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## APTN Investigates: Racism in the Ranks

[Investigates](#), [National News](#) | April 27, 2018 by [Trina Roache](#) | [2 Comments](#)

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After seeing racist Facebook posts by RCMP members, a former Mohawk police officer is just one voice calling for public accountability on how the RCMP handles misconduct like racism.

“Not having any transparency around these kinds of investigations and issues, it’s problematic,” said Larry Hay.

He’s a private investigator now, but Hay was an RCMP officer for 19 years. He also served as the police chief on the Tyendinaga Mohawk Territory in Ontario, which is where he’s from.

“It never comes to the fore,” said Hay. “Indigenous people have a right to know what action is being taken.”

“Any lack of transparency to police discipline matters at the federal level for the RCMP is a function of a cover-up culture,” said prominent human rights lawyer, Julian Falconer.

“At the provincial level, these are public hearings. So there is no actual privacy reason. It’s complete crap.”

Last February, *APTN News* broke the story of racist social media comments by an RCMP officer who posted that Colten Boushie, the 22-year-old Cree man shot and killed by Gerald Stanley, “got what he deserved.”

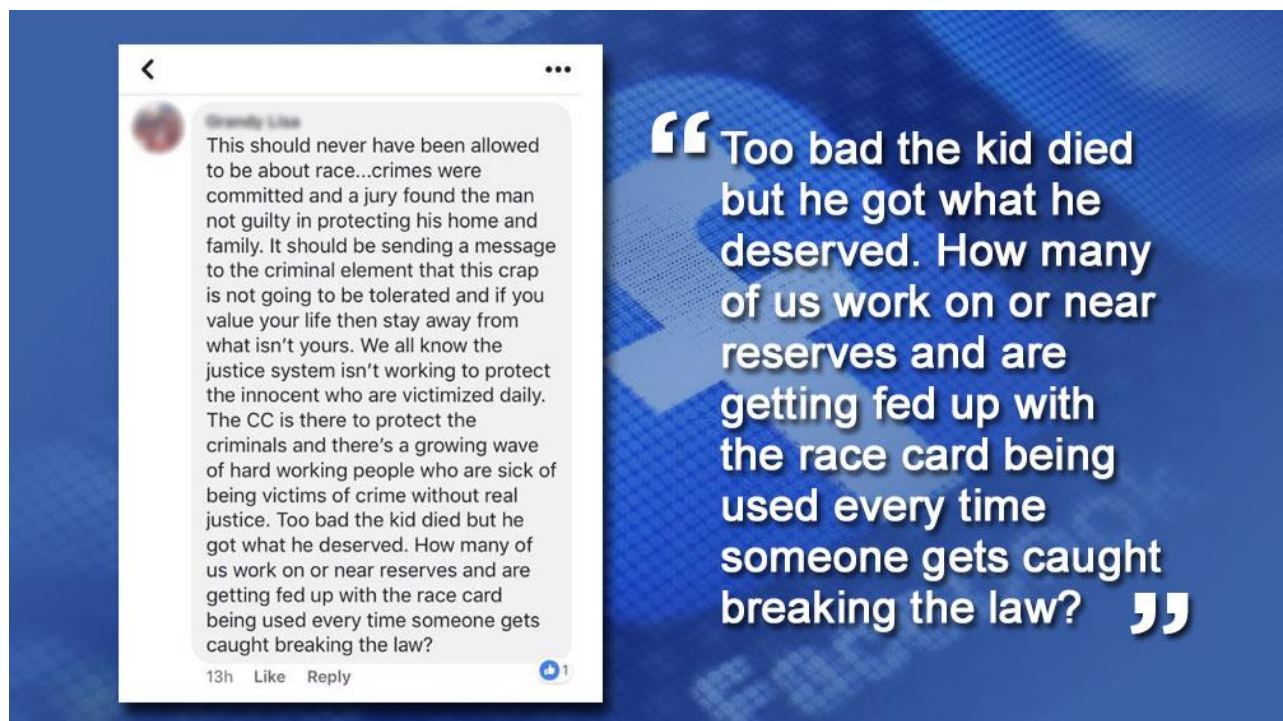
*APTN Investigates* has now discovered dozens of racist comments about Indigenous people in a different, secret Facebook group for RCMP members only.

It’s not a site managed by the RCMP, but it has close to 10,000 members.

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***Stories posted about Indigenous issues or concerns elicited these comments:***

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“...people in rural Saskatchewan should just accept being victimized because of the sad story about how the white man took the land away.”

