Extension and Expansion of the "Police Overtime/Pilot Project", within the Winnipeg Police Service, for the period April 1, 2002 to March 31, 2003 (inclusive)

File GF-2 (Vol. 54)

2. On October 1, 2001, the City of Winnipeg entered into a Memorandum of Agreement with the Province of Manitoba to establish a six-month Police Overtime/Pilot Project, cost-shared on a 50/50 basis between the two levels of government. The Police Overtime/Pilot Project was modeled on the position of "Trial Review Crown Counsel" within the Victoria Police Department. Like the Winnipeg Police Service, the Victoria Police Department also experienced significant expenses related to court overtime, and in 1996 appointed an individual to the position of "Trial Review Crown Counsel". This individual was tasked with:

- Reviewing files in advance of court dates.
- Liaising with defense counsel, prosecution, and police to confirm if court trials were to proceed on the assigned date.
- Attempting to resolve cases prior to scheduled court dates.

Since its implementation in 1996, the Victoria Police Department has realized a 25% reduction of their court overtime budget. If the Winnipeg Police Service Police Overtime/Pilot Project achieved results comparable to those in Victoria, then a dollar value of $325,000.00 in savings was projected (based on 25% Court Overtime Budget dollar value budget reduction achieved by Victoria Police Department x 2001 Winnipeg Police Service Court Overtime Budget). In any event, dollar value savings for the Winnipeg Police Service were estimated to be substantial.

The decision to introduce the Police Overtime/Pilot 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.

The Police Overtime/Pilot Project was implemented in a single division, representing 18% of Winnipeg Police Service officers. A Crown Attorney, and Clerk were hired for the six-month term of the Project (October 1, 2001 - March 31, 2002, inclusive), and were provided with already-available office space at 405 Broadway (Special Prosecutor Crown Attorney), and 151 Princess (Clerk B).

The Crown Attorney was provided with a database of information detailing future court cases, and which police members were involved.

The Special Prosecutor Crown Attorney was tasked with:

- Reviewing files in advance of court dates.
- Liaising with defence counsel to determine if the court case would proceed on the assigned date.
- Attempting to resolve cases prior to the scheduled court date.

Based on the outcome of the Crown Attorney's work, the Clerk was then tasked with:

- Canceling subpoenaed police witnesses deemed as not required to appear in court.

The Project was developed as a 50/50, cost-sharing initiative between the City of Winnipeg, and the Province of Manitoba. Salaries and benefits for the first five months of the Project are shown in the following table:

SALARIES AND BENEFITS FOR PROJECT STAFF

Position	Salary (Yearly Cost)	Benefits (Yearly Cost)	Salary, plus Benefits (Yearly Cost)	Salary, plus Benefits (Five-Month Cost)	Salary, plus Benefits (50% share)
Crown Attorney	$80,286.00	$3,077.63	$83,363.63	$34,734.85	$17,367.43
Clerk B	$35,074.00	$6,222.00	$41,296.00	$17,206.67	$8,603.34
TOTALS	$115,360.00	$9,299.63	$124,659.63	$51,941.52	$25,970.77

The above noted expenses related to salaries and benefits for the Project staff have been offset by the dollar value of $78,040.90, realized by the Police Overtime/Pilot Project to this point in time. This dollar value reduction to the payment of wages from the Court Overtime Budget for the Winnipeg Police Service is discussed in the Court Cancellation Summary Table below.

In addition to the 50/50 cost sharing of wages and benefits, the Winnipeg Police Service, and Manitoba Justice also contributed already-available office space, and incidental costs for equipment, and miscellaneous expenses. Manitoba Justice also supplied an additional support staff position at their expense.

