

Manitoba



Policing in Manitoba

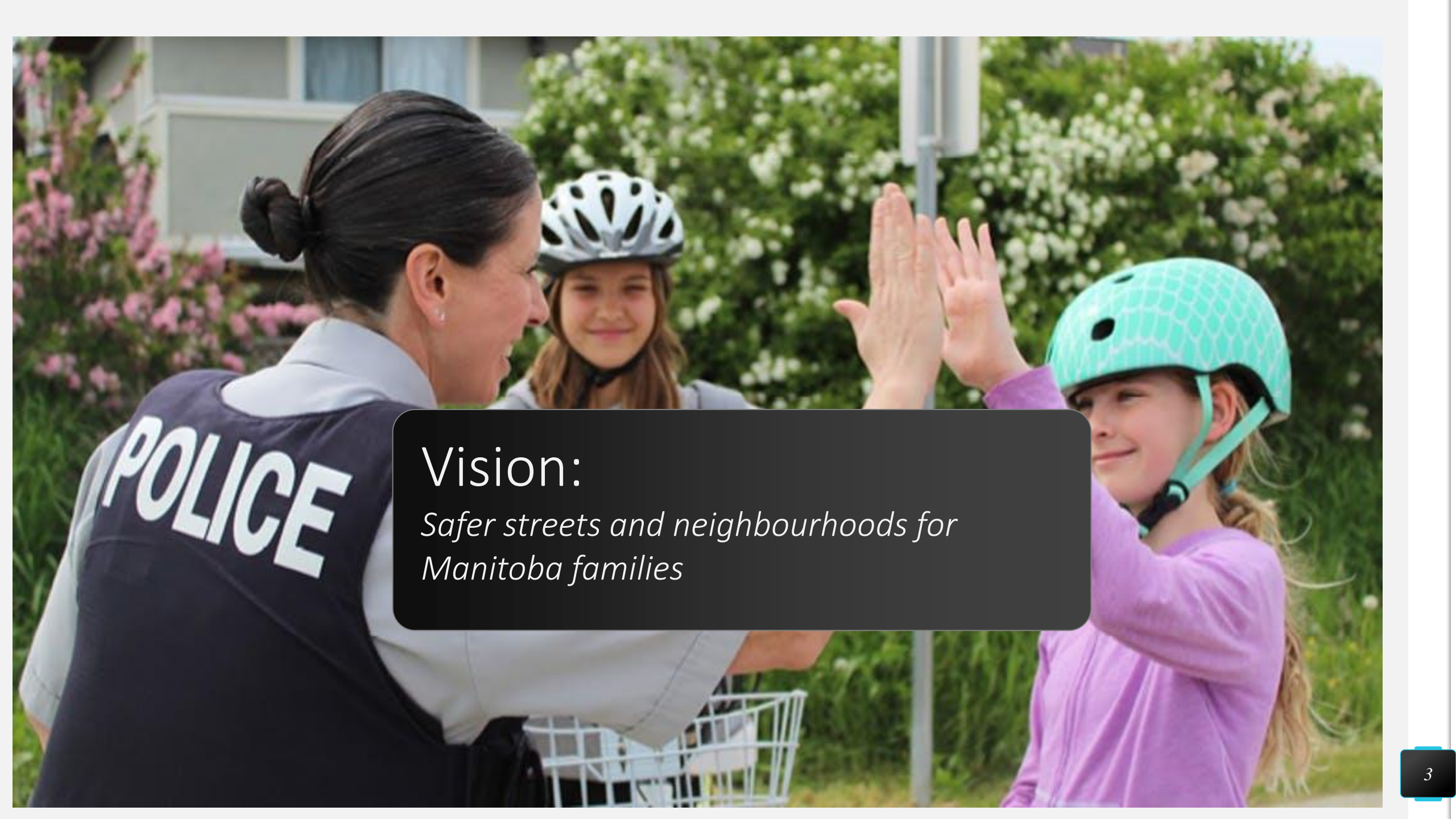
*Update on the Reviews of the Police
Services Act and Municipal Police
Funding*

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Justice

The Roadmap

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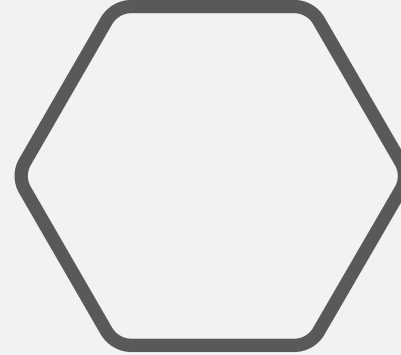
Vision:

