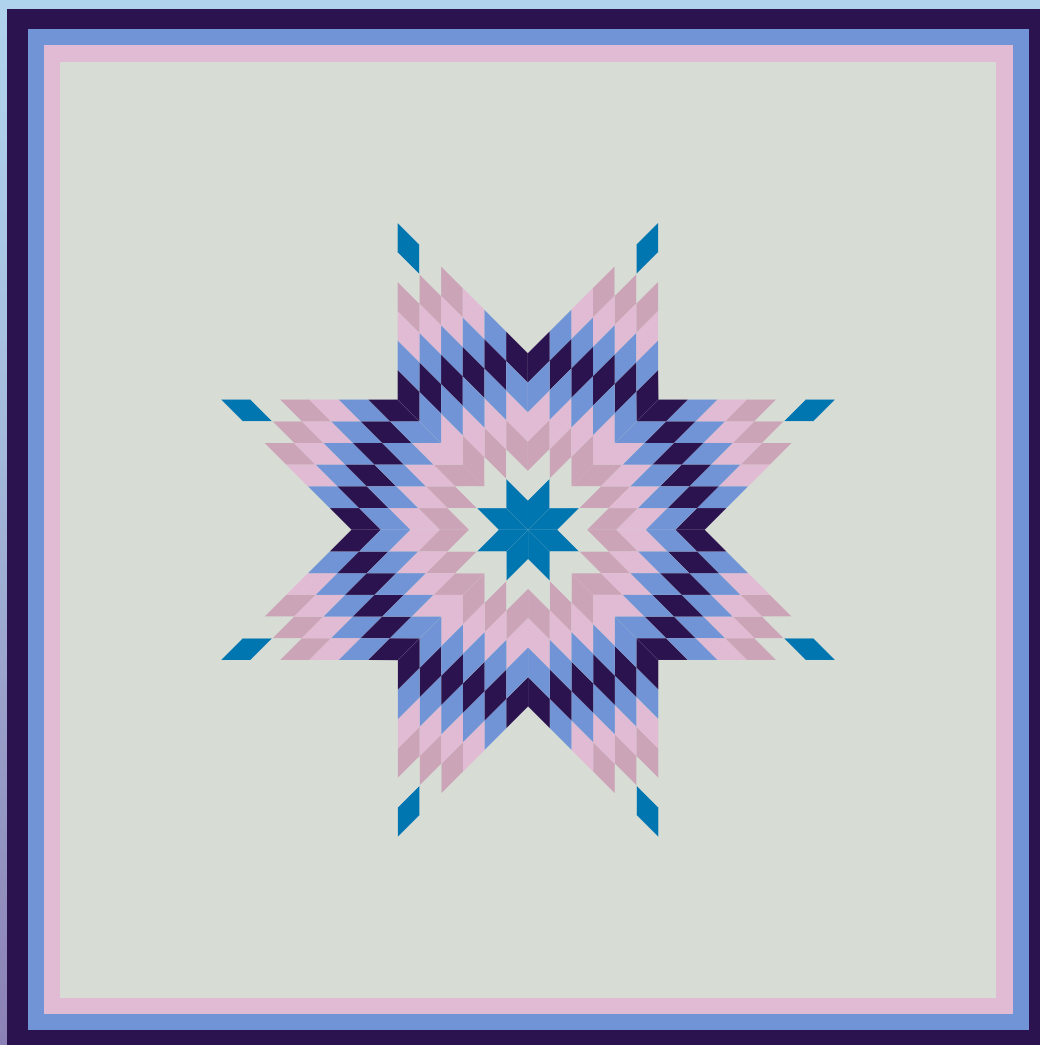




MEMENGWAA WIIDOODAAGEWIN
(BUTTERFLY PROJECT):
HONOURING EISHIA HUDSON

A special report published after an investigation in accordance with
Part 4 and Part 5 of *The Advocate for Children and Youth Act*



Star Blanket created in honour of Eishia by her sister Mary-Ann Hudson.



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About Our Office

The Manitoba Advocate for Children and Youth is an independent, non-partisan office of the Manitoba Legislative Assembly. We represent the rights, interests, and viewpoints of children, youth, and young adults throughout Manitoba who are receiving, or should be receiving, provincial public services. We do this by providing direct advocacy support to young people and their families, by reviewing public service delivery after the death of a child, and by conducting child-centred research regarding the effectiveness of public services in Manitoba. The Manitoba Advocate is empowered by legislation to make recommendations to improve the effectiveness and responsiveness of services provided to children, youth, and young adults. We are mandated through *The Advocate for Children and Youth Act*, guided by the *United Nations Convention on the Rights of the Child* (UNCRC), and we act according to the best interests of children and youth.

A Note on Independence

The Manitoba Advocate for Children and Youth (MACY) is an **independent and non-partisan** office of the Manitoba Legislative Assembly. MACY is empowered and governed by its own Act, *The Advocate for Children and Youth Act* (ACYA), and does not report to any single elected official, government minister, or public body. MACY is accountable to the public and is empowered to speak directly to the public on matters impacting children, youth, and young adults.

Our focus is on ensuring that the public and the provincial government understand the experiences of young people. Further, we work to ensure young people and their families have the services and supports to which they are entitled and that public services delivered in our province align with the rights of children, youth, and young adults. We also review and investigate designated and reviewable services and issue formal recommendations to increase the effectiveness and responsiveness of those services for Manitobans. Importantly, once recommendations are issued

to government departments and/or provincially-funded organizations, MACY is further empowered to track and report publicly on the compliance with recommendations issued under the ACYA.

Acknowledgements

Our entire team extends our sincerest gratitude to Eishia Hudson's family for meeting with us and sharing personal stories about Eishia. They are the people who knew her best and loved her deeply. As advocates, examining service delivery through the eyes of the child is paramount. Family participation helped us understand Eishia's life beyond the service files we reviewed and the many other interviews we conducted. We acknowledge your courage and valuable participation in this report, and have sought to honour Eishia's memory.

We would also like to thank the Elders, dozens of young people, numerous community members, community organizations, service providers, Indigenous governments, and subject matter experts who shared their knowledge, provided documentation, and participated through interviews. Your insights, feedback, and experiences have been incredibly valuable to this special report.

Our Commitment to Reconciliation

The Manitoba Advocate operates throughout the province of Manitoba, on the ancestral lands of the Anishinaabeg, Anishiniwak, Dakota, and Dene peoples. We acknowledge that our primary office is located on Treaty 1 territory and on the homeland of the Red River Métis. Our work extends throughout Treaty areas 1, 2, 3, 4, 5, 6, and 10. We recognize the historical and ongoing injustices that Indigenous Peoples face, including the loss of land, culture, and identity through colonization and the residential school system.

We acknowledge that our water is sourced from Shoal Lake 40 First Nation. We extend our gratitude to the people of Shoal Lake who work tirelessly to protect our water systems. We respect the spirit and intent of the treaties made and remain committed to working in partnership with First Nations, Inuit, and Métis people in the spirit of truth, reconciliation, and collaboration.

As an organization, we are committed to the principles of decolonization and reconciliation and we strive to contribute in meaningful ways to improve the lives of all children, youth, and young adults, but especially to the lives of First Nations, Métis, and Inuit young people, who continue to be under-served and over-represented in many of the systems which fall under our mandate for advocacy, investigation, research, and review.

With a steadfast commitment to social justice and equity, our office operates through a human rights-based lens, weaving the *United Nations Convention on the Rights of the Child*, the *United Nations Declaration on the Rights of Indigenous Peoples*, the Truth and Reconciliation Commission's (TRC) *Calls to Action*, and the Missing and Murdered Indigenous Women and Girls (MMIWG) Inquiry's *Calls for Justice* into our daily practice. Our hope is that by doing so, we can amplify the voices of those who have been historically silenced and marginalized and foster tangible improvements in the lives and experiences of children, youth, young adults, and their families. We believe that by working in partnership with Indigenous Peoples and centring their knowledge and expertise, we can create meaningful and lasting change.

In expressing our reconciliation statement, we commit to honouring and supporting movements led by Indigenous leaders, stewards, and protectors of the land. This responsibility includes engaging with

Indigenous knowledge systems and amplifying the voices of Indigenous Peoples in Manitoba.

We recognize that reconciliation is a journey, and we are committed to walking this path with humility, respect, and openness.

Behind the Design of *Memengwaa Wiidoodaagewin*

In the spirit of honouring Eishia Hudson, an Ojibwe youth of Berens River First Nation, the design behind *Memengwaa Wiidoodaagewin*, which translates to “Butterfly Project” in Ojibwe, serves as a powerful homage to her legacy. Presented in variations of lavender, blue, and pink, the artistic elements of this special report embody her love for butterflies, favourite colours, Indigenous heritage, as well as her experience navigating various service systems throughout her life.

Rooted in Indigenous teachings, the butterfly holds deep spiritual significance, representing the concept of change and immortality. Eishia's life was characterized by change, and her personal journey saw significant periods of transformation. As a butterfly emerges from its chrysalis, it continues its existence in a transformed state – a fitting symbol of Eishia's journey.

In the design, flowers intermingle with butterflies, symbolizing their role in nourishing and facilitating pollination to support seed production in other plants. The inclusion of daisies, bluebells, thistle, and yarrow embodies the strength of community and diversity, while wild roses are chosen to represent love.

Like a butterfly fluttering from one flower to another, Eishia touched upon numerous service areas, but struggled to find support within these systems. Despite this, her spirit radiated compassion and care, leaving a profound impact on those around her. By intertwining these elements, the design of *Memengwaa Wiidoodaagewin* evokes a sense of reflection, transformation, and interconnectedness, allowing her spirit to guide and remind us of the profound impact one individual can have, no matter the length of their journey.



Content Warning

Identifying and addressing trauma is an important part of trauma-informed practice. This special report includes discussion of residential and day schools, violence, and child death. In telling the stories of young people, we have carefully considered each detail. Be advised, however, that some information in this special report might not be appropriate for all readers.

If you or someone you know is struggling, help is available.

Help for Children and Youth

- **Manitoba Suicide Prevention and Support Line:**
1-877-435-7170
- **Kids Help Phone** (24 Hours):
1-800-668-6868
- **Youth Crisis Services in Winnipeg:**
204-949-4777
- **24-hour Youth Crisis Services outside Winnipeg:** 1-888-383-2776
- **Residential School Survivor Support Line:** 1-866-925-4419
- **First Nations and Inuit Hope for Wellness Help Line** (24 Hours):
1-855-242-3310
- **Winnipeg Regional Health Authority, Youth Mobile Crisis Team:** 204-949-4777
- **Manitoba Keewatinow Okimakanak Inc. Mobile Crisis Team:** 1-844-927-5433
- **Crisis Services Canada:**
1-833-456-4566
- **Klinic Suicide Prevention and Support Line:** 204-786-8686,
1-888-322-3019
- **The Link:** 204-949-4777,
1-888-383-2776

- **Canadian Mental Health Association Service Navigation Hub:**
204-775-6442
- **Rainbow Resource Centre:**
204-474-0212, 1-855-437-8523

Help for Adults

- **Manitoba Suicide Prevention and Support Line:**
1-877-435-7170
- **Residential School Survivor Support Line:** 1-866-925-4419
- **Manitoba Keewatinow Okimakanak Inc. Mobile Crisis Team:**
1-844-927-5433
- **Crisis Services Canada:**
1-833-456-4566
- **Klinic Suicide Prevention and Support Line:** 204-786-8686,
1-888-322-3019
- **Canadian Mental Health Association Service Navigation Hub:**
204-775-6442
- **Rainbow Resource Centre:**
204-474-0212, 1-855-437-8523

Who Was Eishia Hudson?



Eishia Loletta Hudson was an Indigenous 16-year-old girl, with a smile that glowed and a laugh that was contagious. Born in Winnipeg, Eishia was a proud Ojibwe member of Berens River First Nation on Treaty 5 territory. A daughter, a sister, an auntie, a friend, a student, a caregiver, a community member, an athlete, and a close one to so many, Eishia left a lasting impression on all those who knew her and it is imperative to share her footprints on this earth. Her legacy will be one that will be honoured and remembered for years to come.

Eishia was a colourful person with the ability to brighten a room with her humour and laughter. With a soft spot for children, Eishia easily connected with the young people around her. As a young child, Eishia's siblings recalled her inability to sit still. In her free time, she loved playing outside and participating in sports, specifically basketball and judo. The youngest child of four, she was remembered by her siblings lovingly as being the favoured one of her grandmother and her partner. As she got older, she enjoyed spending more time with her family and friends and playing video games. Around this time, Eishia began exploring and connecting with her Indigenous culture. She enjoyed smudging,¹ attending powwows, and meeting new people. Eishia's family welcomed all of who she was, and extended this welcome to her friends and same-sex partners. She aspired to complete high school and had plans after graduation to explore career paths within her home community.

While Eishia was described as a person who made friends easily, her family reflected on how she could also be influenced by her peers in hopes of acceptance and belonging. In many of the interviews, those who were close to Eishia observed significant changes in the months prior to her passing. This included changes in her personal life, school attendance, and changes in her peer group, which ultimately led to a change in her behaviour.



¹ Smudging is a common First Nations tradition which involves the burning of earth medicines (tobacco, sage, cedar, and sweetgrass). Smudging clears the air around those engaged in the practice, while clearing the mind for good thoughts, the eyes for positive sight, the ears for listening, the mouth for well speaking, and a person's whole being to portray an overall best self (Indigenous Inclusion Directorate: Manitoba Education and Training, 2019).

Feather Teaching

The Manitoba Advocate was privileged to receive a Feather Teaching from Elder Louise Lavallee to honour Eishia's journey.

The Feather Teaching symbolizes our life journey and emphasizes the significance of staying on a positive path. As we walk along the bone of the feather, we can find ourselves astray on the edge of the feather, from something either big or small. It is important for people to have supports to return back to the path. Tragically, Eishia's death prevented her from returning to her life path, disrupting her journey on the feather bone.

Embracing the lessons from the Feather Teaching allows us to navigate difficult periods in our life with the support and wisdom of our ancestors.



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Message From the Manitoba Advocate



I am honoured to be writing to you today as the Manitoba Advocate for Children and Youth, and to hold the distinction of being the first Cree woman to serve in this role. While acknowledging the challenging work ahead, I consider it

a great honour to undertake this position and to be an advocate for the human rights of children, youth, and young adults in Manitoba. I am deeply appreciative of the Elders who have provided me with their guidance and support in my journey to this position.

I want to express my gratitude to everyone who has contributed to this special report. I especially want to acknowledge Eishia's family, the Elders, Indigenous governments, community members, community leaders, service providers, and experts in several domains with whom we met and held consultations. Your knowledge and sharing have been invaluable, and we hope to honour Eishia's footprints on this earth through our work going forward.

Throughout the creation of this special report, I have had the unique opportunity to reflect on how our office operates. This has led to changes to our special reports process, how we issue and implement recommendations, and the way we work within our community. These changes will help us better serve the children, youth, and families of Manitoba.

One significant change we have begun in this special report is our approach when working directly with provincial public systems and community serving organizations. In addition to adopting Indigenous methodologies, we are now approaching our work from a strengths-based standpoint that is trauma-informed. In the spirit of reconciliation, we are shifting our emphasis to relationship building and collaboration. We believe that this approach will enable us to work more closely with communities and to gain deeper insight into their needs so that we can better advocate for young people.

We are committed to Elders and Knowledge Keepers guiding our processes for special reports, and we are also looking to community members for their expertise when issuing recommendations. Their teachings and contributions will help us ensure that our work is informed, meaningful, respectful, and aligned with the needs and aspirations of the communities we serve.

In conclusion, I want to express my gratitude to all of you for your continued support and partnership.

A handwritten signature in black ink, reading "Sherry Gott".

Sherry Gott, BSW, MSW, RSW

Manitoba Advocate for Children and Youth



Message de la Protectrice des enfants et des jeunes du Manitoba

Je suis honorée de vous écrire aujourd'hui en tant que protectrice des droits des enfants et des jeunes du Manitoba et d'avoir la distinction d'être la première femme crie à occuper ce poste. Tout en reconnaissant le travail difficile qui nous attend, je considère comme un grand honneur d'assumer ce poste et de défendre les droits de la personne des enfants, des adolescents et des jeunes adultes au Manitoba. Je suis profondément reconnaissante envers les Aînés qui m'ont prodigué leurs conseils et leur soutien tout au long de mon cheminement vers ce poste.

Je tiens à exprimer ma gratitude à toutes les personnes qui ont contribué à ce rapport spécial. Je tiens particulièrement à remercier la famille d'Eishia, les Aînés, les instances dirigeantes autochtones, les membres de la communauté, les dirigeants communautaires, les fournisseurs de services et les experts dans plusieurs domaines que nous avons rencontrés et avec lesquels nous avons tenu des consultations. Vos connaissances et vos échanges ont été inestimables, et nous espérons honorer les empreintes d'Eishia sur cette terre grâce à notre travail futur.

Tout au long de la création de ce rapport spécial, j'ai eu l'occasion unique de réfléchir au fonctionnement de notre bureau. Cela a entraîné des modifications à notre processus de rapports spéciaux, à la façon dont nous publions et mettons en œuvre des recommandations et à la façon dont nous travaillons au sein de notre communauté. Ces modifications nous aideront à mieux servir les enfants, les jeunes et les familles du Manitoba.

Une modification importante que nous avons amorcée dans ce rapport concerne notre approche lorsque nous travaillons directement avec les systèmes publics provinciaux et les organismes communautaires. En plus d'adopter des méthodes autochtones, nous abordons maintenant notre travail d'un point de vue fondé sur les forces et tenant compte des traumatismes. Dans un esprit de réconciliation, nous mettons l'accent sur l'établissement de relations et la collaboration. Nous croyons que cette approche nous permettra de travailler plus étroitement avec les communautés et de mieux comprendre leurs besoins afin de mieux défendre les jeunes.

Nous nous engageons à ce que les Aînés et les gardiens du savoir guident nos processus pour les rapports spéciaux, et nous comptons également sur les membres de la communauté pour leur expertise lors de l'émission de recommandations. Leurs enseignements et leurs contributions nous aideront à faire en sorte que notre travail soit éclairé, significatif, respectueux et aligné sur les besoins et les aspirations des communautés que nous servons.

En conclusion, je tiens à vous exprimer à tous ma gratitude pour votre soutien continu et votre partenariat.



Sherry Gott, B.S.Soc., M.Serv.Soc.,
travailleuse sociale autorisée

Protectrice des enfants et des jeunes
du Manitoba



Executive Summary

This special report is structured in three main parts. Following the introduction, the first section is a chronology of Eishia's life based on our investigation into the provincial public services that were provided to her and her family from the start of her life until her death. The second section focuses on youth-police interactions, outlining opportunities for collaborative solutions. The third section looks at strength-based wraparound supports, focusing on protective factors and how Manitoba can ensure all children and youth have access to effective services.

