Agenda - Council - February 25, 2004

Report - Standing Policy Committee on Protection and Community Services - February 9, 2004

Item No. 1 Continuation of Police Overtime - Trial Reduction Project
File GP-1.19

STANDING COMMITTEE RECOMMENDATION:

On February 18, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and submits the following to Council:

1. That the Memorandum of Understanding (MOU) with the Province of Manitoba to continue the Police Overtime - Trial Reduction Project (the Project), covering the period April 1, 2004 - March 31, 2007 (inclusive) be approved.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Protection and Community Services - February 9, 2004

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 18, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 9, 2004, the Standing Policy Committee on Protection and Community Services concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

Re:	Continuation of the Police Overtime – Trial Reduction Project based on the terms and conditions set out in the Memorandum of Understanding, covering the period April 1, 2004 – March 31, 2007 (inclusive).
For submission to:	The Standing Policy Committee on Protection and Community Services
Original report signed by:	J. Ewatski, Chief of Police
Report date:	January 28, 2004

Recommendation(s):

I. That the City of Winnipeg approve the proposed Memorandum of Understanding (MOU) with the Province of Manitoba to continue the Police Overtime – Trial Reduction Project (the Project), covering the period April 1, 2004 – March 31, 2007 (inclusive).

II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

REPORT SUMMARY

KEY ISSUES

Since implemented, the Project has consistently realized significant successes for both the City of Winnipeg and the Province of Manitoba in the following areas:

- Dollar value savings
- Improved management of Winnipeg Police Service (WPS) member hours and resources
- Increased efficiencies in the Court System

The MOU guiding the terms and conditions of the Project expired on March 31, 2002. The involved parties met to review and evaluate the Project. Based on the Project's overall success and in spite of the expiration of the MOU, the Province and the City acknowledge that the Project has continued. As of March 31, 2003 the Project has continued in accordance with the terms and conditions of the proposed MOU, which expires on March 31, 2007.

In addition to its pre-existing terms and conditions, the proposed MOU introduces the following changes to the Project:

I. The amount paid by the City to cover a portion of the costs of the Crown Attorneys assigned to the Project will be dependent on the number of files reviewed in a month.

II. The Crown Attorneys will have a target of reviewing 160 files per month.

III. The amount payable by the City will be reconcilable within 45 days of preset quarterly dates (i.e. June 30, September 30, December 31 and March 31).

Implications of the Recommendation(s):

General Implications:

ð None

× For the organization overall and/or for other departments

× For the community and/or organizations external to the City of Winnipeg

ð Involves a multi-year contract

Comment:

The proven benefits in terms of dollar value savings, improved management of WPS member hours and resources, and increased efficiencies in the Court System operating within the City of Winnipeg justify continuance of the Project in accordance with the proposed MOU until its expiration on March 31, 2007.

Policy implications:

× No

ð Yes

Comment:

Environmental Implications:

× No

ð Yes

Comment:

Human Resource Implications:

× No

ð Yes

Comment:

Financial Implications:

× Within approved current and/or capital budget

ð Current and/or capital budget adjustment required

Comment:

Expenses related to salaries and benefits of the Crown Attorneys and Clerks hired for the Project are offset by the dollar value savings realized. No change is anticipated based on approval of the proposed MOU.

REASON FOR THE REPORT:

Council holds the authority to approve the proposed MOU with the Province of Manitoba, to continue the Police Overtime – Trial Reduction Project, covering the period April 1, 2004 – March 31, 2007 (inclusive).

HISTORY:

On October 1, 2001, the City of Winnipeg entered into a Memorandum of Understanding (MOU) with the Province of Manitoba to establish a six-month Police Overtime - Trial Reduction Project (the Project), cost-shared on a 50/50 basis between the two levels of government. The Project was modeled on the position of "Trial Review Crown Counsel" within the Victoria Police Department, which since its implementation in 1996 has realized a significant reduction in their court overtime budget.

