



WINNIPEG POLICE SERVICE

REPORT TO THE WINNIPEG POLICE BOARD

TO: Chair, Winnipeg Police Board

FROM: Chief Danny G. Smyth

SUBJECT: 2022 Bias Free Policing and Professional Standards Unit Report

DATE: May 19, 2023

RECOMMENDATION

That this report be received as information by the Winnipeg Police Board.

FINANCIAL IMPLICATIONS

There are no financial implications within this report.

BACKGROUND

The Commission on Accreditation for Law Enforcement Agencies (CALEA) requires that the Service establish and maintain written procedures governing bias-based policing. The CALEA standards require a prohibition against bias-based policing in traffic stops and field contacts. As well as training on the legal and ethical implications of bias policing, a procedure for corrective measures if bias policing occurs, and an annual review of agency practices and citizen concerns.

DISCUSSION

The Service is committed to ensuring that training and procedure are in place to maintain a high level of integrity for conducting police activities in ways that are fair, equitable and free of bias. The standards to which police members are held are required to be both clear and thorough to ensure police members maintain the continued trust of the citizens of Winnipeg.

The expectations for the behaviour of sworn members are outlined in the [Winnipeg Police Service Regulation By-law 7610/2000](#), the *Criminal Code of Canada*, *The Law Enforcement Review Act*, the Service's procedure manual, the Police Officer's Code of Ethics and the City of Winnipeg Code of Conduct. Topics covered in these documents forbid discrimination, harassment, conflicts of interest, corrupt practice, discreditable conduct, abuse of authority, improper use or mishandling of a firearm, neglect of duty, the unauthorized release of information and unlawful conduct. In addition, the Regulation By-law details how investigations into service defaults will proceed as well as the potential penalties for breaching conduct regulations.

To ensure the conduct of all members is representative of the standards set by the Service, a thorough system is in place to investigate and address all complaints that come from the public and from within the organization. The Public's confidence in the integrity of the Service is vital and is strengthened by

the knowledge that a full and unprejudiced investigation will be conducted with appropriate action taken should the complaint be substantiated.

Complaints filed with the Service, whether by internal or external sources, are received and acknowledged by the Professional Standards Unit (PSU). The mandate of the PSU is to maintain the integrity of the Winnipeg Police Service. Therefore, the primary function of the PSU is to conduct investigations into public complaints and allegations initiated by internal sources.

Every complaint is examined to determine whether a formal investigation is warranted. Formal investigations stemming from complaints and allegations take an average of four to six months to conclude. The PSU members are committed to ensuring an exhaustive investigation of allegations occurs fairly and impartially.

While citizens have the option to report complaints regarding biased-based policing directly to the PSU, a written complaint can be submitted to the Law Enforcement Review Agency. As the agency investigates independently of the Service, the LERA investigation results are also released independently. The PSU also facilitates investigations by external agencies regarding the Winnipeg Police Service, including complaints made to the LERA and investigations assumed by the Independent Investigation Unit of Manitoba (IIU).

RESULTS

In 2022, members of the Service conducted 27,406 Traffic Stops, 364 Subject Stops, and 1,504 Smart Policing Initiative Subject Stops. The dispatched calls for service totaled 234,212, with an additional 30,428 calls not dispatched.

The PSU received 43 complaints of criminal or regulatory concerns in 2022, with 56% from external sources and 44% from internal sources. The 43 complaints led to 46 allegations, as some complaints involve multiple allegations. Three complaints were related to bias-based policing and investigated by PSU. One investigation was closed due to insufficient evidence, while the other two investigations found the members acted appropriately.

2017 – 2022 Comparison of Biased-Based Policing Complaints

Year	Complaints Received by PSU	Biased Based Policing Complaints
2017	34	2
2018	35	3
2019	29	0
2020	51	0
2021	33	2
5-year average	36.4	1.4
2022	43	3

The 2022 number of biased-based policing complaints (3) is higher than both the prior year (2) and the five-year average (1.4).

