



## **SAFETY OFFICER PROGRAM**

Manitoba Justice  
Public Safety Division  
Policing Services and Public Safety

### **POLICY & PROCEDURE**

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Approved by:  
Director of Policing Services & Public Safety on \_\_\_\_\_, 2024

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## Part 1: Introduction

Manitoba Justice's Safety Officer Program (SOP) provides municipalities, First Nation communities, and designated employers the option to enhance public safety. Through the employment of community safety officers (CSO), First Nation safety officers (FNSO), and institutional safety officers (ISO), the SOP delivers low risk community safety services and an increased uniformed presence. Its intention is to address community safety concerns and support local police agencies. Overall, the program supports a community-driven approach to improving community well-being.

The SOP is an alternative service to mainstream policing developed by Manitoba Justice's Policing Services and Public Safety Branch, the Association of Manitoba Municipalities, the Royal Canadian Mounted Police, and Manitoba Association of Chiefs of Police. The program forms part of a continuum of policing that adds a flexible, layered approach to enforcement. Given that some situations do not require police officers, layered policing engages individuals with diverse levels of training and authority allowing law enforcement to focus their expertise on more complex policing and investigations.

Within Manitoba's Public Safety Model, safety officers enforce applicable legislation and often work hand-in-hand with local police as required. (see Appendix 'G' Letter of Understanding). Manitoba's Police Services Act appoints safety officers with peace officer status under section 77 and provides them with the authority to conduct their duties.

This Policy acts as a guide to the SOP. It contains the authorities and responsibilities to ensure compliance with applicable legislation and to maintain consistent program standards, integrity, and accreditation. Municipalities, First Nation communities, designated employers, and safety officers must all be familiar and comply with the Policy's content.

***NOTE: Manitoba Justice's Policing Services and Public Safety would like to provide credit to the Government of Saskatchewan for sharing safety officer, policy information that has been included within this document.***

## Part 2: Program Overview

Manitoba’s Safety Officer Program (SOP) is a community-driven approach to improving community safety and well-being. By employing community safety officers (CSO), First Nation safety officers (FNSO), and institutional safety officers (ISO), Manitoba communities and designated employers have the option to address community safety concerns and enhance public safety.

Safety officers fall within Manitoba’s Public Safety Model. The model demonstrates a flexible approach to enforcement where individuals provide diverse levels of training and authority. Safety officers work to deliver low risk community safety services by enforcing applicable legislation. They often work with local police and offer an increased uniformed presence within the community.

**Table 1 Manitoba’s Public Safety Model**

SERVICE LEVEL	PUBLIC SAFETY RESPONSIBILITIES
<b>POLICE OFFICERS</b>	Specialized policing includes full police service, delivery capacity as well as higher order police and investigative functions that meet all provincial policing standards.
<b>POLICE OFFICERS</b>	Basic policing includes general uniform policing responsibilities as well as patrol and general investigative functions. Provincial standards may be achieved through contracts or mutual agreements with other policing services.
<b>SAFETY OFFICERS</b>	Various types of safety officers deliver diverse public services including low risk community safety services and an increased uniformed presence. Other services involve maintaining and promoting public peace, protecting the health and safety of citizens as well as protecting the environment.
<b>SECURITY/ BYLAW PRIVATE INVESTIGATORS</b>	Increased uniformed presence in the community to maintain and promote community safety as well as protect the public and investigate complaints about alleged violations.

### Safety Officers

In Manitoba’s Public Safety Model, safety officers refers to various types of safety officers, including CSOs, FNSOs, and ISOs. These specific safety officers are employed by municipalities, First Nations communities, and designated institutions to fulfill a range of roles. Roles include enforcement of some provincial statutes and attending some designated Criminal Code of Canada (Criminal Code) offences for the purposes of receiving and evaluating information as well as liaising with the police agency of jurisdiction, as required. Through their peace officer appointment, safety officers are

granted the authority to enforce applicable acts and regulations listed in Part 4 of this Policy.

## **Peace Officer Status**

Manitoba's Police Services Act (PSA) grants peace officers with powers and protections not available to ordinary citizens - such as enhanced powers of arrest. In Canada, the Criminal Code affords the legal definition of a peace officer including the following:

*(c) a police officer, police constable, bailiff, constable, or other person employed for the preservation and maintenance of the public peace or for the service or execution of civil process*

By virtue of being a CSO, FNSO, and/or ISO, they fall within Canada's legal definition of a peace officer, authorized by the province of Manitoba and appointed by the Employer.

Manitoba's PSA states that police officers and members of the RCMP "have all the powers, duties, privileges and protections of a peace officer . . . at common law or under any enactment or application by-law" (sec 18(2) and sec 24(1)). Safety officers, as designated by the PSA, states that peace officers "have all the powers, duties, privileges' and protections of a peace officer ... at common law and under the enactments as designated within the Operating Agreement between the Province of Manitoba and the respective Municipality, First Nation Community, and designated employer."

In Manitoba, Parts 7.1, 7.2, and 7.3 of the PSA provides the authority for CSOs, FNSOs, and ISOs respectively, to be granted limited peace officer status in Manitoba. The act states as follows:

### ***Appointing community safety officers***

*77.4(1) A municipality may appoint community safety officers in accordance with this section.*

### ***Peace officer status***

*77.5(2) A community safety officer has the powers and protections of a peace officer while exercising the additional powers referred to in subsection (1).*

### ***Appointing First Nation safety officers***

*77.14(1) The operator of a First Nation safety officer program may appoint First Nation safety officers in accordance with this section.*

### ***Peace officer status***

*77.15(2) A First Nation safety officer has the powers and protections of a peace officer while exercising the additional powers referred to in subsection (1).*

***Appointing institutional safety officers***

*77.27(1) An institution may appoint institutional safety officers in accordance with this section.*

***Peace officer status***

*77.28 An institutional safety officer has the powers and protections of a peace officer while exercising powers and performing duties under section 77.24.*

In accordance with Parts 7.1, 7.2, and 7.3 of the PSA, and as specified in the Operating Agreement with the Province of Manitoba, safety officers may only act as peace officers while conducting prescribed enactments and perform the duties or exercise the powers under the prescribed enactments, subject to any restrictions specified in that regulation.

Any action taken by a safety officer that is not specifically covered by their peace officer appointment would be as a private citizen.

## **Additional Authorities**

Safety officers may perform additional duties based on the needs of communities / institutions and/or the police agency of jurisdiction. Manitoba Justice's Policing Services and Public Safety Branch (PSPS) may assist in facilitating a Safety Officer response to suite community requirements, on a case-by-case basis, and after safety officers have successfully completed specified/approved training programs. Part 5 of this Policy lists a number of additional functions that the PSPS branch may grant safety officers through the process of obtaining a peace officer appointment or modification of an existing peace officer appointment.

For example, in response to community demand for roadway and infrastructure protection, PSD liaised with the Minister of Transportation and Infrastructure to provide an 'Inspector' designation to a Safety Officer under the under section 323(1.1) of the Highway Traffic Act, providing the powers and authorities required for duties identified in these sections of the Act.

Enforcement authorities are listed in the Police Services Act Regulations FNSO 229.15, CSO 107.15 and ISO 092.21. They may also be viewed via the Manitoba Safety Officer webpage at <https://www.gov.mb.ca/justice/commsafe/safetyofficer/index.html>



## **Part 3: Governing Principles**

### **1. General**

- a. An individual must have peace officer appointment to work as a safety officer in the Province of Manitoba.
- b. A safety officer's peace officer appointment shall be governed by Manitoba's Police Services Act (PSA).
- c. The Minister of Justice, under the authority of the Police Services Act, Parts 7.1, 7.2 and 7.3, may grant the employer community a Safety Officer Program under contract of an Operating Agreement, which allows the employer to appoint Safety Officers.
- d. Upon review of safety officer program applications, the Public Safety Division shall assess the community's safety and wellbeing plan to determine if it is in the public interest to authorize the Safety Officers to enforce the statutes within the Safety Officer Regulations.
- e. It is expected that individuals having peace officer status will conduct themselves in a manner reflective of this responsible position in society.
- f. A safety officer's peace officer appointment expires upon their termination of employment or as otherwise specified in the terms and conditions of the peace officer appointment.

### **2. Employers of Safety Officer Programs**

- a. Peace officer appointments for selected individuals may be granted, in accordance with Manitoba's PSA, where municipalities, First Nations communities, or designated employers have requested and obtained approval to employ safety officers.
- b. Approved safety officer employers will establish and maintain liaison(s) with the police agency of jurisdiction. (see appendix 'G' Letter of Understanding)
- c. An Operating Agreement provides the program guidelines as outlined in the Act and Regulation to assist employers in managing the program and to facilitate collaboration in enhancing adequate and effective policing, addressing public safety issues.
- d. Safety officer employers will familiarize themselves with this Policy.



- e. Safety officer employers will establish policy and procedures for public accountability in compliance with Parts 7.1, 7.2, and 7.3, of Manitoba's PSA.

- f. Safety officer employers will be subject to regular and specific reporting requirements regarding Manitoba's Safety Officer Program and safety officer activities in accordance with Parts 7.1, 7.2, and 7.3, of the PSA and Part 1 of this Policy.
- g. Safety officer assigned duties will be restricted to those contained in their individual peace officer appointments.
- h. Safety officer employers must ensure that safety officer's are made aware of the rights, responsibilities, and restrictions conferred by their peace officer appointment.
- i. Safety officer employers must ensure safety officers are trained and certified to carry and use intermediate weapons as authorized in their peace officer appointments and prescribed by Part 11(6) of this Policy.

### **3. Jurisdiction and Duties of Peace Officers**

- a. The duties and territorial jurisdiction(s) for which peace officer appointments will be granted will be determined by the Minister of Justice.
- b. A safety officer may only engage in duties requiring peace officer status so long as said duties are specified in their peace officer appointment while on duty with the approved employer.
- c. Position descriptions and employer policy must not purport to extend the authority or jurisdiction granted by a peace officer appointment.

### **4. Peace Officer Appointments**

Upon peace officer appointment, safety officers shall take the Oath of Office as prescribed by Manitoba's PSA and Regulations, attached to this Policy as **Appendix B**.

### **5. Liability**

Safety officers are employees of the municipality, First Nations community, or designated employer and not as employees or agents of the Government of Manitoba or the police agency of jurisdiction. This Policy requires safety officer employers to maintain adequate liability insurance for the employ of safety officers. It is strongly recommended that safety officer employers seek legal advice to determine what constitutes "adequate" insurance.

## **6. Supervision, Discipline and Public Accountability**

- a. Functional supervision and discipline of safety officers will be the responsibility of the employer.
- b. Safety officers will be subject to public accountability standards and procedures set out in Parts 7.1, 7.2, and 7.3, of Manitoba's PSA and Regulations.
- c. Safety officers and their employers must comply with all applicable provincial and federal privacy and access to information legislation.

## **7. Public Image of Safety Officers**

- a. Safety officers shall not be identified or identifiable to the public or otherwise as being the "police."
- b. The design of safety officer's uniforms, accoutrements, and forms of identification must be such that members of the general public can readily distinguish between safety officers and the police.
- c. Safety officers shall wear the applicable articles of uniform and accessories described in **Appendix A**.

## **8. Use of Force, Firearms, and Other Weapons**

- a. Peace officer appointments confer only the authority to carry those weapons specified in the appointments.
- b. Safety officers will be subject to such regulations, policies, and training standards regarding the use of force and/or the use of weapons as may be determined by the Minister of Justice.
- c. Safety officers are not permitted to carry, handle, or use firearms when performing safety officer duties, unless designated by the Minister of Justice and included in the Operating Agreement.

## **9. Safety Officer Candidates**

The qualities expected of a safety officer are those consistent with other peace officers. In general terms, candidates must be of good character, mature, and have an exemplary background.

## Part 4: Applicable Acts, Regulations, Functions Overview

This Policy is governed by and shall be construed in accordance with Manitoba's Police Services Act (PSA). Specifically:

- Part 6 Policing Standards
- Part 7 Investigations into Police Officer Conduct
- Part 7.1 Community Safety Officers
- Part 7.2 First Nation Safety Officers
- Part 7.3 Institutional Safety Officers

Pursuant to peace officer appointments, and notwithstanding Part 5 of this Policy, safety officers may be granted limited authority to enforce specific provincial statutes under the authority of the Minister of Justice granted through an Operating Agreement with the employer. Peace officer enforcement authorities may be designated for any of the following acts of Manitoba.

