforcement and public relations. Preventive patrols were made once a shift by one member and weekly by the other. However, both men agreed that the reserve was under-policed because there wasn't sufficient manpower. Two previous Indian constables had resigned and the remaining Indian constable could not be expected to give the reserve the twenty-four hour coverage that it needed.

The majority of the complaints received from the reserve involved liquor, family disputes and assaults. Since the Indians had welfare money and little to do, and since liquor was easily obtained, it played a major role in the life of the Indians. The police action taken with an intoxicated Indian in town depended entirely on the degree of intoxication and the Indian's history for causing trouble.

The policemen contended that they felt no apprehension when patrolling the reserve and used the same policing techniques there as they used in town.

A good working liaison with the Indian Band Council gives policemen an insight to how Indian politics function and how their decisions are made. The men knew the members of the Council and indicated that it was important to understand its administrative functions,

Although both members thought police-Indian community relations programs were beneficial, neither was involved with any and they made the point that those Indians who needed such programs the most were the least receptive

because of their attitude toward policemen. If the choice was his, one member would like to organize programs for the children and help to educate the adults. One member indicated that he had a good working relationship with most of the Indian juveniles.

Although both members thought special Indian education classes on the Criminal Justice System should be given, they felt such classes should be the responsibility of some agency with more time and manpower than the police.

Both of the policemen felt that the experience policing Indians had been depressing and demoralizing. As one member said, "to walk into a house less than a year old that has been virtually demolished, and find dirty, hungry children wallowing in their own body waste while their parents and anyone else who happened to stroll in were lying around in various states of consciousness, would demoralize the Pope." Neither member wished to be posted to another reserve detachment because the work was demoralizing, depressing and always a "hassle". They felt the posting at this detachment should be held to a maximum of five years.

The men viewed the Indians of this area to be poorly educated, on welfare, adequately housed and neglectful parents. The members couldn't agree on whether or not they had the respect of the Indian people.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 450 square miles
2. Geographical Location: Nova Scotia
3. Size of Indian Reserve: not supplied
4. Distance Reserve From Detachment: 5 miles
5. Total Percentage of Man Hours Policing Reserve: 5-10%
6. Other: a) Reserve: Wet
b) Indian Act not being enforced

POLICE PERSONNEL

One corporal and two constables (100% questionnaire response) stationed at this detachment. The following is a description of the three police personnel who answered the questionnaire:

- a) Age: Maximum: 34 years
Minimum: 24 years
Average: 27.3 years
- b) Years of Service: Maximum 15.5 years
Minimum 3.5 years
Average 7.4 years
- c) Years Policing Indian Reserve Areas:
Maximum: 6 years
Minimum: 21 months
Average: 3.5 years
- d) Educational Standing Beyond Grade Twelve: 1 member
- e) Province of Origin: Ont., N.S., Nfld.
- f) Percentage of Time Spent Policing Reserve:
N.C.O. i/c - 5-10%
Other Members: 18%
- g) Contact With Indians Prior To Joining the Force:
 - i) 1 member had "direct" contact; Indian acquaintances.
 - ii) 2 members had no contact.

This detachment has an area encompassing 450 square miles. The detachment members are responsible to police one reserve located 5 miles from the detachment. There are approximately 300 Indians on the reserve with 6800 non-Indians in the remaining detachment area. The Indians represent 4.2% of the total policing population.

The three policemen at this detachment had not taken a recruit training course on policing Indians nor were they in favor of having any implemented. In their opinion, theoretical courses tended to be misleading and could seldom be practically applied. They felt that experience was the only way men would learn to understand and deal with the Indians. No special qualifications were apparently needed to police this area.

No language difficulties were encountered between the police and the Indians in this area. The Indian Special Constable on this reserve was very beneficial as he could understand and identify with the Indian's problems, how the Indians think and react. He received and investigated many of the complaints that would normally be received by the detachment members.