Based on detailed review and analysis of the provincial public services provided to Eishia and the individual, family, and community-level environments involved in her life, the Manitoba Advocate is issuing four findings and four recommendations. They are as follows:

FINDING 1: Eishia was never charged with a criminal offence, but contact with the Winnipeg Police Service (WPS) is documented throughout her life. This experience is not singular to Eishia, and is reiterated in the life story of many children and youth who come into contact with MACY. The potential negative consequences of police contact indicate that unnecessary and punitive contact must be mitigated when in the best interests of children and youth.

FINDING 2: When reflecting on their individual and community experiences, some youth described experiences with police as characterized by violence, verbal abuse/threats, negative and unprofessional conduct, being judged based on their past/community affiliations, not being helped, and racial discrimination. These experiences resulted in some young people feeling distrustful of police, uncomfortable around them, holding strong negative feelings, and feeling the need to be hypervigilant to mitigate interactions.

FINDING 3: Young people have a tremendous amount of insight into what they are going through, what they need, and how the relationships between Black, Indigenous, and other racialized youth and police can be improved.

FINDING 4: School-based wraparound services provided to Eishia by the COACH 1 program responded to Eishia's needs and are consistent with the principles of Article 28 of the *United Nations Convention on the Rights of the Child* (UNCRC).

RECOMMENDATION 1: The Manitoba Advocate for Children and Youth recommends that the Government of Manitoba provide the resources necessary for the development of a youth model of the Alternative Response to Citizens in Crisis (ARCC) program.

Details:

- The development of the youth ARCC model must include engagement and consultation with relevant community stakeholders, including Indigenous governments or organizations, youth-serving organizations, and experts in child and youth mental health and development.
- The youth ARCC model must include an evaluative component to ensure program goals and objectives are being met, and to ensure the best interests of the children and youth impacted by the program are being fulfilled.

RECOMMENDATION 2: The Manitoba Advocate for Children and Youth recommends that Manitoba Justice, through the Public Safety Training Strategy Steering Committee, engage in appropriate community consultation with children and youth, youth-serving organizations, and experts in child and youth development, to ensure the final products of the Public Safety Training Strategy are informed by a youth-centred, anti-oppressive, and trauma-informed lens.

Details:

- The final products of the Public Safety Training Strategy should demonstrate an understanding of the multitude of avenues to police contact for children and youth in Manitoba while providing public safety officials in Manitoba suitable knowledge of issues impacting children and youth.

RECOMMENDATION 3: The Manitoba Advocate for Children and Youth recommends that Manitoba Education and Early Childhood Learning, in collaboration with Manitoba Mental Health and Community Wellness, and all additional partners of COACH, provide the resources necessary to conclude, and make public, an evaluation of COACH 1 and the COACH Expansion Site programs.

Details: based on the outcomes of the evaluation, it must:

- Make recommendations on the appropriateness of a general expansion of COACH (i.e., additional spaces or expansion to more school divisions), and on the appropriateness of expansion to include a “COACH 3” that is developmentally appropriate for students ages 16+ to support young people towards graduation.

RECOMMENDATION 4: The Manitoba Advocate for Children and Youth recommends that Manitoba Education and Early Childhood Learning, in collaboration with all school divisions, expand the availability of wraparound services (i.e., school engagement support services or programs tailored to student, school, or community need) in school divisions across Manitoba.

Details:

- The wraparound services must be developmentally and culturally appropriate.
- This work must align with and occur in conjunction with the initiatives, actions, and/or recommendations of *Mamàhtawisiwin*, the Action Plan to Enhance Student Presence and Engagement, and the Final Report of the Poverty and Education Task Force, focusing on assessing school and community need for new/innovative supports and programs.
- When appropriate, evidence should be provided of collaboration with other government departments such as Families, Justice, Mental Health and Community Wellness.
- Expansion should be aided by developing mechanisms for sharing acquired knowledge and promising practice from successful programs such as COACH.



Manitoba Advocate Sherry Gott with Cheyenne Hudson and Will Hudson.



Manitoba Advocate Sherry Gott, Eishia's mom Christie Zebrasky, and sister Mary-Ann Hudson.



Manitoba Advocate Sherry Gott, Shirley Allarie of MKO, AMC Grand Chief Cathy Merrick, Margaret Swan of SCO, and Elder Louise Lavallee at one of the community consultations for the special report.

Sommaire

Ce rapport spécial est structuré en trois grandes parties. Après l'introduction, la première section est une chronologie de la vie d'Eishia fondée sur notre enquête sur les services publics provinciaux qui lui ont été fournis, ainsi qu'à sa famille, depuis le début de sa vie jusqu'à sa mort. La deuxième section se concentre sur les interactions entre les jeunes et la police, décrivant les possibilités de solutions collaboratives. La troisième section examine les soutiens globaux fondés sur les forces, en mettant l'accent sur les facteurs de protection et sur la façon dont le Manitoba peut s'assurer que tous les enfants et les jeunes ont accès à des services efficaces.

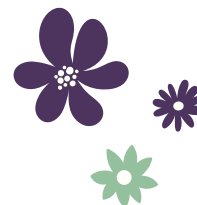
Avec un examen et une analyse détaillés des services publics provinciaux fournis à Eishia et des environnements individuels, familiaux et communautaires impliqués dans sa vie, la Protectrice des enfants et des jeunes du Manitoba publie quatre conclusions et quatre recommandations. Les voici :

CONSTATATION 1 : Eishia n'a jamais été accusée d'une infraction criminelle, mais des contacts avec le service de police de Winnipeg (SPW) sont documentés tout au long de sa vie. Cette expérience n'est pas unique à Eishia et se répète dans l'histoire de la vie de nombreux enfants et jeunes qui entrent en contact avec la Protectrice des enfants et des jeunes du Manitoba. Les conséquences négatives potentielles d'un contact avec la police indiquent que les contacts inutiles et punitifs doivent être atténués lorsqu'ils sont dans l'intérêt supérieur des enfants et des jeunes.

CONSTATATION 2 : En réfléchissant à leurs expériences individuelles et communautaires, certains jeunes ont décrit leurs expériences avec la police comme étant caractérisées par la violence, la violence verbale/menaces, une conduite négative et non professionnelle, le fait d'être jugés en fonction de leurs affiliations passées ou communautaires, de ne pas être aidés et de la discrimination raciale. Ces expériences ont amené certains jeunes à se méfier de la police, à se sentir mal à l'aise avec elle, à ressentir de forts sentiments négatifs et le besoin d'être hypervigilants pour atténuer les interactions.

CONSTATATION 3 : Les jeunes ont une excellente idée de ce qu'ils vivent, de ce dont ils ont besoin et de la façon dont les relations entre les jeunes noirs, autochtones et autres personnes racisées et la police peuvent être améliorées.

CONSTATATION 4 : Les services complets en milieu scolaire fournis à Eishia par le programme COACH 1 ont répondu à ses besoins et sont conformes aux principes de l'article 28 de la *Convention des Nations Unies relative aux droits de l'enfant* (CNUDE).



RECOMMANDATION 1 : La Protectrice des enfants et des jeunes du Manitoba recommande que le gouvernement du Manitoba fournisse les ressources nécessaires à l'élaboration d'un modèle jeunesse du programme Alternative Response to Citizens in Crisis (ARCC).

Détails :

- L'élaboration du modèle jeunesse du programme ARCC doit inclure l'engagement et la consultation des intervenants communautaires pertinents, y compris les gouvernements ou les organisations autochtones, les organisations au service des jeunes et les experts en santé mentale et en développement des enfants et des adolescents.
- Le modèle jeunesse du programme ARCC doit inclure une composante d'évaluation pour s'assurer que les buts et les objectifs du programme sont atteints et pour s'assurer que l'intérêt supérieur des enfants et des jeunes touchés par le programme est respecté.

RECOMMANDATION 2 : La Protectrice des enfants et des jeunes du Manitoba recommande que Justice Manitoba, par l'intermédiaire du Comité directeur de la stratégie de formation en sécurité publique, engage une consultation communautaire appropriée auprès des enfants et des jeunes, des organismes au service des jeunes et des experts en développement des enfants et des jeunes, afin de s'assurer que les produits finaux de la stratégie de formation en sécurité publique sont éclairés par une perspective centrée sur les jeunes, anti-oppressive et tenant compte des traumatismes.

Détails :

- Les produits finaux de la stratégie de formation en sécurité publique doivent démontrer une compréhension de la multitude de voies de contact avec la police pour les enfants et les jeunes au Manitoba tout en fournissant aux responsables de la sécurité publique du Manitoba une connaissance appropriée des problèmes qui touchent les enfants et les jeunes.

RECOMMANDATION 3 : La Protectrice des enfants et des jeunes du Manitoba recommande qu'Éducation et Apprentissage de la petite enfance Manitoba, en collaboration avec Santé mentale et Mieux-être de la communauté du Manitoba, et tous les autres partenaires de COACH, fournissent les ressources nécessaires pour conclure et rendre publique une évaluation de COACH 1 et les programmes du site d'expansion de COACH.

Détails : Selon les résultats de l'évaluation, il faut :

- Faire des recommandations sur la pertinence d'un élargissement général de COACH (c.-à-d. les espaces supplémentaires ou l'élargissement à davantage de divisions scolaires) et de l'inclusion d'un programme « COACH 3 », approprié au développement d'élèves âgés de 16 ans et plus afin de soutenir les jeunes jusqu'à l'obtention de leur diplôme.

RECOMMANDATION 4 : La Protectrice des enfants et des jeunes du Manitoba recommande qu'Éducation et Apprentissage de la petite enfance du Manitoba, en collaboration avec toutes les divisions scolaires, élargisse la disponibilité des services globaux (c.-à-d. les services ou programmes de soutien à l'engagement dans les écoles adaptés aux besoins des élèves, des écoles ou de la communauté).

Détails :

- Les services complémentaires doivent être appropriés sur le plan du développement et de la culture.
- Ce travail doit s'aligner sur les initiatives, les actions ou les recommandations de *Mamàhtawisiwin*, le plan d'action pour améliorer la présence et l'engagement des élèves, et du rapport final du groupe de travail sur la pauvreté et l'éducation, axé sur l'évaluation des besoins des écoles et de la communauté en matière de soutiens et de programmes nouveaux et innovants, et se produire en parallèle.
- Le cas échéant, des preuves doivent être fournies de la collaboration avec d'autres ministères tels que Familles, Justice, Santé mentale et Mieux-être de la communauté.
- L'élargissement devrait être facilité par l'élaboration de mécanismes de diffusion des connaissances acquises et des pratiques prometteuses issues de programmes réussis tels que COACH.



Introduction



As with all children, Eishia's life was intricately connected to the story of her family, her family's past, her community, and the world around her.

Historical ledgers reveal that Eishia's ancestors were hunters who supported themselves by trading for the products they needed via trapping and fishing under their traditional names (Little Grand Rapids Indian Ledger, 1896). Her paternal ancestors took treaty at Little Grand Rapids First Nation until 1897, after which they transferred to Berens River First Nation (Berens River Indian Ledger, 1897). Both Eishia's great-grandfather and great-uncle were Chief of Berens River First Nation for a period of time in the 1960s and 1970s, during which they advocated to address social justice issues and increase economic development for the community.

For about one hundred years, beginning in the 1860s, missionaries were active in Berens River including Catholic Oblates (Centre du patrimoine, 2021), Methodists (Brown, 1998; 2012; Gray, 2006), and Mennonites (Block, 2001). In the community there was a mandatory requirement for Indigenous children to attend Indian Day Schools and Indian Residential Schools in order for families to receive Family Allowance under *The Indian Act*. Children, including Eishia's paternal grandmother, were forced to attend the Catholic Mission Day School, about which former students have shared their stories of abuse (Truth and Reconciliation Commission of Canada, 2015). Indian Residential Schools, Indian Day Schools, and the resulting changes to family structures after colonization, profoundly impacted families and the ways children learned – including how to grow into their roles as parents (Truth and Reconciliation Commission of Canada, 2015). Indeed, it is clear that having a parent who attended residential school greatly affected the life of Eishia's dad. As a survivor himself, he shared his lived experiences of the impacts of the Sixties Scoop and of living in multiple foster and group homes as a child in care (Eishia's dad, personal communication, March 26, 2022).

Born on June 2, 2003, Eishia was the youngest of four children born to her mom and dad, and the fifth child in a blended family of eight. When Eishia was two, her parents were both incarcerated, which greatly impacted Eishia's life. Eishia and three of her siblings went to live with their paternal grandmother in Berens River First Nation, where Eishia was a registered Treaty Indian. When Eishia's grandmother passed away in 2008, Eishia remained with her grandmother's partner until she returned to her mother's care in Winnipeg in 2011. Eishia spent a total of four years residing in Berens River First Nation, then returned to Winnipeg to the care of her mom.

Eishia was eight when she was apprehended from her mom's care by CFS, which created instability in her life – compounded by moving between different foster homes and emergency placement resource (EPR) shelters – and a loss of connectedness to her family (service provider, child welfare documentation, 2014). In addition, adults in her life noted that from a young age, Eishia had difficulties regulating her emotions. She could be easily influenced by her peers and required specialized supports in school. Specifically, when her age made her no longer eligible to attend the COACH 1 wraparound program, an intensive treatment and academic program that provides wraparound intervention and support, her school attendance and engagement decreased. There were concerns she needed more consistency, connection, support, and supervision. What Eishia experienced is in line with research that shows parental incarceration disrupts parent-child attachment and impacts the ability to connect and reunify families, particularly if children are in care of CFS (Murray & Murray, 2010; D'Andrade & Valdez, 2012).

Both of Eishia's parents recognized the trauma from their own upbringings that had a direct impact on their children, and committed to change the pathway

for their children. The challenges they experienced demonstrate the ongoing intergenerational impacts of colonization and the residential school system.

There were times in Eishia's life where adults, government, and school systems were able to provide her with the supports she needed to cope with the challenges she was experiencing. There were other times, however, where she did not receive the support she required and to which she was entitled, pursuant to her rights as laid out in the *United Nations Convention on the Rights of the Child* (UNCRC).

“Don't Be Sad”

Eishia was loved by her family, friends, and community. Those who knew Eishia described her as an energetic, smart, and fun child. Her family shared that Eishia was always the first to try something new, enjoyed the company of her close friends and family, had a great sense of humour, loved laughing and making other people laugh, and was “the one who held the family together” (family, personal communication, March 8, 2022). Eishia loved children, especially her little sister, nieces, and nephews, and talked about wanting to adopt two children when she was older. According to her family, her favourite saying was “don't be sad.” She would use the expression “don't be sad” as a way to greet people and to say goodbye.

While attending the COACH 1 wraparound program, Eishia excelled and was described as having a good sense of humour, an ability to build relationships, the capacity to trust adults, was good-natured, compassionate towards others, and was a good athlete. Indeed, she enjoyed sports, including judo, floor hockey, volleyball, and especially basketball, which was her favourite sport.

2020: A Year Unlike Others

The year Eishia died, 2020, was a year unlike others in recent memory. It was the year the world changed due to the COVID-19 pandemic. Eishia died during the first COVID-19 lockdown, when most children and youth were deprived of their protective factors, such as in-person school support and routine.

In addition to the beginning of the pandemic, 2020 will also be remembered as one of the deadliest years for police shootings in Canada (Malone et al., 2021). Though no national database exists to track police shootings, The Canadian Press and CBC News compiled a list of police shootings based on media articles. According to the Canadian Press, there were 60 police shootings in Canada in 2020, of which 48 percent involved Indigenous People and 19 percent involved Black people (Malone, 2021; Malone, Omstead, & Casey, 2020). Thirty-six of the 60 individuals who police shot in 2020 were killed. In Manitoba specifically, three of the five people killed in police shootings in 2020 were Indigenous (Malone, Omstead, & Casey, 2020).



These troubling statistics illustrate what Elder Albert McLeod shared with our office: that far from being a stand-alone event, the death of Eishia was an extreme example in the ongoing pattern of anti-Indigenous racism and state-generated violence, a pattern that, unfortunately, has become normalized by most Canadians. Although many Canadians can accept this pattern of state-generated violence “as normal,” the same Canadians cannot come to terms with, or accept the use of the word genocide to describe it. Elder McLeod explains that he sees the death of Indigenous Peoples at the hands of law enforcement as a form of what he calls “incremental genocide, in which the violence is more discrete, more unsaid. [The violence] has an energy in policy and government [which] functions like a machine, regardless of who the driver is.”

On April 8, 2020, Eishia Hudson died as a result of a gunshot wound inflicted by a member of the Winnipeg Police Service (WPS), as determined by the Office of the Chief Medical Examiner (OCME). Eishia was 16 years old and the third Indigenous person killed by WPS in a span of 10 days. Her death led to significant and intense media reporting and inspired grassroots movements in Manitoba and across Canada calling for systemic change in how police interact with youth and, more broadly, interactions between police and Indigenous Peoples. Her tragic death shook many Manitobans and Canadians, including the city of Winnipeg, where it was particularly felt by the Indigenous community, who as of 2021 comprised 12.5 percent (approximately 102,075 total) of the city's population (Statistics Canada, 2021). Following Eishia's death, the Manitoba Advocate publicly committed to a review of Eishia's story from a child-centred and children's rights lens.



Rationale

On April 9, 2020, the Manitoba Advocate received notification of the death of Eishia Hudson from the Office of the Chief Medical Examiner (OCME), as per subsection 10(1) of *The Fatality Inquiries Act*. As Eishia's family had been involved with child and family services (CFS) in the year prior to her death, the Manitoba Advocate for Children and Youth (MACY) had jurisdiction to conduct a review of Eishia's death, pursuant to subsection 20(3) of *The Advocate for Children and Youth Act* (ACYA). MACY completed this review on February 25, 2021.

On March 5, 2021, the OCME called an inquest into the death of Eishia in accordance with *The Fatal Inquiries Act*.

On June 30, 2021, the Acting Manitoba Advocate wrote to the Minister of Justice and Attorney General, pursuant to subsection 24(a) of the ACYA, to request written permission to proceed with MACY's investigation as a public inquest had been called. On August 18, 2021, MACY received permission to proceed with the investigation into the services provided to Eishia and her family. Given this notice, and following the findings of the review and in accordance with subsection 23(1)(b)(iii) of the ACYA, the Acting Manitoba Advocate initiated an investigation (s.23(1) of the ACYA) and announced that the office would publish a special report (s.31(1) of the ACYA).

In accordance with subsections 23(2)(a) and (b) of the ACYA, on August 23, 2021, formal notifications of MACY's intent to investigate Eishia's death were sent to the Ministers of Health, Justice, Mental Health and Community Wellness, Families, and Education.

In February 2022, MACY was granted standing in the upcoming inquest examining the circumstances of Eishia's death. It is the Manitoba Advocate's intention to submit this special report to the inquest as part of evidence in order to offer a child-centred and children's rights lens to the proceeding.