“Enough with the handouts.” The “race card is overused.” “First Nations want a lot of things at the expence [sic] of Canadian Taxpayers.”

One RCMP officer writes, “There comes a time when someone needs to stand up to these spoiled children and tell them to just f— off.”

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Hay found the comments shocking but not surprising.

“I think it’s very tragic that these kinds of comments are still being made publicly by officers that are supposedly serving the public. And that means all of Canada,” said Hay. “Not just white Canadians.”

Assistant Commissioner Shirley Cuillierrier is a Mohawk woman from Kanasatake and the senior advisor on reconciliation for the RCMP.

“The overwhelming majority of police officers in the RCMP act with integrity and professionalism,” said Cuillierrier. “And it’s unfortunate because one person, making a comment like that. That is so hurtful, it sets us back.”

Falconer doesn’t buy the “few bad apples” theory.

“To say this is about a few bad apples is utterly fictional,” said Falconer. “And you will never solve this problem if you start by misdiagnosing it.”

Falconer has spent much of his career battling police misconduct.

His resume includes the Ipperwash Inquiry into the police shooting of unarmed, Ojibwe activist Dudley George. He was also involved in the Mahar Arar case, looking into the role played by the RCMP in falsely labelling Arar a Muslim extremist which led to his detainment and torture in Syria for almost a year.

And for the last eight years, Falconer has represented the Nishnawbe Aski Nation in their fight against police racism in Thunder Bay, where he said, “There is almost an acceptance about the existence of racism.”

Systemic racism within the justice system for Indigenous people is painted in a picture of higher incarceration rates, missing and murdered Indigenous women, and the criminalization of land protectors, he said.

And Falconer calls the Boushie story “Canada’s Rodney King moment.”

“The Stanley acquittal in the Boushie death is a reflection of a much larger fissure with society,” said Falconer. “And part of that trauma for Indigenous people arising from the Boushie case is the truth that the police are part of a broader justice system that has completely failed Indigenous people.”

In 2015, B.C. Chief Doug Kelly spoke from the floor at the Assembly of First Nations and said, “We encounter racism every day. Some of the worst racists carry a gun and they carry a badge.”

The commissioner of the RCMP at the time, Bob Paulsen, stood at the podium and said, “I understand there are racists in my police force. I don’t want them to be in my police force.”

“So I was at the assembly and I actually witnessed that happening and I was proud of our commissioner that day for acknowledging,” said Cuillierier. “And I think that’s the first step in reconciliation, right? Is acknowledging we have a problem and starting to address it.”

Cuillierier said change is slow, but it’s happening.

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### ***The RCMP is not the only police service grappling with a history of systemic racism.***

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Within the Cape Breton police service, it led to the wrongful incarceration of Donald Marshall, Jr in 1971.

In 1990, the Saskatoon police dropped Neil Stonechild off outside the city in freezing temperatures in what became known as Starlight Tours.

Dudley George was shot and killed in a land dispute by the Ontario provincial police (OPP) in 1995.

Audio of an OPP officer joking about the best way to catch an “Indian” was to put out a case of beer as bait was reported on by media years later.

And in recent years, the Thunder Bay police have been criticized and investigated for how systemic racism has resulted in shoddy investigations into a series of drowning deaths of Indigenous people.

“In my estimation,” said Hay, “if there are still bad apples after 30 years then there’s something wrong with the barrel, not just the apples.”

Hay recounts comments made during the 1990 Oka crisis, by other officers, including senior staff, who knew he was Mohawk, but would say “dirty, filthy, stinking Indians,” and that “we should just roll in with tanks and kill them all and put an end to this B.S.”

"I found this particularly hurtful as my great-grandparents are from Oka or Kanesatake, and we have relatives from this community," said Hay.

He said racism stems from a lack of knowledge and understanding of Indigenous rights, culture, and history.

"As soon as there is a crisis and there's an assertion of rights. That is when you see the uglier side of these social issues," said Hay. "And it's the same in policing."

Brenda Butterworth-Carr began her career 30 years ago as a Native Special Constable in the Yukon. She's now the Commanding Officer for RCMP 'K' Division in B.C. and says it's about education for officers.

"And really having people comprehend that as Indigenous people, our rights are within the Canadian charter, right?" she said. "Maybe that's not as well understood as it could be."

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## ***RCMP's history of policing Indigenous people stretches back 145 years.***

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The Northwest Mounted Police was created in 1873 as a paramilitary force to allow the colonial government to expand the newly formed country of Canada.

