

Manitoba
Office of the Commissioner
Law Enforcement Review Agency (LERA)

Annual Report 2024



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début du document.



Minister of Justice and Attorney General

Legislative Building, Winnipeg, Manitoba R3C 0V8 CANADA

The Honourable Anita R. Neville, P.C., O.M.
Lieutenant-Governor of Manitoba
Room 235 Legislative Building
Winnipeg, MB R3C 0V8

MAY IT PLEASE YOUR HONOUR:

It is my pleasure to present the *2024 Annual Report of the Law Enforcement Review Agency*.

This report details the agency's accomplishments and activities for the 12-month period ending December 31, 2024.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Matt Wiebe".

Honourable Matt Wiebe
Minister of Justice
Attorney General



Justice

Law Enforcement Review Agency (LERA)
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The Honourable Matt Wiebe
Minister of Justice
Attorney General

Dear Minister:

Pursuant to Section 45 of the Law Enforcement Review Act, I am pleased to present the Law Enforcement Review Agency's 39th annual report for the period of January 1, 2024 to December 31, 2024

This report provides statistics on the number and nature of complaints received by the Law Enforcement Review Agency as well as a description of the complaint process and the mandate of the agency. For additional information, I have included a summary of a variety of cases to demonstrate the process in actual scenarios.

The Law Enforcement Review Act strives to:

- promote a high standard of professional conduct among police officers in Manitoba
- guarantee each citizen in Manitoba the opportunity for an independent investigation and review of their complaints against on duty municipal police officers
- provide a mechanism for the resolution of complaints in a manner that is fair both to the complainants and the respondent police officers
- ensure that the conduct of police officers is consistent with the rule of law and the ideals of a democratic and open society

Yours truly,

Harmen Wouda
Commissioner



Justice

Organisme chargé des enquêtes sur l'application de la loi
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Monsieur Matt Wiebe
Ministre de la Justice
Procureure générale

Monsieur le Ministre,

Conformément à l'article 45 de la Loi sur les enquêtes relatives à l'application de la loi, j'ai le plaisir de vous présenter le 39^{ème} rapport annuel de l'Organisme chargé des enquêtes sur l'application de la loi, correspondant à la période allant du 1^{er} janvier au 31 décembre 2024.

Ce rapport fournit des statistiques sur le nombre et la nature des plaintes reçues par l'Organisme chargé des enquêtes sur l'application de la loi et décrit le processus de dépôt des plaintes ainsi que le mandat de l'organisme. À titre de renseignement complémentaire, j'ai joint un résumé de diverses causes afin d'illustrer le processus grâce à des scénarios réels.

La Loi sur les enquêtes relatives à l'application de la loi vise à :

- favoriser une éthique professionnelle de haute qualité parmi les agents de police au Manitoba;
- garantir à tous les résidents du Manitoba que leurs plaintes éventuelles contre des agents de police municipale en fonction feront l'objet d'une enquête et d'un examen indépendants;
- fournir un mécanisme de règlement des plaintes équitable aussi bien pour les plaignants que pour les agents de police défenseurs;
- faire en sorte que le comportement des agents de police respecte la primauté du droit et les principes d'une société ouverte et démocratique.

Je vous prie d'agréer, Monsieur le Ministre, mes salutations distinguées.

Le commissaire,

Harmen Wouda

TABLE OF CONTENTS

TITLE	PAGE
Introduction.....	9
LERA’s Mission Statement	9
About LERA	
What is LERA?.....	9
To whom does the act apply?.....	9
What does LERA investigate?.....	10
Who are complainants and respondents?.....	10
How is a complaint filed?	10-11
Are there time limits?.....	11
How is a complaint investigated?.....	11
Does a complainant need a lawyer ?.....	12
How is a complaint resolved?.....	12-13
LERA as an Agency.....	13
How to Reach the Law Enforcement Review Agency	13
Website Overview.....	13
The Make-up of LERA.....	14
Organizational Structure	15
Case Summaries	
Commissioner’s Decision to Take No Further Action	16
Insufficient Evidence.....	16
Out of Scope.....	17
Abandoned and Withdrawn.....	17
Provincial Court Judges’ Review of Commissioner’s Decision.....	18
Public Hearings Before a Provincial Judge.....	19
Frivolous or Vexatious	20
Informal Resolution	20-21
Criminal Charges	21
Statistical Analysis.....	22-23

2024 Statistical Report – Data Tables

Table 1: Complaints Listed by Police Service	24
Table 2: Public Complaints	25
Table 3: Investigations Conducted.....	26
Table 4: Complainants' Allegations.....	27
Table 5: Incidents Alleging Misuse of Pepper Spray.....	28
Table 6: Incidents Alleging Misuse of Handcuffs	28
Table 7: Incidents Alleging Misuse of Taser	28
Table 8: Incidents Alleging Injuries from Use of Force	28
Table 9: Disposition of Complaints	29
Table 10: Legal Involvement of Complainants.....	30
Table 11: Provincial Judges' Reviews of Commissioner's Decision to Take No Further Action	31
Table 12: Complaint Referrals to Crown for Criminal Investigation... ..	31
Table 13: Complainants Have Also Lodged a Criminal Complaint with Police	31
Table 14: Time Span of Ongoing Investigations Carried Over as of December 31, 2024	32
Table 15: Files Concluded in 2024 by Year of Origin.....	32
Table 16: Length of Time to Complete Investigations	33
Table 17: Location of Incidents	34
Table 18: Complainant Demographics.....	35

INTRODUCTION

The Law Enforcement Review Act requires the commissioner to submit an annual report on the performance of duties and functions to the minister and each police board in the province that has an established police service. The minister must table the report in the Legislature.