Purpose

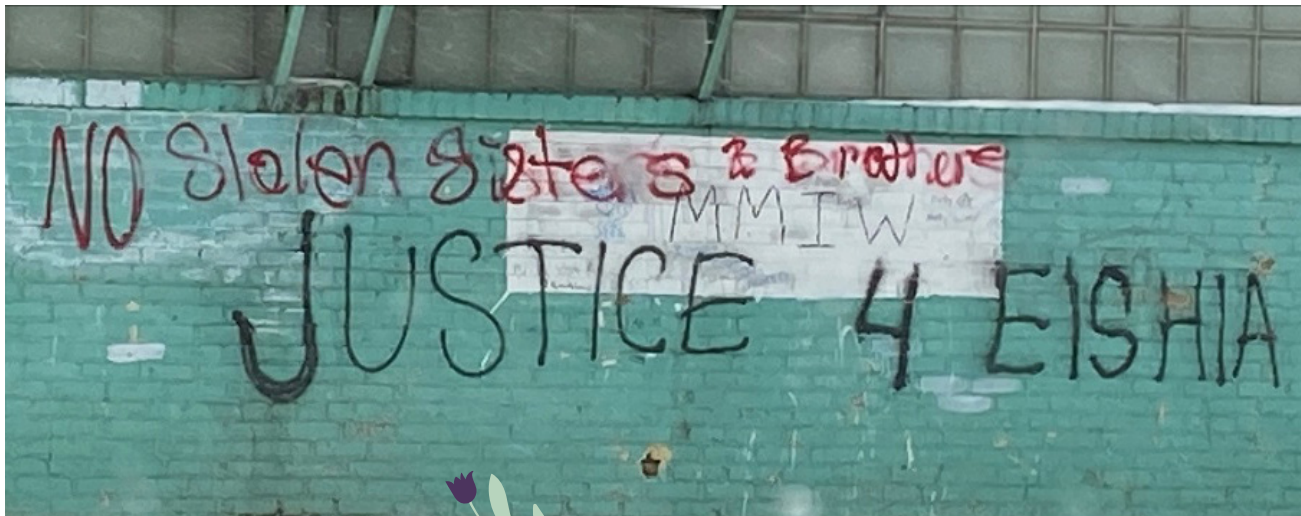
The purposes of this special report are:

- To share Eishia's story and the perspectives of those who knew and loved her;
- To review the designated and reviewable services provided to Eishia and her family to examine if/how those services worked to support their needs;
- To listen to and amplify the voices of Black, Indigenous, and other racialized youth on their perspectives of policing in Manitoba in order to move towards good relations, equitable services, and safer communities; and
- To issue recommendations that increase the effectiveness and responsiveness of provincial public services for children and families in Manitoba, pursuant to subsection 31(1) of the ACYA.

Scope

This special report considers the full scope of provincial public services provided to Eishia and her family, from the start of her life to the time of her death. Empowered by the ACYA, the intention of this special report is to review the public services received by Eishia and her family prior to her death with the goal of increasing the effectiveness and responsiveness of those services. This office reviewed services from the education, mental health, and child and family services systems.

Importantly, this special report focuses on improvements to public services and does not contain any findings of legal responsibility, as the Manitoba Advocate is expressly prohibited from making findings of culpability (ACYA, s.27(3)). An evaluation of the actions of members of the WPS as they pertain to the incident immediately prior to her death is beyond the legal scope of MACY's legislative mandate, and is therefore not included herein.



Methods

While each MACY investigation has similar key components, the methodologies can vary depending on the story of each child.

This special report aims to explore the interconnections between the individual-, family-, and community-level environments involved in Eishia's life.

Child death investigation

As Eishia's family had been involved with child and family services in the year prior to her death, a review of services provided by child and family services to Eishia and her family was completed under subsection 20(3) of the ACYA. Following the findings of the review and in accordance with subsection 23(1)(b)(iii) of the ACYA, an investigation into Eishia's death under Part 4 and a special report under Part 5 of the ACYA were launched.

Family engagement

An essential element of this investigation was the voice of Eishia's family. We were privileged to have met with Eishia's family on multiple occasions beginning in November 2021. Initial meetings explained the investigative process and introduced family members to the Manitoba Advocate and the team involved in the investigation, as well as to supports, including cultural and emotional supports provided by the Knowledge Keeper at MACY. These initial meetings also involved asking family members, including her mom, dad, dad's wife, and siblings, about the questions they had regarding public services provided to Eishia throughout her life.

Ongoing meetings throughout the creation of this special report explored how the family experienced, navigated, and were impacted by public services. They shared with us stories about how they remember Eishia and provided their insight into the services they received. Family members provided pictures

of Eishia for this special report and input on the design. The Manitoba Advocate discussed findings, themes, and recommendations with the family in advance of the special report's release.

Throughout the investigative process the Knowledge Keeper at our office was an active member of the project team and coordinated cultural, spiritual, and emotional supports for the family. Following principles of relationality and reciprocity, this involved sitting in ceremony and other supports as requested by the family.

As part of a family mapping conversation with our office, Eishia's dad expressed an interest in learning more about his family history. As a result, our office conducted archival record searches and reviews to provide him with that family history, including looking into Eishia's First Nations ancestry and intergenerational connections to residential schools. A fulsome report and genealogical summary were provided to Eishia's dad by our office in November 2022.

Sources of information

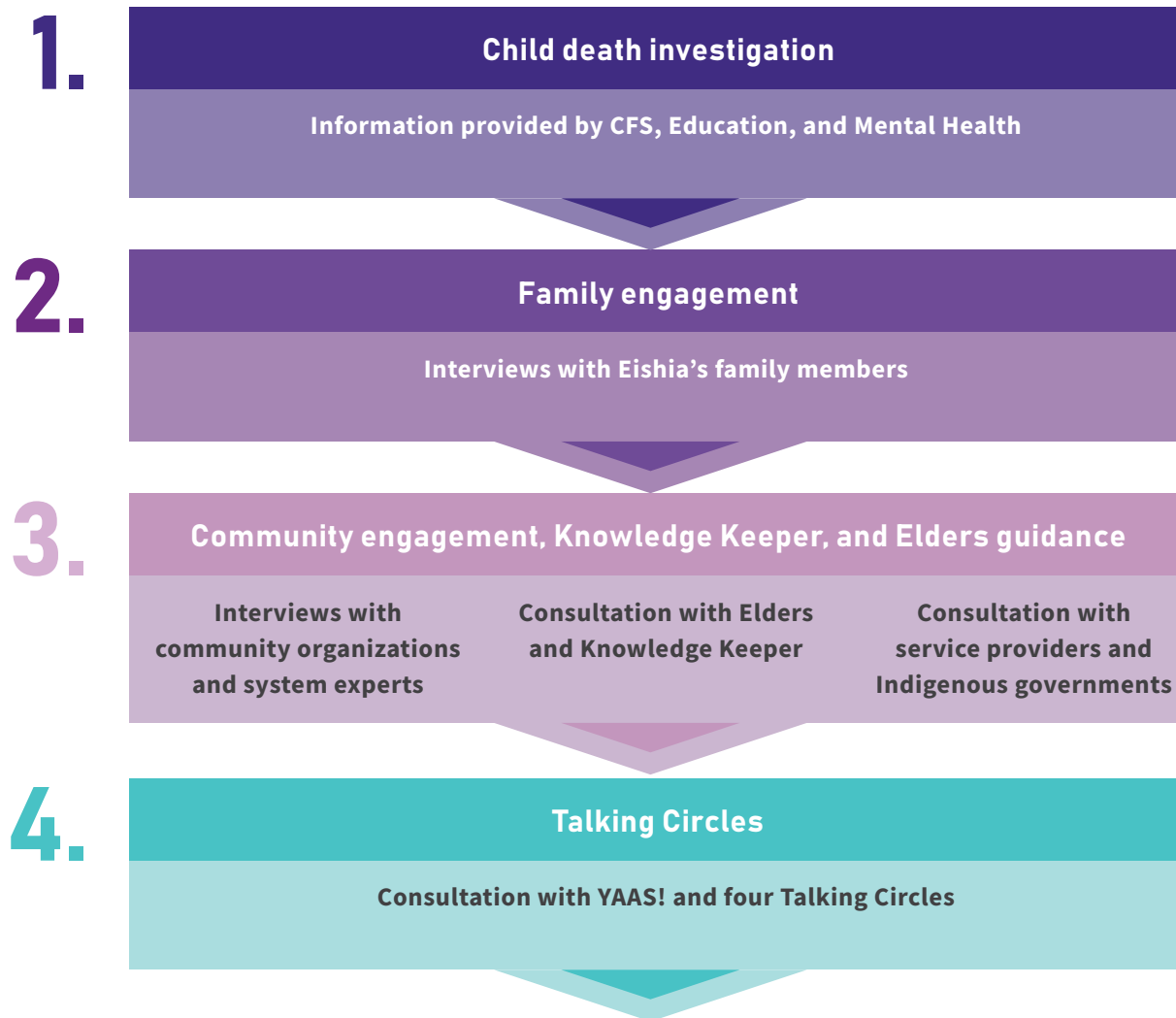
As part of our investigation, we requested and reviewed administrative records from the following reviewable and designated service areas:

Child and family services (CFS): CFS agency records, intakes, and records associated with the family.

Education: cumulative file record from nursery to Grade 10, school records (including emails, attendance logs, personal notes by teachers, Individual Education Plans, Learning Plans, and Safety Plans).

Mental Health: publicly-funded therapy records and notes.





Supplemental files reviewed included The Report of the Medical Examiner and Eishia's medical record from the Health Sciences Centre in Winnipeg.

In addition to reviewing files, a number of interviews were conducted including the following publicly-funded service providers:

- A CFS agency mandated under the Metis Child and Family Services Authority
- Metis Child and Family Services Authority (MCFSA)
- Eishia's case worker from a CFS agency mandated under the MCFSA
- A foster parent licensed by a CFS agency mandated under MCFSA
- A therapist
- Two schools within the Winnipeg School Division
- Administration and Winnipeg Police officers involved in the student resource officer program at Pembina Trails School Division
- COACH wraparound education program
- Manitoba Education
- The Turnabout Program through Manitoba Justice
- Manitoba Adolescent Treatment Centre (MATC)
- Winnipeg Police Service through written submissions and follow-up meetings

Community engagement, Knowledge Keeper, and Elders guidance

Eishia was a registered member of Berens River First Nation through her paternal side and spent her early formative years in the community. With guidance from the Knowledge Keeper and Elders Council at MACY, as part of the process and as a sign of our respect, we welcomed the Chief and three additional members of the Berens River First Nation Council to our office to explain the investigative process and to better understand the community context and history.

Throughout our investigation and the development of this special report, the Manitoba Advocate reported on progress to the Elders Council at MACY, seeking advice on the methods of this special report and to ensure cultural safety. Elder Ed Azure and Elder Louise Lavallee were further consulted in the development of the methods for the Talking Circles with young people, with Elder Louise Lavallee facilitating one of the Talking Circles.

Table 1. Elder's Council at the Manitoba Advocate for Children and Youth Office

Name	Community
Elder Bill Ballantyne	Brokenhead Ojibway Nation
Elder Ed Azure (past member)	Nisichawayasihk Cree Nation
Elder Fred Stevens (past member)	Sapotewayak Cree Nation
Elder Gertrude Ballantyne	Brokenhead Ojibway Nation
Elder Louise Lavallee	St. Laurent, Manitoba
Elder Albert McLeod	Nisichawayasihk Cree Nation and Norway House

Talking Circles

Talking Circles were held to hear the perspectives of Black, Indigenous, and other racialized youth on policing in Manitoba. Many young people were impacted by the death of Eishia, even when they did not know her, describing her public and high-profile death as a catalyst for action and change. Elder Ed Azure stressed the need for youth to share not only their experiences with police, but also to share solutions for change. As enshrined in Article 12 of the UNCRC, young people have the right to be heard in decisions that affect them. We include their voices because they are essential to inform discussions and improvements to public policies and to build safer communities.

Limitations

Information presented in this special report was primarily gathered from administrative records and interviews. Our understanding of Eishia's experiences in provincial systems is limited to the completeness and accuracy of administrative records provided to our office and to the abilities of individuals to recall information. In some cases, documentation was incomplete and/or gaps were noted by our team. While investigators attempted to verify evidence with additional sources, including family and caregivers, such information was not always available.

Part I: A Life Taken Too Soon – Eishia’s Story

Eishia’s Early Years

Family circumstances changed when Eishia was two years old when both of her parents were incarcerated. To avoid child and family services involvement, Eishia’s dad made a private arrangement for Eishia and her siblings to reside with their paternal grandmother and her partner in Berens River First Nation. Interviews with family members noted the close relationship Eishia had with both her grandmother and her partner (family, personal communication, March 8, 2022).

Eishia’s grandmother passed away in 2008, when Eishia was four years old. Eishia’s nursery school teacher noted in the report card that her grandmother’s death had an impact on Eishia. After her grandmother’s death, Eishia and her siblings stayed in Berens River First Nation with her grandmother’s partner until the end of the 2009-10 school year, at which time they went back to live with their mom in Winnipeg. A short time later, however, Eishia returned to Berens River First Nation under private arrangement to continue residing with her grandmother’s partner. While Eishia was residing in Berens River First Nation, Eishia’s mom told our office she recalled having family visits in Winnipeg during holidays.

TRC Calls to Action 30.

We call upon federal, provincial, and territorial governments to commit to eliminating the overrepresentation of Aboriginal people in custody over the next decade, and to issue detailed annual reports that monitor and evaluate progress in doing so.



Age Eight

In 2011, at the age of eight, Eishia moved from Berens River First Nation and returned to Winnipeg to live with her mom and her siblings. Eishia began Grade 3 at an elementary school in the Winnipeg School Division, where she was exposed to the Ojibwe language and culture. As Eishia was adjusting to residing with her mom and siblings and a new school, Eishia's mom and school noted some concerns in behaviour believed to be a result of Eishia trying to adjust to all the changes. Following an incident at school, and after consultation with Eishia's mom, an assessment was completed to support Eishia. Eishia's mom shared concerns with school staff that early disruptions and significant changes, including the death of her grandmother, were possibly having an impact on Eishia. Eishia's mom requested additional resources to support her and her children, specifically Eishia.

Throughout the process of the assessment, Eishia was involved in additional incidents at school that often included her siblings and resulted from some form of conflict between them. The outcome of the assessment outlined strategies to assist Eishia. The strategies included a referral to the Manitoba Adolescent Treatment Centre (MATC), participation in community organizations, individual counselling, and collaboration between service providers to expand service delivery to meet the needs of the family and the children, such as additional wraparound services for Eishia. Eishia continued to work individually with school staff and a referral was made to the Learning Assistance Centre program to explore alternatives for Eishia to be successful in her learning journey.

In March 2012, Eishia's life changed significantly, and her understanding and feelings of safety were directly challenged when child and family services (CFS) and the police showed up at her family home. **CFS received a reported concern about the well-being of Eishia and her siblings which resulted in their apprehension from their mom's care.** Eishia's family shared the trauma she experienced on the day the police and social workers attended their home to remove them from their mom's care. Eishia was crying, hiding, and did not want to leave her mom (personal communication, family, March 8, 2022). Eishia and her siblings were placed in an emergency placement resource (EPR) shelter located fewer than two blocks away from the family home.

TRC Calls to Action 1. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to reducing the number of Aboriginal children in care.



Age Nine

Following the apprehension in March 2012, Eishia experienced significant changes, including a change in placement, a change in school, connection with a one-to-one therapist, and CFS coordinating Eishia's contact with her mom and siblings. Also, around this time, a referral was made by CFS in collaboration with the school, to get Eishia into the COACH 1 program.

In December 2012, Eishia and her siblings were placed in an agency-approved foster placement. This placement was intended to be long-term, as the foster family had experience and a long history of fostering. Initially the agency pursued a temporary order of guardianship for Eishia and her siblings. Around five months after their placement with the established foster family, the agency's case plan changed for the family and CFS amended their court application from a request for a temporary order to permanent guardianship.

By early 2013, Eishia was adjusting to her foster home and participating in extracurricular activities such as judo, which she enjoyed very much. Eishia continued to attend the COACH 1 program and was experiencing success in engaging and building positive trusting relationships with the COACH 1 staff team. A service provider involved with Eishia at the time stated:

Eishia is beginning to experience a child's life where there is less threat, more predictability and safety in relationships, especially with caregivers. She has made progress in expressing her feelings, sharing her worries, and seeking help. Eishia is less skeptical of [the] supports available to her and consequently is making strides in deepening her connection with healthy adults (service provider, written summary, May 2013).

What is the COACH program?

COACH is an intensive year-round community-based treatment and academic program that provides wraparound intervention and support for children (ages 5-11) who have profound emotional, behavioural, and academic issues, including sporadic or no school attendance. COACH has 16 spots and a team that includes COACH mentors, teachers, principals, psychologists, and behavioural consultants.

What does COACH provide?

Using a strengths-based wraparound approach for the child/youth and their families/guardians to attain personal and academic achievements, COACH provides a combination of academic, emotional, behavioural, and life skills learning in a small, off-site school setting. The goals of COACH include: reintegrating the child/youth into their community school with appropriate school system supports; creating stability in the child/youth's living environment; and reducing negative and dangerous emotions and behaviours. COACH supports the child/youth and their family during the transition phase to the community school and may continue to offer support into adolescence.

Who is eligible for COACH?

Children are referred to the COACH program by their home school and must have behavioural and emotional needs requiring supports beyond what is available in a Learning Assisted Classroom or equivalent programming. Students must qualify for specific levels of funding based on a clinical assessment and provincial Emotional Behavioural Disorder protocol. Further, they must require a wraparound program including days, after school, evenings, and summer programming. The final decision for admission is based on highest need and best fit. Priority is given to children whose parents, guardians, and caregivers participate and cooperate with in-home and school-based programming.

Age 10

Eishia turned 10 while residing in this foster placement. The year-end report card from COACH 1 in June 2013 indicated Eishia had a very successful year. Eishia was noted to be more stable due to the program's additional supports, she was taking more appropriate risks socially, and was more outgoing with both peers and adults. During interviews

with COACH staff, they shared that Eishia could have difficulty in new or unfamiliar situations, and often they would see her response be to "freeze" or take "flight." As the staff team got to know Eishia, they were able to use strategies to assist Eishia to regulate these responses. Staff also described her as having a good sense of humour, an ability to build relationships, a capacity to trust, was a good athlete, was good-natured, and was compassionate towards others.

Eishia's foster placement, which offered her safety and stability, ended in August 2013 because the foster family was retiring and relocating. Eishia was moved to an EPR while the agency continued to pursue a permanent order of guardianship.

