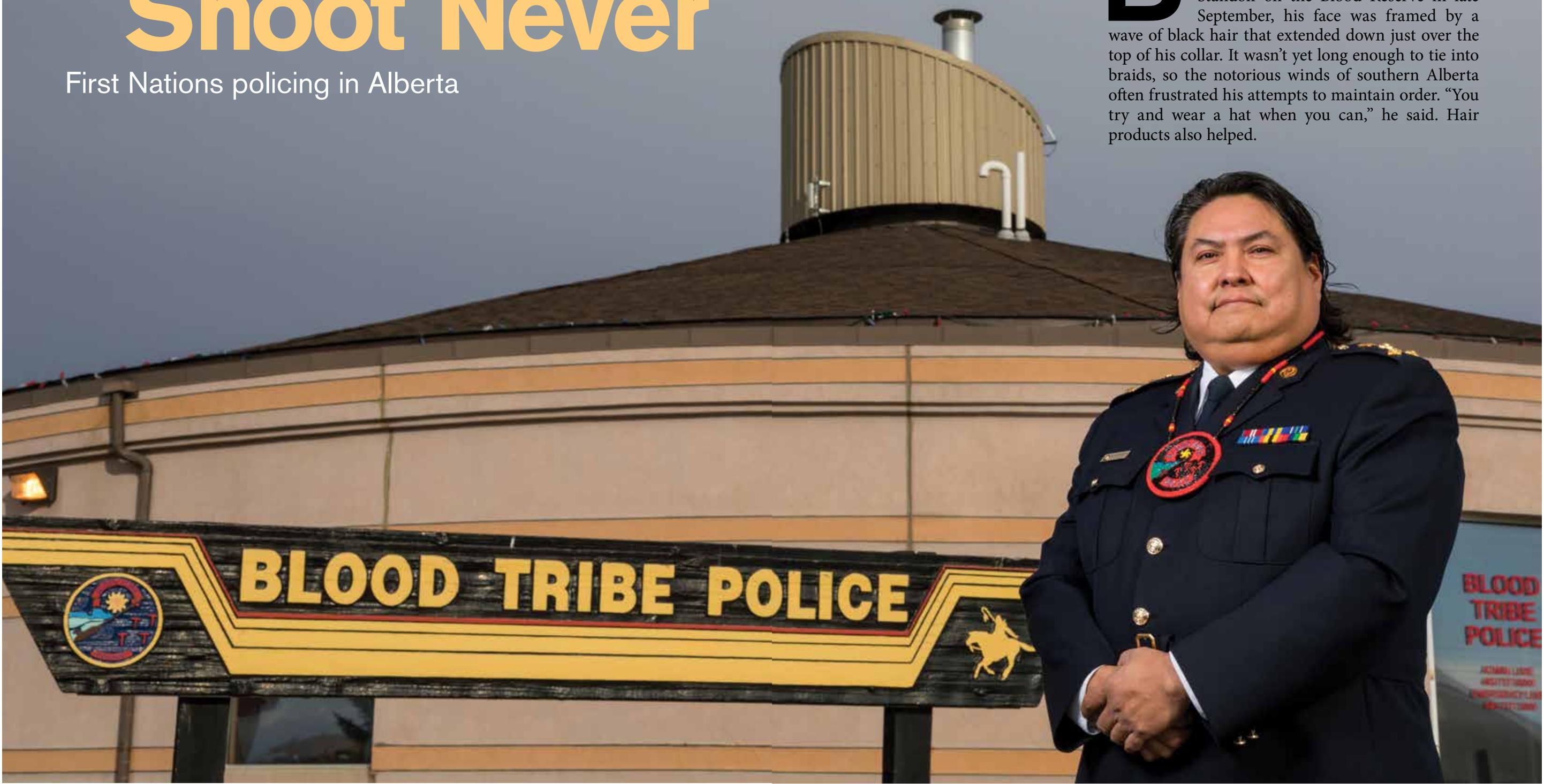


Ask Questions First, Shoot Never

First Nations policing in Alberta

By DOUG HORNER Photos by JAIME VEDRES

BLOOD TRIBE POLICE CHIEF Kyle Melting Tallow is growing his hair out. When I visited the police station in Standoff on the Blood Reserve in late September, his face was framed by a wave of black hair that extended down just over the top of his collar. It wasn't yet long enough to tie into braids, so the notorious winds of southern Alberta often frustrated his attempts to maintain order. "You try and wear a hat when you can," he said. Hair products also helped.