*Safer streets and neighbourhoods for
Manitoba families*

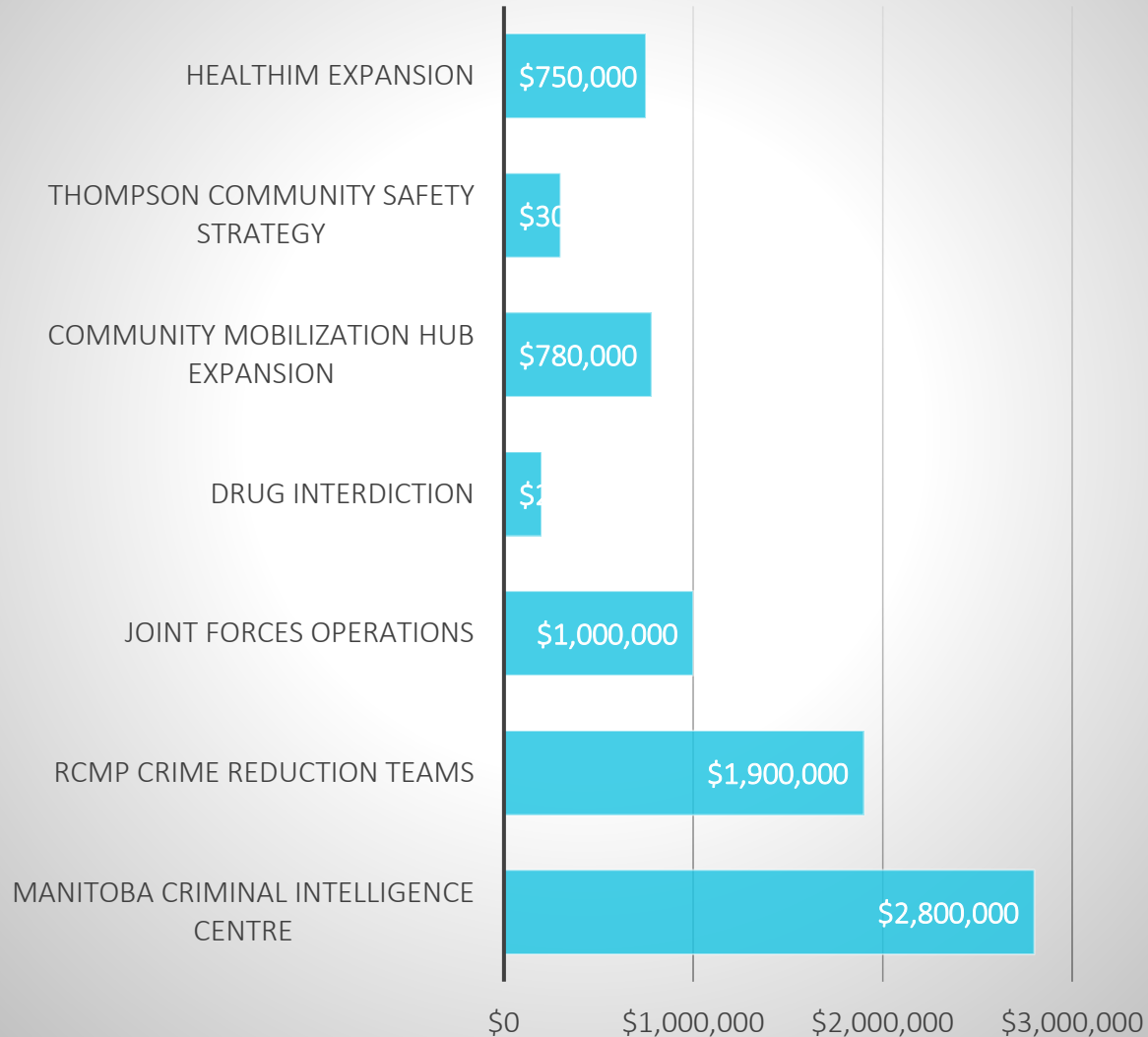
Manitoba's Policing and Public Safety Strategy

Keeping Manitobans safe through collaboration, criminal intelligence and provincial leadership

