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June 28, 2020

To:
Mayor John Tory
City Councillors
Chair, and Members, Toronto Police Services Board
The Andrew Loku Coalition

We, the undersigned, write on behalf of Across Boundaries and The Andrew Loku Coalition (consisting of mental health service providers, supportive housing providers, academics and community groups and members), who in October 2017 called on the Government of Ontario, the City of Toronto and the Toronto Police Services Board to forthwith implement all of the June 2017 Loku Inquest recommendations (attached is our October 3, 2017 communique).

Andrew Loku was a father of five from Sudan, receiving mental health and housing supports from Across Boundaries and CMHA Toronto. He had been a participant of the two organizations for 9 years and on the night of July 5, 2015 Andrew Loku was killed by the Toronto Police who were responding to a noise issue related to his mental health. An inquest was held in this death and 39 recommendations were released on June 30th 2017.

On June 25, 2020 Mayor Tory released 18 recommendations to address the current community demands for better responses to Black, Indigenous and marginalized individuals in distress who are attended to by the police.

Having reviewed the motion, the Coalition is able to support item 3 only, "provide a line-by-line breakdown of the Toronto Police Service's existing budget at the outset of the Board's annual budget process".

The rest of the items are problematic and continue to perpetuate systemic racism against Black, Indigenous and marginalized communities. They attempt to delay, if not resist, serious, meaningful transformative action. They reflect historical platitudes, "requests" for "plans" and "consultations" and suggestions for improved training, all of which have been proposed and echoed for years, yet have utterly failed to result in meaningful reform with respect to the intersectionality of anti-Black racism and mental health within the current policing model. They propose re-investments into existing initiatives without community consultation, risking the recreation of continued problematic racist structures that do not help restore faith in the system.

Furthermore, the motion urges adoption rather than **implementation** of "all of the recommendations directed to the Toronto Police Service from the 2017 Andrew Loku Inquest". The Loku jury made 39

recommendations aimed at the Toronto Police Services, Toronto Police Services Board, and various Provincial ministries. Seventeen of those recommendations specifically dealt with racism, anti-Black racism, and implicit bias within the Toronto Police Service – link to recommendations: (<https://www.mcscs.jus.gov.on.ca/english/Deathinvestigations/Inquests/Verdictsandrecommendations/OCCInquestLoku2017.html>)

We are deeply concerned that the only item which refers to the Loku recommendations, that is, # 11, is a mere request to the Chief to “adopt” the Loku recommendation directed to the Toronto Police Service. Mere adoption is unacceptable. The item should have called for implementation and should have called for the Police Services Board, of which the Mayor is a member, to implement the Loku recommendations directed to it. We fail to understand the obviously purposeful wording used.

We do not support item # 11 as presently worded.

We expect City Council to advance strong, meaningful transformative action through an amendment to the Mayor’s motion as follows:

- require implementation of **all** of the recommendations that fall within the City’s jurisdiction;
- take action to establish immediately an alternative, community-based civilian model of response to non-violent mental health crises;
- direct the Mayor and Councillors in their role as members of the Toronto Police Services Board to ensure full and immediate implementation by TPS of all recommendations from the Iacobucci review, the Andrew Loku Inquest and the Ontario Human Rights Commission’s report related to racism, anti-Black racism and implicit bias in policing; and,
- initiate immediate discussion with relevant institutions to advocate for the implementation of those changes and processes which fall outside the City’s purview.

Now is the time for concrete, immediate action. Anything less is unacceptable.

On Behalf of the Coalition:

Aseefa Sarang, Executive Director, Across Boundaries

Idil Abdillahi, Assistant Professor, Ryerson University

Howard F. Morton, Q.C.

Alok Mukherjee, Author, with Tim Harper, *Excessive Force: Toronto’s Fight to Reform City Policing* (2018)

Supported by:

Ali, Shaheen, Retired Mental Health Planner, Promoter, Anti-Racism Consultant

Atungo, Simone, Board Member, Across Boundaries

Badsha, Mohamed, CEO, Reconnect Community Mental Health Centre

Chow, Olivia, Academic Lead, Institute For Change Leaders

Douglas, Debbie, Executive Director, Ontario Council Of Agencies Serving Immigrants (OCASI)

Fakunle, Babatunde, Board Member, Across Boundaries

Harriott, Dawnmarie, Board Member, Across Boundaries

Hunt, Alison, Executive Director, Regeneration Community Services

Khalid, Fizza, Board Member, Across Boundaries

Robertson, Angela, Executive Director, Parkdale Queen West Community Health Centre

Singh, Anne-Marie, Associate Professor of Criminology, Ryerson University

Sun, Fay, Board Member, Across Boundaries

Swadron, Marshall, Chair - Mental Health Legal Committee

Zine, Jasmine, Professor, Sociology/Muslim Studies, Wilfrid Laurier University



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Chai-Tikvah Foundation
Canadian Mental Health Association, Toronto
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Houselink Community Homes
House of Compassion
LOFT Community Services
Madison Community Services
Progress Place
St. Jude Community Homes



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COMMUNIQUE

Implement Recommendations of Andrew Loku Inquest: Coalition Asks Province Press Conference: October 3rd, 2017

At a press conference held at Queen's Park on Tuesday, October 3rd, a coalition of mental health service providers, supportive housing providers and community activists called upon the Ontario government to implement forthwith the inquest jury recommendations. These recommendations address the urgent need to completely modify and restructure police culture and structure (as testified to by Dr. Kwame McKenzie at the inquest and reflected in jury recommendation number twelve), and the manner in which officers engage in situations involving mental health, race and the intersectionality of same, particularly anti-Black racism.

