



BLUE STORM: THE RISE AND FALL OF JASON KENNEY

Edited by Duane Bratt, Richard Sutherland and David Taras

ISBN 978-1-77385-418-2

THIS BOOK IS AN OPEN ACCESS E-BOOK. It is an electronic version of a book that can be purchased in physical form through any bookseller or on-line retailer, or from our distributors. Please support this open access publication by requesting that your university purchase a print copy of this book, or by purchasing a copy yourself. If you have any questions, please contact us at ucpress@ucalgary.ca

Cover Art: The artwork on the cover of this book is not open access and falls under traditional copyright provisions; it cannot be reproduced in any way without written permission of the artists and their agents. The cover can be displayed as a complete cover image for the purposes of publicizing this work, but the artwork cannot be extracted from the context of the cover of this specific work without breaching the artist's copyright.

COPYRIGHT NOTICE: This open-access work is published under a Creative Commons licence. This means that you are free to copy, distribute, display or perform the work as long as you clearly attribute the work to its authors and publisher, that you do not use this work for any commercial gain in any form, and that you in no way alter, transform, or build on the work outside of its use in normal academic scholarship without our express permission. If you want to reuse or distribute the work, you must inform its new audience of the licence terms of this work. For more information, see details of the Creative Commons licence at: <http://creativecommons.org/licenses/by-nc-nd/4.0/>

UNDER THE CREATIVE COMMONS LICENCE YOU MAY:

- read and store this document free of charge;
- distribute it for personal use free of charge;
- print sections of the work for personal use;
- read or perform parts of the work in a context where no financial transactions take place.

UNDER THE CREATIVE COMMONS LICENCE YOU MAY NOT:

- gain financially from the work in any way;
- sell the work or seek monies in relation to the distribution of the work;
- use the work in any commercial activity of any kind;
- profit a third party indirectly via use or distribution of the work;
- distribute in or through a commercial body (with the exception of academic usage within educational institutions such as schools and universities);
- reproduce, distribute, or store the cover image outside of its function as a cover of this work;
- alter or build on the work outside of normal academic scholarship.



Acknowledgement: We acknowledge the wording around open access used by Australian publisher, **re.press**, and thank them for giving us permission to adapt their wording to our policy <http://www.re-press.org>

Policing and Alberta's United Conservative Party Government

Doug King

The election of the United Conservative Party (UCP) on 16 April 2019, ushered in a more divergent, more politicized, governmental stance towards policing in Alberta. The UCP pivoted away from the long standing practice in Canada of elected officials refraining from harsh public criticism of policing—be it municipal, provincial, or federal. The new Alberta government frequently positions itself in opposition to police agencies such as the Royal Canadian Mounted Police (RCMP), the Calgary Police Service, and the Edmonton Police Service. Instead of continued consultation with police stakeholders, the UCP often takes unilateral positions on matters such as rural policing or addressing concerns about the urgency to eliminate racial bias in policing. Also, the provincial government's often shifting and delayed approach to policing the pandemic was seemingly influenced by politics more than the realities facing police agencies and local governments.

While much of the UCP government's approach to policing has been political, it likely has little long-term consequence for public safety in Alberta. The one exception is the government's advocacy to replace the RCMP as Alberta's provincial police service with an as yet ill-defined new Alberta police service.

Policing the Pandemic in Alberta

Keeping track of the different waves of the COVID-19 pandemic and which restrictions were imposed by which level of government is a daunting task. By March 2020, all levels of governments in Canada imposed restrictions on almost all aspects of public life. With the discovery of highly effective vaccines in late December 2020 the roller-coaster of virus waves and associated governmental restrictions began. With the exception of the initial wave of the COVID-19 pandemic, the Alberta government's response to imposing public health restrictions has been typically delayed, without much stakeholder consultation, and often tinged with political purpose (see Lisa Young's chapter on COVID). Most medical experts, municipal governments, local school boards, and businesses were typically ahead of the provincial government in the call for enhanced measures to respond to what soon turned into the next COVID-19 wave. Perhaps the best example of this was when the premier prematurely declared the "best summer ever" on 1 July 2021. This false optimism was soon followed by another cycle of rising COVID-19 hospitalizations and deaths. When provincial restrictions were reimposed, the necessary legislative tools for local authorities to enforce non-compliance to the restrictions were frequently missing.

Voluntary Compliance

It is fair to say that the vast majority of Canadians accepted the importance of voluntarily complying with federal, provincial, and local municipal restrictions from the start of the pandemic. Working from home, masking in public spaces, moving to online learning for all levels of the education system, limiting indoor and outdoor gatherings were all met with a degree of acceptance and compliance by most people. Messaging and leadership in a time of public emergency such as the pandemic must balance conveying the seriousness while guarding against panicking people. By and large, the public messaging from Alberta's chief medical officer Dr. Deena Hinshaw found that delicate balance. However, this cannot be said of the public messaging from Premier Jason Kenney. At various points throughout the pandemic, the premier seemed to discount its seriousness by equating it with "influenza."¹ He further downplayed the seriousness of the virus by suggesting that only the elderly and those with compromised

immune systems faced serious illness from COVID-19.² Oftentimes, the premier publicly declared that some possible future pandemic restrictions were “off the table” only to soon impose those same restrictions, such as vaccine passports (only called a restriction exemption card in Alberta).

