



ASSOCIATION OF
MANITOBA
MUNICIPALITIES

Meeting with the Honourable Heather Stefanson
Minister of Justice and Attorney General

2017

Introduction 1

Priority Issues 2

 1) Municipal By-law Enforcement 2

 2) The Mental Health Amendment Act 3

 3) Police Staffing and Funding 4

 4) Amalgamation 6

 5) Mandatory Municipal Police Boards 7

Appendix A – Active Resolutions 8

Introduction

- The Association of Manitoba Municipalities (AMM) appreciates the opportunity to meet with Minister Heather Stefanson and representatives of the Department of Justice.
- The AMM encourages the Province of Manitoba to consider municipal concerns as well as the effects of funding decisions on local communities throughout the budget process.
- This document outlines the AMM's position and recommendations on a number of important municipal issues relevant to the Justice portfolio.

Priority Issues

1) Municipal By-law Enforcement

The AMM recommends the government:

- ❖ *Continue to implement The Municipal By-law Enforcement Act in consultation with the AMM and other stakeholders; and*
 - ❖ *Cover training costs for municipal staff and assist municipalities with adjudication costs.*
- The AMM wishes to thank the Province of Manitoba for continuing to provide materials and guiding documents regarding the implementation of *The Municipal By-law Enforcement Act*.
 - As the *Act* aims to simplify the process for issuing penalty notices and allows for local screening officers to hear by-law disputes, the AMM believes the *Act* will help municipalities enforce their by-laws more effectively.
 - However, training costs for municipal staff should be covered by the Province of Manitoba, while the impact of adjudication costs on municipal budgets should be assessed.
 - It is imperative the new administrative scheme is communicated in a clear, accurate and consistent manner across the province.
 - The AMM hopes to continue working collaboratively with the Province of Manitoba to improve by-law enforcement for municipalities and their residents.

2) The Mental Health Amendment Act

The AMM recommends the government:

- ❖ ***Consult with the AMM and municipalities when establishing the training program for 'qualified persons' to ensure effective implementation in local communities.***
- According to the Canadian Mental Health Association, 20 per cent of Canadians will personally experience a mental illness in their lifetime.
- Given the complex links between mental health and the criminal justice system, police responses to mental health issues continue to be a topic of significant discussion both within Manitoba and across Canada.
- The AMM wishes to reiterate its thanks to Minister Stefanson and Minister Goertzen for re-introducing *The Mental Health Amendment Act* and ensuring its passage in the Legislative Assembly.
- *As The Mental Health Amendment Act* will enable a 'qualified person' other than a police officer to assume custody of and supervise an individual who's awaiting a mental health assessment, these changes should significantly reduce policing costs and help ensure police service coverage in local communities.
- Consultation with the AMM and municipalities when establishing the corresponding training program and guidelines for 'qualified persons' is essential for ensuring the effective implementation of these changes in local communities.

3) Police Staffing and Funding

The AMM recommends the government:

- ❖ *Effectively address rapidly increasing, unsustainable policing costs;*
 - ❖ *Help ensure Manitoba communities are not negatively impacted by the right of RCMP officers to collective bargaining;*
 - ❖ *Consult with the AMM in regard to the Strategic Operational Review of the RCMP; and*
 - ❖ *Continue working with municipalities wishing to establish Community Safety Officer (CSO) Programs.*
- According to the Federation of Canadian Municipalities (FCM), local Councils continue to pay roughly 60 per cent of all policing costs in Canada, including costs for federally mandated responsibilities.
 - As a result, policing and public safety is the fastest-growing cost for municipalities and now exceeds 20 per cent of spending. Without a new approach, these costs will push property ratepayers to the breaking point and restrict the delivery of other essential services in local communities.
 - Given these problematic trends, community safety and crime prevention are among the top priorities of Manitoban communities, while the costs of fighting crime are rising and increasingly becoming unsustainable.
 - Without predictable long-term funding and a re-distribution of roles and responsibilities, municipal budgets will continue to be severely strained while depriving other essential services and programs.
 - Cooperation among all orders of government cooperation is essential, and the AMM urges the provincial and federal governments to increase its support for community policing services in order to effectively address the current unsustainable path and burdens facing local communities.
 - In regard to RCMP labour relations, the Supreme Court of Canada has affirmed the right of RCMP officers to collective bargaining.