- Manitoba has one of the highest violent crime rates in Canada, including high rates of robbery, homicide, sexual assaults. Further, according to the latest statistics available, Manitoba's overall rural crime rate is 42% higher than its overall urban crime rate.
- On May 23, 2019, the Manitoba government announced Manitoba's Policing and Public Safety Strategy, which commits the province to take a greater leadership role in policing based on criminal intelligence and operational collaboration between police agencies.
- The strategy includes eight key pillars:
 1. Improving policing effectiveness through better intelligence and collaboration
 2. Targeting communities with high rates of violence
 3. Improving traffic safety
 4. Alleviating extraneous demands on police
 5. Enhancing Community Mobilization and Hub Tables
 6. Improving support to vulnerable people and victims of crime
 7. Expanding police participation in early case diversions
 8. Collaborative policing initiatives involving Indigenous communities



Policing and Public Safety Strategy Investments



- Manitoba continues to make significant investments in its Policing and Public Safety Strategy, with the majority of funding dedicated to improving provincial criminal intelligence gathering.
- Better intelligence and collaborative policing is further bolstered by community-based crime prevention programming.
- Manitoba's Policing and Public Safety Strategy complements previous Manitoba Justice reports, providing the enforcement component to the Criminal Justice System Modernization Strategy and the tripartite Illicit Drug Task Force.
- Two reviews will help take this progress to the next level:
 1. **The Police Services Act Review**
 2. **Municipal Police Funding Review**

Police Services Act Review - Overview



- Section 90 of *The Police Services Act* requires that a review be conducted within 5 years of the Act coming into force, with the review results reported to the Manitoba Legislative Assembly.
- *The Police Services Act* review was conducted by the Saskatchewan-based Community Safety and Knowledge Alliance. It was released by the province in November, 2020.
- The province has established an implementation team made up of several analysts and law enforcement experts.
- The review includes 70 recommendations for fundamental change in policing, based on the following key areas of focus:
 - Oversight and Accountability Reforms
 - Creation of Policing Standards
 - Enhanced Police Boards
 - Enhanced alternative Service Delivery Models
 - Development of Community Safety and Well-being Plans

Police Services Act Review – Summary of Findings & Recommendations

Findings

- The governance and oversight structures set forth in the current PSA represent marked improvements in the way Manitoba oversees and governs municipal police services and community safety.
- The fundamental purpose of the Police Services Act (PSA) is to ensure adequate and effective policing throughout Manitoba - however, this is not currently defined in the act.
- Over time, the trend is towards greater consistency in provincial policing legislation among Canadian jurisdictions.
- This includes the creation of independent oversight agencies to investigate incidents involving police officers in the serious injury or death of a member of the public.
- The development of comprehensive policing standards and policies to guide the delivery of police services is also widely viewed as a catalyst for achieving adequate and effective policing.

General Recommendations

1. Define “adequate and effective policing.”
2. Develop a new and strengthened oversight framework through reforms to the Law Enforcement Review Agency, Manitoba Police Commission, and the Independent Investigations Unit.
3. Develop policing standards in areas including use of force/arrest; investigations; disclosure of evidence; critical incident response; motor vehicle pursuits; intimate partner violence investigations; and missing persons.
4. Reform and improve police board governance by clarifying police board independence; creating police board governance performance standards; enhancing training requirements; changing board composition; and establishing core competencies.
5. Implement a layered model for policing in Manitoba.
6. Enhance the Community and First Nations Safety Officer Programs (Alberta Peace Officer Model)

Police Services Act Review Implementation

Phase 1: Improved Police Oversight and Accountability (Spring 2021)

- Amendments to strengthen the Independent Investigations Unit and Civilian Monitor Program and address gaps in current legislation

Phase 2: Police Governance, Standards and Oversight

- Establish improvements to police board governance, develop a police standards framework, and implement changes to provincial police funding support to municipalities.

Phase 3: Layered Policing Model and Community Planning

- Establish a tiered policing model and the creation of community safety and wellbeing plans.

Municipal Police Funding Review – Overview



- The Association of Manitoba Municipalities has long expressed concerns about the “antiquated and unsustainable” structure of funding for municipal policing in Manitoba.
- Changing the structure of municipal policing funding is critical to Manitoba’s broader Policing and Public Safety Strategy.
- In November, 2020, Manitoba Justice entered into a contract with MNP to conduct a review of the current structure of municipal police funding in the province.
- Manitoba is targeting Spring 2021 for further consultations with AMM and municipalities.