The premier’s initial response to what became known as “Alohagate” during the second wave of the pandemic in late 2020 and early 2021 and the infamous “sky palace” patio dinner at the end of the third wave in June 2021 also served to erode voluntary compliance. These events sent the unintended message that some in positions of leadership saw limited need for their own voluntary compliance to pandemic restrictions. This had the effect of inspiring others to do the same—if elected officials were not following the restrictions, why should they?

Lack of Stakeholder Consultation

Under the Province of Alberta’s *Public Health Act*, enforcement authority for provincial public health regulations rests with designated Alberta health officials and police officers. Municipal by-law officers, transit security, and provincial fish and wildlife officers are not empowered to enforce provincial health regulations.

Provincial legislation, orders in council, or executive orders are required to temporarily extend pandemic enforcement authority to non-police or to Alberta health officials. Extending authority to municipal non-police peace officers has taken on the appearance of being an afterthought by the UCP government. The chorus of complaints from municipal elected officials and local police agencies was renewed with each new wave of COVID-19. Instead of consulting with local authorities, provincial representatives, including Premier Kenney, frequently downplayed local concerns.

Slow to Respond

It was not until Alberta was well into the third wave of the pandemic that a ministerial order was issued to extend pandemic enforcement authority to municipal community peace officers and to provincial fish and wildlife officers.³ The March 2021 legislation occurred as public protests grew and non-compliance by some business and churches gained media coverage. But that enhanced authority for non-police peace officers to enforce

COVID-19 restrictions expired with the premier's early July announcement of the "best summer ever."

This pattern of delayed response was again evident as the provincial government announced the reimposition of some pandemic restrictions as the fourth wave of the pandemic raged on. Premier Kenney announced the return to restrictions on 15 September 2021 (in the middle of the fourth wave) with no proactive ministerial order to reimplement the extended enforcement authority for non-police peace officers. Indeed, in a news media story on 17 September 2021, Alberta health spokesperson Tom McMillan suggested that no extended enforcement authority was needed.⁴ Not waiting for the justice ministry to extend authority to its municipal by-law and other non-police public safety officers, the city of Calgary imposed very similar restrictions to those mandated by the province to allow municipal officers to enforce the return of the pandemic restrictions.

In the face of increasingly frequent public rallies protesting the provincial government's pandemic restrictions reimposed as the third wave of the pandemic had begun its decline in early May 2021, the minister of justice announced increases in the maximum dollar amount of fines that could be issued for non-compliance to the pandemic restriction.⁵ However, local police authorities issued few fines. The lack of consultation by the UCP government was highlighted when Calgary Chief of Police Mark Neufeld identified other factors inhibiting effective enforcement of pandemic restrictions. Chief Neufeld revealed that "our partners at the province" had requested police limit the number of \$100 mask bylaw fines so as to "not fill the courts."⁶ In the same news interview, the Calgary chief noted that a significant percentage of all tickets issued under the provincial health act had been quashed or withdrawn by Crown prosecutors.

The lack of stakeholder consultation with local municipalities was on display once again as the pandemic's fifth wave was waning in early 2022. The UCP government announced the removal of restrictions related to mask wearing in public indoor spaces, the requirement to show proof of COVID-19 vaccination for certain activities, and restrictions on the size of indoor gatherings. Neither city council in Calgary or Edmonton were consulted by the UCP and both began considering municipal restrictions to replace those being removed provincially. Without consultation, the UCP amended the provincial *Municipal Government Act* in order to require

municipalities to obtain provincial authorization for implementing any COVID-19 public health restrictions.⁷

United Conservative Party's Pandemic Response

Several patterns emerge when looking back at the UCP government's responses beginning with the "best summer ever" pronouncement as the third wave of the pandemic waned. The government failed to engage in consultation with various stakeholder groups as to the appropriate response to the newly emerging wave of COVID-19 and became increasingly delayed in responding to subsequent emerging new waves. It declined to extend enforcement authority to enforce pandemic restrictions at the local level. In fact, the UCP took legislative action to limit municipalities from responding to the pandemic. Many in municipal governments and the general population now see the UCP's approach to the pandemic as informed largely by its own political agenda.

Municipal Policing

High profile events in the United States placed a spotlight on excessive use of force by police officers, more often than not against African-Americans. The events south of the border also created political controversy in several cities in Canada. Here in Alberta, controversy was fuelled by confrontational pronouncements by Alberta's then-minister of justice Kaycee Madu who sharply criticized police agencies and city councils for responding to public concerns about police use of force here in Alberta.