LERA'S Mission Statement

The mission of the Law Enforcement Review Agency (LERA) is to deliver a judicious, timely, impartial, client-oriented service to the public and to the police services and police officers within its jurisdiction.

About LERA

What is LERA?

LERA is an independent, non-police agency, established in 1985. LERA operates under the authority of The Law Enforcement Review Act (the Act).

LERA performs a screening function for the hearing process to ensure that only substantive and supportable matters of police misconduct proceed further through the administrative law adjudication process.

To whom does the act apply?

The Act applies to any peace officer employed by a Manitoba municipal or local police service, including police chiefs. It does not apply to members of the Royal Canadian Mounted Police (RCMP).

Complaints about members of the RCMP should be directed to the Civilian Review and Complaints Commission for the RCMP (CRCC) at www.crcc-ccetp.gc.ca or by calling 1-800-665-6878 (toll free). If LERA receives complaints about members of the RCMP, LERA will forward them to the CRCC.

A Manitoba police officer who has been appointed as a police officer or peace officer in another province or territory is subject to investigation and discipline in Manitoba under the Act with respect to his or her conduct in the other jurisdiction, as if the conduct took place in Manitoba, even if an investigation, hearing or inquest has been held in the other jurisdiction.

The Act applies to the conduct of police officers from other provinces or territories who have been appointed as police officers in Manitoba pursuant to The Cross Border Policing Act. Complaints involving police officers from outside of Manitoba's jurisdiction can result in recommendations by a judge, but no penalty can be imposed.

What does LERA investigate?

LERA accepts complaints from any person who feels aggrieved by a disciplinary default involving any on duty action of a member of a municipal police service in Manitoba. A disciplinary default is any one of the following actions as outlined in Section 29(a) of the Act:

- abusing authority, including:
 - making an arrest without reasonable or probable grounds
 - using unnecessary violence or excessive force
 - using oppressive or abusive conduct or language
 - being discourteous or uncivil
 - seeking improper monetary or personal advantage
 - serving or executing documents in a civil process without authorization
 - providing differential treatment without reasonable cause on the basis of any characteristic set out in subsection 9(2) of The Human Rights Code
- making a false statement or destroying, concealing or altering any official document or record
- improperly disclosing any information acquired as a member of the police service
- failing to exercise discretion or restraint in the use and care of firearms
- damaging property or failing to report the damage
- failing to help where there is a clear danger to the safety of people or property
- violating the privacy of any person under The Privacy Act
- breaching any part of The Law Enforcement Review Act that does not already specify a penalty for the violation
- helping, counselling or causing any police officer to commit officer misconduct

LERA does not investigate criminal matters.

Who are complainants and respondents?

A **complainant** is any person who feels wronged by the conduct or actions of a municipal police officer in Manitoba and files a complaint. A complaint may be filed by the person directly affected by the officer's conduct. Third party complaints can also be accepted provided that the affected person consents to any ensuing complaint investigation. The affected person must provide consent within 14 days of the complaint being received from the complainant. Consent of the affected person is not required where the affected person is an infant or not competent to give consent.

A **respondent** is any police officer against whom a complaint has been filed by the public.

How is a complaint filed?

A complaint must be made in writing and signed by the complainant. Complaints must be submitted to the LERA office not later than 180 days after the date of alleged disciplinary default.

Signed, written complaints can be mailed, faxed or emailed to LERA.

Are there time limits?

The Act requires a written, signed complaint to be made within 180 days of the incident as at March 1, 2023.

Section 6(6) of the Act was repealed with the 180 day complaint submission timeline. No extension of the timeline for the submission of a complaint will be granted.

Section 6(7) still stands where the complainant faces a criminal charge the Commissioner can extend the time frame for reporting/filing to a date not later than one year after the date of the alleged disciplinary default or 30 days after the final disposition of the criminal charge, whichever date is sooner.

Complaints not meeting the submission timeline (or allowable by exception) stipulated within the Act cannot be investigated and are dismissed as “being out of time”. This decision by the Commissioner is not reviewable under the Act.

How is a complaint investigated?

If a complaint is received within the stipulated timeframe and found to be within the scope of Section 29, an investigation is commenced. The police chief and respondent officers are also notified of the complaint. The police service, subject to a request from LERA, must turn over all files and file materials, except where legal privilege may exist.

A complainant may contact LERA at any time to inquire about the status of their complaint.

Once a LERA investigation is completed the commissioner determines if there is sufficient evidence to justify forwarding the matter for hearing before a provincial court judge or if there is insufficient evidence to justify a hearing.

If the commissioner decides to close the complaint file and take no further action, the complainant will be notified in writing. The complainant will then have 30 days from the date of the decision to ask the commissioner to refer the matter to a provincial court judge for review. Reviews are arranged by LERA and the Provincial Court at no cost to the complainant.

A large number of complaints submitted to LERA are found to be quality of service issues and out of the scope of LERA. These types of complaints are concluded shortly after intake, whereas many of the complaint investigations that proceed are either abandoned by the complainant during the course of the investigation process or result in an investigation finding of insufficient evidence.

Does a complainant need a lawyer?

Complainants do not require a lawyer when dealing with LERA. Complainants and the police are both entitled to legal representation during the process if they choose. However, they must arrange for such services themselves.

If complainants apply for legal aid and do not qualify, they may, in exceptional circumstances, make a request to the Minister of Justice to appoint a lawyer to represent them at a hearing. Counsel may be appointed by the minister, only where the applicant cannot afford to retain legal counsel.

