

RELEASE DATE: October 29, 2002



**THE PROVINCIAL COURT OF MANITOBA**

**The Fatality Inquiries Act**

**REPORT BY PROVINCIAL JUDGE ON INQUEST**

Respecting the deaths of **DOREEN LECLAIR and CORRINE MCKEOWN**

An inquest respecting the deaths was held before me at the City of Winnipeg, in Manitoba on the following days:

December 10, 11, 17, 18, 2001; January 8, 9, 10, 14, 15, 16, 17, 21, 22, 23, 24, 28, 29, 30, 31; February 4, 5, 6, 7, 11, 12, 13; April 22, 23, 25, and 29, 2002.

I hereby report as follows:

The names of the deceased are: Doreen Leclair and Corrine McKeown

The deceased Leclair was pronounced dead on the 16<sup>th</sup> day of February, 2000 at approximately 08:10 hours.

The deceased Leclair came to her death in the following manner: a stab wound to the heart.

The deceased McKeown was pronounced dead on the 16<sup>th</sup> day of February, 2000 at approximately 08:10 hours.

The deceased McKeown came to her death by the following manner: a stab wound to the aorta.

I make the following recommendations as attached, page 11, and Schedule D.

Attached:

Schedule A	Exhibits required to be filed by me and Sealing Order
Schedule B	Proceedings and witnesses
Schedule C	Glossary
Schedule D	Summary of Recommendations
Schedule E	Acknowledgements

Dated at the City of Winnipeg, in Manitoba, this 17<sup>th</sup> day of October, 2002.

"Webster, J."  
Judge Judith Webster  
Provincial Judge

Copies to:

Chief Medical Examiner (2)  
Chief Judge, Provincial Court of Manitoba  
Mr. M. Minuk, for the Attorney General of Manitoba  
Mr. H. Weinstein, Q.C., for the Winnipeg Police Association  
and four staff members of the Communication Centre  
Ms K. Carswell, for the Winnipeg Police Service  
Mr. K. Labossiere, for the Winnipeg Police Association  
Mr. N. Cuddy, for the family  
Ms C. Bishoff, for Manitoba Telecom Services Inc.  
Mr. W. Haight, for B. Foy

**REPORT RESPECTING THE DEATH OF  
DOREEN LECLAIR AND CORRINE MCKEOWN**

- **Mandate**

The mandate of this Inquest is set out in Exhibit 2, namely:

- (1) to address concerns relating to the operation and management of the WPS Communication Centre and “911” Service, with respect to the handling of domestic violence/assault calls such as those placed by Doreen Leclair and Corrine McKeown on February 15 and 16, 2000;
- (2) to examine the operation and management of the WPS Communications Centre and “911” Service with respect to the timely provision of police response to domestic violence/assault calls, such as those placed by Doreen Leclair and Corrine McKeown on February 15 and 16, 2000; and
- (3) to make recommendations as to possible alternative procedures, precautions, or measures that may prevent other deaths from taking place under similar circumstances in the future.

- **The Fatality Inquiries Act**

The *Fatality Inquiries Act* directs:

“**33(1)** After completion of an inquest, the presiding provincial judge shall

(a) make and send a written report of the inquest to the minister setting forth when, where and by what means the deceased person died, the cause of the death, the name of the deceased person, if known, and the material circumstances of the death;

...

and may recommend changes in the programs, policies or practices of the government and the relevant public agencies or institutions or in the laws of the province where the presiding provincial judge is of the opinion that such changes would serve to reduce the likelihood of deaths in circumstances similar to those that resulted in the death that is the subject of the inquest.

**33(2)** In a report made under subsection (1), a provincial judge

...

(b) shall not express an opinion on, or make a determination with respect to, culpability in such manner that a person is or could be reasonably identified as a culpable party in respect of the death that is the subject of the inquest.”

In other words, this is not a fault-finding mission. It must be remembered that only one person is responsible for the tragic deaths of Doreen Leclair and Corrine McKeown: William Dunlop.

- **Introduction to Communication Centre**

The Winnipeg Police Service Communication Centre receives between 450,000 and 500,000 calls per year. It is described by a senior member of the Winnipeg Police Service as the “hub” of the Service.

A tour was taken of the Communication Centre on December 11, 2001. It is located within the Public Safety Building at 151 Princess Street. Exhibit 5 is a floor plan of the Centre. Exhibit 30 includes a number of photographs. There are four pods with four terminals each. One pod is the emergency 911 pod. A separate pod contains four dispatch terminals. There is a Supervisor’s office as well as an Inspector’s office.

The Communication Centre is part of Division 31, and headed up by the Inspector who is responsible, among other things, for the Bureau of Police Records. Staff is comprised of the “Manager”, Training Coordinator, Staffing Coordinator, Senior Police Communication Operators, Police Communication Officers, and Call Takers. None of the staff in the Communication Centre report to the Duty Inspector or Duty Officer, but that individual is in charge between 16:30 hours and 8:30 hours.

Calls directed to the emergency 911 numbers are answered by a Call Taker or a Police Communications Officer. This individual can route the call to another agency such as fire, ambulance, RCMP. If it is a non-emergency call, it can be referred to the non-emergency police number of 986-6222.

If the call is a police call, it is routed to a call taker who ascertains the nature of the emergency and where appropriate enters the call for service after giving the call a “type” and a “priority”.

The call then goes to the dispatch terminal where it enters the queue in order of its priority. Generally there are only two dispatchers working - each with responsibility for three divisions or districts in Winnipeg. There is now a third dispatcher on third relief.

There are numerous call types (training manuals Exhibits 15, 19, 52) and priorities that attach to them. For example: ASLT - PRIORITY 2 (assault); BOMB - PRIORITY E; PABUSE (physical abuse to a child in a family situation) - PRIORITY 2; STALK - PRIORITY 1. Of importance to this report are DOMEST (domestic) - PRIORITY 1 and OSTAT (other statute) - PRIORITY 3. The 1998 training manual described domestic call type as "used for all reported domestic situations and domestic disputes". The assigned priorities are E (emergency); 1 (immediate dispatch); 2; and 3 (dispatch may be delayed). The use of (P) behind priority number meant it was "in progress", but this grew to give that call a priority in the queue ahead of others at the same level.

Anyone in the Communication Centre can upgrade the priority of a call (as was done with call #5, 04:56, February 16, 2000). Since February of 2000, only an SPCO in consultation with a Duty Inspector may reprioritize a domestic call to a lower number.

- **Summary of Inquest**

During the 34 days of the Inquest, 28 witnesses, almost 6,000 pages of exhibits, and 31 transcripts of evidence, the topics relevant to the mandate of the Inquest quickly became apparent. At the conclusion of the Inquest, counsel were almost unanimous in the topics requiring recommended changes. The topics included:

- staffing
- training:
  - initial
  - ongoing
- supervision
- communication
- review of domestic violence policy
- public education
- telecommunications

Counsel also raised the general abuse of the 911 service, problems with cell phones, a feasibility study of a provincial 911 service, and an independent call centre.

It became equally apparent that there were a number of sub-issues that crossed over each of these particular topics. They included:

- job descriptions
- role of the duty inspector
- call types, in particular the use of OSTAT and DOMEST
- priorities, especially as assigned to domestic cases
- influences on Communication Centre

- internal: A-side/B-side; junior/senior staff
- external: service centres, etc.
- shift switching
- cross-divisional dispatching
- professional responsibility
- morale

It is impossible to address any one topic or issue in isolation. Most are intertwined. An examination of the topics and issues identified rather forcefully the one systemic problem with the Communication Centre, namely:

### **INCONSISTENCY**

Inconsistency flowed throughout all aspects of the Communication Centre:

- between job descriptions and job performance
- between training and job performance
- between training manuals, and policy and procedure, memoranda and directives
- among the “management team”, including the duty inspector, the SPCOs, shifts, and individuals
- assignment of call types and priorities

**RECOMMENDATION:**

While recommendations are made respecting various topics, a review of the evidence, viva voce and documentary, led to one umbrella recommendation:

- **THAT A COMPREHENSIVE REVIEW BE UNDERTAKEN OF THE COMMUNICATION CENTRE INCLUDING THE TOPICS AND ISSUES SET FORTH IN ORDER TO ENSURE PROPER AND CONSISTENT JOB PERFORMANCE, PARTICULARLY IN THE AREA OF DOMESTIC VIOLENCE CALLS.**

## REPORTS FILED IN EVIDENCE

There are a number of reports concerning the Communication Centre. Evidence from the executive member of the Winnipeg Police Service revealed that a number of changes have been made as a result of some of these reports, but other changes will await the final audit review.

These reports are:

- |               |  |
|---------------|--|
| Exhibit 55    | The Administrative Report of Staff Sergeant A. Scott, Professional Standards Unit                          |
| Exhibit 51(B) | Training Needs Assessment by Patricia Rentz  |
| Exhibit 80    | City of Winnipeg Audit Department Review of the Winnipeg Police Service Communication Centre, January 2002 |
| Exhibit 81    | Winnipeg Police Service Operational Review, January 2000   |
| Exhibit 83    | Progestic International Inc., Winnipeg Police Service Review, December 20, 2000                            |

Some or all of these reports may provide a starting point for or a supplement to a further comprehensive review.

Some of the Inquest evidence was a repeat of matters reported in both Exhibit 51(B) the Rentz Report and Exhibit 80 the Audit Report.

The Rentz Report was based on input from 27 (out of approximately 70) staff members of the Communication Centre and did not include members of the "management team". It was described as the employees' perception of their training needs. Available to the inquest was an excerpt of the Audit Report (January 2000), where only a small part of the staff had participated. There is a question whether either of these reports are based on a representative sample of the Communication Centre.

## **JOB DESCRIPTIONS**

In reviewing the job descriptions and the jobs performed, it is difficult to ascertain whether the staff are not doing the job as set out in the job description; or whether staff are not doing the job as taught; or whether the job is not being performed in accordance with policies and procedures. While discrepancies between the actual duties performed by members of the Communication Centre and their job descriptions may seem frivolous, the discrepancies have had an impact in the past and may continue to do so in the future. In some cases, it would appear some staff do not understand their job responsibilities.

- **Inspector**

Staff in the Communication Centre report to the Inspector of Division 31. The description of the classification “Inspector” is found in Exhibit 49F. (98PVA) The specification is generic and does not pertain specifically to Division 31. The class specification and amendment does not address the supervisory role of the Inspector over the “management team” of the Communication Centre. There is nothing in the Inspector’s job description with respect to performance evaluations.

Evidence was led that an Inspector forwarded performance evaluations received from the Human Resources Department to the “Managers” of the Communication Centre but did not follow-up on whether they were completed. Performance evaluations had not been done for some staff for five or more years. The only performance evaluation done for the Communication Centre “Manager” was for promotional purposes.

The job description for a Duty Inspector, also Exhibit 49F (98PV-A) describes operation under the supervision of “the Superintendents”. There is at present only one Superintendent. One member of the “management team” testified, “I, I don’t know if there’s a job description of Duty Inspector”. The Duty Inspector “assumes and exercises responsibility for all divisions of the Police Service between 16:30 and 08:30 hours”. This includes the Communication Centre. The Duty Inspector has no role with respect to supervision or evaluation of Communication Centre staff. Since the Duty Inspector job description was written, the Duty Inspector had also taken over responsibility for entering Protection Orders into the system pursuant to *The Domestic Violence and Stalking Prevention and Compensation Act*. As heard in evidence, (and see also Exhibit 45, pp. 14-16) this responsibility, largely clerical in nature, took an inordinate amount of the Duty Inspector’s time. Also, since the operational review of the Duty Inspector office (Exhibit 81) and the murders in February 2000, the job description for Duty Inspector is out of date. Among the responsibilities removed from that position was the receipt and process of orders

under the *Mental Health Act*, ensuring building security, and providing and distributing material from stores.

Over the years there were a number of recommendations, including that the Duty Inspector be physically relocated to the Communication Centre. This was done within days of the murders and of itself might prompt a review of the job description. The change in domestic violence policy following February 16, 2000 gave the responsibility to the Duty Inspector, along with the SPCO, to conduct a priority review of domestic calls.

### **“Management Team”**

- **“Manager”**

The job description for the “Manager” of Communications is actually entitled “Supervisor of Communications”. Throughout the evidence, witnesses referred to the “management team”. However, on paper none exists, nor is there any form of job description, class specification, or otherwise for such a unit. The incumbent described the application process as follows:

“.. the original job description that I was supplied with was Manager of Communications and that was my understanding of what the title was going to be. When the actual job bulletin came out, the job title had changed. So, at that point in time, after I was promoted to the position, I spoke with the Inspector in charge of the division and asked him if there was a difference between myself and my counterpart who runs another area and he said no. ... So I asked if there was a difficulty in also being the, having the same job title and he said no. So that’s kind of, it was very informal.”

Contained in Exhibit 59 is a memo dated February 17, 2000 from Acting Deputy Chief B. Evans directed to “S. Hobson”, Supervisor, Division 31. [my emphasis] The “Manager” also reported the major difference from the job description, Exhibit 31, and her responsibilities as doing all the audio tape requests from police officers for court purposes.

Among the items contained in the job description that were contradicted in evidence included the monitoring of ongoing problems within the division, the assurance of adherence to rules, policies and procedures, and the arranging and attending supervisory meetings on a regular basis. Evidence was led of problems in the Communication Centre such as A-B discrepancies (p. 62), and incidences where policy and procedure were not followed - e.g. Domestic, OSTATS (p. 113). Supervisory meetings were not always held on a regular basis.

In May, 2000, a part-time PCO inquired through PARCS mail of the “management team” about whether there was a new set of rules concerning

redirection of patrol cars from one district to Division 11. One member of the “management team” had previously told the PCO: “calls were still being redirected and the procedure in fact had never changed to her knowledge”. The PCO asked “to receive clarification so that there is consistency among us”. A response was received 7 hours later:

“This was a problem right from the start, and one that was not meant to continue this long. So, at at least one of the SPCO meetings we discussed this issue and the decision (after talking with [the Inspector]) was, that if we remember to follow the policy, great ... and if not, that was fine too. Not a very scientific process, nor a great one, but as an interim it was being done.

This explanation exacerbated the situation of inconsistencies and did not assure adherence to policies and procedures. Apparently, two members of the “management team” were giving different answers. Fortunately, this particular issue became moot shortly thereafter.

- **Staffing and Procedures Co-ordinator**

Exhibit 32 is the job description for this position. Among the duties listed on page 2 include:

- monitors the timing, submission and accuracy of performance evaluation reports of all divisional supervisors, liaises as necessary with the Personnel Evaluation Officer.
- serves as primary evaluator for senior police communications operators and as secondary evaluator for the Acting Police Communications Operators, as directed by the Supervisor of Communications
- attends all supervisory meetings
- ensures compliance by Communication personnel that departmental regulations, directives, policies and procedures including those outlined in the Communication’s Division Procedure Manual.
- co-ordinates and maintains the Communication’s Division Procedure Manual

Timely performance appraisal reports from the Communication Centre did not exist. Similarly, the Communication’s Division Procedure Manual was missing for a period of time and believed non-existent until after the commencement of this Inquest.

- **Training Co-ordinator**

Exhibit 33 is this job description. Again it requires the incumbent to ensure compliance by staff of regulations, directives, policies and procedures

including those outlined in the Communication's Division Procedure Manual as well as serving as primary evaluator for senior police communication operators.

Evidence was also heard that the Training Co-ordinator assisted in the hiring process.

- **Senior Police Communications Operator**

Exhibit 34 sets out the characteristic duties and responsibilities of this position. Included are

- ensures appropriate police response times by monitoring incidents entered into the PARCS system by revising, cancelling, and reassigning calls as required.

There was evidence that the SPCO, so busy with other duties, was unable to monitor the incidents with the regularity and consistency required. One acting SPCO referred to Exhibit 34 as "very general and somewhat outdated". Since February of 2000, the domestic violence policy requires that the cancellation or reprioritization of calls has to be done in consultation with the Duty Inspector. (Exhibit 59)

- **Police Communications Operator**

The PCO position, class specification Exhibit 35, includes both call taker and dispatcher duties. Exhibit 36 is the job description of a complaint handler, who does not dispatch. Notwithstanding the difference in names, evidence was heard that "call taker" and "complaint handler" were used interchangeably. Exhibit 53-5 refers only to call taker.

The call taker portion of the PCO responsibilities is a "class specification", whereas the complaint handler duties are described as a "job description". A review of the duties and responsibilities of the call taker and the complaint handler reveal they are not identical, yet, they would appear from the evidence to provide exactly the same service.

Exhibit 35 (PCO) at item 6: "Provides the public with non-technical information". Exhibit 36 (complaint handler) on the other hand, #1, fourth item down, requires "providing appropriate advice as necessary in determining the most appropriate police response".

The provision of advice by call takers was topical at the Inquest. It was concluded by many of the senior members of the Communication Centre that advice given during the morning of the murders was not appropriate. But at least one call taker was adamant that giving advice was part of the job. Clearly, the job description, or class specification, of individuals holding this job should be clearly spelled out. Both are very clear of the duty and responsibility to "priorizes the seriousness of incidents according to established guidelines".

The training co-ordinator testified:

“Well, we like to be able to afford the call takers to have enough information to be able to effectively perform as a call taker, not as a police officer. We, we don't have the luxury of being able to spend perhaps 10 or 15 minutes on the phone giving advice to or explaining the legalities of specific questions that people have. If there is five people explaining things to callers then there's no one left to answer the rest of the incoming lines.” (my emphasis)

At least two witnesses used the expression “telepolicing” to describe what call takers ought not to be doing:

“Q. ..that's an interesting phrase, telephone police-ing. That (sic) an observation that you make that some people take information -- not naming anyone specifically on any particular side but that your experience is that some of the call takers so to speak, or call handlers, are taking information as they hear it, making certain judgments on that and then deciding on the course of service, so to speak, that police should be providing to this caller and then giving the advice from that perspective?

A. Yes.

Q. Rather than giving or rather than acting on the information in accordance with how your Communications Centre policies say the call should be dealt with?

A. Right.

Q. Would that be it?

A. Yes.

Q. So, in a telephone police-ing sense you would say that there was a judgment being made that perhaps police don't need to go to this call based on what's said and, therefore, they will be directed elsewhere as opposed to B side, who may take -- or some people who don't do it that way would take the call and enter it for service?

A. Right.

Q. Even though it -- they may believe that perhaps police aren't necessary, they'll still follow the procedure?

A. Yes.”

Exhibit 53-5, a memo dated July 13, 1995 entitled "Reclassification of ranks within the Communication Centre, has an attachment entitled "City of Winnipeg Job Description" with proposals for call taker; Acting SPCO/call taker, dispatcher, supervisor; and supervisor. In addition to the many job requirements, the supervisor, in the absence of the Duty Inspector, is responsible for

- #10 - aborting vehicle pursuits
- answering the Inspectors phone line
- #11 - assume control of all major incidents  
and special projects as required.

This is the assignment of a civilian person to a police function. The staffing coordinator remarked:

"And prior to the duty inspector being present in the room, that would be prior to February, the supervisor was asked to make decisions in regards to police response, or police strategies, questions they had had no training for."

Even though the Duty Inspector is present in the Communication Centre, the SPCO may still have to perform those duties when the inspector is on a break.

- **Dispatcher**

The proposed dispatcher job description (Exhibit 53-5), under Acting SPCO, includes

4. Monitors current incident information and priorities of calls awaiting dispatch;
6. Notifies SPCO and/or ensures appropriate allocation of police resources in emergency situations.

As pointed out in Exhibit 55 (Scott):

"dispatchers are not supervisors and rely on the information or lack thereof in the call history. The responsibility for asking questions of a call taker as to type, priority, and flag domestic violence is that of the SPCO (or Acting SPCO)."

No explanation was asked for or given as to the fate of the Exhibit 53-5 proposal, which covers the same positions as Exhibit 34, 35 and 36.

**RECOMMENDATION:**

**It is recommended** that as part of a comprehensive review all job descriptions in the Communication Centre are reassessed to determine the roles and tasks assigned to the various positions are relevant and clearly described, with accountabilities and lines of authorities defined.

## **THE “MANAGEMENT TEAM”**

The complement and duties of the “management team” and the problems perceived by some Communication Centre staff respecting the lack of timely communication were addressed under the heading Communication (p. 53-62).

As far as the “management team” goes, there were mixed reactions from the staff members. One veteran PCO stated that “management was very supportive” and there were “no problems getting answers”. Another testified that the “management team” members were so tied up with administration that they could not manage. Yet another stated the “management team” was not forceful enough and treated the staffing shortage as if everything was “OK”. As happens in any organization, there was obvious animosity expressed by some staff towards the “management team”. In some cases the evidence, *viva voce* and documentary, leads to the conclusion that the negative comments reflect more of the speaker or writer than of the members of the “management team”.

At least two witnesses held the view that feedback about staffing initiatives would be nice. In The Audit Review (Exhibit 80) staff had also commented to the auditors that notwithstanding several internal and external groups making recommendations on the improvement of operations in the Communication Centre, to their collective knowledge few, if any, recommendations had been implemented.

One PCO appeared upset because there was no feedback on whether and how a concern she had raised with the “management team” about the performance of another employee had been handled. The answer was obvious: Members of the “management team” and the SPCOs do not and cannot discuss disciplinary issues with other employees.

Another felt that the “management team” should be taking action be it feedback to or discipline of those who fail to follow policy and procedure and concluded that “if management was dealing with it, it wasn’t being dealt with effectively because nothing appeared to be changing”.

The executive member of the Winnipeg Police Service on this subject stated “I think first level management who is so close to the individual involved may not appreciate the seriousness and the consequences of the error necessarily.”

As reviewed under consideration of the A shift/B shift (p. 63-78), while the “manager” acknowledged the difference, others seemed unaware in the face of what many felt were inconsistent applications of policy and procedure between the shifts.

While complaining about the lack of response by management, staff members were quite obviously bypassing their immediate supervisors (SPCOs)

and all too often going directly to one, two, or all members of the “management team”. It is unclear whether inquiries to only one member of the team is to ensure the desired answer is received or to play favorites, but it clearly invites conflicting answers when only one or two members of the “management team” are contacted. As to inquiries of all three, this could leave each individual member of the “management team” with the impression that someone else was responding. More than one example was given where members of the “management team” gave confusing advice, including one respecting a missing child and whether to refer this situation to missing persons or to put a call for service in.

These problems might be circumvented if the chain of command was followed.

When one PCO went to the inspector both via PARCS mail and in person, she reported “many of the mail messages I sent to him went unanswered”. This same inspector testified of course that he entrusted the management of the Communication Centre to the managers. This same employee some time ago had approached the Deputy Chief of Police about stopping the utilization of injured police officers in the Communication Centre and noted that the practice stopped.

The matter of the chain of command not being followed is not restricted to the Communication Centre. In at least one case a divisional commander contacted Communication Centre staff directly over a matter and not the inspector. (98-99)

The failure of a division inspector to follow the chain of command was documented in Exhibit 55. Staff Sergeant Scott concluded “It is my opinion the district (supervisor) should have dealt with the duty inspector in the first instance and not with the staff personnel”. (p. 98-99)

Conversely, one PCO contacted a district sergeant directly rather than leaving it to the SPCO, or the duty inspector.

Again Exhibit 80, the Audit Review, reports at p. 20:

“Participants agree that bringing the duty officer into the Communication Centre has improved decision-making. However, some still perceive that the decisions are not consistent and do not always follow the chain of command.”

Whether this activity is out of frustration in not getting responses or bona fide concern, this is a police service where the chain of command is obviously critical and procedure is not being followed. Just as the inspector relied on the “management team”, they testified that they in turn rely on the overworked SPCOs.

There was nothing in the evidence to indicate that the members of the “management team” were anything but dedicated, hardworking employees. Not only were they running the Communication Centre but also taking turns on the telephone. However laudable that action might be, it is not a good management practice. It was the consensus that the “management team” were just too busy to offer any kind of hands on management. But again, the hands on day-to-day supervision was to be provided by the SPCOs.

The matter of performance evaluations, required annually, and the lack thereof was considered under Staffing (p. 25) and Job Description (p. 9) sections. It is the responsibility of the SPCO to evaluate the PCOs. The “management team” also, had responsibility for performance evaluations of the SPCOs. The Human Resources department sent the performance evaluation reminders to the inspector who in turn forwarded them to the “management team”. There was no follow-up apparently and the performance evaluations were not concluded. As noted, the SPCOs were simply too busy to perform this function. Additionally, the matter was complicated by the issue of “shift splits” which has been addressed under Staffing (p. 25; 30). Without timely and thorough performance evaluations any organization could fall into practices and procedures inconsistent with policy, and not have communication and training needs assessed.

In recent years, the “management team” has been trying to increase staff levels, train new and existing staff. All this had been impacted with new technology which required a great deal of the ongoing training time to ensure that the staff were current on the equipment.

There is a professional body known as the Association of Police Communication Officers (APCO) to which representatives of Police Services across North America attend in order to exchange information, statistics, etc. Traditionally, one member of the “management team” attends, unless the conference is particularly close to Winnipeg when others go as well. Information received at this conference may be extremely useful and valuable to the managing of a Communication Centre as well as validating those who perform the job.

## **RECOMMENDATIONS:**

**It is recommended** that as part of a comprehensive review, a formal review be made of the “management team” and the structure of the Communication Centre to ensure that the expectations placed on the “management team” are realistic and those positions are sufficient and appropriate to allow for the efficient and appropriate operation of the Centre.

**It is further recommended** that in such a review consideration be given to a reconfiguration of the “management team” to include an Administrative Manager, a Quality Assurance Manager and a Staffing Coordinator.

## **DUTY INSPECTOR**

The duty inspector assigned to the Communication Centre is part of the duty officer unit reporting to the “superintendents” (Exhibit 49F). As noted under “Job Descriptions”, there is no reporting relationship between the employees of the Communication Centre to the duty inspector.

The duty officer is basically in charge of police operations in the city and the duty inspector is the most senior officer on duty between 16:30 and 08:30 hours.

Prior to February 2000, notwithstanding repeated recommendations, the duty inspector was not required to be present in the Communication Centre but was available through pager. The duty inspector also had some other duties that have since been eliminated. This, too, was a longstanding recommendation (Exhibit 55; Exhibit 81). The duty inspector not only performed the role as “street chief” but also was a resource for Communication staff. The duty inspector is responsible for such matters as high speed chases. There were times apparently when, in the absence of the duty inspector, these responsibilities were conducted by the SPCO - a civilian. (p. 15; p. 30)

The absence of the duty inspector from the Communication Centre not only deprived the staff, especially the SPCOs, of an important resource but also affected morale. Some staff reported that they never saw certain duty inspectors and would not even recognize them. This left staff feeling abandoned.

One senior PCO reported:

“Some of the duty inspectors spend quite a bit of time in the Communication Centre and some prefer to spend their time elsewhere in the building and be available by pager. As I recall, (this particular inspector) preferred to spend his time elsewhere in the building. He wasn’t in the Communication Centre a lot.”

The same witness was asked about the role of the duty inspector on the morning in question and “would he have any involvement in that process of saying, we’ve got to send a car to 849 Manitoba”. The answer was “He could have, I don’t believe (the inspector) got involved that often but he could say something”.

Another PCO was asked “And how would you describe his regularity in the Communication Centre”. The response was “not”. The same PCO described another duty inspector as “we never saw him” (Exhibit 49A-CW 1-11) A staff member asked about duty inspectors spending a lot of time in the Communication Centre responded “Some did. Many didn’t.”

Exhibit 53-16, a memo dated 98-08-13 but not identified as to author wrote:

"I was in the Comm Centre from 07:30 until 14:30 and didn't see him at all. No wonder our people are stressed on the radio. Besides the huge workload created by the sheer number of units on one channel, you are continually butting your head against a wall in trying to obtain cooperation from Sgts. In the days when the Duty Inspector remained in the Comm Centre, he handled things like that. As well - he served somewhat as Quality Control - saw where there were problems and fixed them.

It's a given that he is required to be in the Comm Centre during major incidents and now even that doesn't occur. I attempted to raise [him] on the air 4 times over the space of 5 hours and he didn't even answer his radio."

Exacerbating the situation of an absentee duty inspector, evidence revealed a perception of animosity between some duty inspectors and Communication Centre staff. One PCO related a situation (post-incident) where she attempted to transfer a call to the duty inspector. She reported the duty inspector responding "Oh no you're not". She responded affirmatively and the duty inspector stated "bullshit". This was heard by the caller. There was later a verbal altercation between the two in the Communication Centre.

Contained in Exhibit 51A is a PARCS mail subsequent to the incident. A dispatcher with a number of priority 1 calls was seeking assistance from the duty inspector. The following is reported:

"I feel that the d/insp should be ultimately responsible for making decisions re the preempting/dispatching of units for domestics in progress. With the above incident I told him that it is all very fine to tell me to change it to a 1P - however the status of the D6 units needs to be reviewed to see if a car could be preempted from a call. I further said that there were 10 priority ones and while this one was definitely the most important at the time - prior to me sending a unit from elsewhere - it would be most expedient to chk to see what the D6 units were doing and whether one could be preempted. I further said that I thought that was something that he too should be doing rather than just repeatedly sending me messages re change to a 1P and send next available unit. It would be most helpful if he actually looked at which resources could be sent because I was trying to get units for all to priority ones. And since I had only two cars, him reviewing the unit status and making a decision re preempting would be helpful. He ended up saying 'Well if I get around to it' at which point I said "I beg your pardon?". At which point he said - 'When I get around to it'. I ended the

discussion with saying he gets paid big bucks to make decisions and how would his comments look in the call.”