Melting Tallow has spent 24 years working for First Nation police services. The values on the plaque are Ainnakowa (respect), Iiyika'kimat (persevere) and Kimmapiiyipsinni (compassion).





We're not just going to fill our cells and put everybody in jail. It's not going to work; it hasn't worked for 100 years."

KYLE MELTING TALLOW

Two-thirds of the 32 officers with the Blood Tribe Police Service (BTPS) identify as Indigenous. Three of them, including Melting Tallow, started to grow their hair at the outset of 2020. Long hair, in Blackfoot culture, is considered a symbol of strength. The police chief talked about the value of using his platform to showcase his identity and express pride in his heritage. He gave the example of Norman Manyfingers, a former Calgary officer who grew braids in the early 1990s. The three BTPS officers are joining in that tradition of challenging the status quo of what it means to be a police officer in Canada. "I wanted to keep that going so it's not lost," he said.

Melting Tallow is 48 and has spent his career—24 years and counting—working for First Nation police services. The BTPS is one of three self-administered First Nation police services in Alberta. The other two are the Tsuut'ina Nation Police, which covers the reserve that borders southwest Calgary, and the Lakeshore Regional Police, which serves five First Nations in northern Alberta near Lesser Slave Lake.

These services are similar to others in Canada in that they're overseen by a civilian commission and abide by laws and standards set out by legislation. But there are also important differences. One is related to funding. The federal and provincial governments jointly fund 36 such services across Canada through the First Nations Policing Program (FNPP). Federal funding comprises 52 per cent of each service budget and the province or territory covers the rest. Other differences are more philosophical. The program was created in 1991 to provide a more culturally responsive and community-focused type of policing. It was intended to address many of the same criticisms of systemic racism that are levelled against police today. The key strategy for realizing this vision was to train Indigenous people to police their own communities.

I had driven to Standoff to learn more about this independent and parallel system of law enforcement at a time of active debate across Canada about how to rethink and reform the police.

THIS PAST JUNE, A FEW WEEKS AFTER the killing of George Floyd by Minneapolis police, Blood Tribe Chief Roy Fox issued a statement about systemic racism. He shared the story of an unprovoked attack by two RCMP officers outside his home in the late 1980s and drew a direct connection between the creation of BTPS in 1991 and discriminatory conduct by the Mounties. "Blood Tribe members have had their share of encounters with systemic racism in all areas, including the criminal justice system," the statement reads.

The statistics are stark. Ivan Zinger, the Correctional Investigator of Canada, released a report in 2020 that showed more than 30 per cent of inmates serving a federal sentence in this country identify as Indigenous. They account for less than 5 per cent of the general Canadian population. A CBC database tracking people killed by police in Canada shows that from 2000 to June 22, 2020, 555 people lost their lives to police. Eighty-nine, or 16 per cent, were Indigenous.

Rick Ruddell, a professor of justice studies at the University of Regina, explained that the FNPP was created after government task forces and inquiries concluded that Indigenous people were getting substandard policing. First Nations started taking matters into their own hands, creating their own police without input or direction from the government. "In the 1980s... a lot of these independent police services started emerging throughout the country, Manitoba, Quebec, a little bit in Ontario," Ruddell said. The FNPP was created to professionalize these services and provide a way to fund them. He explained how the program was well intentioned, even revolutionary. Canada is the only country in the world with a national program for funding standalone police in Indigenous communities. "The problem, though, was that they were chronically underfunded," Ruddell said.