Police officers are generally represented by legal counsel provided under their employment contract or collective agreement.

How is a complaint resolved?

When the commissioner decides that there is sufficient evidence to justify referring the complaint to a provincial court judge for a public hearing, the Act provides several ways to resolve that complaint.

Informal Resolution:

The commissioner must try to resolve the complaint through informal mediation. Both the complainant and the respondent police officer must agree to this process before it can take place. If the complaint is resolved informally and to the satisfaction of both complainant and respondent, no further action is taken and no record of the incident is made on the officer's service record.

Admission of Disciplinary Default:

A respondent police officer can admit to the alleged disciplinary default. The commissioner then reviews the officer's service record and consults with the police chief before imposing a penalty.

Referral to Provincial Court Judge for Hearing:

If a complaint cannot be resolved informally and there is no admission of misconduct by the police officer, the commissioner must refer the complaint to a provincial court judge for a public hearing.

Penalties that may be imposed by the provincial court judge on the respondent under the Act are:

- dismissal
- permission to resign, or summary dismissal if the resignation is not received within seven days
- reduction in rank
- suspension without pay for up to 30 days

- loss of pay for up to 10 days
- loss of leave or days off for up to 10 days
- a written reprimand
- a verbal reprimand
- an admonition

How to Reach the Law Enforcement Review Agency

By Mail:

420-155 Carlton Street
Winnipeg MB R3C 3H8

By Phone:

204-945-8667
1-800-282-8069 (toll free)

By Fax:

204-948-1014

By Email:

lera@gov.mb.ca

Website: www.gov.mb.ca/justice/lera

The make-up of LERA

LERA consists of the commissioner, two investigators; registrar/office manager and administrative assistant.

Organizational Structure

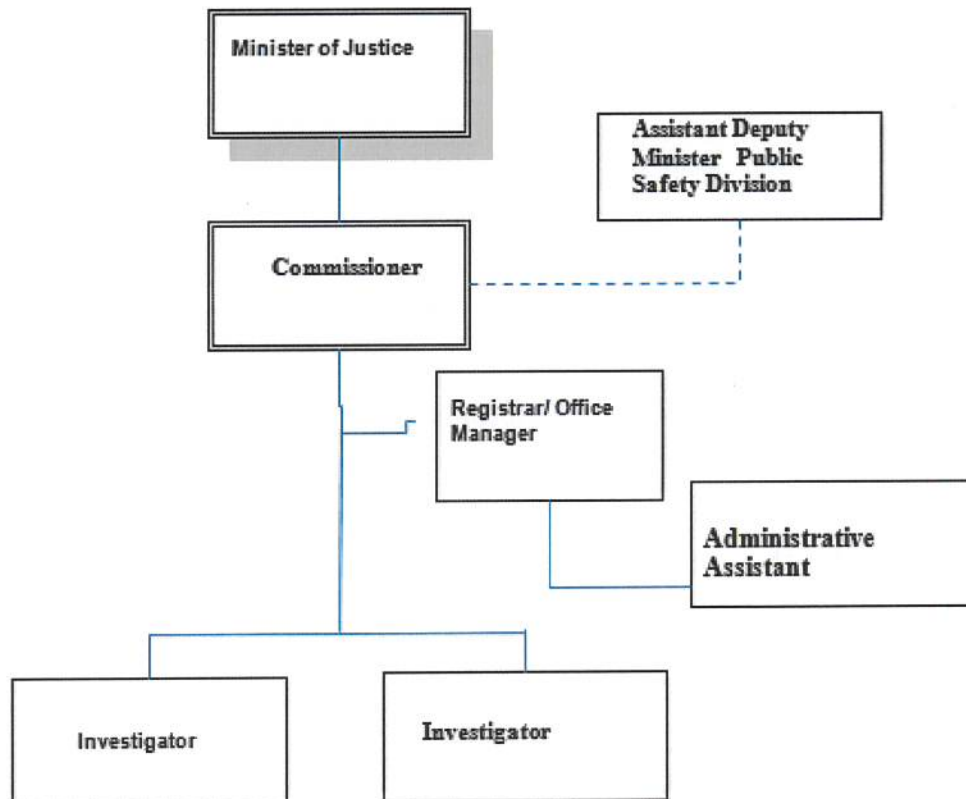
The commissioner is required to submit an annual report on the performance of his/her duties and functions to the minister and to each police board in the province that has established a police service.

From an administrative perspective, the commissioner reports directly to the Assistant Deputy Minister of the Public Safety Division.

LERA's budget for the financial year beginning April 1, 2023 and ending March 31, 2024 is:

Full Time Employees (filled positions)	5
Total Salaries (\$000's).....	\$442
Total Operating Budget (\$000's).....	<u>\$ 36</u>
TOTAL	\$478

Law Enforcement Review Agency



Commissioner's Decision to Take No Further Action

When LERA receives a complaint, the commissioner assigns a staff investigator to investigate. When the investigation is completed, the commissioner reviews the results and decides to take no further action in cases where:

- *the complaint is frivolous or vexatious*
- *the complaint is outside the scope of the disciplinary defaults listed in section 29 of The Law Enforcement Review Act (the Act)*
- *there is insufficient evidence to justify referring the matter to a public hearing*
- *the complaint has been abandoned*

The commissioner performs an important gate-keeping or screening function that ensures complaints that have no prospect of success do not go to a public hearing. This function ensures that the LERA process runs more smoothly and efficiently and preserves the legitimacy of the LERA process with the public.