The Indians in this area understood their legal rights, court procedure and did not tend to plead guilty through ignorance of the concepts of "legal guilt" and "innocence". They didn't intentionally break the law in order to gain food and shelter through incarceration during periods of inclement weather, nor did the Indian juveniles use this route to escape their environment. Most of the policemen thought that some Indians did think they should be exempt from Canadian law since it was "foreign" to their way of life. However, they were not reluctant to report an offence and were generally co-operative with investigating policemen.

Legal aid and native court counsellors were available to the Indian offenders. The policemen considered the counsellors to be very helpful in explaining the judicial system to the Indians and assisting them in court. The policemen contended that the habitual Indian offenders would take advantage of reserve courts and should not receive preferential treatment. It was also suggested that while the present system exerts peer pressure on the Indian offenders, it does not seem to deter Indian criminality. One member only indicated that there was a Minority Group N.C.O. but he was of no benefit to their detachment. The men were not in favor of organizing police commissions or citizens' committees to hear Indian complaints because they felt there were presently enough

avenues open for lodging complaints and valuable police time would be wasted answering many unjustified complaints.

The police presence on the reserve was complaint, preventive and enforcement in nature with most of the Indian-police contact being made in conjunction with enforcement, counselling and public relations. The men felt that the reserve received adequate policing from the combined efforts of the R.C.M.P. and the Indian Special Constable. Most of the Indians seemed satisfied with the protection given. Preventive patrols were done at least once a shift by most members and were seen to be effective for promoting more personal contact.

Most of the complaints received from the reserve were related to liquor as it played an important role in the life of the Indians by giving them an escape from reality. The action taken with intoxicated Indians found in town depended entirely on the individual concerned and the degree of intoxication.

None of the policemen felt apprehensive when patrolling the reserve and all exercised the same measures there that they used anywhere else.

They felt it was important to have a good working liaison with the Indian Band Council in order to develop a better understanding of each others' problems and functions. The Council was also seen to be an important source of information about people and events on the reserve. Most of the men knew the people on the Band Council and found it helpful to understand its administrative functions.

Since Indians have the problem of living in a community separate from the main community, the policemen considered police-Indian community relations programs to be important for placing both groups on an equal social level. Two members were involved with an integrated softball league that was well received by the Indians. One member would like to organize a police-Indian sports program, if the choice was his. Most of the policemen felt they had a good working relationship with the Indian juveniles.

The policemen agreed that education classes on various spheres of the Criminal Justice System should be available to everyone as they felt most people did not understand the Judicial System. However, because they lacked the time, space and qualifications, the policemen didn't think such classes

should be their responsibility. In their opinion, such courses should be given by either the Department of Education, the Department of Indian Affairs or the Provincial Bar Association.

Two of the members here found their experience in this area to be a rewarding one because they learned to appreciate and understand many of the problems that face the Indians. None of these men would object to policing another reserve detachment. The suggested maximum posting for this area varied from two to four years as it was a small detachment and the men felt that familiarity bred softness.

The men generally perceived the Indians to be literate, seasonally employed but poor, adequately housed but lazy and neglectful parents. These Indians did appear to respect members of the R.C.M.P.

POLICE AREA DESCRIPTION

1. Size of Detachment Area: 2025 square miles
2. Geographical Location: New Brunswick
3. Size of Indian Reserve: 4 square miles
4. Distance Reserve From Detachment: 15 miles
5. Total Percentage of Man Hours Policing Reserve: 10%
6. Other: a) Reserve: wet
b) Indian Act not being enforced.

POLICE PERSONNEL DESCRIPTION

One sergeant, one corporal and eight constables (60% response) are stationed at this detachment. The following is a description of the six policemen who responded to the questionnaire:

- a) Age: Maximum: 39 years
Minimum: 22 years
Average: 29.6 years
- b) Years of Service: Maximum: 20 years
Minimum: 2 years
Average: 9.1 years
- c) Years Policing Indian Areas: Maximum: 7 years
Minimum: 3 months
Average: 2.7 years
- d) Educational Standing Beyond Grade 12: 1 member
- e) Provinces of Origin: Ontario
Quebec
- f) Time Spent Policing Indians:
N.C.O. i/c: 1%
Other Members: 16%
- g) Contact With Indians Prior To Joining The Force:
 - i) 2 members had "direct" contact - worked with and knew Indians.
 - ii) 4 members had no previous contact.