There has been more than one review of the duty officer’s unit. In August 1997, it was recommended that “a work office be located in the general proximity of the Communication Centre” for the duty inspector. The 1997 review was described as having been “gathering dust” on a shelf somewhere. Exhibit 81, the 1999 Operational Review, recommended, among other things, that “the duty office unit must be physically located in the Communication Centre”. In January 2000, the Executive directed that certain recommendations be implemented prior to the completion of the final Operational Review Report and among these was the relocation of the duty officer unit to the Communication Centre. This was done immediately after the murders in February 2000.

At pages 2 and 20, Audit Review, (Exhibit 80) general approval of moving the Duty Officer into the Communication Centre is reported. Some were concerned that “decisions were not made consistently” and “do not always follow the chain of command”

- **Training**

The duty inspectors assigned to the Communication Centre, while officers of advanced years of service (20-25 years), are the most recently appointed inspectors. Training consisted of one-half day with a current duty inspector. While new duty inspectors brought a wealth of police experience to the job, few had specific experience in the Communication Centre. Resources available to them included, as in the case of the Communication Centre staff, a “manual some place”.

An operational review was conducted in 1997 with respect to the duty inspector unit in general. The review committee reported: (Exhibit 49; Exhibit 98PVA p. 18)

“The committee was unanimous in their concerns over the lack of training for all members assigned to this unit. Trial by ordeal is not a proper training technique in this day and age. Our service prides itself on the level of training provided our members at large, however, this has not carried over into this unit.

The internal survey results show that newly promoted members in the unit felt totally untrained to fulfill certain functions with their duties. Common sense and good luck has managed to pull these officers through a variety of critical incidents, some of which had the potential to cause serious embarrassment to the Service.

The fact that newly assigned members to the unit are provided with only 3 hours of orientation is totally unacceptable. In some cases

newly assigned members received no guidance whatsoever and had to rely on contacting members with past experience.

Members having been forced to rely on past practices, as opposed to formalized training have been questioned as to certain decisions made. The committee has no concerns with decisions being questioned but when it leads to the member having to justify their decision, we found that it left members with feelings of bitterness and resentment. This resentment and the lack of training lead some members to hesitate in getting involved in some critical incidents.

Although the structure and mandate of our Duty Inspector Unit is the envy of other police agencies, our level of training is well below what other police agencies contacted were found to provide.”

As noted in Exhibit 55, the 1999 Operational Review Team recommended:

“Members of the Duty Inspector’s Unit must receive proper levels of training.”

Evidence was led that since the year 2000, all new duty inspectors are provided with duty inspector manuals. While such manuals were not part of the exhibits filed, it is expected they contain updates for new duty inspectors on such issues as priorities and call types. This is especially important now that the duty inspectors have been given the responsibility to reprioritize domestic violence calls. One duty inspector testified that they are afraid to lower the priority of a domestic call. Hopefully greater training will provide duty inspectors with a greater comfort level.

#### **RECOMMENDATION:**

**It is recommended** that mandatory formalized training for all Duty Inspectors be implemented by the Winnipeg Police Service Training Academy including training as to how calls for service, specifically Priority 1 and “E” calls ought to be subject to a priority review.

## **STAFFING IN THE COMMUNICATION CENTRE**

- **Staffing levels**

“Staffing in the Communication Centre” includes staffing levels generally, the 911 position, and potential second SPCO and Third Dispatcher specifically. Also relevant is the impact of “shift switching” in the responsibility of the SPCO for performance evaluations and on the Staffing Coordinator.

While much evidence was led throughout the Inquest relative to staffing levels in the Communication Centre, resources were not an issue in either the Communication Centre or on the street on February 15-16, 2000.

However, low staff levels, or the perception thereof clearly affect the morale of those in the Centre and the efficient provision of service.

The suggestion of two senior Police Service witnesses that the determination of adequate or optimum staff levels is something best left to the experts of a human resource analyst type is a valid one.

Exhibit 53, which contains some 82 separate documents, is full of examples of staff shortages in the Communication Centre over the years. Two, for example, 53-65 and 66, dated February 1997 and January 1998 request more part-time staff.

The Communication Centre is made up of an Inspector, the Supervisor (“Manager”), the Training Co-ordinator, the Procedures and Staffing Co-ordinator, SPCOs, PCOs (who take calls and dispatch) and Call Takers. Exhibit 15-1, Call Taker Training Manual July 2001, describes the Communication Centre organization as having two sides (A & B) and 6 platoons (3 per side). At that time each platoon was:

- 1 SPCO
- 7 PCOs
- 2 complaint handlers (call takers)
- 1 Duty Inspector & Staff Sergeant

The staffing levels for 2001 were, according to Exhibit 15-2:

“1 <sup>st</sup> Relief	Monday to Thursday	8 persons
	Friday to Sunday	9 persons

2 <sup>nd</sup> Relief	Monday to Sunday	8-9 persons
3 <sup>rd</sup> Relief	Sunday to Wednesday	9 persons
	Thursday to Saturday	9-10 persons"

These guidelines are subject to change and are usually varied for special events/dates. Also, because of the pending increase in staff, shift to shift staffing levels are still under review.

"In the event staffing levels fall below minimum, the SPC or the SPCO will attempt to fill the vacancies with part time personnel. If this is not possible, there will be an attempt to fill the vacancy by doing a "call out". In those instances when it is not possible to fill the vacancy, the SPCO will ask for a volunteer to remain late.

Holding a member on overtime will only be as a last resort."

At the commencement of the Inquest, evidence was heard that with the advent of new computer technology approximately two years earlier, the staffing co-ordinator had lost the advantage of a software program that was able to track peak times for service. Instead, the staffing co-ordinator did this on an ad hoc or anecdotal basis noting days such as Friday nights, Saturday nights, Sunday of a long weekend, Thursday before Good Friday, paydays, etc. required the most staff in the Communication Centre. Since the beginning of the Inquest, this software has now been replaced to facilitate peak staffing requirement periods.

Addressing the numbers, PCO-Call Takers have dropped to low levels resulting in the need for "call outs" to staff who are not scheduled to work and overtime. Both the "Manager" and Staffing Co-ordinator have worked on the phones, with the "Manager" noting that she had worked "call outs almost every weekend this summer" (2001). The low numbers have resulted in the Communication Centre dropping below minimum levels. (Minimum staffing guidelines from 1992, Exhibit 53-74.)

On June 20 and 21, 2000 (Saturday and Sunday) the Communication Centre fell below minimum staffing levels on the first and third relief, and the first relief respectively. Part-time staff (casual) covered four 10 hour shifts on the Friday, four 10 hours shifts on Saturday, and three 10 hour shifts on Sunday. Ten calls were made to non-scheduled staff to come into work to try and cover the shortages (call outs).

In December 2001, after the commencement of this Inquest, the Communication Centre had shortages as follows:

Friday, December 21	2 under minimum strength including 1 call out
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On New Years Eve 2001, and New Years Day 2002 there was no designated 911 operator.

- **Casual Call Takers**

Evidence indicated that the pool of part-time or casual call takers dropped partly because 8 of its members took full-time jobs in the Communication Centre or elsewhere in the Police Service. Casual call takers are essential to the operation of the Communication Centre as they can relieve for vacation, illness, training, etc. of full-time employees.

- **“Wish List”**

Exhibit 53-7, dated July 18, 1997, in part contains a “wish list” of the “Manager” of the Communication Centre. The requests within this report were nothing new according to the evidence heard at the Inquest and included the issue of the 911 designated position, the request for a second supervisor and third dispatcher per shift. There was also a verbal request for a “quality control” or “quality assurance” person to monitor calls on a regular basis to ensure policy and procedure are being followed, and to provide answers to the PCOs and SPCOs.

One other member of the “management team” testified she was not familiar with Exhibit 53-7, the “wish list”, however agreed that if it was filled with the second SPCO per shift and the quality control person, “I think it would be sufficient”.

It was reported that within the last 4-5 years there was a 25% increase in the staff at the Communication Centre. But many pointed out this had to be balanced against natural attrition and was described as “bogus” by one witness to conclude they had 25% more staff.

Since the murders nine PCOs had been hired.

- **Third Dispatcher**

There is a lengthy history of reviews and requests for a third dispatcher. It had been raised more than 15 years ago in 1985. In May 1996 (Exhibit 53-67, 68 and Exhibit 53-30, the same document) describes a move to a 3 dispatch system for peak periods. The “Manager” of the Communications Centre reported that at a conference of public safety officials it was learned that Winnipeg was the only city of its size to be operating with only 2 dispatchers.

Since the Communication Centre itself was reconstructed, the dispatch pod contains four consoles to accommodate a third dispatcher. It is no longer reasonable to expect 2 dispatchers to divide the entire City of Winnipeg between them.

- **SPCO**

Currently, there is 1 supervisor for each shift.

One witness testified:

“The demands that have been placed on the supervisor in the Communication Centre are so unrealistic. They have exclusive telephone lines they are responsible for. They are responsible to liaise with the district sergeants. They are responsible to confer with the duty inspector. They are required to make all notifications to the Crime Division in the case of major incidents. Above and beyond everything they have to do in their corner, there is monitored alarms they have to look at, there is signals (when lights are out there is a Signals Trouble form required to be filled out) . . . The supervisor is used as a resource for the entire department if they have a computer question .. if something breaks down in the garage people call the Comm Centre and say the door isn't working.”

“Now aside from all that the supervisor has to be responsible, or the service has deemed them responsible for what's waiting in the queue . . also has to act as a resource for all the call takers in the room . . at points they have four people lined up in their terminal asking for advice.

. . .

The supervisor, in the absence of the duty inspector, is responsible for aborting those pursuits.” (traffic)

This responsibility is included in Exhibit 53-5, a memo dated July 13, 1995 entitled “Reclassification of ranks within the Communication Centre, has an attachment under the heading “Supervisor” (#10) (a proposal under heading “City of Winnipeg Job Description).

One supervisor reported:

“When we come in, and we start off the shift we have to try and review the calls that are in the queue, the calls that are waiting. You look up the calls that the cars are on, you have your own daily report to do up, and your notepad, so you'll know who's working tomorrow, if the shift is going to be short. You monitor both channels on the radio, one on a select speaker, one on an unselect speaker. We have a number of phone lines coming into our phone that's at the front. One directly for the supervisor, two that the dispatchers can take. We have an ambulance, a fire, a station duty line coming in. We assist and supervise the people working on the

phones. We have to do tape changes, we write out work orders for repairs on cruiser cars, for terminals in the station that aren't ... for the MDTs that aren't working . . . we turn those in. We write out work orders for some of the terminals that aren't working. We organize the breaks, we do a number of things."

Another experienced employee wrote:

"It is totally unreasonable to expect that the supervisor can do all the functions currently assigned to the position."

The SPCOs have had a difficult time performing the function of monitoring the PCOs and call takers and completing the required annual performance appraisal or evaluation. It was apparent that some staff had not had a performance evaluation in a number of years. These are a policy requirement, and tied into the accreditation program. (And see Exhibit 15-11, p. 15, Training Manual-Call Taker.) Perhaps the inability of the SPCOs to complete the evaluation process is the fact that they do not have time with the duties enumerated above, as well as the practice of "shift switching".

In the Communication Centre, employees, for personal reasons, switch shifts with one another. This practice developed within the Communication Centre and does not exist elsewhere in the Winnipeg Police Service. Shift switching is not something allowed for in the Collective Agreement. It is not referred to in Exhibit 15-6, (Training Manual: Call Taker p. 11-12) where shifts are described, but does appear at Exhibit 15-2, p. 8. It was implemented with the agreement of the Winnipeg Police Association for the well-being of employees in Communications. Yet, Exhibit 14-92, the introduction to the Dispatcher Training manual includes this:

"... our job is routinely stressful, thereby it is a part of the job that you knowingly accepted. Just as you accepted the fact that you will be working holidays and shift work, you must also accept that this job can be stressful." (my emphasis)

While providing accommodation for individual employees, a problem inevitably is created for the staffing co-ordinator and the SPCOs. Where one employee is not working their assigned shift, that employee is not available to his or her SPCO for monitoring or evaluation purposes. The SPCO simply does not have sufficient opportunity to monitor, supervise, and evaluate. It also presents a scheduling dilemma for a staffing co-ordinator, although this was downplayed in her evidence. Similarly, the training co-ordinator opined the advantages outweighed the disadvantages in providing shift switching.

However, the then Inspector of communications provided the following in his statement: (Exhibit 55 & Exhibit 49(c), PVI p. 11-12)

"It's really ugly for (the staffing coordinator), that's who bears the brunt of it because it's . I don't know how she does it."

. . .

"But uh it does cause grief for, uh, for the staffing coordinator . . ."

"I think it's more of a problem for (the staffing coordinator) than, uh, you know, and causing a lot of grief elsewhere."

The "manager" of the Communication Centre (also Exhibit 55, Exhibit 49(b) CWI-ii, p. 15):

". . . and (the staffing coordinator) and as far as the staffing end, um, it's a constant battle to try and find people to fill spaces and her, again, the ability to organize and get the people when she needs to have them when she needs to have them, uh, um, juggling shifts, . . ."

Similarly, concern was evident that a given shift may have an overbalance of new employees when shift switches occur. The Audit Report (Exhibit 80, p. 29):

"Presently, not enough qualified staff are available who can rotate into the dispatcher role on each shift. These problems can be further exaggerated due to shift switching, if the substitute does not possess the same skill set."

There was evidence as well, mostly by the part-time or casual employees, that being assigned to different shifts can be stressful because some people in some shifts work differently than others. Again in Exhibit 55, a part-time police communications operator stated:

"There are, I know for awhile it was a particular shift but people do switches and you know, there's lots of changes .. there is not a lot of consistency because people to have the ability to do switches ..."

There was no evidence that the practice of shift switching included favouritism to certain staff members. But, the practice could lead to that perception.

A member of the executive of the Winnipeg Police Service testified on the subject of shift switching:

". . . it's within the prerogative of management to change the process had we wanted to. We decided that in the interim we would not and let the audit go its course and then make our decision relative to that issue."

He continued, voicing a concern with respect to the ability to supervise as follows:

“. . . the continuity of the workplace in terms of managers interacting with the people that work for them can influence how evaluations are done, and not in a positive way when there is a lot of switching of shifts going on.”

A similar sentiment was recorded in Exhibit 55 by the Communications Inspector as follows:

“Yet it causes some problems when you look at, depending on how many switches are made in a year ‘cause then your start worrying well if they’re supposed to be working with this supervisor, this SPCO how do they really get a chance to look at them if they’ve been all over the place working on these other, on these other shifts.” (sic)

The inspector voiced the same sentiment as members of the “management team” with respect to the advantages of shift switching to the employees.

- **Duty Inspector**

While the role of duty inspectors, and duty staff sergeants, within the Communication Centre is addressed elsewhere, it is important to note that at the time of this incident the duty inspector’s office was not, as it is now, located in the Communication Centre. At that time they had a number of other duties besides being the resource for the Communication Centre. In 1997, at the time of the operational review (Exhibit 81), a roster of 4 duty inspectors was considered understaffed. At the time of this incident in 2000, there were 2 duty inspectors. Currently, the complement of duty inspectors is 6, and many of the duties previously performed by duty inspectors have been reassigned.

- **Conclusion**

There was an apparent perception that nothing was being done by middle management and the Winnipeg Police Service executive with respect to staffing levels. This obviously added to the angst of Communication Centre staff and potentially impacted on their performance.

Exhibit 53-8 is a document prepared by the Communication Centre “management team” October 27, 1997 entitled “Re: Police Communications Division Staffing Requirements”. The document was approved by the Police Chief for submission to the Commissioner for Protection Parks and Culture. An enhanced document was prepared November 24, 1997 (Exhibit 53-12).

The budget process was described as “a long process that requires some advance planning” by an executive member of the Winnipeg Police Service. He testified:

“But what we have done, because the budget process is a, a somewhat slow process in that you have to plan things well in advance, we actually have put in our current business plan and budget process an additional seven positions simply to ensure that in the event that the audit indicates that this is what we need to do, we at least have the ball rolling.

And if down the road the audit indicates that no, we don't necessarily require those positions or we can figure our work to do our work differently, then it's an easy thing to take that out of the process.”

It is not, and has not been the case where nothing has been done with respect to staffing the Communication Centre; it was a case of communicating it to the Communication Centre staff.

Staffing levels were further decimated by sick leave, due in part to repetitive stress injuries such as carpal tunnel syndrome. With the relocation to new quarters, the Communication Centre received modern ergonomically appropriate furnishings to reduce such injuries. This was demonstrated on December 11, 2001, during a tour of the Centre. Call takers and PCOs can raise and lower the console to sit or stand, and are able to move about the room while still connected to a head set.

#### **RECOMMENDATIONS:**

**It is recommended** that a comprehensive review be undertaken with respect to the staffing requirements of the Communication Centre, in particular whether the optimum number is 8, 10, 12 or 14;

**It is further recommended** that the comprehensive review consider and implement 3 dispatchers for each shift.

**It is further recommended** that the comprehensive review examine and investigate the efforts to build the pool of casual employees to 18.

**It is further recommended** that there be an addition of 1 SPCO per shift and that the comprehensive review consider whether or not this person should be in addition to or act as a quality control/coach.

**It is further recommended** that the designated 911 operator position be staffed at all times.

**It is further recommended** that the practice of shift switching be abolished.

## **TRAINING**

The Training Coordinator with the Winnipeg Police Service Communication Centre has more than 20 years experience and assumed the position of Training Coordinator in March 1998 after 10 years as a PCO, and at the conclusion of a one week course at the Winnipeg Police Service Training Division on Effective Presentation.

- **Initial training**

All new call takers attend a training course developed by the Training Coordinator. Initially, the classroom training was four weeks. As of 2002 this has been increased to six weeks. (Exhibit 17) A training manual is provided to each call taker candidate. (Exhibits 15 and 19) Other members of the Communication Centre staff assist the Training Coordinator in the classroom, and with live monitoring subsequent to the completion of the course. Trainees answer 911 on the fourth day of training, with a monitor. There are three exams during the call taker training and a 70% average on all three is required. At the end of training, an audio exam features ten possible scenarios for a call taker. That exam has a 70% pass requirement. This is followed by a period of monitoring by other Communication Centre staff which has now been lengthened to six months.

On a whole, most witnesses were positive about the initial training and the increased monitoring time. However, concern was expressed that prior to February 2000, the part-time call takers were not monitored as long as the full-time call takers; their period of monitoring being only six shifts (six weeks). This has recently been increased. There was also an issue that the part-time call takers are trained “as a rule they are done in totally separate groups” from the full-time call takers.

Call takers can apply to become dispatchers. A further training period is held which was two weeks in 1998 and is three weeks now. A similar manual to that of the call takers (Exhibit 16) and lesson plan (Exhibit 18) are provided. When the employee completes the dispatch training course successfully (again 70% is required for a pass) they achieve the rank of PCO and can perform all three functions, 911 operator, call taker, and dispatcher.

It became evident that the training manuals, if maintained by the PCO individually, may not be up-to-date. A cursory comparison of the three call taker training manuals filed as exhibits revealed very little difference in basic information. Exhibit 15 (2001), Exhibit 19 (1998) and Exhibit 52 (1998) all contained segments on Communication Centre organization, policies and procedure, duty office lesson plan, E911 policies and procedures, giving evidence, police jargon and so forth. A somewhat minor discrepancy in the training manuals surrounded what was referred to in testimony as the “5 Ws”.

Exhibit 15-16 (p. 2), lists “the five most important questions” as:

- Where - address and phone number
- What - type of call
- Who - complainant's name, victim's name, suspect's name, witnesses names
- When - in progress, just occurred
- Weapons - if so, what type

At p. 80, the same manual reports that when officers are responding to any emergency call they should know

- What has happened
- When it happened
- Where it happened
- Where are we getting our information from
- Where/Who is the complainant
- Where/Who is the suspect
- **Weapons** - what type of weapons involved

On the next page, the manual reports that in the past few training sessions the trainees have been taught the correct method to take calls for service utilizing the WHO, WHAT, WHERE, WHEN, WEAPON. This latter five W's is consistent with Exhibit 19 (1998) and 52 (1998).

However, the following exchange occurred between counsel and an experienced PCO:

Q. And something that I found when I read through the training material question both that that was in place in 2000 in the Communication Centre, and now, was something called the 5 W's is, is something that was stressed. Would you agree with that?

A. Well, it's funny that you should mention that. Because the first time I heard of the 5 W's was about -- where are we at here -- about 10 days ago. And when, in talking with my lawyer, he said the 5 W's, and, I don't know what, what he was talking about the 5 W's.

Q. All right. You would agree that the training focused on ascertaining certain facts through answered questions, that being five questions starting with W?

A. It was I -- who, what, when, where, why.

Q. And weapons?

A. See weapons is the one I said to him pardon me? . . .

Q. From your training, you're saying that the issue of weapons was not the focus for call takers?

A. Oh, not at all. I'm saying that the 5 W's that I understood were who, what, when, where and why. A weapon is a question you would ask, but when -- but in this 5 W's you're talking about weapon was never one that I knew was included in that."

This particular PCO was also a monitor for trainees.

The only two obvious differences between the 1998 training materials and those in 2001 were examined by counsel. One concerned the use of priority 1. (Exhibit 15-10, p. 29) The 2001 description of a priority 1 added the portions that are underscored:

Priority 1 - to be used for calls that are in progress or just occurred where a suspect may still be in the area. Examples of these types of calls would be: serious MVA's with injuries, B & E in progress, theft in progress, assaults, holding a violent shoplifter, domestics (with violence or potential for).

Dispatch protocol = units are dispatched immediately

In Exhibit 15-16, call types, at p. 30, a domestic priority 1 is described as:

This type of code is used for **ALL** domestic situations and domestic disputes regardless of the actual offence committed (i.e. assault, break and enter, breaches of orders, prevent breach of the peace, etc.). If required, the attending field unit may change the incident type code once they have attended and confirmed the actual offence committed.

A witness agreed that that was "fundamentally different" from her 1998 manual and removed an area of discretion that is not in the Exhibit 15 manual.

A training manual was kept in the Communication Centre and updated "on an as required and as time permitted" basis. The manual is not online. Concerns were heard that the manual was often not where it should be when staff were looking for it.

"Rather than continually providing that employee a new call taker manual or a dispatcher manual, updates, if you will, would be provided in the form of memos" (see "Communication").

Evidence was also led that there were areas of confusion and contradiction between the training manual and policies and procedures as released at various periods of time. In particular, there was a contradiction with respect to Bill 40 (The Domestic Violence and Stalking Prevention, Protection and Consequential Amendment Act).

Since 1998, 44 call takers have been trained and 27 remain on staff. In 2001, three dispatcher courses were held training 8 employees to dispatch.

As for the training itself, both classroom and monitoring, there were a number of witnesses who testified that the trainers, drawn from their own ranks, having received only an effective presentation course, and some time observing a training session, were inconsistent not only in training but also in interpretation. (see Exhibit 80, Audit Report, p. 24 & 26). Many of the trainees coming out of training voiced concerns regarding inconsistencies with advice they have been given. There were also incidents where the trainers are not adhering to policy.

ie. Trainer while in the Comm Centre sitting on dispatch says to an employee - why is this assault that just occurred entered in the queue? The suspect is not on scene - he should have been referred to a service center. The call taker attempts to justify why this has been done - however the trainer advises her to call the complainant and instruct him to attend a service center the following morning. When the call taker does - the caller becomes very irate. The call taker involved - as they were fairly new did not want to bring this issue forward. A prime example of how people are not adhering to policy. If the trainers are not going to - there are huge ramifications.

A veteran PCO testified that what was needed was “apparently more training - more consistent training would be an improvement.” In one case, a more junior employee advised a much more senior employee concerning a new “ring-back” feature that the newer employee had learned in the training course but the senior employee was unaware of it.

Evidence was heard from at least two witnesses that there is no training for those PCOs who will be assuming acting SPCO status to relieve the SPCO. Sometimes this is just for breaks, other times it can be longer. In one case, an acting SPCO was assuming the position for four months. A statement in Exhibit 49D reports:

“And all of the actors, which I am considered to be an actor, have basically said that we won’t sit up there alone, because it’s like inappropriate. We haven’t received any training and yet I go up and sit at SPCO and um, I’m supposed to be in charge of the Comm Centre. I only did it because there was no one else in the room to do it, and how else is the SPCO supposed to have a relief? But we can’t unless we have some training. Most of us haven’t had any training ... No, we’re just there cause we’re the senior person.

In testimony:

“There’s a lot of us that are acting or helping act that haven’t been trained specifically. A training day would be great.”

Another acting SPCO testified:

“There was no formal training for supervisor, so when I first started doing it on a regular basis I had a tendency to focus on dispatch because that’s what I knew, and I was told in no uncertain terms to leave the dispatchers alone and let them dispatch and I have other duties to do.”

Later:

“It was basically on the job I think Ms Hobson spent about an hour with me going over some of the computer commands that I’d use as an SPCO, but basically there was no training.”

One acting SPCO had applied for an SPCO position which was offered to someone else. Yet, without formal training, performed the job of “actor”.

## **RECOMMENDATIONS:**

**It is recommended** that as part of a comprehensive review the Training Division of the Winnipeg Police Service administer and teach the training programs for the call taker, dispatch, and SPCO positions in the Communication Centre to ensure accountability and consistency in the training and thereby lessen the burden on the members of the Communication Centre themselves.

**It is further recommended** that the review consider whether to continue to use Communication Centre staff as monitors for new employees given the apparent inconsistencies among those employees in terms of their training, and their interpretation of policy and procedure or whether that duty be assigned to the Training Division.

**It is further recommended** that the Training Division review the training syllabus of the Communication Centre to ensure that the information/procedures being taught are accurate, consistent and relevant. It is also crucial that the training materials conform to the policies and procedures of the Winnipeg Police Service especially Family Violence Policy. Exceptions, if any, must be clearly identified. These materials should be updated on a regular basis.

- **Ongoing Training**

- Need for ongoing standardized training

It was unanimous among Communication Centre staff that there is a need for ongoing training. While their comments varied, the following questions and answers are reflective of the attitude of the employees:

Q. In terms of specific policy and procedure as you've said that has changed over the years; do, do you recall times that were devoted specifically to review of current policy or procedure as the time period past and used some time, for example, in any year or to review things to date, in that sense?

A. No, there doesn't seem to be a, a standardization program in place, or standardization training. In other words me as a senior person to have a refresher course or to be brought into focus as to what's happened when I took my training as compared to the training of today that doesn't exist.

Q. Now, making that observation, that it doesn't exist, do you think that this is something which would be a good thing to happen?

A. Definitely, yes.

Further telling commentary is found in Exhibit 55, (the Scott Report) where one PCO is reported as making the following statement (Exhibit 49B-CWI-10, p. 21):

“ . . . I think, I think, um we need ongoing training. We're supposed to have four days a year and I think that, um, we need to cover the procedures and we only had one day of that at the beginning of January.” (referring to 2000)

A part-time PCO, in addition to the statement reported in Exhibit 55 also said: (Exhibit 49A-CW1-11, p. 18):

“ . . . No, I'm not satisfied with, um, much of the training, uh, in that we are coming up to a second alternate site training day. There hasn't been a formal training day where all of A-side, or all of B-side gets together and in particular, uh, B-side had a training day with respect to new policies, procedures and, and other issues . . . ”

She continued:

“Um, and the part-timers were not included and when I mentioned that to (the staffing coordinator), she said she was gonna have another day for part-time people and as far as I'm concerned and I don't mean this to sound arrogant, but I'm in a different boat than

the rest of the part-time people ... I'm the only one of the part-time people that dispatch."

Another PCO, in Exhibit 55, gave a statement about the "management team" (Exhibit 49A-CW1-17, p. 13):

"..And it's been difficult to, I, like I said, I don't know how they can possibly keep up because there's just been so much. In all fairness, they're trying to show us a domestic video. I mean the procedures weren't right in the video and any new person sitting there would look at that and the corrections weren't made after the video was shown. Nobody told these new people that no, you don't have to go to a lawyer to get a restraining order anymore, I mean it doesn't work like that ..."

This employee continued on the subject of the 10 year old domestic violence video by saying, "A lesson plan got lost so they just scheduled a whole bunch of filler stuff."

- **Training outside the Communication Centre**

During testimony, each witness reviewed with counsel ongoing training within the Winnipeg Police Service, the City of Winnipeg, and various outside agencies. There are obviously a number of courses available and taken by Communication Centre staff. For example, multi-cultural awareness (City), ethical decision-making (WPS), stress management (available through the City or the WPS), conflict resolution (City), effective speaking (City), interviewing skills, radio messaging service course (Communication Centre).

The tuition for outside courses, if approved, was reimbursed.

The responses to the various courses taken by the different witnesses were as varied as the participants. However, as two witnesses opined that you will only get out of a training course what you put into it.

- **Communication Centre training: 1996-2000**

At the relevant time, the need to use training days for mandatory alternate site days, new technology involving radios, computers, and the Sentinel phone system as well as "wellness days" meant that the usual refresher courses were not being held. In the past, there seemed to be time for an open forum on policy and procedure following the debriefing for the alternate site day, but this ceased to be the case.