On June 30, 2017, the Coroner's jury made 39 recommendations arising out of its consideration of four weeks of evidence concerning Mr. Loku's death at the hands of police in circumstances involving the intersectionality of race and mental health. While these recommendations do not address the full gamut of changes needed to address the critical issues that arise in this regard, they signal an important start, and should be implemented without delay with the exception of the use of tasers which is controversial.

Seventeen of the thirty-nine recommendations address the issue of policing and race. And in several of its recommendations, the jury chose to specifically address the issue of anti-Black racism.

This province has a long history of non-responsiveness to inquest jury recommendations. A lack of meaningful response to the Loku recommendations by the Government and all responsible agencies quite simply will not be tolerated.

The recommendations are directed specifically at the Ministry of Community Safety and Correctional Service, the Ministry of Health, the Toronto Police Service, the Toronto Police Services Board, and CMHA.

Coalition members have written to Premier Wynne, requesting a meeting with her and the involved Ministers to impress upon the government the need for leadership in ensuring full and expeditious implementation and to determine how it plans to do so.

The letter to Premier Wynne was released at the press conference.

A Registered Charitable Organization
Charitable # 14098 8262 RR0001

On behalf of the undersigned:

1. Anti-Black Racism Network
2. Accommodation, Information and Support Inc. (AIS)
3. Across Boundaries: An Ethnoracial Mental Health Centre
4. Addictions and Mental Health Ontario
5. Black Coalition For AIDS Prevention
6. Canadian Civil Liberties Association
7. Canadian Mental Health Association
8. Colour of Poverty - Colour of Change
9. Dream Team
10. Empowerment Council
11. Fife House
12. Houselink Community Homes
13. Human Rights Legal Support Centre
14. Law Union of Ontario
15. Madison Community Services
16. Mainstay Housing
17. Ontario Council of Agencies Serving Immigrants
18. Parkdale Queen West Community Health Centre
19. Peel Coalition Against Racial Discrimination (PCARD)
20. Reconnect Community Health Services
21. Regeneration Community Services
22. Street Haven
23. Street Health
24. Taibu Community Health Centre
25. Unifor
26. Urban Alliance for Race Relation
27. Wellesley Institute
28. York Youth Coalition(YYC)
29. Abdillahi, Idil
30. Chow, Olivia
31. Councillor Mike Layton
32. Councillor Joe Mihevc
33. Councillor Michael Thompson
34. Cressy, Gordon
35. Ewart, Doug
36. Galabuzi, Grace-Edward
37. MPP Peter Tabuns
38. Mukherjee, Alok
39. Roach, Kikelola
40. Singh J.D., Knia
41. Singh, Anne-Marie

QUOTES FROM SIGNATORIES

“Anti-Black racism, for the first time in the history of inquests, was identified and named in the death of Andrew Loku. In the face of historical non-responsiveness to inquest recommendations we urge the Government of Ontario to show leadership in working with the community to implement the recommendations that will not only improve the experiences but more importantly save the lives of individuals from racialized and Black communities living with a mental health or addiction issue and their interactions with the Police.”

- Aseefa Sarang
Executive Director

Across Boundaries: An Ethnoracial Mental Health Centre

“The tragic shooting death of Andrew Loku should never have occurred. It took place within a police culture that raises troubling questions about policing, mental health, systemic racism and other forms of discrimination. It is imperative that the government take all possible measures to prevent future deaths of this kind. That is the very purpose of the inquest – and the government must move swiftly to implement the jury recommendations and report publicly on their implementation.”

- Noa Mendelsohn Aviv, LL.B., LL.M.

Acting Executive Director, Canadian Civil Liberties Association

"Coroner's inquest recommendations are meant to prevent further deaths. Yet, deaths at the hands of the police have continued, and recommendations made by the coroner's juries go unheeded. It is time for the province to get serious and take responsibility for ensuring that recommendations, such as those related to anti-Black racism in policing and gathering of data on deaths in police interactions are implemented. Otherwise, public will lose confidence in the utility of these inquests."

- Alok Mukherjee

*Distinguished Visiting Professor
Equity & Community Inclusion, and,
Department of Criminology
Ryerson University*

“The Jury has presented a thoughtful, broad, comprehensive and timely set of recommendations on how to better protect the public when mental health issues are involved,” said Councillor Michael Thompson, Scarborough Centre, Ward 37. “Toronto’s sociological profile is changing rapidly, and current approaches have fallen behind. Sweeping changes are needed to ensure that policing, corrections and health services are prepared to help and protect people who are dealing with mental health crises, no matter what their backgrounds.”

- Michael Thompson

*Chair, Economic Development and Culture Committee
Chair, Invest Toronto
Councillor, Scarborough Centre
Ward 37*