Insufficient Evidence

A man filed a complaint alleging that during his arrest, the officers' abused their authority by using excessive force; their conduct and language were abusive and they were discourteous or uncivil.

The officers were patrolling the west end conducting proactive policing due to ongoing community-based complaints for criminal activity in the area. The officer spotted the man riding his bike on the sidewalk. The officers attempted to stop the man for Highway Traffic Act enforcement, but the man took off. The officers advised that the man was under arrest for Obstruction, but he continued to feel – riding his bike the wrong way down a one-way street, and cutting through a vacant lot into the back lane. The man alleged that the officer followed him into the vacant lot where they hit him with the patrol vehicle knocking him off his bike. The man attempted to flee on foot and the officers pursued him. During the pursuit the man discarded a folding knife onto the ground. The officers apprehended the man and attempted to handcuff him. The man struggled with the officers, thrashing and banging his body on the ground and failing to comply with verbal direction. The man was handcuffed he was escorted to the patrol vehicle at which time he refused to walk and dropped into a dead weight and refused to get into the vehicle. The man kicked the door and again dropped into a dead weight. The man was transported to Police Headquarters where he was seen by the onsite paramedic. The man denied alcohol use but later admitted to using crack a few hours earlier.

The Commissioner reviewed the original complaint; police reports; officer and witness interviews and medical reports. The Commissioner provided a decision and determined that the issues complained of did not rise to the level where a referral to a public hearing was justified.

The injuries sustained by the man were due to him resisting arrest and thrashing on the ground. The Commissioner determined that there was insufficient evidence to establish that there had been excessive force used, abusive conduct or an abuse of authority.

Out of Scope

LERA is mandated under The Law Enforcement Review Act (the Act) to investigate public complaints of disciplinary defaults by police officers as defined in Section 29. LERA does not investigate criminal or service issues.

The following are examples where the Commissioner decided no further action was required as the complaint was outside the scope of the Act.

A male had submitted a complaint to LERA regarding a Protection Order that he had against an ex-partner. The complainant stated that he had been receiving text message from this individual and threats were uttered in these messages. He contacted the police and was told that they were not going to investigate the breaches. The subject matter of the complaint was a quality of police service and the investigation as the police refused to investigate his complaint.

Therefore, pursuant to Section 13(1)(a) of the Act, the Commissioner declined to take further action on this matter

A complaint had been received at LERA and after reviewing the complaint, there was no clear or discernible allegation relative to the conduct of a municipal police officer as outlined in Section 29 of the Act. It was the Commissioner's view that this was a quality of service and advised the complainant to contact the Chief of Police of that service. Therefore, pursuant to Section 13(1)(a) of the Act, the Commissioner declined to take further action on this matter.

Abandoned or Withdrawn

The investigation of a complaint made under The Law Enforcement Review Act (the Act) is complainant driven. That is to say that the complainant may, at any time in the process, withdraw the complaint and the matter will be closed. Complainants are able to seek resolutions of their complaints from police chiefs. Where a chief accepts a complaint for internal investigation, a complainant may choose an alternative avenue of resolution and the commissioner shall close the complaint.

A male had submitted a complaint to LERA regarding an interaction he had with police officers. A letter was sent to the complainant requesting his attendance at LERA in order to provide more

detail than what was provided in his complaint. Multiple attempts to have the complainant attend the LERA office failed, and the file was closed.

A male had submitted a complaint to LERA about the treatment he had received from officers.

After speaking with the LERA investigator, the complainant no longer wished to pursue his complaint with LERA. The file was closed pursuant to Section 13(1)(b) of the Act.

Provincial Court Judges' Reviews of Commissioner's Decision to Take No Further Action

When the commissioner declines to take further action on a complaint, the complainant may apply to the commissioner to have the decision reviewed by a Provincial Court Judge. Section 13(2) of the act says the commissioner must receive this application within 30 days after the date the decision was sent to the complainant.

Once the commissioner receives an application for a review, he sends it to the Chief Justice of the Provincial Court who assigns a judge to hold a review hearing. At the hearing, the judge must decide whether the commissioner made an error in refusing to take further action on the complaint.

Under Section 13(4) of the Act, the burden of proof is on the complainant to show that the commissioner erred in declining to take further action on the complaint.

The following is an example of when the commissioner decided to take no further action and application was made for a review by a Provincial Court Judge.

A male had initiated a complaint to LERA saying that the police made an arrest without reasonable or probable grounds; used abusive or oppressive conduct or language; being discourteous or uncivil; making false statement, or destroy, conceal, or alter an official document or record.

The complainant's wife contacted the police to report domestic violence, and the complainant was subsequently arrested. The complainant was later released on an Undertaking to attend court. The complainant really believed that he had wronged by the police, his Charter of Rights were violated and the police had erased recordings.

The judge hearing the review must consider the reasonableness of the LERA commissioner's decision not to refer the complaint to a hearing on the merits due to insufficiency evidence.

In reviewing all of the documents the judge upheld the commissioner's decision not to proceed to a hearing based on insufficient evidence.

DECISION: The Provincial Court Judge in a written decision determined the decision of the Commissioner in the context of the material before him, was reasonable. No further action should take place and the application was dismissed.

* * * * *

Case Summaries

Public Hearings before a Provincial Court Judge

Public hearings under The Law Enforcement Review Act (the Act) are held before Provincial Court Judges. The judges do not sit in their usual capacity as members of the Provincial Court. Judges sit as a persona designata for exercising the duties or powers under the Law Enforcement Review Act. A public hearing is only held after a matter has been referred by the commissioner under Section 17 of the Act.