Municipal Police Funding Review – AMM's Position

- **AMM Resolution #26-2020:** “THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to modernize the Police Service Agreement with the municipalities in Manitoba and share the cost with all municipalities in the province.
- **AMM Resolution #39-2019:** “THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to address the inequity created by amalgamation by reconfiguring the RCMP funding formula to reflect the current municipal register.”
- **AMM Resolution #03-2018:** “THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba, in consultation with the AMM and Manitoba municipalities, to undertake a comprehensive review of the system for the distribution of municipal policing costs and grants with the intention of identifying and implementing amendments to this system such that the costs and grants are allocated more transparently, fairly and promote a more sustainable municipal policing model in Manitoba.”
- **AMM Resolution #37-2017:** “THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to remove the requirement from the *Police Services Act* for an area with a population between 750 and 1,000 formerly designated as an urban municipality to provide policing services.”
- **AMM Resolution #44-2012:** “THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to amend the population base to 5,000 or greater.”
- **AMM Resolution #45-2012:** “THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to revise the provincial funding formula for policing costs so that provincial funding reflects a system whereby all municipalities receiving policing services from the RCMP participate in funding RCMP service based on their population, on a per capita basis, with the Province making up the difference.”



Municipal Policing Review – Current Policing Responsibility Under the PSA

- All areas of the province not considered a **municipality** – the province is responsible for providing policing by the RCMP under the Provincial Police Services Agreement (PPSA)
- **Urban municipalities with a population under 750 and all rural municipalities** – The province is responsible for ensuring policing is provided. In the absence of an independent police service or agreement with another municipality, policing is provided by the RCMP under the PPSA
- **Urban municipalities with a population of 750-4,999** – The municipality is responsible for ensuring policing is provided. The municipality may enter into an agreement with the province to provide RCMP policing.
- **Urban municipalities with a population over 5,000** – The municipality is responsible for ensuring that policing is provided. The municipality may enter into an agreement with the federal government to provide RCMP policing.

More Urban Population = More Policing Responsibility



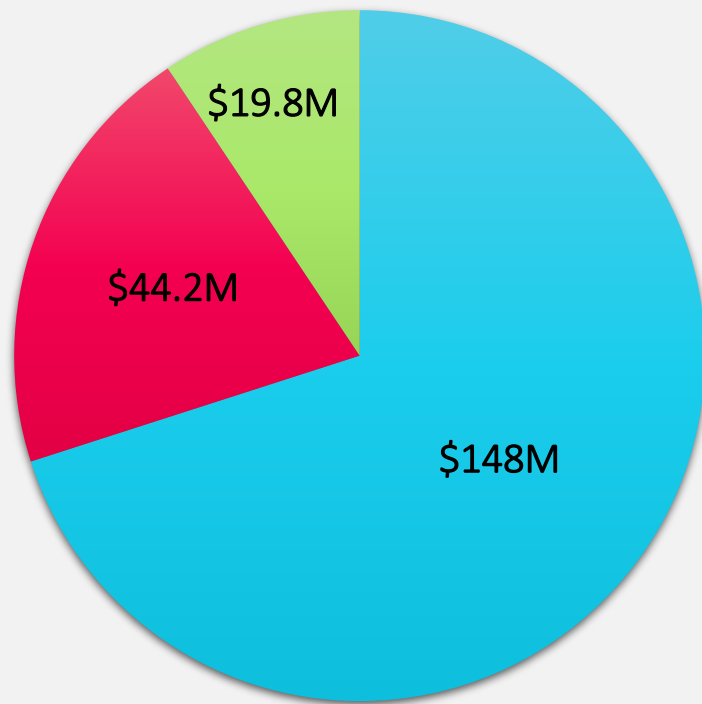
Municipal Police Funding Review – Overview