Exhibit 20 contains a list of training provided between 1996 and 2000. For example, non-violent crisis intervention was offered in April and May of 1996. Various staff attended a disaster seminar, a pursuit driver training seminar, bomb unit demonstration and training, stress management, telephone techniques, etc.

in the fall of 1996. A training day schedule for all members of the Communication Centre in November 1996 included the following topics:

- numerous changes within the Communication Centre and impact on operations
- impact of service centres as well as clarification and procedures dealing with service centres
- update on disaster procedures
- update on divisional procedures
- staffing issues and upcoming changes

In 1998 training was scheduled for alternate site, bomb training, and wellness day. In 1999 again was the mandatory alternate site training and Sentinel telephone training.

Scheduled for the year 2000 were alternate site, clandestine (drug) lab. operation, ethical decision-making, Myers-Briggs workshop, alternate site, refresher training, call taker, refresher training call taker and dispatcher (B-side), and a Vice Division presentation (B-side). (Exhibit 20)

Even when refresher training is provided, such as it was in November of 1997 on Communication Centre issues, policy, etc., witnesses voiced concern that the message is inconsistent as between A-shift and B-shift. The fact that not everyone in the Communication Centre can attend a training class at the same time and receive the same presentation and hear the same questions and answers may in some circumstances lead to inconsistency and confusion if the message is not brought forward by the same individual with the same lesson plan.

Because ongoing training decreased, for reasons outlined earlier, the “management team” relied on memos and PARCS mail to staff about policy and procedure changes. Again due to the shifts, and casual employees, this information was sometimes not disseminated in a timely manner or at all. (Communication, p. 53)

Staff in the Communication Centre, because of their shifts, end up each year owing 12 days service to the Winnipeg Police Service, known as PRDs (Exhibit 15-1, p. 9, 2000 Call Taker Training Manual). Of these, up to four are available for training, the others are used for working shifts. Many witnesses felt that more than four days should be available for training. Others noted that sometimes not even the four days were used.

One member of the “management team” suggested more training time be spent with the special units. Various members of the Communications Centre

had attended bomb squad and dog training demonstrations, and the supervisors attended clandestine (drug) lab presentation.

Most staff appreciated these days, undoubtedly as a respite from their day-to-day work as well as enhancing their appreciation for the work of the individuals in the operation divisions. However, at a period when so little time was available for refresher training on policy and procedure, which was changing “almost daily” perhaps this time might be better spent.

- **Part-time or casual staff**

At the relevant time, the little ongoing training that was available was not in many cases available to part-time or casual staff despite their willingness to participate. Many reasons were given including the problem of scheduling. The PARCS mail, October 28, 1998, contained in Exhibit 52-31 gives a part-time employee authorization to attend a “developing assertive skills” course. Three days before the course, one of the three part-timers scheduled to attend the course was advised she could not as she was needed to work an evening shift that day. (Exhibit 52-30)

A PARCS mail, March 23, 2000 (Exhibit 46A), refers to “refresher” training days in the past two months for both A-side and B-side:

“At the time, part-timers were not scheduled as the intention was to have a separate date (or dates) for part-timers as a group. So far I have been unable to schedule such a date because of the staff shortages and the amount of time you have all been required to work so ...

The solution to this for now will be to have you attend the alternate site dates where further updates will be provided.”

Staff were then invited to forward any concerns with respect to policies, procedure and staffing. A month later (Exhibit 46B) one staff member reported that part-timers are not always sent updates and pointed out that there needs to be a consistency in the manner in which part-timers are advised of updated information.

The response from a “management team” member pointed out that “the alternative site days, and other similar days are for everyone’s benefit so all are required to attend.” One of the “management team” members planned to assign someone from each side to send mail to part-timers about any issues that arise at training days.

Evidence indicated that when part-timers did receive such information, it came from different sources to different groups and there was the concern about consistency. The concerns about the lack of training for part-time and casual employees are valid.

- part-time employees received less initial training
- part-time employees had received less live monitoring
- part-time employees were trained separately initially
- part-timers may not work as often and therefore
  - (a) need constant updating of their skills
  - (b) do not always receive the memoranda
  - (c) do not always have the same supervisor who is generally responsible for disseminating the information to each shift
- part-time employees can be subject to the influence and inconsistencies between shifts and among other employees
- part-time employees feel less part of the group, and less important, thereby eroding morale

It would be no comfort to a member of the public calling 911, or to an officer responding to a call, that their part-time or casual operator had less training than the rest of the staff and received sporadic and/or inconsistent updates.

It is the view of the training coordinator that training should include the part-timers.

Relevant and up-to-date ongoing training is essential to the provision of the service to the public and for officer safety. It also provides the staff involved with the opportunity to question trainers, develop rapport among themselves, and have a sense of validation. One witness suggested that the staff be canvassed prior to training courses as to their specific training needs.

- **Training needs assessment**

At the time of the Inquest, Exhibit 51-B (Training Needs Assessment) was deemed preliminary and had not been audited. The report was compiled on the basis of input from 26 or 27 Communication Centre employees - approximately one-third of the staff. It was designed to identify learning gaps from their perspective, and was described as reporting on “their thoughts and feelings”. The author acknowledged there were no interviews with management nor review of policy and procedures, as these form part of a wider review by the Audit Review (Exhibit 80). Exhibit 51-B, like so many received and reviewed in evidence was unpaginated, making referencing difficult.

Most of the observations in the report are not new, are contained in the audit, and received in evidence both through witnesses and exhibits such as PARCS mail. Some observations pertain more to communication, management, and morale but all these issues are intertwined. One area which deserves consideration is found on one fifth page from the start:

“Currently, employees are required to take their own initiative to inform themselves about changes in policy and procedure, through the reading of a memo board. As knowledge of service policies and procedures is an integral aspect of their job, ongoing training is required to ensure consistency of information. Employees indicated that this learning would be most effective in a classroom setting, and through shift briefings. Currently, they are amidst attempts to implement shift briefings.”

On the tenth page:

- “Information comes in the form of memos. Most of it is left to your own initiative.
- There should be more structure to keeping employees up-to-date with routine orders and changes.”

Shift briefings were initiated shortly after the commencement of the Inquest.

- **Employee responsibility**

The observation in Exhibit 51-B seems to reflect a concern of the participants that they bear the initiative and responsibility to inform themselves. It is the responsibility of all employees of the Winnipeg Police Service, including Communication Centre staff, to inform themselves of, among other things, changes in policy and procedure. This was confirmed by many witnesses on examination including the following:

Q. And I take it that it's a responsibility of each member to read those memorandums within the binder and familiarize themselves with it.

A. Yes.

Q. .. just as it's a responsibility that they would have to review the online material or the general and Routine Orders that come out to change service policy; is that correct?

A. Yes.

In a document headed Directives System from the Winnipeg Police Service Manual the following appears:

1. Member responsibility:
  - (a) read and comply with written directives;
  - (b) if absent for a period of time, regardless of length, contact your supervisor or divisional directives coordinator to review all written directives issued during your absence
    - i) unfamiliarity with the contents of existing written directives will not be accepted as a reason for non-compliance with written directives.

Notwithstanding the acknowledgement that it is each staff member's responsibility to keep current, Exhibit 15-2 (Call Taker Training Manual, 2001) states at p. 11:

"Information Manual

We have several valuable sources of information available for use in the Communication Centre. You should attempt to make yourself aware of all of these, including reviewing them periodically to keep up on any amendments and changes in current policies and procedures." (my emphasis)

The manual lists some nine items including the departmental procedure manual, the departmental rules and regulations manual, routine orders, general orders, divisional memos, Division #31 memos.

An "attempt" to familiarize oneself hardly complies with the member responsibility as set out above and as confirmed by other witnesses.

When offered a possibility for keeping staff current by making notification of a corrected page to the manual, the training coordinator acknowledged that it could be done but continued,

".... we still have to rely on the people reading the material. Whether it's a memo or an amendment to the manual, you would have to ensure that .... that they are reading it."

A series of PARCS mail in Exhibit 49E (PV67) document problems with the dispatch manual. One writes:

"I read through the entire manual this shift so I could refresh myself with policies, etc. in particular in preparation for monitoring (a named employee) and noticed a few errors and things left out."

Another inquires about a section missing from the manual on the subject of sudden death and inquires as to whether or not it was “worth reinserting into the lesson plan?”

Obviously omissions in the manuals and lesson plans were known to the “management team”. It is interesting to note that one PCO was able to read the entire manual on her shift.

Certainly the memo book was not and is not an ideal method for communicating policy and procedure changes and providing refresher training and will be addressed elsewhere. The lack or loss of a current Communication Centre manual is also problematic. The Winnipeg Police Service manual is, as noted, online and available to everyone in the Communication Centre. Yet at least two witnesses admitted to their lack of ability to access the manual.

Also available to Communication Centre staff in the room, and used as a policy manual, is the training manual. Again, there are problems with access to it, and its being kept up-to-date. It is updated when time is available. One of the newer members of the Communication Centre had copied relevant pages of her own training manual to have available at her console. Some witnesses testified there just was no time available to update themselves by reading the memo binder and the training manual. This came from viva voce evidence at Exhibit 51-B, 14<sup>th</sup> page:

“They would be more likely to take a course on a CD Rom than on Police Net because they can take it home with them. They don’t think they have time to do it at work.”

Yet, this is their responsibility and evidence was led of sufficient “down time” in the Communication Centre to play games provided by “management”, do crafts and do personal correspondence. (Exhibit 15-1, p. 6, Call Taker Training Manual)

Again, Exhibit 51-B reports:

“Communication is missed. There is no quite (sic) time during the shift for the supervisor to address the whole group.”

As noted, shift briefings have been instituted.

- **Conflict resolution**

Some employees reported a need for conflict resolution training to assist in identifying and working through conflicts with callers, as well as among their colleagues. When asked about conflict resolution training and its need when the call takers are dealing with distraught and possibly argumentative people on the phone, the training coordinator responded:

“Partly that would be covered through mock incidents and examples provided to the trainee throughout the call taker course. In addition, it would be covered under the effective listening or effective communication presentation that’s now done by Ms Hobson.”

The request for such training also raises the question of the job description of a complaint handler (Exhibit 36) and the class specification - PCO (Exhibit 35) and whether or not the job involves counselling and resolving conflict with callers. The complaint handler job description does include “providing appropriate advice as necessary”, but that is for the purpose of determining the most appropriate police response. (Job Descriptions, p. 9)

One of the relevant calls reviewed in evidence (Exhibit 6; Exhibit 25) contained advice given to a caller that was not, according to “management team” witnesses and others, appropriate.

Before any further training in this area is considered, the need for this type of training should be examined in the context of current or future job descriptions.

As for conflict resolution among co-workers, what ongoing training there has been has usually included the Myers-Briggs workshop which is a personality type indicator. The one that was used was Appreciating Yourself and Other People Too and it was described as a team building day. It was not personality profiling those who call but was rather building the internal working team.

Part of the new training and ongoing training has involved representatives from the Behavioural Wellness Centre, principally Dr. Davis, the psychologist, and Staff Sergeant Steve Jones. That was done primarily with the A-side, and when B-side had the training it was primarily the Myers-Briggs workshop. Different training for the two different companies.

But for reasons expanded elsewhere, whatever training needs are identified, conflict resolution in the workplace and respectful work environment are indicated.

- **Training in the law**

In Exhibit 51-B, requests were made (by the 26-27 participants) for training in the law - municipal, provincial and federal. As noted at the 11<sup>th</sup> page:

“They would like to receive more training on legal information. It would give them a better understanding with respect to calls, but they are not supposed to give advice in those matters.”

On that subject, the training coordinator stated:

".. we like to be able to afford the call takers to have enough information to be able to effectively perform as a call taker, not as a police officer. We, we don't have the luxury of being able to spend perhaps 10 or 15 minutes on the phone, giving advice to or explaining the legalities of specific questions that people have. If there is five people explaining things to callers then there is no one left to answer the rest of the incoming calls."

Exhibit 15-5, Call Taker Training Manual (2001) provides information on legal matters on p. 11-23. Exhibit 52 contains one of the 1998 trainee's handwritten notes in her manual on legal matters.

Exhibit 45, Winnipeg Police Service Family Violence Policy (amended 00-02-01) at p. 23 sets out types of court orders, old and new. This is part of the Winnipeg Police Service policy manual, available online, and it is the responsibility of all members of the Winnipeg Police Service to be aware of its contents.

In one call on the morning of the murders, erroneous comments were inappropriately made about the responsibility of individuals in a breach of recognizance situation. This is not the job of the call taker. This attempt at giving legal information was inaccurate and dangerous.

One possible exception to the need for legal information was Bill 40, The Domestic Violence and Stalking Prevention, Protection and Compensation Act (Exhibit 45, Winnipeg Police Service Family Violence Manual, p. 14-16) This had a tremendous and time-consuming impact primarily on the duty inspectors.

The impact on call takers, dispatchers and SPCOs was more from a procedural point of view. An order is an order - be it a judicial interim release order, a probation order from a court, or an ex parte prevention order from a justice (magistrate).

Exhibit 15-16, Call Taker Training Manual 2001, addresses Bill 40 at p. 20-22. On January 17, 2000, a two page memo was sent out to all Communication Centre staff with respect to Bill 40. This memo constitutes item 3 in the 2000 memo binder (Exhibit 57).

As noted in a statement from a PCO, training was still being given recently about the requirement of a lawyer for a person seeking to get a restraining order (then known as a non-molestation order) which is no longer the case. The question may be how much legal education do call takers and dispatchers need to perform their responsibilities.

## **RECOMMENDATIONS:**

**It is recommended** that as part of the comprehensive review ongoing or refresher training responsibilities be transferred permanently to the Winnipeg

Police Service Academy to ensure accountability and consistency in the training that is provided and thereby lessening the burden on the members of the Communication Centre themselves.

**It is further recommended** that the Training Division develop and implement mandatory refresher training courses for the staff of the Communication Centre, to be conducted on a regular and consistent basis.

**It is further recommended** that the Training Division coordinate a core group of mandatory training sessions that include but are not limited to such topics as

- current and applicable family/domestic violence prevention procedures;
- aboriginal and cultural awareness;
- court orders and police role in enforcement;
- stress management
- disaster procedures;
- suicide prevention; and
- special unit training

**It is further recommended** that additional training sessions are identified following consultation with the staff of the Communication Centre.

**It is further recommended** that the number of PRDs or payback days used for training per year be examined to provide the optimum number of training days.

**It is further recommended** that part-time or casual staff attend all mandatory training sessions.

## **COMMUNICATION**

- **Manuals, memos, PARCS mail**

One counsel facetiously asked a witness if one of the biggest problems in the Communication Centre is communication or lack thereof. The witness agreed. Another witness said it was a standing joke that “This is a Communication Centre and it’s the poorest communication that’s ever existed”.

Lack of communication and miscommunication has had an impact on the implementation of training, policy, procedure, morale and professional relationships.

The sheer volume of paper which documents information flow in the Communication Centre, evident at the Inquest, is mind boggling. Included in the exhibits (almost 6,000 pages) are undated, unpaginated memos and excerpts from training manuals. For example, Exhibit 53-10, a document reporting the number of domestic violence calls has no date and the author is unknown.

- Exhibit 53-16: author not known.
- Exhibit 53-61: no date, no author, no recipient.
- Exhibit 37 (#31 PV exhibits): undated memorandum about staff minimums.

PARCS mail, though clearly identifiable by date, time, author and recipient are numerous, they sometimes pertain to matters of a personal rather than professional nature. Some PARCS mail are quite inappropriate and unprofessional. The Suggestion Book, Exhibit 44, was developed after the murders. It too is unpaginated, contains undated and unidentified notations and personal and unprofessional commentary. The book went missing and was later found to have pages torn out and notes crossed out. For example, next to a concern written in the Suggestion Book someone wrote “lighten up”. There was also a note “do you want some cheese with your whine?”

One member of the “management team” testified:

“There were some comments that were put in the suggestion book that became a personal attack at some people and how they were doing things and so someone took it upon themselves to remove those pages from the book that were referring to those types of things.”

Apparently informal minutes were kept of supervisor meetings and posted on a clipboard in the Communication Centre. These minutes went missing.

Some time ago an attempt was made to develop a policy and procedures manual for the Communication Centre. This document too was missing for a period of time and was located during the Inquest. The training coordinator has now been provided with a staff person to assist in updating the manual.

There is no Communication Centre policy manual per se. A binder exists “somewhere” in the room. One witness described the location of the memo binder and training manuals as follows:

“They were in the room, and when you could find them they were available, yes.”

The manual is basically the most recent training manuals - call taker and dispatcher. They are not always up-to-date. Coincidentally, there is a similar book for duty inspectors with “all the pertinent memos in there” which is “in the duty office someplace”. (Exhibit 49C) (my emphasis)

One PCO sent a PARCS mail to the “management team” on February 15, 2000, wanting to prepare for upcoming training by reading the manual on Alternate Sites. (Exhibit 49E)

“... but I couldn’t find the manual and so I got to wondering if there is in fact a procedure manual for the current Alternate and if so, where is it located.”

While the Winnipeg Police Service policy manual is online and readily accessible, at least two witnesses admitted to not knowing how to access it. A General Order is an order that contains policy or procedure changes, normally initiated by an operational development unit, reviewed by the executive of the Service, signed by the Chief of Police and distributed throughout the Service. A Routine Order normally applies to one-time events. All General Orders and Routine Orders are also online. They are available in hard copy in the Communication Centre and must be signed or initialled as having been read by each employee in order to meet the requirements for accreditation for the Winnipeg Police Service.

An examination of the documents contained in Exhibit 59 demonstrates the “sign-off” policy. The document entitled “Domestic Related Calls - Change In Priority” dated February 17, 2000 (the day after the murders) only bore 29 initials out of an approximate 70 members of the Communication Centre. Two days later a memorandum, entitled “Family Violence and Enforcement of Orders” had 50 signatures or initials on it. This particular document, #24 in the memo binder index is dated February 21, 2000 and actually contains two copies of the same memo with a handwritten correction with respect to “interdivisional dispatching”. The same memo, found in Exhibit 86 does not have this correction.

- **The memo binder**

The memo binder is a repository for various information including policy and procedure changes as well as miscellaneous information pertaining to such things as training, booking annual leave, seniority lists, Christmas hamper, etc. According to one witness, the memo binder was an improvement over the distribution of single memos previously kept in a folder at the supervisor's console.

With the exception of the memos contained in Exhibit 59, the memo binder was not an exhibit. Four years of indices (Exhibit 57) show the number of memoranda in the book ranged from a low of 61 in 1998 to a high of 105 in 1999, and not all addressed policy and procedure.

- Domestic violence

The memo binder can be confusing and misleading. Commencing February 17, 2000, the day after the murders up to and including March 28, 2000, there were five memoranda addressing domestic matters. The index reported these as follows:

000217	#16	"Domestic Violence Policy"
000217	#22	"Domestic Violence Policy"
000222	#24	"Domestic Violence Policy"
000323	#31	"Domestic Priority Review"
000328	#36	"Domestic Incidents 'Updated' Version"

On May 24, 2000 a memorandum was sent out to address a number of topics which constituted a repeat of information supplied at an Alternative Site training day. Exhibit 58, p. 5 reports:

"Domestic Incidents and Orders - What Are Confirmed Policies?"

I believe this subject was and has been thoroughly covered through memos and discussions. However, should anyone require further information or explanations please contact me directly."

Certainly having five memoranda within the previous two months on domestic violence could be said to have "thoroughly covered" the topic. The training coordinator confirmed that additional questions with respect to domestic violence were being asked in March 2000. The inclusion of the domestic incidents, orders, and thefts in progress addressed in Exhibit 58 were initiated by the training coordinator.

The May 24 memo was followed June 8, 2000 by memorandum #59 "Breaching Court Order" and by #60 "Domestic Related Calls". Eight memoranda in 3 1/2 months.

Testimony revealed that at least one index entry for Exhibit 57 was in error: #33 is recorded as "Citizens on Patrol in River Park" but was originally part of a domestic violence package later included in Exhibit 36.

There seemed to be no valid reason why some of the memos could not be copied and provided to staff - especially the more complicated memos. This example was pointed out: The cover sheet of memorandum #36, March 28, 2000 "Domestic Incidents - Updated Version" refers to all domestic related incidents are entered as a priority 1 and continues that "breaches of all domestic related orders (including Bill 40), .... will also be entered using the type code "DOMEST". Yet, on the material attached, excerpts from a training manual apparently, at p. 21 the heading is "Bill 40 - Priority 2". When asked:

"Q. And it does appear, at least on the face, to be a little confusing without explanation?"

the witness responded

"A. To someone who hasn't taken the call taker training yes.

Q. I see. And perhaps confusing to somebody who isn't on top of their memos?

A. Perhaps."

As is reported elsewhere (training) many of the senior Communication Centre employees did not receive the formal training available now. Nor was there consistent ongoing training prior to February 16, 2000.

Another member of the "management team" agreed, people interpret policies differently and view things differently.

- **Communication by the "management team"**

- Staff perception

Some witnesses testified and wrote in PARCS (and Exhibit 52A) that they did not get timely, or any responses, when making inquiries of the "management team". It is evident from the many PARCS mail in evidence that various members of the "management team" did respond frequently and directly to an employee making an inquiry. Unfortunately, on an all important answer to a PCO with respect to OSTATs, the answer was only provided to the employee asking the question and not to everyone in the Communication Centre.

The members of the “management team” said they delegated inquiries to the SPCOs for responses concerning training, discipline, etc.

When asked if she could go beyond the “management team”, to the inspector level, one witness said “No, I didn’t ever go and see him, I just stayed at the level of the training coordinator and the manager.”

Given the nature of a Communications Centre as part of a division of the Winnipeg Police Service, the obvious chain of command should be followed both up and down in communication - that is, PCOs to SPCOs to “management team” to inspector to executive. (Exhibit 15-1, p. 9, 2001 Call Taker Training Manual)

- Within the “management team”

With respect to communication between the “management team” and the inspector, the following evidence was heard:

“. . . the management unit would, would meet pretty well daily to find out what was going on. It wasn't a formalized meeting. We did try and set up formalized meetings. For awhile we were meeting once a week. It just didn't make sense on a lot of occasions to do that; it was just easier if there were issues that the three of us, four of us, I guess, needed to discuss we would get together as that happened.

Relative to the SPCOs, monthly meetings were held with the SPCOs and the management team. Some of those (the inspector) would attend and others (he) wouldn't.”

Information on new policy and procedure and memoranda concerning same were to be passed by the “management team” to the SPCO who in turn would pass the information to staff. Often this was done by PARCS mail - either advising of the actual change or of a new memo on the subject.

One PCO, testified of no knowledge of a 1995 Routine Order. When asked whose responsibility such knowledge was:

“Probably the responsibilities of the person. I don't -- there were certain things -- it's, it was one of those things again if you were there at the time when it came in, you would get to read it right away. If you were on annual leave and they forget to tell you about it, there's different circumstances, you were required to go and upgrade yourself on the routine orders.”

When asked, moments before

Q. . . . as for that memo, from 1995, which appears to contradict your training, correct?

The witness answered:

A. Well, it says -- yes.

Casual employees reported that they frequently did not receive this information, and that it was "hit and miss" depending on the SPCO. Exhibit 46B reports:

"It is extremely frustrating to be told that you were not doing something correctly and the new policy/procedure is 'this way'. I realize many updates are in the Comm Centre manual, but personnel assigned to shifts receive updates via mail but part-timers are not always sent. (i.e. change to the Sentinel phones).

There needs to be consistency in the manner in which part-timers are advised of updated information."

On the other hand, Exhibit 52, training materials from 1998 contains approximately 16 PARCS mail from one SPCO to her shift members about the events at the Division 11 roll (sic) meetings held each Wednesday.

As noted elsewhere (Staffing) efforts made by the "management team" to secure additional staff were not communicated to the other employees:

"Well, I'm -- the only example I can think of is when we were given those 12 extra people and they were -- you know, the management came in and were very excited about it, but as far as what -- how they conduct their business everyday and what they are doing to communicate to the higher management what they need, we're not made aware of that, no."

Continuing on, the same witness in answer to this question,

"And would it be fair to say that that would be information that would make you feel more involved, grounded, assist with morale, if you had that kind of view of the long range planning for the division?"

Responded

"That's a good assumption, yes."

The same witness had previously testified:

"A. You're asking me if my middle management talk to us about what they're doing with senior management?"

Q. Yes.

A. No, they don't."

- Improvement team

There was, for a time, an improvement team formed within the Communication Centre with representation from each shift. Their first project was addressing the need for a third dispatcher. This did not come to fruition because of limited resources. The team ceased to function, according to one witness, for a number of reasons including a lack of objectives, no leadership or facilitator, and the absence of a member of the "management team" (except for the first meeting).

The "manager" of the Communication Centre said:

"The improvement team -- the idea behind it was formulated by a former superintendent for our division. And the idea behind it was to get a representative group of people from the Communications Centre that would be able to bring to management issues dealing -- that were affecting the operation of the Com. Centre. And it might have been minor issues such as -- well, at one point in time we had no windows, okay? So, that was an issue. So, it might be issues like that. It might have been issues to do with policy and procedures, clarification. It was whatever was felt that would help the overall group in, in creating a better environment and in creating a liaison between management and the working group. So, the original improvement team was probably formulated about five to seven years ago. And the group worked together for a while, however, what happened is the representative of each shift, they eventually moved, they transferred shifts, they got different jobs, maybe they were promoted or they were no longer interested in being part of it. So, for a period of time it kind of -- and because of the busyness (sic) and the lack of staff, we weren't able to schedule to meet. So, it became -- some people lost interest in it."

Recent changes in the Communication Centre have been aimed at improving communication. One is the "white board". This board contains notes, phone numbers, etc. about current issues that might cause the public to call the Communication Centre such as the Anthrax scare. Others are the rejuvenation of an Improvement Team and shift briefings.

The "manager" of the Communication Centre testified with respect to the former:

"What's happened is we've regrouped a new group of people forming the improvement team with the same goals in mind. Bring to us the issues that you feel will help to make the Communications Centre better as a working environment. So that we have a

representative of each shift as well as a representative from the part-time people so that we're ensuring that we get everyone's viewpoint.

I facilitate the group. I'm simply there to guide them, not to tell them what they can or can't do or to change their ideas but, rather, to help them with whatever issues they need. And if something needs to be brought forward to a higher level, then that's what I do."

- Shift briefings

Shift briefings were started just after the Inquest commenced. These were described by one witness as follows:

"The supervisor conducts the shift briefing, and goes over things that have occurred in the Comm Centre that she feels that the, the staff should be brought up-to-date on. One incident was this morning is we're still looking for an elderly gentleman who's lost and he'd been lost for quite some time, information to that effect. Information of incidents that occurred regarding up-to-date information pertaining to the, the meter, the meter man, that's being going around the city, and also policy. If there was some sort of information that she wants to bring us up-to-date in regards to an ongoing investigation that, that a cruiser car might be required to do, that's brought to our attention so that we as dispatchers can afford them that opportunity, if it's at all possible, to go and conduct that investigation."

When asked if the implementation of shift briefing is helpful, this witness, and many others, agreed it was.

However, there is always a risk that a different SPCO, or whoever conducts the shift briefing, might not give the same message to everyone.

## **RECOMMENDATIONS:**

**It is recommended** that as part of the comprehensive review, the viability of weekly supervisors meetings be explored. In particular, meetings within the Communication Centre to be attended by the "management team" and all SPCOs to ensure that any and all concerns can be dealt with in one forum and any new or revised policy can be disseminated and discussed to ensure consistency in understanding an application.

**It is further recommended** that a comprehensive review develop steps to be taken to ensure that all Communication Centre policy and procedure manuals are updated in one manual to be made available in both hard copy to each member of the Communication Centre as well as online, with the master copy kept in a designated and visible area in the Communication Centre. Staff should be encouraged to keep their manual at their work station when on duty.

**It is further recommended** that the comprehensive review develop steps to be taken to ensure that all revisions of existing policy or the introduction of new policy be disseminated to all employees at the same time the existing policy and procedure manual is updated and revised.

**It is further recommended** that as part of the review the placing of memos in the memo binder by topic with an index indicating the date they were released be considered, in order to facilitate easy access to updates. Memos relating to non-policy or procedure issues be placed in a separate portion of the "memo" binder.

**It is further recommended** that as part of a comprehensive review and potentially in cooperation with the Training Division, a number of forums are developed and routinely held to allow for staff briefing on policy and procedure changes delivered by a quality assurance/risk management coordinator, in order to ensure consistent interpretation of the changes for staff.

## **WORKPLACE AND EXTERNAL INFLUENCES**

Influences on the staff of the Communication Centre from within and without impacts the handling of domestic violence/assault calls and the timely provision of police response thereto.

- **Other Communication Centre staff**

The impact of advice given by senior or veteran staff members to junior or newer ones affected the miscommunication of policy and procedure, and was often inconsistent with recent training.

Inconsistency in application of policy by some members of the A-side compared to some members of the B-side was also obvious.

- A Side/B Side

It became apparent to the Professional Standards Unit investigators, (Exhibit 55), that some shifts apparently follow policy differently than others. The Communication Centre is divided into two companies, A company and B company. Each company has three platoons.

The subject was raised with most of the witnesses testifying at the Inquest. There were three categories of answers. First, the denial that such a difference existed; second, an acknowledgement of a difference but it amounting more to a comfort level with one's own shift; and third an emphatic yes from most of the witnesses as to the existence of the difference.

An experienced SPCO testified

“Q. We’ve heard A-side, B-side; in your opinion there there’s no difference in the delivery of service, is that correct?”