- The Police Services Act;
- The Highway Traffic Act, 1985 and associated regulations;
- The Provincial Offences Act and Municipal By-Law Enforcement Act, 2013 and associated regulations;
- The Liquor, Gaming and Cannabis Control Act, 2013;
- The Transportation Infrastructure Act, 2018;
- The Trespass Act;
- The Mental Health Act, 1998;
- The Child and Family Services Act, 1985;
- The Intoxicated Persons Detention Act;

Under section 323(1.1) of The Highway Traffic Act, the Minister of Transportation and Infrastructure may appoint persons or classes of persons as “inspectors”, or otherwise known as “safety officers”, for the purpose of enforcing this act and the regulations pertaining to Road Weight Restriction enactment enforcement.  
(see **Appendix I**).

The provincial acts and regulations identified in this section, as well as other provincial acts and regulations, can be accessed on the Manitoba government's website at: <https://web2.gov.mb.ca/laws/index.php>.

## **Part 5: Additional Functions**

Depending on the needs and priorities of a community, First Nations community, designated employer, and/or the local police agency of jurisdiction, safety officers may be required to perform additional functions. Where peace officer status is required, additional functions must be included in a safety officer's peace officer appointment. Manitoba Justice's Policing Services and Public Safety Branch (PSPS) may grant additional functions on a case-by-case basis and only after safety officers have successfully completed specified and approved training programs.

Additional functions may include:

- See Bill 34 The Police Services Amendment Act (2023)

## **Part 6: Approval to Employ Safety Officers**

The Operating Agreement provides Safety Officer employers with the authority to employ and appoint safety officers. All employers will be approved under the signature of the Minister of Justice.

### **1. Requirements to Apply for Safety Officer Services**

- a. A legitimate need for safety officer services; and
- b. Be a municipality; or
- c. Be a First Nations community; or
- d. Be a designated employer under agreement between the employer and the minister as defined in Part 7, sections 77.25(1) and (2) of Manitoba's Police Services Act (PSA).

Private agencies, corporations, and individuals are NOT eligible.

### **2. Business Case Submissions**

- a. A business case to employ or engage the services of safety officers must be forwarded to Manitoba Justice's executive director of Policing Services and Public Safety Branch (PSPS) and must:
  - i. Include a community safety and wellness plan;
  - i. Specify the duties and responsibilities proposed for the safety officer(s);
  - ii. Specify the enforcement authority requested for the safety officer(s); and
  - iii. Describe the geographic area where the safety officer(s) are proposed to have jurisdiction.
  - iv. Employers who have opted to enforce by-laws by way of The Provincial Offences Act, may apply to the Provincial Court to set up access to the database to allow the courts to enter and prosecute violations. Employers must confirm that all the required processes have been completed so that new agencies are set up with government databases to issue, enter, and prosecute violation tickets;

- v. Have a records management system and an operational records system that meet the requirements for safety officers as deemed satisfactory by the Minister of Justice;
- iv. Include the name of a contact person, other than a safety officer, who is a person in a senior management position with the approved employer and will be responsible for the Safety Officer Program in that municipality, First Nation, or designated employment ; and
- v. Confirmation of liability insurance.

### **3. Approval of Business Case**

- a. PSPS will review completed business cases upon receipt and, if satisfied that a legitimate need for the provision of safety officer services exists, they may be approved. Approvals are subject to the executive director of PSPSs discretion to recommend peace officer appointment by the Employer, and may be subject to terms and conditions as the Director of Policing considers appropriate;
- b. If a business case is found to be incomplete, PSPS will contact the applying municipality, First Nations community, or designated employer to clarify information or request additional information and/or supporting documentation;
- c. The written-approval shall be signed by the Director of Policing authorizing the Program Manger to commence the process of developing an Operating Agreement.
- d. If an application/business case is denied, PSPS shall advise the applicant employer, in writing, outlining the reasons for the decision.
- e. Manitoba Public Safety Division will retain a registry of all approved safety officer programs. The registry shall be audited annually for program and reporting compliance.

#### **4. Approval of Operating Agreement Between Employer and Manitoba**

- a. Upon authorization to employ safety officers, each municipality, First Nations community, or designated employer will develop an Operating Agreement. The Operating Agreement specifies the following:
  - i. Authorities under the act to employ safety officers;
  - ii. Purpose of the safety officer employment within the respective jurisdiction;
  - iii. Enforcement powers;
  - iv. Financing the Safety Officer Program;
  - v. Relationship between safety officers and police service of jurisdiction;
  - vi. Complaint process requirements;
  - vii. Term and termination clause;
  - viii. Financing the Safety Officer Program;
  - ix. Relationship between safety officers and police service of jurisdiction;
  - x. Complaint process requirements; and
  - xi. Term and termination clause.



## **Part 7: Applying for Peace Officer Appointment**

Safety officers may be employed by municipalities, First Nations communities, and designated employers to fulfill a range of roles, appointment of Safety Officers for the enforcement of some provincial statutes and designated Criminal Code offences.

The appointment of a Safety Officer is provided by the employer subject to;

- A. The employer community having an approved Operating Agreement with Manitoba
- B. The employee having completed the designated training as required in Regulation
  - a. Candidates applying for training are required to submit to the Safety Officer Program Manager;
    - i. Criminal Record Check results
    - ii. Adult Abuse Registry results
    - iii. Child Abuse Registry results

Employer communities may be requested to provide the Safety Officer Program Manager with the Criminal Records Check results prior to training commencement, and at any time during employment, should there arise a reason for verification.

Upon graduating from Safety Officer Program Induction Training, the candidate will provide a photograph of themselves to the Program Manager. This photograph is embedded in a Safety Officer ID card created by Manitoba. The photo identification card provides the means for a Safety Officer to;

- identify themselves to the public
- identify themselves to the local police authority
- provide verification that they meet all of the 'peace officer' appointment criteria
- allow Manitoba to conduct audit and accreditation of all Safety Officers across Manitoba employer communities

This card will only be provided to the Safety Officer if all of the above criteria have been met.

### **1. Peace Officer Applicant Requirements**

- a. Proof of grade 12 or equivalent qualification;
- b. Proof of a Manitoba class 5 driver's license;
- c. Minimum age of 18 years old;
- d. Be of sound mind and good character; and

- e. Completion of a criminal record check, completion of a Vulnerable Sector check, and be free from criminal involvement in a period of years preceding their application. Where an applicant has a criminal record, the Director of Policing shall make a determination as to whether the candidate may continue with their application based on the following criteria;
  - i. The nature and severity of the convictions
  - ii. The length of time the candidate has been uninvolved in the criminal justice system.
  - iii. The candidate's character and reputation within the community as referenced by community leaders and/or the local policing authority.
- f. No outstanding criminal charges and not subject of a criminal investigation.
- g. Successful completion of the required provincial Safety Officer Induction Training course(s) (see below) or equivalent training as determined by the Director of Policing, Manitoba Justice's Public Safety Division
- h. If traffic enforcement duties are included in the Safety Officer Program Operating Agreement, a safety officer will need to obtain a Class 4 Drivers Licence in order to operate an emergency vehicle. This is not a hiring prerequisite.

***NOTE: Criminal Record and Vulnerable Sector checks will only be recognized as valid for thirty (30) days after the law enforcement agency has completed the check.***

*Criminal Record and Vulnerable Sector checks must be obtained by the candidate and submitted along with the safety officer employer's application. Criminal Record and Vulnerable Sector applications may be obtained through:*

- *Local RCMP detachment*
- *Winnipeg Police Electronic Record Checks*
- *Fast Check [www.myfastcheck.com](http://www.myfastcheck.com)*
- *Commissionaires*
- *Sterling Backcheck*
- *Child Abuse Registry Check*
- *Photo ID (drivers licence or passport);*

***NOTE to 7.1(h)*** *"Class 4 vehicle"* *means a bus, other than a school bus, having a seating capacity not exceeding 24 passengers, or a school bus having a seating capacity not exceeding 36 passengers, or an ambulance and all other emergency vehicles.*

## 2. Safety Officer Induction Training

The Manitoba Safety Officer Induction Training, as approved by the executive director of PSPS, is the minimum training requirement for issuance of a peace officer appointment for safety officers.

Additional training may be required to support additional functions (requiring peace officer status) as requested by safety officer employers. This training must be completed before an additional authority may be included under a safety officer's peace officer appointment.

Equivalent training must be approved by the executive director of PSPS.

### **Induction Training Outline and Course Details:**

A four (4) week safety officer course will provide training including, but not limited to, the following criteria:

- Arrests and detention - understanding the system flow of laid charges
- Aboriginal awareness and community diversity
- Charter of Rights and Freedoms
- Court testimony
- Criminal Code
- Criminal investigation
- Duty to Act and Duty of Care
- Elements of a crime
- Exhibit handling
- Interviewing
- Introduction to law
- Manitoba's Intoxicated Persons Detention Act

- Legislation – governing peace officers
- Manitoba’s Mental Health Act - authorities, forms, etc.
- Child and Family Services – missing persons matters
- Note taking and report writing
- Provincial acts, statutes, and municipal bylaws
- Radio procedures
- Restorative justice
- Search and seizure - authority to search (vehicles, persons, dwellings)
- Tactical communications
- Traffic enforcement training
- Use of force and officer safety
- Victims’ Services and Social Services

## **Level II Training**

The course will provide candidates with the enhanced knowledge and skills to perform the role of a First Nations/Community/Institutional Safety Officer. This course provides practical enforcement application of laws and enactments using skills-based training. The Public Safety Division continues to develop strategic training partnerships with law enforcement agencies to accommodate these objectives.

## **Level II Training application pre-requisites**

Candidates must meet enhanced criteria to be considered for enrollment in Level II training.

- Community must have an active Operating Agreement with MB
- Candidates must have successfully completed Level I Induction training
- Minimum of one (1) year of experience as a Safety Officer
- Actively employed as a Safety Officer
- Documented Criminal Record Check / Security Clearance
- Class 4 Drivers Licence
- Letter of reference from the OIC of the police agency of jurisdiction

## **Level II Outline and Course Details:**

- a) Recall and apply learnings from Induction Training
- b) Understand MHA legislation and Demonstrated proficiency in managing clients experiencing Mental Health symptoms
- c) Issue By-Law and Provincial Offence Notices in accordance with the MBEA & POA

- d) Process violations listed in the Highway Traffic Act / Drivers & Vehicles Act / etc.
- e) Conduct safe Traffic Stops
- f) MPI: HTA 265.2 Administrative Suspension – Hand Held Electronic Device – enforcement and administration
- g) Assist the police agency of jurisdiction in Enhanced Road-safety Enforcement projects.
- h) Use the MPI Drivers Licencing System & Automated Licence Plate Reader system
- i) Understand and Apply Radio procedures
- j) Conduct ink Fingerprinting as required
- k) Assist the police agency of jurisdiction in Approved Screening Device (ASD) enforcement
- l) Have a working knowledge of Road Weight Restriction enactments;
  - a. Understand the Transportation & Infrastructure Inspector designation
- m) Effectively apply de-escalation and dis-engagement techniques
- n) Process Warrants and Breach offences (Powers of Arrest review / Part V of POA)
- o) Issue Provincial Offence Notices including HTA, LCA and Trespass Act violation tickets

### **Course Outcomes and Evaluation**

Upon successful completion of the Induction course, candidates will receive certification of achievement from an approved Manitoba Training Center. Peace Officer appointment is authorized at the discretion of the Executive Director PSPS branch on behalf of the Minister of Justice.

### **Approved Training Providers**

Training may be provided by one or more of the following:

- Royal Canadian Mounted Police
- Winnipeg Police Service
- Brandon Police Service
- Manitoba Department of Justice
- Any other service provider that has been prescribed in the safety officer regulations.

### **3. Exemptions from Safety Officer Induction Training**

This Policy recognizes that a safety officer's prior learning, formal learning, and job-related experience may meet or exceed the learning objectives of the Safety Officer Induction Training.

#### **Prior and Formal Learning**

This includes credit courses and certificate programs offered at post-secondary institutions, police colleges, and institutions.

## **Work Experience**

Typically, work experience is assessed by the years of service in policing or a similar field.