The COACH 1 program staff and Eishia's therapist expressed concerns about her placement in an EPR, where they felt Eishia lacked appropriate supervision, including excessive unsupervised time in the community. They were also concerned the progress Eishia had made in trusting adults in her life could be compromised by the staffing structure in the EPR placement. As worry increased regarding the appropriateness of this placement

TRC Calls to Action 2. We call upon the federal government, in collaboration with the provinces and territories, to prepare and publish annual reports on the number of Aboriginal children (First Nations, Inuit, and Métis) who are in care, compared with non-Aboriginal children, as well as the reasons for apprehension, the total spending on preventive and care services by child-welfare agencies, and the effectiveness of various interventions.

for Eishia, changes in her behaviour began to be noted – changes consistent with a child struggling to belong, find connection, feel safe, and trust the adults in charge of her care. One service provider noted:

We have come so far with Eishia's willingness to be taken care of by adults and I fear that this progress will be lost. More critical and pressing is the vulnerability to be hurt/offended against. I

urge you to please access some extra support for Eishia and her [siblings] while they are in this placement (service provider, written summary, August 2013).

An assessment completed by a school psychologist acknowledged the number of transitions which had recently occurred for Eishia, stating "Eishia's life experiences have undoubtedly contributed to her behavioural functioning and will need to be considered when planning for her" (child welfare documentation, October 2013).

In early December 2013, after four months in the EPR, Eishia was placed with a new agency-approved foster care provider. This was the fourth move for Eishia and her siblings. **Eishia's mom continued to work with the CFS agency regarding the plans for her children.** At this

same time, the agency persisted in its application for a permanent order of guardianship for Eishia and her siblings, which was met with opposition from both of Eishia's parents.

Staff from her school continued to express

concern that all these changes and lack of stability in Eishia's life were having an impact on her behaviour (which they had seen start to regulate). With Eishia's best interests paramount, the COACH

TRC Calls to Action 5. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate parenting programs for Aboriginal families.

1 program delayed its planned transition for Eishia into the mainstream school program, citing several factors, including the amount of change Eishia had been experiencing and continued to face as well as their desire to continue to support Eishia.

In recognition of the many changes Eishia and her siblings were experiencing, the CFS agency arranged for all of them to participate in a psychological assessment. A copy of the assessment – including future considerations – was provided to the agency in January 2014. The psychologist noted the number of placements Eishia had experienced while in care and the struggle with building trusting relationships, stating that “**moving from place to place is not helpful**” for Eishia (child welfare documentation January 2014).

At the start of the 2014 year, although Eishia continued to reside in the agency-approved foster home placement, her caregiver was demonstrating their inability to meet the needs of Eishia and her siblings.

In February 2014, Eishia reached out to a family friend and requested they provide care for Eishia and her siblings. Eishia and her siblings provided this information to their CFS agency worker, who approached the family friend to discuss the matter further.

During this time, the COACH 1 program and Eishia's therapist continued to support Eishia as she learned her dad was being released from custody. Eishia's therapist reached out to the CFS agency worker to advocate for Eishia's need for stability as well as the importance of Eishia having relationships with both her parents. The therapist also raised concern about how stressful repeated disruptions were for a 10-year-old.

At the end of February 2014, Eishia and some of her siblings were placed with a family friend, to whom they had previously reached out, under an agency place of safety. Once Eishia and her siblings moved in, the CFS agency began its internal process to approve this placement as a licensed foster home. When the placement was approved, the agency plan did not include any additional supports or resources for the home to ensure stability, longevity, or to help the caregivers with their own children, in addition to Eishia and her siblings.

During early 2014, Eishia and her siblings all expressed a desire to stop attending therapy with their individual therapists. Although Eishia felt influenced by her siblings, her therapist and the COACH 1 staff members encouraged Eishia to continue to attend therapy. Eishia resumed her weekly sessions in April 2014.

In June 2014, at the end of the school year, her student support team summarized her overall year and the impacts experienced from having three different agency placements during the previous school year. The staff members were concerned because Eishia's behaviour was presenting as dysregulated, which they concluded was a result of too many transitions in her life.

It was around this same time Eishia again made

the decision to end her therapy appointments. The therapist expressed concern about this decision directly to Eishia, and expressed worry for Eishia's ability to navigate the transitions without therapy supports. The therapist also reported this concern to the CFS agency.

MMIWG Calls for Justice 12.6.
We call upon all governments and child welfare services to ensure that, in cases where apprehension is not avoidable, child welfare services prioritize and ensure that a family member or members, or a close community member, assumes care of Indigenous children. The caregivers should be eligible for financial supports equal to an amount that might otherwise be paid to a foster family, and will not have other government financial support or benefits removed or reduced by virtue of receiving additional financial supports for the purpose of caring for the child. This is particularly the case for children who lose their mothers to violence or to institutionalization and are left behind, needing family and belonging to heal.

Age 11

While Eishia continued to reside at her approved family friend placement, the family court system continued to adjourn the agency's pursuit for permanent guardianship. In September 2014, Eishia began to transition from the COACH 1 program to a mainstream classroom. When that family friend spoke with our office, she reflected on the struggles she experienced encouraging Eishia to attend her assigned school program. Specifically, Eishia had bonded with the other children in the home and wanted to attend school with them. The family friend felt the move into her home was positive for Eishia as she felt connected to, and a part of, their family.

At this time, although the agency was less involved in facilitating and coordinating family visits, Eishia's contact with her family increased. Indeed, even though her placement appeared to be going well, Eishia began increasing the amount of time she spent at her mom's home and with her siblings. It was also around this time that Eishia began to express feeling torn between wanting to return to her mom's care and remaining with her current caregiver. These feelings were impacting Eishia's behaviours at home, at school, and in the community.

Educational support continued for Eishia as she transitioned to a mainstream classroom, which she attended half the time while remaining involved with the COACH 1 wraparound program for the other half. Eishia had only missed two days of school according to her March 2015 interim report card. There was a plan in place for mainstream classroom integration for two full days a week starting at the beginning of April 2015. By the end of June 2015, Eishia was fully integrated into a mainstream classroom, while still receiving some wraparound support from COACH 1 staff.

Age 12

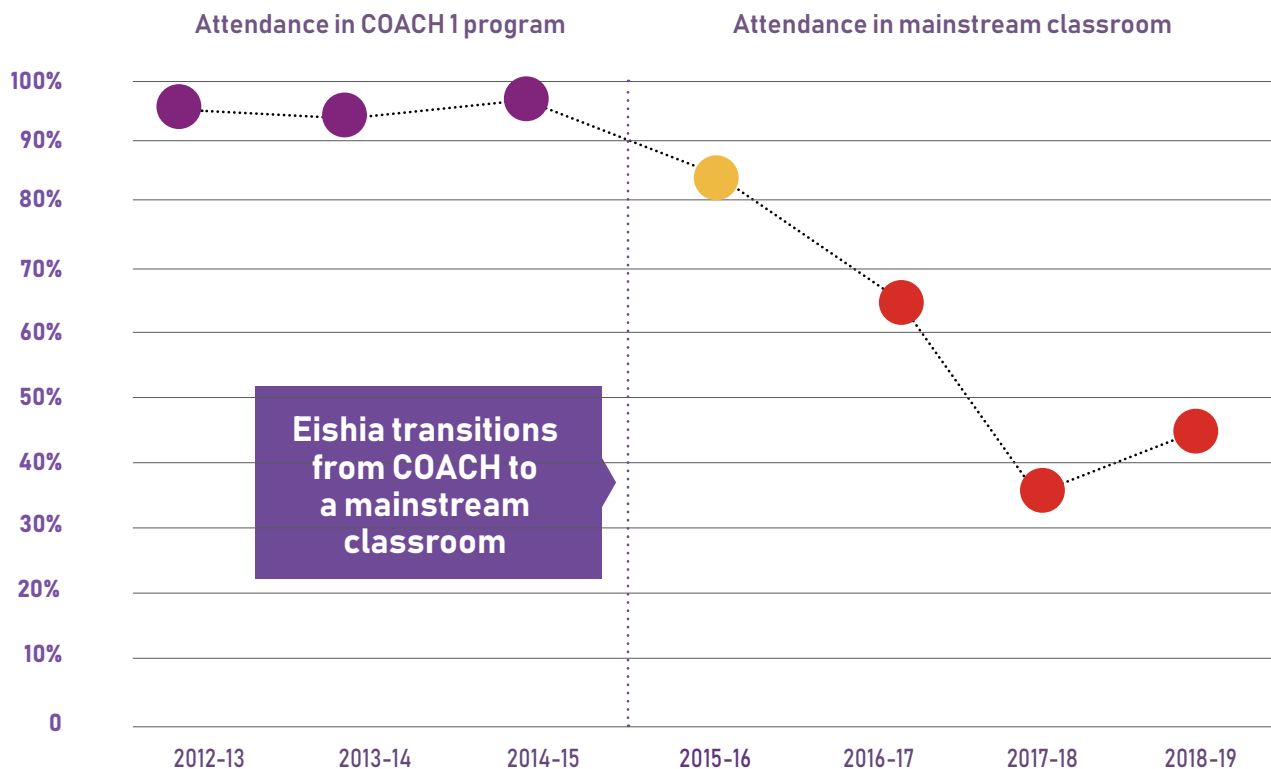
Just before her twelfth birthday on June 2, 2015, Eishia told her CFS worker she wanted to return to therapy. The CFS agency contacted the therapist to reinstate contact. When interviewed by our office for this report, the therapist stated although they had been contacted by the CFS agency, attempts to re-engage Eishia in therapy were unsuccessful.

Around the time of her twelfth birthday, Eishia expressed to her CFS worker that although she was happy with her current placement, she wanted to return to her mom's care. Eishia's siblings had been returned to their mom's care and Eishia began spending more time at her family home. At the end of August 2015, Eishia's mom was expressing her desire to have Eishia returned to her care full time. During family interviews, Eishia's mom shared she recognized and respected Eishia's conflicting feelings about wanting to return to her family home and wanting to remain in her current placement where she experienced connection.

In September 2015, the COACH 1 program provided support to Eishia as she transitioned to a new school. Staff recalled that Eishia still "ran" from her new school back to the COACH 1 location, after which COACH 1 staff would spend time with Eishia, and then return her to her new school (COACH staff, interview, May 12, 2022). Eishia's school attendance and engagement were noted to be declining and there were concerns she needed more consistency, support, and supervision. Eishia's previously high attendance began to drop (see Figure 1).



Figure 1. Eishia's school attendance during COACH 1 and after.



A school psychologist's assessment at this time highlighted not only a decline in Eishia's attendance, but also in her overall participation in academic learning. The assessment noted, however, Eishia's transition to a mainstream school was going well and her psychologist made three recommendations for Eishia to succeed that school year, which included:

1. Providing individual counselling to Eishia;
2. A plan to address attendance issues; and
3. That the psychologist would communicate with CFS for updates on Eishia's home situation.

Similarly, the school's principal stated the transition for "Eishia was going well [but] she had lots of social anxiety," and speculated, in hindsight, Eishia "may not have been ready for full integration, and completed her work mostly in [the] resource [classroom]" (school principal, interview, May 4, 2021).

As they continued to support her, COACH 1 staff began to document and report new concerns about oppositional behaviour emerging from Eishia, as well as her leaving the program more frequently.

For the second time, at Eishia's request, a CFS agency worker reached out to Eishia's previous therapist in the hopes of resuming individual counselling because, according to her CFS worker, Eishia was "struggling" as she decided whether to return to her mom's care or to remain in her current placement (child welfare documentation, October 2015). In the end, however, counselling was never arranged between Eishia and the therapist. It appears several barriers – including transportation, caregiver support, and accessibility – prevented Eishia from returning to therapy. When the therapist was interviewed by our office, they noted the importance of the entire "support system to support therapy" for it to be successful for children in care (Eishia's therapist, interview, February 17, 2022).

Ages 13 & 14

At the end of 2015, court hearings continued about the legal guardianship of Eishia, a then 12-year-old Ojibwe youth. No definitive decisions had been made, as the agency continued to explore how to support Eishia's best interests. Eishia continued to increase the time she spent in her family home with her mom and siblings.

In early 2016, discussions began about Eishia returning to her mom's care, but Eishia's mom was incarcerated. Eishia's time with her family had increased significantly up to this point and she had begun spending less time at her approved placement, though was still closely connected. Moreover, Eishia's dad had been involved in supporting the return of his children to Eishia's mom's care until her incarceration, after which he began to provide care to Eishia's siblings.

In January 2016, the agency changed its case plan and was no longer exploring permanent guardianship of Eishia. In March 2016, Eishia was placed with her dad and siblings under a voluntary service file. Eishia's dad shared during interviews that Eishia had adjusted well to living with him and his wife, was helpful with her new baby sibling (born to her dad and his wife), was attending school, and continued to participate in extra-curricular activities.

Eishia celebrated her thirteenth birthday while residing with her dad. Eishia continued to reside with him until the summer of 2016 when her mom was released from custody, after which Eishia increased her time spent at her mom's home with her siblings. Eishia's dad shared that eventually Eishia told him she wanted to return to living with her mom and he supported this plan (Eishia's dad, personal communication, May 14, 2022).

In December 2016, the school identified Eishia as having attendance issues which qualified her for off-campus learning. Eishia's mom told us that when she attempted to register Eishia for the off-campus program at a school closer to their home, however, she encountered difficulty getting her registered. While initially there was confusion regarding her legal guardianship, after a meeting with her mom, confirmation of both legal guardianship and internal funding, Eishia began attending an off-campus program in March 2017. The off-campus program was created to support young people who struggled with barriers affecting their regular attendance.

Eishia, now age 14, began the 2017-18 school year at this new school's off-campus program. Eishia's report card from November 2017 noted improvements in her attendance, in the completion of her schoolwork, and using class time productively. This changed, however, in March 2018, when the report card documented concerns about a lack of attendance and how this was affecting Eishia's ability to continue learning.

Since Eishia could not return to the school or to the off-campus program as a result of a barring (i.e., trespassing) notice, Eishia completed the school year in one-to-one tutoring services (one hour per day) at another school. When Eishia received her year-end report card in June 2018, all classes were marked as incomplete for credits.



Age 15

Eishia was registered to begin off-campus programming at a different school in September 2018. Over the summer of 2018, however, Eishia became the subject of a no-contact order with another student who was already registered at the same off-campus program for the fall of 2018. As a result, Eishia was informed she could not attend that school. The school division offered available off-campus spots at two other schools, but Eishia's mom wanted to support Eishia in attending a vocational program instead. The school supported her mom's plan and advised her that if this program did not work out and Eishia wanted to return, Eishia's mom should re-register Eishia at their catchment school. In this event, the catchment school would be able to re-initiate one-on-one tutoring for Eishia while she awaited a spot in the off-campus program Eishia had originally planned to attend, prior to the no-contact order being issued.

On October 30, 2018, Eishia's mom re-registered Eishia at their catchment school and Eishia began attending off-campus one-on-one tutoring for one hour per day.

The CFS agency file closing summary, completed in December 2018, noted "Eishia struggles with school attendance but her mom is following up with Eishia's education plan...Eishia will sometimes stay out and not return home; **the worry is that she will become involved with the justice system or be hurt while in the community**" (child welfare agency documentation, closing summary, December 2018).

In February 2019, Eishia and her family experienced a house fire. As a result of the fire, Eishia's mom moved the family to Eishia's maternal grandmother's home, which was located one block outside the Winnipeg School Division (WSD) catchment area. When Eishia's mom contacted the school to provide the temporary address change, the school identified the new address as out of catchment and flagged it as a potential issue. Eishia's mom told us that the potential issue identified was Eishia's eligibility for

WSD programs if not residing within the assigned catchment area. According to WSD, it is their "practice to always allow a child to remain in the school to complete their school year, regardless of their address change" (WSD documentation, October 13, 2022). In any event, this issue was avoided when Eishia's mom was able to advocate to the school and explained she would be securing new housing within the catchment area within the next few weeks. School administration directed the school to leave Eishia's name on the list for WSD as she would be soon moving back within the catchment area. Eishia was acknowledged as a student who had experienced a number of moves and it was ultimately determined her needs were best met by remaining in the same school. Her end of year report card in June 2019 indicated Eishia received a total of nine out of the required 30 high school credits for the 2018-19 school year.

Age 16

In December 2019, school records showed a spot in the off-campus program at the school Eishia had planned to attend in September 2018 would become available in January 2020. Eishia's mom recalled she was required to attend a meeting at the school before Eishia could begin classes as part of the registration process (Eishia's mom, personal communication, March 8, 2022).

Owing to scheduling conflicts, this meeting was delayed and Eishia did not begin the new off-campus program until March 12, 2020. Eight days later, the COVID-19 pandemic led to the Department of Education shifting classrooms to mandatory remote learning. Like students across the province, Eishia switched to online classes and many protective factors (e.g., positive peer supports, strong social supports, and participation in healthy/structured programs) were now largely absent. She had the following week off for spring break beginning on March 27, after which, she did not return to school



Did Not Get to Say Goodbye – The Events Prior to Eishia's Death

The family shared that at the time of her death, Eishia was disconnected from school and did not attend regularly (Eishia's mom, interview, March 8, 2022). Her family also expressed concern regarding Eishia's increased substance use as well as the fact that Eishia had begun associating with different peers in her final months and "they were all using [substances]" (family, personal communication, March 9, 2022).

During interviews with our office, Eishia's family shared their memories of the last interactions they had with Eishia on April 8, 2020. Eishia brushed her teeth and then walked out of the family home to go meet some friends, saying to her family "[I] will be right back, going for a quick ride" (family, personal communication, March 8, 2022).

A short time later, Eishia, a 16-year-old Ojibwe youth, was shot and killed by a member of the Winnipeg Police Service (WPS), following an alleged theft at a liquor store in the south end of Winnipeg. Many of the events of Eishia's final moments and her death were caught on cell phone cameras and posted online. Her death was covered extensively by local and national media.

A mandatory review of Eishia's death was conducted by the Independent Investigation Unit (IIU) of Manitoba, which is responsible for investigating "all serious incidents involving police officers in Manitoba, whether occurring on duty or off duty" (Independent Investigation Unit of Manitoba, no date, para.1). A report was completed by the IIU on January 12, 2021, and did not recommend charges against the police officer in question (Independent Investigation Unit of Manitoba, 2021).

The high-profile death of Eishia, shared widely on social media platforms and in the media, catalyzed broad-scale responses from the local community and across Canada. Eishia was 16 years old and the third Indigenous person killed by WPS in a span of 10 days.

TRC Calls to Action 39. We call upon the federal government to develop a national plan to collect and publish data on the criminal victimization of Aboriginal people, including data related to homicide and family violence victimization.



Honouring Eishia: Looking Back, Looking Forward

Eishia's life ended tragically as a result of a police shooting, completing her journey far before her time. By sharing her story, the Manitoba Advocate has been gifted with the opportunity of presenting Eishia, an Ojibwe member of the Berens River First Nation, as a daughter, a sister, a granddaughter, an auntie, and a friend. To all those who knew and loved her, if she still had the opportunity, she might have said "don't be sad."