A. There’s no difference.”

A statement from a PCO, contained in Exhibit 49B sets out the following:

“.. throughout the years as I work on, uh, the ‘A’ side on my days, it’s very apparent that, um, it feels that ‘A’ side and not all personnel on ‘A’ side just certain, certain people on ‘A’ side um, and more on ‘A’ side than there are on ‘B’ side seem to handle business differently, in a more casual way and it’s a feeling of, uh, not as much, um, not a high a priority is put on calls as, as we do, as my normal routine of working and the people I work with normally on ‘B’ side. It’s it was, it’s more of a, um, I don’t know, I guess it feels like it’s not taken as seriously or just more casually. Different incidents are downplayed I guess would be the word, and um, it’s it’s a very

uncomfortable working environment at time and I don't I don't feel it effects that way I work but I have concern for so many new people that we have, that are on staff now ..."

Exhibit 55 records the comment of a part-time complaint handler as follows (also Exhibit 49B):

".. I've noticed that 'B' side, um, and this isn't probably, this is just some, this is just the way it is I think, uh, 'B' side tends to follow, uh, the menu a lot more closely than 'A' side but then that's not, it's not every 'A' side shift that doesn't it's just a perception that I have. Um, I find on 'A' side if I'm working 'A' side I will get questioned more on why, why something is a priority one, why I've (med'd) something, um, why was that call entered at all, that kind of stuff ... but that's just for me, because I'm new, I tend, I want to follow the manual because that's what I have to fall back. And so I, when in doubt, make it a one, when in doubt ask a supervisor. So on B-Side it's just easier because that's the way they do things, it's just exactly by the book ..."

("medding" explained as sending an ambulance to a suicide threat)

Another part-time PCO reported in Exhibit 49B:

".. Um, I don't feel, I, and I don't want to say it's an A-side, B-side thing, and I do work all the shifts. I can generally, um, most of the people on B-side, they will tend to over-prioritize and I'm not saying that they do, I'm just saying they will appear to err on the side of caution, um, as opposed to well, you know ..."

The statement of another PCO found in Exhibit 49C as follows:

"I often work switches. So sometimes I work for other people and I'm working on A-side, and it always been apparent to me, and especially since the Domestic Violence policy came into effect that, the way they interpreted it, was different from B-side. An uh, it was always a concern. It wasn't that they were, it wasn't that they were being inept or anything, it was just their interpretation was different. And how, an ex, some little examples that would uh, lend credence to this is that if, if I was putting a call in the way I would do it on B-side they would either downgrade it or say '--- why are you making this a priority 1? And it wasn't just with domestics, it's with, just the way they viewed everything ... they work in an atmosphere that is similar to the old way of doing things, which the Comm. Centre used to be like where, you know, you would take a call and it would be your responsibility to try and kill it or try to figure out how you could, you know, not have to send a cruiser car. But the Domestic

Violence policy came into effect and it was like this thing you could just fall right into. Suddenly you just followed these rules, it's black and white and these are the things you do and you're not allowed to make that discrimination about, 'well they're drunk' or, 'well, they're this' or well anything<sup>1</sup>. You just follow the rules and you put it in a certain way and that's the way it was. So when I heard all this happened, happened and I thought about the workers that um, had been, not suspended, but put on Admin leave, it made me think that it wasn't their mistake particularly, it was the fact that the whole atmosphere prevailed on A-side and everybody was like that. And it was just, it was like, it's not through their fault, it's through the fault of nobody in Management fixing it ... And then other examples would be, when A-side people would come and work on B-side, they're wonderful workers and they're great and I like them, but they're, just the way they viewed calls was totally different. It was like two different views and we'd constantly have to upgrade things and say, 'look, you know, this is' and it was almost like, 'well this is the way you do it on B-side and this is the way you do it on A-side ..."

Finally, an unidentified statement reports:

"...There are um, inconsistencies in the division as far as um, uh how policies are followed at times and yes there's um, been talk for a long time that B-Side is more shall we say rigid, following the procedures than perhaps, (um) some of them on A-Side are, and I would hesitate to make a generalization of that but yes, there's been talk about that for some time.."

One witness testified that she did not work with the B-side very often and did not know the people. She stated "The atmosphere seems to be tenser; however, I don't know what to attribute that to". She expressed the difference as knowing exactly how everyone else on her own shift will react.

"On B-side I know that they will do the same thing but I don't know who is going to be responsible for doing it and when and where, so the tension may all be me because I don't know, you know, what -- how they are going to do something."

Another witness tried to articulate it as follows:

"I don't know if I would call it -- what did you say delivery of service, there's just a different feeling. I, I can't explain it, I know I'm not the only one to notice it because it's, it's talked about quite openly,

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<sup>1</sup> Exhibit 14-56, Memo, April 19, 1999: The policy respecting "persons down" was to "med" (call an ambulance) even if the caller reported the person as "just a drunk" .

even to the point where I know there was one girl -- someone from A-side was, was doing a -- either a payback or a call out, I'm not sure, and had been on the radio and the B-side person who relieved her I guess the person who was there before was having a conversation with someone who was A-side, like someone in a car, one of the officers and had made -- didn't know that the person they were talking to had left and then made a comment to now the B-side person about the difference in how -- I don't know if it was how it was dispatched or how they were treated, I'm not sure, but just made a comment as to how they noticed the difference."

She continued, describing a specific incident:

"... and I was working on A-side .. the person asked me, did you tell them that if we're not there in an hour they have to go and make the report? And I said, no because that's not my responsibility. And there comment was, oh, well, we do it, that's what we do. But that's not ... the manual says."

She conceded she had difficulty putting into words her sense of a difference between A and B.

This witness was asked and answered as follows:

Q. In terms of your observations over the last number of years, do you find that the means of communicating within each of these sub-groups on A side and sub-groups on B side is the same or that it differs from one group to the other?

A. I believe it differs.

Q. You believe it differs? Is there any --

A. I know it differs.

Q. Well, is there any -- some reason that you can point to?

A. Certain supervisors are very diligent about ensuring that information is disseminated for everybody some just leave it up to their own shifts to figure it out."

Continuing:

Q. .. are you saying that even within the three groups on A side, that there may, may be differences of understanding or application rather, of policy and procedure?

A. Yes.

Q. And similarly with B side?

A. No I wouldn't say the same for B side. I would say that there is more, there is more consistency."

As to how this conclusion was reached:

"Well I have worked on A side and on B side. As far as policies and procedures, I am certainly more comfortable on B side shifts -- and I'm not going to say, for the record, I, I want it said that it's not an A side/B side issue. There are some shifts on A side that function very well. They are very intelligent, diligent people on A side, however, there is a group, you know, a subculture that exists where people do what they want and according to their interpretation. I don't find that on the majority of B side people that I work with. We're all kinda in the same boat."

Along the same vein:

"You know, we've got A side, B side and there's some people that have become maybe complacent. Some -- you know, I think we need to get away from being -- this being an A side/B side issue. There are competent, intelligent and diligent workers on both sides. There are also those who poison the environment and have been allowed to do so without consequence and that must stop."

(And see Exhibit 70, #2)

Exhibit 43, an unpaginated document authored by a casual staff member, reports:

"In 1999 I began working a lot on A-side, since many staff members were off on various types of leave (i.e. maternity, sick). Although 'A-Side' and 'B-Side' personnel work within the Communications Centre it was very obvious there were differences in the manner in which calls/callers were dealt with. Comm Centre personnel were aware of differences, so much so, that personnel spoke with management regarding the neglect/indifference to calls/callers. The more I worked on A-Side, the more apparent it became that this was a problem and felt that it was only a matter of time before the indifference and neglect of policy/procedure would have a disastrous outcome and the integrity of the entire Communication Centre would be questioned.

I was not alone in this thinking. Several people verbalized the concern, and many stopped doing shift switches on certain A-

Side shifts, as well as took whatever steps necessary to avoid working shortfall (PRD) days on certain shifts, or A-Side in general. Many part-time/casual personnel began refusing shifts depending on the shift they would work with. Although they were aware, and up-to-date on policies and procedures, they became confused when they were condemned by co-workers who chose to ignore the policy.”

Some witnesses were quite vocal on the subject of the difference they perceived between A-side and B-side. One casual call taker observed:

“I did -- yeah, I did a little bit. I, I found B-side tended to .. I don't know, it's hard to explain. They tended to stick to policy more closely. On A-side I would get questioned more on why I did something, and it wasn't necessarily a bad question, it's just that if I made something a certain priority or sent an ambulance, for example, I would sometimes get asked, well why did you -- why is, why is that this priority, why did you send an ambulance to this call ..”

Another witness when asked a similar question responded:

“Well I felt that perhaps on B-side they had a tendency to put in more priority 1's and use a little less discretion as to .. they weren't maybe as realistic in the priorities but not necessarily wrong.”

As with two other witnesses, this witness believed there was no difference in the level of service that was being provided to the citizens of Winnipeg.

Another witness testified that there “appears to be a difference between how A-side and B-side handle calls.” She continued “In my opinion A-side uses more discretion; their own judgment. B-side's very policy oriented.” When asked

Q. So that in both the description of the type of incident or the priority assigning calls or?

A. Or whether they get entered at all. (my emphasis)

This witness testified that she had heard from some of her colleagues that the rigid B-side manner did not mesh well with A-side and that there had been a long history of that sort of handling of calls. However, this witness did not have any problems with any friction when moving from one side to the other.

Another witness testified to an impression received when working on A-side, although she herself stated she never experienced the difference.

“I had heard that B side thought that A side handled things much differently. The impression I got from A side people is that B side

was very rigid in how they handled calls. A side: The impression was that A side tended to -- and I want to choose my words carefully here. A side -- and again hoping I'm choosing my words correctly here -- would work with the caller more and talk with the caller more, ask more questions, and then with what they've got would make judgment calls on how the call should be entered."

The witness continued:

"I would say that B side worked within very strict confines of policy. That we were always trained that policy and procedure was a guideline. And every of (sic) those six shifts use it as a guideline. B side tended to go more black and white than A side did. And that doesn't -- and if I'm casting a bad slant on A side, that's not my intent. Both sides are extremely professional."

She recalled a comment she heard that "B side really didn't know there was another number on the keyboard beside's one." (Referring to priority 1)

Another witness testified to the policy that if a person is down in the street an ambulance is sent. She was asked:

"Where as your experience has been that on A-side it's not necessarily the case that an ambulance will be sent on every particular call? A: All I can say is that when I was working I was asked why I was sending an ambulance, that he was just drunk, so to me that was the difference."

Finally a witness had this to say about policy application on A-side/B-side:

"Actually, someone from A-side explained it to me this way, that procedures are guidelines, you still have to use your judgment, common sense and discretion. And so they were encouraged to work that way. They worked very hard doing that. It was their -- that was the way they thought they were doing it correctly and maybe they were but it was totally different on B-side we were -- our procedures were to be followed to the letter and we were policed that way on our shifts by our supervisors. They were not -- we were supposed to be gathering facts and putting calls in so subsequently B-side were viewed as mindlessly putting in call, and call, and call after call, and that we probably put in more calls and had more calls of higher priority, because we were under the impression that we weren't supposed to be using our judgment or our common sense, that we were just supposed to gather facts and that was the atmosphere in which we worked and that was the way my SPCO governed me and if I ever went up and asked for an opinion, if I said, you know, this is what I'm hearing but I -- you

know, inside me I know that this isn't what it is, it's really not that big of a deal, she would always say, You got to put it in, you got to err on the side of caution, better to be safe than sorry and so we were just safe in that comfort zone of doing that and we were never criticized for it."

This witness also reported that after monitoring new part-time employees, they would frequently say to her that every shift was doing it differently.

Another witness said:

"I always felt that 'B' side tended to be a little hyper, and they're more likely to err on the side of caution and put things in as priority 1's when they didn't need to be."

Some witnesses attributed any differences to personality as opposed to shifts:

"The only difference I would, I would surmise to say is maybe personality difference where A-side people tend to be, how should I say, not -- like, like they'll make a decision, or they'll go, they'll go with the decision where, where B-side people will, will sort of like to, to confirm it first or, or sort of discuss it with the, with the people that they're working with to -- but as far as, as far as the quality of work, and, getting the job done I don't think there's a difference."

As noted, at least two witnesses did testify that they did not feel the apparent differences affected the professional service at all. One witness testified "I think B-side people are capable of doing the work as efficiently as A-side people do". Another testified "Both sides are very professional".

Members of the "management team" were questioned about A-side:B-side. Asked whether interpretation of policy and procedure between A-side and B-side had ever been brought to her attention a member of the "management team" said:

"I think it's very dangerous to start grouping people into A-side, B-side, and I've dealt with performance issues of individuals whichever side they are."

The "manager" of the Communication Centre was asked the following:

"Q. Now, in terms of delivery of service within the Com Centre, that is, between the various shifts, is someone monitoring whether or not those persons who work on A-side do deliver the same type of service or respond in the same way as the people on B-side?

A. Not specifically."

A further question and answer:

“Q. Has it been brought to your attention at all that there is or is not a difference in adherence to policy between A-side and B-side?”

A. Not adherence to policy, no I'd say interpretation between people, yes.

Q. And that revolves around the area of discretion that you've talked about, that persons who work in the Com Centre have?

A. It could be.”

The witness was referred to the report prepared by Staff Sergeant A. Scott [prepared on the basis of the Professional Standards Unit investigation after the murders] (Exhibit 55) and directed to the report on inconsistencies within the shift. The response was “Actually, I've never seen Staff Sergeant Scott's report.”

“Q. I do know that you're aware, though, that there's been commentary in this report and in the Davis Report and in some of the written materials that the staff people ... regarding the view that there are some inconsistencies in the application or interpretation of policy and procedure between A-side and B-side. That's not something you're unfamiliar with?”

A. Right, correct.”

Asked if as “manager”, whether or not there were such inconsistencies:

“A. I think it's possible, yes, that that exists and, and I think it exists because the -- if I'm working with the three shifts on A side and some information is relayed, it's relayed amongst those three shifts that are working. So, they've interpreted it in one way. And now the next three shifts, which might be the B side, come back to work and they hear some information or have it relayed to them and interpret it in a way and that's the method in which they start working, because they work together all the time. So, now when those sides do mix and someone works from one side to the other, it's seen as being a huge difference. Well, there's no intent on the difference, it's a misunderstanding or interpretation that's occurred. So, each group works -- they still get the job done.”

Asked if the witness was aware that there was no material, prior to February 2000, that would indicate any concerns about a differentiation between A following policy versus B-side not or vice-versa, the witness responded:

“As it relates to policy no. I mean, there’s there’s differences in people, certainly, but they are all aware. When I say ‘all’, I mean A-side and B-side we’re all aware of what the policies were.”

Whether anyone had notified the witness prior to the murders as to differences between the two sides and adherence to policy, the witness responded “Not that I can recall”.

If it had been brought to her attention that there was an atmosphere that policy and procedure as used, employed or interpreted by the people on A-side differed from the people on B-side, the training coordinator responded “It’s been verbally implied”. Asked if it is implied often, the answer was:

“I can’t say often. I would say infrequent and I don’t know that it’s so much between A-side and B-side as it is between the 80 individuals in the workplace regardless of their side.”

Whether people on A-side were saying things about people on B-side and whether the witness had looked at it that way the answer was “No, I can’t say I have”.

It was confirmed by other counsel on further examination that there was nothing in writing to the training coordinator or anyone before the murder documenting the difference between A-side as a whole and B-side as a whole. The witness was not aware of any such documentation.

The staffing coordinator, was asked:

“Q. Leaving it in the context of individuals rather than the A-side and the B-side, has it been brought to your attention that there are individuals who have, on specific issues such as, for example, the domestic policy and procedure, different opinions, different methods or different manners, or different interpretations of policy and procedure than that which you would like them to be adhering to?”

A. I’m sure there have been”.

If one came to mind, the answer was “Sun Valley would be one”. (A domestic call priority 1 where a patrol car was allowed to go for lunch rather than be dispatched to the call.) The staffing coordinator was referred to Exhibit 44, the Suggestion Book (started in the fall of 2000). When read the passage from the second last page about A side/B side differences being so great and being asked “Do you remember reading this?” she responded “Not, not, it doesn’t stand out”. (p. 76)

After a discussion with one counsel about A-side/B-side differences and the confusion for part-timers, there was this exchange with one experienced PCO:

“Q. Now, these differences and the concerns that you have raised, are you aware .. how are you aware that management or at least the management team were aware of these differences?”

A. I know that because I personally went to the manager many times and asked her what I should do in situations where these differences occurred. And I had my part-timers that were coming to me and expressing that and I always told them to send mail to the management team.”

She agreed with counsel that this is something that ought to have been addressed “a long time ago”. Concluding that it was difficult to put feelings into words was the following testimony:

“Q. ... if we could just call it a feeling of difference. Who is it that discusses this openly? I’m not asking you to name the people.

A. Right.

Q. Is it the staff?

A. Every, every .. staff.

Q. It’s not --

A. Staff. And I’m, I’m sure management is aware.

Q. Now when you say it’s discussed openly, would you also mean that not only is it openly discussed but frequently discussed?

A. Yes, yes.

Q. And if I said to you that there would -- it would come as no surprise to the staff people that there was this difference, whatever it may be, between A-side and B-side, you would agree with that?

A. Yes.”

Another witness asked about the A-side/B-side difference, responded it was “very obvious”. The witness agreed it was the subject of discussion among Communication Centre people. The witness asked counsel “Are you asking me if I knew if management was aware?” Her response was “Yes”.

Agreeing with counsel that it appeared that some of the A staff people use their discretion more in the way calls were entered or prioritized than B side, a witness was asked:

Q. Okay in your opinion it was well known to management; correct?

A. Yes.

Q. And it was allowed to continue?

A. Yes.

The witness reported difficulty monitoring trainees who told her they were being told to do it differently on every shift.

“And even when I was confused about issues I would go to (the manager) and the message that I got was that you do what you think is right and let them do what they think is right and, you know, there wasn't an idea of okay, well, let's all get on the same page, we've got to standardize this, we've got to fix this, it was just oh, that's just the way it is and it just, to me, was very confusing and it didn't seem proper.”

Documentary evidence was filed in support of the A-side/B-side difference, although much of it surfaced after the commencement of the Professional Standards Unit investigation.

However, Exhibit 49-E (67PV) is full of requests by PARCS mail for information, clarification and topics missing from the dispatch manual. PARCS mail on 29-08-99 reports confusion over “erratic driver incidents”. While not specifically identified as an A-side/B-side issue, it appeared that training and monitoring taught one way of dealing with it and other staff advised to the contrary. On the same subject, erratic driving, a PARCS mail on 03-09-99 the writer reported being questioned again why a car was being dispatched and an explanation was given as to what happened on B-side. The writer continued “now I would really like a ruling as to what we are to do ... and to have it for both sides so I don't have to do it one way on one side and another way on the other side ...”. The PARCS mail was sent to at least two of the members of the “management team”.

In a PARCS mail dated December 12, 1999 a question is asked about an incident entry for “location”. The sender writes:

“The debate rages behind this question -- some shifts insist that the location should be where the incident occurred ...”

While the A-side/B-side is not identified, again it is obvious that there is shift inconsistency. This is revealed approximately one month later in a January 22, 2000 PARCS mail about some shifts redirecting incidents from a district and other shifts not. Clarification is sought by the sender, as "it's all very confusing still to everyone".

A week after the murders, PARCS mail was sent again to the Training Coordinator (February 23, 2000) expressing concern on behalf of newer staff, both full-time and part-time, as to whether they were doing things right in the fallout from the murders. The author reported:

"She had been worried about this since the incident as she had been monitored on A-side."

Within about three weeks of the murders, a dispatcher asked the training coordinator about call type:

"Can you please clarify this for me. As I am getting the ole ... well A-side told me to do it that way."

Three other exhibits filed identify the A-side/B-side issue, but all arose after the murders. Exhibit 51-A was prepared on December 15, 2001 by an experienced PCO who reports under the heading Inquest Training Issues:

"Many of the trainees are coming out of training voicing concerns regarding inconsistencies with advice they have been given. We have had incidents where trainers have actually said to the trainees - well on A-side this is how we do it, however on B-side - this is what they do. This is totally inappropriate and has been the subject of much room discussions."

In Exhibit 44, the Suggestion Book, (started in the fall of 2000) second to last page, an unidentified member of the Communication Centre writes:

"I can't understand how the difference in both policies and procedures is so great between A and B side. It's like night and day. I think it mostly affects part-timers and can be very stressful and confusing. Even for full-timers if you're on a callout or PRD." (emphasis by author of the comment)

Exhibit 53-82 is a three page document "Issues and Concerns" prepared by a PCO who testified at the Inquest. (It bears a handwritten date of "Nov. 16") Item #1 was reported as follows:

"The inconsistencies between co-workers; procedures vary from shift to shift; as well as from A-side to B-side. A-side tends to be too conservative in their call taking/B side tends to overcompensate."

Finally, Exhibit 80, the City of Winnipeg Audit Department Communications Centre Review, dated January 2002. At p. 14, without labeling it as an A-side/B-side issue, the authors write:

“Many participants also thought that there were inconsistencies in the application of policy among shifts, shift supervisors and duty officers. As a result, part-time staff, in particular, at times consciously alter their decisions and actions to fit the norms of the shift they are working with and then second guess their decisions afterwards.”

Similarly at p. 26 (C6):

“Inconsistency can lead to an inappropriate deployment of general patrol officers and to a negative perception by the public.”

On p. 34 (D4):

“Staff may be accustomed to mirroring the attitudes and behaviours that they perceive as succeeding within the organization, regardless of actual performance. A control breakdown is created when decision-making becomes based on perception rather than actual performance.”

At p. 35, a summary of the participant workshops:

“An analysis of the voting results also indicated that significant differences were evident in the responses of A-side platoon and B-side platoon to seven control statements. This difference was also apparent in responses by SPCOs and B-side platoon to two statements. In each case, B-side platoon participants had a less positive view of the strength of controls related to issues of communication, coordination and information sharing. We would suggest that this difference in perception merits further analysis in terms of its potential impact on performance.”

The issue of A-side/B-side is, like OSTAT, part of a bigger picture reflecting lack of communication and inconsistency in applying policy and procedure. Additionally, it raises a training issue in terms of the influence senior persons on a platoon, especially monitors, may have over junior trainees.

- **Junior:Senior**

Inconsistencies in the application of policy and procedure were obvious. Among other things, this impacted morale as it made it difficult for “junior” employees, as well and in particular part-timers. Some felt it was necessary to adjust their work habits to blend with their shifts. Others felt frustration when challenged for doing their job as they were trained. Still others would never

challenge a senior or certain individual. On the other hand, some veteran PCOs conceded they learned things from the juniors just out of training (Communication).

As detailed within the A-B inconsistencies, the Audit Review (Exhibit 80) noted what happens when policies and procedures are interpreted differently among supervisors:

“As a result, these staff adjust their procedure so it correlates with their supervisor’s interpretation ...” (p. 26)

At p. 34:

“Staff may become accustomed to mirroring the attitudes and behaviors that they perceive as succeeding within the organization, regardless of actual performance. A control breakdown is created when decision-making becomes based on perception rather than actual performance.”

In response to counsel’s questions, one PCO agreed that junior people would follow what they saw senior people doing. Referring to a particularly junior call taker, this PCO described that person as “a victim of her peers” and that “in order to survive you did things the way the shift did”.

In Exhibit 51A, the author reports the following concern:

“Despite my level of expertise, my work experience, my reputation - I still am pressured and ridiculed at times by co-workers. Frequently I am told this does not need to be a priority one. ‘Why are we going to this?’ Quit supplementing the additional information into the call. I think it’s important to realize that most people in the room are subjected to pressures from co-workers. The goal is to clear the queue, making it easier for officers, etc. I feel however that it minimizes and clouds less assertive employees, those with less experience, etc.”

A novice call taker testified about being criticized about entering a call in the manner she had been trained.

“On A-side I would get questioned more on why I did something, and it wasn’t necessarily a bad question, it’s just that if I made something a certain priority or sent an ambulance, for example, I would sometimes get asked, ‘well why did you -- why is, why is that this priority, why did you send an ambulance to this call’ ...”

An experienced dispatcher did not, when dispatching, say anything to a more senior PCO when she saw an OSTAT instead of Domestic call type. By explanation she testified:

“A. I think it -- you know, it depends again on who you’re working with. You know, if it was somebody that is on, say, B side or people that I’m comfortable with, by all means. But again -- and I’ve provided documentation that there are some people you had to pick your battles. And certainly not with [her]. I had no problems with [her] work ethic. But there are other people that I would not have questioned simply to avoid a battle.”

The same dispatcher provided a statement in respect to a particular call, its type and priority:

“I would have preferred it to be a domestic, um, but I know that there are people who view a breach of a court order as an OSTAT. That’s not an, uh, it’s not a common, um, type that many people use but it’s also not uncommon and she’s, uh, senior and she’s experienced and I wasn’t about to change her call, whether it’s an OSTAT or domestic.”

Similarly, an SPCO of more than 10 years experience was asked:

Q. But, would you correct people ever?

A. Not somebody that’s more senior to me, but I might do it to a new person, yes.

Another counsel asked:

Q. If it’s a more senior person, you might be less likely to ask questions of them than if it was a junior person; is that fair to say?

A. That’s fair to say. I mean if all the details are in there, whether they’re junior or senior, you, you don’t ask more questions of them.

Q. ... it’s more likely that you’re going to trust the judgment of the senior person that’s entered the call for service?

A. Yes.

A member of the “management team” expressed concern not only with the inconsistency of advice part-time staff receive from their co-workers but also with the “significant impact” on junior members when not everyone believes that every situation ought to be dealt with the same way. While conceding that senior people nearby are valuable to junior people, the witness was asked and answered:

Q. “.. that can be a two-edged sword because sometimes the senior member may not be acting according to the current policy?”

A. But the junior member won’t know that because they don’t have experience.”

The witness concluded that in most cases the junior member would accept the word of the senior member.

An experienced PCO acknowledged that OSTAT was used for breaches of domestic orders, especially by officers and more senior call takers:

“Q. You didn’t take it upon yourself to correct them because this is, this was the practice.

A. Right.”

Another example of “old” and “new” is found in PARCS mail December 17, 1999 (Exhibit 49E 67 PV). The author writes the training co-ordinator and one other:

“Perhaps we need some sort of [ ] ‘consistent’ direction .. so that, not only are the new people doing it the same way, but so are the ‘old’ people too ... Looks like it differs from shift to shift as to whether or not the call gets redirected or the unit gets redirected and so on.”

As noted elsewhere, junior people recently out of training often “taught” more senior people. Two examples included a second “ring back feature” demonstrated to a veteran PCO; and the PARCS mail (December 13/01) concerning cell phone subscriber information attainable from Rogers. Apparently two members of the “management team” were also unaware of that information.

- **The Responsibility of Individual Staff Members**

Failure of individual staff members to fulfill their responsibility constitutes an influence on how the Communication Centre handles domestic violence/assault calls and the provision of timely police response.

It was acknowledged throughout the evidence that all members of the Winnipeg Police Service, including those in the Communication Centre, have a responsibility to keep themselves informed with respect to their job, policies and procedures, and the frequent changes to them. One witness acknowledged that upgrading is an individual responsibility and that the memos were to keep them up-to-date. One novice call taker described it as, “it’s our job”.

The dispatch training manual, Exhibit 14-92 writes:

“It is vital for the dispatcher to have a good working knowledge of all departmental policies and procedures. Effective decisions must be based on knowledge of policies and the individual circumstances of each incident. This is an area where you can take the initiative and increase your knowledge. There are several resources in the Comm Centre including the procedure manual, Comm Centre manual and the Criminal Code. .. The better your working knowledge is, the better informed your decisions will be.”

It was obvious that some staff members did not carry out this responsibility. One senior staff member was unaware of a Routine Order, December 22, 1995 (Exhibit 84) from the Acting Chief of Police relating to, among other things, cross-divisional dispatching. This witness testified seeing it in the hands of counsel five days before testimony at the Inquest.

Another was asked:

“Q. And would it be fair to say that the training manual is a resource where everything is located in one spot; correct?”

A. I’ve never seen the manual.”

When shown Exhibit 14-100, part of a training manual dealing with call types the question was asked:

“Q. You’re familiar -- are you familiar with that document?”

A. It appears to be -- this is a training manual or what is this?”

When shown Exhibit 45, the Winnipeg Police Service Family Violence Policy the witness responded:

“I’m sorry I don’t believe I’ve ever read page by page. And this is what is on the Internet or is this what’s in the police manual?”

Evidence was heard that the Winnipeg Police Service Manual was available both in hard copy and on-line. But as to accessing on-line policy this witness stated:

“I’m just trying to recall when I actually was trained how to pull up that police net on the computer so I don’t recall.”

When shown Exhibit 14-101, again part of the training manual, the witness said “It doesn’t look familiar to me.”

Another witness testified as well as to her inability to access policy on-line.

Yet on occasion members of the “management team”, in particular the training coordinator, received PARCS mail inquiries about policy which was

otherwise clearly available. In one mail the response from the training coordinator was “the confirmed policy is as written in the call types lesson plan”. The call types lesson plan is part of the training manual. (Exhibits 15, 19, 52)

While some staff requested more training and better communication, most information was available to those who wished to access it. As written in the Audit Review (Exhibit 80, p. 16) under the heading “Accepting Responsibility”:

“All control ultimately rests on people assuming responsibility for their decisions and actions.”

All the training manuals filed in evidence (Exhibit 19 & 52, 1998, and Exhibit 15-2, 2001) contain the following directive:

**“Chain of Command**

All Comm Centre members are to discuss problems with their immediate supervisor before approaching someone of higher rank.