The decision to introduce the Project was based on the following factors:

- The rising costs related to overtime wages paid to subpoenaed, off-duty police members to attend court as witnesses in criminal matters.
- The inability to avoid paying overtime wages to subpoenaed, off-duty police witnesses when the notice of cancellation for a police witness was issued too close to the time of the court case.
- The needless diversion of on-duty police members as subpoenaed witnesses for those court cases, which were resolved or postponed and resulted in the member not being required to testify.
- The inefficiencies to the court and justice system operating within the City of Winnipeg resulting from the above factors.

Initially implemented in a single division within the Winnipeg Police Service (WPS), the Project has since been expanded to include all remaining divisions.

DISCUSSION:

Since its introduction, the Project has consistently realized significant successes for both the City of Winnipeg and the Province of Manitoba in the following areas:

Dollar Value Savings

The dollar value savings realized from the Project:

- Offsets the salary expenses of the Crown Attorneys and Project Clerks for both the Province of Manitoba and the Winnipeg Police Service (WPS)
- Provides additional dollar value savings for the WPS

Improved Management of WPS Member Hours and Resources

The capability of the Project to identify and cancel WPS members not required as court witnesses:

- Provides savings in on-duty member hours for the WPS
- Increases the ability to manage the day-to-day resources of the WPS

Increased Efficiencies in the Court System

The capability of the Project to identify and cancel court witnesses in advance of their pending court date:

- Increases efficiencies in the court system operating within Winnipeg
- Benefits court officials, members of the WPS and the community as a whole

The MOU guiding the terms and conditions of the Project expired on March 31, 2002. The involved parties met to review and evaluate the Project. Based on the Project's overall success and in spite of the expiration of the MOU, the Province and the City acknowledge that the Project has continued. As of March 31, 2003 the Project has continued in accordance with the terms and conditions of the proposed MOU, which expires on March 31, 2007.

In addition to its pre-existing terms, the proposed MOU introduces the following changes to the Project:

I. The amount paid by the City to cover a portion of the costs of the Crown Attorneys assigned to the Project will be dependent on the number of files reviewed in a month.

II. The Crown Attorneys will have a target of reviewing 160 files per month.

III. The amount payable by the City will be reconcilable within 45 days of preset quarterly dates (i.e. June 30, September 30, December 31 and March 31).

Introducing the new terms and conditions governing the Project is anticipated to enhance its success by establishing

- Opportunity for the involved parties to jointly review and evaluate the Project's overall success
- Reimbursement of a portion of the costs of the Crown Attorneys assigned to the Project dependent on defined output targets.
- Defined output targets for the Crown Attorneys
- Preset quarterly dates by which the City reconciles costs owing to the Province

Financial Impact Statement:

Project Name: Trial Reduction Project

Date: December 23, 2003 First Year of Program **2004**

	2004	2005	2006	2007	2008
Capital					
Capital Expenditures Required					
Less: Existing Budgeted Costs					
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal					
Debt - External					
Grants (Enter Description Here)					
Reserves, Equity, Surplus					
Other - Enter Description Here					
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 109,759	$ 148,872	$ 151,850	$ 38,774	
Less: Overtime Expense Savings	500,953	681,296	694,921	177,205	
Net Cost/(Benefit)	$ (391,194)	$ (532,423)	$ (543,072)	$ (138,431)	$ -
Less: Existing Budget Amounts					
Net Budget Adjustment Required	$ (391,194)	$ (532,423)	$ (543,072)	$ (138,431)	$ -

Additional Comments: Overtime savings based on actual saving from cancellations for the period December, 2002 to November 2003. These savings from police witness cancellations may include cancellations that would have occurred through the normal process had this project not been in place.

G. Hammond
Manager of Finance/Controller

IN PREPARING THE REPORT THERE WAS CONSULTATION WITH, AND CONCURRENCE BY:

Doug Buhr
Legal Services Division, Corporate Services

THIS REPORT SUBMITTED BY:

Department: Winnipeg Police Service

Division: Organizational Development & Support

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File No.: 03-245