MACY represents the rights, interests and viewpoints of children, youth, and young adults throughout Manitoba, including Eishia. Her story has offered an opportunity for reflection on how both certain protective and risk factors significantly impact the trajectories of young people's lives. To honour the life of Eishia Hudson, this special report moves forward to do just that.

Thus far, Eishia's story has demonstrated how connection to family, a sense of belonging, and stability contributed to creating security and success for Eishia. This was further facilitated by a holistic, supportive learning environment which met her where she was at to ensure equitable opportunity for peer supports, family engagement, recreational connection, and cultural exploration. Conversely, Eishia's times of uncertainty were apparent during tumultuous transitions, circumstances beyond her control, and social pressures which accompanied her teenage reality.

Eishia's death was the fatal encounter between her, a young Indigenous girl, and the police, a reality which cannot be disputed nor ignored in telling and honouring her story. It is beyond the scope of the Manitoba Advocate's legal mandate to review the actions of the police, or to consider the individual circumstances which brought Eishia before them that day. Still, this story would be incomplete without acknowledging the complex relationship between Indigenous Peoples and the police; a relationship born directly from Canada's continued colonial legacy and history of systemic racism. As such, this special report moves beyond Eishia's tragic incident to consider the overall strained relationship between police and racialized youth.

The sections which follow move forward in two parts. Part II of this special report examines police-youth interactions at a systemic level, highlighting youth experiences of systemic racism. The role of police in society, the reliance on them by external public systems, levels of contact with youth, and the associated harms resulting are also discussed. Eishia's death raised many questions for her family and the community about the role of policing and the need for change. In recognition of the systemic racism which occurs beyond Eishia's story, and in an effort to amplify the voices of youth in Manitoba, our office engaged in meaningful conversations with young people with lived experience in police interaction. These conversations with youth took the form of Talking Circles and their input is essential to invite ideas for collective reconciliation and relationship building going forward.

Part III of this special report reflects on the services that encouraged Eishia to thrive. Through the lens of protective factors, and the 'Circle of Courage' (as developed by Larry K. Brendtro, Martin Brokenleg, and Steve Van Bockern), Eishia's life is discussed in terms of what went well, and what protective factors and services may have been absent in the period leading up to her death. It is important to recognize the services that provided strength and stability in Eishia's life, and how those sources of strength can be available to all of Manitoba's children and youth who need them. Indeed, by examining Eishia's education experience, we hope to inspire action, expansion, and application of necessary resources that can assist families in meeting the universal needs of children and youth so they may thrive.

It is also important to note that although Part III focuses on services that were sources of strength, it does not absolve other service areas from examining Eishia's story through the lens of opportunities for improvement and ties to recommendations already issued, implemented, or being monitored by MACY. For example, previous recommendations made by MACY in the areas of Child and Family Services, Mental Health, Addictions, and Youth Justice include CFS transition and placement challenges, school attendance, and access to timely mental health therapy and supports. Ongoing actions based on these recommendations can greatly improve services for children and youth in Manitoba.

Part II: Youth–Police Interactions



Before beginning, an important point about the Manitoba Advocate’s mandate must be restated. While the Advocate can request information from police and has oversight of policing services (s.4(1), *Police Services Act*), overseen by Manitoba Justice, as they pertain to youth justice within the scope of MACY, municipal policing services generally fall outside of the office’s legislative responsibilities and powers. Nonetheless, as mentioned, the significant role police played in relation to how Eishia died makes the topic of youth-police interactions necessary for honouring her story and considering avenues for change.

Prompted by the tragedy of Eishia’s death, the following section of this special report briefly transitions away from Eishia’s individual experience to examine the way police interactions broadly impact the lives of young people in Manitoba. This approach ensures the voices of youth inform all findings, and their experiences can be amplified for people to listen. It is also essential to acknowledge and address the role and impacts of systemic racism in policing in order to foster positive changes going forward.

For this reason, the Manitoba Advocate initiated several youth Talking Circles, a qualitative research-driven method to collect stories from racialized young people with police experience. Themes identified in these conversations offer opportunities to consider solution-focused approaches.

FINDING 1: Eishia was never charged with a criminal offence, but contact with the Winnipeg Police Service (WPS) is documented throughout her life. This experience is not singular to Eishia, and is reiterated in the life story of many children and youth who come into contact with MACY. The potential negative consequences of police contact indicate that unnecessary and punitive contact must be mitigated when in the best interests of children and youth.

Examples of Pathways for Youth–Police Contact

There are various pathways leading to police contact with young people. One obvious pathway relates to police responding to criminal incidents. A primary role of police is to enforce the law, and this often frames the response to youth deviance (much of which can be explained by childhood trauma, social, and historical circumstances). In 2021, the WPS reported they responded to 1,101 incidents of youth-involved crime, a total which includes incidents regardless of whether charges were laid. **This figure translates to police responding to an incident involving a youth every eight hours in Winnipeg** (Winnipeg Police Service, 2021).



Police also spend a large portion of their time responding to non-criminal incidents. For instance, public systems often initiate requests for police to address a range of issues they feel unable or ill-equipped to manage themselves, such as missing persons reports and behavioural incidents in CFS placements. Indeed, WPS frequently respond to reports of youth in care who are reported as absent from their approved CFS placement. For example, in 2015, of the missing persons reports made to police, 80 percent involved children in care (WPS, written communication, May 3, 2022). Media reporting in 2015 detailed that over a three-month period (April-June 2015), there were 2,179 reports of missing persons for 709 individuals, of which 68 percent were children in care (Pursaga, 2015). Aside from care status, more generally, every year there are roughly 6,000 to 7,000 reports of missing persons in Manitoba, of which approximately 5,000 are children/youth (Government of Canada, 2022). While not every missing child comes into contact with police before being found, the potential is there given Manitoba has the highest per capita missing child rate compared to other provinces, with 375 reports per 100,000 people (Government of Canada, 2022).

In March of 2023, the province announced \$2.1 million in police funding to establish the Manitoba Integrated Missing Persons Response. Through this anticipated initiative, WPS will oversee all missing persons reports in Manitoba, and will collaborate with various police departments, CFS, Indigenous advocates, community services, and other agencies for information exchange and safety plans. Missing persons coordinators will conduct risk assessments to establish appropriate associated responses to calls, using knowledge mobilized and collected through various family and agency sources (CBC News, 2023; Unger, 2023).

Additionally, police often respond to behavioural incidents in foster homes and shelters. During this investigation, WPS reported they are increasingly responding to behaviour management calls or incidents rooted in mental health, trauma, or addiction, including suicide interventions and calls to de-escalate youth in crisis (WPS, interview, August 2, 2022).

TRC Calls to Action 31. We call upon the federal, provincial, and territorial governments to provide sufficient and stable funding to implement and evaluate community sanctions that will provide realistic alternatives to imprisonment for Aboriginal offenders and respond to the underlying causes of offending.

If police are in frequent contact with young people involved in public systems, this may help to explain the finding that **in Manitoba, children who have ever been involved with CFS are at five times the risk of being charged with a crime compared to children who have never been involved with CFS (Brownell et al., 2020)**. While public body-initiated calls for varied reasons are not a direct cause of youth criminalization, these calls increase their likelihood of potential involvement with police.

Many young people also come into contact with police as witnesses to trauma, violent incidents, or during everyday interactions. For instance, there are a significant number of children and youth in Manitoba who are regularly exposed to police through intimate partner violence (IPV) calls. As noted in MACY's June 2022 report on children and youth exposed to IPV, **children in Manitoba are present at a police-reported incident of IPV approximately every two hours** (Manitoba Advocate for Children and Youth, 2022). Other examples of how children come into contact with police include police presence at child apprehensions, police generated events (such as traffic stops or street checks), or police-school engagement activities.

Ultimately, reasons why young people come into contact with police are diverse. While not all contacts are inherently problematic, the varied opportunities for youth-police interactions is troubling when considering some of the implied harms which can result (e.g., criminalization and exposure to responses with violent incidents). Some academics have even argued police contact is, in itself, an adverse childhood experience, particularly for racialized youth (Jackson et al., 2021). This is a significant reality to reflect upon provided the continued repercussions of settler colonization, and the ways Indigenous Peoples experience the justice system.

Police and Systemic Racism

The circumstances surrounding how Eishia died and the resulting public response reflect how systemic racism permeates the lives of Indigenous People and their communities.

Because police hold a broad range of social responsibilities, they are positioned to interact directly with the historical factors and societal inequities manifested in colonial nations. Police are one of the few public services available every day at all hours, so they are called upon for issues ranging from social welfare, addictions, mental health crises, crime, injuries, and legislation enforcement (Comack, 2012; Zakimi, Greer & Butler, 2022). Police are responsible for instilling and creating order in society, but systemic inequalities can become particularly overt in settler societies, like Manitoba, where “order is imbued with racial oppression” (Green, 2014, p.9).

In colonial societies, systemic racism informs public discourse and institutional processes, including police services (Comack, 2012). In Manitoba, Indigenous populations are overrepresented in the criminal justice system; a process which begins with the disproportionate contact police have with Indigenous People and the increased contacts with young people involved with CFS who are also overwhelmingly Indigenous (Brownell et al., 2020). Furthermore, systemic discrimination and surveillance results in Indigenous Peoples being the most arrested, incarcerated, and victimized populations by police (Green, 2014). Whether due to racially motivated actions of individual officers who profile Indigenous People, the implicit themes which influence law enforcement to frame Indigenous People as more likely to engage in criminal activity, and/or cultural constructs which are reflected within institutions and society, policing must be understood as systemically racialized (Comack, 2012).

Systemic racism in policing and within provincial institutions is a continued reality, despite the notion that the concept has been both recognized and denounced in Manitoba for decades. Indeed, **over 30 years ago, the Aboriginal Justice Inquiry (AJI) was issued to demand an investigation of racism within Manitoba’s justice system** following the killing of two Indigenous individuals – Helen Betty Osborne, who was violently murdered by multiple assailants, and John Joseph Harper, who was shot by a member of the Winnipeg Police Service. The report made 296 recommendations, including but not limited to those related to justice system reform, addressing conditions of existing social systems which contribute to systemic racism, Indigenous overrepresentation in the justice system and child welfare, and the victimization of Indigenous women and girls (Carreiro, 2021; McNamara, 1991; The Aboriginal Justice Implementation Commission, 2001). Indigenous leaders and advocates maintain most recommendations have not been fully implemented (Carreiro, 2021), demonstrating the reluctance of systems to forgo their perceived colonial advantages at the expense of Indigenous Peoples.

Further, the 231 *Calls for Justice* issued following the National Inquiry into Missing and Murdered Indigenous Women and Girls denounce the combination of systems and actions which work to maintain colonial violence, which include unresolved historical, multigenerational, and intergenerational trauma, economic and social marginalization, lack of political will and maintaining the status quo, and the denial of the agency and expertise of Indigenous women and 2SLGBTQQIA people. The *Calls for Justice* demand all levels of government, as well as all Canadians, immediately take steps to end the genocide against Indigenous women, girls, and 2SLGBTQQIA people (The National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). **Despite the hundreds of calls and recommendations, systemic racism persists, and the associated repercussions continue to be felt by children and youth.**

While it is far too late to ever know, we are left to wonder: if strides had been made on the part of the provincial government to adhere to the calls and recommendations reiterated over the decades, perhaps Eishia's life may not have been characterized by CFS involvement, parental incarceration, placement transitions, and finally, the ultimate encounter with police which ended her life.

Colonial-imposed realities are not singular to Eishia, but define the lives of far too many Indigenous families and young people our office works alongside. It is thus essential when speaking on behalf of children and youth in Manitoba that the reality of systemic racism be reiterated again to honour Eishia, pay respect to her community, and speak for other racialized youth with police experiences which reveal the persistence of continual systemic racial oppression and violence.

The findings presented in the Talking Circle section below demonstrate how listening to and amplifying the voices of young people offer opportunities for reflection and solution-focused commentary. The experiences of youth presented demonstrate both the repercussions which can occur in our province when young people have contact with police, and offer hopeful suggestions for moving forward to safeguard the rights of children and youth.



Talking Circles

Eishia's death raised many questions for her family and the community about the role of police, particularly through their interactions with Indigenous Peoples and other persons of colour, and the associated demand for change. As such, MACY gathered input from young people to understand their lived experiences and solutions.

We invited Black, Indigenous, and other racialized young people to speak to us about their experiences with police in the form of Talking Circles (also known as sharing circles). This method of data collection was chosen, as Talking Circles honour the oral traditions of storytelling central to Indigenous cultures (Hart, 2002). As described by MACY's past Knowledge Keeper, "circles are a universal way of gathering." In this safe and supportive space, participants were able to learn, exchange ideas, grow, heal, discuss what has happened, and what needs to happen for things to change.

The Talking Circles had three primary goals:

- To explore youth experiences with the police (positive, neutral, or negative);
- To understand how these experiences were connected to what is happening in their community or family; and
- To offer solutions and describe how youth want to see relationships change between Black, Indigenous, and other racialized youth and the police.

A total of 35 young people participated in the Talking Circles. While MACY did not request explicit information on what precipitating factors contributed to the participants' contact with police, it was apparent the scenarios the youth were discussing ranged from youth-initiated incidents, police-initiated profiling, speaking about third-party incidents from others known to participants, and eye-witness accounts of police contacts with others.

The Talking Circle findings presented in this special report were supplemented with input and proposed solutions from members of MACY's Youth Ambassador Advisory Squad (YAAS!) and staff from four youth-serving community organizations in Winnipeg. All input from participants, YAAS!, and community organizations was thematically analyzed using NVivo qualitative analysis software to inform the discussion in this section. For detailed information on recruitment, methods, and data analysis, please see **Appendix A**.

To protect the privacy and confidentiality of the participating youth, identifying names included in this special report are pseudonyms selected or approved by the youth. For those young people who did not select an anonymous pseudonym, one was selected on their behalf. Identifying information was removed from all quotes contained within this special report.

What We Heard from Youth about Their Experiences with Police

During the Talking Circles, it became apparent that youth-police interactions can have adverse repercussions on young people, and may negatively impact their perceptions about the utility of law enforcement. **Aside from a few positive experiences with the police discussed by youth participants, the experiences shared were largely problematic.** Overall, these findings demonstrate the importance of preventing youth-police contact when safe and possible, and speak to the need to increase protective factors within communities to respond to the needs of children and youth.

MMIWG Calls for Justice 9.1. We call upon all police services and justice system actors to acknowledge that the historical and current relationship between Indigenous women, girls, and 2SLGBTQQIA people and the justice system has been largely defined by colonialism, racism, bias, discrimination, and fundamental cultural and societal differences. We further call upon all police services and justice system actors to acknowledge that, going forward, this relationship must be based on respect and understanding, and must be led by, and in partnerships with, Indigenous women, girls, and 2SLGBTQQIA people.

FINDING 2: When reflecting on their individual and community experiences, some youth described experiences with police as characterized by violence, verbal abuse/threats, negative and unprofessional conduct, being judged based on their past/community affiliations, not being helped, and racial discrimination. These experiences resulted in some young people feeling distrustful of police, uncomfortable around them, holding strong negative feelings, and feeling the need to be hypervigilant to mitigate interactions.

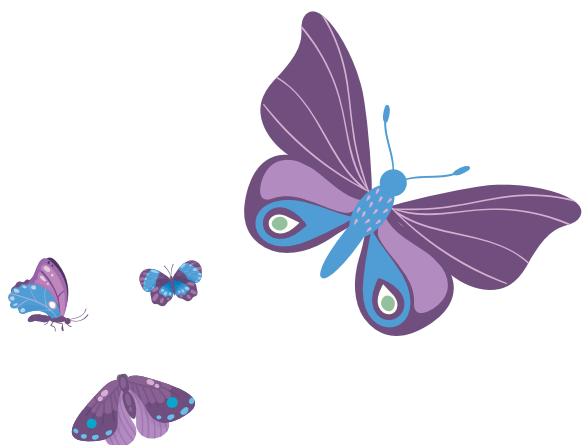
TRC Calls to Action 42. We call upon the federal, provincial, and territorial governments to commit to the recognition and implementation of Aboriginal justice systems in a manner consistent with the Treaty and Aboriginal rights of Aboriginal peoples, the Constitution Act, 1982, and the United Nations Declaration on the Rights of Indigenous Peoples, endorsed by Canada in November 2012.

While MACY is focused on putting forward a solution-focused special report, it is our legislative responsibility to represent the viewpoints of young people, and we believe it is imperative to amplify their voices (s.11(a)(iii), ACYA). In other words, while our office is mindful that many accounts of youth-police interactions shared with us during the Talking Circles may result in levels of distress to readers, while also serving to detract from a solution-focused aim, the experiences shared by our participants deserve to be amplified nonetheless. For this reason, we have opted to include the main themes and detailed participant accounts in **Appendix A**. Readers are encouraged to refer to this supplementary appendix to see how our office came to our second finding.

In line with their mission, the WPS value integrity, respect, accountability, professionalism, and courage (Winnipeg Police Service, n.d.). When police act in ways which compromise these values and the well-being of the communities they serve, policing services are perceived negatively and their services are therefore challenged. **It is at this place of tension where solutions can be found. When we asked youth to talk about their experiences, we therefore also asked them what they want police to understand about them, and how they think relationships between police and their communities can be improved.**

The Manitoba Advocate for Children and Youth maintains it is essential that young people are consistently afforded the opportunity to express their voices, have resources and supports via community-led responses, and have their input integrated into institutions to ensure authentic change occurs. As such, much of the conversations had during the Talking Circles served to gain youth perspectives on solutions.

FINDING 3: Young people have a tremendous amount of insight into what they are going through, what they need, and how the relationships between Black, Indigenous, and other racialized youth and police can be improved.



As mentioned, MACY also sought input from our YAAS! team. **Figure 2** (below) is an image of notes shared by members of YAAS! during this special report, contributing their solutions.

Youth voice from the Talking Circles, and input offered from YAAS! together framed the findings below on what youth deem necessary for youth-police relations, and community safety in general, to improve.

1. Be more open to learning and understanding where youth come from (their backgrounds and circumstances beyond their control), and what youth are going through.

Participants consistently articulated the importance of police empathy and being mindful of varied upbringings when in contact with young people. Many participants and YAAS! members agreed police should take the opportunity to truly learn and understand where racialized young people come from, and what youth are going through. Some participants thought this can be done by informally interacting with them in the community, and by considering various backgrounds prior to making assumptions.

Most of them are white, let's be honest, not trying to be racist, but they learned the law when they were kids. Their parents taught them the law. My parents didn't teach me the law, they don't know what is the law...

– **Antonio**

Understand people more. – **Queen**

In my opinion, youth like me, if you come from a scary place, you might make scary decisions. And people should understand that and not blame you for it. Because what you were raised to know, it's not like you can control that. We didn't choose where we come from... It all depends on where you come from. And even if you don't come from a hard place, you still going to make bad decisions. We're [teenagers]... I wish they would just understand what we're going through. – **M**

According to YAAS!, establishing more youth councils, particularly in high-needs neighbourhoods where direct exchanges with non-uniformed officers happen, can both help youth advocate for themselves while also providing opportunities for police to hear youth perspectives.