In the case of prior learning, formal learning, or work experience, exemptions from a portion or the entire Induction Training may be sought. Exemptions will be considered on a case-by-case basis and must be approved in writing by the ADM of the PSD.

Safety officer employers will be expected to demonstrate how a safety officer's prior learning, formal learning, and/or job related experience meet the learning objectives of the Induction Training. This may include submitting the following documentation to Manitoba Justice's PSPS branch for consideration:

- Copies of certificates
- Proof of prior employment status
- Transcripts
- Any other documentation deemed necessary by the ADM of the PSD

## **Part 8: Approval and Modifications to Approvals for Peace Officer Appointments**

All safety officer program approvals shall be authorized by signature of the Minister of Justice as recommended by the Director of the Policing Services and Public Safety Branch (PSPS).

### **1. Peace officer appointments registry**

- a. A provincial registry of peace officer appointments for safety officers shall be maintained by the PSPS branch.
- b. The employer shall report changes to safety officer appointments.

### **2. Requests to modify approvals to employ peace officer appointments**

Modifications to approved Safety Officer Operating Agreements may be requested by Safety Officer Program (SOP) employers as needed.

- a. Requests must be in writing from the contact person of the SOP employer and can be made for the following reason(s):
  - i. Adding or deleting legislation/authorities;
  - ii. Adding or deleting jurisdictional areas;
  - iii. Adding or deleting weapons, tools, or equipment;
  - iv. Modifying working titles;
  - v. Adding or deleting terms and conditions; and/or
  - vi. Any other reason not stipulated above that would impact the approval or appointment.

### **3. PSPS branch's review and decision of the modification request(s) for approvals to employ safety officers**

- a. Upon review of the modification request(s), the executive director of PSPS branch may:
  - i. Require the requesting SOP employer provide additional information in support of the request(s);



- ii. Require the requesting SOP employer to implement new policies and/or procedures, or modify existing policies and procedures to ensure compliance with this Policy and applicable legislation; and/or
    - iii. Impose new terms or conditions in accordance with the requested modification(s).
4. If the modification request(s) is not granted, the PSPS branch will advise the SOP employer, in writing, outlining the reasons for the decision.
5. Minister's review of the modification request(s) for peace officer appointments
  - a. Upon review of the modification request(s), the executive director of PSPS branch may:
    - i. Require the requesting SOP employer provide additional information in support of the request(s);
    - ii. Require the requesting SOP employer to implement new policies and/or procedures, or modify existing policies and procedures to ensure compliance with this Policy and applicable legislation; and/or
    - iii. Impose new terms or conditions in accordance with the requested modification(s).
6. Should the modification request(s) be approved the executive director of PSPS branch shall ensure the new terms and/or conditions are recorded in the provincial registry.
7. If the modification request(s) is not granted, the executive director of PSPS branch will advise the SOP employer, in writing, outlining the reasons for the decision.

## **Part 9: Shared or Contracted Service Agreements**

In situations where a municipality, First Nations community, or designated employer may prefer to obtain safety officer services for a limited number of hours but is not willing or able to become a Safety Officer Program (SOP) employer, it may enter into a written agreement for exchange of services with an approved SOP employer, which is a municipality, First Nations community, or designated employer for the delivery of safety officer services.

Manitoba Justice's Policing Services and Public Safety Branch (PSPS) may consider cases where such agreements are entered into. In such cases, a copy of the agreement shall be provided by the SOP employer to the PSPS branch for review and, if approved, be used to inform the resulting approval and appointment(s).

At a minimum, the agreement shall address the following:

- a. That all parties involved have the necessary insurance coverage to enter into the agreement;
- b. A plan detailing how public complaints will be handled. This includes identifying the person or category of persons who, for disciplinary purposes (Part IV of Manitoba's Police Services Act) shall adjudicate the complaint;
- c. How the visual identity of a safety officer will promote, and not obscure, the public's ability to ascertain the safety officer's employer at any given time;
- d. A plan detailing how the SOP supervisory oversight requirements pursuant to this Policy will be handled;
- e. Clearly indicate which jurisdictions are covered in the agreement;
- f. For municipalities and First Nation communities, clearly indicate which highways are covered in the agreement;
- g. Delineation of liability; and
- h. Any other issues of concern to the parties involved.

## **Part 10: Manitoba Department of Justice Responsibilities**

This Policy is designed to establish accountability in the Safety Officer Program (SOP) by clarifying the roles and responsibilities of SOP employers, safety officer's, and Manitoba Justice. To promote accountability of SOP employers and their safety officer's, the Policing Services and Public Safety Branch (PSPS), acting under the authority of the Minister of Justice, retains the authority to conduct SOP management reviews or request investigations. The minister retains the authority to grant, suspend, and cancel Safety Officer Operating Agreements.

### **1. Safety Officer Program management reviews**

- a. SOP management reviews occur in accordance with a risk assessment protocol established by the Director of Policing. The Director or delegate may conduct SOP management reviews to:
  - i. Ensure that safety officers and their employers are in compliance with Parts 7.1, 7.2, and 7.3 of Manitoba's Police Services Act (PSA) and this Policy;
  - ii. Ensure that safety officers and their employers are in compliance with all aspects of the peace officer appointment;
  - iii. Assess the adequacy and compliance of operational files with applicable legislation, policies, procedures, and other guidelines as may be applicable;
  - iv. Assess the adequacy and compliance of exhibit procedures and equipment with applicable legislation, policies, procedures, and other guidelines as may be applicable; and
  - v. Assess the adequacy and effectiveness of the monitoring procedures in use by SOP managers and supervisors.

### **2. Licence registry**

- a. A provincial registry of all safety officer appointments shall be maintained by the PSPS branch; and

b. The PSPS branch shall audit the provincial registry annually to:

- Ensure compliance with Operating Agreements;
- Conduct reviews of employment status; and
- Renew, modify, or terminate licencing/accreditation.

### **3. Safety Officer Program management review process**

- a. The SOP program manager of Policy and Governance (the program manager) will notify the SOP employer in writing, when practical, a date and time for the review that will be suitable to both parties involved;
- b. The SOP employer will facilitate this process by providing a private working space and photocopier if possible;
- c. In the event books, records, reports, documents, or other items need to be removed a receipt for those items will be issued and they shall be returned within a reasonable period of time;
- d. Access to all records pertaining to program operations shall be made available upon request. This includes access to all data recorded in electronic format;
- e. Photographs of equipment or any other relevant items may be taken;
- f. Interviews with safety officers or other staff may be conducted;
- g. Upon completion, a letter detailing what immediate steps must be taken to deal with detected issues, if any, will be sent to the SOP employer; and
- h. Within 120 days from completion of a review, a formal report of the findings will be sent to the SOP employer and may include recommendations or directions to assist in complying with the act, regulations, and policy.

### **4. Materials subject to SOP management reviews may include, but are not limited to the following:**

- Operational files
- Exhibits and exhibit logs
- Dispatch logs
- Safety officer notebooks (past and present)
- Personnel files (relating to training, qualifications, discipline issues related to the legislation and policy)

- Details and files on public complaints made against safety officers (past five years)
- Vehicles and equipment
- Duty equipment
- Training completions and certifications/recertification
- Violation tickets
- Safety officer interviews
- Annual Report
- Other material as required

**NOTE:** *Materials subject to SOP management reviews may date back to two years prior to the conduct of reviews. This time frame may change depending on the volume and complexity of files held by the SOP employer.*

## **5. Request for investigations.**

- a. Investigations may be requested to prevent injury, death, high profile media attention, or a circumstance which may call into question the creditability of the SOP. The executive director of PSPS branch may request investigations.
  - i. A SOP employer is not following up on a written public complaint in a manner consistent with established procedures;
  - ii. A SOP employer is not following up on circumstances where safety officers may be acting outside the scope of the approval to employ a safety officer(s) and/or appointment(s) in a manner consistent with established procedures and/or 'best practices'; and/or
  - iii. The executive director of the PSPS branch has reason to believe that the SOP employer is acting outside the scope of, or not in compliance with, their approval to employ a safety officer.
6. Any matters relating to public complaints will, at the discretion of the Director of Policing.
7. The Director of Policing may seek the services of a contract investigator for the purposes of this section.

8. Investigation process

- a. Once the Director of Policing commences an investigation, written updates of the investigation to the SOP employer and safety officer(s) involved will occur every forty-five (45) days. A disposition letter will be sent to same upon conclusion of the investigation by the Director.
- b. An investigation may include, but is not limited to the following:
  - Interview(s) with safety officer(s) involved
  - Interviews with witnesses or complainants (if applicable)
  - Reviews of any internal investigations that may have already been conducted
  - Reviews of any reports created relating to the incident
  - Any other information deemed to be relevant to the investigation
- c. Any criminal matters arising from the investigation will be reported to the police agency of jurisdiction by the Director of Policing.

## 9. Conclusion of investigation

The executive director of PSPS branch will work with the SOP employer to correct any detected issues unless there are opposing circumstances concerning the public interest, a legal matter, or considerations pertaining to serious or sensitive issues. Where concerns exist about the public interest, a legal matter, a serious or sensitive issue, or where an employer is unable to implement changes to the executive director's satisfaction, the executive director may:

- a. Add terms or conditions to an approval to employ safety officer(s); or
- b. Suspend or withdraw an approval to employ safety officer(s).

## 10. Suspend or withdraw approvals to employ safety officers

- a. The Director of Policing may take action to suspend or withdraw any approval to employ safety officers if the SOP employer has:
  - i. Contravened Parts 7.1, 7.2, and 7.3 of Manitoba's PSA;
  - ii. Provided false or misleading information under the act or the regulations;
  - iii. Failed to act in accordance with the terms and conditions of the approval to employ safety officer(s);

- iv. Required or permitted their employed safety officers to contravene the terms of the peace officer appointment;
- v. Taken no action when the SOP employer knows or reasonably ought to have known that the safety officer has contravened the terms of the peace officer appointment;
- vi. Failed to follow up a complaint made under Parts 7.1, 7.2, and 7.3 of Manitoba's PSA where required to do so;
- vii. Acted in a manner that could bring the SOP into disrepute; or
- viii. Failed to comply with a direction of the ADM of the PSD under this Policy.

b. Procedures to suspend or withdraw approvals to employ safety officers

- i. Any recommendation to suspend or withdraw an approval to employ a safety officer shall be made, in writing, by the SOP program manager for review by the Director of Policing;
- ii. The Director of Policing will review the recommendation and if a decision is made to suspend or withdraw, will notify the SOP employer, in writing, of the suspension or withdrawal;
- iii. Upon receiving notice of suspension or withdrawal of approval to employ a safety officer, SOP employers must return the original written approval to employ a safety officer and the peace officer appointment(s) to the PSPS branch;
- iv. The Director of Policing shall immediately notify the police agency of jurisdiction of the suspension or withdrawal; and
- v. A suspension or withdrawal of an approval to employ a safety officer may be lifted at such time as the Director of Policing is satisfied that the cause of the violation has been remedied.

11. A SOP employer may submit a **request for reconsideration** to the Director of Policing in the event its approval to employ safety officers has been suspended or withdrawn. The request must contain any representation that the SOP employer wishes to make in support of its continued approval to employ safety officers.

## 12. Suspend or cancelling safety officer programs

Holding a safety officer position requires adherence to terms and conditions of the peace officer appointment. The Minister of Justice may suspend or cancel an employer's safety officer program by cancelling the Operating Agreement should terms and conditions be breached, or a safety officer resigns or is terminated from his/her position.

- a. Procedures on suspension or cancellation of peace officer appointments
  - i. Manitoba Justice shall, as soon as the peace officer appointment is suspended or cancelled, authorize the Director of Policing to inform the safety officer's employer of the decision in writing;
  - ii. The Director of Policing shall notify the police agencies in the geographical area of all decisions relating to a safety officer's appointment;
- b. A employer community may submit a request for reconsideration to the Minister of Justice in the event that their program has been suspended or cancelled. The request must contain representation of facts and actions taken by the employer in support of their continued operation as a safety officer program.