Any field unit that phones or attends to the Comm Centre fielding problems, will be referred by the SPCO to either the District S/Sgt or Sgt 1.”

Yet, there were repeated examples of this procedure not being followed.

A PCO directed PARCS mail (March 9, 2000) directly to the inspector and met with him respecting ambulance issues. Another PCO communicated directly with the Chief of Police, while others presented a petition. (Exhibit 51)

Yet another PCO sent PARCS mail, (presumably to the Chief of Police since the EACP responded) requesting letters of commendation to two citizens. The EACP responded:

“Because we receive so many requests for letters with the Chief’s signature it is impossible for the Chief’s staff, or myself, to keep up. In future, requests such as this should be forwarded to your division commander who shall be responsible for assigning someone to draft the letter and forward it with the disk for the Chief’s signature.”

The “manager” in one instance went directly to the Superintendent bypassing the inspector.

Exhibit 80, Audit Review at p. 20 reports the perception of some participants that the Duty Officer decisions in the Communication Centre “are not consistent and do not follow the chain of command”.

**RECOMMENDATION:**

Some of the recommendations following Communication and Policy and Procedure apply to staff responsibility, however:

**It is recommended** that as part of a comprehensive review the individual responsibility of each staff member be enumerated clearly.

- **Morale**

It was obvious throughout the Inquest that even prior to 2000 Communication Centre staff perceived that morale suffered. The impression was left by many witnesses that staff there felt that they were the “poor cousins” of the Winnipeg Police Service whose needs and requests were answered last. It was clear that the participants of the Audit Review included as major risks “resource issues, stress, and an overall lack of consistency and poor communication with regard to policy and procedure amendments”. (p. 32) This was written about mutual trust:

“A significant level of mutual trust among staff is essential to control. Mutual trust supports the flow of information that staff need in order to make decisions and take action. Trust is based on confidence in the integrity and competence of the individuals and supervisors. A significant degree of trust fosters a willingness to share information and maintain a high level of cooperation.

Mutual trust supports the flow of information that staff need in order to make decisions and take action. Changes in the organization, such as major incidents, can affect the atmosphere of trust. Relationships often need to be re-established following significant incidents and it often takes time for an atmosphere of trust to return.”

The exchange of PARCS mail and the comments in the Suggestion Book (Exhibit 44) clearly revealed a lack of respect and mutual trust.

*Viva voce* evidence and the Audit Review (p. 21) reported the perception of the erosion of trust towards both “Management” and Executive following this incident. The description by various witnesses as to staff shortage and the documentation of the number of times the 911 position is not staffed, are in keeping with the observations of the Audit Review namely: (p. 29)

“Any function within an organization that has inadequate staffing resources has the potential to become a bottleneck for other functions. This could produce overall inefficiency and lead to poor morale and worker burnout or impact public safety.”

There was a division among the witnesses. Those who seemed angry that the discretion to prioritize a call of a domestic nature other than as a 1 or E had been removed. Others felt concerned and found themselves second guessing their decisions with respect to domestic calls and seemed relieved.

It is acknowledged throughout that the job performed by the Communication Centre staff are stressful. The PCOs face callers at the caller’s worst: afraid, hurt, abusive, and unintelligible. Yet staff must remain calm,

professional and provide the emergency service that citizens of Winnipeg expect and deserve.

While the hours are long (10 hours) and entails shift work, much has been done to assist in the alleviation of stress from shift work. As the training manual (Exhibit 14-108; also 52-14) points out, the Communication Centre staff work the same shifts and receive the same breaks as required by labour laws (and worked by other employees). That is, two 15-minute coffee breaks - one before lunch and one after lunch. The training manual continues "the present system we follow will be explained to you by the lesson presenter". After 1985, Communication Centre staff received an extra break - two in the morning and two in the afternoon (15-20 minutes) plus lunch. Recently sabbaticals have been implemented. Communication Centre staff may also take time in the quiet room after a particularly stressful call. To ensure staff spend less time in the Communication Centre and thus reduce stress, the shift of six days off, eight days on was rejected in favour of the existing ten hour shifts of four days on - four days off; five days on - four days off; four days on - five days off.

Available to Communication Centre staff, as with all members of the Winnipeg Police Service, are the services of the Behavioural Wellness Unit - Dr. Davis, a psychologist, Staff Sergeant Jones, and Hilton Wood. All new trainees receive wellness presentations and ongoing sessions are held. Information on managing stress, working shifts, and a healthy lifestyle are provided. Dr. Davis was available to all following the murders after February 16, 2000.

The physical location of the Communication Centre was designed for efficiency and comfort of its staff. The room has a separate air system, ergonomic state-of-the-art furniture, and as noted a quiet room as well as a lunch room.

To accommodate some staff members, the staffing coordinator allows "shift switching" enabling some to work all nights or all days. This practice is not available in any other part of the WPS.

While some staff perceived neglect of the Communication Centre in terms of equipment, staff and training, others expressed annoyance on how many reports and recommendations relative to the Communication Centre operations had apparently been "gathering dust". For example, the recommendation for three dispatchers instead of two dates back some 15 years.

As pointed out elsewhere, (Communications) it was not a matter of the "management team" or Executive doing nothing, it was more a matter of the lack of communication about efforts to secure more employees for example. The initial "improvement team", who prepared for a third dispatcher, were not aware that the resources were not available. The "wish list" of the "manager" was not familiar to other members of the "team". One witness testified they did not know about new staff initiatives until the new staff appeared.

Shift briefings, commenced in January 2002, may address the perceived neglect of the Communication Centre staff. Additionally, evidence was heard of the budget plan for increased staff levels.

The staffing coordinator agreed that the events of February 15 and 16, 2000 traumatized the Communication Centre “severely” and agreed that morale plummeted.

The feelings of staff members subsequent to the murders is understandable and regrettable. It is relevant to the first mandate of the Inquest to address concerns relating to the operation and management of the Communication Centre and 911 service with respect to the handling of domestic violence and assault calls because of the fear experienced by staff, not only those placed on administrative leave but also those left in the Communication Centre.

Participants in the Audit Review thought that the incident on Manitoba Avenue had not been resolved “due to the lack of a comprehensive debriefing and analysis of what went wrong and how to improve.” (p. 34) Also “staff did not believe they received support after the incident and, furthermore, thought that the debriefing following the incident was insufficient.” More than once evidence was heard that staff in the Communication Centre are “second guessing themselves” and possibly out of fear prioritizing all calls as 1. There was also evidence that the duty inspectors may be reluctant to conduct a priority review and downgrade a domestic call. While one veteran staff member of more than 20 years did not understand why the administrative leave situation could not be discussed with the staff; another testified to being told that it was necessary to maintain public confidence. Another testified that a member of the Police Service outside of the Communication Centre would understand what administrative leave was and why it had to be invoked.

The Executive of the Winnipeg Police Service was not unaware of the morale situation in the Communication Centre after February 16<sup>th</sup>. Exhibit 49(96PV) documents the Chief’s meeting on February 23<sup>rd</sup> where an inspector was tasked to meet with the Communication Centre staff to update them on the way the investigation was going. Minutes of a March 3<sup>rd</sup> meeting include a discussion about the well-being of members of the Communication Centre. All staff members had access to Dr. Davis, the psychologist, and many availed themselves of that option. The Chief of Police did attend the Communication Centre after the murders. A Press Release and Routine Order were issued. (Exhibit 85)

An explanation of administrative leave was given by the Executive member of the Winnipeg Police Service at the Inquest. Following an incident such as the murders, a Professional Standards Unit investigation commenced. Whether or not individuals will remain in their workplace is described as follows:

“A decision has to be made in terms of whether the integrity of the investigation is going to be in any way compromised or whether there is any possibility that evidence could be lost or tampered with if those people were to remain in the workplace. And that consideration is usually done in the case of every investigation be it large or small. In most cases people do stay in the workplace. In this particular case they did not.”

The decision is ultimately one for the Winnipeg Police Executive. The testimony continued:

“There are very limited options at the outset of such an investigation. The basic option that the service has is to place such individuals on administrative leave. Administrative leave being a situation where people do not lose any of their benefits; they do not lose any of their pay; they continue to accumulate seniority. It’s probably the, the least disruptive thing that an employer can do in relation to the employee while still accomplishing the ends that we need to accomplish .... Administrative leave does not make any sort of pre-judgment; it simply recognizes the need for the employee not to be in the workplace.”

When asked whether suspension would be a more severe disciplinary consequence the response was “absolutely”.

When questioned by other counsel, the witness responded:

“We’re in a sort of unique position as a police service in that we investigate and also employ people who investigate on our behalf. And because of the public trust issues that come into play, we have to ensure that the processes that we use are totally beyond reproach in order to ensure that the public maintains their trust in our ability to objectively look at ourselves. So in the case of the people in this particular case, we needed to remove them from the workplace to ensure these sort of issues.”

The witness agreed that part of the need to remove people from the workplace is to ensure their continued presence would not interfere or be perceived to be interfering with an investigation. The other part is that is

“their presence in terms of their interaction with their fellow workers who are in essence becoming witnesses as part of this investigation”.

Continuing:

“Anytime you’re doing any kind of investigation you have a concern about evidence of any time (sic) and of any type and is it going to

be safe. And thirdly, in this particular case if you want to be very specific, you always have the concern that until you know all the facts, is it appropriate to have the individuals involved performing that function again until the investigation is complete. Do we have faith in those individuals to perform that function until we know what happened.”

Evidence was heard that upon the start of the Professional Standards Unit investigation, a criminal investigation was commenced. Subsequently, the results of the investigations were sent for prosecution opinion to the Department of Justice (Manitoba). No charges were laid.

Staff in the Communication Centre were therefore “kept out of the loop” on the investigation for the above reasons.

### **RECOMMENDATIONS:**

Again, recommendations relative to Staffing, Training and Communications are applicable to the perceptions of staff which may impact negatively on the morale.

**It is recommended** that a comprehensive review evaluate not only how major incidents such as February 15-16 affect staff, but also the mutual obligation of the employees and the employer.

**It is further recommended** that as part of a comprehensive review a policy or protocol be developed by the Winnipeg Police Service in conjunction with the Winnipeg Police Association for the process of administrative leave including:

- (1) advising the affected staff member;
- (2) the nature of it in terms of benefits;
- (3) the generic reasons for it (investigation, public trust, evidentiary purposes);
- (4) the availability of placement elsewhere in the Winnipeg Police Service.

**It is further recommended** that information concerning the policy and protocol of administrative leave form part of the initial training of all Communication Centre employees.

- **External Influences**

- Within the Winnipeg Police Service

Exhibit 55 (the Scott Report) documents a startling incident that arose within a month of the murders. When entering information with respect to a domestic call, the call taker did not include the fact that the female complainant said that the male suspect had assaulted her, thrown her around the front yard, dragged her, and pulled her hair. As a result of that lack of information, the incident was reprioritized from a priority 1 to a priority 2P. The matter did not come to light until the following day. In an interview with the supervisor, the call taker said she did not put the call in as a domestic assault because she felt the woman was more concerned for a broken cell phone and that the call taker did not want to make the call more complicated for the crew. (my emphasis) The supervisor pointed out that there had just been a training day and that the Communication Centre was not taking anything for granted or taking any chances. She concluded by saying that the call taker was “very impressionable”.

Testimony acknowledged the influence of the collective agreement when dispatching a car that might entail overtime, or result in officers not getting scheduled lunch breaks. For example, in the Sun Valley incident, January 2000, a dispatcher cleared a car for lunch with a priority 1 domestic waiting.

The following testimony was heard:

“Q. In fact, you are specifically told that, if at all possible, unless it’s an emergent situation you ought not to send a cruiser car to a call that will generate overtime for those officers?”

A. Correct.”

(The witness clarified emergent as priority 1 or higher.)

The same witness explained:

“...First of all, you have to understand that under the collective agreement the officers are required or entitled to a 30 minute lunch break during their work period. So sometime they have to get that lunch break. My experience has always been that they work better. They’re happier and more efficient if they get their breaks reasonably on time. So I try to do that if possible. And I believe at that time I had another car that was going to be clear, perhaps from lunch, that was going to be coming out shortly and I felt it would be better to wait a couple minutes, send a fresh car than to send one that was wanting to go for lunch.”

The issue of cross-divisional dispatching offers other examples of influence from outside the Communication Centre were evident. (Police Response, p. 196)

One witness testified to the events of the morning of February 16, 2000 where a district sergeant ordered the dispatcher to get night cars to the scene of an assault because

“he didn’t want to tie up the, the evening cars so they could get a bazillion hours overtime. But all the cars that I had were there. There were no more to take. And, again, the District 3 sergeant had sent me a message probably about quarter to three that he needed a District 3 car to convey. Well, there were none. There were no cars to convey.”

As noted under “Call Types - OSTAT” (p. 113-124) breaches of domestic court orders were commonly classified as OSTAT when entered from a service centre. During the Inquest, in January 2002, a domestic call from a service centre came in as a “dispute”.

### **RECOMMENDATIONS:**

Because the issue of influence, internal and external, is interwoven with training, communication and policy and procedure, those recommendations are applicable here also.

**It is recommended** that as part of the comprehensive review an examination and re-evaluation of the avoidance of overtime, cancelled lunch breaks, should be undertaken to ensure timely response of police to domestic violence/assault calls.

**It is further recommended** that a policy review be undertaken relative to the impact on dispatching of such Collective Agreement issues as holding over cars, and lunch breaks to ensure timely police response to emergency calls.

**It is further recommended** that the comprehensive review of the Communication Centre include an examination of external influences on the staff.

- **The Public**

The abuse of Communication Centre staff, and particularly of 911, is appalling. Telephone calls for cigarettes, food, beer, directions, rides and taxis tie up the 911 line. These calls are a source of stress for the call takers who expressed concern with the impact this could have on valid incoming calls. Such abuse calls are a drain on resources. (Exhibit 57-11, newspaper article)

One witness testified that even in the case of a legitimate call for police service, some members of the public know what prompts or words to use to ensure the police come more quickly. (Exhibit 53-82, No. 10)

Other witnesses testified as to the abuse of pay phones (where a coin is not required to call 911) by youthful pranksters reporting fake accidents. Some of the Communication Centre staff are able to predict the times and locations of these calls: when school has just let out and there is a pay phone near to the school.

There has been some reduction in the abuse of the 911 service by youngsters as the Winnipeg Police Service have been utilizing the call display feature to track down the subscriber. According to one witness, word has gotten out that the police are doing this.

Exhibit 53-34, outlines an alleged complaint from a citizen to a City Councillor about the slow response time to a call for 911 emergency service. A representative of the City Councillor sent the complaint to the Communication Centre by calling 911.

The police non-emergency, 986-6222, does sometimes get emergency calls (Exhibit 53-17). It is of concern that this line can be tied up not only with abuse calls but also with genuine police business calls. The call taker on -6222 is responsible for preparing the requisition for Signals in case of faulty traffic control devices.

The Winnipeg Police Service is looking at creating another 3-digit number, 311, that could be used by people who wish to contact the police in a non-emergency situation.

The evidence of the call takers and Exhibit 53-28 reports an increase use in cellular phones. These can create a problem for call takers because there is generally no name and address of the subscriber or phone numbers displayed to the call taker. If the caller is an MTS subscriber, the cell phone number is displayed. (Exhibit 30, photos 6 & 7) Such identifier information is available in the United States to 911 emergency service providers and is required by regulation. The witness reported:

“Yes, there is ongoing discussion between the telephone companies and the cell phone providers because it exists in the U.S., it’s been mandated in the U.S. to provide phone numbers and addresses on cell phones, and it’s something that hasn’t taken place here yet but I know discussions are underway. They have been for a few years.”

In limited cases subscriber information but not caller location can be obtained through the service provider during business hours. Witnesses expressed the concern that a cell phone caller may be unaware of his location or

having a medical emergency and the police would be unable to locate the individual.

Almost two years after the murders, and after the commencement of the Inquest, Communication Centre staff became aware that they could contact Rogers AT&T after business hours for subscriber information in an emergency. (Exhibit 51a, PARCS mail)

Some cellular phone subscribers have an automatic dialer or speed dial system where one key dials 911. Staff have experienced situations where this key has inadvertently been activated when there has been no emergency, again, tying up the lines and resources of the Communication Centre.

### **RECOMMENDATIONS:**

**It is recommended** that as part of the comprehensive review the Winnipeg Police Service develop and launch a public information and education campaign on the correct use of the 911 service and the 986-6222 line and to explain the dangers of false or frivolous calls.

**It is further recommended** that the review explore the use of charging those abusing the 911 service under the Criminal Code or municipal by-law.

**It is further recommended** that the comprehensive review inquire into the feasibility or possibility of providing a 311 service that allows callers a quick dial for non-emergency calls to the Police Service.

**It is further recommended** that the review examine mandating the provision of phone numbers and addresses on cell phones.

## **POLICE RESPONSE**

- **1992-1999**

In examining the operation and management of the WPS Communications Centre and 911 service with respect to the timely provision of police response to domestic violence/assault calls, such as those placed by Doreen Leclair and Corrine McKeown on February 15<sup>th</sup> and 16<sup>th</sup>, the following evidence was reviewed.

- Exhibit 25.

The chronology of Corrine McKeown and William Dunlop as prepared by Sgt. James McLissac, Winnipeg Police Service, reveals a history of 15 calls to police emergency commencing August 28, 1992 up to and including November 21, 1999.

Of these calls, the lowest response time from dispatch to police being on scene was a domestic priority 2 at just over 1 minute. Two calls having the longest response time included a domestic priority 2 call placed by a crisis centre nurse where the response time between dispatch and arrival was 11 minutes. The other call, a domestic priority 1 placed by Dunlop, took 12 minutes.

- **February 15-16, 2000**

### Call One: 12-540 Maryland - February 15, 2000

The first call was received on February 15, 2000 to 911 at 20:51:55. It was a hang-up call which was transferred to a call taker who used the "call back" feature. The call was entered for dispatch as a priority 1 at 20:55:34. One minute and 7 seconds later police officers were dispatched and arrived on the scene at 20:59:13. A response time was less than 3 minutes

### 849 Manitoba Avenue - February 16, 2000

Call 2 was received at the 911 pod at 23:52:02 and the caller was instructed to call the police non-emergency number 986-6222. Call 3, to that number, occurred between 23:58:22 and 00:05:04 and was not entered for service. Call 4 to 911, was received at 2:46:31. It was entered for service as an OSTAT, priority 2, and flagged domestic violence. No patrol car was dispatched. Call 5 was received at 04:56:45, and entered for service at 04:59. The earlier priority P2 OSTAT was changed to a priority 1. Police officers were dispatched at 05:01 arriving on the scene at 05:04. A second unit was dispatched at 05:03 arriving on the scene at 05:07. This was a response time of 3 minutes and 2 minutes respectively.

The presence of the dog handler was requested at 5:09 and he arrived at 5:19. At 5:02 the Patrol Sergeant was advised, was assigned at 5:10, and arrived at 5:15.

#### Cruiser car availability

Exhibit 61 was filed to establish cruiser car availability between 23:00 and 01:00. Call #2 occurred between 23:52:02 and 23:52:51. Call #3 occurred between 23:58:22 and 00:05:24. There were four cruiser cars available that were not involved in any activity during the period of time of Call #3. One other was on a traffic stop between 00:03 and 00:08; another was on break and could have been dispatched; a third was not available until 13 minutes after Call #3.

Exhibit 61 is also useful in that it contains a call history for another domestic priority 1 call entered for Division 11 during the time frame of Call #3. This call was entered at 00:00:33; dispatched at 00:00:49. (16 seconds)

#### Call history: Exhibit 43

A call history on January 9, 2001 for an Archibald Avenue address reveals a domestic priority 1. The call came in at 03:00:47; was dispatched at 03:03:21; and arrived on the scene at 03:07:43.

On the same date, a domestic priority 1 was entered for a Sun Valley address at 2:32:56; was dispatched at 2:52:09; and arrived on scene at 3:07:11. This occurred notwithstanding the fact that a patrol car was permitted to take a lunch break with this domestic priority 1 waiting. This practice is neither taught nor permitted.

#### Attendance at 12-540 Maryland Street

The two attending officers testified about encountering a very intoxicated but happy Corrine McKeown and a male who identified himself as Pat Lafontaine sitting on the couch. As is the practice in a domestic call the officers separated the two individuals to obtain information. There was no evidence in the very tidy apartment of a physical fight. No information was given to the investigating officers about a restraining order. Both officers confirmed that unless an offence was committed they could not compel an individual to produce identification. Pat Lafontaine was William Dunlop.

The call history indicates that the telephone number is "non- pub" and the subscriber is Dunlop W. While the call history was available to the constable who was not driving, he testified that he never saw the subscriber name in the call history until it was printed up two days later and was brought to his attention.

That officer did, of course, run the names known to him, Corrine McKeown, Gerald McNabb (her son) and Pat Lafontaine through the MDT in the police vehicle. One of the attending officers at 849 Manitoba testified that he did

obtain the subscriber for that address as "A. Meadows" adding that in most cases the police would do that check.

#### Attendance at 849 Manitoba Avenue

The first two officers to arrive knocked on the door without response other than loud barking of dogs. One officer attended to the side of the house to find a male leaving the yard. The officer called out "Are you Hank?" (Information he received from either the Communications Centre or from his partner about "Hank Wacko" on the telephone). The male responded "No, maybe inside. There's a bunch of them inside." The officer further asked "Can you control the dogs" but received no response and the male left. It was this officer's belief that someone was inside who would answer the door, and that there was a female inside who had called 911. He did not believe that anything untoward was going on and testified that unless he had grounds to place the male under arrest he did not believe the male was obliged to provide identification.

After the arrival of the second unit, efforts were made to locate the male seen in the yard. The dog handler and dog were utilized.

Upon the arrival of the patrol sergeant, the first officer inquired whether or not he should force the front door to enter. The decision was made by the patrol sergeant to wait until the dog handler arrived. About this time, the officer saw into the house when one of the dogs parted the curtains. He noted the dog as a German Shepherd cross. He also observed a female with a "reddy" stain on her shoulder area, but did not know for certain why the female was not responding to the police knocking. In his view the very agitated dogs, believed to be 10 in number, caused a threat. But had the door been unlocked he may have opened the door to look inside, to call out and to determine the temperament of the dogs. That was 20 minutes later.

At 05:12 an ambulance was requested. After officers entered the residence and observed the women, a rush was put on the ambulance at 05:30. The ambulance arrived at 05:35.

#### February 15-16, 2000

Evidence was heard from Communication Centre staff on duty that the requirement for emergency police service was not excessive on that night. In fact, some discussion occurred among staff about the surprising availability of District 1 cars. District 1 is the downtown area and is either across the bridge (Slaw Rebchuk) or through the underpass (Main and Higgins) from District 3. District 3, after 1:00 a.m., was extremely busy (see Exhibit 61 cruiser car availability District 3).

At 3:00 a.m. February 16, 2000, there were potentially 10 patrol cars available throughout the city, although some were at lunch or going for lunch. By 3:15 a.m., there were potentially 12 cars available.

No cars were dispatched from District 1 to District 3 at the relevant time.

- **Cross-Divisional Dispatching**

Cross-divisional dispatching or inter-divisional dispatch occurs when a dispatcher takes a patrol car from one district and sends it to another district which is short patrol cars.

A member of the “management team” testified:

**Criteria:** “They would need to consider what resources they currently have, what their expectations are of having a unit within their own assignment clearing, and normally, something they’re looking at for when they’re going to consider cross-divisional dispatching is if it again involves persons type of crimes.

**Method:** “Normally, it’s done between the dispatchers and the SPCO and/or duty inspector would be notified that there was a need for it to be done. It would be the dispatcher’s position to send them and her decision to send them. That doesn’t mean that the SPCO or inspector could change that decision.”

**Notification to the district:** “It’s not a requirement. They’re normally notified as a courtesy that one of their units is being utilized somewhere other than their home district.”

Much confusion as to the availability of cross-divisional dispatching was obvious from the viva voce testimony.

To exacerbate the situation, from an SPCO and dispatcher viewpoint, were historically negative responses of divisional commanders to a patrol car being taken from “their” territory.

Evidence was heard from at least one witness of an incident of cross-divisional dispatching of a car from a district with cars available to one that did not. The divisional commander complained to the Communication Centre, pointing out that the call in question was a priority 2.

The incident referred to may be the one documented by Staff Sergeant A. Scott in Exhibit 55 (p. 21). The author quotes from the Divisional Inspector’s memo as follows:

“Our supervisor spoke with the dispatcher and later to the SPCO however got nowhere. Finally our Supervisor spoke with the (Acting Inspector) who appeared not to understand the Sergeant’s concerns, suggesting that we were complaining just to ‘protect’ our units.”

The author follows by asking:

“One wonders what effect these calls have on the staff members in the Communications Centre. Will they hesitate the next time they have to inter-divisionally dispatch fearing a call from a Division supervisor?”

The evidence heard clearly revealed, due to that incident, reluctance of dispatchers and SPCOs to cross-divisional dispatch, and from that time on they did not do so for Priority 2. This notwithstanding some conflicting memos, referred to later.

Another witness described divisional commanders as adverse to cross-divisional dispatching.

“They resist.”

“... and the proper course of action is the duty inspector is the ultimate power, and he would overrule that person.”

Exhibit 53-43, 44, and exchange of memos dated 95-05-27, and 45 reveal the difficulty.

Exhibit 53-45 is a memorandum dated July 14, 1995 from then Superintendent M. Zacharais to S. Hobson and A. Lloyd stating:

“As a result of several recent incidents that involved units being dispatched to handle calls for service in divisions other than the one they were assigned to, it has become apparent that there is a need for policy and procedures to deal with inter-divisional dispatch of units.”

Superintendent Zacharais then charged the two Communications Centre coordinators with studying and researching the issue and preparing a draft policy and procedure.

Two other exhibits, Exhibit 14-102, Dispatch Policy (p. 14) and Exhibit 49F (Tab 103, Routine Order) show where the root of some of the confusion among telecommunications employees and division commanders may lie.

Exhibit 14-102 at p. 14 reports with respect to priority 2 cross-divisional dispatching:

- dispatch when unit from district of call is available
- utilize traffic units whenever possible. As well other specialty units can be used - this includes your one officer units

- always make note of what action has been taken with the incident, i.e. if you hold the incident for a specific unit indicate why

On July 15, 1993 a memorandum from the Office of the Chief of Police was forwarded by the Deputy Chief (Exhibit 82). While subsequent testimony indicated that the memorandum focussed more on holding over of units after their shift to respond to calls, the memorandum does allude to cross-divisional dispatching:

“As well, they raised the issue that any available personnel should be utilized to respond to priority calls in Division #11 and #13 when cruiser cars in those divisions are tied up.”

The author continues:

“In the event the calls for service awaiting dispatch are at inordinate levels, and particularly when priority E, 1 or 2P calls are awaiting response, the duty inspector is given the authority to hold personnel over as required.”

It is significant to note that priority 2Ps are included with priority 1 and E calls.

The Routine Order, Directive 269, dated December 22, 1995 signed by the Acting Chief of Police directs (Exhibit 84):

“In keeping with the Service’s expressed recognition that attending to calls for service is a collective responsibility that must be shared by all members of the operational and support service units, and a recognition that the front line delivery of police service to the public is our “raison d-etre”, there will be an increase in type and number of units available for dispatch.

In situations where high priority calls for service (priority E, 1 and 2P) are awaiting dispatch and no uniform patrol units are available, an available operational two officer unit from any division may be dispatched. As well, operational units with only one officer assigned (report cars, community constables, traffic units and supervisors) may be physically joined up as a two officer unit and dispatched.”

To compound the issue, testimony from at least one experienced Communication Centre employee conceded no knowledge of the Routine Order of December 22, 1995.

Following the murders, the Deputy Chief of Police clarified the Police Service position relative to domestic calls and priorities as well as inter-divisional dispatching (February 21). In addition to noting that all domestic calls will be a priority 1 or E, the Deputy Chief wrote (Exhibit 59, #24):

“5. These calls should be reviewed for inter-divisional dispatch evaluated for relative information and reviewed for possible additional information should it be available. The complainant should be called back if a car has not been dispatched and there has been a significant delay (30 minutes).”

It is clear that no longer are 2P calls to be entered cross-divisionally dispatched.

The effect of the February 21 memorandum (Exhibit 59) is addressed under Domestic Violence.

- **Resources**

The history of calls involving one of these deceased shows excellent response time by the Winnipeg Police Service. However, Exhibit 75 (Statistical Breakdown of General Patrol Workload 1997-2001) reveals an increase in priority 1 calls, and an increase in the delay in response time. Chart 3.6 reveals 73,639 priority 1 dispatched calls in 1997 with an average response time of 9 minutes and 45 seconds. In 2001 there were 97,193 priority 1 dispatched calls with an average time of 19 minutes and 13 seconds. Chart 3.13, the average queue time by call type, shows domestic disturbance calls in 1997 were in the queue for 47 minutes and 9 seconds on average. But in 2001 this figure had dropped to 40 minutes and 46 seconds.

A member of the Winnipeg Police Service Executive testified that it would be ideal to attend priority E and 1 calls in a minute, but conceded, when asked, it is not a luxury the Service has. He added that the Winnipeg Police Service are dealing with a reality.

Again, as with Communication Centre staff, how many patrol cars is enough is best answered by a comprehensive human resources analysis such as the Progestic Report (Exhibit 83).

Suffice it to say, no community can afford to have a patrol car on every corner.