This detachment has an area encompassing 2025 square miles. The detachment members are responsible to police the one Indian reserve located 15 miles from the detachment. There are approximately 300 Indians on the reserve with 20,000 non-Indians in the remaining detachment area. The Indians represent 1.5% of the total policing population.

One policeman at this detachment had taken a four hour recruit training course on policing Indians but felt it to be of little benefit to him at his first reserve posting as it neglected to instruct about drunk Indians. Most of the men at this detachment saw no need for any course of this nature as their work with Indians was only a minor aspect of their job. They further suggested that most people were born with the patience and understanding required to deal with Indians and if the Government would stop treating the Indians as special people, seventy-five percent of the problems would disappear. No special qualifications were required of policemen being transferred to this area.

No language problems existed at this detachment but most of the members felt that an Indian Special Constable would be an asset because the Indian community would be able to identify with him.

The Indians seemed to understand their legal rights, court procedure and the concepts of "legal guilt" and "innocence". None of them sought incarceration for food and shelter during periods of bad weather nor did the juveniles use this means to escape the reserve environment. Some of the people did think the Canadian law was "foreign" to their way of life making them exempt from it. The Indians were generally reluctant to report offences because they appeared to prefer to resolve the problems themselves, wanted no involvement in such situations or in court action. Since they seemed to be afraid to testify in court, they were not prepared to co-operate with investigating policemen on the reserve.

Legal aid only was available to the Indian offenders in this area. The policemen were against holding court on the reserves as they felt it would be a waste of money and would not have any effect on the number of Indian offences. The men were also not in favor of having an Indian Liaison N.C.O., police commissions or citizens' committees as these would only serve to provide different treatment for the Indians, something they kept complaining about.

Complaints resulted in the primary police presence on the reserve. The major police-Indian contact was made in conjunction with enforcement leading to charges. Although preventive patrols were made by most of the men at least once a shift, they felt that the reserve really needed permanent policing. Preventive patrols were not seen to be effective for either deterring offences or promoting better relations as the Indians were quite unapproachable.

Most of the complaints received from the reserve involved liquor, family disputes and assaults. All offences were related to liquor and the use of firearms. Liquor played a major role in the life of the Indians here because they had so little to do with their time. Anyone, Indian or white, who was found intoxicated in town was arrested and detained until sober to prevent future problems.

Two of the policemen felt apprehensive when patrolling the reserve because of the unpredictability of the Indian people and most of the men considered it necessary to use extra precautions while on the reserve, not required in the non-Indian community. Because of the prevalent use of firearms on this reserve, the men carried a shotgun in the patrol car. They also used two man patrols and made sure a back-up unit was available in order to protect themselves from possible violence.

Ideally, the men thought it would be important to have a good working liaison with the Indian Band Council to "iron-out" problems, but this Band was divided into so many cliques that no one paid any attention to the Council. The members knew the people on the Council but saw no need to understand its administrative functions.

Police-Indian community relations programs were thought to be ineffective and none of the men were involved with any except as one policeman noted "fighting". They felt the Indians in the area to be most unreceptive to such programs and had no plans to implement any. Most of the policemen considered their relationship with the Indian juveniles to be poor.

The idea of organizing special Indian classes on the Criminal Justice System met with a negative response. Consequently, none of the men were involved with such courses and they felt themselves to be only responsible for law enforcement.

Most of the policemen found their work with Indians to be a good learning experience and would not object to policing another reserve, but felt the maximum posting at this detachment should not exceed three years.

The majority of the members perceived the Indians of this area to be poorly educated, on welfare, lazy, adequately housed. In addition, these people did not appear to have any respect for the R.C.M.P.

ABSTRACT

ABSTRACTTHE POLICING OF THE RESERVED INDIAN

One out of every hundred Canadians is registered as an Indian today on the Band List kept by the Department of Indian Affairs and Northern Development. Seventy-four percent of the total Indian population, which is approximately 250,000, reside on the 2,265 reserves in Canada administered by the Department of Indian Affairs and Northern Development. Approximately 130,000 live in the Canadian Shield and are thus isolated from the majority of the white population and also other Indians.