Today these services are seen as the second-class police service, said Erick Laming. A member of the Shabot Obaadjiwan First Nation in Ontario who's working on his Ph.D. in criminology from the University of Toronto, Laming agrees that First Nations police have been underfunded from day one. "They're not taken seriously to do a job even though their jobs are more complex and more difficult than a lot of other police services," he said. Some reserves and First Nations communities have high levels of crime and poverty. These issues, Laming explained, have their roots in colonial policies such as residential schools. In 2019 the Blood Reserve, for example, had a crime severity rating five times higher than the provincial average and a violent crime severity rating six times higher. These indicators take into account both the volume and the seriousness of incidents reported to police. (The Blood Reserve is the largest reserve by area in Canada and home to about 9,000 residents.)

Trying to do more with less has undermined the FNPP's potential. Twenty-two of the original 58 self-administered services have disbanded. Officer retention is a challenge and the proportion of Indigenous officers is falling. Dwayne Zacharie, the chief of a self-administered service from the Kahnawake Mohawk Territory south of Montreal, stepped

down as the president of the First Nations Chiefs of Police Association at the end of October after serving three terms. He estimated 1,300 Indigenous officers worked under the FNPP when he joined the Kahnawake Peacekeepers in 1996. Today it's more like 800. "So we're going in the wrong direction," Zacharie said.

DESPITE THE HEADWINDS, BLOOD police have achieved a remarkable feat: No BTPS officer, over the past 30 years, has fired their gun at another human. "We have never had anybody that we shot, or shot at," Melting Tallow said.

This is especially remarkable given the long-standing distrust of police among many Indigenous people. It was the RCMP that carried out many of the Canadian government's racist policies against Indigenous people, such as catching and returning children who tried to escape from residential schools. Indeed, Melting Tallow felt a change in how he was treated by the community when he started out as a fresh-faced constable with the Siksika Nation Police Service (since disbanded) at the age of 25. He grew up on the reserve, which is about an hour's drive southeast of Calgary. "My circle of friends went really small," he said. "Nobody sent me Christmas gifts and stuff, because I was transitioning into something. I had some authority. I had the power to remove someone's rights from being a free person to being in jail."

He admits to being a little overzealous after graduating from RCMP training in Regina. He saw the world in black and white. You did wrong, you got a ticket. You did wrong, you went to jail. Melting Tallow thought he was doing a good job. "There was no complaint about my conduct to the chief of police. The complaints came through my dad. Everybody was talking to my dad." Casey Melting Tallow was also an officer with Siksika Police, and one day he took his son aside.

"Use your ears," he told the young officer. "That's what they're there for. You only got one mouth, but you got two ears." The advice stuck. Kyle began supplementing his by-the-book RCMP training with on-the-ground teaching from the community. "Those lessons came all the way up until even now and we're still learning," he said.

Melting Tallow became acting police chief of the Blood Tribe in 2016 and took the role permanently in 2018. "There's never been anybody who has grown up in the system, so to speak, who's taken over the lead," he said.

The BTPS record, or lack thereof, on deadly use of force is noteworthy even for a small and rural service, Laming said. "It just highlights the cohesiveness of the relationship between police officers and the community." He's researching use of force by Canadian police and the experiences of Indigenous and Black community members when interacting with officers. His own database has found that over two years, 2018–2019, police in Alberta shot at people in 39 separate incidents, killing 14.

"Look at the roots of First Nation policing—you wanted people from the community, right?" Melting Tallow said.

William Singer III says officers such as Sergeant Jim Bennett sometimes drop by his home "to see how I am doing—if I had food, if I was OK."





WILLIAM SINGER III ON RACISM IN CARDSTON:

**“Whether or not we’re
in the right, we’re always
in the wrong—no matter
what the situation is.”**

“So when you know somebody, even if they’re pointing a gun back at you, you might be poised to [shoot], but you give that second thought.” Several recent initiatives were designed to further embed Blood police in the community. Starting in 2017, new BTPS recruits are trained at Lethbridge College instead of the RCMP academy in Regina. Local elders teach cadets about Blackfoot history and culture, colonialism and the legacy of the residential school system. “When [cadets] become police officers there’s a connection already there,” Melting Tallow said. “They seek out those elders for more information. The learning is always continuous.”