As noted, prior to February 17, 2000 all domestic calls were entered for service but as of February 17, 2000 all domestic calls were Priority 1 or higher.

Numerous witnesses commented on the potential impact on the queue in terms of the number of Priority 1s, including the non-domestics, each competing with the other for service. The employee most affected is the dispatcher, and by virtue of further directive, the SPCO and the duty inspector. The SPCO can consult the duty inspector who is the only person who can re-prioritize a Priority 1 call to a lower level.

One witness spoke of this change to all Priority 1s as follows:

"Making the system more ineffective by bogging down the system while we wait for the duty inspector to process them, to downgrade them if necessary or touch base with the callers."

Fortunately, the directive clarified cross-divisional dispatching to mean any Priority 1 can be the subject of cross-divisional dispatch.

Of interest, the case histories contained in Exhibit 51A for September 29, 2001 (19 months after the incident) sets out delayed response times for domestics of about an hour and up to 6 and 7 hours.

Call #201665 was received at 19:44:56 reporting a male with an ex-girlfriend refusing to leave. There were no assaults, no weapons, no orders, alcohol was involved, there were no children, no violence in the past and the complainant wished to cancel the call now as the female had left. Her whereabouts were unknown and the caller refused to give the ex-girlfriend's surname. The call priority was changed from a 1 to a 2 at 20:16. The change obviously being made given the text of the call history. A car was dispatched at 01:33 and when on scene could not obtain an answer at the complainant's door or phone.

As to the re-prioritizing of Priority 1 calls, one witness testified that duty inspectors share the same anxiety as SPCOs with respect to changing a domestic call, and will err on the side of caution. It was also described by a witness who testified of being "absolutely terrified" to conduct a priority review and downgrade a call.

Also on that subject, one witness with respect to inspectors changing call priorities testified:

"Some are more involved in watching the queue and downgrading than others."

When asked whether there could be "inconsistencies on the way it's done, depending which inspector is on?" the response was "yes".

On the subject of relationships within the Communication Centre with inspectors and the availability of resources, a PARCS mail dated March 3, 2000 reports an incident where a dispatcher, dealing with 10 Priority 1 calls in the queue, asked the inspector to ascertain the status of units from another district to see if a car could be pre-empted from a call. The dispatcher was told to change the call to a 1P and send the next available unit. Whether or not the procedure was in accordance with policy, the dispatcher was advised that the inspector would check the unit status "if I get around to it".

A close reading of some of the September 9, 2000 calls reveal a kind of abuse of the system and a situation where perhaps a priority 1 is not the right priority.

Call #201890 was entered at 23:51:55. The call history reports:

“Entry fight I/P - 22 year old daughter fighting W'BF .. while speaking to caller, smashing heard, lots of screaming/yelling .. caller dropped the phone and was screaming .. struggle heard, line discon.”

The call was “flagged” as family violence and a child was noted to be present. One and one-half hours later, at 00:55 a unit attended and reported that the caller/complainant “reports becoming involved in a verbal disagreement with her 22 year old daughter .. both daughter and mother alcohol impaired. Mother just wanted her daughter to leave as the baby shower which she was hosting was breaking up and she wants to go to bed as she has to work tomorrow.” Clearly the initial report warranted a call being entered as a domestic Priority 1. It later becomes apparent that what was reported to the call taker was not in fact the case.

Call #201097 was entered at 04:02:07 as a domestic Priority 1. The call history reveals:

“Entry assault - Occ'd 30 mins ago - compl punched in face by GF .. 32 years - compl pushed on another occasion, no orders, no children, both were drinking, female has now left .. unk where she has gone.”

At 05:14 another call was received from the same complainant indicating that he had to be at work at 8:00 a.m. and was going to sleep. He wanted to cancel the call. When advised of the “no cancellation” policy, he requested police call him before attending. When the patrol car arrived at the address there was no answer at the door or on the phone. A message was left on the answering machine advising the complainant to call when available to make a report and an incident card was left in the front door. The call was “memoed” for the evening shift.

Similarly, Call #200973 documents a call at 01:32:17. The incident is described as an entry assault which occurred one hour ago by an ex-boyfriend. The complainant was pushed and shoved to the ground. There were no injuries, no history of violence, no orders, no children, both parties had been drinking and the male had left - his whereabouts unknown. The call was supplemented at 01:34 where the complainant reports the male had left approximately one hour ago, there were no weapons, and he was impaired. A further supplement at 01:37 reported that the complainant was advised to call 911 should the male return and since she feared for her safety because the male had already tried to rip the phone out of the wall she was further advised to call 911 and hang up if necessary to alert the Communication Centre to a problem. A patrol car arrived on scene at 07:32, almost six hours later, and learned that the argument arose when the male person tried to leave and wanted to take the telephone with him.

The complainant grabbed for it and a pulling match ensued during which she fell to the ground. No assault took place and appropriate advice was given.

While clearly these calls were domestic violence and prioritized appropriately, there may be similar situations where the alleged perpetrator has left the scene where an SPCO and duty inspector should consider changing the priority to a 2. While hindsight is always better, two of these cases indicate that what was reported was not accurate and in neither case was the alleged perpetrator on scene.

The above analysis is one of many that points to the interaction of all factors in the Communication Centre. There arises here an issue of training for the PCO, the dispatcher, the SPCO, and the duty inspector. There is also the overall issue of the Winnipeg Police Service domestic violence policy. Further, there is the abuse by and education of the public on the appropriate use of 911 emergency.

None of these topics can be addressed without others. As noted under the Training segment, the SPCO and duty inspector require initial and ongoing training especially with respect to prioritization and cross-divisional dispatching. Training and/or reminders on cross-divisional dispatching are also essential for divisional commanders.

As reviewed under the Domestic Violence heading, the priority 1 issue should be re-examined and examples of priority 2 domestics set out to assist SPCOs and duty inspectors. For example, during a tour of the Communication Centre on December 11<sup>th</sup> a domestic call came in relative to threats from an estranged partner. The threats came from Thompson, Manitoba to the complainant in Winnipeg. Clearly, this was not a matter of imminent danger and need not be entered as a priority 1.

Domestic incidents entered as a priority 1 are also subject to a “call back” directive to the SPCOs (Exhibit 59 #24, point 5). As one witness noted:

“If the incident occurred a month ago and the suspect’s incarcerated, I don’t see the need to touch base with the person every 30 minutes, personally.”

With respect to abuse, again the public needs to be educated with respect to what an emergency is and what 911 is for. An emergency service cannot prejudge what they are hearing in terms of whether or not an assault has been committed, whether or not weapons are present, and whether or not there is a history from the particular address involved.

**RECOMMENDATIONS:**

**It is recommended** that as part of a comprehensive review the feasibility of having officers attending domestic violence calls, scroll the MDT to ascertain the telephone subscriber at the location before performing other standard CPIC checks.

**It is further recommended** that as part of a review whether a policy respecting forcing locked doors following a 911 call needs to be developed especially in situations where animals are believed to be inside.

**It is further recommended** that a legal opinion be sought respecting the grounds for stopping individual(s) for identification found leaving a location the subject of a 911 call.

**It is further recommended** that as part of the comprehensive review, the impact of the policy that all domestic calls be priority 1 be considered in the context of police resources.

**It is further recommended** that training of the SPCOs and Duty Inspectors be established and maintained relative to reprioritizing domestic priority 1s (or higher).

**It is further recommended** that as part of the comprehensive review, the cross-divisional dispatch policy be examined to ensure police resources are fully utilized in all districts and no one district is without patrol cars when cars are available elsewhere.

## **POLICY AND PROCEDURE: DOMESTIC VIOLENCE**

Many of the findings of this report relative to domestic violence are included under other topics such as Call Types.

The domestic violence policy of the Winnipeg Police Service is contained in Exhibit 45 amended February 2, 2002. Numerous memoranda and PARCS mail also address the subject. For whatever reason, some staff members of the Communication Centre did not know, understand, or apply domestic violence policy. In addition to examples covered under other topics, the evidence revealed the following.

After a debate with counsel about entering a call for service that was domestic in nature are the following:

“Q. And if I said to you that it was otherwise, that domestic policy is mandated --

A. Um-hum.

Q. -- even back in February of 2000 that you send this onward, you would say that's not the case?

A. I would say no, it wasn't the case.”

The witness was later asked if she had looked back in the manual, memoranda, or procedural statement to see that before February 2000 the policy was not the same as after, and she replied:

“No, I haven't.”

On the subject of flagging calls for family violence, Exhibit 45 (p. 2, #3) reports:

“This procedure not only enhances officer safety, but provides a streamlined and effective means of automated tracking and statistical reporting.”

One veteran acting SPCO did not know the flag was done for officer safety as well as statistical purposes.

One PCO reported, a month before the murders, of being “very upset at the growing indifference to certain calls (i.e. domestic related incidents ...)”.

As reported elsewhere, in January 2000, a patrol car was allowed to go for lunch while a domestic priority 1 waited in the queue and the violence was escalating.

Another PCO, while failing to enter an incident of domestic violence as “DOMEST” did, however, flag the call (Call 4, Exhibit 6, 25).

With respect to domestic violence training, an experienced PCO was asked:

“Q. Do you recall any training in '98 or '99 on domestic violence issues?”

A. It’s quite possible. I don’t recall specifically.

Q. Nothing stands out in your mind?

A. No.”

The same witness had no recollection of the “Lavoie Inquiry” (Mr. Justice Schulman’s Commission into domestic violence), the result of which had an impact on the application of domestic policy by the Winnipeg Police Service. The same witness was shown Exhibit 14-100, “Dispatch Policies November 1999” and stated:

“It looks to me like it could be part of a training manual. But I, I don’t recall seeing it before.”

Notwithstanding the clear policy for call type domestic (Exhibit 14-100, p. 32) a witness was asked:

“Q. And it would appear to me that the policy of the Communication Centre at the time of this incident was that that particular call type, and I’m quoting was ‘used for all reported domestic situations and domestic disputes’.

A. Yes.

Q. And that was, was that your understanding of the policy at the time?

A. Basically, yes. As I said before if certain circumstances warranted it we would use other call types as well even though it was domestic related.”

One PCO testified about a meeting of the B-side platoon after the murders and described what concerns and issues people were raising. The witness testified:

“Well, basically the fact that the domestic violence policy for sure hadn’t been -- there were many people that were doing whatever they wanted or not entering a call. And management -- they were

holding management accountable. They wanted to know why it wasn't being dealt with before that."

As noted under Training, and Exhibit 55, one training session provided the attendees with a video on domestic violence that was ten years old and inaccurate.

The writer of Exhibit 51A reports at the 6<sup>th</sup> and 7<sup>th</sup> page of that document:

"According to the domestic violence policy in place, supervisors are to touch base with complainants after 30 minutes to ensure that things have not changed/escalated. This is frequently not being done. I am reporting this with the hope that no one will get into trouble - but rather a reminder could be issued making it mandatory that this policy is adhered to."

Provided in Exhibit 51A were some incidents after the murders where response was delayed without follow-up to the callers.

In addition to domestic violence policy and training not being followed, perhaps the plethora of memoranda and PARCS mail on the subject of domestic violence has proven confusing to staff in the Communication Centre. As noted, in the six weeks following the murders there were no less than six memoranda placed in the memo binder relative to domestic violence policy. Other memos include

- Exhibit 59-16
- Evans to Hobson: Domestic and court orders.
- Evans to Tinsley: Callbacks

A memo on December 6, 1999 outlines the time spent by recruit classes in domestic violence training. A 14-page memo, January 13, 2000, from the Domestic Violence Committee provides information to the Deputy Chief of Police addressing the recommendations in the inquiry of Mr. Justice Schulman into domestic violence.

Not only are there inconsistencies with the domestic call type within the Communication Centre, but also from the districts. Prior to February 2000, many domestic calls from the district service centres came in as OSTATs. As recently as January 2002, during the inquest, a senior PCO reported that a domestic call had come in from a district as a "dispute". This is obviously in contravention of the domestic violence policy as it existed before 2000 and as it currently stands.

A memorandum, Exhibit 72 January 4, 2002, Domestic calls received at the 911 pod - policy clarification, concludes by adding "The 911 policies lesson plan and manual will be updated accordingly."

- **All domestic calls priority 1**

On February 21, 2000, a policy change was taken with respect to family violence situations. Exhibit 59-24 states:

“(1) All domestic calls will be entered as a priority 1 or E, depending on the level of violence reported at the time.”

Much was said on this subject. One staff member testified with respect to the prioritization of all domestic calls as a 1 or an E:

“Making the system more ineffective by bogging down the system while we wait for the duty inspector to process them, to downgrade them if necessary or touch base with the callers.”

Another:

“.. I think the department is losing focus on what an emergency domestic is. ... All domestics aren't emergencies.”

One PCO described real fights getting buried in the queue with minor ones such as an argument over a pack of cigarettes now being a priority 1 or higher. In the same line, one dispatcher agreed that all domestic calls being a priority 1 (or higher) was putting a strain on the system and agreed that resources were being tied up dealing with these.

Some witnesses seemed to take offence to the fact that they had lost the discretion to prioritize a call, now having to make them all priority 1's.

One wrote

“If we make all domestics a priority 1 - does this allow us the discretion to determine which have the escalation potential. Or have we made a blanket rule, removing discretionary powers that eliminates our ability to prioritize calls effectively.”

- **Breach of Court Order**

In discussing sending a car where the alleged perpetrator of a breach of a court order was no longer present, one witness agreed with counsel it was a waste of a car. The following answers were recorded:

“They can't remove him or they can't charge him with a breach right now.

Q. They could take a report from the woman about the offence that had committed, correct, had been committed?

A. I guess they could have, yes.”

The witness’s understanding was that nothing could be done. (Call 3, February 15-16, 2000)

However, she continued:

“...he’s not there and I can’t, I can’t enter a call for service for a police car to go to a house and wait if someone comes back.”

Conceding sending a car is a dispatch function, not a call taker one, she stated:

“You know you can’t send police cars to wait for things.”

The following exchange occurred:

“A. That is what you learn out there, though. That is what I’m saying. You learn that. I don’t decide that, but you know that you can’t enter a call for service for a police car to go somewhere to wait for somebody. You can’t do that.

Q. Were you ever taught as part of your training either on the job or the training course you took or were there memoranda provided or seminars or anything at any point that ever indicated to you that you should make choices about what cruiser car resources or how cruiser car resources should be allocated?

A. No, you’re never trained that, I’m not trained that. I’m not a dispatcher. I’m just saying, that’s what you learn up there on the floor, that, you know, you get an understanding, it’s not black and white and no one sits down and tell you this stuff is that, you learn you can’t enter a call and send police cars everywhere. You know that. It’s just, you just have an understanding of that. I don’t know where you learn that.

...

A. ...I don’t know if it’s training or what you learn in black and white, but you know and you have an understanding that you can’t send police cars to places to wait just in case something might happen. You can’t make that assumption that it’s going to happen in the future. You have to deal with what’s going on right now.

Q. Right.

A. That was my understanding, and I don’t know where I learned that but that was my understanding then.”

The evidence was clear that call takers did not send patrol cars, dispatchers did. As the training co-ordinator testified:

“Whether there is a car or not, they’re still taught they need to enter the call if it’s a call that needs to be entered.”

**RECOMMENDATIONS:**

As noted in the Training Recommendations a core group of mandatory sessions should be developed and presented on current and applicable family/domestic violence prevention procedures, court orders and police role in enforcement.

**It is further recommended** that as part of a comprehensive review, reconsideration be given to the current policy that all domestic calls be Priority 1 (or higher).

## **CALL TYPES**

- **OSTAT**

The use of the call type OSTAT was the subject of much testimony and documentation. (Exhibit 55, p. 19; Exhibit 63).

Exhibit 19-11 (unpaginated) is an excerpt from the Call Taker training manual dated 98-04-08 and describes an OSTAT as follows:

“Used for incident in respect to the following statutes:

- Lord's Day
- Petty Trespass
- Remembrance Day (Some changes have already occurred here) i.e.: BARS are allowed to be open
- Poster/handbill
- Incinerator
- Derelict vehicles
- Other miscellaneous statutes for which specific offences are known.

**\*\*Also covers immigration, parolees and other sections of the criminal code for which broad dispatch codes have not been assigned\*\***

This is the material used by those trained at that time.

Exhibit 15-16 (p. 58), an excerpt from the Call Taker training manual (dated 2001-01-08), describes an OSTAT as follows:

“Used for incidents in respect to the following statutes:

- Lord's Day
- Petty Trespass
- Poster/Handbill
- Remembrance Day (check current policies)

- Incinerator
- Breaches of Curfews & Undertakings for Youths - See Insert
- Other Miscellaneous Statutes for which specific offences aren't known
- NOT to be used for breaches of orders - See Bill 40, Domestic, Stalk, and/or Disp.

(My emphasis)

**\*\*Also covers immigration, parolees and other sections of the criminal code for which broad dispatch codes have not been assigned\*\*"**

Obviously the training manual was amended with respect to OSTATs after the murders of February 15 & 16, 2000.

Exhibit 45, Winnipeg Police Service Family Violence Policy, amended 00-02-01 (16 days before the murders) states at p. 8:

**10. Domestic Violence - Initial Response**

B. Members investigating any incident of confirmed or suspected domestic violence, including a breach of any form of restraining order ...

at p. 23

**25. Domestic Violence - Enforcement of Court Orders**

B. On every domestic violence call where a breach of any form of court order is confirmed or suspected, attending members are to investigate.

and at p. 24

**26. Domestic Violence -Arrest/Detention/Release**

B. Where a charge(s) is to be laid for any offence involving domestic violence, including a breach of any form of court order attending members are to complete the following.

While this policy relates to investigation and arrest, it is apparent that domestic violence matters include “a breach of any form of court order”. All members of the Winnipeg Police Service, including those in the Communication Centre are responsible for knowing the contents of the Winnipeg Police Service manual, which is available on line.

One witness, when asked what calls would be typed OSTAT answered

“No, OSTAT is usually something more minor. It could be as little as a dog bite or pound issue, other statutes in regards to recog and things like that it could be.” (my note: recognizance)

The witness confirmed that a domestic dispute involving some kind of fight would not normally be entered as an OSTAT. Another witness described an OSTAT as applicable to a parking complaint or a domestic breach of court order. It was reserved for by-law functions and court orders. Another witness described the use of OSTAT as applicable in a custody order where children were supposed to be back at 5:00 p.m. from a visit and it's 7:00 p.m. It was not to be used for disputes. The witness confirmed people in the Communication Centre had used OSTAT in domestic situations where there was no violence and the alleged perpetrator was present. A veteran PCO confirmed using OSTAT in domestic situations and that no one had advised otherwise.

Finally, one of the newer members of the Communication Centre staff was asked whether the call taker lessons of 1999 included the use of OSTAT where the matter was a breach of a court order or a breach of a restraining order in a domestic scenario. The witness responded “No, we weren't taught, we weren't taught that, no.”

As reported in Exhibit 55, (the Scott report)

“An OSTAT on the other hand, refers to other or miscellaneous statutes. When an OSTAT type call is entered the computer automatically assigns it a priority '3'. This type of call would not require a report being written before the call was closed. There would be none of the protective measures assigned to it as there is on a domestic call. In other words there is far less accountability to a member assigned to an OSTAT as opposed to being assigned to a DOMEST.”

When provided with a scenario where a caller reported a breach of recognizance, the person against whom there was an order was present, and the caller wanted this person to be removed, the training coordinator confirmed that trainees “would have been instructed to enter it as a domestic”. When asked whether there was instruction to enter it as an OSTAT, the answer was “No”.

The training coordinator, upon a review of call 4 (OSTAT-2P) testified that that call was a priority one, and not an OSTAT. This was the policy before February 2000.

She advised that following the Schulman Inquiry, all domestic calls were to be typed domestic (not assault, not threats, etc.), be entered for service and flagged domestic. (That being for officer safety and statistical purposes. After February 17, 2000, all domestic calls were to be priority one or higher.)

Yet, one experienced PCO disagreed that domestics could not be entered as assaults or threats, stalking, "No. It, it wasn't required at that time, after February [2000] it was". She did agree that a fight with a knife could be described as an "assault with a weapon", and flagged domestic.

Similarly, an SPCO stated:

"pre February .... we could enter a domestic under other types as well, as long as the call was flagged" [domestic]

This statement followed examination revealing "confusion" between the index to Exhibit 14-100 (call types) and commentary under "Bill 40". (24-40-43)

The view held by these two senior people was clearly contrary to the policy as described by the Training Coordinator.

While the assigned priority was problematic on the morning of February 16, 2000 (given the shortage of district 3 cars and the understanding that cross-divisional dispatching was not available for a 2P) it was compounded by the type assigned: OSTAT.

Two witnesses were referred to the Winnipeg Police Service Family Violence policy (amended 00-02-01), Exhibit 45 - p. 2:

### **3. Family Violence - Calls for Service - PARCS Automated Tracking**

A. At incident entry, or as soon after as practicable, calls for service involving confirmed or suspected acts of family violence are to be flagged on PARCS for special processing. This procedure not only enhances officer safety, but also provides a streamlined and effective means of automated tracking and statistical reporting.

B. Any member entering an incident for dispatch where an act of family violence is confirmed or suspected is to complete the following

- 1) Enter an <F> in the "action" field of the Incident Mask. This sets the flag and inserts the wording "FLAGGED FAMILY VIOLENCE" in the Call History.

**NOTE: Flagged calls awaiting dispatch may only be cancelled with the authorization of the Duty Officer. The flag on a family violence call for service may only be modified by a Shift Supervisor. Once closed, an incident cannot be flagged.**

Clearly, domestic calls were to be "flagged family violence". The OSTAT call (4) was so flagged, and ought to have been call typed, Domestic.

The issue of OSTAT in this inquiry is a symptom of poor communication, lack of monitoring (or quality control) and lack of ongoing training especially of more experienced employees.

The use of OSTAT in breaches of domestic court orders were commonly used when calls were entered from a service centre.

Exhibit 63, a PARCS mail dated August 28, 1998 is an inquiry of the training coordinator as follows:

"Was wondering if you could clarify as to the proper uses of 'OSTAT' .... Originally I understood it wasn't an incident type to use as a blanket call type but it seems it is now being used just for that purpose.

Particularly .... domestic situation type calls .... FEM reporting breach of court order/br. of recognizance/or breach of visitation involving the kids, PPL use the type 'OSTAT' and flag it.

Was wondering if that is acceptable and proper or if these types should not just go in as we used to enter them ... as domestic?"

The response September 10, 1998 was:

"Sorry for the delay in replying re the proper uses of OSTAT -vs-Domestic.

OSTAT refers to incidents such as petty trespass, breach of Remembrance Day Act, and other miscellaneous statutes ...

For breach of court order, etc. ... If it's domestic related, then it should be entered as the type of domestic ... If it's breach of court order/peace bond, etc. that is not domestic related (i.e. - peace bond between neighbours), then it should be entered as the type of dispute.

This should clarify matters .... If you find this error is occurring repeatedly, please let me know and I will issue a clarification memo.”

There was obviously concern by at least one member of the Communication Centre staff about the misuse of OSTAT, back in 1998. Unfortunately, the response was not circulated to other members of the Centre. One witness never saw it and another testified there had been no discussion with the PCO making the inquiry.

### **RECOMMENDATIONS:**

**It is recommended** that as part of the comprehensive review, all call types be analyzed and assessed for clarity and accuracy.

**It is further recommended** as part of the comprehensive review and with the involvement of the Training Division, that information and training about call types, particularly domestic calls and breaches of court orders be provided to the Winnipeg Police Service at large.

- **Domestic**

Inconsistencies among the PCOs about the interpretation of the call type domestic are critical to the area of domestic violence.

The training coordinator was clear that following the Schulman Inquiry (1998) all domestic calls were to be call typed “domestic” (not assault, threats, etc.); were to be entered for service; and flagged family violence. Yet, within Exhibit 59, are two memos from the binder, March 24, 2000 (#33) and March 28, 2000 (#36) both of which commence with:

“Effective immediately the type code ‘DOMEST’ will consistently be used when entering calls for services involving any domestic situation regardless of the actual offence being committed. (i.e.: assault, break-in, threat, etc.)” (my emphasis)

Exhibit 14 is the 2001 training manual. Call types are set out at #100. This edition is identical to the 1998 manuals on call types (Exhibits 19, 52-10) and most, but not all, witnesses agreed that domestic priority 1 was in effect in February 2000 and is “used for all reported domestic situations and domestic disputes” (p. 32).

One witness was shown Exhibit 14-100 (p. 32) and asked if that was the understanding of policy at the time:

“A. Basically, yes. As I said before, if certain circumstances warranted we would use other call types as well even though it was domestic related.

Q. All right, and perhaps you can explain what those circumstances would be that would warrant a deviation from the policy.

A. If it was a domestic situation involving a gun or a knife we would use a call type that reflected that.

Q. All right.

A. And then flagged the call "family violence".

Q. All right, and it, when looking through this particular policy, and is that the only situation you can tell me that you might deviate from this policy where there's a gun or a knife?

A. Where there was a breach of a restraining order we frequently used the call type OSTAT as I've described before.

...

Q. All right, and you indicate, and we'll get into OSTAT later, but I just want to clarify; so are those the three circumstances that in your mind, as you put it, warranted a deviation from policy?

A. Those are the ones that come to mind now.

Q. All right. So with respect, if I take your evidence correctly, you knew what policy was. There were just certain circumstances where you felt that you could deviate from it.

A. I felt that that was the policy, that we could use different call types in certain situations.

Q. All right, but that doesn't appear to be what's written here.

A. It doesn't appear to be.

Q. In fact, if, if you can take me to any place in this policy on domestic incidents and show me where it indicates that there's any discretion to use another call type, I would thank you for that information, but I've read it through and I can't find it.

A. Okay.

Q. All right. So you would agree with me that there's nothing in this policy that indicates that you have the decision-making to deviate from that.

A. It would appear that way.

Q. All right. You indicated that one of the places where you, you felt you could deviate was OSTAT.

A. Yes.”

This witness had stated earlier:

“you’d use whatever’s most appropriate and some people --- there’s, there’s a gray area. Some call types overlap so ... some people would choose one. Some would use another.”

When presented with the 911 call (#4) on the morning of February 16<sup>th</sup>, the acting SPCO agreed that the call taker, in February 2000, had a choice; policy did not require it be a domestic; the call taker could have entered it as a breach of a court order - an OSTAT.

There was as well a lack of unanimity among the PCOs respecting the flagging of family violence calls. After the Schulman Report, all domestic calls were to be flagged family violence. Witnesses explained that this was for statistical purposes as well as for officer safety. However, one experienced PCO was not aware of the latter.

Much evidence was led throughout the Inquest as to whether or not a call taker should ascertain if “fighting” is physical or verbal. In Exhibit 52, the call taker trainee had placed a “post-it” note on the page headed “Domestic-Priority 1”. That note reads:

“determine if domestic is physical fight or verbal (where priority comes in).”

The fifth item in that manual under the heading “upon receipt of information you should determine the following” is “determine if domestic is physical fight or verbal argument”. There, the same trainee had written “where priority comes in”. Obviously this was taught in 1998.

The manual dated 98-04-08 (Exhibit 9) reads exactly the same.

Exhibit 14-10 (2001, under the heading “obtain the following information”) lists again as point 5 “determine if domestic is physical fight or verbal argument”.

On that subject, the following exchange took place between counsel and an experienced PCO: (again referring to Exhibit 14-100, p. 32)

“Q. .. and then immediately following that is a bolded or a capitalized statement that’s underlined; correct?”

A. Correct.

Q. And it says: obtain the following information?

A. Yes, it does.

Q. And then there's a list of things that should be obtained; correct?

A. There is a list of questions that can be asked, yes.

Q. Can you show me where it says that it's optional to ask those questions? It says obtain the following information.

A. Yes. It does say obtain the following information. But again, policy and procedure has always been taught that it's a guideline. It is not carved in stone.

Q. Getting back then to our fictitious calltaker, all right, who gets a call and is responsible to elicit certain facts; correct?

A. Okay. Calltakers supposed to get some facts, yes.

Q. And how they then exercise that judgment based on the facts that they get; right? And you said that they don't -- each call has to be assessed separately; correct?

A. Each call is unique.

Q. Each call is unique. Facts are different in each call.

A. Yes, they are.

Q. But you're provided with a guideline of information to obtain within policy; correct?

A. They have a guideline here, yes.

Q. And certain questions, I would suggest to you, were the responsibility of the calltaker to ask, and they're set out at page 32 in some detail.

A. There are questions on page 32 that can be asked in a domestic situation, yes.

Q. And in my reviewing of the material, it would appear to me that these particular types of questions, or this type of format, is not just with respect to the domestic policy, domestic call type, but there's guidelines throughout here, this, this manual. And you might want to flip and to the one immediately before, the

disturbance, priority 2. Obtain the following information. Do you see where I'm reading from?

A. Yes. I flipped back.

Q. And it says a number of things that the calltaker should obtain; correct?

A. There is a list there that says there's a, a -- it offers a list of things that you can obtain, information that you could ask.

Q. I think you'd agree with me that the type of material, or the types of questions that are suggested, are those types of factors, facts, which are important to assess the situation?

A. I think that there are some questions here that in some situations are very important to ask.

Q. All right. And the existence of children is an important question in a domestic call or a call involving violence?

A. It could be.

Q. Can you look at the fifth question down?

A. I'm sorry.

Q. Fifth, fifth question down. Obtain the --

A. I --

Q. -- following information.

A. Back to domestic?

Q. Back to domestic. I'm sorry. It says determine if domestic if physical fight or verbal argument.

A. That is one of the questions.

Q. That's an important factor; isn't it?

A. It could be.

Q. Can you tell me a situation where it wouldn't be?

A. When, with the information that you've already received, you are confident that what the caller has told you, that we're okay on that one.