"In 1924, we know that within our own nation the RCMP was instrumental in removing the sacred wampum belts which were a record of our relationship with the crown," said Hay. "They were responsible for removing hereditary chiefs and forcibly imposing the elected system under the Indian Act."

And the Mounties played a role in taking Indigenous children from their families and communities during the residential school era.

"Certainly our people haven't forgotten about that," said Hay. "So there's a deficit of trust."

"There is a history that is deep-rooted," said Cuillierier. "Indigenous people have a hard time trusting the police and I understand that."

It's a history, she says, the RCMP is trying to overcome.

Cadets at RCMP depot receive training on Indigenous culture and history, and bias-free policing. Officers must complete an online course on cultural awareness within the first two years of service.

There's a push to recruit officers who self-identify as Indigenous. And each division has an Aboriginal policing branch.

"Our focus and priority and certainly my focus and priority is to ensure that we're continuing to build relationships and we continue to do that through cultural training," said Butterworth-Carr.

Policing of Indigenous people in northern British Columbia came under fire in 2013.

Human Rights Watch issued a report documenting stories of sexual assault and excessive force. The RCMP watchdog also investigated police misconduct, including a lack of investigation into missing women cases.

"For me, if there is a person or employee within this organization that is acting inappropriately then I will, and so will the rest of my team, hold them accountable," said Butterworth-Carr.

"And our code of conduct and the ethics and values we're to be living by within the organization are pretty clear."

*APTN* showed Butterworth-Carr the screenshots of the racist comments on Facebook and asked her how seriously the RCMP takes these.

"Incredibly seriously. Immediate response. There's no tolerance for it," said Butterworth-Carr. "I can tell you that's going to get reviewed. Absolutely."

The posts date back to last summer and fall.

A source informed *APTN* that a complaint on these posts from the secret Facebook group was made in October. But no word yet on any repercussions.

And the public will never know what happens.

"We have to do a better job of accountability and you're right, it is one of our core values and it's an important one," said Cuillierier. "We have to be and we should be transparent with the communities that we police."

But as a federal organization, Canada's Privacy Act inhibits the RCMP from providing personal information of its employees to the public.

In an email to *APTN*, Tania Vaughan, media relations for RCMP Headquarters, explained, "Conduct matters are personal information under the *Privacy Act*."

There are exceptions.

Cases serious enough to warrant dismissal, go to a conduct hearing, which is open to the public.

But in 2016, of 474 code of conduct cases, 39 were dismissal files.

Five per cent of all 2016 cases resulted in discharge.

In the secret Facebook group, the same Mountie who referred to Indigenous people as "spoiled children" complained that there must a mole who reported him for his comments.

"I know I'll get called in to the D/C's [District Commander's] office again for this comment but politicians won't call out this type of stuff as it's not politically correct to blame First Nations for their problems," he wrote. "Now to assume my position in his office."

"I know for a fact," said Hay, "those officers who are found to have committed those violations having made disparaging racist remarks rarely get more than say a day off without pay."

He contrasts that with his own experience with the OPP.

As chief of the Mohawk police in Tyendinaga, Hay gave an interview to a small student newspaper in 2007, during a land dispute in Mohawk territory.

"I said yes, racism exists in policing. It's in the SQ [Sûreté du Québec]. It's in the RCMP. And you know there are examples throughout history of that systemic racism."

Hay was then fired by the OPP Commissioner.

"So there's that disconnect between what happens for say, an officer like me who gets fired for pointing a finger at racism, and officers who are guilty of racism. I mean there's a huge gap there," said Hay. "And that has to close."

"It is ridiculous to suggest all police are racists. It's also ridiculous to suggest that no police are racists," said Falconer. "They're a reflection of humanity. They are our brothers, our sisters. There will be good ones and bad ones."

"The problem is they are licensed to use lethal force."

Falconer says the mechanisms for dealing with racism are focused on the recruitment stage in training.

“If you have the tool that can weed out racists, why can’t you use that tool with the current service?” he asks. “And the answer is you can. But they won’t. And if you ask me, that’s the next frontier.”

The act governing the RCMP was overhauled in 2014. It changed how the RCMP responds to misconduct.

“There’s a swifter ability to do it, there’s more accountability to do it and we can do it at a lower level,” said Butterworth-Carr.

Critics have argued that the lower level conduct meetings mean less accountability.

And even within the privacy laws, there’s a loophole. Personal information can be released, if it’s in the public interest.

“The RCMP is somewhat of a dinosaur on this issue,” said Falconer. “The RCMP hasn’t changed because we haven’t made them change.

“And we all take responsibility for not pushing hard enough.”

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