At the end of 2017 Melting Tallow rented rooms at a conference centre in Lethbridge and invited his staff, police commissioners, elders, band councillors and other community leaders for a week-long brainstorm session about the future of the reserve’s police service. The discussions focused on the Declaration of Elders, the *Kainayssini*, which is the Blood Tribe’s constitution and provides a set of guiding principles for the Kainai people. Three values were singled out for the police: *Iiyika’kimat*, which means try hard or persevere; *Ainnakowa*, the Blackfoot term for respect; and *Kimmapiiyipitsinni*, compassion.

“Compassion,” Melting Tallow explains. “You’ve got to have that. We’re not just going to fill our cells and put everybody in jail. It’s not going to work, because it hasn’t worked for 100 years.” The new values are displayed on a plaque in his office. They’ve also been painted on the side of every marked police vehicle.

WILLIAM SINGER III IS AN ARTIST AND ACTIVIST who has spent most of his 56 years living on the Blood Reserve. He belongs to a variety of advocacy groups, including Idle No More, Community in Unity, the American Indian Movement and the Oldman Watershed Council. He also organizes his own *o’tapi’sin aohkanooyaawa*, or people’s gatherings. He held one on the reserve this past Canada Day in solidarity with Black Lives Matter.

I asked Singer if he saw the video of Allan Adam, chief of the Fort Chipewyan First Nation, getting tackled and punched by an RCMP officer outside a casino in Fort McMurray in March of 2020. “When I see that, I always think, ‘Well, that could be me,’” he said.

Singer summed up his relationship with the RCMP by describing an illustration by Everett Soop, an Indigenous cartoonist and essayist whose work appeared in the *Kainai News* in the 1970s and early 1980s. “Me and My Shadow” was one of Soop’s first published cartoons and depicts a caricature of an Indigenous man whose shadow is in the unmistakable silhouette of a Mountie in uniform.

Singer spent seven years in residential schools and was forced to keep a closely cropped brush cut. “I didn’t like that. I felt like I was a different person,” he said. “Every family member had long hair, really long hair. So for me that was a tradition that I wanted to keep going.” His father warned him that long hair would make him a target for police.

“When I was 16, I started having run-ins with the RCMP here on the reserve, either in Fort Macleod, Cardston or Lethbridge.” It got worse when he started driving. “I would get followed. I would get hassled.” And when he was in his early 20s, his cousin, Chester Heavy Runner Jr., was shot and killed by a Lethbridge police officer.

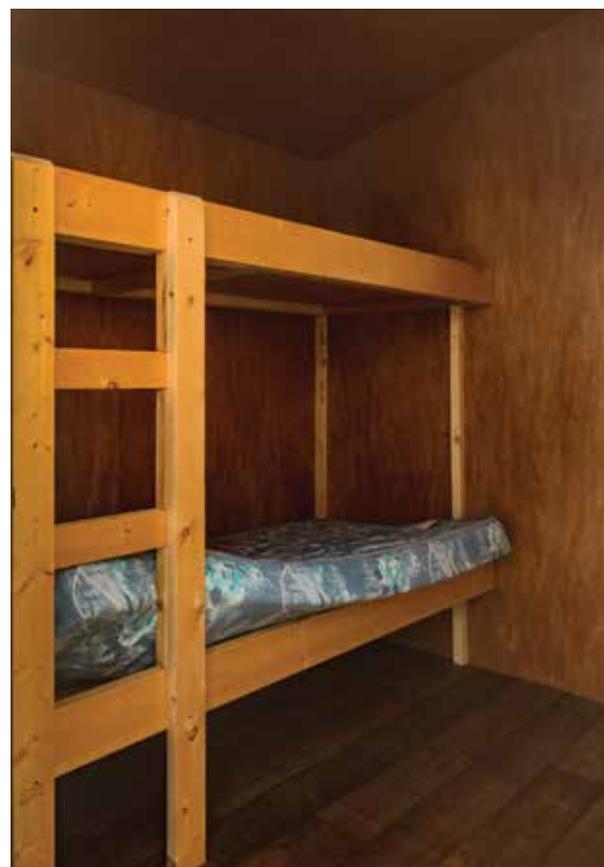
Singer said his interactions with the RCMP have improved recently. Officers from the Cardston detachment support him when he organizes an event. “But it’s just that understanding that they’re on the other side of the road in a different place. And I’m on this side. It’s a completely different world.”