- Presumably, the right to unionize may lead to changes and potential financial pressures for many municipalities with RCMP contracts, including the possibility of considerable increases to wages and benefits for RCMP officers.
- The AMM would greatly appreciate the support of the Province of Manitoba to ensure local communities are not negatively affected by these changes.
- In addition, as there are several communities with Municipal Police Service Agreements with the RCMP, the AMM would also appreciate being involved in consultations regarding the ongoing Strategic Operational Review of the RCMP within the province.
- Lastly, we encourage the Province of Manitoban to continue working with the City of Thompson in implementing its Community Safety Officer (CSO) program and to build on its achievements with other local Councils interested in pursuing this type of service.

4) Amalgamation

The AMM recommends the government:

❖ ***Mitigate the financial and administrative burdens in relation to police services due to amalgamation.***

- As of January 1, 2015, newly-amalgamated municipalities became official legal entities, yet the Province of Manitoba needs to provide additional support and resources to affected municipalities to ensure they can move forward and build strong communities.
- Many of the affected municipalities continue to face significant challenges and unresolved issues as these communities have incurred costs of more than \$2 million thus far due to forced amalgamation.
- *The Police Service Act* stipulates that if an amalgamated municipality is classified as an “urban” municipality, the municipality is responsible for all costs associated with the provision of policing services within five years after amalgamation.
- In some cases, “urban” and “rural” municipalities were amalgamated, which may result in significant financial and administrative burdens in relation to police services in the lead up to and after the five-year grace period.
- Moreover, communities with direct RCMP contracts or those that are serviced by regional police forces may also be similarly affected.
- Funding arrangements among many amalgamated communities should be reviewed to address and resolve outstanding inequities.
- The AMM strongly urges the Province of Manitoba to proactively consult with and support municipalities to mitigate these foreseeable challenges before they cause unnecessary burdens and chronic problems in local communities.

5) Mandatory Municipal Police Boards

The AMM recommends the government:

❖ ***Review the mandate of police boards to allow local Councils more oversight over municipal police forces, including the establishment of police boards on a voluntary basis.***

- Municipalities with their own police force continue to express concern with the mandatory police board requirement in *The Police Services Act*.
- Mandatory municipal police boards not only take direct responsibility for policing out of the hands of those elected to run the police force but also prevent greater transparency and accountability in local communities.
- As local Councils are expected to balance their budgets while considering limited revenues, ever-increasing responsibilities and escalating infrastructure needs, budgetary decisions regarding local police forces should be made by elected officials rather than appointed individuals.
- Local Councils must be able to formulate budgets through a careful and comprehensive examination of the total needs of communities.
- In contrast, police boards are unlikely to provide a balanced review of community needs prior to submitting their financial request to Council, forcing Council members to either refuse or grant the request of the police board at the expense of other community priorities.
- The AMM fully supports safer communities and the need for greater transparency and accountability.
- Therefore, the AMM believes municipalities with their own police force should be allowed to establish police boards on a voluntary basis while local Councils should have direct budgetary oversight over community police forces.

Appendix A – Active Resolutions

AMM Resolution #20-2014

Topic: RCMP Detachment Staffing

Sponsor(s): Village of St-Pierre-Jolys (Eastern District), Town of Powerview-Pine Falls (Eastern District)

Department(s): Manitoba Justice, Public Safety Canada

WHEREAS the RCMP determines the number of officers required for communities and rural areas based on criteria including crime levels;

AND WHEREAS detachments are sometimes below the suggested number of officers due to vacancies of positions caused for a number of reasons, including parental leaves;

THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba and the Government of Canada for a full complement of RCMP detachments, or to adjust the provincial funding formula to reflect the staff shortage.

AMM Resolution #33-2013

Topic: Rural and Northern Manitoba Cadet Program

Sponsor(s): City of Thompson (Northern District))

Department(s): Manitoba Justice

WHEREAS the Province of Manitoba has made a commitment to introduce a police cadet program to rural and northern Manitoba;

AND WHEREAS municipal governments, by default, are forced to deal with issues beyond their jurisdiction and control;

THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to expedite the establishment of a police cadet program for rural and northern Manitoba.