Where a public hearing has been referred by the commissioner, Section 27(2) of the Act states:

“The Provincial Court Judge hearing the matter shall dismiss a complaint in respect of an alleged disciplinary default unless he or she is satisfied on clear and convincing evidence that the respondent has committed the disciplinary default.”

The “clear and convincing evidence” standard was added to the Act in 1992. It is not worded the same as the more traditional standards that are used in other contexts. In criminal cases, the standard is “beyond a reasonable doubt,” which was used in the Act until 1992. In civil cases, the standard is “balance of probabilities.” Provincial Court Judges have held that the “clear and convincing evidence” standard falls between the civil and criminal standards of proof.

Decision of the Hearing

There was one referral to a public hearing before a Provincial Court Judge in 2024.

* * * * *

Case Summaries

Frivolous or Vexatious

Clause 13(1)(a) of The Law Enforcement Review Act (the Act) provides that the commissioner must decline to take further action on a complaint if satisfied that the subject matter of a complaint is, among other things, “frivolous or vexatious”.

Frequently, the terms “frivolous” and “vexatious” are used interchangeably, or both terms are used in tandem. However, the syntax of the phrase does not necessarily require that the subject matter of a complaint be both frivolous and vexatious at the same time. Rather, if the meaning of either one or the other of the two terms is met, the commissioner must decline from taking action on the complaint.

*The definition of vexatious used in a human rights proceeding **Potocnik v. Thunder Bay (City) (No. 5)** (1997), 29 C.H.R.R. D/512 (Ont. Bd. Inquiry). The board held, in part, that:*

“A vexatious complaint is one that aims to harass, annoy, or drain the resources of the person complained against. A complaint made in bad faith is one pursued for improper reasons – a vexatious complaint is an example of one made in bad faith.”

There were no complaints that were concluded as vexatious or frivolous.

* * * * *

Case Summaries

Informal Resolution

Under Section 15 of the Act, the commissioner provides the complainant and respondent with an opportunity to informally resolve the complaint. The process is often, but not always, successful. To be successful, the process must satisfy each of the parties involved. There is no single model for informal resolutions. They can range from a simple explanation of a police officer’s action or a discussion to clear up a misunderstanding, to an apology or reimbursement for damages caused in the incident.

A man and his parents had submitted a complaint to LERA in relation to an interaction they had with a police officer. Their complaint was in relation to how the officer spoke to his parents. The parents were relatively recent immigrants to Canada. The complaint alleged that the officer used oppressive or abusive conduct or language contrary to Section 29(a)(iii) and was discourteous or uncivil according to Section 29(a)(iii) and of the Law Enforcement Review Act.

Both parties agreed to meet and per the agreement of the complainants and subject officer, the matter was disposed of via an informal resolution.

Admission of Disciplinary Default

Under Section 26 of The Law Enforcement Review Act, at the commencement or during the course of a hearing, the respondent may admit having committed a disciplinary default; and if the respondent admits the default, the provisions of section 28 apply.

* * * * *

Case Summaries

Criminal Charges

Some complaints of officer misconduct may fall under Section 29 of *The Law Enforcement Review Act* (the Act) and be criminal in nature. A complainant may file complaints resulting from the same incident, with both LERA and the police service of jurisdiction. In such instances, the criminal process always takes precedence over the LERA investigation. Additionally, under Section 35(1) of the Act, the commissioner or a Provincial Court Judge must report a matter to the Attorney-General for the possible laying of charges when there is evidence disclosed that a police officer may have committed a criminal offence.

Disclosure of possible criminal offence

35(1) Where a matter before the commissioner or a Provincial Court Judge discloses evidence that a member or an extra-provincial police officer may have committed a criminal offence, the commissioner or the Provincial Court Judge shall report the possible criminal offence to the Attorney-General and shall forward all relevant material, except privileged material, to the Attorney-General for the possible laying of charges. If an officer(s) is charged criminally and the charge(s) is disposed on its merits in criminal court, LERA loses jurisdiction to take further action under the Law Enforcement Review Act (the Act).

Effect of criminal charge

34 Where a member or an extra-provincial police officer has been charged with a criminal offence, there shall be no investigation, review, hearing or disciplinary action under this Act in respect of the conduct which constitutes the alleged criminal offence unless a stay of proceedings is entered on the charge or the charge is otherwise not disposed of on its merits.

There were no files referred for criminal charges in 2024.

* * * * *

Statistical Analysis

- LERA's jurisdiction extends to 11 police services that employ 1,540 police officers; serving population of 1,073,519.
- Winnipeg Police Service accounts for 80% of complaints made to LERA. Brandon Police Service accounts for 3% and other services account for the remainder.
- There were 111 files opened in 2024, compared to 82 in 2023, an increase of 29. There was an increase in complaints that originated from traffic violations under the Highway Traffic Act.
- The number of complaints received in 2024 was 111.
- Six (6) complaints were resolved at intake.
- In 2024, there were 105 formal investigations.
- Total investigations in 2024 were 129. Investigations closed in 2024 – 100 files closed
- There were no complaints alleging the misuse of pepper spray in 2024.
- There were seven (7) incidents alleging misuse of handcuffs in 2024.
- There was one (1) complaint of misuse of taser in 2024.
- Incidents alleging injuries from the use of force increased slightly in 2024. Allegations of injuries were made in 35 of the complaints investigated in 2024 and increase of seven (7) from 2023.
- There were three (3) informal resolutions of complaints in 2024. LERA continues to actively support and, whenever possible, engage in alternative dispute resolution. This method of resolution remains a priority, and complainants and respondents are encouraged to use it.
- The percentage of complaints abandoned or withdrawn by complainants increased in 2024 to 27, a slight increase from 24 in 2023. When a LERA investigator is unable to locate the complainant, a letter is sent to the complainant's last known address asking the complainant to contact the investigator. If contact is not made within 30 days, the complaint is considered abandoned and a registered letter is forwarded to the complainant confirming closing of the file.