## Part 11: Safety Officer Program Parameters

### 1. Administrative requirements

#### a. Record keeping

The Safety Officer Program (SOP) establishes minimum requirements in accordance with best practices and standard record keeping expectations. To ensure that these goals are met, SOP employers are required to keep, at a minimum, the following records related to safety officer duties:

- i. Safety officer employee files showing (at a minimum):
  - All training certificates (must be kept indefinitely);
  - Copies of complaints, investigation results, and disposition (all copies to be kept a minimum of five years, including any discipline resulting from complaints);
  - Commencement and termination date of employment, and reason for cessation (must be kept a minimum of seven years);
  - Oath of Office; and
  - Copy of safety officer's peace officer appointments or other records related to their appointment (must be kept indefinitely).
- ii. Exhibit seizure forms that include:
  - Associated file number;
  - Name of owner(s) if known;
  - Name of suspect or accused, if applicable;
  - Bag or label numbers to identify individual exhibits; and
  - An exhibit log for recording the seizure, movement, and disposition of seized items, including the transfer of seized items to the care and control of the local police agency of jurisdiction.
- iii. Record system capable of documenting calls for service, operational files, and complaints that are made to the SOP employer (complaints must be kept a minimum of five years).
- iv. Record system capable of documenting all publicly sensitive occurrences involving the SOP employer and safety officers (must be kept a minimum of 20 years).

- v. Use of force reports (must be kept a minimum of five years).
  - vi. Standard Operating Procedures (or equivalent) in effect with police agencies, including those that are expired (must be kept indefinitely).
- b. Physical storage of exhibits
- i. Agency size and nature of duties will dictate the type of exhibit storage required. A separate room with an exhibit custodian may be appropriate for one agency while a secure cabinet accessible only by safety officers will be appropriate at another;
  - ii. Exhibits that are documentary in nature will not be stored with a safety officer's occurrence report. Documents will be labeled and stored in an envelope or folder separate from the occurrence report; and
  - iii. Supervisors may access exhibit storage facilities for the purposes of quality control but access must be recorded on an exhibit log.

## **2. Safety officer supervisory oversight requirements**

- a. To ensure safety officers provide appropriate community safety services in accordance with existing legislative and policy frameworks, this Policy requires SOP employers to exercise adequate oversight over their safety officers. SOP employers must therefore conduct periodic supervisory reviews of SOP-generated files and develop other procedures for internal quality assurance.

In accordance with this section, SOP employers must meet the following SOP supervisory oversight requirements:

- i. Where a safety officer(s) has a direct reporting relationship to another safety officer, all reports submitted by the junior safety officer(s) must be reviewed and signed by the senior safety officer to indicate approval.
- ii. Thirty percent of files generated by a supervising safety officer must be reviewed and signed off by the person's direct supervisor, or other delegated superior.

*NOTE: Upon request, a safety officer employer will have to demonstrate to the satisfaction of the assistant deputy minister of the Public Safety Division that **internal quality assurance processes are in place to assess if paperless files are sufficient in providing adequate and effective oversight for safety officers.***

*A safety officer who has been appointed by their employer to be in a supervisory role over at least one other safety officer is permitted to be referred to as a “safety officer sergeant” and to wear shoulder epaulettes consisting of a Crown over three downward facing chevrons, with or without a Manitoba flag underneath.*

*There are no other ranks or insignia permitted within the SOP and there are no “commissioned” ranks within the SOP. There is no requirement for an employer to use the sergeant rank and may choose to use another civilian supervisory title such as supervisor, manager, supervisory officer, shift supervisor, etc.*

### **3. Assistance to police agencies**

- a. Subsection 77.6 of Manitoba’s PSA provides that this Policy may authorize the safety officers to provide general assistance to the local police authority when requested to do so by a member of the local police authority as long as the assistance does not involve any criminal law enforcement activities.
- b. Schedule ‘A’ of the Operating Agreement designates the willingness of the SOP to provide general assistance to the local police authority. If the community has authorized its safety officers to provide assistance, the local police authority it may request general assistance from a safety officer as long as the assistance does not involve the enforcement of any criminal law.

### **4. Letter of Understanding (or equivalent) between SOP employer/manager and police agencies**

- a. Relationship between safety officers and the local police authority.
  - i. The local police authority acknowledges that the community intends to establish and operate the SOP pursuant to Manitoba’s Police Services Act, the safety officer regulations, and this agreement;
  - ii. A Letter of Understanding does not affect the powers, duties, and responsibilities of the local police authority in the community;

- iii. The parties to this agreement recognize that a collaborative approach to community safety enhances adequate and effective police service delivery;
- iv. In accordance with the principles of community policing, and in effort to address the priorities of the community safety and wellbeing plan, the parties are encouraged to work collaboratively in a RELATIONSHIP to address community-based crime prevention initiatives;
- v. Parties are encouraged to develop a “Letter of Understanding” (see Appendix ‘G’) to facilitate;
  - Mutual understanding of community safety well-being priorities and community based crime prevention initiatives;
  - Supportive roles in identifying and achieving priorities; and
  - Clarifying shared and/or individual roles and tasks.

*NOTE: It is acknowledged that this RELATIONSHIP will be unique to each community based on environment and objectives.*

## 5. Visual identity

This Policy provides for the standardization of uniforms and vehicles used by those within the SOP. It is anticipated that public awareness will develop in terms of the authorities and job roles held by those utilizing common uniforms and vehicles.

- a. In addition to this section, safety officers are subject to the visual identity standards outlined in Part 3, section 7, and **Appendix ‘A’** of this Policy;
- b. The safety officer uniform must include ‘shoulder flashes’ depicting locally designed logos;
- c. Locally designed logos may be inserted above ‘safety officer’ and ‘peace officer’ and, at a minimum, must clearly identify the community name in addition to the following:
  - i. The words ‘safety officer’ and ‘peace officer’ shall be clearly identifiable to the public;
  - ii. The design layout shown in **Appendix ‘A’** of this Policy is suggested for use should an agency so choose;

- iii. The locally designed logos must be approved by the executive director of Policing Services and Public Safety Branch (PSPS). Design proposals may be submitted through the director(s) of Municipal, Contract, or First Nations Policing.
- d. It is a mandatory requirement that vehicles utilized by safety officers include “safety officer” markings on both of the side doors and rear panel of the vehicles. All vehicle markings must be approved by the assistant deputy minister of the Public Safety Division.

## 6. Weapons

The Police Services Act Regulations R.M.107.17 and R.M. 229.15 and R.M. 092.21 provides direction for approval of equipment and weapons which may be carried by Safety Officers, should a demonstrated need exist.

For the purposes of this manual, weapon refers to Conducted Energy Weapons (CEW) which are defined within the Criminal Code as prohibited weapons. **Currently Manitoba’s legislation does not provide authority for Safety Officers to carry CEWs.**

### Employer requirements for weapons

The Safety Officer Regulations authorize Safety Officers to be certified in and carry handcuffs, baton and OC spray.

It is recommended that all employer agencies develop protocol for managing equipment and weapons use for their Safety Officers, including;

- Describing when it is appropriate to use weapons
  - Employer policy is required to identify approved weapons, training requirements, condition under which they may be used, storage and reporting.
- Employer policy describing the use, storage, and maintenance of weapons
- Employer policy relating to training, carry and recertification.
- Reporting of lost or stolen weapons. Must be reported to the police agency of jurisdiction.
- Direction on the duty status of a Safety Officer in the event they does not recertify training
- Reporting Requirements to the Program for each incident where a Safety Officer uses a weapon. (see reporting requirements Part 16, Table 2)

Employers are also responsible for:

- Ensuring that weapons policies and procedures are updated regularly to keep current with 'best practices'
- Provide to the Director copies of new weapons policies and procedures developed by the employer as soon as practicable
  - ensure that the Director is able to review the new documents and assess for compliance with legislation and policy

Weapons Carried by Safety Officers (by category)

<p>Manitoba Safety Officers <b>may</b> carry;</p>	<p><del>Manitoba Safety Officers <b>may</b> make application to carry;</del></p>
<ul style="list-style-type: none"> <li>• handcuffs</li> <li>• a collapsible baton</li> <li>• OIC spray as defined in Regulation, as long as the strength does not exceed 1.33%</li> <li>• Major Capsaicinoids:                     <ul style="list-style-type: none"> <li>○ must not be a solvent based animal spray</li> <li>○ agencies using OC spray must develop and comply with internal policies for decontamination procedures after the use of OC spray</li> <li>○ decontamination procedures must comply with manufacturer's recommendations or the brand of OC spray being used</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><del>• A conducted energy weapon as defined in the Regulation (a common brand name currently in use is Taser)</del></li> <li>• <b>Not currently authorized</b></li> </ul>
	<p><del>Requires application to the Director of Policing and approval communicated by the Safety Officer Program Manager</del></p>

Re-qualification on weapons:

- Weapons must be re-qualified at a minimum every 24 months. Employers may establish annual recertification requirements by policy.
- The employer is responsible for updating qualifications and providing certificates or other proof of qualification to the Program as required.

## 7. Vehicles and Emergency Lighting

Safety Officer vehicles may be marked with lettering which clearly identifies the vehicle using 'PEACE OFFICER' or 'SAFETY OFFICER'. Lettering shall not indicate 'POLICE'. Safety Officers shall not operate vehicles marked as Police Vehicles.

Emergency Vehicle Lighting is regulated by the Vehicles, Equipment, Safety and Inspections Regulation M.R. 31/2019 (VESI) and the Highway Traffic Act C.C.S.M. c. H60. Lighting and Permitting falls under the auspices of Manitoba Public Insurance's Registrar of Motor Vehicles.

**The Vehicles, Equipment, Safety and Inspection Regulation does NOT recognize vehicles used by Safety Officers as meeting the requirements of the Act pertaining to authority to equip with "emergency vehicle lighting" ie; Red and Blue Lighting.**

[\(see Type #1 and Type #2 definitions below\)](#)

Employer Communities wishing to equip their Safety Officer Vehicles with emergency lighting may apply to the Registrar of Motor Vehicles for a Special Permit.

### Special permit for prohibited lighting.

3.4 The registrar may issue a permit to the owner or operator of a vehicle that permits the vehicle to be equipped with lighting otherwise prohibited under section 3.2 if, in the registrar's opinion,

- a) permitting the vehicle to be equipped with prohibited lighting is in the public interest;  
and
- b) the vehicle will be operated in a manner that protects the safety of the public.

**Background and Development:** MPI and the Public Safety Division recognize that 'emergency vehicle lighting' is a component in the development of the Safety Officer Program and as such are reviewing Regulatory authority to develop standard operating procedures to guide program managers in;

- a. assessing individual community safety requirements
- b. evaluating qualifying criteria for emergency vehicle lighting
- c. assisting with lighting applications.

There are two types of vehicles which are entitled to use red, blue, and white lighting under Sections 3.7(1) and 3.11(1) of the Regulation.

### Type #1. Vehicles Used by Police Forces

Section 3.7(l)(ii) of the Regulation states that vehicles used by police forces may use "one or more rotating, oscillating, pulsating or flashing red, white or blue lamps".

An 'emergency vehicle' is defined in the Highway Traffic Act Section 1(1) as follows:

Emergency vehicle: means

- a) a vehicle used by a police force
- b) a vehicle used by a fire department
- c) a vehicle used by an ambulance service
- d) an authorized emergency vehicle
- e) a vehicle used to respond to emergencies and operated under the authority of a government emergency organization
- f) a vehicle used for the purposes of maintaining a public utility and designated as an emergency vehicle by a traffic authority, or
- g) a vehicle not ordinarily used for emergency purposes that is operated by a volunteer, part-time or on-call fire-fighter or emergency medical responder for the purpose of responding to a fire, medical or other emergency;

In clause (a), vehicle used by a police force' is further defined in Section 1(1) of the Highway Traffic Act.

"vehicle used by a police force" means a vehicle equipped as an emergency vehicle and includes a vehicle equipped as an emergency vehicle that is owned or leased by the government and used by a person employed by the government as a peace officer for the enforcement of an Act or regulation of the Parliament of Canada or the Legislature, but does not include a vehicle equipped as an emergency vehicle when it is used for non-enforcement purposes by a person who is not a peace officer;

### Type #2. Vehicles Used by Enforcement Officers

The other class of vehicles authorized to use red, blue and white lighting in the Regulations are vehicles used by enforcement officers, under Section 3.11(1) of the Regulation. Special equipment – vehicles used by provincial or federal government officers

3.11(1) A government motor vehicle that is used by an enforcement officer may be equipped with any of the following;

- a) white alternating flashing headlamps
- b) one or more rotating, oscillating, pulsating or flashign red or red and blue lamps, alone or in combination with a white rotating, oscillating, pulsating or flashing lamp;
- c) one or more amber lalmps on the reoof or rear of the vehicle that light intermittently or in flashes
- d) one or more spot or flood lamps that emit a white light



Section 3.11(1) only applies to government motor vehicles and limits the special equipment to government motore whielce that are used by an ‘enforcement officer’ as defined in Regulation.