Since its inception on October 1, 2001, the Project has been monitored, and statistics regarding the appearance or cancellation of police members attending court as witnesses in criminal matters maintained. Success of the Police Overtime/Pilot Project, measured in both dollar value, and member hours saved is summarized in the following table:

COURT CANCELLATION SUMMARY REPORT
October 1, 2001 – February 28, 2002

Scheduled Shift	Legend	SPC[1]	Not SPC[2]	Total
On Duty (Based on 4 hrs average court time) (Paid from Regular On Duty Wage)	Court Cancellations	45	46	91
	Member Hours	180	184	364
	Dollar Value[3]	$0	$0	$0
Annual Leave (Based on 12 hrs) 8 hrs x T ½	Court Cancellations	11	9	20
	Member Hours[4]	0	0	0
	Dollar Value	$3,455.91	$3,130.36	$6,586.27
Annual Leave Credit (Based on 9 or 10 hour credit, for cancelled Annual Leave Day)	Court Cancellations	0	0	0
	Member Hours	110	90	200
	Dollar Value	$2,879.93	$2,608.63	$5,488.56
Evening Shift (Based on 6 hrs) 4 hrs x T ½	Court Cancellations	58	32	90
	Member Hours[4]	0	0	0
	Dollar Value	$9,509.27	$5,510.72	$15,019.99
Night Shift (Based on 6 hrs) 4 hrs x T ½	Court Cancellations	45	36	81
	Member Hours[4]	0	0	0
	Dollar Value	$7,002.42	$5,901.01	$12,903.43
Other Leave (Based on 6 hrs straight time)	Court Cancellations	1	0	1
	Member Hours[4]	0	0	0
	Dollar Value	$182.74	$0.00	$182.74
Weekly Leave (Based on either 9 or 10 hrs) (9 or 10 hrs) x 2/3 x T ½	Court Cancellations	77	63	140
	Member Hours[4]	0	0	0
	Dollar Value	$21,194.31	$16,665.60	$37,859.91
TOTALS	Court Cancellations	237	186	423
	Member Hours	290	274	564
	Dollar Value	$44,224.58	$33,816.32	$78,040.90

1. SPC - Special Prosecutor Crown Attorney, working exclusively on the Police Overtime/Pilot Project.
2. Not SPC - Provincial Crown Attorneys, working within Manitoba Justice.
3. No dollar value assigned, as salaries were paid for working a regularly scheduled shift. True value to the department was realized through member hours worked on-duty, instead of being diverted to court when not required to testify.
4. No member hours saved, as these members were already booked on paid leave. True value to the department was realized through dollar value in the court overtime budget.

Actual member salaries were used in the Court Cancellation Summary Report Table. However, due to the number of separate calculations involved, a breakdown by actual salary is not supplied in this report. For information purposes, police member hourly salary ranges follow:

MEMBER HOURLY SALARY RANGE

POSITION	HOURLY SALARY RANGE
Constable	$14.66 - $30.74
Patrol Sergeant	$31.87 - $32.99
Sergeant	$33.84 - $34.97

Further analysis of the data contained within the Court Cancellation Summary Report Table, shows that during the first five months of the Police Overtime/Pilot Project, the following was achieved:

- **On Duty**
    - The value realized by the department was 364 member hours, (based on 4 hours average Court Time), for the members diverted from being called in as court witnesses, while On Duty.
    - In addition to the tracked member hours, the department also realized value by its improved ability to manage its day-to-day resources. The nature of police work requires that officers work in pairs, so that when one officer is unavailable for duty, it leaves an unpartnered member from being deployed for work on the street. This then results in one less cruiser car available for service in the community.
- **Annual Leave**
    - The dollar value to the department was $6,586.27 (based on 8 hours x Time ½ = 12 Hours), for members diverted from being called in as a court witness, on a scheduled Annual Leave Day.
- **Annual Leave Credit**
    - The department realized value from not having to compensate members with an Annual Leave Credit Day for their Annual Leave Day lost from being called in as court witness, while on Annual Leave. This is represented by a dollar value of $5,488.56
- **Evening Shift**
    - The dollar value to the department was $15,019.99 (based on 4 hours x Time ½ = 6 Hours), for members diverted from being called in as a court witness, prior to working their scheduled Evening Shift.
- **Night Shift**
    - The dollar value to the department was $12,903.43 (based on 4 hours x Time ½ = 6 Hours), for members diverted from being called in as a court witness, after working their scheduled Night Shift.