As detailed in the table below, all investigations for the current year and the previous five years are categorized by type. Allegations may include more than one element from the list below. Please note

there were a number of circumstances where formal investigations were not required. These complaints fall under three primary categories:

1. Clarification of policy and procedure;
2. Explanation of laws and exemptions; and
3. Complaints or incidents that may appear to involve officers but, when investigated, do not actually involve officers.

The process of engaging in dialogue with citizens with these types of valid concerns is an important engagement tool provided by the PSU. It can help bring some much-needed context to legal interactions. After these interactions, citizens are still able to file an official complaint if they are unsatisfied.

2017 – 2022 Complaints by Source and Allegation Type as Received by PSU

Allegations	2017	2018	2019	2020	2021	2022
Abuse of Authority	1	0	0	1	0	7
Abuse of Conduct	0	0	1	1	2	2
Assault	3	4	2	3	1	1
Breach of any Other Order	4	4	2	3	3	0
Corrupt Practice	1	0	0	0	2	1
Criminal Association/Activity	3	1	0	0	0	0
Discreditable Conduct	12	10	8	16	14	11
Harassment	0	1	0	2	0	0
Impaired	1	3	1	0	2	0
Miscellaneous *	5	8	11	10	10	3
Neglect of Duty	0	4	2	8	2	7
Sexual Assault	0	2	1	3	1	2
Theft	0	0	1	2	0	4
Threats	1	0	0	0	0	3
Unauthorized Release of Info	3	0	0	9	4	5
Total Allegations (note a)	34	37	29	58	41	46
Total Complaints	34	35	29	51	33	43
(External Source)	15	19	11	23	14	24
(Internal Source)	19	16	18	28	19	19

Review of reports and classifications is an on-going process which may result in minor variations over time

Note a: The allegations total may not add up to the 'Total Complaints' because there can be multiple allegations associated with a single complaint.

*Miscellaneous includes:

Breach of Trust	Fabricating Evidence	Excessive Use of Force	Misuse of Computer Access
Criminal Negligence	Fraud	Insubordination	Obstruction
Conflict of interest	Improper Use of Firearm	Sexual Assault	Rude & Condescending Behaviour

Bias-Free Policing Procedure and Initiatives

Annually, the Service reaffirms its commitment to bias-free policing; all members, both sworn and civilian, are provided with several organizational communications detailing the Service's expectations and the responsibilities of the membership. All members are required to conform to the standards articulated in the City of Winnipeg Code of Conduct, the Police Officer's Code of Ethics, and the Service's procedure manual.

The Service continued to promote bias-free policing through training and communications. Through a variety of training platforms, members have access to multiple training opportunities.

Beginning in 2016, the Service required that all members complete an online training module on Ethics through the Canadian Police Knowledge Network (CPKN) and attend a half-day training course through the City of Winnipeg. The Service continues its commitment to align with the recommendations of the Truth and Reconciliation Commission Call to Action by offering additional sessions of W'daeb Awaewe (The Truth as We Know It) to all new hires as well as Chi Ki Ken Da Mun (Ojibway for "So You Should Know") to all members holding the rank of Inspector or Director and higher.

Ongoing and new training has been developed for the membership regarding diversity and bias awareness. Police Recruits receive training specific to Bias and Cultural Awareness. The recruit training contains information on ethical decision-making, adherence to the law and policy and procedure, Indigenous culture and awareness, diversity in community policing, respectful workplace and hate crimes.

In 2022 elective training for diversity, Indigenous and bias topics were made available to all members through the CPKN. These elective training subjects included: Anti-Racism for Workplaces, Hate and Bias Crime Investigation, Honour Based Violence & Forced Marriage, Indigenous Awareness, and Items of Religious Significance – Hindu Religion, Islamic Religion, and Sikh Religion. The Community Support Division developed and facilitated an elective course on Trends in Diversity for sworn members to address timely trends in diversity that impact policing. Elective courses are also offered through the City of Winnipeg Corporate Training regarding Bias Free, Respectful Workplace and Diversity. WPS Human Resources continues to provide Respectful and Healthy Workplace for Supervisors training.

Danny G. Smyth
Chief of Police