#DefundthePolice Movement

The Black Lives Matter movement in the United States is a continuation of the same realities that led to the emergence of community-based policing in the 1960s. Yet, the disproportionate representation of African-Americans in terms of police-stop arrests and criminal convictions persists. The highly publicized shooting of Treyvon Martin in 2013 led to intense media attention on subsequent fatal police shootings of Michael Brown, Eric Garner, Alton Sterling, Resheda Brooks, Breonna Taylor, Tanisha Anderson, and Dante Wright—to name just a few.⁸ It was the murder of African-American George Floyd in May 2020 by Minneapolis police officers that ignited what is now called the "#defundthepolice" movement. In what can only be called callous and cruel actions by the

attending police officers, Floyd’s death was caused by asphyxia due to neck and back compression as a police officer kneeling on Floyd for nine minutes—despite Floyd’s pleas that he could not breathe.⁹

The video of George Floyd’s murder triggered the birth of the #defundthepolice movement in both the United States and Canada. The Canadian movement acted on the same underlying issues—persons of colour are more often exposed to excessive use of police force, over-policing through increased vehicle check stops, and “carding,” that is, the stopping of a person without reasonable grounds and directing them to produce identification. As municipal police agencies in Alberta responded to the #defundthepolice movement and the underlying issues of systemic racism, Alberta justice minister Kaycee Madu publicly derided the movement. In a November 2020 interview, the minister was quoted as saying “These are a bunch of socialists who would prefer to have a chaotic world”¹⁰ referring to city council members who were considering how to address the #defundthepolice movement.¹¹ The minister then made the following transparently inaccurate statement: “I do not intend to play politics with law enforcement.”

Lack of Stakeholder Consultation

Minister Madu upped the ante by threatening to withhold the annual provincial policing grants to any municipality that redirected any portion of the police budget to address concerns being raised by the #defundthepolice movement.¹² In Calgary, the provincial police grants amount to approximately \$30 million in an overall annual police budget of over \$450 million. The minister continued his public criticism by saying “I encourage you [Calgary city council] to drop the ‘defund’ rhetoric and stop pandering to radical activists.”¹³

City councils and municipal police commissions in Edmonton and Calgary moved ahead with beginning to address the underlying concerns of systemic racism informing the #defundthepolice movement. It is difficult to see how the plans adopted by the two largest police agencies in Alberta, with the support of their police commissions and chiefs of police, fit minister Madu’s “socialist” or “radical” rhetoric. In June 2020, Edmonton city council voted to reallocate \$11 million from the annual police budget of \$389 million to twenty proposals seeking to address policing

reform in the city.¹⁴ In Calgary, city council and the Calgary Police Service contributed approximately \$8 million each to establish the Community Safety Investment Framework for a total of \$16 million.¹⁵

Another stark example of the UCP government's pattern of jumping ahead on policing matters without consulting key stakeholders was then-justice minister Madu's mid-July 2021 letter to the federal government calling for the removal of capsaicin spray, or "pepper spray," from the list of prohibited weapons in the Canadian criminal code. This change would allow, according to Minister Madu, "vulnerable people" to protect themselves from "drug-fuelled attacks." The proposal came as a surprise to the Alberta Association of Chiefs of Police (AACP). The AACP found the proposal to decriminalize pepper spray potentially dangerous because it would likely lead to use in other criminal activities, potentially against the very "vulnerable people" the minister was hoping to protect.¹⁶ The overtly political nature of Minister Madu's letter became obvious when he publicly attacked the federal government for rejecting the proposal. Picking a public fight with the government in Ottawa always serves a political purpose for the UCP government.

Rural Policing

Between 1962 and 1993, crime rates in Canada increased at a persistent and sharp pace. The decline in crime rates since 1993 has been equally consistent and sharp. However, the downward trend in crime rates since 1993 and the crime severity index (CSI) ended in 2014 and both indices of crime in Canada have been inching up—about 1 per cent a year.¹⁷ Rural property crime rates in Canada, and in Alberta, showed these same patterns of decades of increase until the mid-1990s, followed by a precipitous decline until the mid 2010s. Still, the inching up of rural crime in the past two decades remains well below the peak seen in the 1990s.

During the tenure of the UCP's first justice minister Doug Schweitzer, a priority was placed on increasing the number of uniformed RCMP officers in those rural areas experiencing the greatest increase in crime. As rural policing in Alberta is provided under contract with the RCMP, the new UCP government worked with the RCMP to transfer additional officers into Alberta. The UCP government committed to increasing RCMP officers in rural Alberta by three hundred plus an additional two hundred

support positions.¹⁸ The financial cost associated with any increase in RCMP personnel is under a long-standing cost-sharing contract between the Alberta government (70 per cent) and the Government of Canada (30 per cent).¹⁹ Rural municipalities with populations less than five thousand were not required to pay any portion of the provincial government's contractual obligation. While announcing the increase in RCMP officers, the UCP government unilaterally changed what smaller municipalities paid from 0 per cent to 10 per cent, with an expected increase to 30 per cent of RCMP costs by 2025.²⁰ This impending financial bill caused alarm in smaller rural municipalities.