He’s not talking about a metaphorical road. The Blood Reserve is bordered by three rivers: the Oldman to the north, the Belly to the west and the St. Mary to the east. The south border runs horizontally along the line of Highway 5. On a map, the reserve looks like someone spilled a glass of water that flowed freely across the paper on three sides, but encountered a hard and fast barrier at the bottom. Step north across Highway 5 and you’re in Moses Lake, a small community where many struggle with homelessness, poverty and addiction. Step south and you’re in prosperous, teetotaling Cardston.

An Aboriginal Peoples Television Network documentary from 2019 chronicled the ways Indigenous people experience racism in Cardston. “Whether or not we’re in the right, we’re always in the wrong—no matter what the situation is,” Singer said, adding he’s grateful the Blood Tribe has its own dedicated police service. “Not only are they here on the reserve and they’re some of our community members, but there’s an understanding of the climate that we live under.”

Every once in awhile a BTPS officer stops by to visit Singer and his wife on their property about 13 km north of Moses Lake. The last time was in early 2020 at the outset of the pandemic. “They just came by to see how I was doing—if I had food, if I was okay, if I was depressed,” he said. The officer mentioned community resources that were available if he needed help dealing with grief or just needed someone to talk to. “They take their time to talk to you because this is their community,” he said.

Officer Jim Bennett visits tiny homes in Moses Lake, built so that locals have somewhere safe to sleep when the shelter closes every spring.





Family violence, MMIWG, the legacy of residential schools— police “do the best they can given the resources they have.”

TERRI-LYNN FOX, KAINAI WELLNESS CENTRE

AS THE DIRECTOR OF THE KAINAI Wellness Centre, Terri-Lynn Fox oversees a variety of community and counselling services on the Blood Reserve. “They need to be more visible,” she said of BTPS police. They’re always invited to participate in the centre’s events but rarely come. “Family violence has to do with policing,” Fox said. “Missing and murdered Indigenous women and girls has to do with policing. Residential schools and all the effects have to do with policing.” But even though she’s frustrated by the lack of engagement, Fox understands that the BTPS are stretched thin. “They do the best they can given the resources they have.”

In 2014 the Auditor General of Canada issued a detailed analysis of the FNPP that revealed a fundamental disconnect between theory and practice. The federal government never intended for the FNPP to fully fund police services in First Nations communities. The goal was to enhance existing police with Indigenous officers, who would provide community-oriented services. But five of the 10 self-administered services surveyed for the AG’s report said they had totally replaced the provincial police in their communities.

Public Safety Canada responded to the AG report by updating the terms and conditions of the FNPP to better reflect the reality on the ground.