- **Other Leave**

    - The dollar value to the department was $182.74, (based on 6 hours Straight Time), for the one member diverted from being called in as a court witness while on Leave.

- **Weekly Leave**

    - The dollar value to the department was $73,859.91 (based on 9 or 10 hours Regular Shift x 2/3 x Time ½ = 9 or 10 Hours), for members diverted from being called in as a court witness, on a scheduled Weekly Leave Day.

Therefore, the 423 identified court cancellations represent value to the Winnipeg Police Service of 564 member hours, and a dollar value of $78,040.90 minus $25,970.77 (salaries and benefits) = $52,070.13.

An additional, unanticipated benefit of the Police Overtime/Pilot Project is the influence, which the Special Prosecutor Crown Attorney (SPC) has had on the regular Provincial Crown Attorneys. By actively reviewing files in advance of court dates, the SPC seems to have enhanced accountability on the part of the regular Provincial Crown Attorneys, which is shown in the increased numbers of court cancellations since the initial inception of the Project in October, 2001, shown in the following table:

COURT CANCELLATIONS
BY REGULAR PROVINCIAL CROWN ATTORNEYS

MONTH	COURT CANCELLATIONS
OCTOBER	20
NOVEMBER	41
DECEMBER	41
JANUARY	51
FEBRUARY	33

All court cancellations identified by the Police Overtime/Pilot Project were not random choices, but rather reflected those cases in which the Special Prosecutor Crown Attorney, in conjunction with the Provincial Crown Attorneys identified cases not ready to proceed as scheduled on the court date assigned, and cases resolved prior to the scheduled court date. Therefore, court cases were not jeopardized by the cancellation of police witnesses.

The totals achieved clearly show the success of the Project to date, which is currently being carried out in a single division within the Winnipeg Police Service. If allowed to extend the Police Overtime/Pilot Project for the period April 1, 2002 to March 31, 2003 (inclusive), and incorporate the remaining seven divisions within the Winnipeg Police Service, then continued dollar value, and member hour savings for the Winnipeg Police Service Court Overtime Budget will be substantial.

Extending the Police Overtime/Pilot Project will require the addition of a second Special Prosecutor Crown Attorney assigned to work exclusively on the Project. This added expense, along with the cost sharing of wages and benefits of the support staff person (which Manitoba Justice covered completely during the initial six months of the Project) should be offset by the continued dollar value realized by the expansion of the Project to include the remaining Divisions within the Winnipeg Police Service.

Additionally, the extension of the Police Overtime/Pilot Project holds the potential benefits to the Winnipeg Police Service, and Province of Manitoba by:

- Reducing court backlogs.
- Increasing system efficiencies.
- Retention of more police members and resources in use within the community.

Council holds the authority to extend the duration of the existing Memorandum of Agreement with the Province of Manitoba, to establish a Police Overtime/Pilot Project within the Winnipeg Police Service.

On April 8, 2002, the Standing Policy Committee on Protection and Community Services concurred in the recommendations outlined in the report of the Chief of Police dated March 15, 2002.

The Standing Policy Committee on Protection and Community Services therefore recommends:

I. That the City of Winnipeg extend the existing Memorandum of Agreement with the Province of Manitoba, for the extension and expansion of the Police Overtime/Pilot Project within the Winnipeg Police Service, for the period April 1, 2002, to March 31, 2003 (inclusive).

II. That the Police Overtime/Pilot Project be expanded on a three-step incremental basis, to include the remaining Divisions within the Winnipeg Police Service by September, 2002, with integration of the remaining Divisions as follows:

    A. April 1 - Divisions 20, and 21
    B. June 1 - Divisions 12, and 13
    C. September 1 - Divisions 14, 15, and 16.

III. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing, including the drafting of a Memorandum of Agreement.