- There were three (3) requests for judicial to review of the commissioner's decisions in 2024.
- LERA does not conduct criminal investigations. When a case shows evidence that a criminal offence may have been committed by an officer, the commissioner or Provincial Court Judge must report it to the Attorney-General for a criminal investigation.

If there is an indication of a crime, LERA investigators will tell the complainant that a criminal complaint may also be made to the police force where the incident occurred. In 2024 zero (0) criminal complaints were received.

- During a criminal investigation against an officer or a complainant, the LERA investigation is held in abeyance. This is beyond the control of LERA, but it adds greatly to the length of time needed to complete investigations.

The completion of investigations within a reasonable timeframe is always of concern and is a continuing objective. In 2024, 78 investigations were completed within 1-3 months; nine (0) investigations were completed within 4-7 months. The average number of months to close an investigation was three (3) months. The time span to conclude investigations has remained consistent over the last two years at three (3) months.

- 4% of the complainants were male; 21% female; 33% non binary; 20% of complainants were over 50 years of age; 27% 40-49 years of age; 21% 30-39 years of age; 22% 18-29 years of age; 5% were under the age of 18.

2024 Statistical Report – Data Tables

Table 1: Complaints Listed by Police Service**	Police Officers **	Population ***	2024 (n=105)	2023 (n=75)	2022 (n=80)	2021 (n=72)
Altona and Plum Coulee	8	5,430	0	0	0	0
Brandon	92	61,863	3 (3%)	5 (7%)	12 (15%)	5 (7%)
MB First Nations Police Service (MFNPS)	36	20,219	5 (5%)	1 (2%)	2 (3%)	2 (3%)
Morden	16	11,303	0	1 (2%)	0	0
Rivers	4	971	0	0	0	0
Ste. Anne	5	2,891	1 (1%)	3 (4%)	0	0
Winkler	19	13,745	0	0	1 (1%)	0
Winnipeg****	1,354	936,500	84 (80%)	59 (78%)	64 (80%)	55 (77%)
RM of Cornwallis*	1	4,568	0		0	0
RM of Springfield*	4	15,342	1 (1%)	0	0	0
RM of Victoria Beach*	1	689	0	0	0	0
Other	0	0	11 (10%)	7 (9%)	0	1 (1%)
Total	1,540	1,073,519	105	75	80	72

* Supplementary police service – RCMP have primary responsibility

** Source: Executive Director, Policing Services and Public Safety - Manitoba Justice, and WPS

*** Source: Statistics Canada Census 2021 and Manitoba First Nations Police Service

**** LERA's jurisdiction includes members of the Winnipeg Police Service Auxiliary Cadet Program

Table 2 Public Complaints	2024	2023	2022	2021
Files Opened	111	82	92	86
Resolved at Intake	6	7	12	13
Formal Complaints Received	105	75	80	72

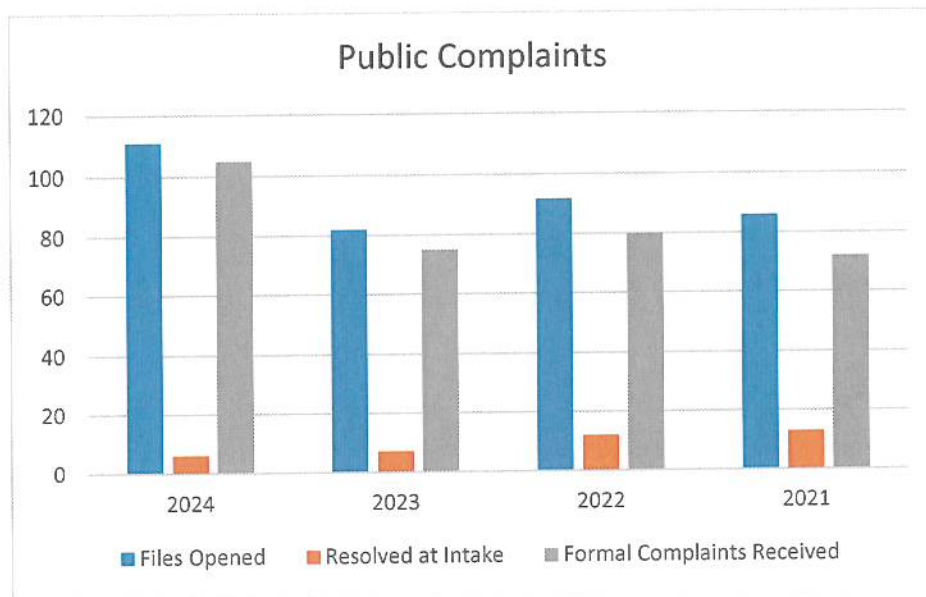


Table 3: Investigations Conducted	2024	2023	2022	2021
Total Investigations	129	98	105	111
Investigations Completed - Files Closed	100	74	81	85
Ongoing Investigations Carried Over as of December 31st of the Year Shown	29	24	24	26