The Case of Eddie Maurice

As the newly elected UCP government formed its rural crime strategy, Premier Kenney and then Justice Minister Schweitzer elected to publicly weigh in on the high profile case of Okotoks-area rancher Edouard (Eddie) Maurice who, in February 2018, discharged a rifle in what he said were warning shots at two trespassers on his property.²¹ One of the trespassers, Ryan Watson, was struck in the arm by a ricocheting bullet. As outlined in a *CBC News* story, Watson was charged with numerous offences under provincial statute and the Criminal Code of Canada.²² Maurice was criminally charged with aggravated assault, pointing a loaded firearm, and careless use of a firearm. The fact that Maurice was criminally charged led some in Alberta's more conservative rural circles to question the RCMP's approach to rural law enforcement.

Criminal charges against Maurice were dropped in June 2018. Watson initiated a lawsuit against Maurice in September 2019 claiming he suffered "emotional upset, severe fatigue and insomnia."²³ UCP Premier Jason Kenney used social media to characterize the lawsuit as personal harassment of Maurice and encouraged people to donate to a defence fund for Maurice.²⁴ Then Justice Minister Schweitzer used *Twitter* to voice apparent support for Maurice despite the fact that the active case fell under his ministry's jurisdiction.²⁵ Premier Kenney's involvement, as well as Minister Schweitzer's, are best seen as political attempts to influence an ongoing court case. One month after the lawsuit against Maurice was filed, the UCP government announced a five-fold increase in monetary fines for trespassing in the Petty Trespassing Act and added a possible sentence of

up to six months of incarceration.²⁶ The lawsuit against Maurice and his countersuit against Watson were both dropped in January 2020 in light of the new provincial legislation.

Alberta Provincial Police Service

The criticism directed at the RCMP, and the public intervention of both Premier Kenney and then Justice Minister Schweitzer, played into the UCP government's interest in replacing the RCMP with a newly created Alberta provincial police agency. Contract policing in Canada began in response to the financial pressure experienced by Western Canadian provinces during the economic depression in the 1930s.²⁷ The current Alberta-RCMP contract (renewed under the Stelmach government in 2011) provides for 70 per cent of rural policing costs to be paid by the province and 30 per cent by the federal government.²⁸ The contract does not require the province to contribute to the costs of recruiting, training, outfitting, equipping, and housing the officers. Individual municipalities can also enter into a separate contract with the RCMP for municipal policing services at no cost to the provincial government.

Replacing the RCMP in Alberta was first raised in the 2001 "Alberta firewall" open letter to then Premier Ralph Klein. The letter was penned by notable provincial conservative advocates such as future Prime Minister Stephen Harper and several University of Calgary academics.²⁹ The idea was again promoted in the May 2020 final report of the UCP government's Fair Deal Panel. Oddly, the recommendation to remove the RCMP appears not to be supported by the panel's own survey and public forums. Only 35 per cent of those participating in the panel's "public opinion research" supported an Alberta provincial police service either "a lot or somewhat."³⁰ Further, an Alberta provincial police service ranked fourteenth out of the fifteen ways to "help Alberta improve its place in the federation" outlined in the final report.³¹ The modest support for replacing the RCMP is echoed in a survey commissioned by the National Police Federation (NPF) in mid-2021. The NPF is the sole bargaining agent for the over 20,000 frontline RCMP officers in Canada and abroad. The NPF survey indicated over 80 per cent of Albertans who are currently served by the RCMP are satisfied with the policing services they receive.³²

The logistics and increased financial commitment needed to implement an Alberta provincial police service are daunting. The Government of Canada's current share of the cost of the RCMP as Alberta's provincial police agency is estimated to be approximately \$160–\$170 million.³³ Besides having to absorb the cost of officers' salaries and benefits, the Province of Alberta would need to absorb the costs of recruiting and ongoing officer training, establishing capacity for provincial police major crimes investigations, developing and implementing a promotion process, and budgeting for ongoing capital costs (e.g., buildings and equipment) associated with a decentralized police agency. Replacing the 3,500 RCMP officers in 115 Alberta detachments in over three hundred municipalities and twenty-one First Nations communities in the province would be challenging and obviously cost Albertans more.³⁴

In August 2020, the Honourable Kaycee Madu replaced Minister Schweitzer as the minister of justice and solicitor general. PricewaterhouseCoopers (PwC) was commissioned in October 2020 for \$2 million to research the transition to a provincial police agency.³⁵ With his appointment as justice minister, Mr. Madu adopted a more public and vocal role related to replacing the RCMP. Some of Minister Madu's 9 October 2020, comments to the *Calgary Sun* questioned the professionalism of the RCMP: "At the end of the day it is important that an Alberta provincial police service that is absolutely loyal to the province and responsive to the needs of our people right here,"³⁶ Minister Madu is quoted as saying. He is also quoted as saying that the RCMP is "not in tune with the culture and traditions of our communities" and not accountable to the people of Alberta.³⁷