2. Recognize youth are distinct from adults, have different needs requiring softer approaches, and are capable of making change.

As per information provided by WPS for this special report, a significant portion of training for officers regarding children and youth is in relation to those who are in conflict with the law. For example, the learning goals for WPS officers regarding young people include: understanding the statutes that govern young persons, discussing the formal process for dealing with young persons in conflict with the law, and how to deal with children under 12 years old (i.e., those too young to be formally charged per *The Youth Criminal Justice Act* (YCJA)) who are in conflict with the law (WPS, written communication, May 2022).

During our conversations with young people, age-based understanding of youth development was repeatedly raised as a solution.

Us being youth... we don't always make the right decisions since our brains are developing... I think that, yes, punishment is very important. However, I think that helping them or helping us improve as well as solve the problems that we're having is much more important than punishing us... But it's much better if they help us in a more positive way. – **Nina**

...understand that people can change, make things better for themselves. They're not always going to be the same person they were like a year ago. The thing is that they don't give us a chance. – **Lala**

I think most of them, they have a very strict mindset... They need to be well trained, they need to be more considerate... because there are certain things where, like as a cop, your job is not just to pull your gun and just shoot or get the bad guys... They need to be more trained to understand things like how to be more emotional sometimes, talk to the kids... they could be more trained and more understanding in terms of like how to connect personally, emotionally. – **Kelvin**

Members of YAAS! also detailed how important it is for police officers to understand youth are still learning how to manage emotions given their varied stages of development. The importance of specialized youth-centric training to ensure officers know how to approach and deal with youth as distinct from adults was raised.

Police need to be able to see youth as youth and not as criminals, victims, and witnesses. – YAAS! member

One approach suggested by YAAS! is to equip officers to be more empathetic and youth-friendly by having cadets/new officers complete practicum hours in community organizations that serve high-needs youth as a requirement for their graduation.

3. Take youth seriously by listening and helping them.

The importance of feeling truly respected, understood, and listened to were important themes raised during our discussions.

Kind of like tell them that ‘we’re here for you’ kind of stuff... because they come to you to actually protect us not to arrest us only. – Antonio

Instead of being a quick reactive or a quick response, with any situation, like should have been a little bit patient... more reasonable, more patient and more driven to serve and help the community out. – Dun

And what I think they can do to be better is take us seriously... because, you know, I think that’s a big reason why these young girls go missing. You know, we’re not taken seriously. – Rose

My recommendation is to just listen because you don’t even realize how far that goes... all I ask is just listen, you know? To other youth. And support them to become healthy adults and show them that there is a better option. – M

I see an officer in full uniform and I feel less safe. – YAAS! member

YAAS! members specified when interacting with youth that it is important officers be mindful of their body language, and how their uniform and weapons impact perceived levels of safety and approachability. They further emphasized the need for police to remain humble, consistently mindful they are helpers in the community, and are not above the law despite the powers they possess.

4. Address race-based discrimination, develop cultural competence, and be accountable in a transparent way.

TRC Calls to Action 43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

Participants largely reflected on the need to address systemic racism inherent within policing institutions, both by way of training and accountability:

I think we can make this relationship better if the police can stop discriminating [against] people just by their race or colour. – Kate

The police, they should do more workshops for them to educate themselves about cultures. – Titi

Winnipeg Police could implement a BIPOC department... BIPOC community lead would be amazing because we need someone who works specifically with youth of colour... So, there’s a big gap right there. – Aiyana

My social worker wasn’t the best... So, I needed someone above her to step in for me... I hope if there is anything like that for the police. – Steve

Increasing police cultural competence and improved community legal knowledge was another finding which came from our discussions. Some newcomer youth shared how the laws and community cultures in Canada are starkly different from the countries/communities where they lived previously. Increased awareness in this area could be beneficial for newcomers and police alike.



5. Increase capacity of community-based organizations to reduce the need for police response.

Further to actions police can specifically do to improve relations with racialized youth, there were general social changes about which many youth reflected. One suggestion was to redirect some of the policing budget to support alternative workers/helpers, as well as community-based organizations. Participants noted that alternative and community-based helpers create a sense of trust, as they are culturally sensitive and do not inspire feelings consistent with overt power dynamics.

YAAS! echoed the view that community-based organizations should be resourced to respond to some crisis situations to alleviate the need for police to respond. Enhancing the capacity of established community organizations who are recognized and trusted by citizens in the community is crucial, as it can bring better outcomes for both youth and the police. As such, a level of partnership between community organizations and the police could be explored, where appropriate, to help community organizations take a more leading role.

What We Heard from Community Organizations

With the aim of co-creating solutions, we also sought insight from community organizations working directly with youth to better understand how society, inclusive of public systems, can increase protective factors to aid in the prevention of unnecessary police contact.

During conversations with community organizations, staff with system expertise and lived experience consistently emphasized the need for police accountability and training.

A repeated theme was the need to establish a robust, fully independent, external civilian oversight body for police, and to collect/report on race-based data regarding police interactions. Community organizations underscored past police-community collaborative initiatives should be revisited to learn from factors that led to their failures and make necessary corrections going forward. They also added young people who are victims of police misconduct need to hear apologies from the police as an accountability step, which, if taken, could go a long way to repair and build healthier relationships.

Community workers also highlighted the need for creating self-advocacy programs for youth to increase their awareness about their rights. Suggestions included that these programs be youth-led, where youth train other youth, who can then customize and deliver the training for their own communities. Initiatives and platforms of this nature help youth be heard and understood by public bodies. This suggestion aligns with the ideas posed by members of YAAS! to create more youth councils so youth can better advocate for their rights.

Community workers emphasized that police training should be developed in collaboration with racialized communities and youth with lived experience, and should be developed with an anti-racist and culturally sensitive lens. In line with these suggestions, a recent study on youth-based, trauma-informed police training found training increases knowledge of adolescent development, which in turn can serve to help officers have age-appropriate expectations about adolescent behaviour, help officers in approaching young people in a good way, and de-escalate conflicts (Mehari et al., 2021).

TRC Calls to Action 57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills based training in intercultural competency, conflict resolution, human rights, and anti-racism.

This could be especially useful in situations where social service gaps leave people vulnerable and police are called to respond to issues such as addictions, mental illness, and homelessness.

TRC Calls to Action 40. We call on all levels of government, in collaboration with Aboriginal people, to create adequately funded and accessible Aboriginal-specific victim programs and services with appropriate evaluation mechanisms.

As presented in this special report, calls to police for support when people are in crisis are common, which resulted in the recent establishment of the Alternative Response to Citizens in Crisis (ARCC) pilot project for adults. To date, however, there is no youth-specific program.

In 2020, the Winnipeg Police Service conducted 18,991 well-being checks (i.e., those where concerned community members request police to attend a location to assess wellness, safety, etc. of someone they have concerns about for reasons inclusive of mental health). Recognizing many calls to police are rooted in mental health crisis, in December of 2021 the Alternative Response to Citizens in Crisis (ARCC) pilot project was launched by the City of Winnipeg, Winnipeg Police Service, and Shared Health's Crisis Response Centre. ARCC is a collaborative approach to crisis responses which strives to optimize the allocation of Winnipeg Police Services, while ensuring mental health clinicians can be present to calls for mental health crisis. ARCC teams include a WPS officer in plain clothes, and a specialized mental health clinician who can respond to calls of this nature (Shared Health Manitoba, 2021). ARCC strives to meet the public demand for civilian crisis work while acknowledging the public safety component which often accompanies the unpredictability of crisis situations. While still early in its inception, reports from WPS suggest ARCC has shown improvements to responding to the needs of community members while reducing police calls for service (Winnipeg Police Service, 2022).

Finally, community workers overwhelmingly advocated for established community-based organizations/initiatives to play a prominent prevention and intervention role in safety planning for young people. In doing so, they emphasized the need for civilian-led intervention (independent of police or in partnership with police) to manage distress/crisis calls to help de-escalate situations where police may not be urgently needed. **Provided a robust mechanism is put in place, community stakeholders told us clearly, they can coordinate and play an important role as intervenors, particularly those organizations and individuals who have existing relationships of trust with young people.** To this end, said organizations need more flexible and long-term funding approaches to enhance community-based resources.

MMIWG Calls for Justice 9.7. We call upon all police services to partner with front-line organizations that work in service delivery, safety, and harm reduction for Indigenous women, girls, and 2SLGBTQQIA people to expand and strengthen police services delivery.

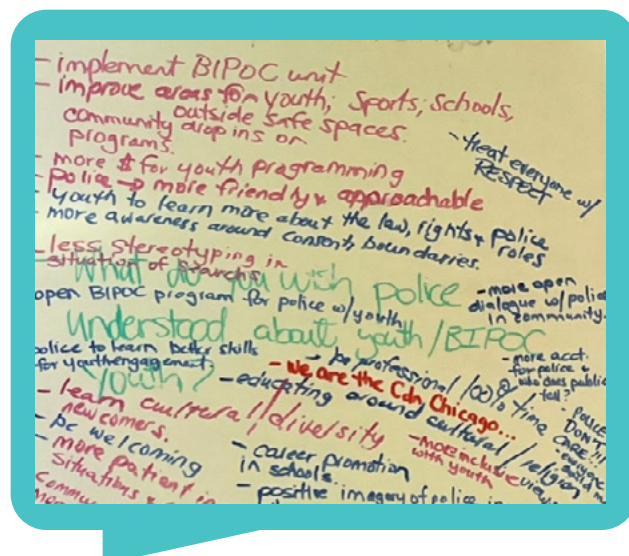


Figure 2. Brainstorm notes of solutions proposed by members of YAAS!

RECOMMENDATION 1: The Manitoba Advocate for Children and Youth recommends that the Government of Manitoba provide the resources necessary for the development of a youth model of the Alternative Response to Citizens in Crisis (ARCC) program.

Details:

- The development of the youth ARCC model must include engagement and consultation with relevant community stakeholders, including Indigenous governments or organizations, youth-serving organizations, and experts in child and youth mental health and development.
- The youth ARCC model must include an evaluative component to ensure program goals and objectives are being met, and to ensure the best interests of the children and youth impacted by the program are being fulfilled.

RECOMMENDATION 2: The Manitoba Advocate for Children and Youth recommends that Manitoba Justice, through the Public Safety Training Strategy Steering Committee, engage in appropriate community consultation with children and youth, youth-serving organizations, and experts in child and youth development, to ensure the final products of the Public Safety Training Strategy are informed by a youth-centred, anti-oppressive, and trauma-informed lens.

Details:

- The final products of the Public Safety Training Strategy should demonstrate an understanding of the multitude of avenues to police contact for children and youth in Manitoba while providing public safety officials in Manitoba suitable knowledge of issues impacting children and youth.

Opportunities for Collaborative Solutions: An Invitation to Police to Listen to Youth

In addition to proposed solutions, some young people explicitly expressed a desire to talk to the police to have them hear their thoughts and stories directly, while learning from them as well. Young people in favour of discussions with police expressed a desire to talk with officers to learn how they operate, advance legal knowledge, and to acquire skills on how to interact with police.

So, what I think is that in the community, since there are local police as well as different ages in the community, I was thinking that maybe they could have a seminar or a meeting... The meeting would consist of the police as well as the people in the community. And they would talk about the problems that they have [with] each other so they could build the solution so that they can overcome the problems that they're having. – Nina

They should talk to the kids in the community. – Lala
Police actively being there, participating. – Hafsa

If you tell me come where the cops are there to talk to them, I will come... I will attend... I will just listen to them, I will tell them my opinion. – Antonio

The difficult stories, insightful knowledge, and opportunities and ideas presented by the youth offer an indispensable source upon which to reflect for solutions moving forward. In saying this, unless the voices we sought to amplify are truly heard by those with the power to act, opportunities for improvements on what youth need are lost.

As demonstrated by the testimonies above, young people have a powerful voice and they deserve to be heard. We are, therefore, pleased to report that the Winnipeg Police Service (WPS) has accepted an invitation by the Manitoba Advocate to meet with YAAS! for a solution-based discussion. We hope to extend this opportunity to police across Manitoba, allowing police representatives to come and listen to young people in Manitoba, with the support of MACY, to hear what they have to say. Manitoba's youth have presented input on what they need from this public body responsible for protecting their safety. We are glad to report the police have committed to hear them.

Part III: Strength-based Wraparound Supports

Part II laid the groundwork for understanding and recognizing the importance of disrupting pathways to police contact for Manitoba's children and youth. Police contact, no matter the outcome, can have negative consequences for children and youth, and can be indicative of a breakdown in the strength of supports in other areas of a child's life.

Part III focuses on recognizing the strengths of the services provided to Eishia at various points of her life and how Manitoba can ensure all children and youth have access to effective services. Keeping in line with the mandate given to special reports in section 31(1) of the ACYA – to improve the effectiveness and responsiveness of designated services – attention will be given to the services that protected Eishia and encouraged her.

Protective Factors

Article 6 of the UNCRC states that all children have the inherent right to life, and that state parties shall ensure, to the extent possible, the survival and development of the child. The Manitoba government assumes this responsibility by providing services meant to protect children from harm such as those related to health and well-being, education, and child welfare. Essentially, the government assumes a portion of responsibility for ensuring there are protective factors present in the lives of all children and youth.

The concept of protective factors can be discussed from a multitude of lenses, including the factors that protect children from maltreatment, build resilience, or decrease the likelihood that individuals come into contact with the criminal justice system. Examples of protective factors can include healthy prenatal and early childhood development, strong attachment to parents, participation and success in school, positive peer supports, strong social supports, participation in healthy/structured programs, and participation in cultural activities (Manitoba Justice, n.d.). Protective factors can be viewed as areas where actionable steps can influence the healthy and positive development of children and youth. In other words, when protective factors are present in the lives of children and youth, their needs are being met.

The 'Circle of Courage'

As discussed in the 'Circle of Courage' model, the universal needs of emotionally healthy young people are a sense of belonging, mastery, independence, and generosity (Starr Commonwealth, 2023).

Belonging is symbolic of relationships of trust, where a child can say, "I am loved." *Mastery* is symbolic of nurturing the thirst for learning, where a child can say, "I can succeed." *Independence* is symbolic of nurturing responsibility, where a child can say, "I have the power to make decisions." And *generosity* is symbolic of nurturing concern for others, where a child can say, "I have a purpose for my life" (Brendtro et al., 2002). These four universal needs included in the 'Circle of Courage' are widely recognized as guiding principles for the education and support of youth, especially youth who have experienced trauma or adverse childhood experiences.

As discussed in more detail below, Manitoba Education and Early Childhood Learning, has recently enshrined the 'Circle of Courage' model into its Indigenous education policy framework, *Mamàhtwisiwin*. By identifying when protective factors are present, and how the universal needs of belonging, mastery, independence, and generosity are being met, we can begin to understand how to strengthen the services available for children and youth in Manitoba.

Recognizing Strength

In Eishia's story, it is evident that from the age of 12 onward, there was a marked decrease in the number of service providers involved in her life. A previously strong therapeutic relationship was no longer present, more time was spent in the care of her family (with CFS eventually withdrawing court proceedings for permanent guardianship), and her school attendance begins a slow but dramatic decline. While this period of her life represented a return to the care and supports of her family – important for fostering her sense of attachment and belonging – it also represented a time of barriers and impediments to the fulfilment of her rights under the UNCRC, including the right to education found in Articles 28 and 29.



This marked decrease in access to education was accompanied by a loss of several protective factors in Eishia's life. Impediments to participation and success in school heavily influence other protective factors such as peer supports, social supports, access to structured programming, and cultural activities. The reduction in protective factors in the years leading up to Eishia's death may have had an impact on the likelihood Eishia would come into contact with police.

To establish a connection between Eishia, protective factors, and the needs of belonging, mastery, independence, and generosity, it is important to remember that when Eishia was a young Ojibwe child, she had a strong connection to her paternal grandmother and the Berens River community. There was documented success in her involvement in the community and in her experience at school. Following her grandmother's passing, Eishia's sense of belonging was maintained as she continued to reside with a familiar caregiver in her community.

As Eishia aged and returned to Winnipeg, her transition was met with some concerns, likely as a result of the numerous transitions she had already experienced in her young life. Service providers were quick to recognize and address these concerns, providing Eishia with assessments and recommendations for needed supports. Shortly after her return to Winnipeg, she was removed from her mom's care, a noted traumatic event for her, while her time spent in an EPR shelter resulted in increased police contact and increased risk in the community.

The COACH Programs

In recognition of Eishia's adverse experiences, a referral was made for her to enter the COACH 1 program. This intensive treatment and academic program would become a bright spot and source of stability for Eishia as she moved through the transitions which occurred during the next few years of her life. Also during this time, Eishia moved into her long-term foster home and later into her kinship placement. Importantly, her story demonstrates that connection with family, a sense of belonging, and stability were present which contributed to creating security and success for Eishia. Eishia's stability was enhanced through her engagement in the wraparound COACH 1 programming as it fostered opportunity for positive peer supports, family engagement, sport/recreational connections, cultural exploration, and facilitated participation in structured learning and activities.

Between the ages of eight and 11, Eishia experienced a number of transitions, placement changes, and times of uncertainty. Indeed, her therapist continued to document concern about the impact the transitions were having on Eishia. Through these times of transition, Eishia was still able to maintain high attendance rates, a significant achievement for a child who experienced multiple moves between foster homes and EPR shelters, and who was continuing to accumulate adverse experiences.

The wraparound supports available through a program like COACH 1 introduced Eishia to a number of service supports that complemented the support she was already receiving from foster families and her biological family. This type of support system quickly recognized dysregulation in Eishia's life, and acted accordingly to increase supports in attempts to re-achieve stability.

Wraparound or individualized programming at the school level has a unique opportunity to provide protective factors, and can assist families in meeting the universal needs of children and youth. The level of support experienced by Eishia during her time in COACH is starkly contrasted to the following years in which she was not involved in the program. While her transition out of the program was necessary, the supports in her life, outside of her family, that were able to recognize periods of difficulty or dysregulation diminished. This ultimately resulted in a loss of protective factors for Eishia in the years leading up to her death.

FINDING 4: School-based wraparound services provided to Eishia by the COACH 1 program responded to Eishia's needs and are consistent with the principles of Article 28 of the *United Nations Convention on the Rights of the Child* (UNCRC).



The COACH 1 program created an Individual Education Plan (IEP) focused on Eishia's emotional, social, and behavioural needs, and coordinated year-round wraparound services.

The COACH 1 (ages 5-11) and COACH Expansion (ages 12-15) programs offer supports in the context of a wraparound model, including a food security program, as well as weekend and after-hours supports which can include the student's family and friends, if they choose. COACH 1 has an area in their space designated and functioning like a small grocery store. Bus tickets, one-on-one activities, and onsite teachers, psychologists, and coaches are available to work with the students. Both the COACH 1 and the COACH Expansion site programs are also able to locate, register, and transport students to in-school and extracurricular activities they wish to explore. For Eishia, this was primarily judo and basketball, which she enjoyed, as well as trying new athletic activities.