AMM Resolution #44-2012

Topic: Amend Population Base for Policing

Sponsor(s): Town of Gilbert Plains (Parkland District)

Department(s): Manitoba Indigenous and Municipal Relations, Manitoba Justice

WHEREAS the Province of Manitoba has the constitutional jurisdiction over the administration of justice which includes the responsibility of policing;

AND WHEREAS Section 13(1) and (2) of The Police Services Act identified that Manitoba's urban municipalities having a population of 750 or greater must provide policing services;

AND WHEREAS the population threshold requiring municipalities to provide protective service varies significantly throughout the Canadian provinces;

THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to amend the population base to 5,000 or greater.

AMM Resolution #20-2010

Topic: Amend *The Mental Health Act*

Sponsor(s): LGD of Pinawa (Eastern District)

Department(s): Manitoba Health, Seniors and Active Living, Manitoba Justice

WHEREAS The Mental Health Act currently requires a peace officer to escort a patient and remain with the patient until seen by a qualified mental health worker;

AND WHEREAS this may take as long as 14 hours or longer before a qualified mental health worker is available to see the patient;

AND WHEREAS during that time, the RCMP members are not available to perform policing services in their region;

AND WHEREAS this is an inefficient use of RCMP members' time who are trained to provide policing services in their region;

AND WHEREAS this adds cost to policing services in the region;

THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to amend The Mental Health Act to facilitate the orderly and timely transfer of custody at the mental health facility to free up peace officer time, while at all times maintaining the patient's care as the highest priority.

AMM Resolution #42-2009

Topic: New Police Services Act

Sponsor(s): City of Morden (Central District)

Department(s): Manitoba Justice

WHEREAS the Province of Manitoba has tabled a new Police Services Act which includes the requirement for every municipality that operates a police service to establish and maintain a police board;

AND WHEREAS the proposed police boards, once in place, will have no accountability to the municipality in overseeing the municipal police service;

AND WHEREAS the requirement of police boards as outlined in the new Police Services Act is another measure by the Province of Manitoba to remove authority from municipalities;

THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to amend The Police Services Act to make local police boards voluntary.

AMM Resolution #43-2009

Topic: Funding For RCMP Support Staff

Sponsor(s): Town of Virden (Western District)

Department(s): Manitoba Justice, RCMP

WHEREAS all orders of government have made police funding a priority;

AND WHEREAS the RCMP has adopted a computerized system know as PROS, which requires a large amount of time for officers to input information required by the system;

AND WHEREAS the Town of Virden operated a pilot project where a clerk was retained at \$30,000 per annum to input the required data into PROS, and freeing up officers for other work;

AND WHEREAS as a result of this pilot project it was discovered that the officers went from spending four to five hours of a nine hour shift doing clerical work to one hour per shift, resulting in \$30,465 less of each individual officer's salary being spent performing clerical duties;

AND WHEREAS the decrease in officer time being spent performing clerical duties resulted in significantly more officer time being freed up to spend on patrol with more "boots on the streets" without having to create extra positions;

AND WHEREAS the cost of the clerical position should not be borne solely by municipalities that are obligated to provide financial support to policing services as this type of program benefits all communities that are policed;

THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba and Government of Canada to review the feasibility of funding an RCMP clerk position for the purpose of providing all Manitoba RCMP detachments with a clerk dedicated to inputting data to the PROS system, thereby freeing up officer's time for more productive policing in Manitoba communities.

AMM Resolution #57-2008

Topic: Police Service in Rural Manitoba

Sponsor(s): RM of Taché (Eastern District)

Department(s): Manitoba Justice

WHEREAS RCMP presence in rural communities remains a concern for effective policing services;

AND WHEREAS RCMP detachment jurisdictions are so geographically large that they impede the detachment's abilities to provide regular presence in communities and effective response times to incident calls;

THEREFORE BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to negotiate a service provision model with the RCMP that will enhance policing service in rural Manitoba.