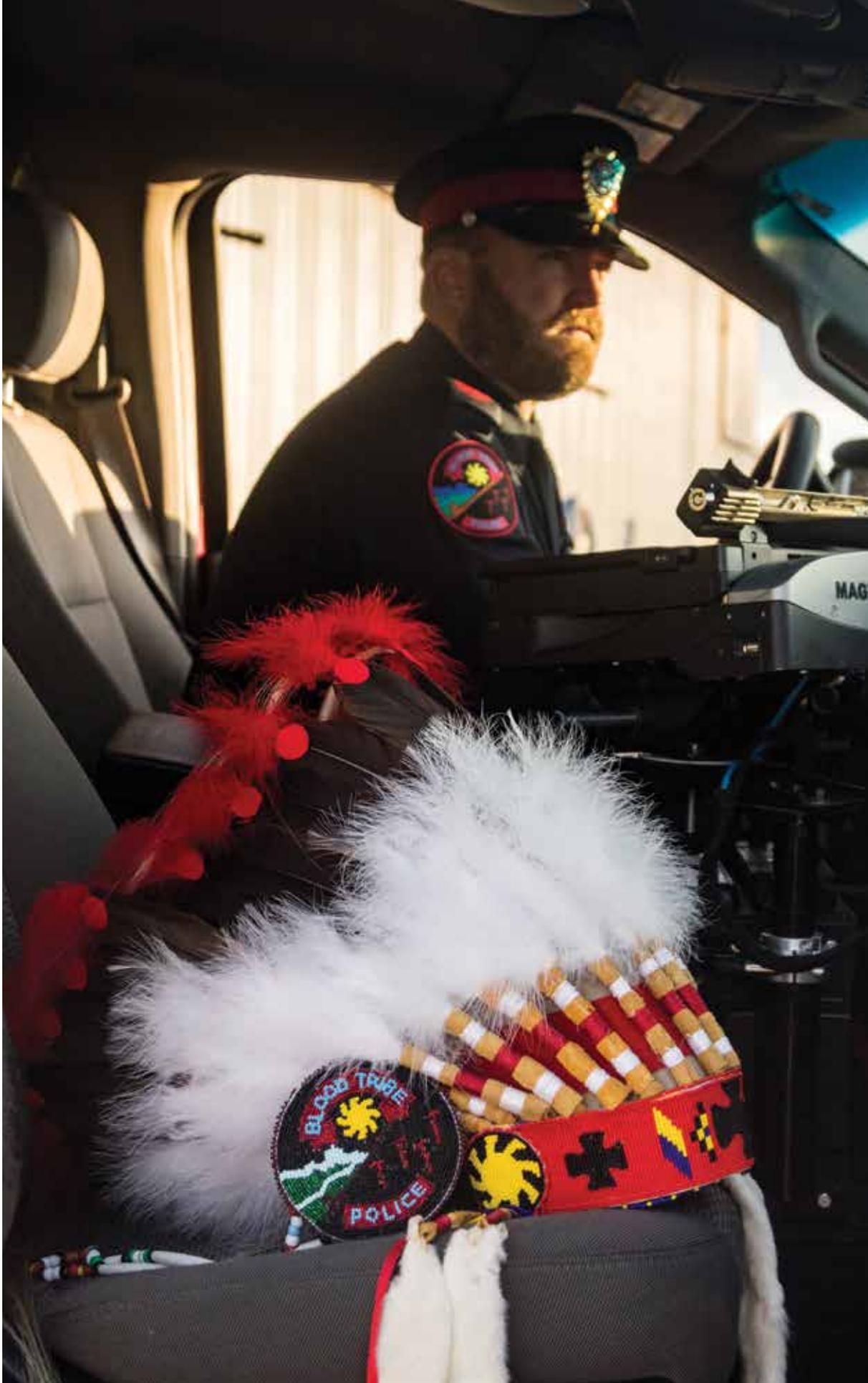
The most recent update, in 2018, defines self-administered First Nation services as providing “day-to-day, local police services.” The program doesn’t fund specialized units, such as investigative teams or forensic services. For anything beyond a frontline response, First Nation police are supposed to reach out to the agency outlined in the Provincial Police Services Agreement—the RCMP, Ontario Provincial Police or the Sûreté du Québec.

“We would be calling [the RCMP] more if we knew that they would come,” said Dale Cox, chief of the Lakeshore Regional Police Service (LRPS). “We don’t call because we know they’re not able to—they don’t have the capacity either. So we do the best we can.” Cox has been an officer for 43 years, including three decades with the RCMP.

With a homicide, Cox said the RCMP will do the



Bennett was presented with a headdress in 2012 by the Kainai Warrior Society, a Blood Tribe veterans association.



ARCHIVES:
Tsuut'ina
First Nations
Peacemaking
Court
(May 2001)

[albertaviews.ca/
archive](http://albertaviews.ca/archive)



“To go in some of these homes and see this poverty and the things that officers see, especially out here, it’s difficult.”

SERGEANT JIM BENNETT

investigation without question. “After that it starts to get very unclear and it falls to the discretion of the RCMP if they will attend, or if they have the resources to attend,” he said. When I talked to Cox in late October, his officers were working on a fatal hit and run as well as conducting longer-term drug investigations with possible connections to organized crime. “All that translates into more officer time spent doing the files, which keeps snowballing—you keep getting further and further behind, because while you’re doing that, calls are still coming in,” Cox said. Other police services in Canada are funded for specialized units that take over an investigation so frontline officers can focus on the next call.