Types of Municipal Policing Agreements

Type of Agreement	Description
Provincial Police Services Agreement	For all urban municipalities under 750 population, all rural municipalities, and all areas of the province not an urban/rural municipality. The PPSA is a 20-year agreement between Canada and Manitoba for the services of the RCMP as the provincial police service. It is cost shared 70% provincial, 30% federal.
Independent Police Service/Agreement with Another Municipality to Provide Policing	All urban and rural municipalities have the ability to establish their own municipal police service or enter into an agreement with another municipality to provide policing. Cost is 100% borne by the municipality.
Extension Police Service Agreements	For urban municipalities between 750-1,499 population. These municipalities enter into an agreement with the province to provide RCMP policing under the PPSA. Municipalities are billed the average cost of 1 RCMP member.
Municipal Sub-Contracts	For urban municipalities between 1,500-4,999 population. These municipalities enter into an agreement with the province to provide RCMP policing under the PPSA. Municipalities are billed the average cost of 2 RCMP members.
Municipal Police Service Agreements	For urban municipalities with a population over 5,000. These municipalities enter into an agreement with the federal government to provide RCMP policing with a cost share ratio of 70% municipal, 30% federal. For municipalities with a population over 15,000, the ratio changes to 90% municipal, 10% federal.

Municipal Police Funding – Overview

Provincial Policing \$212M



■ PPSA ■ Public Safety Basket/UPG ■ Other

- **Provincial Police Services Agreement (PPSA)** – The province entered into a 20-year agreement with the RCMP to act as the provincial police service in 2012. Manitoba Justice provided \$148 million in funding in 2020/21 to support RCMP Provincial policing.
- **Public Safety Basket/Urban Policing Grant (UPG)** – All urban municipalities with a population over 750 receive grant funding from Manitoba Justice to support policing costs. Total funding provided to municipalities in 2020/21 was \$44.2 million.
- **Other** – Manitoba provides \$19.8 million in funding to support the First Nations Policing Program, Policing and Public Safety Strategy and a number of other initiatives.

Municipal Police Funding Review – Preliminary Findings

- **Definition of Urban/Rural Municipalities** – The PSA includes outdated definitions of urban and rural municipalities that do not correspond with Manitoba’s *Municipal Act*. Municipalities have changed significantly since the definitions of “rural” and “urban” were used to determine responsibility for policing. Urban settlements, particularly within municipalities in the capital region, have experienced significant population growth in recent years. In many cases, these settlement populations are significantly greater than 750; however, the municipality may not meet the population density of an urban municipality as defined in The Municipal Act. These settlement classifications create significant disparity between municipalities and their policing costs.
- **Impact of Amalgamation** – The 2013 *Manitoba Municipal Amalgamations Act* required that all municipalities with fewer than 1,000 residents develop amalgamation plans with proximal municipal partners. Policing responsibilities did not change as a result of amalgamation and amalgamation partners that were previously responsible for policing continue to provide and pay for their policing. Further, amalgamated municipalities do not fit within the current classification system under the PSA.
- **Funding Disparity** – The per capita Urban Policing Grant (UPG) is currently provided to urban municipalities regardless of their actual policing costs, with some municipalities receiving more than 100% of their policing costs through the UPG while other municipalities receive less than 30% of their policing costs through the UPG.
- **Administrative Inefficiency** – Manitoba enters into agreements with municipalities for the services of the RCMP under the PPSA and simultaneously provides grant funding to support policing costs.

Municipal Police Funding Review – What Other Provinces Do

- The responsibility to provide policing, provincial funding provided to municipalities, and revenue recovery from municipalities, varies widely across the country.
- Provinces with RCMP provincial policing consistently use the 5,000 population threshold as the requirement to provide for their own municipal police service through direct contracts with the federal government for the services of RCMP or through an independent service.



Municipal Police Funding Review – A New Policing Structure



- **Guiding Principles:**

- Simplicity
- Transparency
- Sustainability
- Flexibility
- Equitability/Fairness
- Ability to Pay
- Alignment to Government Strategies
- Administrative Efficiencies

- **Potential Reforms:**

- **Definitions/Classifications**
 - Urban
 - Rural
 - Amalgamated
- **Municipal Policing Responsibility**
 - Population/Classification Thresholds
 - Municipal Policing Options
 - Flexibility
 - Layered Policing Model
 - Variety of Policing Contracts
- **Provincial Grant Funding**
 - Allocation of Municipal Grants
 - Equitability/Fairness/Sustainability
 - Incentivize Municipal Public Safety Investments



Municipal Police Funding Review Next Steps


- Review of Final Report – Spring 2021
- Consultations
 - AMM
 - Municipalities
- Legislative Amendments
- Implementation




Manitoba



Questions?

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