

# Poverty is not a Crime: Position Statement on Approaches to Community Safety

The criminalization of poverty can be understood as when policies, legislation, protocols, and practices lead to the disproportionate fining, arresting, charging, and imprisonment of people living in poverty for non-violent and minor offences.

## The Criminalization of Poverty in Practice

One example of how poverty becomes criminalized are laws against loitering, sleeping outdoors, panhandling, or busking. These laws disproportionately penalize people who are homeless who are engaging in these activities as a means of subsistence and survival. In Toronto, about 16,000 tickets are issued annually to people experiencing homelessness in Toronto, making up 10% of all police interactions.<sup>1</sup> It costs \$2 million annually in policing resources to distribute and process the tickets yet 90% of these tickets will never be paid because the recipient does not have the money to do so.<sup>2</sup> Accruing multiple tickets and being unable to pay can then result in more serious charges, including imprisonment. Less than 1% of Toronto population is homeless, yet one in five people in jail in Toronto were experiencing homelessness at time of their arrest.<sup>3</sup>

Another situation where criminalization can occur is with respect to mental health crisis response. Poverty takes an emotional toll and increases the risk for mental health challenges and psychological distress.<sup>4</sup> According to CAMH, the rates of mental illness is 4 to 7 times higher among people in prison, and one reason for this is that people experiencing mental illness are more likely to experience poverty and therefore are more likely to face arrest and incarceration.<sup>5</sup> In Toronto, police respond to over 30,000 calls annually about mental health crises (3% of police calls). These calls account for 11% of the use of force—more than 2 times the use of force rate for calls involving robberies.<sup>6</sup> Given heightened risk of clients to experiencing acute distress or crisis while accessing food banks and drop-in meal programs, Daily Bread member agencies complete verbal de-escalation training to ensure the safety of all staff and clients.

## The Impact of Systemic Racism

As a result of systemic racism, racialized people in Canada have two times higher poverty rates than White people.<sup>7</sup> Black and Indigenous households have highest rates of food insecurity in Canada (29% and 28% respectively)<sup>8</sup> and these communities in particular face disproportionate police surveillance, arrests, and incarceration.

Black people make up 3.3% of Canada's population, but account for 8.7% of people in prison.<sup>9</sup> The Ontario Human Rights Commission analyzed Toronto Police Service data and concluded that Black people are more likely to be stopped and questioned, arrested, face discretionary low-level charges and have these low-level charges result in incarceration than White individuals.<sup>10</sup> The data also shows that Black people were over-represented in use of force cases (28.8%), shootings (36%), deadly encounters (61.5%) and deaths caused by police shootings (70%).<sup>11</sup> The report concludes that Black communities are "subjected to a disproportionate burden of law enforcement in a way that is consistent with systemic racism and anti-Black racial bias."<sup>12</sup>

While Indigenous people make up 4.8% of the Canadian population, they represent 25.5%<sup>13</sup> of people in prison and one third of people who have been shot and killed by the RCMP.<sup>14</sup> Canada's Department of Justice notes that Indigenous individuals are more likely to be targeted by police, have their credibility questioned, have requests for assistance ignored or not adequately supported, face harsher sentences, and be denied bail more frequently.<sup>15</sup> These inequities create deep and long-lasting harms.

## Criminalization Fuels a Cycle of Poverty

The disproportionate burden of arrest and imprisonment on people living in poverty, particularly Black and Indigenous communities, results in deepening poverty in these communities. People released from prison face discrimination in seeking housing and on the job market, with unemployment rates of more than 40 percent.<sup>16</sup> This results in lower incomes, difficulties finding stable housing, decreased nutrition, and increased risk for mental health issues or addiction.<sup>17</sup> Research demonstrates that the incarceration of a parent is part of a cycle that produces higher risk of poverty and incarceration in the second generation.<sup>18</sup>



## Breaking the Cycle of Poverty and Improving Community Safety

Poverty is the root cause of food insecurity in Toronto. Daily Bread Food Bank believes that the criminalization of poverty perpetuates the social exclusion and economic hardship of people who are already struggling to afford their basic needs. Investments to reduce and prevent poverty are foundational to eliminating food insecurity and building community resiliency and safety. Community and social services are best positioned to provide the services and supports needed to address systemic inequities and break the cycle of poverty. We recommend:

1. Investing in poverty prevention, including income supports, affordable housing, educational opportunities and decent work, mental health supports.
2. Implementing community-led models that build community safety while reducing potential harms associated with criminalization. For example, several cities use civilian outreach teams to respond to 911 calls about homelessness. Evaluations show increase transition from streets to stable housing, reduced arrests by 80% and incarceration time by 90%, and cut time in hospital emergency rooms by 60%.<sup>19</sup> In Oregon, the CAHOOTS program uses civilian mental-health outreach workers as first responders; use service referrals, de-escalation. Civilian first responders able to handle 99.6% of mental health calls without police support, and have a near zero record of any harm or injury coming to anyone involved.<sup>20</sup>
3. Adopting equity-based policy approaches that address the ongoing impacts and deep harms of systemic racism and discrimination.

Every person deserves to live a life with dignity, respect, and safety. Investing in poverty prevention and funding community-led safety initiatives helps to build community resiliency and improve safety for all.



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