The term "Indian" bears a special meaning within the law and does not include everyone who is called an "Indian" in the ethnic sense of the word. Section 2(1) of the Indian Act defines an "Indian" as "a person who pursuant to this Act is registered as an Indian or is entitled to be registered as an Indian." An Indian who is entitled to do so, registers in the "Indian Register" which is maintained in the Department of Indian Affairs and Northern Development. The "Indian Register" is simply a listing composed of Band Lists and General Lists. A person who is a member of a band and is entitled to be registered shall be entered in the

Band List for that band while the name of every person who is not a member of a band and is entitled to be registered is entered in a General List. Sections 12 and 13 of the Indian Act specify those persons entitled to be registered as Indians, and includes all persons of Indian blood and their descendants, who have signed either a treaty or surrender with the Crown and reside on an Indian reserve.

The official starting point of the Criminal Justice System is its police forces and it is at this point that Native people have their most frequent contact with the system. The nature of the relationship between Native people and the police cannot be stereotyped. Sometimes the relationship is held to be good; sometimes it is held to be poor. The relationship varies with the community, the detachment and the individuals involved.

The role of the police in a democratic society is to prevent crime, to detect crime and to apprehend offenders, to maintain order in the community in accordance with the rule of law, and to inform the public with respect to police procedures and the law. However, a vast majority of the literature indicates for a variety of reasons, some of which stem from the isolated and remote nature of some reserves, policing has been less than adequate. R.C.M.P. Officers go into reserves frequently only when there is a crime to solve

and they have come to be looked upon by the Indian as an intruder, not as a friend protecting them.

The manner in which the Indian has been dealt, historically and currently, seems to indicate that the major problem as far as the Indian is concerned has been a failure on the part of officialdom to understand his culture heritage and to appreciate the social milieu in which he is being forced to operate. Within this context the problems connected with law enforcement appear to stem from a disjuncture between the law officer's concept of policing the problem group and the problem group's concept of the duties and functions of law officers, a disjuncture that has its roots in the law officer's lack of knowledge of the cultural heritage and the social and economic conditions of the policed people - a knowledge that gives meaning to policing.

This study has been undertaken to test the hypothesis that the lack of knowledge on the part of the policeman of the cultural heritage of the Indian people and the socio-economic conditions in which they live is mainly if not wholly responsible for the problems the police encounter in policing Indian people. The hypothesis is being tested from the point of view of the policeman using the method of analytic induction whereby each police detachment is

treated as a case. For the testing of the hypothesis, information has been gathered on:

- a. the policeman's view of Indian people in general, with respect to communication, education, economic and social status;
- b. the policeman's view of the understanding that Indians have of the Criminal Justice System;
- c. the role of the police on the reserve;
- d. the contact that the police have with the Indian people and their involvement in community programs;
- e. the special training the policeman has had regarding the policing of Indians; and
- f. the effect that policing an Indian reservation has had on the policeman.

The data for the study was obtained from questionnaires sent to members of the Royal Canadian Mounted Police policing reserves in British Columbia, Alberta, Saskatchewan, Manitoba, Nova Scotia and New Brunswick. A purposeful sample of 65 Indian bands policed by 59 detachments was selected. Twenty-six detachments gave complete data and were analyzed.

The suggestions from the study lead to the conclusion that the problems of policing are inextricably interwoven in the problems of culture contact and acculturation. The data also suggest that while the reduction in criminality is largely influenced by the Indian's identification with the non-Indian population, attempts made by the police to promote this identification do promote alleviation of the situation. The crux of the problem appears to be the Indian and police polar definition of each other. As this polar definition stems from a recognition of a difference, the data obtained from this study does not support the hypothesis. What is necessary to obviate the problems is apparently the destruction rather than the perpetuation of the cultural differences. This could be done by the integration of the policeman into Indian culture or the integration of the Indian into non-Indian culture. The data from this study suggests that the latter is the more potent. The data, however, is the policeman's opinion. What would the opinion of the Indian reveal is a question that may be interesting to answer.