Table 4: Complainants' Allegations: Discipline Code Section 29 The Law Enforcement Review Act	2024	2023	2022	2021
Abuse of authority Subsection 29(a)	1	4	7	21
Arrest without reasonable or probable grounds Subsection 29(a)(i)	1	6	4	2
Using unnecessary or excessive force Subsection 29(a)(ii)	35	28	28	23
Using oppressive or abusive conduct or language Subsection 29(a)(iii)	21	14	23	14
Being discourteous or uncivil Subsection 29 (a)(iv)	36	29	30	39
Seeking improper personal advantage Subsection 29(a)(v)	0	0	0	0
Serving civil documents without proper authorization Subsection 29(a)(vi)	0	0	0	2
Differential treatment without cause Subsection 29(a)(vii) <i>The Human Rights Code</i> Subsection 9(2)	3	11	1	5
Making false statement(s) Subsection 29(b)	2	6	1	0
Improperly disclosing information Subsection 29(c)	2	0	0	1
Failing to exercise care or restraint in use of firearm Subsection 29(d)	0	0	0	0
Damaging property or failing to report damage Subsection 29(e)	0	2	1	3
Failing to provide assistance to person(s) in danger Subsection 29(f)	2	5	0	0
Violating person's privacy (under <i>The Privacy Act</i>) Subsection 29(g)	1	0	0	0
Contravening <i>The Law Enforcement Review Act</i> Subsection 29(h)	0	0	0	0
Assisting any person committing a disciplinary default Subsection 29(i)	0	0	0	0

Table 5: Incidents Alleging Misuse of Pepper Spray			
2024 (n=0)	2023 (n=0)	2022 (n=0)	2021 (n=0)
0% of 105 complaints investigated	0% of 75 complaints investigated	0% of 80 complaints investigated	0% of 72 complaints investigated

Table 6: Incidents Alleging Misuse of Handcuffs			
2024 (n=7)	2023 (n=7)	2022 (n=7)	2021 (n=7)
7% of 105 complaints investigated Winnipeg PS = 7	0% of 75 complaints Investigated	9% of 80 complaints investigated Winnipeg PS = 7	11% of 72 complaints investigated Winnipeg PS = 8

Table 7: Incidents Alleging Misuse of Taser			
2024 (n=1)	2023 (n=1)	2022 (n=0)	2021 (n=2)
1% of 105 complaints investigated Winnipeg PS = 1	1% of 75 complaints investigated	0% of 80 complaints investigated	3% of 72 complaints investigated Winnipeg PS = 2

Table 8: Incidents Alleging Injuries from Use of Force			
2024 (n=32)	2023 (n=25)	2022 (n=18)	2021 (n=18)
30% of 105 complaints investigated. Winnipeg PS = 29 MFNPS = 1 Other = 2	33% of 75 Complaints investigated Winnipeg PS = 22 Brandon PS = 2 Other 1	30% of 80 complaints investigated Winnipeg PS = 22 Brandon PS = 2	25% of 72 complaints investigated Winnipeg PS = 16 Brandon PS = 1 MFNPS = 1

Table 9 Disposition of Complaints	2024 (n=105)	2023 (n=82)	2022 (n=92)	2021 (n=85)
Dismissed by commissioner as outside scope of act	42 (40%)	13 (16%)	20 (25%)	16 (19%)
Dismissed by commissioner as frivolous or vexatious	0	3 (4%)	1 (1%)	0
Dismissed by commissioner as not supported by sufficient evidence to justify a hearing	28 (27%)	31 (38%)	48 (60%)	44 (52%)
Abandoned or withdrawn by complainant	27 (26%)	24 (29%)	12 (15%)	25 (29%)
Resolved informally	3 (3%)	2 (2%)	0	0
<i>Public hearing before a provincial court judge</i>	0	1 (1%)	0	0
Admission of guilt by respondent officer	0	0	0	0
Disposed via criminal Procedure	0	0	0	0

Table 10: Legal Involvement of Complainants	2024 (n=105)	2023 (n=75)	2022 (n=80)	2021 (n=72)
No charges	13 (12%)	22 (29%)	0	11 (15%)
Traffic offences	4 (4%)	11 (15%)	0	3 (4%)
Property offences	2 (2%)	2 (3%)	0	0
Intoxicated persons detention	3 (3%)	7 (9%)	0	1 (1%)
Cause disturbance	0	1 (1%)	0	0
Assault police officer/resist arrest	3 (3%)	3 (4%)	0	1 (1%)
Impaired driving	0	2 (3%)	0	1 (1%)
Offences against another person	5 (5%)	4 (5%)	0	0
Domestic disputes	6 (6%)	5 (7%)	0	0
Drugs	0	1 (1%)	1 (1%)	2 (2%)
<i>The Mental Health Act</i>	1 (1%)	6 (8%)	0	0
Breach of Peace	0	3 (4%)	0	0
Other	60 (57%)	1 (1%)	76 (95%)	53 (74%)

Table 11: Provincial Judges' Review of Commissioner's Decision to Take No Further Action	2024	2023	2022	2021
	3	8	12	12

Table 12: Referrals by Commissioner of Complaint for Criminal Investigation	2024	2023	2022	2021
	1	0	0	0

Table 13: Complainants Have Also Lodged a Criminal Complaint with Police	2024	2023	2022	2021
	1	0	3	0