The PwC's *APPS Transition Study Final Report* was released on 29 October 2021.³⁸ The 100-page report (about 50 per cent comprises photos) was prepared with minimal stakeholder consultation. The report lays out two possible models of police deployment that would have annual costs of between \$735 to \$758 million.³⁹ According to the report, the proposed operating costs of an Alberta agency would be approximately \$25 million to \$50 million less than the current costs of \$783 million associated with the RCMP plus the Alberta sheriffs.⁴⁰ However, the federal government's contribution of approximately \$160–\$170 million to current provincial policing costs in Alberta is not included in the report and not accounted

for in the \$783 million estimate of current costs. Alberta taxpayers would have to absorb the federal share should the province opt to remove the RCMP and institute a new Alberta police service. To be clear, this added cost to Alberta taxpayers would be a minimum of \$1.6 billion over a ten-year period.

The PwC transition report also indicates that there would be an estimated \$366 to \$371 million in transition costs spread over six years.⁴¹ The report proposes no additional facilities would be needed to train the new Alberta provincial police service. Instead, it is suggested that existing training facilities run by municipal police agencies in Alberta could assume the training of the new provincial police agency. This suggestion came without much consultation with Alberta's two largest municipal police agencies and seems challenging, given the ongoing in-service and recruit training that currently takes place in municipal policing facilities throughout the province. The UCP government has attempted to minimize the fiscal impact of a move to an Alberta provincial police service by suggesting that no additional tax burden would be placed on Albertans. This begs the question—where would the money come from?

Lack of Stakeholder Consultation

The lack of stakeholder consultation in constructing the transition report was evident in the criticism following the release of the PwC report. The Treaty 8 First Nations and the Treaty 6 First Nations have indicated their lack of support for replacing the RCMP.⁴² Mayors from several communities (e.g., Red Deer, Edson, and Okotoks) currently served by the RCMP have expressed their lack of support for the proposed new Alberta provincial agency.⁴³ In March 2022, the representatives of more than three hundred Alberta municipalities, rural and urban, passed a resolution opposing the provincial policing models presented in the PwC report.⁴⁴ The resolution passed with 80.9 per cent support. The Rural Municipalities of Alberta (RMA) also passed a resolution indicating its lack of support for the removal of the RCMP. The resolution passed by a margin of 67 per cent to 33 per cent. Moving forward with replacing the RCMP with an Alberta provincial police service has only tepid support within the UCP membership, little support among First Nations and municipalities currently policed by the RCMP, and little support among the general population.

Alberta taxpayers would have to absorb the added costs of both the transition away from the RCMP and the added costs of an Alberta-owned provincial police service. The UCP government has yet to make a convincing case that replacing the RCMP will benefit Albertans.

The Removal of Kaycee Madu as Justice Minister

In mid-January of 2022, the CBC reported that Justice Minister Madu had been ticketed under the provincial *Motor Vehicle Act* for distracted driving while driving through an Edmonton school zone. The ticket had been issued on 10 March 2021—almost one year before the CBC published its story. While receiving a traffic-related ticket may have been the source of minor embarrassment, Minister Madu’s response to the ticket became a much larger concern. According to news sources, and later confirmed in retired Alberta Court of Queen’s Justice C. Adele Kent’s report on the matter,⁴⁵ Minister Madu had called Edmonton’s chief of police, Dale McFee, within a few hours of receiving the ticket. In a conversation Chief McFee later characterized as “jumbled,” Minister Madu raised concerns about racial profiling and that he had been targeted because of his involvement in ongoing matters related to the Lethbridge police service. The minister’s demeanour during the call was characterized as “frustrated,” “concerned,” and “worked up.” Minister Madu quietly paid the \$300 fine for distracted driving a week after his call to Chief McFee.

When reports of Minister Madu’s ticket and subsequent contact with the Edmonton chief of police made the news media almost a year after taking place, Premier Kenney acknowledged having passing knowledge about the ticket around the time it was issued. Only after the news reports did the premier asked Minister Madu to temporarily step aside from the justice portfolio while an independent third-party investigation was conducted. Minister Madu remained in cabinet with undefined responsibilities during the course of the investigation. Retired Court of Queen’s Bench Justice C. Adele Kent was appointed, on 22 January 2022, to conduct the investigation. Madam Justice Kent’s report was released to the public on 25 February 2022. After interviewing all relevant individuals, Justice Kent arrived at three conclusions.⁴⁶ First, Minister Madu’s call to the chief of police did not result in a successful attempt to interfere with the administration of justice. Second, Justice Kent concluded that

calling the chief of police was outside the ethical standards expected of public officials and was an attempt to interfere with the administration of justice. Third, the justice concludes at an informed “reasonable person” would come away with the perception that Minister Madu had interfered with the administration of justice. These findings are remarkable, especially given that Minister Madu was, at the time of the call, the chief law enforcement officer in the province. In response to Justice Kent’s conclusions, Premier Kenny removed Minister Madu as minister of justice on 25 February 2022. However, he was not removed from cabinet but rather appointed minister of labour and immigration. This is hard to reconcile with the serious findings of ethical misconduct in Justice Kent’s report.

