

To file
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Winnipeg Police Service • Service de Police de Winnipeg

"A safer community built on strong, trusting relationships" « Collectivité sécuritaire, fondée sur des rapports solides et de confiance »

February 23, 2017

Independent Investigation Unit of Manitoba
700 – 155 Carlton Street
Winnipeg, Manitoba
R3C 3H8

Attention: Mr. Zane Tessler, Civilian Director

Dear Mr. Tessler:

Re: IIU File #2017-011

Thank you for your letter of February 23, 2017 with attached officer status notifications.

The Winnipeg Police Service (the "WPS") will not be serving the notifications nor providing a Form 7 on this incident as we do not believe that the IIU has jurisdiction under the *Police Services Act* (the "Act").

17(1) 17(2)(b)

Regulation 99/2015 defines both subject and witness officers as "police officers". Section 1 of the *Act* defines police officer as "a person appointed to serve as a police officer in a police service, and includes a police chief". Cadets are not police officers but have peace officer appointments. Those appointments are made pursuant to the *City of Winnipeg Charter Act* and not the *Act*. Cadets are civilian staff within the WPS complement.

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Mr. Zane Tessler, Civilian Director

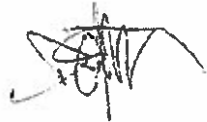
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February 23, 2017

The WPS has previously communicated its position to you on the issue of Cadet status November 16, 2016 in relation to your file 2016-030. The WPS received no response from you in relation to that position.

While WPS members allowed IIU staff to meet with the Cadets in the early morning hours of February 23rd, this was done to avoid a dispute with IIU staff who we understand were acting under your direction.

Yours truly,

A handwritten signature in black ink, appearing to read 'D. G. Smyth', with a stylized flourish at the end.

D. G. Smyth
Chief of Police

Cc The Honourable Minister of Justice and Attorney General
Heather Stefanson