Q. All right. Then you've got that fact; correct? You --

A. If, if you believe you've got a fact, yeah.

Q. All right. I'm asking you, [ ] when is that not an important question to ask? Or is that a determination that you always have to make?

A. I think that it's an important piece of information to have.

Q. All right. And again, because of your response, I'm wondering if you can tell us when you feel that that's a fact you would not want to have as a calltaker in assessing a call?

A. I, I think it is something that you would like to have the answer to if you feel you don't already have it.

Q. I'm not talking about if you feel you have the answer. All right?

A. Well, if I felt I had an answer, I wouldn't ask the question.

Q. It doesn't say ask the question. It says obtain the following information.

A. And this is a guideline."

As was obvious during the examination of A-side/B-side, (p. 130-169) there have been staff members in the Communication Centre who believe training, policy and procedures are guidelines within which they exercise their discretion and judgment; whereas others follow them to a letter.

#### **RECOMMENDATIONS:**

**It is recommended** that dissemination of call type information be part of initial and ongoing training for **all** divisions in the Winnipeg Police Service.

**It is further recommended** that as part of a comprehensive review, consideration be given as to whether policy is merely a guideline or something that must be followed by Communication Centre staff to the letter.

## **PRIORITY 2P**

Throughout the investigation by the Professional Standards Unit (Exhibit 55) it became apparent that priority 2P did not exist in the Winnipeg Police Service Procedures Manual (as amended February 22, 1999) yet 2P was used extensively and formed the subject matter of at least two memoranda. These were July 15, 1993 and December 22, 1995 addressing the issue of cross-divisional dispatching. The use of "P", described as "in progress", was used primarily to manipulate the priority of the calls in the queue. By "bumping" it up in priority the call is dispatched sooner. As one PCO reported:

".. It tells the Dispatcher that it's a high priority two. If I just made it a priority two, what happens with the system is the newest entered priority two goes to the bottom of the priority twos. So I, I've got twenty of them, it goes to the bottom. So if I have twenty priority twos and I make it a '2P' it immediately goes to the top and tells the Dispatcher that it's a high priority two and it's more important than the other priority twos that you've got waiting there ...under the old system we used to have the ability or the Dispatcher had the ability to manipulate calls in the queue. In other words I could queue up and queue down. So if I thought this one was more important I'd move it to the top and this one to the bottom ... I could juggle my queue so that I could remember. Or, or I could more easily see where my important calls were. This system doesn't allow us to do that so what we've done is use the 'P' to do that for us.. that (P's) was part of the system to begin with. It was meant to show the 'P' was to indicate progress. So you could make it an 'EP' or a '1P' or a '2P' or a '3P'."

As a result of the classification of a domestic violence call as a 2P as opposed to a 1 or E on the night in question, cross-divisional dispatching was precluded. (p. 182)

Of note, in the memorandum of a Deputy Chief on February 21, 2000, superceding any previous communication on the subject of family violence (Exhibit 59-24) there is absolutely no mention of the classification "2P".

As Staff Sergeant Scott noted, between December 1995 and the Winnipeg Police Service Procedure Manual of February 1999, "2Ps" were no longer grouped with "E" and "1" calls. This change was not effectively communicated, or communicated at all to the staff in the Communication Centre and consequently policy and procedure was not followed.

The author of Exhibit 51 writes:

"In the writer's opinion one of the biggest obstacles in our efficiency and effectiveness is the erosion of policy. It is not applied

accurately, it is not specific enough and it is frequently either not understood or communicated effectively.”

The assignment of Priority 2P to Call 4 (02:46:58) resulted in its position in the queue behind any 1s and Es. While there were patrol cars available in District 1, District 3 was busy after 3:00 a.m. As a 2P, the call would not be subject to cross-divisional dispatch.

#### **RECOMMENDATIONS:**

Failure to follow Winnipeg Police Service and/or Communication Centre policy is tied to the issues of Training and Communication. Accordingly, the recommendations for Ongoing Training and Communication apply to Policy and Procedure. In particular, the recommendations about a new policy and procedure manual, online and in hard copy for each staff member and the development of forums for briefing on policy and procedure changes apply here.

**It is further recommended** that (as is required for accreditation), all staff “sign off” on all Routine and General Orders as well as all policy and procedure memoranda.

## **FAMILY VIOLENCE POLICY**

- **Introduction**

Most of the examples offered in this report of failure to follow policy and procedure, and inconsistencies in the application of policy and procedures fall within the area of domestic violence (the odd exceptions including the “medding” (sending an ambulance) for a “person down”; missing persons and ambulance dispatch).

- **Exhibit 45: Winnipeg Police Service Family Violence Policy**

The family violence policy of the Winnipeg Police Service is contained in Exhibit 45. Family violence includes “domestic violence or partner abuse”. This document was amended February 1, 2000, some two weeks prior to the murders. It is available online. As most witnesses, including the executive member of the Winnipeg Police Service agreed all members of the Service are required to be up-to-date on policy and procedure.

A review of the family violence policy and its implementation is necessary given the second requirement of the Inquest, namely “to examine the operation and management of the WPS Communication Centre and ‘911’ service with respect to the timely provision of police response to domestic violence/assault calls, such as those placed by Doreen Leclair and Corrine McKeown on February 15 and 16, 2000”.

The policy (Exhibit 45, p. 7) sets out what has been referred to as the “zero tolerance policy” with respect to the laying of charges. All family violence calls for service are to be “flagged” on PARCS for the enhancement of officer safety and to provide automatic tracking and statistical reporting. (p. 2) Any member receiving a call for service involving domestic violence is to determine the following:

- “1. Where the parties are located and what they are doing.
2. The presence and use of any weapons including firearms.
3. If any of the parties are injured and to what extent.
4. If children are present.
5. Information about the suspect, eg. relation to victim, whereabouts, description.
6. Whether the suspect is under the influence of drugs or alcohol.

7. Whether the police have been called in the past for similar incidents.
8. Secondary addresses, telephone numbers or contact persons where applicable in order to assist investigators in locating the complainant. (my emphasis)

The above reflects the Communication Centre training manuals in terms of the five W's: Who, What, Where, When, Why and Weapons. The policy and the training should be identical. However, as previously reviewed, at least one witness was unaware of the "weapons" requirement and a review of the calls on the night in question showed that on at least two occasions the "where" was not ascertained. It is also significant to note in Exhibit 53-1B, Minutes of a meeting held on November 23, 2001 that the "snapshot" entered by the call taker should **only** include "what, when, where, how and why". (emphasis in Minutes)

As detailed under the heading Police Response, the family violence policy repeatedly addresses the situation where a domestic violence call includes a breach of any form of court order. (Exhibit 45, p. 8; p. 20; p. 23; p. 24) The breach of a restraining order regarding an "ex-mate" in call #4 was entered as an OSTAT but flagged domestic.

In the weeks following the murders, there were at least six domestic policy memoranda included in the memo binder. There was confusion interpreting how Exhibit 45 stated breach of court order should be addressed, and also confusion after February 16<sup>th</sup> within the memoranda sent out.

A memorandum bearing "#2" within Exhibit 59 is dated January 17, 2000 and concerns the incident type "stalk". The memo states:

"All incidents of stalking will be entered with the incident type of 'stalk' (whether domestic related or not)." (my emphasis)

On the same date, a memo marked "#3" relating to "Bill 40" directs:

"All breaches of these protection or prevention orders will be entered with the incident type of 'Bill 40' (whether or not domestic related)."

Evidence had been heard, principally from the Training Coordinator, that ever since the Schulman Inquiry all domestic calls were to be entered as "DOMEST" not as to the type of offence committed. The February 21, 2000 memorandum directed that all domestic calls would be a priority 1 or higher (Exhibit 59, #24). Again within Exhibit 59, a memorandum "#33" was sent out on March 24, 2000 directing:

"Effective immediately the code type 'DOMEST' will consistently be used when entering calls for services involving any domestic

situation regardless of the actual offence being committed (i.e. assault, break-in, threat, etc.).”

A PARCS mail dated March 27, 2000 addressing a breach of an order writes:

“The duty officer unit is unanimous about the call type being entered as a domestic with a priority 1.

That incident requires immediate dispatch of a crew and must be identified as a domestic. (the OPS Manual of Family Violence concurs).”

On March 28, 2000, a PARCS mail as well as a memorandum (Exhibit 59, “#36”) were sent out. The author of the PARCS mail reports having been told that breaches of orders should be entered as “Bill 40” for tracking purposes. This had prompted the March 24<sup>th</sup> memorandum. However, as of March 28<sup>th</sup>

“Research and Development requests that all breaches of Bill 40 (domestic related) be entered under the type code of domestic”.

Again, a change within days.

The written memorandum, commencing again with

“effective immediately the type code DOMEST will consistently be used when entering calls for services involving any domestic related situation regardless of the actual offence being committed (i.e. assault, break-in, threat, etc.)” (my emphasis)

continues,

“Breaches of all domestic related orders (including Bill 40) and incidents of prevent breach of the peace will also be entered using the type code DOMEST.”

Attached to the memorandum of March 28<sup>th</sup> appears to be excerpts from call taker training manuals. However, they do not match the style and pagination of Exhibits 14-100; 15-16 (created in January 2001) nor 19 (1998 material). However, a comparison between the family violence policy (Exhibit 45) and the excerpt from “domestic-priority 1” at p. 32 shows consistency with respect to the direction to “obtain the following information”. One witness was adamant that the “obtain the following information” is merely a guideline, when in fact it does appear in the family violence policy.

The February 21, 2000 memorandum (Exhibit 59, #24) directed all domestic calls to be a priority 1 or higher. Many witnesses, as noted, voiced concern that this was going to be a tremendous burden not only on dispatchers

but also on the police officers because of an obvious increase in priority 1 and E calls requiring service. As examined under “Police Resources” neither the resources on the street nor in the Communication Centre were taxed on the night in question. Exhibit 75 details the increase in response time for the Winnipeg Police Service for domestic violence calls since the murders. There is still a discretion to be exercised by the SPCO in concert with the duty inspector to conduct a “priority review” of 1’s and E’s. However, this is not a common occurrence. More than one witness testified that not all domestics are priority 1. As one witness said the perpetrator could be miles away, or in jail. The analogy to an argument over a package of cigarettes was used. The family violence policy, Exhibit 45 at p. 8 states:

“D. Any allegation of threats to a victim of domestic violence communicated from a person in custody whether in person, by telephone or in writing; or communicated by a third party at the direction/request of the person in custody is to be investigated immediately and a report submitted. Where appropriate a charge(s) is to be laid and an Information sworn without delay.

E. Prompt investigation is critically important to the safety of victims where persons in custody are attempting to obtain judicial interim release or parole.”

Even if the perpetrator was not physically able to harm a victim, the call is entered as a priority 1 (or higher) and dispatched.

Two further memoranda in Exhibit 57, the index to the memo binder, from June 8, 2000, one being #59 breach of court order; the other being #60 domestic related calls.

A domestic violence development day was held in the months following the murders. All Winnipeg Police Service members including staff in the Communication Centre were mandated to attend. While incoming Winnipeg Police Service recruits receive intensive domestic violence training, it would appear that the staff in the Communication Centre do not. They receive the information about call types and priorities concerning domestic calls, but are not exposed to such topics as cycle of violence. There was evidence of the use of a 10 year old domestic violence video at training sessions prior to the murders. Staff members in the Communication Centre appear somewhat hesitant and do a lot of second guessing with respect to domestic calls. This was also apparent from the evidence of one of the inspectors.

- **Zero Tolerance Policy**

Exhibit 45, p. 7 sets out:

8. Domestic Violence - Policy

A. It is a police duty and responsibility to lay a charge when there are reasonable grounds to believe a domestic assault or some other offence has occurred. Charges are to be laid whether or not the victim wishes to proceed with the matter, and even in circumstances where there are not visible injuries or independent witnesses.

1) Members are responsible to advise persons subjected to domestic violence of their ability to seek, with or without police assistance, a wide range of civil remedies to address their individual needs.

B. Once a charge(s) involving domestic violence has been laid, all decisions relating to prosecution/disposition are made at the sole discretion of the Family Violence Unit Crown Attorneys (Public Prosecutions Division, Department of Justice, Manitoba)."

The zero tolerance policy impacts the timely provision of police service in domestic violence matters. The February 21, 2000 (Exhibit 59-24) directive that all domestic calls be a priority one or higher has resulted in increased time of response. (Exhibit 75)

The impact of the zero tolerance policy has a tidal wave effect on other agencies: prosecution, courts, Women's Advocacy Program, probation and corrections.

There was evidence that domestic violence policy was not being interpreted or applied consistently at all levels in the Communication Centre and in the Service Centres. There was no evidence that zero tolerance policy had not been followed in the history of William Dunlop and Corinne McKeown.

- **Domestic Violence Coordinator**

The Audit Review, Exhibit 80, writes at p. 27:

"For control to be effective, the objectives and activities of all divisions and functions within an organization must be coordinated. Division staff interact with other individuals within the organization on a frequent basis. Accordingly, decisions and actions almost always require coordination. With frequent changes to policy and procedures, staff in one area may be unaware of the activities in another. If this situation is not addressed it could lead to a breakdown in working relationships, inefficiencies, and inconsistencies in dealing with the public."

The Audit Review at p. 28 points to the need for coordination among emergency response agencies. Evidence was heard that there were discrepancies for example as to whether ambulance service attended before or

after Winnipeg Police Service attendance. The member of the WPS Executive advised, on April 29, 2002, that:

“A joint working group of police service and fire paramedic service personnel has been struck. The terms of reference and mandate of this group have recently been approved by the Executives of both services. The general purpose of this group is to share ideas and concerns with a view to enhancing the effectiveness of service in multi-agency response situations.”

In the follow-up with Communication Centre management, the authors of the Audit Review noted four areas where management indicated more need for improvement. Two of these included: (p. 36)

- The understanding and alignment of the Communication Centre objectives with those of the Winnipeg Police Service
- Coordination of efforts between the Centre and the different areas of the Winnipeg Police Service

Exhibit 59, ten memoranda, revealed numerous conflicts relating to domestic policy between January 2000 and March 2000. Evidence was heard of inconsistencies in the training and application of call types and priorities, and domestic violence calls between the Communication Centre and service centres.

## **RECOMMENDATIONS:**

**It is recommended** that as part of the comprehensive review, consideration be given that the Winnipeg Police Service, in consultation with the key stakeholders in government and in the community, and with other Police Services, re-examine the Domestic Violence Policy in order to develop reasonable guidelines for assigning priorities for calls dealing with domestic violence.

**It is further recommended** that the comprehensive review examine the feasibility of the Winnipeg Police Service together with the Department of Justice (Manitoba), other law enforcement agencies and others involved in domestic violence issues review the Domestic Violence Policy, in particular Zero Tolerance and the manner in which the policy relates to repeat offenders.

**It is further recommended** that serious consideration be given to a senior member of the Winnipeg Police Service, possibly a member of the Executive, become the Domestic Violence Coordinator for the Service, including

the Communication Centre, to address staffing, training and policy issues relative to Domestic Violence.

## **TECHNOLOGY**

### **• Equipment**

The equipment available to the Communication Centre was described as “state of the art” by one of the inspectors. Some members of the “management team” were not in total agreement that the equipment was state of the art. One referred to the fact that telemarketers had better equipment. The “manager” who had attended a meeting of Communication Centre personnel in the United States indicated that out of 200 attendees, Winnipeg was the only city that could not get identifier information for cellular phones. A number of improvements have been made in recent years, and the training to deal with those improvements, impinged on regular on-training sessions. According to the Audit Report (Exhibit 80, p. 25) most staff seemed satisfied with the changes.

Yet from September 1999 for approximately two years, the Communication Centre was unable to track case volume to assist in collecting statistics for staffing purposes. This has since been remedied. Similarly, in September 1999 there was no caller line identification. There was for a period of time a problem with lost calls caused by the use of a space bar.

A second call for service from the same address may link to another call or calls from the same address, depending on the time frame.

Evidence was heard with respect to the following features of the enhanced 911 service:

1. All calls that come in to 911 have automatic location identification and automatic name identification (ALI and ANI).
2. The police general number, 986-6222 has purchased caller identification which provides subscriber information not caller information. Caller identification can be blocked by the subscriber.
3. If the 911 position is busy, calls roll over to 986-6222 and the ALI/ANI service is available.
4. Subscriber information is updated daily except on weekends and holidays.
5. There is no means of collecting data through the 911 system that would identify how many times a call came from the same address.
6. The system enables a call taker to know the existence of an earlier call and it can be accessed if, and only if, the call was entered for service.
7. The last 20 calls received can be accessed for both 911 and 986-6222.

When a call comes in to 911 it is stored electronically in a database and can be retrieved anytime within the following calendar year. The information could be taken off and stored either electronically or on hard copy. The system, identified as Paradox, requires that Communication Centre staff go through Information Services who have to do a download. That can only be done through regular business hours and obviously would only be available for historical purposes. While the permanent storage of the data beyond one year was discussed, presumably among the Communication Centre "management", it was determined that there was no need to keep it beyond the 12 months.

Such information was retrieved in the investigation into the murders and forms part of Exhibit 25, by Staff Sergeant McLissac. "The writer was only able to obtain transcripts of calls from 1998 to present."

The Communication Centre technology enables staff there to do a LOCS, NAMS, and CPIC check. In practice, those checks are usually left to the officers responding to the call. Exhibit 60 details an exchange of PARCS mail in May of 2000. The author of a PARCS mail on May 7, 2000 writes:

"I suggested that call takers should sometimes go with instinct/logic and query suspects on domestic calls, the reason is to give a better idea who dispatch is dealing with and provide a better risk assessment. CYD advised me that this does not fall within the mandate of call takers and I appreciate that comment. However if we are to improve our effectiveness in domestic calls I think on those occasions when we have the info on the suspect and violence is suggested, the call taker should do a NAMS check. Complete information goes a long ways to improving our appropriate response to a call ...."

The writer provided an example. A response was sent May 12, 2000:

"I have discussed this .. and feel this could cause us problems. It is difficult to make a policy just to deal with domestics and not all with suspects. If we started doing these queries it could significantly impact on our answer times and waits on non emergency lines. Further I would rather have the Duty Insp/S/Sgt review any record which might exist and make the call rather than the complaint handler.

Current policy calls for the domestic to be reviewed by the Duty Insp/S/Sgt before any change to the priority is made and I think this is simply part of that review process.

You must remember on a busy nite these people are entering large volumes - some as high as 100 and to add any more to this would create problems."

A PARCS mail to all Communication Centre staff reveals that the matter had been discussed with the Superintendent and

“The decision that Communication staff \*will not\* be responsible to perform persons queries (NAMS/CPIC) on suspects in domestic incidents.

It will be the responsibility of the duty inspector, s/sergeant or attending unit to perform these checks as they require them, just as they would on any other type of incident entry containing suspect information.”

The originator of this suggestion concluded the exchange of correspondence on May 16, 2000 by writing:

“My suggestion about the call takers taking that extra step in only certain circumstances was to assist the dispatchers in making their decision on which domestic call should be attended first or to assist the call taker/dispatcher/SPCO in possibly raising the priority. All too often there are 1-5 or more domestic calls in a district. - how does the dispatcher assess those calls if they all lack information that may be pertinent to the risk. According to the Comm Centre check list for taking domestic call information it states ‘in some instances, the call taker may need to conduct a LOCS check ...’ and ‘in most instances, it is not necessary for Communications members to conduct NAMS, LOCS, or PINS ...’, all I am pointing out is that in those circumstances when the call taker ‘does’ get suspicious that they go the extra step to assist the dispatcher and the SPCO. You refer to the rather ambiguous domestic policy that we currently follow, that policy is very clear in that ‘anyone’ can raise the priority ... if the information is not in the call even when the complainant suggested a high risk situation, how does your dispatcher and SPCO catch those calls that should be raised in priority. My suggestion was not about the priority review process, it’s about efficient call taking procedures and how we can improve the WPS’s method of responding to calls for assistance.”

With this technology available LOCS, NAMS and CPIC checks would be helpful to the call taker in describing the call, to the dispatcher in prioritization, and important for officer safety.

#### **RECOMMENDATIONS:**

**It is recommended** that as part of a comprehensive review an assessment of all telecommunications equipment in the Communication Centre be undertaken to ensure the Centre is equipped with the best available equipment.

**It is further recommended** that as part of that review the feasibility of having Manitoba Telecom Services Inc. explore expanding the E9-1-1 Network to include software with a recognition feature that tracks the number of calls received from a particular address, and automatically relays that information to the screen of the 911 operator position.

**It is further recommended** that the review consider having MTS inquire into the possibility of providing a 311 Service that allows callers a quick dial for non-emergency calls to the police service in their jurisdiction.

**It is further recommended** that as part of the comprehensive review the feasibility and usefulness of call takers utilizing the LOCS and NAMS checks be explored.

**It is further recommended** that given the often ongoing nature of domestic violence and stalking, the review look into a system to enable the storage of calls and transcripts in excess of two years.

- **PINS (Prohibition Information Name Search) and CPIC (Canadian Police Information Centre)**

At the relevant time, February 15 and 16, 2000, William John Dunlop was recorded on PINS with a birth date of 1919-01-01 for a non-molestation order (Exhibit 27) taken out by Corrine McKeown on February 19, 1993. The use of the 1919 birth date was by default in 12 cases, including Dunlop's. In 1993, PINS required a date of birth to enter the system and if none was available (Exhibit 27 merely records Dunlop's age as 24 years), January 1, 1919 was used arbitrarily until a correct date of birth could be verified and entered.

On the morning of the murders a PINS check would not have assisted. In Exhibit 68, a PARCS mail author writes:

“..we had the wrong name. The caller was so ‘intox’, that we could not understand her.”

The name was transcribed and appears in the case history as “Belmont”.

The history of PINS, from its growth primarily as a “quick fix” for domestic violence orders and its limitations such as a small field and accessibility only by the Winnipeg Police Service is set out in Exhibits 28, 73, and viva voce evidence. One advantage to PINS was that it was much faster to download information than it is into CPIC, which can take 20 minutes per entry.

The study of Domestic Violence and the Justice System in Manitoba, authored by Mr. Justice Schulman in 1998, recommended (numbers 11, 12, 64, and 65) interfacing of PINS with CPIC, and the entry of ex-parte no contact no communication orders on CPIC as well as PINS. This effectively meant a transfer of responsibility from the Government of Manitoba Justice Department to the Winnipeg Police Service. Exhibit 86 contains, among many other documents, a memo dated April 26, 1999 from the Inspector in charge of records and communications to the Deputy Chief, Administration, addressing the implementation of Mr. Justice Schulman's recommendations. A committee had been studying the matter and was requesting 8 additional staff to enter information on CPIC. The documents contained in Exhibit 73 reveal a significant backlog in entering CPIC orders and a continuing request for an increase in staff in the Bureau of Police Records. Testimony on April 29<sup>th</sup> reported that 8 temporary positions in CPIC were converted to permanent ones in the 2002 budget plan. These individuals had originally been hired 12-14 months earlier. A problem similar to that in the Communication Centre arose as the part-time or casual employees would apply for other full-time permanent positions within the Winnipeg Police Service creating vacancies in the temporary pool.

Further evidence was heard on April 29, 2002 that the backlog at CPIC primarily concerned probation orders and that other orders are put on the system within a 24-48 hour time span. As of the week previous, the backlog was 9,000 orders.

The use of PINS was discontinued effective December 1, 2001. (Exhibit 29, Routine Order December 6/01).

The Winnipeg Police Service currently has a goal of being completely up-to-date on CPIC orders by the end of 2002.

*Viva voce* evidence, and Exhibit 55 (Report of Staff Sergeant A. Scott) reveal that copies of actual hard copy court orders were delivered to the Winnipeg Police Service and for a time placed in a file drawer. Once the drawer was full the orders were placed in cardboard boxes in a corner of the Bureau of Police Records. There is no system currently in place to confirm the hard copy of orders.

Staff Sergeant Scott in Exhibit 55 writes that had the 1993 non-molestation order been properly recorded it is possible that additional charges may have been laid against Dunlop and affected the sentence that was imposed upon him on November 10, 1999.

Staff Sergeant Scott sets out the advantages of the CPIC system:

- The information would be available (Canada Wide). The present system [PINS] that is only available to Manitoba police officers could result in problems in the event a person from Manitoba moved out of Province and was applying for a gun permit of some type.
- The information field on a PINS screen is limited to a small number of characters. A CPIC entry would allow more information to be entered. Though it would take more time, the extra information could prove invaluable to front line officers.
- CPIC allows for wider ranging searches in the event of a misspelled name or improper date of birth.

## **RECOMMENDATIONS:**

**It is recommended** that the comprehensive review determine sufficient staff levels in the Bureau of Police Records to ensure that CPIC is kept up-to-date.

**It is further recommended** that a review of the filing system for hard copies of orders be completed to ascertain if the filing system is necessary and if so that it be maintained.