Note: All Safety Officers that operate a vehicle classified as an “emergency vehicle” which is used for the purpose of enforcing provincial enactments, including the stopping of motor vehicles, must possess a valid Class 4 Manitoba driver’s licence.

## 8. Public Safety Communication (ie: radio communication)

Effective communication systems shall be established for the safety of the public and safety officers. Radio communication is an important tool to front line officers within the public safety sector. The following chart illustrates the difference between local radio access and public safety network access

Local Radio – Radio dispatch	Public Safety Network radio access
<ul style="list-style-type: none"> <li>a) Safety Officers may communicate on a radio to radio basis.</li> <li>b) The community may have a dispatcher that receives information from the public and voices the information to officers in the field.</li> </ul>	<ul style="list-style-type: none"> <li>a) Safety Officers are connected to a central dispatch 911 communications center.</li> <li>b) 24/7 dispatch</li> <li>c) Computer Aided Dispatch (CAD) allows the dispatcher to coordinate responding resources</li> <li>d) The Officers location is known to the dispatcher through a mapping system</li> <li>e) Officers have radio access to CPIC and DLS queries.</li> <li>f) Ability to cross-channel with neighboring agencies.</li> </ul>

A Standard Operating Protocol provides guidelines to Employer Communities in the application for Public Safety Communications (radio) access.

Safety Officer Program coordinators interested in securing **radio network access** shall first contact the Public Safety Division – SOP Coordinator to commence the application process.

## Application Process

- 1) Applicant shall first contact MB Public Safety Division to initiate their request;  

Manitoba Policing Services and Public Safety Division  
**Ass. Ex. Director – Leanne Gardiner**  
155 Carlton Street, Winnipeg, R3C 3H8  
Leanne.Gardiner@gov.mb.ca      phone: (204) 945-4949
- 2) The PSD will assess the request to determine if it meets eligibility;
  - a. Eligibility criteria;
    - i. Community has an 'active' Operating Agreement
    - ii. Officers have completed Level I training course
    - iii. Officers accessing CPIC must have criminal record check verification
  - b. If eligible, PSD provides 'certification' to PSCS that the applicant community meets **Category 2** requirements as a public safety entity.
  - c. If ineligible, PSD informs the applicant the reason for the decision.
  - d. PSD maintains records on all 'certification' notices provided to PSCS.
- 3) Certified or eligible applicant contacts Manitoba via [PSCSSupport@gov.mb.ca](mailto:PSCSSupport@gov.mb.ca) to request access to PSCS network.
- 4) Manitoba PSCS provides customer the New Application for Access to PSCS form (see Appendix).
- 5) Customer completes the form and sends it by email to Manitoba: [PSCSSupport@gov.mb.ca](mailto:PSCSSupport@gov.mb.ca), including the certification from PSD stating that the Community's Safety Program is a bona fide public safety entity.
- 6) Manitoba reviews application and if approved, sends the applicant a copy of PSCS Network Application and Billing Information form (Appendix B) and Manitoba's PSCS Services Offering and Participation Agreement for signature. (If application is declined, Manitoba informs the applicant the reason for the decision). Manitoba includes the PSD in the email once decision is released to the applicant.
- 7) Manitoba receives a signed Participation Agreement and PSCS Network Application and Billing Information form, then informs Bell of an approved request by submitting the completed form to [BMRadioCC@bell.ca](mailto:BMRadioCC@bell.ca). Form includes Manitoba's approval with the category/tier and priority level specified in the comments section.
- 8) Bell creates the customer account in SBT and contacts the PSE for any radio requirements.

## Standards / Guidelines / Criteria

PSCS assesses eligibility based on;

- a) The community having in place an ACTIVE Operating Agreement
- b) The Safety Officers having successfully complete Level I SOP Training
- c) The intended radio usage, communication requirements and scope of enforcement activities involved in the Safety Officers daily assignments and shall include;
  - i. List of provincial enactments and authority provided in their O.A.
  - ii. Primary reason radio access required (enforcement, officers safety, public safety)
  - iii. How the SOP meets the category 2 criteria as, “*an agency contributing to public safety*”.
  - iv. How SO’s will access system (in vehicle, portable, phone, VOIP
  - v. Number of daily users & volume of air time
  - vi. Police agency of jurisdiction and interoperability agreements for cross channel emergency access
  - vii. Dispatch center contracted with (Brandon 911, MMCE, Municipal Office)
  - viii. Names and DOB of each SO employed by the community

Additional information is available via both the PSCS and PSD websites at;

<https://www.gov.mb.ca/central/psc/psc/>

<https://www.gov.mb.ca/justice/commsafe/safetyofficer/index.html>

MB Public Safety Division is currently working to develop a provincial SOP contract for all communities wishing to join the network.

Communities are responsible for the purchase of their own radios and network fees.

## **9. Media releases**

As an employer, public safety releases related to the local work of safety officers is authorized.

## 10. **Manitoba Public Insurance (MPI): access to Drivers Licencing System (DLS) data access**

A Standard Operating Protocol (SOP) has been developed between PSD and MPI to guide SOP coordinators in application for access to MPI DLS. It is recognized that the expanded provincial enactment authorities (Bill 34) broaden the enforcement scope pertaining to the HTA and ARV Act. As such, Safety Officers require driver's licencing information to properly conduct their duties.

Safety Officer Program coordinators interested in applying for MPI DLS access **shall first contact the Public Safety Division – SOP Coordinator to commence the application process.**

Manitoba Policing Services and Public Safety Division (PSD)  
**Ass. Ex. Director – Leanne Gardiner**  
155 Carlton Street, Winnipeg, R3C 3H8  
Leanne.Gardiner@gov.mb.ca      phone: (204) 945-4949

### Application Process

1. PSD shall assess the request and based on the following Standards/Guidelines provide MPI with confirmation that the community has a signed/active SO Operating Agreement (O.A.) with the Province of Manitoba.
  - a. The Community shall provide PSD/MPI with an assessment of need as it pertains to SO duties and authorities listed in the O.A.
  - b. List the relevant Act(s) and specific provincial enactments for which Driver and Vehicle Information is required
  - c. Will specify how their SOs will access this information.
    - a. ie: in car laptop, telephone, radio communication
  - d. List the anticipated volume of queries expected to be completed daily.
  - e. Provide MPI with the names and date of birth of each SO employed by the community.
  - f. Be prepared to outline administrative, technical and physical safeguards to protect personal information from unauthorized access, use, disclosure and reproduction.

If PSB determines that the SOP meets requirements it will provide MPI with 'certification' allowing the Community to contact MPI and commence their application process.

DLS access options include hardware and system access which is the responsibility of the municipality to procure and manage. The following is an overview of potential options for DLS access.

1. MPI Request for Driver and Vehicle Information form
  - a. By email
  - b. by mail
  - c. MPI request to MPI service desk – phone #
  
2. Access via contract with MPI (certified Safety Officer Program)
  - a. Access agreement with police agency of jurisdiction
  - b. Portable / mobile radio – if on PSCS/911 system
  - c. In car laptop
  - d. In station laptop
  - e. automated licence plate reader system (in car)

Employer Program Coordinators may direct enquiries to MPI via the following email address:

[APL@mpi.mb.ca](mailto:APL@mpi.mb.ca)

## 12. CPIC access

CPIC access is available to Safety Officers once the employer community has been authorized for and is actively using the designated Public Safety Communications System radio channel. (see section 8 - radio access procedures).

CPIC information may be obtained by Safety Officers by;

- 1) Via radio by querying through 'dispatch'
  - a. the Officer makes the request and be provided information over the air.
- 2) By contacting the Safety Officer Program Manager (SOPM)
  - a. where the Officer requests the information for reporting purposes.
  - b. where the Officer requests a message be sent to another CPIC agency (ie: requesting copies of warrants or advising of intelligence information, etc.)

Consistent with the Community Safety Officer Program's mandate of "high priority/ low risk to harm community safety services", CSOs will be granted Level II (B) CPIC access. As information obtained via CPIC is sensitive and privileged, individuals with access to it are subject to all applicable provincial and federal privacy and access to information legislation, and must comply with the following:

- a. A CSO may only conduct a CPIC query for the purposes of CSO safety and while in the conduct of statute enforcement duties;
- b. A CSO may only access CPIC via the Provincial Safety Communications System Centre and through a verification process involving his/her Special Constable ID number.
- c. Before Level II (B) CPIC operator access may be granted, CSOs will require a Certified Criminal Record Verification – including a fingerprint submission and police information check by a local law enforcement agency. CSOs will also be required complete the CPIC System User Acknowledgement, documenting acknowledgement of the confidentiality and information disclosure requirements.
- d. Any non-CSO in an immediate supervisor role, the designated Chief of Police, and any data entry person who may have access to CPIC information will require a Certified Criminal Record Verification (including a fingerprint submission and police information check by a local law enforcement agency), as well as completion of the CPIC System User Acknowledgement form, documenting acknowledgement of the confidentiality and information disclosure requirements.
- e. Only a CSO may access CPIC via Provincial Emergency Communications Centre with his/her Special Constable ID number.
- f. Any suspected or identified CPIC breaches must be handled in accordance with the reporting procedures established by the CPI Centre System Compliance and Integrity policy of the CPIC Policy Manual (May 2015) and as outlined in Appendix 'K' of this Policy.

## **Part 12: Complaints against Safety Officers**

Public complaints and discipline against safety officers will be handled in accordance with

Safety Officer Program (SOP) employers shall report all public complaints against safety officers in writing to the Manitoba Police Commission and Manitoba Justice's Policing Services and Public Safety Branch in accordance with Part 10.5 of this Policy Manual and as outlined in each employer's Operating Agreement.

General discipline or policy related complaints can be dealt by the Human Resources Department of the SOP employer i.e. things of nature that are not a public complaint.

## **Part 13: Safety Officer Discipline**

Disciplinary procedures against safety officers will be handled in accordance with Parts Part 10.5 of this Policy Manual and as outlined in each employer's Operating Agreement.

## **Part 14: Liabilities**

Safety officers are employees of the Safety Officer Program (SOP) employer and not as employees of the Government of Manitoba. SOP employers will be required to obtain and maintain adequate insurance against potential liability resulting from employment of safety officers.

Should SOP employers not have or maintain liability insurance in effect, the Director of Policing may take such action as is necessary to rectify the situation, which may include the withdrawal of approval to employ safety officers or requesting the Minister of Justice revoke all peace officer appointments for the employer's safety officers.



## Part 15: Enforcement and Operational Practices

### 1. Duties and Powers

- a. A safety officer may perform the duties and exercise the powers as stipulated in the Police Services Act, Parts 7.1, 7.2 and 7.3, and Regulations;
  - i. #229/2015 - First Nations Safety Officer
  - ii. #107/2019 – Community Safety Officer
  - iii. #90/2021 - Institutional Safety Officer

Specific enforcement authorities are drawn from the following Acts;

- Highway Traffic Act
- Off-Road Vehicle Act
- Liquor, Gaming and Cannabis Control Act
- Smoking Vapour Products Control Act
- Minors Intoxicating Substances Act
- Public Health Act
- The Mental Health Act
- Intoxicated Persons Detention Act
- The Child and Family Services Act
- The Trespass Act

*NOTE: A municipality, First Nations community, or designated employer may only authorize its safety officers to take an intoxicated person into custody under section 2 of The Intoxicated Persons Detention Act if the safety officers are transporting the intoxicated person to cell facilities operated by the Community's Police Service (or RCMP), or to a detoxication centre designated by the Minister of Justice under The Intoxicated Persons Detention Act.*

## 2. Safety Officer Authority to Detain and/or Arrest

### (Update once Bill 34 proclaimed)

Safety officer's have the authority to enforce the statutes specified in their peace officer appointments. Those statutes may contain the authority to detain and/or arrest an individual in the course of enforcing the statutes. Safety officers must therefore know their authority limitations prescribed by their peace officer appointments as specified in their Operating Agreement. In addition, a safety officer may encounter circumstances where the commission of a criminal offence is occurring. In these instances, safety officers shall, having fully assessed the nature and dynamics of the situation;

- A. Operate under the primary philosophy of de-escalation and disengagement
- B. Detain only if, or when, operating within the scope and jurisdiction of duties as a Safety Officer where their lives or the life of the public is in imminent danger, or at risk of serious bodily harm, or when directed to do so by a police officer.
- C. When detention is required, turn the detained person(s) over to the police at the earliest opportunity.