Melting Tallow described a similar dynamic on the Blood reserve. Some investigations inevitably get shelved because officers can’t follow up in a timely manner, which leads to an erosion of trust in the community. The BTPS was recently funded for an additional five officers, bringing the total to 37. Instead of adding to the front line, Melting Tallow is creating an investigative unit. He plans to have the five-officer team operational by April 2021.

Dwayne Zacharie has done something similar with the Kahnawake Peacekeepers, which have a three-member investigative unit. But he said First Nations services make sacrifices to fund these necessary resources, such as paying officers across the service a lower salary, because the FNPP doesn’t recognize specialty units as a legitimate expense.

Tsuut’ina police are in a unique situation—they have a close working relationship with the Calgary Police Service and the RCMP. Tsuut’ina’s band government also supplements their budget; the FNPP funds 10 officers and the nation another 16. The service has grown, said police chief Keith Blake, in anticipation of an influx of visitors expected with a \$4.5-billion project that will include 1,200 acres of retail, office and tourist amenities along the ring road in southwest Calgary.

The FNPP was created to encourage Indigenous officers to work and live in the same community over their career. This would allow officers to build relationships and trust.

But demanding workloads, lower pay, fewer benefits and a dearth of opportunities for career advancement have led to burnout and high turnover. Six of the Lakeshore Police’s 13 officers left in 2019. That was an unusually bad year, but officer retention is a struggle for First Nation services across Canada. An officer with BTPS told me he recently crunched some numbers and discovered that 80 per cent of their new hires leave after three years.

Cox is proud of the relationship that LRPS officers have cultivated with the community, but he added: “It’s hard to put on fire prevention talks when you’re always putting out fires.”

First Nations police services are funded through agreements between the band, province and federal government. All three chiefs of Alberta’s self-administered First Nations services said the three levels of government rarely make it to the table for meaningful negotiations. This means the terms of old agreements limp forward year after year with last-minute, one-year extensions. It’s hard to plan for the future when you don’t know if you can keep the lights on next year.

ON THE SAME DAY I TALKED TO Melting Tallow in his office, which is in one of two mobile trailers added to the station in 2016, Governor General Julie Payette was in the Senate chamber in Ottawa delivering the throne speech to open the second session of the 43rd Parliament. Under the heading “Addressing Systemic Racism,” Payette pledged that the federal government would “accelerate work to co-develop a legislative framework for First Nations policing as an essential service.”

The report on missing and murdered Indigenous women and girls, released in June 2019, called for a similar reform.

Weeks after the throne speech, Alberta introduced Bill 38, the Justice Statutes Amendment Act 2020, which Justice Minister Kaycee Madu said would formally recognize First Nations police services in legislation.

Tsuut’ina police say the province is acknowledging their worth. “We have the same training that’s required, we have the same qualifications and recertifications, our standards and audits occur every two to three years like every other police service,” chief Blake told media. “Now we’re actually being recognized, and that means a great deal to our officers and the community.”

A BTPS statement outlined how Bill 38 would provide more stability and security. It also noted that existing systemic inequities make it difficult to offer the community the service it deserves or provide employees with the support they require. “We have not had access to the same resources or opportunities as our policing partners,” the statement read.

If First Nations police are classified as an essential service, funding could improve. Melting Tallow said the current model feels like a lottery. “Is it census? Is it crime rate?” He has no idea what criteria Public Safety Canada uses to decide which service gets what sum of money. A PSC spokesperson seemed to confirm this assessment in an email. “Introducing legislation that makes Indigenous policing an essential service would

require the government to develop an adequate, sustained and consistent funding framework for these services, rather than making them rely on discretionary funding.”

AFTER I SPOKE WITH MELTING TALLOW, Sergeant Jim Bennett took me for a tour of the reserve in an unmarked pickup truck. It was his first day in uniform after a four-month hiatus. “I’ve actually been off on injury, a back injury, and I’m on a graduated return to work,” he told me as we headed south out of Standoff on Highway 2. The warm weather so late into September had translated into bumper crops and a busy harvest for farms on the reserve. We passed several immense combines out in the fields.