What remains uncertain is exactly what information Premier Kenny had about Minister Madu’s actions in the months immediately following the minister’s call to the chief of police. To put it bluntly, was Premier Kenny’s call for an independent third-party investigation prompted by the fact that the news media reported the story rather than Minister Madu’s actions? Former Health Minister Tyler Shandro, who had moved into the labour portfolio in September 2021, became the new justice minister. The fact that Minister Shandro, a lawyer, was under ethical investigation by the Alberta Law Society did not seem to factor into his move into the justice portfolio.

Unfinished Business

The tumultuous nineteen-month tenure of Minister Madu in the justice portfolio concluded with many key issues and initiatives ongoing. The most pressing is the UCP’s advocacy to replace the RCMP as Alberta’s provincial police agency with a new Alberta provincial police service. Interestingly, in a passing comment regarding rural municipalities’ opposition, Justice Minister Shandro seemed to backtrack somewhat from the position taken by former Justice Minister Madu. In committing to more discussion about replacing the RCMP, Minister Shandro stated, “We have not made any decision, but we are going to work with those municipal leaders to make sure we are addressing the gaps that we are seeing now.”²⁴⁷ In response to the support the municipalities have expressed for the RCMP, Minister Shandro said, “That’s support that is shared by government, by me—our RCMP officers do great work.”

Conclusion

Since its 2019 election, two recurring themes in how the UCP government approaches serious policing concerns are obvious. The first recurring theme in the UCP government's approach has been to publicly frame important aspects of policing in overtly political ways. Then Justice Minister Madu's over-the-top comments about local governments and police agencies charged with addressing the #defundthepolice calls to action were overtly political and not helpful. When Premier Kenney and then Justice Minister Schweitzer publicly expressed support for an Okotoks-area rancher who faced criminal charges, it seemed intended to reinforce their own political support. Delays in implementing pandemic restrictions until the province was already at the peak of yet another COVID-19 wave seemed calculated to avoid the political consequences the UCP government would take from its base if it had acted sooner. Retaining former Justice Minister Madu in cabinet in the face of Justice Kent's damning report seems to be based on the fact that Minister Madu is the only elected UCP representative from Edmonton. However, having done so may have consequences for both Minister Madu and the UCP in the next election. Politicising policing and justice are very problematic. It builds scepticism in a system that relies upon public trust and confidence. The political neutrality of the administration of justice is the necessary cornerstone upon which that public trust and confidence is built.

The second theme, and potentially the more damaging, is the government's failure to consult with key stakeholders—including police agencies, local governments, and Albertans directly impacted by government initiatives and plans. This was seen throughout the pandemic when the UCP government delayed implementing pandemic restrictions to help curb the serious public health risk. The lack of consultation was also obvious when the minister of justice publicly attacked police agencies and city councils over plans to address public concerns associated with the #defundthepolice movement.

The ramifications of the UCP's lack of stakeholder consultation related to its pandemic restrictions or the #defundthepolice initiatives are likely to have limited future consequences. However, pressing ahead with the removal of the RCMP as Alberta's provincial police agency based on

very limited stakeholder consultation is perilous. The vast majority of municipalities are currently policed by the RCMP, and Albertans who live in those municipalities object to the removal of the RCMP. The framework for the proposed Alberta police service outlined in the PwC report does not provide any indication on how a new Alberta police service would provide better, let alone the same, level of policing. One thing is certain, the removal of the RCMP would add hundreds of millions of dollars of added costs to Alberta taxpayers each year with very uncertain benefit.