## 3. Criminal Occurrence Procedures

- a. Attending to, or participation in, an incident in which weapons are suspected or reported is inherently dangerous and is the jurisdiction of the police; safety officers will not respond to such calls or become directly involved with the suspects. If during the normal course of duties, a safety officer encounters a situation in which weapons are present and there is a reasonable expectation that they may be used in an illegal manner or in a manner impacting the safety of the public or safety officer, they shall:
  - i. Remove themselves from any immediate harm;
  - ii. Contact the police agency of jurisdiction immediately;
  - iii. Be aware that the presence of a uniformed individual may escalate an event in progress and no efforts to involve themselves in the incident should be taken;
  - iv. Recognize that criminal matters and crimes in progress are the responsibility of the police; and
  - v. Be aware that safety officers do not have access to the full spectrum of tools/training to safely intervene in situations in which a weapon is present.

*NOTE: A safety officer may attempt to minimize the risk of harm to other persons in the immediate vicinity, so long as the action(s) taken do not place persons or a safety officer in danger. If safe to do so, safety officers may also observe and report to the police as a witness.*

- b. Response to calls involving domestic situations, sexual assaults, or any other criminal offence in progress is not permitted. The police are legally mandated to attend these occurrences and investigate in accordance with established practices.
- c. If during the normal course of duties, a safety officer encounters a domestic situation, sexual assault, or any other criminal offence in progress, they shall:
  - i. Contact the police agency of jurisdiction immediately;
  - ii. Be aware that the presence of a uniformed individual may escalate an event in progress and no efforts to involve themselves in the incident should be taken;
  - iii. Recognize that criminal matters and crimes in progress are the responsibility of the police; and
  - iv. Be aware that safety officers do not have access to the full spectrum of tools/training to safely intervene in situations in which a weapon is present.

*NOTE: A safety officer may attempt to minimize the risk of harm to other persons in the immediate vicinity, so long as the action(s) taken do not place persons or a safety officer in danger. If safe to do so, safety officers may also observe and report to the police as a witness.*

*Case Law Reference: R. v Ross (2019 MBPC 35) and R. v. McLeod.(2020 MBQB 80)*

#### **4. Check stops**

- a. A safety officer may only participate in a check stop if:
  - i. The safety officer has the authority to enforce the HTA pursuant to his/her peace officer appointment;
  - ii. The check stop is conducted in partnership with the local police agency of jurisdiction;

- iii. The check stop is not conducted with the intent to question drivers or performing initial screening of drivers for alcohol impairment or any Criminal Code related offence; and

- iv. The safety officers' participation does not extend beyond conducting traffic control onsite.

*NOTE: Impaired drivers/suspected impaired drivers (under proposed Bill 34 re: Immediate Roadside Prohibition as authorized in the HTA.) This is an area of law that is extremely complicated and diverse. Impaired driving is a Criminal Code offence and is the responsibility of the police of jurisdiction. Safety officers must not be actively engaged in impaired driving enforcement. It is recognized that there are occasions where a safety officer may encounter a suspected impaired driver during the regular course of their duties which may trigger an investigation, starting with an Approved Screening Device.*

## **5. Pursuits**

For the purposes of this Policy, a vehicular pursuit occurs when a safety officer follows a vehicle with the intent to stop the vehicle or driver and, in the course of doing so, operates the safety officer vehicle in a manner authorized by section 238(4) of the HTA, but not otherwise lawful in the normal course of operating a vehicle.

Whether the occupants of the subject vehicle are aware they are being followed by the safety officer, intentionally continue, initiate evasive action or ignore directions to stop are not relevant considerations.

Consistent with the intent of the Safety Officer Program in the provision of high priority/low risk to harm community safety services, safety officers will NOT engage in a pursuit for any reason or circumstance.

## **6. Spike Belts/Roadblocks**

- a. No safety officer will participate or assist in the deployment of a spike belt or other similar device; and
- b. No safety officer will participate or assist in the implementation of a roadblock.

## 7. Safety Officer Emergency Response

For the purposes of this Policy, emergency response is defined as the operation of an emergency vehicle, as defined by section 2(1)(q) of The Vehicle Equipment Regulations, 1987, while responding to an incident that requires the immediate attendance of a peace officer based on information received and the peace officer's risk assessment. The goal of providing an emergency response is to protect public health by minimizing the impact of the event on the community and the environment.

- a. Situations in which safety officers may engage in providing an emergency response is restricted to:
  - i. Injury collisions;
  - ii. Providing backup to police or other safety officers where there is a reasonable belief that the officer is in serious danger and the safety officer may be the closest assistance available; and
  - iii. If requested by a police agency to attend in an emergency-response capacity in emergencies.
- b. Safety officers will evaluate all situations to assess if the services they can provide on-scene outweigh the risk created to the public and themselves by traveling in an emergency response capacity. Public safety is the primary consideration in all emergency response situations.
- c. Safety officers engaging in providing an emergency response must do so in compliance with section 238 of the HTA.
- d. Safety officers must not regularly attend a fire or medical situation at the request of Fire or EMS services.
- e. All motor vehicle collisions resulting from emergency vehicle responses are to be reported to Manitoba Justice as a sensitive/serious occurrence.
- f. Emergency vehicular responses will not be conducted by a safety officer for the following:
  - i. Non-injury motor vehicle collisions;
  - ii. Providing backup to police or other safety officers where there is a police officer closer and already responding to the situation, unless requested by that police agency to attend; and

- iii. Any other non-urgent situations.

## **8. Motor Vehicle Collisions**

For the purposes of this Policy, a non-injury motor vehicle collision is defined as any motor vehicle collision in which the occupant(s)/pedestrian(s) do not require medical attention. There will be circumstances in which injuries result in medical care being provided after the event. In those circumstances, the injury collision file must be turned over to the police agency of jurisdiction.

- a. Authority may be granted for safety officers to investigate non-injury motor vehicle collisions. This authority allows municipalities or First Nations communities to supplement their existing community safety services by having safety officers attend non-injury motor vehicle collisions, allowing the police to focus their efforts on criminal and higher priority calls for service. If safety officers suspect that a collision involves a Criminal Code offence, he/she will immediately contact the police agency of jurisdiction and turn the investigation over to police.
- b. An injury collision scene and the investigation therein is the responsibility of the police. Assistance with traffic control, scene control, or other corollary steps may be provided at the request of the investigating police agency.
- c. A safety officer may provide assistance at any collision scene they encounter during the course of their duties. It is expected that a safety officer would provide assistance to any injured persons; notify the required emergency services; safeguard the scene for other road users; prevent further harm or injury; and otherwise provide/render assistance prior to the arrival of other emergency services.

## **9. Primary Highway Enforcement (under proposed Bill 34 authority)**

### **10. Traffic Safety Plans**

- a. The intent of a traffic safety plan is to bring awareness to the safety officer employer of the frequency and locations of motor vehicle collisions that involve serious injury or death, and to then direct enforcement activities to target causal factors.
- b. Traffic Safety Plans may be developed and implemented in partnership with the police agency of jurisdiction. The local police agency has the expertise and access to current data that best positions them to provide direction as to where enforcement resources are best deployed to enhance public safety.

## Part 16: Reporting Requirements

There are a number of reporting components designed to strengthen program integrity and provide for a volume of information about authorities exercised by safety officers who carry peace officer appointment. Information collected can be used to determine trends or patterns and in turn be used to build a solid business case for change should issues be identified.

Some examples that may potentially lead to updates to the Safety Officer Program (SOP) are as follows:

- Deployment/use problems with a particular weapon;
- Identified training deficiencies;
- Legal precedents or decisions; or,
- Systematic safety issues.

The following tables summarize all reporting requirements that apply to a safety officer and a SOP employer.

**Table 2 Safety Officer Report to the SOP Employer**

INCIDENT REPORTING TIMELINES	INCIDENT TYPE
WITHIN 24 HOURS	Any event, in which the safety officer has been investigated, arrested, or charged for an offence under the Criminal Code, Controlled Drugs and Substances Act, or any other enactment of Canada.
WITHIN 24 HOURS	Any event in which the safety officer has been investigated, arrested, or charged for an offence under any provincial statute of Manitoba.
WITHIN 24 HOURS	Loss or theft of a safety officer's collapsible baton or Oleoresin Capsicum (OC) spray.



**Table 3 SOP Employer Reports to the Executive Director of Policing Services and Public Safety**

INCIDENT REPORTING TIMELINES	INCIDENT TYPE
As soon as the SOP employer becomes aware	Any incident with a safety officer involving serious injury or the death of any person.  <i>This does not include circumstances where the safety officer provided traffic control for the police at a fatal or serious motor vehicle collision.</i>
As soon as the SOP employer becomes aware	Any complaint against a safety officer identified through an internal reporting process or public complaint.
As soon as the SOP employer becomes aware	Any incident where a weapon was used that involved a safety officer.
As soon as the SOP employer becomes aware	Any matter of a serious or sensitive situation related to the actions of a safety officer.  <i>If a SOP employer is uncertain if a situation is sensitive or serious, the SOP program manager should be contacted.</i>
As soon as the SOP employer becomes aware	Incidents in which a safety officer has violated the employer's code of conduct.
As soon as the SOP employer becomes aware	If the safety officer employer suspends or terminates employment or engagement for services of a safety officer, a brief explanation of the rationale for this action must be included.
As soon as the SOP employer becomes aware	If a safety officer provides notice of resignation to the SOP employer, the SOP employer shall provide the effective date of the safety officer's employment or service termination.
As soon as the SOP employer becomes aware	Any event in which the safety officer has reported to the SOP employer that he/she has been investigated, arrested, or charged for an offence under the Criminal Code, Controlled Drugs and Substances Act, or any other enactment of Canada.
As soon as the SOP employer becomes aware	Any allegations or identified Canadian Police Information Centre (CPIC) breaches, or SGI Auto Fund breaches.

As soon as the SOP employer becomes aware	Any changes to a safety officer’s employment mandate, including discontinuance of provincial statute enforcement as part of the safety officer’s job function.
As soon as the SOP employer becomes aware	Loss or theft of a safety officer’s collapsible baton or Oleoresin Capsicum (OC) spray.
Monthly	Completed Use of Force Report (template attached herein as <b>Appendix C</b> ).
Monthly	Each complaint made about a safety officer, unless earlier reporting was required due to incident type and the complaint has been reported.
Monthly	Each investigation initiated by a SOP employer.
Monthly	Each public complaint dismissed as frivolous, vexatious, or made in bad faith.
Monthly	Each public complaint otherwise not investigated or in which the investigation is discontinued prior to a finding.
Monthly	The dispositions of completed public complaints or SOP employer-initiated investigations. This obligation can be discharged by copying the executive director of Policing Services and Public Safety on the letters of ‘findings’ sent to the complainant or safety officer.
Monthly	Statistics showing safety officer-generated files, including number and type of tickets issued, revenue generated (post-conviction), and community presentations conducted (if applicable).
Annually	<p>An annual report showing at a minimum:</p> <ul style="list-style-type: none"> <li>• Name and position of the program contact person;</li> <li>• An updated list of safety officers employed and their positions within the agency;</li> <li>• A short summary describing the general nature of the community safety services provided by the safety officer’s, the operational practices of safety officers employed, and a list showing enforcement and enforcement related activities that took place.</li> </ul> <p>Submission dates for annual reports can be set by the SOP employer to coincide with any internal reporting systems. If the authorized employer indicates no date preference then these reports are due annually at the end of the calendar year.</p>

## Appendix A: Visual Identity Example

Name of Community

Community Logo

Position Title

Peace Officer



## Standard Uniform and Equipment

Safety Officer Program Employers may issue Uniform and Equipment once they have;

1. An authorized Operating Agreement with Manitoba
2. Officers have completed the certified Safety Officer Training Program

This section includes safety officers employed by a municipalities, First Nations communities, and designated employers.