Bennett is in his early 40s, bald, with a sturdy brown beard. The gregarious officer started his career with the RCMP in Whitecourt, but wanted to be closer to his son and family so applied for a job with the BTPS in 2009. He grew up in Raymond, a 45-minute drive east of Standoff. Bennett told

Blood police have achieved a remarkable feat: No BTPS officer, in 30 years, has fired their gun at another human being.

me he’d been in four fights as a police officer over the past 11 years. The last one happened at the end of May on a nightshift in a cell at the station.

“It took three of us to control somebody,” he said. “They had overdosed on fentanyl and were hiding stuff.” After a paramedic treated the person with an IV of Naloxone, officers tried to find the drugs. They confiscated three hunks of purple fentanyl, but Bennett slipped a disc and pinched a nerve in his back during the struggle. “I’ll never be pain free—I’m tolerable,” he said.

We pulled off the highway onto a winding residential street. Almost all the bungalows had the same rectangular shape. Some were well maintained and looked new. Others were boarded up or had an array of vehicles parked haphazardly out front. Dogs wandered the street, but we didn’t see any people. “Down here our standard calls are intoxication, overdoses, domestics, assaults.” Bennett estimated that about half of his calls for service are from Moses Lake.

We stopped in front of the Moses Lake Shelter, a squat blue

building next to an abandoned church. For the first time since Bennett had begun working for the BTPS, the shelter was open in September. The organization received emergency funding to maintain services during the pandemic. Normally the facility is closed April 1–October 1, which is partly why a few years ago a tent city sprang up on the east side of Highway 2.

Bennett is not a typical officer for the BTPS, or probably for any police service for that matter. He has learned to speak Blackfoot and has been adopted into over a dozen families on the reserve. In 2012 he was presented with a feathered headdress by the Kainai Warrior Society, which he described as a kind of veterans association for the Blood Tribe. “Besides my marriage, obviously my wedding day and the births of my children, the next-greatest experience I’ve had is the day I received my headdress,” he said.

The sergeant has undertaken an array of volunteer projects in the community. The most recent included raising \$40,000 to build five tiny homes so people have somewhere safe to sleep when the shelter closes every spring. Bennett earned the Officer of the Year award in 2014 from the First Nations Chiefs of Police Association. Two years later, in February of 2016, he was sitting at his desk at the station struggling to type a single sentence. “I tried for half an hour to type one word and I was just so bombed out,” he said. “I can’t even describe it. It’s just a terrible, terrible thing to go through.”

Bennett was diagnosed with post-traumatic stress disorder and compassion fatigue. “I have two sons now and two daughters, and to go in some of these homes and see this poverty and see the things that officers see, especially out here, it’s difficult,” he said. “It took a toll on me, so I needed a year off.” He burned through his mental health benefits within a month and after only three sessions with a psychologist. Bennett eventually found a program through Canada Mental Health. “So here I am, a serving police officer in Canada with PTSD now having to seek out a free service,” he said. “And that’s how I got better.” The BTPS has since allocated more resources to these kind of benefits, Bennett said, so another officer doesn’t have that same experience. But that decision meant sacrifices to other parts of the budget. “That’s partly why people quit, because we’re underfunded. We do way more with less,” he said.

We crossed Highway 5 out of Moses Lake and took a brief drive through Cardston. Bennett pointed out a group of five men from the reserve standing on a corner in front of an historic brick building. He knew them all by name. “I’ve probably arrested these people 100 times each,” he said.

I asked if it’s ever frustrating, apprehending the same person for the same offence time and time again. Bennett took a deep breath. I got the sense the question annoyed him. “It’s not—because we’ll never know what they’ve been through, why they are the way they are,” he said. People with addictions always have a backstory. The Blood Tribe sergeant was not here to judge. He was here to help. ■

Doug Horner is a writer, editor and researcher based out of Calgary, and a former departments editor with Alberta Views.