NOTES

- 1 Mel Wood, "Jason Kenney keeps calling COVID-19 'Influenza,'" *HuffPost Canada*, 29 May 2020, https://www.huffpost.com/archive/ca/entry/jason-kenney-influenza-covid-19_ca_5ed16a02c5b67cf3bf0528a7 (accessed 11 May 2022).
- 2 Stephanie Thomas, "Concerns arise over premier's 'influenza' comments, focus on seniors' death," *CTV News Calgary*, last modified 29 May 2020, <https://calgary.ctvnews.ca/concern-arises-over-premier-s-influenza-comments-focus-on-seniors-death-1.4959251> (accessed 11 May 2022).
- 3 Jason Herring, "Authority to enforce COVID-19 restrictions renewed for peace officers," *Calgary Herald*, 5 March 2021, <https://calgaryherald.com/news/local-news/authority-to-enforce-covid-19-restrictions-renewed-for-peace-officers/> (accessed 11 May 2022).
- 4 Dylan Short, "Nenshi calls on province to give city power to enforce COVID-19 restrictions," *Calgary Herald*, 17 September 2021, <https://calgaryherald.com/news/local-news/nenshi-calls-on-province-to-give-city-power-to-enforce-covid-19-restrictions> (accessed 11 May 2022).
- 5 "Alberta doubles fines, brings in new enforcement protocols for COVID-19 rule breakers," *CBC News Edmonton*, last modified 5 May 2021, <https://www.cbc.ca/news/canada/edmonton/alberta-doubles-fines-brings-in-new-enforcement-protocol-for-covid-19-rule-breakers-1.6015710> (accessed 11 May 2022).
- 6 "Calgary police chief says challenges facing public health tickets in court 'frustrating' after dozens withdrawn," *CTV News Calgary*, last modified 4 May 2021, <https://calgary.ctvnews.ca/calgary-police-chief-says-challenges-facing-public-health-tickets-in-court-frustrating-after-dozens-withdrawn-1.5414410#:~:text=withdrawn%20%7C%20CTV%20News> (accessed 11 May 2022).
- 7 Emily Mertz, "Alberta municipalities will need province's OK for face mask or COVID-19 vaccine passport bylaws," *Global News*, last modified 8 March 2022, <https://globalnews.ca/news/8667463/alberta-government-legislation-face-mask-vaccine-passport-covid/> (accessed 11 May 2022).
- 8 Nicole Dungca, "A dozen high profile encounters that have galvanized protests nationwide," *Washington Post*, 8 June 2020, https://www.washingtonpost.com/investigations/a-dozen-high-profile-fatal-encounters-that-have-galvanized-protests-nationwide/2020/06/08/4fdbfc9c-a72f-11ea-b473-04905b1af82b_story.html (accessed 11 May 2022).

- 9 Dungca, "A dozen high profile encounters."
- 10 Rick Bell, "Bell: Madu squares off with the Nenshi-led council on cop defunding," *Calgary Sun*, 13 November 2020, <https://calgarysun.com/opinion/columnists/bell-madu-squares-off-with-nenshi-led-council-on-cop-defunding> (accessed 11 May 2022).
- 11 Bell, "Bell: Madu squares off."
- 12 Tyler Dawson, "Alberta justice minister warns Edmonton and Calgary not to comply with calls to 'defund the police,'" *National Post*, 10 September 2020, (accessed 11 May 2022).
- 13 Jordan Kanygin and Mark Vallani, "Calgary councillor calls out justice minister over 'lack of judgement' in police funding criticism," *CTV News Calgary*, last modified 18 November 2020, <https://calgary.ctvnews.ca/calgary-councillor-calls-out-justice-minister-over-lack-of-judgement-in-police-funding-criticism-1.5193981> (accessed 11 May 2022).
- 14 Emily Mertz, "Alberta hires PwC to look at transition from RCMP to provincial police force," *Global News Calgary*, last modified 2 October 2020, <https://globalnews.ca/news/7384137/alberta-provincial-police-rcmp-pwc-canada-study/> (accessed 11 May 2022).
- 15 Madeline Smith, "Calgary police, city unveil details of \$16M to reform crisis response," *Calgary Herald*. 3 June 2021, <https://calgaryherald.com/news/local-news/calgary-police-city-unveil-details-of-16m-to-reform-crisis-response> (accessed 11 May 2022).
- 16 Rick Bell, "Bell: Madu blasts Trudeau over liberal no to pepper spray," *Calgary Sun*, 5 August 2021, <https://calgarysun.com/opinion/columnists/bell-madu-blasts-trudeau-over-liberal-no-to-pepper-spray> (accessed 11 May 2022).
- 17 Statistics Canada, *Police-Reported Crime Statistics in Canada, 2020* (Ottawa: Government of Canada, 27 July 2022), <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00013-eng.htm> (accessed 11 May 2022).
- 18 "Protecting Property Owners," Government of Alberta, 3 January 2022, <https://www.alberta.ca/protecting-property-owners.aspx> (accessed 11 May 2022).
- 19 "Alberta and Canada sign new 20-year contract for RCMP," Government of Alberta, 19 August 2011, <https://www.alberta.ca/release.cfm?xID=31119E29C72B8-94D2-0888-764FC9E45F4B9CA3> (accessed 11 May 2022).
- 20 Barb Glen, "Alberta introduces measures against rural crime," *Western Producer*, 14 November 2019. <https://www.producer.com/news/alberta-introduces-measures-against-rural-crime/> (accessed 11 May 2022).
- 21 Amy Tucker, "I stood up for . . . my rights against criminals on my property: Lawsuit dropped against landowner," *CBC News Calgary*, last modified 17 January 2020, <https://www.cbc.ca/news/canada/calgary/edouard-maurice-landowner-trespasser-lawsuit-ryan-watson-alberta-1.5429322> (accessed 11 May 2022).
- 22 Tucker, "I stood up."
- 23 Rick Bell, "Bell: Kenney called Eddie Maurice lawsuit harassment," *Calgary Sun*, 25 September 2019, <https://calgarysun.com/opinion/columnists/bell-kenney-calls-eddie-maurice-lawsuit-harassment> (accessed 11 May 2022).
- 24 Bell, "Bell: Kenny called Eddie Maurice."