### 1. The uniform shall consist of the following:

- a. Gray or navy blue shirt with safety officer shoulder flashes;
- b. Soft body armour/ballistic vest;
- c. Duty belt c/w handcuffs, baton, and Oleoresin Capsicum (OC) spray;
- d. Black/dark navy pants which may include grey/blue stripe;
  - i. Red striping is not authorized by PSD
- e. Black/dark navy patrol jacket with safety officer shoulder flashes;
- f. Highly visible safety jacket with 'safety officer across the back and safety officer shoulder flashes;
- g. Hat – ball cap or forage cap with a grey or blue banding and a cold weather protection hat; and
- h. Footwear will consist of black shoes or duty boots.

2. Any departures from the prescribed uniform must be approved in writing by the assistant deputy minister of the Public Safety Division
3. Safety officers shall not wear any part of the uniform when off duty.
4. Safety officers are required to keep their uniform kit in good, clean condition, and correct damaged articles as soon as practicable.
5. Safety officers shall maintain a high level of personal hygiene when on duty.

Uniform, shoulder patches and vehicle decaling shall not be similar to Police nor shall the word Police appear in any written identification, patches or decaling.

The following list is the “kit list” available to Safety Officers. Vendor contact information and order process may be obtained by contacting the Safety Officer Program Manager.

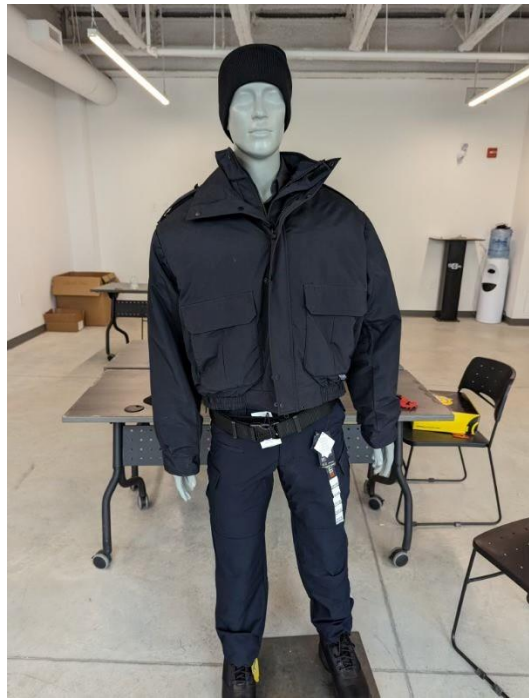
<p><b>COMMUNITY SAFETY OFFICER KIT LIST</b></p> <p>MEMBER’S NAME:</p> <p>COMMUNITY:</p>	
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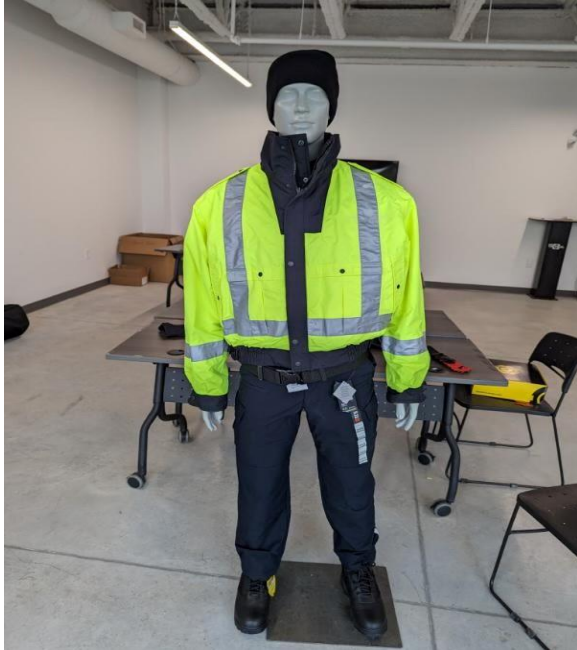
SERIAL #	NUMBER OF ITEMS	NAME OF ITEM	RE-ISSUE PROVISIONS	MEMBER’S INITIAL
4277348	1	AEROSOL PROJECTOR (PEPPER SPRAY)	UPON MARKED EXPIREY or EVERY TWO YEARS AS REQUIRED	
264538	1	HANDCUFFS / HANDCUFF KEY X2	NONE	
	1	TACTICAL BOOTS	EVERY TWO (2) YEARS AS REQUIRED	
	1	WINTER BOOTS	EVERY TWO (2) YEARS AS REQUIRED	
	3	LONG SLEEVE SHIRT	EVERY THREE (3) YEARS AS REQUIRED	
	3	SHORT SLEEVE SHIRTS	EVERY THREE (3) YEARS AS REQUIRED	
	1	5 IN 1 JACKET	EVERY FOUR (4) YEARS AS REQUIRED	
	3	PANTS	EVERY THREE (3) YEARS AS REQUIRED	
	1	TOUQUE	EVERY THREE (3) YEARS AS REQUIRED	
	1	BALL CAP	EVERY THREE (3) YEARS AS REQUIRED	

	1	SEARCH GLOVES	EVERY THREE (3) YEARS AS REQUIRED	
	1	WINTER GLOVES	EVERY TWO (2) YEARS AS REQUIRED	
	1	DUTY BELT	EVERY FOUR (4) YEARS AS REQUIRED	
	1	INNER BELT	EVERY FOUR (4) YEARS AS REQUIRED	
	1	PEPPER SPRAY HOLDER	EVERY FOUR (4) YEARS AS REQUIRED	
	1	FLASHLIGHT	EVERY FOUR (4) YEARS AS REQUIRED	
	1	FLASHLIGHT HOLDER	EVERY FOUR (4) YEARS AS REQUIRED	
	1	HANDCUFF CASE	EVERY FOUR (4) YEARS AS REQUIRED	
	1	BATON	NONE	
	1	BATON HOLDER	EVERY FOUR (4) YEARS AS REQUIRED	
1609613 1609614	1	BODY ARMOUR	UPON MARKED EXPIREY and RETURN OF EXPIRED ARMOUR	
	1 / 1	BELT KEEPERS / MED POUCH	EVERY FOUR (4) YEARS AS REQUIRED	
	1 / 3	NOTEBOOK PAD / 3 NOTEBOOKS	EVERY ONE (1) YEAR AS REQUIRED	

(rev. 07.2023)

**Uniform illustration.**







## Appendix B: Oath of Peace Officer

I, \_\_\_\_\_, do swear (or solemnly affirm) upon my appointment as a peace officer, and while employed by \_\_\_\_\_, that I will, without favour or affection, malice or ill-will, to the best of my ability and knowledge, well and truly serve His Majesty the King, uphold the principles in the Charter of Rights and Freedoms, preserve the peace, enforce the law and otherwise discharge the duties of my office faithfully and according to law. So help me God.

**NOTE:** Manitoba's Police Services Act (PSA) specifically states that police officers and members of the RCMP "have all the powers, duties, privileges and protections of a peace officer . . . at common law and under any enactment or application by-law" (sec 18(2) and sec 24(1).

Peace officer authority as designated by the PSA to safety officers, First Nations safety officers, and institutional safety officers "have all the powers, duties, privileges' and protections of a peace officer , , at common law and under the enactments as designated within the Operating Agreement between the Province of Manitoba and the respective Municipality."

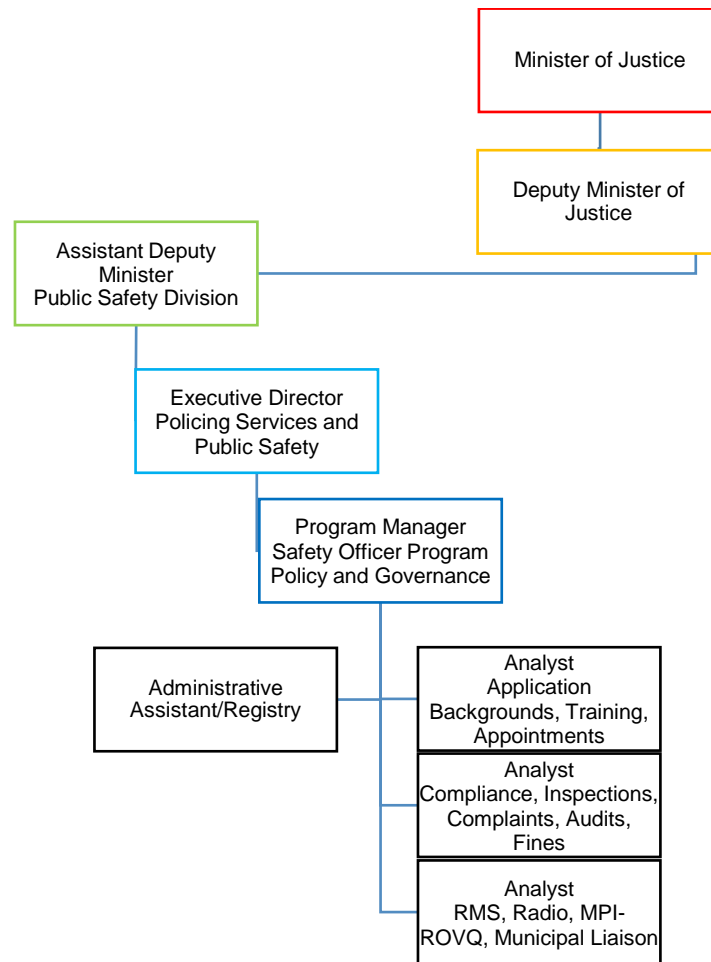


## Appendix C: Use of Force Annual Statistical Report

Name of Employer	Reporting Period Month ending _____, 20_____			
Incident Category	Legend			
Level I:	Use of force appropriate and fully compliant with policy			
Level II:	Use of force appropriate but less than fully compliant with policy – coaching/training provided			
Level III:	Use of force inappropriate but no criminal charges laid – remedial action undertaken			
Level IV:	Use of force inappropriate and criminal charges laid			
<b>REPORTABLE USE OF FORCE INCIDENTS</b>				
	Q1	Q2	Q3	Q4
Baton				
Joint Lock Causing Injury				
OC Spray				
Physical Strike Causing Injury				
Physical Strick Not Causing Injury				
Takedown /Throw Causing Injury				
Other				
TOTAL NUMBER BY CATEGORY				
<b>LEVEL II INCIDENTS</b>				
Training Issues Identified	Number of Incidents			
<b>LEVEL III INCIDENTS</b>				

Remedial/Disciplinary Action Taken	Number of Incidents		
LEVEL IV INCIDENTS			
Charge Laid	# Convicted	# Discharged	# Acquitted

## Appendix E: Administrative Structure (Under Development)



1. Minister of Justice
2. Deputy Minister of Justice
3. Assistant Deputy Minister, Public Safety Division
4. Executive Director, Policing Services and Public Safety
5. Program Manager, Safety Officer Program, Policy and Governance
6. Administrative Assistant, Registry
7. Analyst, Application Backgrounds, Training, Appointments
8. Analyst, Compliance, Inspections, Complaints, Audits, Fines
9. Analyst, RMS, Radio MPI-ROVQ, Municipal Liaison

## Appendix F: Enactment Authorities

A safety officer may perform the duties and exercise the powers as stipulated in the Police Services Act, Parts 7.1, 7.2 and 7.3, and Regulations;

- #229/2015 - First Nations Safety Officer
- #107/2019 – Community Safety Officer
- #90/2021 - Institutional Safety Officer

Specific enforcement authorities are drawn from the following Acts;

- Highway Traffic Act
- Off-Road Vehicle Act
- Liquor, Gaming and Cannabis Control Act
- Smoking Vapour Products Control Act
- Minors Intoxicating Substances Act
- Public Health Act
- The Mental Health Act
- Intoxicated Persons Detention Act
- The Child and Family Services Act
- The Trespass Act

A list of enactment authorities is available via the Safety Officer web-page at <https://www.gov.mb.ca/justice/commsafe/safetyofficer/index.html>

## Appendix G: Letter of Understanding

(template: modify as required)

### Facilitating the Safety Officer Program and Police Agency of Jurisdiction Operating Agreement

#### RELATIONSHIP

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WHEREAS The Police Services Act provides a layered policing model in which Safety Officer may support local policing authorities in implementing crime prevention strategies and initiatives, connecting social service providers with persons in need and maintaining a visible presence within the community;

WHEREAS the interests of public safety and community wellbeing are best served through policing agency collaborative problem solving and mutual collaboration;

WHEREAS every community, in conjunction with their police agency, is encouraged to develop community based crime prevention initiatives;

WHEREAS the Safety Officer Program Operating Agreement between MANITOBA and the MUNICIPALITY/FIRST NATIONS COMMUNITY/DESIGNATED EMPLOYER encourages a collaborative working REALTIONSHIP with the police agency of jurisdiction and its safety officers;

#### As Such the Parties Agree

The MUNICIPALITY/FIRST NATIONS COMMUNITY/DESIGNATED EMPLOYER and the POLICING AGENCY OF JURISDICITON shall be encouraged to develop a written **Letter/Memorandum of Understanding** which supports community safety objectives and includes general principles of cooperation.