**THE PROVINCIAL COURT OF MANITOBA**

**The Fatality Inquiries Act  
SCHEDULE ATTACHED TO PROVINCIAL JUDGE'S REPORT**

**Respecting the deaths of: DOREEN LECLAIR AND CORRINE MCKEOWN**

**SCHEDULE A**

**EXHIBITS FILED AT INQUEST**

**(Entered October 2, 2001)**

1. Photocopy of Notice placed in newspaper re: Provincial Inquest (1 pg)

**(Entered December 3, 2001)**

2. Letter dated May 9, 2001 to Mr. Kaplan from Dr. Balachandra (2 pgs)
3. Autopsy Report of Doreen Leclair (6 pgs)
4. Autopsy Report of Corrine McKeown (4 pgs)
5. Floor plan of Communications Centre (1 pg)
6. Transcripts of 911 calls (15 pgs)
7. Letter dated November 22, 2001 to Mr. Minuk from K. Laboissiere (3 pgs)
8. Letter dated November 23, 2001 to The Honourable Judge Webster from M. Minuk (2 pgs)
9. Letter dated November 30, 2001 to The Honourable Judge Webster from M. Minuk (2 pgs)

**(Entered December 5, 2001)**

10. Forensic Laboratory Report dated April 28, 2000 re: Doreen Leclair and follow-up report dated August 22, 2000 (3 pgs)
11. Forensic Laboratory Report dated April 28, 2000 re: Corrine McKeown and follow-up report dated August 22, 2000 (5 pgs)
12. Alcohol Analyst's Report dated February 28, 2000 for Doreen Leclair and Corrine McKeown (1 pg)

**(Entered December 10, 2001)**

- |     |   |           |
|-----|---|-----------|
| 13. | Cassette tape of five 911 telephone calls (17PVA)   | n/a       |
| 14. | Two binders (CW12) that include documents from COMM Centre and Index for this exhibit                     | (807 pgs) |
| 15. | Winnipeg Police Service Call Taker Training Manual  | (326 pgs) |
| 16. | Winnipeg Police Service Dispatch Training material  | (228 pgs) |
| 17. | Call Taker Training Syllabus from April 1998<br>(Allard, Anderson, Taplin)                                | (4 pgs)   |
| 18. | Dispatch Training Syllabus from November and December 1998<br>(Brisbois, Stecuik)                         | (3 pgs)   |
| 19. | Call Taker Training material re: Andrea Gaudry  | (246 pgs) |
| 20. | Series of memoranda from November 29, 1995 to March 19, 2001<br>re: Training days in Communication Centre | (11 pgs)  |
| 21. | Winnipeg Police Service Training manual dealing with Family<br>Violence issues (also Exhibit 45)          | (30 pgs)  |
| 22. | MTS E911 Network (small flow chart)   | (1 pg)    |
| 23. | (1 to 5) Five (large) flow charts of Corrine McKeown and<br>William Dunlop chronology                     | n/a       |
| 24. | (1 to 5) Five (large) flow charts depicting each 9-1-1 call   | n/a       |
| 25. | Bound detailed report of chronology (referring to Exhibits 23 and<br>24) prepared by Det/Sgt. Mclsaac     | (160 pgs) |

**(Entered December 11, 2001)**

- |     |   |         |
|-----|---|---------|
| 26. | Prohibition information Offender Name Search re: Dunlop   | (1 pg)  |
| 27. | Non-Molestation Order made by Corrine McKeown February 16, 1993<br>upon William Dunlop <i>See Exhibit 25</i>              | (1 pg)  |
| 28. | Interview with Eleanore McMahon dated December 4, 2001 and<br>Province of Manitoba Central Prohibition Registry documents | (9 pgs) |
| 29. | Routine Order from Winnipeg Police Service dated December 6, 2001<br>re: the closing of PINS                              | (1 pg)  |

**(Entered December 17, 2001)**

- |     |  |         |
|-----|--|---------|
| 30. | Booklet of photos of Communications Centre     |         |
| 31. | Job Description – Supervisor of Communications | (3 pgs) |

- |     |   |          |
|-----|---|----------|
| 32. | Job Description – Staffing and Procedures Co-ordinator, Division 31                             | (3 pgs)  |
| 33. | Job Description – Training Co-ordinator, Division 31  | (3 pgs)  |
| 34. | Class Specification – Senior Police Communication Operator (SPCO)                               | (2 pgs)  |
| 35. | Class Specification – Police Communications Operator (PCO)                                      | (3 pgs)  |
| 36. | Job Description – Complaint Handler   | (2 pgs)  |
| 37. | Communication Centre Staff Guidelines   | (2 pgs)  |
| 38. | Operator System History: Which operator was working in what position at what times              | (18 pgs) |
| 39. | Memo dated February 28, 2000: Audio Tape Change Policy  | (1 pg)   |
| 40. | List of “Call Types” (Priority)   | (5 pgs)  |
| 41. | Memo dated December 21, 1998 – cancelling of dispatched incidents                               | (1 pg)   |
| 42. | Memo dated June 21, 2000 – cancellation of incidents  | (1 pg)   |
| 43. | Memo from Karen Samson dated February 18, 2000 to Sgt. Scott and various PARCS mail attachments | (10 pgs) |

**(Entered December 18, 2001)**

- |     |   |                |
|-----|---|----------------|
| 44. | Suggestion Book   | (26 pgs)       |
| 45. | Exhibit CW 14 – Family Violence (also Exhibit 21)   | (30 pgs)       |
| 46. | (A) Printout March 23, 2000 from Cyndi Bristow<br>(B) Printout April 27, 2000 from Karen Samson<br>(C) Printout April 27, 2000 from Sherry Hobson | (Total: 3 pgs) |
| 47. | (A) Printout May 3, 2000 from Sherry Hobson<br>(B) Printout May 3, 2000 from Karen Samson   | (Total: 2 pgs) |
| 48. | (A) Printout September 21, 2000 from Sherry Hobson<br>(B) Printout May 4, 2000 from Sherry Hobson   | (Total: 2 pgs) |

**(Entered January 7, 2002)**

- |     |  |           |
|-----|--|-----------|
| 49. | 7 Binders: Table of Contents, List of Statements (PV and CW) and List of Exhibits (PV and CW): |           |
|     | (A) CW Exhibits  | (140 pgs) |
|     | (B) CW Statements  | (246 pgs) |
|     | (C) PV Statements (Volume I)   | (235 pgs) |
|     | (D) PV Statements (Volume II)  | (134 pgs) |
|     | (E) PV Exhibits (Volume I)   | (263 pgs) |
|     | (F) PV Exhibits (Volume II)  | (212 pgs) |
|     | (G) PSU 3656 Report  | (259 pgs) |

50. Fax copy of letter from Manitoba Telecom Services, Inc. dated December 20, 2001 to M. Minuk (2 pgs)
51. (A) Letter dated December 15, 2001 to K. Carswell with a package of material from the witness Carolyn Kwiatek  
(B) Rentz Report (Total: 93 pgs)
52. Exhibit Document List and material supplied by Stefanie Anderson (695 pgs)
53. Exhibit Document List and material supplied by Sherry Hobson and Alexis Lloyd (199 pgs)

**(Entered January 8, 2002)**

54. Letter from Eleanore McMahon, Winnipeg Courts, dated December 20, 2001 to M. Minuk (22 pgs)
55. Report of Staff Sgt. Scott (49 pgs)

**(Entered January 10, 2002)**

56. Form entitled "Training Completed Since February 1998" (1 pg)

**(Entered January 14, 2002)**

57. Index of memoranda from 1998 to 2001 (20 pgs)
58. Memorandum dated May 24, 2000 from C. Bristow (Q & A; NAMS/CPIC; Domestic) (5 pgs)

**(Entered January 15, 2002)**

59. Package of 10 memoranda relating to Exhibit 57 (22 pgs)
- January 17/00 - "STALK" (#2) 2 pg
  - January 17/00 - Bill 40 (#3) 2 pg
  - February 17/00 - Domestic Related Calls  
Change in Policy  
(29 acknowledgements) (#16) 2 pg
  - February 22/00 - Family Violence & Enforcement  
of Orders (#24) 2 pg
  - March 6/00 - Delay in Domestic Call  
Evans to Tinsley (#25) 1 pg
  - March 23/00 - Call Histories for Domestic  
Reviews (#31) 1 pg
  - March 24/00 - Domestic (#33) 1 pg
  - March 28/00 - PARCS - Breach of Court Order 1 pg
  - March 30/00 - PARCS - Bill 40 1 pg
  - March 28/00 - Domestic Incidents  
Updated Version (#36) 9 pg
60. Correspondence dated June 28, 2000 from K. Samson  
Correspondence dated July 14, 2000 from C. Bristow  
Correspondence dated May 7, 2000 from R. Brereton  
Correspondence dated May 12, 2000 from G. Sandell  
Correspondence dated May 12, 2000 from C. Bristow

Correspondence dated May 16, 2000 from R. Brereton

(Total: 6 pgs)

**(Entered January 21, 2002)**

61. Cruiser Car Availability - District 3 (6 pgs)

**(Entered January 22, 2002)**

62. City of Winnipeg - Audit Department  
Control and Risk Self-Assessment Workshop-Winnipeg Police  
Service-Communications Centre-Report-December 2001 (37 pgs)

**(Entered January 24, 2002)**

63. PARCS mail - August 28/99 C. Kohut to C. Bristow and Sept.10/98  
C. Bristow to C. Kohut (1 pg)

**(Entered January 28, 2002)**

64. PARCS mail from S. Cieslar, Feb.17/00 (2 pgs)  
65. PARCS mail from C. Scott, Feb.16/00 to S. Cieslar (1 pg)  
66. Letter of resignation from S. Cieslar, Jan.30/01 (1 pg)

**(Entered January 30, 2002)**

67. PARCS mail from S. Cieslar dated Feb.9/00 (1 pg)

**(Entered February 4, 2002)**

68. PARCS mail M. Olson to C. Bristow dated Feb.9/00 (2 pgs)

**(Entered February 5, 2002)**

69. Condensed version PARCS System History (1 pg)

**(Entered February 11, 2002)**

70. Recommendations ("Wish List") for the Communication  
Centre from Karen Samson (3 pgs)  
71. PARCS mail dated February 24, 2000 from K. Samson to  
Chief Ewatski and response from Chief Ewatski to K. Samson (2 pgs)

**(Entered February 13, 2002)**

72. Memo dated January 14, 2002 from C. Bristow re: Domestic Calls  
Memo dated January 25, 2002 from C. Bristow re: Missing Persons  
and two page policy (4 pgs)

**(Entered April 22, 2002)**

73. (a) CPIC staff history (1 pg)  
(b) Report on Central Registry's Outstanding Issues,  
dated February 25, 1998 (3 pgs)

- (c) Letter from Jane Ursel to Inspector K. McCaskill, dated July 23, 1998 (2 pgs)
  - (d) The Province of Manitoba Central Prohibition Registry, dated September 3, 1998 (see also Exhibit 28) (3 pgs)
  - (e) Letter from Chief J. Ewatski to Ms Mary Humphrey, dated May 5, 1999 (2 pgs)
  - (f) WPS Inter Office Memorandum from Insp. G. Sandell to Deputy Chief T. McGregor, dated April 11, 2000 (6 pgs)
  - (g) WPS Inter Office Memorandum from Insp. Brice Foster to Norma Danalyshyn and Brenda Sewell, dated September 22, 2000 (1 pg)
  - (h) Memo from Brenda Sewell to Insp. B. Foster and Norma Danalyshyn dated September 30, 2000 (2 pgs)
  - (i) WPS Inter Office Memorandum from Norma Danalyshyn to Brenda Sewell dated October 2, 2000 (no report attached) (1 pg)
  - (j) WPS Inter Office Memorandum from Insp. B. Foster to A/D Chief Bill Evans dated October 2, 2002 (2 pgs)
  - (k) Memo from Brenda Sewell to Inspector B. Foster and Norma Danalyshyn dated November 9, 2000 (2 pgs)
  - (l) Memo from Brenda Sewell to Insp. B. Foster and Norma Danalyshyn dated December 9, 2000 (4 pgs)
  - (m) Memo from Brenda Sewell to Insp. B. Foster and Norma Danalyshyn and Vali Burik dated May 8, 2001 (4 pgs)
  - (n) WPS Inter Office Memorandum from Insp. Brice Foster to Deputy Chief Menno Zacharias dated July 4, 2001 (3 pgs)
- 74.
- (a) WPS Inter Office Memorandum from Insp. G. Sandell to Deputy Chief T. McGregor dated April 26, 1999 (2 pgs)
  - (b) WPS Inter Office Memorandum from Insp. G. Sandell to Chief J. Ewatski dated May 10, 1999 (3 pgs)
  - (c) WPS Inter Office Memorandum from Insp. G. Sandell to Supt. Bill Evans and Deputy Chief T. McGregor dated January 25, 2000 (1 pg)
  - (d) WPS Inter Office Memorandum from Insp. G. Sandell to Deputy Chief T. Mcgregor dated April 11, 2000 (6 pgs)
  - (e) WPS Inter Office Memorandum from Insp. G. Sandell to Acting/Supt. D. MacDarmid dated July 31, 1995 (2 pgs)
  - (f) WPS Inter Office Memorandum from Insp. G. Sandell to Deputy Chief J. Thompson dated October 14, 1998 (2 pgs)
  - (g) Letter from Carl Shier to Insp. G. Sandell dated February 3, 1999 (1 pg)

(h)	WPS Inter Office Memorandum from Insp. G. Sandell to Deputy Chief T. McGregor, Supt. J. Thompson, Insp. Paul Lamotte dated September 17, 1997	(2 pgs)
(i)	WPS Inter Office Memorandum from Insp. G. Sandell to Insp. P. Lamotte dated July 3, 1998	(1 pg)
75.	Statistical Breakdown of General Workload of General Patrol 1997-2001	(41 pgs)
76.	The City of Winnipeg and WPA Collective Agreement (December 24, 1996 to December 23, 2000)	(114 pgs)
77.	Excerpt from Accreditation Standards respecting Communication Centres	(5 pgs)
78.	Shift Scheduling Review prepared by Insp. A. Katz (undated)	(46 pgs)
79.	City of Winnipeg Audit Department Review of the WPS Communication Centre Preliminary Survey Report dated October 2001	(33 pgs)
80.	City of Winnipeg Audit Department Review of the WPS Communication Centre Final Report dated January 2002	(38 pgs)
81.	WPS Operational Review (on compact disc) and index (see list following)	(284 pgs)
82.	Memorandum from the Office of the Chief of Police dated July 15, 1993 (re: Calls for service)	(1 pg)
83.	Progestic International Inc., WPS Review presented to the Standing Committee on December 20, 2000 (3 books) <ul style="list-style-type: none"> <li>• Key Observations                      30 pgs</li> <li>• Independent Assessment              74 pgs</li> <li>• Opportunities, Identification and Analysis              322 pgs</li> </ul>	(426 pgs)
84.	WPS Media Release from Chief Ewatski dated February 27, 200 and WPS Routine Order - Directive No. 36 dated February 17, 2000 (Exhibit 110 PV)	(3 pgs)
85.	WPS Routine Order Directive No. 269 dated December 22, 1995 (Exhibit 103 PV)	(3 pgs)
86.	WPS Exhibit 110 PV provided by Superintendent B. E vans	(147 pgs)

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TOTAL: 5,851 pgs





**THE PROVINCIAL COURT OF MANITOBA**  
**The Fatality Inquiries Act**

**SCHEDULE B**

<b>DATE</b>	<b>WITNESSES</b>	<b>DAY</b>
December 3, 2001/Monday	Evidence not called	1
December 5, 2001/Wednesday	Evidence not called	2
December 10, 2001/Monday	M. Formuziewich, Sergeant J. McIssac	3
December 11, 2001/Tuesday	E. McMahon	4
December 17, 2001/Monday	S. Hobson	5
December 18, 2001/Tuesday	S. Hobson	6
December 19, 2001/Wednesday	Evidence not called	7
January 7, 2002/Monday	Evidence not called	8
January 8, 2002/Tuesday	S. Hobson	9
January 9, 2002/Wednesday	A. Lloyd	10
January 10, 2002/Thursday	A. Lloyd	11
January 14, 2002/Monday	C. Bristow	12
January 15, 2002/Tuesday	A. Gaudry, C. Bristow	13
January 16, 2002/Wednesday	Constable E. Leschied, Constable C. Grant, R. Archer	14
January 17, 2002/Thursday	R. Archer	15
January 21, 2002/Monday	S. Anderson	16
January 22, 2002/Tuesday	S. Anderson	17
January 23, 2002/Wednesday	C. Kohut	18
January 24, 2002/Thursday	P. Simpson, E. Czerwonka	19
January 28, 2002/Monday	S. Cieslar	20
January 29, 2002/Tuesday	S. Cieslar	21
January 30, 2002/Wednesday	S. Cieslar	22
January 31, 2002/Thursday	Constable T. Hyde, Constable S. Peltier	23
February 4, 2002/Monday	M. Olson	24
February 5, 2002/Tuesday	B. Foy	25
February 6, 2002/Wednesday	M. Olson	26
February 7, 2002/Thursday	C. Franklin	27
February 11, 2002/Monday	K. Samson	28
February 12, 2002/Tuesday	K. Samson, J. Grout	29

February 13, 2002/Wednesday	J. Grout, C. Kwiatek	30
April 22, 2002/Monday	Staff Sergeant P. Ingram	31
April 23, 2002/Tuesday	Inspector G. Sandell	32
April 25, 2002/Thursday	Superintendent W. Evans, Staff Sergeant A. Scott	33
April 29, 2002/Monday	Deputy Chief Menno Zacharias	34

- The Court sat a total of 34 days.
- No evidence was heard on four of those days: December 3, 5 & 19, 2001 and January 7, 2002.
- Twenty-eight witnesses appeared before the Court.

In addition to 28 witnesses called to give viva voce evidence, the following evidence was admitted by agreement of counsel:

1. Service of the Behavioural Wellness Centre (Dr. Davis, Staff Sgt. Jones, Hilton Wood) is available to all members of the Winnipeg Police Service including civilian members.
2. Evidence of Inspector C. Scott is as contained in three statements, March 6, 22 and April 11, 2000 as contained in Exhibit 49-B (CWI-3); CWI-18); Exhibit 49-C (15-PV1).
3. Evidence of Brenda Sewell, CPIC Coordinator as contained in Exhibit 73.

### **Preliminary Matters - Standing Hearings**

Exhibit 1 is a copy of newspaper advertisement respecting Standing Hearings. Hearings were held on October 2 and 3, 2001. In addition to counsel for the Winnipeg Police Service, the Winnipeg Police Association, four members of the Communication Centre, standing was granted to Norm Cuddy (and his associates Steven Thliveris and Richard Beamish) for the family of Doreen Leclair, including sister Arline Meadows, son Shane Meadows and daughter Shannon Windsor.

Standing was sought by Karen and John Taylor, and presented by inquest counsel, on January 22, 2002 and declined January 24, 2002.

### **Appearances**

Mr. M. Minuk, for the Attorney General of Manitoba  
 Mr. H. Weinstein, Q.C., for the Winnipeg Police Association and four members of the

Communication Centre

Mr. K. Laboissiere, for the Winnipeg Police Association

Ms K. Carswell, for the Winnipeg Police Service

Mr. N. Cuddy, Mr. S. Thliveris and Mr. R. Beamish, for the family

Ms C. Bishoff, for Manitoba Telecom Services Inc.

Mr. W. Haight, for B. Foy

**Attendance of William Dunlop**

A motion was made by counsel for the Winnipeg Police Association and four staff members of the Communication Centre on December 3, 2001 for the attendance of William Dunlop. Dunlop had entered guilty pleas to two counts of second degree murder arising out of the deaths. This request was denied on December 5, 2001.



**THE PROVINCIAL COURT OF MANITOBA  
The Fatality Inquiries Act**

**SCHEDULE C**

**GLOSSARY**

986-6222	Police non-emergency number
ACD	Automatic Call Distribution
ALI	Automatic Location Identification
ANI	Automated Number Identification
APCO	Association of Public Safety Communication Operators
Bill 40	The Domestic Violence and Stalking Prevention, Protection and Compensation Act
BPR	Bureau of Police Records
CADS	Computer Aided Dispatch System
CALEA	Commission on Accreditation for Law Enforcement Agencies
CNI	Criminal Name Index
CPIC	Canadian Police Information Computer System
C/T(C/H)	Call Taker (interchangeable with Call Handler)
DOMEST	Call Type Domestic
DVE	Direct Voice Entry
EACP	Executive Assistant Chief of Police
EDL	Extra Duty Leave

ERU	Emergency Response Unit
GOFR(PHN1)	Call Taker position always staffed that answers any calls for service and requests from field units
IP	In Progress
ISCHECK	Incident Status Check
ISD	Incident Status Display
JO	Just Occurred
LOCS	Location Enquiry Format
MIRP	Person Identification/Descriptors taken by WPS Identification Section
MDT	Mobile Data Terminal
NAMS	Name Enquiry Format
OSTAT	Call type "Other Statute"
PARCS	Police Automated Records & Communication System
PCO	Police Communication Operator
PER	Performance Evaluation Report
PINS	Prohibition Information Name Search Registry
RMS	Records Management System
RMS	Radio Messaging Service
Schulman Report:	The Study of Domestic Violence and the Justice System in Manitoba by Mr. Justice Schulman, 1998
Scott Report: (Exhibit 55)	Administrative Review of Communication Centre by Staff Sergeant A. Scott, Professional Standards Unit
SPCO	Senior Police Communication Operator

USCHECK

Unit Status Check



**THE PROVINCIAL COURT OF MANITOBA  
The Fatality Inquiries Act**

**SCHEDULE D**

**SUMMARY OF RECOMMENDATIONS**

(1) While recommendations are made respecting various topics, a review of the evidence, viva voce and documentary, led to one umbrella recommendation:

- **THAT A COMPREHENSIVE REVIEW BE UNDERTAKEN OF THE COMMUNICATION CENTRE INCLUDING THE TOPICS AND ISSUES SET FORTH IN ORDER TO ENSURE PROPER AND CONSISTENT JOB PERFORMANCE, PARTICULARLY IN THE AREA OF DOMESTIC VIOLENCE CALLS.**

**Job Descriptions**

(2) **It is recommended** that as part of a comprehensive review all job descriptions in the Communication Centre are reassessed to determine the roles and tasks assigned to the various positions are relevant and clearly described, with accountabilities and lines of authorities defined.

**Management Team**

(3) **It is recommended** that as part of a comprehensive review, a formal review be made of the “management team” and the structure of the Communication Centre to ensure that the expectations placed on the “management team” are realistic and those positions are sufficient and appropriate to allow for the efficient and appropriate operation of the Centre.

(4) **It is further recommended** that in such a review consideration be given to a reconfiguration of the “management team” to include an Administrative Manager, a Quality Assurance Manager and a Staffing Coordinator.

**Duty Inspectors**

(5) **It is recommended** that mandatory formalized training for all Duty Inspectors be implemented by the Winnipeg Police Service Training Academy including training as to how calls for service, specifically Priority 1 and “E” calls ought to be subject to a priority review.

## Staffing

- (6) **It is recommended** that a comprehensive review be undertaken with respect to the staffing requirements of the Communication Centre, in particular whether the optimum number is 8, 10, 12 or 14;
- (7) **It is further recommended** that the comprehensive review consider and implement 3 dispatchers for each shift.
- (8) **It is further recommended** that the comprehensive review examine and investigate the efforts to build the pool of casual employees to 18.
- (9) **It is further recommended** that there be an addition of 1 SPCO per shift and that the comprehensive review consider whether or not this person should be in addition to or act as a quality control/coach.
- (10) **It is further recommended** that the designated 911 operator position be staffed at all times.
- (11) **It is further recommended** that the practice of shift switching be abolished.

## Training - Initial

- (12) **It is recommended** that as part of a comprehensive review the Training Division of the Winnipeg Police Service administer and teach the training programs for the call taker, dispatch, and SPCO positions in the Communication Centre to ensure accountability and consistency in the training and thereby lessen the burden on the members of the Communication Centre themselves.
- (13) **It is further recommended** that the review consider whether to continue to use Communication Centre staff as monitors for new employees given the apparent inconsistencies among those employees in terms of their training, and their interpretation of policy and procedure or whether that duty be assigned to the Training Division.
- (14) **It is further recommended** that the Training Division review the training syllabus of the Communication Centre to ensure that the information/procedures being taught are accurate, consistent and relevant. It is also crucial that the training materials conform to the policies and procedures of the Winnipeg Police Service especially Family Violence Policy. Exceptions, if any, must be clearly identified. These materials should be updated on a regular basis.

## Training - Ongoing

- (15) **It is recommended** that as part of the comprehensive review ongoing or refresher training responsibilities be transferred permanently to the Winnipeg Police Service Academy to ensure accountability and consistency in the training

that is provided and thereby lessening the burden on the members of the Communication Centre themselves.

(16) **It is further recommended** that the Training Division develop and implement mandatory refresher training courses for the staff of the Communication Centre, to be conducted on a regular and consistent basis.

(17) **It is further recommended** that the Training Division coordinate a core group of mandatory training sessions that include but are not limited to such topics as

- current and applicable family/domestic violence prevention procedures;
- aboriginal and cultural awareness;
- court orders and police role in enforcement;
- stress management
- disaster procedures;
- suicide prevention; and
- special unit training

(18) **It is further recommended** that additional training sessions are identified following consultation with the staff of the Communication Centre.

(19) **It is further recommended** that the number of PRDs or payback days used for training per year be examined to provide the optimum number of training days.

(20) **It is further recommended** that part-time or casual staff attend all mandatory training sessions.

## **Communication**

(21) **It is recommended** that as part of the comprehensive review, the viability of weekly supervisors meetings be explored. In particular, meetings within the Communication Centre to be attended by the “management team” and all SPCOs to ensure that any and all concerns can be dealt with in one forum and any new or revised policy can be disseminated and discussed to ensure consistency in understanding an application.

(22) **It is further recommended** that a comprehensive review develop steps to be taken to ensure that all Communication Centre policy and procedure manuals are updated in one manual to be made available in both hard copy to each member of the Communication Centre as well as online, with the master copy kept in a designated and visible area in the Communication Centre. Staff should be encouraged to keep their manual at their work station when on duty.

(23) **It is further recommended** that the comprehensive review develop steps to be taken to ensure that all revisions of existing policy or the introduction of new policy be disseminated to all employees at the same time the existing policy and procedure manual is updated and revised.

(24) **It is further recommended** that as part of the review the placing of memos in the memo binder by topic with an index indicating the date they were released be considered, in order to facilitate easy access to updates. Memos relating to non-policy or procedure issues be placed in a separate portion of the "memo" binder.

(25) **It is further recommended** that as part of a comprehensive review and potentially in cooperation with the Training Division, a number of forums are developed and routinely held to allow for staff briefing on policy and procedure changes delivered by a quality assurance/risk management coordinator, in order to ensure consistent interpretation of the changes for staff.

#### **Workplace and External Influences: Responsibility**

(26) Some of the recommendations following Communication and Policy and Procedure apply to staff responsibility, however: **It is recommended** that as part of a comprehensive review the individual responsibility of each staff member be enumerated clearly.

#### **Workplace and External Influences: Morale**

(27) Again, recommendations relative to Staffing, Training and Communications are applicable to the perceptions of staff which may impact negatively on the morale.

(28) **It is further recommended** that a comprehensive review evaluate not only how major incidents such as February 15-16 affect staff, but also the mutual obligation of the employees and the employer.

(29) **It is further recommended** that as part of a comprehensive review a policy or protocol be developed by the Winnipeg Police Service in conjunction

with the Winnipeg Police Association for the process of administrative leave including:

- (1) advising the affected staff member;
- (2) the nature of it in terms of benefits;
- (3) the generic reasons for it (investigation, public trust, evidentiary purposes);
- (4) the availability of placement elsewhere in the Winnipeg Police Service.

(30) **It is further recommended** that information concerning the policy and protocol of administrative leave form part of the initial training of all Communication Centre employees.

#### **Workplace and External Influences: External**

(31) Because the issue of influence, internal and external, is interwoven with training, communication and policy and procedure, those recommendations are applicable here also.

(32) **It is recommended** that as part of the comprehensive review an examination and re-evaluation of the avoidance of overtime, cancelled lunch breaks, should be undertaken to ensure timely response of police to domestic violence/assault calls.

(33) **It is further recommended** that a policy review be undertaken relative to the impact on dispatching of such Collective Agreement issues as holding over cars, and lunch breaks to ensure timely police response to emergency calls.

(34) **It is further recommended** that the comprehensive review of the Communication Centre include an examination of external influences on the staff.

#### **Workplace and External Influences: Public**

(35) **It is recommended** that as part of the comprehensive review the Winnipeg Police Service develop and launch a public information and education campaign on the correct use of the 911 service and the 986-6222 line and to explain the dangers of false or frivolous calls.

(36) **It is further recommended** that the review explore the use of charging those abusing the 911 service under the Criminal Code or municipal by-law.

(37) **It is further recommended** that the comprehensive review inquire into the feasibility or possibility of providing a 311 service that allows callers a quick dial for non-emergency calls to the Police Service.

(38) **It is further recommended** that the review examine mandating the provision of phone numbers and addresses on cell phones.

### **Police Response**

(39) **It is recommended** that as part of a comprehensive review the feasibility of having officers attending domestic violence calls, scroll the MDT to ascertain the telephone subscriber at the location before performing other standard CPIC checks.

(40) **It is further recommended** that as part of a review whether a policy respecting forcing locked doors following a 911 call needs to be developed especially in situations where animals are believed to be inside.

(41) **It is further recommended** that a legal opinion be sought respecting the grounds for stopping individual(s) for identification found leaving a location the subject of a 911 call.

(42) **It is further recommended** that as part of the comprehensive review, the impact of the policy that all domestic calls be priority 1 be considered in the context of police resources.

(43) **It is further recommended** that training of the SPCOs and Duty Inspectors be established and maintained relative to reprioritizing domestic priority 1s (or higher).

(44) **It is further recommended** that as part of the comprehensive review, the cross-divisional dispatch policy be examined to ensure police resources are fully utilized in all districts and no one district is without patrol cars when cars are available elsewhere.

### **Policy and Procedure: Domestic Violence**

As noted in the Training Recommendations a core group of mandatory sessions should be developed and presented on current and applicable family/domestic violence prevention procedures, and court orders and police role in enforcement.

(46) **It is further recommended** that as part of a comprehensive review, reconsideration be given to the current policy that all domestic calls be Priority 1 (or higher).

### **Call Types**

(47) **It is recommended** that as part of the comprehensive review, all call types be analyzed and assessed for clarity and accuracy.

(48) **It is further recommended** as part of the comprehensive review and with the involvement of the Training Division, that information and training about call types, particularly domestic calls and breaches of court orders be provided to the Winnipeg Police Service at large.

(49) **It is further recommended** that dissemination of call type information be part of initial and ongoing training for **all** divisions in the Winnipeg Police Service.

(50) **It is further recommended** that as part of a comprehensive review, consideration be given as to whether policy is merely a guideline or something that must be followed by Communication Centre staff to the letter.

### **Priority 2P**

(51) Failure to follow Winnipeg Police Service and/or Communication Centre policy is tied to the issues of Training and Communication. Accordingly, the recommendations for Ongoing Training and Communication apply to Policy and Procedure. In particular, the recommendations about a new policy and procedure manual, online and in hard copy for each staff member and the development of forums for briefing on policy and procedure changes apply here.

(52) **It is further recommended** that (as is required for accreditation), all staff “sign off” on all Routine and General Orders as well as all policy and procedure memoranda.

### **Family Violence Policy**

(53) **It is recommended** that as part of the comprehensive review, consideration be given that the Winnipeg Police Service, in consultation with the key stakeholders in government and in the community, and with other Police Services, re-examine the Domestic Violence Policy in order to develop reasonable guidelines for assigning priorities for calls dealing with domestic violence.

(54) **It is further recommended** that the comprehensive review examine the feasibility of the Winnipeg Police Service together with the Department of Justice (Manitoba), other law enforcement agencies and others involved in domestic violence issues review the Domestic Violence Policy, in particular Zero Tolerance and the manner in which the policy relates to repeat offenders.

(55) **It is further recommended** that serious consideration be given to a senior member of the Winnipeg Police Service, possibly a member of the Executive, become the Domestic Violence Coordinator for the Service, including the Communication Centre, to address staffing, training and policy issues relative to Domestic Violence.

### **Technology: Equipment**

(56) **It is recommended** that as part of a comprehensive review an assessment of all telecommunications equipment in the Communication Centre be undertaken to ensure the Centre is equipped with the best available equipment.

(57) **It is further recommended** that as part of that review the feasibility of having Manitoba Telecom Services Inc. explore expanding the E9-1-1 Network to include software with a recognition feature that tracks the number of calls received from a particular address, and automatically relays that information to the screen of the 911 operator position.

(58) **It is further recommended** that the review consider having MTS inquire into the possibility of providing a 311 Service that allows callers a quick dial for non-emergency calls to the police service in their jurisdiction.

(59) **It is further recommended** that as part of the comprehensive review the feasibility and usefulness of call takers utilizing the LOCS and NAMS checks be explored.

(60) **It is further recommended** that given the often ongoing nature of domestic violence and stalking, the review look into a system to enable the storage of calls and transcripts in excess of two years.

#### **Technology: CPIC**

(61) **It is recommended** that the comprehensive review determine sufficient staff levels in the Bureau of Police Records to ensure that CPIC is kept up-to-date.

(62) **It is further recommended** that a review of the filing system for hard copies of orders be completed to ascertain if the filing system is necessary and if so that it be maintained.



**THE PROVINCIAL COURT OF MANITOBA**

**The Fatality Inquiries Act**

**SCHEDULE E**

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