- 25 Jeremy Wakefield, “Justice minister faces criticism for comments on active cases,” *Edmonton Journal*, 1 November 2019, <https://edmontonjournal.com/news/local-news/justice-minister-faces-criticism-for-comments-on-active-cases> (accessed 11 May 2022).
- 26 “Protecting Property Owners.”
- 27 Colin Campbell, John Cater, and Nahanni Pollard, *Canadian Policing (Second Edition)* (Toronto: Oxford University Press, 2021), 12.
- 28 “Alberta and Canada sign.”
- 29 “Original letter, an open letter to Ralph Klein,” AlbertaPolitics.ca, accessed 23 January 2022, <https://albertapolitics.ca/wp-content/uploads/firewall.pdf> (accessed 11 May 2022).
- 30 Fair Deal Panel, *Report to Government*, 31 May 2021, <https://open.alberta.ca/dataset/d8933f27-5f81-4cbb-97c1-f56b45b09a74/resource/d5836820-d81f-4042-b24e-b04e012f4cde/download/fair-deal-panel-report-to-government-may-2020.pdf> (accessed 11 May 2022).
- 31 Fair Deal Panel, *Report to Government*, 65.
- 32 “With a provincial police service, Albertans will pay more for less,” National Police Federation, 15 September 2021, <https://www.keepalbertarcmp.ca/> (accessed 11 May 2022).
- 33 “With a provincial police service,” 3.
- 34 “With a provincial police service,” 1.
- 35 Mertz, “Alberta hires PwC.”
- 36 Rick Bell, “Bell: Dump the RCMP. Is it Alberta’s one-finger salute to Trudeau?” *Calgary Sun*, 9 October 2020, <https://calgarysun.com/opinion/columnists/bell-dump-the-rcmp-is-it-albertas-one-finger-salute-to-trudeau> (accessed 11 May 2022).
- 37 Bell, “Bell: Dump the RCMP.”
- 38 PricewaterhouseCoopers, *APPS Transition Study: Final Report*, last modified 29 October 2021, <https://open.alberta.ca/publications/apps-transition-study-final-report> (accessed 11 May 2022).
- 39 PricewaterhouseCoopers, *APPS Transition Study*, 77.
- 40 PricewaterhouseCoopers, *APPS Transition Study*, 78.
- 41 PricewaterhouseCoopers, *APPS Transition Study*, 18.
- 42 Shari Narine, “Treaty 8 rejects provincial police service contemplated by Alberta,” *CTV News Edmonton*, last modified 20 October 2021, <https://edmonton.ctvnews.ca/treaty-8-rejects-provincial-police-service-contemplated-by-alberta-1.5644948> (accessed 11 May 2022); Kerry McAthey, “‘Very sporadic’: Treaty Six First Nations says consultation on provincial police force fell short,” *CTV News Edmonton*, last modified 2 November 2021, <https://edmonton.ctvnews.ca/very-sporadic-treaty-six-first-nations-says-consultations-on-provincial-police-force-fell-short-1.5649845> (accessed 11 May 2022).
- 43 Adam Lachacz, “They’re not listening: Alberta mayors and First Nations caution against provincial police force,” *CTV News Edmonton*, last modified 30 October 2021, <https://edmonton.ctvnews.ca/they-re-not-listening-alberta-mayors-and-first-nations-caution-against-provincial-police-force-1.5645648> (accessed 11 May 2022).

- 44 “Your police—your future: Listening to Albertans,” National Police Federation, 27 April 2022, <https://npf-fpn.com/news-item/keep-alberta-rcmp-engagement-tour-confirms-strong-support-for-rcmp-reveals-resistance-to-high-transition-cost-and-concern-over-justice-system/> (accessed 11 May 2022).
- 45 C. Adele Kent, “Report on the Investigation of a Phone Call, March 10, 2021 from the Honourable Kaycee Madu, Q.C. to Chief Dale McFee, Chief, Edmonton Police Service,” 15 February 2022, <https://www.alberta.ca/external/news/kent-report-final.pdf> (accessed 11 May 2022).
- 46 Kent, “Report of the Investigation of a Phone Call.”
- 47 Christina Max, “ABMunicipalities leaders reject provincial police force models,” *Wetaskiwin Times*, 16 March 2022, <https://www.wetaskiwintimes.com/news/abmunicipalities-leaders-reject-provincial-police-force-models> (accessed 11 May 2022).