



# WINNIPEG POLICE SERVICE

## REPORT TO THE WINNIPEG POLICE BOARD

TO: Chair, Winnipeg Police Board

FROM: Chief Danny G. Smyth

SUBJECT: 2023 Bias Free Policing and Professional Standards Unit Report

DATE: May 24, 2024

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### RECOMMENDATION

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

### FINANCIAL IMPLICATIONS

There are no financial implications within this report.

### BACKGROUND

The WPB's Bias-Free Policing policy outlines a commitment to ensuring bias-free police services are being delivered to all citizens of Winnipeg.

Both the WPB policy and the Commission on Accreditation for Law Enforcement Agencies standards require that the Winnipeg Police Service establish and maintain written directives that promote and protect human rights and equitable treatment, to build trust with the community, and to reinforce positive and professional practices in law enforcement. The policy and standards also require training on the legal and ethical implications of bias policing, a process to thoroughly investigate and deal with complaints received by the Service, and an administrative review of activities to manage the Service in accordance with the policy and standards.

The WPB's Bias-Free Policing policy also requires that the Chief submit an annual report to the WPB that highlights measures and results of the administrative review.

### DISCUSSION

The Service is committed to ensuring that training and procedures are in place to maintain integrity in 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 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, a thorough system is in place to address all complaints that come from the public and from within the organization.

All complaints (internal/external) are received and acknowledged by the Professional Standards Unit (PSU). 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 all investigations occur fairly and impartially.

While citizens have the option to report complaints directly to the PSU, a written complaint can be submitted to the Law Enforcement Review Agency (LERA). LERA investigates independently of the Service, and therefore their results are released independently.

**RESULTS**

In 2023, there were 783,248 total calls to the Communications Centre, leading to 247,373 dispatched events, of which 161,048 were citizen generated and 86,325 were proactive policing events.

The PSU received a total of 68 complaints which is slightly lower than the five-year average. Complaints from external sources accounted for 59%, while the remaining 41% were from internal sources. Four complaints, which is higher than the five-year average, related to improper bias. Two investigations concluded the members acted appropriately, one was unfounded, while the other investigation was closed due to insufficient information as the citizen decided to formally file the complaint with LERA.

**2018 – 2023 Number of Complaints and Biased Based Complaints**

Year	Complaints Received by PSU	Biased Based Policing Complaints
2018	60	3
2019	49	0
2020	92	0
2021	78	2
2022	99	3
5-year average	75.6	1.6
<b>2023</b>	<b>68</b>	<b>4</b>

The process of engaging in confidential and private dialogue with citizens is an important service provided by the PSU. Early assessment of complaints is essential in determining how the complaint should be addressed and what the next steps are. In 2023, there were 30 complaints received where a formal investigation was not required. These complaints were resolved 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 reviewed, do not actually involve officers.

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

In 2023, there were 40 allegations resulting in 38 investigations performed by the PSU. Comparing 2023 to the five years averages, the number of allegations is slightly lower, while the number of investigations is equal.

### 2018 – 2023 Number of Investigations and Allegation Type as Received by PSU

	2018	2019	2020	2021	2022	5-year average	2023
<b>Total Investigations</b>	<b>35</b>	<b>29</b>	<b>51</b>	<b>33</b>	<b>43</b>	<b>38.2</b>	<b>38</b>
<b>Allegation Type</b>							
Abuse of Authority	0	0	1	0	7		3
Abuse of Conduct	0	1	1	2	2		3
Assault	4	2	3	1	1		0
Breach of any Other Order	4	2	3	3	0		3
Corrupt Practice	0	0	0	2	1		1
Criminal Association/Activity	1	0	0	0	0		0
Discreditable Conduct	10	8	16	14	11		8
Harassment	1	0	2	0	0		0
Impaired	3	1	0	2	0		1
Miscellaneous *	8	11	10	10	3		2
Neglect of Duty	4	2	8	2	7		8
Sexual Assault	2	1	3	1	2		0
Theft	0	1	2	0	4		2
Threats	0	0	0	0	3		1
Unauthorized Release of Info	0	0	9	4	5		8
<b>Total Allegations (note a)</b>	<b>37</b>	<b>29</b>	<b>58</b>	<b>41</b>	<b>46</b>	<b>42.2</b>	<b>40</b>

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 Investigations' because there can be multiple allegations associated with a single investigation.

\*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 Directives and Training**

The Service is committed to bias-free policing and aligning with the recommendations of the Truth and Reconciliation Commission's Calls to Action. The Service has several directives that address the various standards, laws, code of conducts and regulations relating to bias, ethics, and cultural awareness. Every year, all members, both sworn and civilian, receive organizational communications detailing expectations and responsibilities of the membership.

The Service also demonstrates commitment by providing extensive training to Recruits, Central Processing Officers (CPO) and Cadets. Officers receive over one week of training, while CPOs and Cadets receive less, the time allocated is proportionate to the entire syllabus training program. Core to the training are bias-free approaches and human rights issues, including science-based methods to prevent implicit or unconscious bias. The training is designed to help members understand the legal and ethical implications of bias in policing, to promote an openness and an appreciation for all cultures and communities, and to reinforce the importance of fair and equitable service delivery. A portion of the training is facilitated by external experts, community members or agencies to ensure the lived experiences and history are shared from their perspective.

Additional training is also made available to all sworn and civilian members through the Training Division Course Calendar and the partnerships with the Canadian Police Knowledge Network, the City of Winnipeg's Corporate Training Division and various community members and external agencies. For example, *Anti-Racism, Anti-Oppression & Cultural Competency, Trends in Diversity, Trauma Informed Leadership, Land-Based Indigenous Cultural Workshop* and the *Truth and Reconciliation Training Day*.

The 2023 administrative review resulted in no recommendations for changes to the Service's directives or training as it relates to bias-free policing.

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Danny G. Smyth  
Chief of Police