

# FIRST PEOPLES JUSTICE CENTER OF MONTREAL

## FPJCM Statement on Policing and fundamental rights during the COVID19 pandemic



**April 30th 2020**

The First Peoples Justice Centre of Montreal (FPJCM) demands a moratorium on ticketing and criminalizing Indigenous people in situations of homelessness for occupying public space and for not being in a position that allows them to respect social distancing during the COVID-19 crisis. The FPJCM understands the severity of this public health crisis as it affects Indigenous community and consequently denounces the heightened police surveillance and ticketing of Indigenous community members, already in a state of vulnerability during the COVID-19 crisis.

Following Quebec's declaration of a state of health emergency on March 13 2020, the City of Montreal declared a local state of emergency under section 42 of the Civil Protection Act. The FPJCM, along with allied community organizations and members, have witnessed and received testimony regarding the arbitrary application of emergency measures. As new powers have been allocated to police for monitoring and enforcing public health legislation and social distancing measures, aggressive conduct has been utilized by police forces towards Indigenous community members occupying public spaces, which continue to target those in situations of homelessness.

While their efforts are implemented with the initial purpose of implementing public safety precautions, police actions result in violating basic charter rights to life, safety and security, and especially discriminate against Indigenous women and LGBTQ2S seeking safety, for example, by sleeping in groups on the streets. Due to a lack of permanent and affordable housing as well as other crucial supports, many individuals do not have a place to call home.

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Further marginalizing Indigenous community members through intensive and unjust criminalization during this pandemic is preventing them from seeking safety and perpetuating the systemic and discriminatory patterns of colonialism. Indigenous people are already over-represented in rates of racial profiling, police interventions and imprisonment. There is also a painful colonial history of contagious disease management in Canada, from the spreading of smallpox as a genocidal tool to tuberculosis treatments causing permanent separation of families.

Consequently, the context of the pandemic amplifies intergenerational traumas experienced by Indigenous people. As such, intensifying police interventions at this time is both ineffective and further exacerbates injustice. Consequently, the First Peoples Justice Centre of Montreal calls for police to respect the rights and cease the criminalization of the urban Indigenous community. Furthermore the FPJCM demands a moratorium on ticketing Indigenous people in homelessness during this crisis and a withdrawal of all charges and infractions related to COVID-19.