When she graduated from COACH 1 at the end of the 2014-15 school year, Eishia was assessed as having the skills to negotiate and mediate her social connections and healthy relationships. Indeed, owing to her success in COACH 1, Eishia was integrated into a mainstream classroom setting at an elementary school on a full-time basis by the end of the school year with an educational assistant (EA). One of Eishia's COACH 1 supports explained that in the COACH 1 program, the coaches and the students they support are carefully matched to ensure the best support is offered to each child (COACH staff, interview, May 13, 2022). Once the student is in a regular classroom setting with one-to-one support, the student is assigned an EA. The choice of EA is based on availability and, to some extent, seniority.

Eishia began showing attendance and lateness issues early on in the 2015-16 school year when she began school in a regular classroom setting with one-to-one support from an EA (WSD, file documentation, October 2, 2015). During the 2016-17 school year, Eishia's attendance at school became irregular, and she was reported as leaving school early or arriving late (see Figure 1). Eishia also became part of a peer group which increased her exposure to violence in the community. By January 2017, school

documentation noted a change of program to an off-campus program at the request of Eishia's mom. Eishia's 2016-17 school year ended without any marks assigned or credits due to insufficient attendance.

As mentioned, the wraparound supports worked for Eishia. While she was enrolled in COACH 1, she was engaged, attending, setting goals for the future, and overall was doing well. Eishia's school files show that once she was integrated into mainstream classrooms, she struggled, her attendance declined, and her behaviour worsened. In hindsight, even though she was not in care of CFS, a criteria for entry at that time, Eishia may have benefited from a continuation of wraparound supports, similar to those provided through COACH 1. While recognizing that COACH may not be the appropriate resource for all young people, there is benefit in exploring how this program may be expanded to allow for increased access, and the potential for wider impact on **Manitoba's children and youth**.

TRC Calls to Action 9.
We call upon the federal government to prepare and publish annual reports comparing funding for the education of First Nations children on and off reserves, as well as educational and income attainments of Aboriginal peoples in Canada compared with non-Aboriginal people.



RECOMMENDATION 3: The Manitoba Advocate for Children and Youth recommends that Manitoba Education and Early Childhood Learning, in collaboration with Manitoba Mental Health and Community Wellness, and all additional partners of COACH, provide the resources necessary to conclude, and make public, an evaluation of COACH 1 and the COACH Expansion Site programs.

Details: based on the outcomes of the evaluation, it must:

- Make recommendations on the appropriateness of a general expansion of COACH (i.e., additional spaces or expansion to more school divisions), and on the appropriateness of expansion to include a “COACH 3” that is developmentally appropriate for students ages 16+ to support young people towards graduation.

Creating Positive Education Experiences for Future Generations

Education system experts interviewed for this report spoke very highly of the wraparound support programs that exist in parts of Winnipeg. Programs such as COACH 1, the COACH Expansion site, Morningstar (at R.B. Russell school), Thunderwing (a project of the Block by Block Community Safety & Wellbeing Initiative), and SOURCE were all recognized by those we interviewed for the specialized help they provide to students facing challenges. While this list is not exhaustive of all of the programs or levels of support available to students in Manitoba, experts note there is an urgent need for more such programs, especially outside of Winnipeg. Further, while MACY’s investigation revealed COACH 1 was effective and met Eishia’s needs, this specific program may not be the most appropriate option for every youth in Manitoba.

It is not coincidental that the presence of protective factors was most evident for Eishia during periods where her school attendance and engagement were strongest. As mentioned, when Eishia began experiencing barriers to engaging with school, the protective factors of positive peer supports, strong social supports, and participation in healthy/structured programs were exceedingly difficult to identify.

The relationship between positive educational outcomes and positive life outcomes has long been recognized. The inequity experienced by Indigenous youth in achieving positive educational outcomes has also been continuously recognized through international declarations, national inquiries, and commissions such as the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), the *Calls to Action* of the Truth and Reconciliation Commission (TRC), and the *Calls for Justice* of the Missing and Murdered Indigenous Women and Girls (MMIWG) National Inquiry.

Manitoba Education and Early Childhood Learning (MEECL) has released a number of policy frameworks, and task force recommendations in recent years that help support the notion that education is for all, and should be as inclusive as possible.

Most symbolically, in 2022, MEECL released *Mamàhtawisiwin: The Wonder We Are Born With – An Indigenous Education Policy Framework*. The purpose of *Mamàhtawisiwin* is to outline the “vision, policy statement, guiding principles, and strategies and actions for achieving the intended successful learning outcomes for First Nations, Métis, and Inuit students and for all students in Manitoba” (Manitoba Education and Early Childhood Learning, 2022, p.8). This policy framework had been in development by the Indigenous Inclusion Directorate (previously the Aboriginal Education Directorate) since 2015, and is considered an essential part of responding to the

Truth and Reconciliation Commission's *Calls to Action*. The policy statement of *Mamàhtawisiwin* states: "Manitoba Education and Early Childhood Learning commits to work across the system and alongside caregivers, families, communities, and educational partners to embed equity, collaboration, shared responsibility, and accountability into an Indigenous-inclusive education system" (Manitoba Education and Early Childhood Learning, 2022, p.8).

Utilizing the 'Circle of Courage' model, *Mamàhtawisiwin* intends to provide a framework for empowerment and education by restoring a sense of belonging, mastery, independence, and generosity in children and youth (Manitoba Education and Early Childhood Learning, 2022). The framework lays out guidance for encouraging the adaptation and enhancement of education across Manitoba under the four guiding strategies of (1) Authentic Involvement, (2) Putting Students at the Centre, (3) Understanding of World Views, Values, Identities, Traditions, and Contemporary Lifestyles, and (4) Inclusive and Culturally Safe Learning Environments. Each guiding strategy identifies both a role for students, teachers, support staff, school leaders, school division leaders, and MEECL, as well as the actions each can take in advancing these strategic priorities.

The essential feature of many of the actionable strategies available in this framework is the support for a holistic and inclusive environment where students and their families feel empowered to participate in the education process. As an example, under the guiding strategy of Authentic Involvement, schools are encouraged to implement regular communication with families, and create opportunities for parents and other family members to share their knowledge and contribute to their children's learning. Further, under the strategy of Putting Students at the Centre, schools are encouraged to create a wraparound support system that supports student wellness, drawing on family, community, and intersectoral supports.

In addition to *Mamàhtawisiwin*, MEECL released their Action Plan on Student Presence and Engagement on January 16, 2023, and then followed it with the release of the Final Report of

the Poverty and Education Task force on February 27, 2023. Both of these initiatives were the result of recommendations made in the final report of the Commission on K-12 Education, and Manitoba's K to 12 Action Plan, with the student presence and engagement policy directive additionally addressing recommendations made in previous MACY special reports.

In its policy directive on student presence and engagement, MEECL recognizes, "student absence is a serious impediment to a student's educational performance and well-being. Absenteeism can have lasting negative impacts on student achievement, graduation rates, transition to post-secondary education, employment, and social inclusion, as well as on the community at large" (Manitoba Education and Early Childhood Learning, 2023, p.1). What the action plan additionally does well, is recognize addressing student engagement is not a 'one solution fits all' issue. Indeed, the actions included in the plan itself are based on the principles of collective responsibility and coordination among all who are responsible for children and youth, individualized, student-centred planning and monitoring, multiple contributing solutions, and enduring commitment requiring consistent and constant attention (Manitoba Education and Early Childhood Learning, 2023, p.17).

The Final Report of the Poverty and Education Task Force acts as a more detailed expansion of the strategy. The Poverty and Education Task Force's objective was to assess the impact of poverty on education and to put forth recommendations and actionable strategies. In its final report, the task force identifies poverty has the effect of preventing students from being present, engaged, and doing well in school with barriers to success including access to transportation, mental health needs, access to technology, and racism and discrimination (Manitoba Education and Early Childhood Learning, 2023). In compiling the recommendations for the final report, the task force recognized there is a relationship between health outcomes, school success, socio-economic status, and overall quality of life. Through its recommendations, the task force acknowledged the role the education system can play in addressing and enhancing that relationship.

The combined initiatives, action items, and recommendations from these reports succinctly align with the work of MACY and the importance of upholding the right to access education for Manitoba's children and youth. Access to education goes well beyond the availability of an education system, and requires the elimination of all barriers to learning. As an example, barriers related to school registration continue to be a top concern reported to MACY regarding the education system. Eishia's story also highlights difficulties her mom experienced when tasked with registering her for school in her years following involvement with CFS and the COACH program.

A supportive, inclusive, wraparound education system is one in which entry to school is a seamless transition, and not unduly delayed. As mentioned earlier in this special report, established programs such as COACH have found success in ensuring barriers to engaging in school are addressed. Addressing access to nutrition, transportation, or mental-health supports, should not occur only within the context of intensive programs such as COACH. When MACY speaks to the need for wraparound services, we are highlighting the importance of a school understanding the needs of all students, and having the capacity and ability to address those needs. Whether a student or their family require assistance in registering for school, supplementing nutritional needs, getting to or from school, or addressing underlying mental health and well-being, the education system must capacitate itself as a point of intervention for those issues.

In summary, *Mamàhtawisiwin*, the Action Plan for Student Presence and Engagement, and the Final Report of the Poverty and Education Task Force, make important recommendations as related to Eishia's story. More broadly, the included initiatives, actions, and recommendations, reinforce the role of education as a protective factor, and a site for assisting families in meeting the needs of belonging, mastery, independence, and generosity for their children. Holding MEECL accountable to these self-directed strategies will assist in transforming education experiences for Manitoba's children and youth.

RECOMMENDATION 4: The Manitoba Advocate for Children and Youth recommends that Manitoba Education and Early Childhood Learning, in collaboration with all school divisions, expand the availability of wraparound services (i.e., school engagement support services or programs tailored to student, school, or community need) in school divisions across Manitoba.

Details:

- The wraparound services must be developmentally and culturally appropriate.
- This work must align with and occur in conjunction with the initiatives, actions, and/or recommendations of *Mamàhtawisiwin*, the Action Plan to Enhance Student Presence and Engagement, and the Final Report of the Poverty and Education Task Force, focusing on assessing school and community need for new/innovative supports and programs.
- When appropriate, evidence should be provided of collaboration with other government departments such as Families, Justice, Mental Health and Community Wellness.
- Expansion should be aided by developing mechanisms for sharing acquired knowledge and promising practice from successful programs such as COACH.

Conclusion

Elder Louise Lavallee's Feather Teaching at the opening of this special report highlighted the significance of support, connection, and guidance during challenging times. Sadly, Eishia's untimely death prevented her from returning to her life path, disrupting her journey on the feather bone.

In following the footprints she left on this earth, it is clear Eishia's journey was impacted by the legacies of colonialism, systemic racism, and intergenerational trauma, which continue to impact her family, community, and many of the Indigenous young people and families we have the privilege and honour to serve.

Throughout *Memengwaa Wiidoodaagewin* (Butterfly Project), the systems and connections that had positive impacts on Eishia's relationships, abilities, and identity are highlighted, as well as the missed opportunities and service gaps that could have aided her path realignment. By listening to the voices and stories of those who knew and loved Eishia, we were able to gain insight into her perspective as a child navigating public services and systems.

In Part I of this special report, we examined the designated and reviewable services provided to Eishia and her family. In doing so, we took into account her First Nations ancestry as an Ojibwe youth of the Berens River First Nation, and intergenerational ties to Day Schools and Residential Schools through an archival family history report.

As Part II of this special report highlights, Eishia's death raised crucial questions about the role of the police, particularly in their interactions with young Indigenous Peoples, prompting a demand for change. To this end, we sought input from racialized young people to understand their lived experiences and to amplify their voices with respect to collaborative solutions.

Part III, the final section of this special report, focused on the protective factors and strength-based wraparound supports that worked well for Eishia, including how Manitoba can ensure all children and youth have access to effective services.

Based on a detailed review and analysis of the provincial public services provided to Eishia and the individual-, family-, and community-level environments involved in her life, the Manitoba Advocate has issued four formal recommendations to the Government of Manitoba to improve public services for children, youth, and their families.

In sharing Eishia's story, we drew upon the *United Nations Convention on the Rights of the Child* (UNCRC), Aboriginal Justice Inquiry (AJI), *Calls to Action* of the Truth and Reconciliation Commission (TRC), and *Calls for Justice* of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG). Each of these important documents guided our understanding and analysis of Eishia's life and legacy.

The development of this special report involved the collaboration and consultation of Eishia Hudson's family, Elders, Indigenous governments, community members, community leaders, service providers, and subject matter experts to ensure a comprehensive and holistic understanding of the issues at hand. This collaborative process resulted in recommendations that, when implemented, hold the potential to bring about meaningful and lasting change to address systemic shortcomings, fostering a more equitable and just future for all young people in Manitoba.

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Appendix A

Talking Circle Methodology and Youth Experiences with Police

This section reviews the Talking Circle methodology and shares quotes from youth about their experiences with police, information which framed our findings presented in the body of this special report.

Participant Recruitment

To amplify the voices of youth, our office sought to increase understanding about racialized youth and their interactions with police. In order to respond to our research questions about the experiences of young people with police, impacts of these experiences on their community, and solutions, youth participation was essential.



Recruitment for the Talking Circles occurred in April and May of 2022, July of 2022, and January 2023.

Young people between the ages of 16-21 were identified as the target population. Posts such as the one depicted in the figure on this page were made via social media and posters about the Talking Circles were circulated. In addition to youth contacting us directly, some youth serving organizations who were aware of the Talking Circles informed young people and supported them in contacting us.

Interested young people were provided with logistical details on where the Talking Circles were going to take place, and staff at MACY answered any questions they had about the process. Conversations were had with interested young people to ensure they felt safe speaking

about their experiences, and had adequate supports to mitigate potential risks prior to agreeing on Talking Circle dates. Identity confirmation was ascertained prior to the Talking Circles.

In order to ensure privacy, we did not request explicit information on what precipitating factors contributed to the participants' contact with police. As mentioned in the body of this special report, scenarios shared by youth ranged from youth-initiated incidents, police-initiated incidents, third-party incidents known to the participants, and eye-witness accounts of police contacts with others.

A virtual focus-group and three in-person Talking Circles took place (two in Winnipeg, one in Thompson) between May 2022 and January 2023. In total, the four groups contained 35 participants. Participants were provided with bus tickets and a gift card.

Most participants were from Winnipeg or Thompson, and a few participants were from Portage La Prairie. Youth primarily identified as Indigenous and Black, though varied non-Caucasian descents and newcomer populations were involved as well. Participant gender identities were male and female, with some non-cisgender diversity.

Methods

As noted above, Talking Circles were the chosen method by which to gather participant experience information. Talking Circles, also known as sharing circles, are an Indigenous-informed focus group method to gather oral accounts of experience (Hunt & Young, 2021; Hart, 2002). Talking Circles as a form of focus groups are based on principles of respect, reciprocity, togetherness, and equality. Talking Circles encourage the sharing of ideas nonjudgmentally, and foster relations between participants in a safe and respectful way (Chilisa, 2012).

Two Elders from the Elders Council at our office provided guidance to our team about the scope and structure of the Talking Circles. These discussions along with our research aims informed the semi-structured questions posed to participants, which were worded in simple, accessible language to prompt elaboration from youth.

All participants voluntarily reviewed and signed consent documents which stipulated group confidentiality requirements. The Knowledge Keeper and MACY team members introduced MACY, facilitated ice-breakers, established respectful group rules, and reminded participants about what to expect.

Participants were asked to provide a chosen pseudonym to refer to them in the special report, to ensure balance between their right to participate in research which directly affects them, while ensuring privacy and confidentiality (Daley, 2015).

The questions posed to young people asked generally about their communities' experiences with police, to the extent they were comfortable. Young people were also asked what they feel they need, or what should be done, to improve youth-police relations/interactions.

Elder Louise Lavallee facilitated one of the Talking Circles, and the Knowledge Keeper at MACY participated and supported all of the events. Participating youth were each offered supports by the Knowledge Keeper at MACY before, during, and after the discussions. The following two quotes summarize the intent and the results of these discussions with youth, both of which highlight the indispensable role youth voices play in creating and advocating for change:

It's so refreshing that you're all here to voice your thoughts, your concerns, and your recommendations. You know, you have powerful voices as youth... and we Aboriginal people, we allow those voices to speak. We allow you to voice your thoughts and your concerns... We need to allow you to voice what it is that you have in here. – Elder Louise Lavallee (Talking Circle facilitator and member of Elders Council at MACY)

I have worked with youth for 30 years in areas of culture. At the end, they end up coming out better. Whether they come from justice, mental health, health, education, etc... they can use their knowledge to advocate for themselves and their community. The Talking Circle was a good experience on how to advocate for systemic change. – past Knowledge Keeper at MACY (Talking Circle facilitator)

The Talking Circles were recorded with participant consent, and MACY representatives compiled field notes to document observations. The duration of the Talking Circles ranged from 60 to 90 minutes.

In addition to the Talking Circles, we also sought input from MACY's Youth Ambassador Advisory Squad (YAAS!) to supplement the discussions and to provide insights on solutions going forward.

Interested YAAS! participants were invited to take part in a meeting with MACY representatives for an open solution-focused discussion on what they think police can do to improve relations with racialized young people. The meeting took place in September 2022. MACY staff engaged in conversation with YAAS! members, with open-ended questions. Notes were taken during the discussions both on paper and on a white board for a visual means to foster discussion and reflection.

In addition to consultations with young participants and YAAS! members, MACY representatives contacted individuals from four youth-serving community organizations. Meetings were arranged and guided by open-ended questions. MACY asked for solution-focused ideas based on their community-level experience and knowledge of youth dynamics and systemic barriers. Notes were taken by MACY staff during the meetings, and analyzed accordingly.

Data Analysis

The recorded conversations had during the Talking Circles were transcribed using NVivo transcription software. During transcription, pseudonyms were assigned to participants and identifying information was removed. Relevant topics of discussion pertaining to the research aims, and quotes, were organized for further thematic analysis.

Once transcribed, MACY staff read the documented conversations and conducted conventional content analysis, an analysis strategy which permits findings to be drawn from the data (Hsieh & Shannon, 2005). From this process, key concepts were identified, and they were organized into thematic codes using NVivo qualitative analysis software. By thematically categorizing the data, ideas were able to be encompassed broadly based on patterned responses, while allowing for varied iterations of terms used by participants (Braun & Clarke, 2006). Similarly, common themes/findings were able to be organized in review of the notes from YAAS! and community organization meetings. The themes derived guided the findings of this special report.