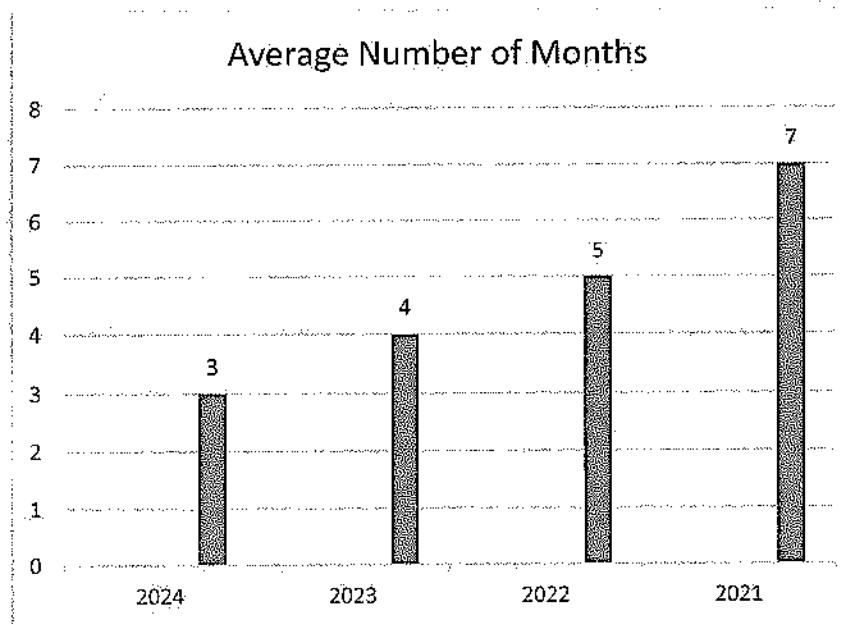
Table 14: Time Span of Ongoing Investigations Carried Over as of December 31, 2022

YEAR	1-3 Months	4-7 Months	8-12 Months	13-18 Months	19-23 Months	24+ Months	Total
2022	0	0	0	0	0	1	1
2023	0	0	0	1	0	0	1
2024	12	9	6	0	0	0	27
Total	12	9	6	1	0	1	29

Table 15: Files Concluded in 2024 by Year of Origin

Year	Number of Files	Average Time to Close Investigation
2022	1	4 months
2023	21	6 months
2024	78	3 months
Total	100	3 months

Table 16: Length of Time to Complete Investigations	2024	2023	2022	2021
Average Number of Months	3	5	5	7



Location of Incident	2024 (n=105)	2023 (n=75)	2022 (n=80)	2021 (n=72)
Street	29	16	18	19
Private residence	29	19	23	19
Public building/place	17	26	27	7
Police station	10	6	7	4
Other	9	0	1	21

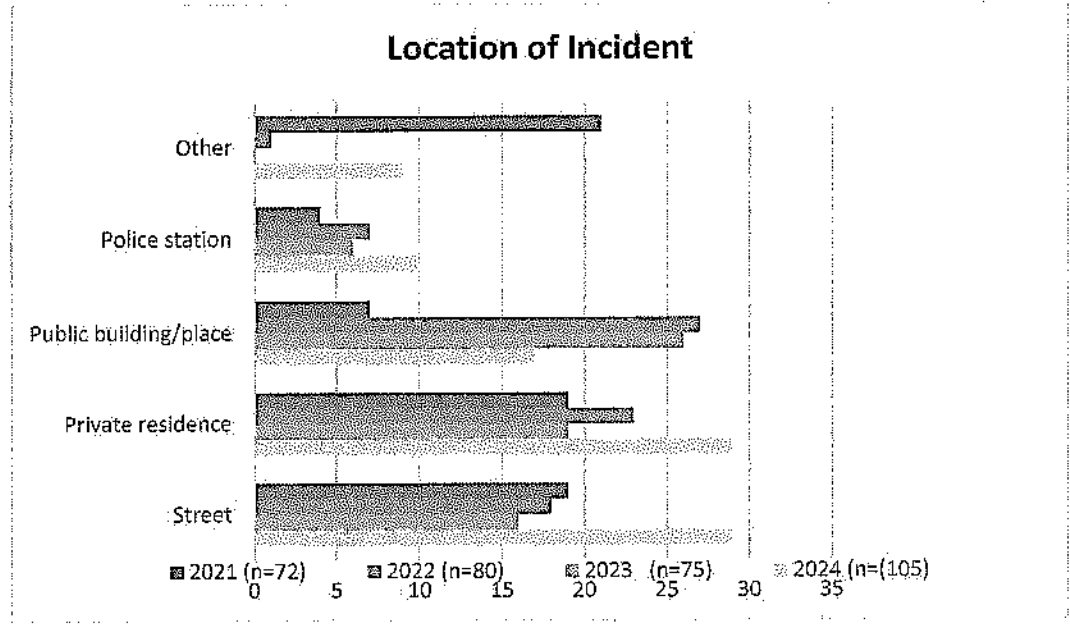


Table 18: Complaints Demographics

GENDER	2024 (n=105)	2023 (n=75)	2022 (n=80)	2021 (n=72)
Male	48 (46%)	33 (44%)	51 (64%)	45 (63%)
Female	22 (21%)	18 (24%)	24 (30%)	17 (24%)
Non-Binary/Non Disclosed	35 (33%)	24 (32%)	5 (6%)	10 (14%)
AGE				
Over 50	20 (19%)	16 (21%)	17 (21%)	21 (29%)
40 – 49	28 (27%)	22 (29%)	24 (30%)	16 (22%)
30 – 39	22 (21%)	18 (24%)	16 (20%)	16 (22%)
18- 29	23 (22%)	7 (9%)	12 (15%)	11 (15%)
Youth under 18	5 (5%)	4 (5%)	4 (5%)	2 (3%)
Birth dates Unknown	7 (7%)	8 (11%)	7 (9%)	6 (8%)