Details of Youth Experience with Police

While the broad youth experiences were outlined in Finding 2 in the body of this special report, we have included more detailed accounts shared by young people in this supplementary section to ensure their stories are heard and their participation in this study is fully honoured. Themes which emerged from the Talking Circles show how negative experiences with police can shape the lived experiences of young people.

Youth reported direct/indirect experiences of police violence, verbal abuse/threats, witnessing negative/unprofessional police conduct, judgement, not being helped, and racial profiling/racist treatment. These experiences resulted in many young people feeling the need to be vigilant, holding negative feelings/perceptions of police, feeling uncomfortable around, and being distrustful of police. A selection of the verbatim youth accounts shared with our office, which informed these themes, are presented under their respective headings. Also included are positive reflections offered by some of the young people during the Talking Circles.

Experiences of Police Violence

Experiencing and witnessing direct physical violence from the police was mentioned by some Talking Circle participants. How youth described these incidents depicts the aggression, abuse, and humiliation they have faced. Consequently, it informs how they view the police in light of these experiences.

But like a few times they got out of their car and they grabbed me, beat me up. This one time I was walking with my friends... they stopped their car and they jumped out. And then they walked up and they threw my friend down onto the ground. They grabbed her shoulders and threw her down, and they came and grabbed me. – Trent

...grabbed and my arm let loose and I swung at the police and they tased me and... they just threw me on the ground and arrested me and... yeah, that was crazy. But that was the first time I had any physical interaction with the police. – M

My dad again didn't know how to speak proper English and they didn't understand him... I was upstairs in the interrogation room. And my dad told me that the cops fought him, he had a couple of bruises on his back and he fought back and they tried to arrest him. – Jor

After I was 12, I lost a couple friends to police. So now, since I was 16 I lost three friends. And it's insane because they, I grew up with those people. And to think that these people that are supposed to be serving justice and keeping us safe is taking these kids' lives and these other people's lives as well. It's not, it's not fair. That's not how it's supposed to work. – M

I know a lot of my friends, actually, I know some people that are getting beaten up by cops in a corner, that they don't even talk about. They just get pulled over... just beat up, 'shut up'... corruption... these guys don't care. – Antonio

They abused me. They threw me onto the ground and they were trying to break my wrists and if I don't cooperate they were going to break it and they were doing this right in front of people... And I'm screaming this and that. And then they put the handcuffs really tight, so I have like bruises on me for like a good week. I also saw them beat up my sister too... they threw her to the ground and broke her wrist. – Queen

And when I got taken away for the first time, the police dragged me and my siblings out of our house... And they were being violent toward my dad because we were being taken away and they were trying to arrest him as well. And ever since then, I knew that in the back of my head that police were dangerous people. – M

There was a bit of domestic violence in my life, so there was police intervention early on and some of my earliest memories of the police are not so good. There was a lot of mistreatment. Like I saw my father get beat up by the police or tased, and that's not something that should really be seen by a child at all. – Steve

They've beaten me up a couple of times just for, just for doing nothing. Chilling at home, raided my room, came in, beat me up, slammed me against the pavement. And so I don't like them [police]. I never have, probably never will. – Thomas

They're always beating on the homeless people. Every time I see them get thrown in they go aggressive on them, the way they grab them... They act like they're not there, like they're not humans. – Kory

In my experience in the West End, the police are not very nice or do not advocate at all for the more vulnerable populations on the streets there. I've seen countless times, just like a homeless guy sleeping on a bench or something and then police like spit in his face... wake up or something, just to be an asshole for no reason. – Steve

Experiences of Verbal Abuse/Threats

In addition to physical violence, threats, name calling, and inappropriate language were also experiences raised. Threats of physical force and exceeding force to fatal levels were mentioned by some youth. The insinuation of death as narrated by one participant below – explicitly mentioning Eishia – is particularly disturbing.

And they had their gun out for no reason. They came around the corner around the side of the house. They had their guns out and they pointed it at us... And literally the cop yelled at her 'get on your fucking stomach', and then he's like, 'you don't want to end up like Eishia now, do you?' – Trent

And I was mad so I kept swearing at them and stuff. They said they were going to tape my mouth closed. – Lala

They came to my house to talk to my dad, and my dad wouldn't talk to them, and my dad doesn't really speak English because we came here a while ago and we're not born here. And we tried closing the door on them and they threatened to kick the door down. – Jor

They pointed a gun at me... and they told me to get up against the wall... and I had something in my pants... they threatened to shoot me if I didn't tell them what it was... And they pulled me back in the cruiser... They threatened to beat me up... I remember, I was scared that they'd beat me up... and I am just a kid, you know? – Jor

And they were just talking down to me... calling me ugly... just calling me names. – Trent

Witnessing Negative/Unprofessional Police Conduct

Some participants shared experiences of witnessing unprofessional conduct, in addition to feeling they were treated with rudeness, indifference, and a lack of compassion.

My friend, his house was raided... and he was in the house when it was getting raided, and the cops flipped over everything, they flipped over his couch, they made a big hole... they threw down the fridge, they went upstairs they kicked holes in the walls for no reason. They went upstairs, they flipped everything. It was disgusting. – Jor

My friend... just passed away. And I was talking to the police about it and they said, 'well, he was a troubled boy who didn't listen', and they just kept going on about him. Just broke my heart. – Lala

And I met a couple of cops and they helped me out. But other than that, they were always rude and not considering what I was going through. – M

I had a video too. I was recording in the cab and they didn't care to see the video. They didn't care what I had to say. They just told me to go home. – Rose

Whenever they come to me... they just throw me in cuffs and then ask me questions later. – Thomas

[My sister] was drunk, and the cops pulled her over, they took her out on the outskirts of Winnipeg and let her walk back... they broke her phone. – Kaylena

But I can remember countless times in my life where there has been an occurrence where police have treated someone unfairly. In most cases, that has been my family just because I've had the opportunity to be there firsthand and experience it... This unfair behaviour, it might be because I am native or it might be because my dad was a drunk. I'm not sure. Nonetheless, I don't think anybody deserves to be treated outside of the law. – Steve

I also believe... good areas like St. Vital and places like that, they don't have bad experiences with the police because when the police meet them, make contact... they know that they're safe or they're not in danger, so they act more professional with them. But if they come in an area where it's well known as like, dangerous or you know where they feel like being in the uniform is a danger to their life. So, kind of, for them to follow the procedures as any officer would do, being a high guarded officer and being rude and whatever... normally I feel like they should've been understanding better. – Dun

Experiences of Judgement Based on Historical and/or Community Associations

Some participants reflected on assumptions made about them by police due to historical interactions, or familial associations:

But yeah, they were pretty much a-holes to me... for the things I've done when I was younger. And, I'm like 18 right now man, like, I'm trying to get my life straight... But then, the cops keep accusing me of this and that... But at some point, man I was a kid man, like a little boy, probably like nine [or] 10 years old. – Leo

When it comes down to Winnipeg Police, they definitely pull up my last name and they know my last name because of [family relation]... Yeah, OK, we're tied together by family, but that doesn't mean, you know... I would say they assume a lot... my [family relation] is Indigenous, that obviously tells them that I am Indigenous. So, there's a lot of racial profiling that goes on. – Aiyana

Not Being Helped by Police

Some youth spoke about feeling their concerns were not heard or taken seriously by police.

The only thing that I have experience with them is that they never looked for me when I went missing. I walked up to a police officer just to ask for directions in Winnipeg and they pointed me the way but they didn't ask who I was or what my name was. – Rose

I don't like the police; they've mistreated us, especially women like my best friend who's been sexually assaulted, physically assaulted. Police never did anything. Just like in my case, it seems to me like the violence against women, like all women, but specifically Indigenous women is so disproportionate. And it's sad because every girl I know has been assaulted and I don't think none of them have gotten justice like the police are supposed to help you get. – Claire

...the West End, when it comes to that type of area, the cops are not very good at doing their job, there is lots of people outside, homeless... You find needles everywhere outside... that's supposed to be something the cops should take into consideration, you know? – Dejuane

I learned recently that [First Nation community] is the reserve with the highest number of murdered and missing women in Canada and I think of Tina Fontaine as well and how the police treated her and how many women. – Claire

...the police are not stopping these drug trafficking and the weapon trafficking in these areas because there's poverty, right? It's just, what are they supposed to do about it? – M

...I know they don't really care about the youth in care. They doubt us, think we're violent which I don't like. – Lala

I remember when I was in high school, they would come in the community... drive their big cruiser onto the school yard, police officers would bring guns... just to control the school and hang around... I thought none of that was helpful. And, if anything, they should have represented themselves without the guns. – Steve

I don't go to cops, but when I needed them, they didn't help me. And I think that's why a lot of these girls go missing... – Rose

Racial Profiling and/or Racist Treatment

Many participants highlighted accounts of racial profiling they experienced or witnessed based on the colour of their skin, how they looked, and/or their clothing.

They don't want to help people who need help, because they're racist or they have their own prejudice.

– Claire

Growing up in an inter-racial family, I came out the whitest of all my [parent's] kids... I was called adopted, this and that whitewash, this and that the cops I heard say. – Johnny

Getting pulled over and they were talking nicely with us treating us really good until later on, I found out they left and someone told us that they said, oh, bunch of you know... 'N-words'... 'they're just wasting our time' and stuff like that. – Dun

If you walk into like a store... and you just look like a person that they are looking for... or somebody who has to do with something that they are looking for, like you have braids or you wearing some types of clothes, they will stereotype you in some type of way, you know?... I've seen that happen to a lot of other people. – Dejuane

Cops shouldn't disrespect a person who looks like the suspect they're looking for. I feel like they should have real proof... just because they're looking for a Black guy, they see one in front of them, they just take him, they have to have real proof. – Asad

They told me if I don't walk away that they would arrest me and they called me a 'dirty Indian'. – Kaylena

The worst was when I was born, my father was actually arrested at my birth. And from what I heard, was they used a lot of slander and stuff against him and my grandmother and they're in the birthing room. I've kind of faced a lot of racism from the cops throughout my whole life. Basically, the only thing that I have ever seen from the cops. – Johnny

Impacts of Harmful Youth-Police Interaction

As made clear within many of the accounts of youth participants, the negative experiences youth have with police impact how they perceive law enforcement institutions, how they feel, and respond to social situations. During the Talking Circles, it was shared that this resulted in feelings of distrust, discomfort around police, holding negative feelings, and actions of vigilance to avoid stereotypes.

Distrust in Police

A number of young people spoke to us about why they have distrust in police. Some youth pointed to the gap they perceive between their expectations (that police are supposed to help and de-escalate violence) and their personal experiences of police-initiated violence. This has led some youth to avoid the police, even when they are in danger and in dire situations. Experiences like these demonstrate how some young people feel they cannot go to police for help, and instead,

view police as causers of harm. This, in turn, delegitimizes the police. These perceptions can contribute to an unwillingness to contact police or cooperate with them when contacts do occur, both of which can increase risks of victimization, while limiting crime detection and prevention (Greene et al., 2022).

Nobody wants to call the police, nobody wants them around. And then real shit happens and other lives are lost and nobody wants to call the police, right? – M

I don't really trust them. You know? In the times where I've had to call them for something, they've spun it out on me where I felt like I shouldn't have even called them, and that now I'm the problem because they're trying to like incriminating me of things when I was the one asking for assistance. I don't really have much trust for them. And I just try to avoid them. – Trent

I would say most people I know, especially my age, don't trust the police. – Claire

I never reach to the police when I needed help. I would call my brother or my dad because I trusted them more than I trusted the police. – M

I wouldn't call them anymore if something happened to me. Because to be honest, I think it's brought me more trauma because of the fact that I never got justice... Looking back, I would rather not call the police, and I would rather call someone who I knew who would go and deal with this stuff themselves. Like I won't call the police anymore. – Claire

I feel like even when police try to do community engagement, it's almost like propaganda. And I don't like it. I don't like the police in the community, to me, it is not safe. Also, when police show up at like community gatherings like recently, like the MMIWG on May 5. That just pissed me off because think about what they did to Eishia Hudson. Why are you there? I know they're there supposed to be supporting, but in my mind, it's just offensive. – Claire

I feel like the culture is so toxic and it's just rooted in like, I mean, those are the people who took everyone's land to begin with was the RCMP. They're rooted in taking land from Indigenous People and being violent to Indigenous People and taking all the Métis' land. That's where the RCMP comes from. It's what they're built on. How do you change that from the inside? – Claire

Feelings of Discomfort around Police

Shaped by their experiences, many youth expressed feeling uncomfortable when seeing and coming across police. Feelings of discomfort, nervousness, and fear of being targeted or approached were all identified during discussions. These feelings fall in line with research findings speaking to how young people often use strategies of avoidance (steering clear from officers), management (limiting risk or harm), and symbolic resistance (tactics used to preserve their dignity) when encountering the police (Fox-Williams, 2019).

Usually if I see the police somewhere, I think there is something going on, or there is something that is not right there. So, I don't even walk that way, I'll go, I take another street. – Adama

I think that as a BIPOC youth, when we see police, we feel that we did something wrong. Therefore, our emotions would be like nervous... and then the police would think that we did something wrong because we looked nervous and then they would just straight on judge us and just straight on arrest or talk to us... and that we did something wrong. So I feel like they should know that we feel like we're being judged. Our self-esteem is being lowered, therefore, we don't feel confident on telling the truth. – Nina

When I walk around and I see a cop like, I'm scared, you know. Because they're always out here harassing people, beating them up for no reason. And from my experience, they didn't help me, you know. So, I just I just fear the police straight up. – Rose

When I see male police, I'm scared. Even just driving in my car, I see the police and I'm scared they're going to pull me over for no reason. I don't know what would happen to me. I think a lot of people I know feel the same way. – Claire

Strong Negative Feelings/Perceptions

Strong feelings of resentment and hatred were noted by youth. Lacking cultural sensitivity was also highlighted. Feeling prejudiced against framed how many youth perceived their treatment by police.

I don't know how to feel... Most of the time, I just feel really angry and it's hard to heal when you're angry. But I'm really, really, really angry. When I see the police, that's all I feel is just rage and I feel like I hate them, and it's not a good way to feel... I don't like feeling hate, but I hate the police. – Claire

If you go to a different side of the city like the St. Vital area or like Tuxedo, Transcona, I feel like they more like cops because the cops in their head, they don't do that... they respect cops, they like cops, and people respect them because of the area... when it comes to the West side, downtown, it's kind of people are like... 'nah, I hate cops'. – Antonio

Some people grow up in bad areas... when they see cops just doing bad things. So, they assume in their head, like they just hate cops and they kind of start doing something that they don't really care. Like OK, he's going to arrest me anyways... He did that to my neighbour or he did that to my family. – Antonio

Vigilance to Not Be Stereotyped

Many participant stories highlighted how **prejudice and racism felt to be held by police can result in some youth being extra vigilant in their day-to-day life. Newcomer participants in particular mentioned how vigilance was taught and emphasized by their parents to avoid being stereotyped.**

I have a single mother, and I feel like since when we first came here, it was just drilled in my head to have a clean record and to be very criminally clean as possible... So, I obviously kind of have a lot of anxiety when I have to go talk to people like in power or authority just because of the way I was raised to be perfect, and clean. It's just like the kind of stress of being an immigrant and things like that... I have to be as clean as possible and not to have any stereotypes thrown at me. – Hafsa

I wasn't born here,... I heard about the police but we also do have some police issues back home... So, coming here, it was a thing like, I already had a feeling like what if it's the same thing in this country? It was like I am just trying to get myself straight, get my head straight, and my dad always used to tell me... that I better be careful... so you gotta be careful so that you don't fit into a bad stereotype. – Kelvin

From what I heard from my community, cops sometimes mistreat you by your colour, who you are and... find something against you or use that against you as quick as they can, so that's why you gotta be careful and I always watch my back, just prepared for whatever. – Titi

Usually, for me, the best thing that works in my favour is just being overly nice and like, 'yes, sir'... That's the only way it'll go good, is if you're out of your way to be nice and respectful. – Trent

MMIWG Calls for Justice 15.5. Confront and speak out against racism, sexism, ignorance, homophobia, and transphobia, and teach or encourage others to do the same, wherever it occurs: in your home, in your workplace, or in social settings.

Positive Experiences / Perceptions Shared

While the bulk of participant stories were characterized by problematic themes, there were also positive experiences experienced and expressed by some young people. Youth shared that when they felt respected, heard, and understood by police officers, this framed their encounters as beneficial

which, in turn, made these youth feel safe and protected. Indeed, some participants recognized the importance of police officers generally as helpful contributors to society. Others acknowledged the human element of their job, noting mistakes happen, and not all officers should be judged based on the harmful actions of some.

I've seen some police at our school and there's usually police that do come inside our school to talk about their experience and were doing presentations. And to make sure that everyone's safe. – Ehsan

And we have police in our school, just roam around for safety measures. And he was nice. He would always greet us when we're going to pass him. – Nina

I think maybe twice a year we'd get a police officer, come to our school and tell us about cyberbullying and other things, so that's basically the experience I have, and most of them were very positive. – Hafsa

It makes me feel good because I know that I'm protected, that if there's any trouble the police are there to help out. – Ehsan

So, I'm an immigrant. And so, there was one time where my uncle was just... he came from the Philippines. So, we were just driving around. There was a rule that he didn't know. So, we were [pulled over]... Well, he didn't really know how to speak in English that much. So, when he was trying to explain that he didn't know the rules, that he was just like a new driver, the police understood him well that day. They gave him a ticket, but the police knew that he was just new in Canada, so he used like basic words. This kind of stuff to like help him understand what he did wrong and that he would need to pay for a ticket... It was nice that some police understood the differences and people have like disabilities as well as new to the country and there are rules that doesn't apply to their country as well. So, it's good that they told us about those things too. – Nina

I think cops sometimes can be good too. Not all cops are bad and sometimes they are human, they make mistakes, right? Yeah, sometimes they make mistakes that can't be forgiven... – Antonio

I feel like the police are important, but just the way they do their things is not the best sometimes. – Kelvin
...cops are just human, they make mistakes, too, I believe that and I support that. But to me, cops are more than just that. Police are a governing body. They sign something [like] a little contract and they have to take into consideration about scenarios and stuff like that. – Aiyana

I don't like them, but they're doing their job to keep the peace and to keep the town safe. – Kory

I personally generally look at the police like a big box of apples, and they are all clean, but there is definitely going to be rotten apples in that big box, so I don't think they are all bad... They're still trying their best in our communities... it's kind of ruining for the rest of the other police, you know? Because I know there is good police officers and I actually met them before. – Titi

Many young people expressed gratitude for the opportunity to contribute to this important conversation, recognizing how hard making substantive social changes can be. Many also conveyed appreciation for the opportunity to have their voices heard in a meaningful way. This special report ends with the eloquent words of one of these youth who contributed to calling for changes following Eishia's death:

I am so happy to see that our resources are reaching out and listening to us and the things we've seen and been through. I'm glad these things are being offered to me and my community. Thank you for coming here and doing this with us. It means a lot to me and I couldn't ask for more. – letter by M



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