The MUNICIPALITY/FIRST NATIONS COMMUNITY/DESIGNATED EMPLOYER and the POLICING AGENCY OF JURISDICTION be encouraged to set guidelines, expectations and priorities to identify and address community issues listed but not limited to those below.

1. Identified community safety “priority areas”
2. Addictions, mental health, homelessness issues
3. Demand on police resources and potential for task sharing & support
4. Community inclusion, systematic inequalities
5. Youth involved crime and harm
6. Social infrastructure, community inclusion, inequities, demographic, economic crimes
7. Road safety and transportation infrastructure integrity/preservation

8. Priority and prolific offenders
9. Housing/Cottage/Rental/Livability Issues (including short term rental, medicinal licencing, etc.)
10. Other areas of concern (including ongoing by-law challenges)

To ensure that adequate and effective policing is provided throughout Manitoba, the MUNICIPALITY/FIRST NATIONS COMMUNITY/DESIGNATED EMPLOYER and the POLICE AGENCY OF JURISDICTION are encouraged to regularly communicate to clarify respective roles, areas of ownership and areas where support may be provided.

### **Roles and Expectations**

- Conducting community patrols and maintaining a visible presence
- Facilitating the response of members of the local policing authority to situations that require police involvement
- Providing information to the local policing authority on ongoing emerging public safety issues
- Providing initial response to situations that pose a safety threat that are encountered while performing duties as peace officers, until members of the local policing authority are able to respond
- Setting expectations regarding detention of persons posing a safety threat until:
  - They are satisfied that the person no longer poses a threat to safety of themselves or others
  - A member of the local policing authority arrives to deal with the person or advises that the person should no longer be detained
- Radio Communications – interagency channel access
- Intelligence sharing protocols
- Officer safety considerations/guidelines
- Administrative access to Drivers Licencing and Motor Vehicle Information
- Providing assistance to police with:
  - Traffic enforcement projects
  - Search warrant support
  - Crime and accident scene management
  - Prisoner bail hearings and transport
  - MHA client management and hospital admission
  - Witness identification
  - Assisting with arrest warrants
  - Serving subpoenas
  - Receiving reports from the public respecting criminal incidents or matters under The Highway Traffic Act
- Performing municipal public safety programs such as transit security, etc.

**Signed by:**

**Date:**

## Appendix H: Safety Officer Inspector Appointment

### Pursuant to The Highway Traffic Act, C.C.S.M. C. H60

WHEREAS Section 323(1.1) of *The Highway Traffic Act*, C.C.S.M. c. H60 (the “Act”) enables the Minister of Transportation and Infrastructure (or designate), in writing, to appoint persons or classes of persons as “Inspectors”, or otherwise known as “Safety Officers”, for the purpose of enforcing this Act and the regulations, and for any other purposes of this Act or the regulations; and,

WHEREAS safety officers are provincially appointed through Manitoba Justice, and as partners of Manitoba Motor Carrier Enforcement, promote safe roads within their respective municipalities within the province of Manitoba, through the enforcement of provisions in *The Highway Traffic Act* related to commercial vehicles and drivers;

I, **NAME**, Deputy Minister of Transportation and Infrastructure, pursuant to the above referenced legislation, do hereby appoint **NAME** (the “Appointee”), a safety officer, the powers and authorities granted, conferred or imposed by the Act, for all purposes related to the Act, including, but not limited to the Inspector powers and duties identified in sections of the Act (reproduced in Appendix “A” hereto) and in any regulations made under the Act;

THIS APPOINTMENT is made effective as of , and shall remain in force until such time as revoked or amended in writing or in the event that \_ vacates their position as a safety officer, or otherwise leaves their employment with their respective municipality;

IT IS FURTHER UNDERSTOOD that this appointment cannot be transferred or further appointed;

THIS APPOINTMENT is provided for the purposes as contemplated in the aforesaid legislation in order to enable \_\_ to carry out all “Inspector” duties, powers and functions which are otherwise required of a safety officer in relation to commercial vehicle enforcement within their respective municipality;

THIS APPOINTMENT does not revoke or derogate any prior appointments.

---

Safety Officer  
Municipality

---

Deputy Minister of Transportation and Infrastructure  
Province of Manitoba

---

Date

---

Date

## **Appendix I: Safety Officer Inspector Appointment**

### **Pursuant to The Highway Traffic Act, Manitoba Motor Carrier Enforcement**

#### **MANDATE:**

The mandate of safety officers in relation to this appointment, are to protect the infrastructure of their respective municipalities through road-safety enforcement and industry engagement.

#### **BACKGROUND:**

As a partner-agency to Manitoba Motor Carrier Enforcement, (MMCE), provincially appointed safety officers work to promote safe and sustainable truck operations on the roadways of their respective municipalities. This is accomplished through the efforts of safety officers protecting their respective municipality's investment in infrastructure, such as roads and bridges, by monitoring industry compliance with weights and dimensions and promoting commercial vehicle road-safety.

MMCE is the lead agency in Manitoba responsible for monitoring industry compliance with weights and dimensions and conducting Commercial Vehicle Safety Alliance (CVSA) roadside inspections, which places unsafe regulated vehicles and drivers out-of-service until the dangerous conditions are remedied. As such, MMCE has provided the aforementioned safety officer with the required training to perform the duties required to enforce compliance with applicable weights and dimensions in relation to regulated vehicles.

#### **APPOINTEE'S ENFORCEMENT POWERS**

Without limiting the generality of the scope of the appointee's authority, in performing his/her duties, the appointee is specifically authorized to use the following powers, enacted under the act.

#### **Peace Officer**

The act defines Peace Officer as:

“any person lawfully authorized to direct or regulate traffic, or to enforce this act or traffic by-laws or regulations”.

Given the provided definition, it is understood that safety officers are deemed to be “Peace Officers” pursuant to the act.



### **Inspection by peace officer**

**65(1)** A peace officer may at any time stop and inspect or cause to be inspected any equipment on a vehicle or bicycle on a highway, and may, if the equipment or any part thereof does not comply with this act or with the regulations, require that the driver or operator thereof have, and the driver or operator shall proceed forthwith to have, the equipment made to comply therewith.

### **Removal of unsafe vehicle on order of peace officer**

**66(1)** Where a vehicle is, in the opinion of a peace officer, in such a condition that it cannot safely be driven on a highway, the peace officer may require the owner or the driver to remove it, or cause it to be removed, from the highway, either under its own power or by being towed or carried or otherwise removed, as the peace officer may direct; and the owner or driver, as the case may be, shall comply with the requisition of the peace officer.

### **Removal by peace officer of unsafe vehicle**

**66(2)** Where the owner or driver of a vehicle does not, within a reasonable time, comply with the requisition of a peace officer made under subsection (1), the peace officer may cause the vehicle to be removed from the highway and to be taken to, and stored in, a suitable place; and all costs and charges for the removal, care, or storage, of the vehicle shall be a lien thereon and may be enforced in the manner provided in The Garage Keepers Act.

### **Weighing of vehicles**

**72(1)** A peace officer may at any time stop and weigh, or cause to be weighed, any vehicle or any vehicle and load, on a highway; and, for that purpose, he may require that the vehicle be driven to any scale capable of weighing the vehicle and its load and which is available for use at the time of the demand made by the peace officer.

### **Peace officer may stop vehicles**

**76.1(1)** A peace officer, in the lawful execution of his or her duties and responsibilities, may require the driver of a vehicle to stop, and the driver of the vehicle, when signalled or requested to stop by a peace officer who is readily identifiable as such, shall immediately come to a safe stop and remain stopped until permitted by the peace officer to depart.

### **Peace officer's authority — driver information**

76.1(4) Without limiting the generality of subsection (1), a peace officer may, at any time when a driver is stopped,

(b) require the driver to produce his or her licence, and the vehicle's insurance certificate and registration card and any other document respecting the vehicle that the peace officer considers necessary;

### **Peace officer's authority — passenger information**

76.1(5) For the purpose of enforcing any provision of this act or the regulations, a peace officer may require a vehicle's passenger to give his or her name, date of birth and address to the officer.

### **Right to counsel**

76.1(6) A peace officer is not required to inform a driver or passenger of his or her right to counsel, or to give the driver or passenger the opportunity to consult counsel, before doing anything subsection (4) or (5) authorizes.

### **Peace officer's authority unaffected**

76.1(7) Nothing in this section limits or negates a peace officer's authority to request information from a driver or passenger or to make any observations of a driver or passenger that are necessary for the purposes of road safety enforcement.

### **Direct traffic on a roadway**

76 (2) Peace officer or firefighter may direct traffic. A peace officer or firefighter may exercise a power set out in subsection (1) when the peace officer or firefighter considers it reasonably necessary.

### **Enter on Private land**

124.8 A peace officer may enter on private land for the purpose of enforcing this act and the regulations, and while so engaged is not liable for trespass.

### **Production of proof of insurance**

226(3) The owner, driver or operator of a vehicle that is being operated on a highway, or who is making, or is required to make, a report under section 155 shall, on request of a peace officer, produce to the peace officer

(a) a motor vehicle liability insurance card that was issued in respect of, or that relates to, the vehicle; and

(b) where the driver holds, or is required to hold, a licence issued under The Drivers and Vehicles Act, a certificate of insurance issued in respect of that licence.

**Powers of an inspector and peace officer**

312.3(1) An inspector or other peace officer may

(a) enter any place where a regulated vehicle is kept, stored or repaired;

(b) inspect any regulated vehicle or its cargo; and

(c) order a regulated vehicle out of service if they reasonably believe that the regulated vehicle

(i) is unsafe for use on a highway, or

(ii) does not comply with this act or the regulations.

## Appendix J: Safety Officer Inspector Appointment

### Pursuant to The Provincial Offences Act (POA)

2(1) This act applies to every case in which a person commits or is suspected of having committed an offence, unless another Act provides otherwise.

Given the above, safety officers may utilize provisions of the POA to enforce The Highway Traffic Act and the regulations.

As it pertains to safety officers, the POA defines “enforcement officer” as

(c) subject to the regulations, a person appointed or designated under an act to enforce that act;

(e) any other person or class of persons designated in the regulations.

Given the above, safety officers shall be deemed enforcement officers pursuant to the POA for the purpose of enforcing the act and regulations.

## Appendix K: Safety Officer Inspector Appointment

### CPIC Reporting Structure

This CPIC reporting structure is established to ensure the Ministry, CSO employers and CSOs comply with the CPI Centre System Compliance and Integrity 13.4.1.1 policy of the CPIC Policy Manual (May 2015). For the sake of consistency with that policy in the assessment of breaches and misuse of CPIC and CPIC-related information, the following chart provides the levels of severity to which such incidents can be measured: Type of misuse/breach

Type of Disclosure	User with Authorized System Access	By Persons with Unauthorized Access
No disclosure	1	2
Unintentional disclosure to unauthorized persons	2	3
Intentional disclosure to unauthorized persons	3	4
Viewing information for personal reasons	4	5
Viewing/disclosure for personal gain	5	6
Viewing/disclosure with criminal intent	7	8
Viewing/disclosure with intent to compromise investigation/court proceedings	9	10
Intentional viewing/disclosure resulting in injury or death	10	10
Severity Levels: 1 =Low 10 =High		

For the purposes of the CPIC Reporting Structure, the Safety Officer Program's Agency Head/delegate means the **Director of Policing, Manitoba Policing Services and Public Safety**. (the *Director*)

### Reporting Structure

1. In the event a CSO employer becomes aware of a suspected or identified breach or misuse of CPIC information as outlined above:

- a) The CSO employer must immediately notify the Safety Officer Program Manager (SOPM) and provide the following details:
  - i. The name, date of birth, the CSO's Special Constable number;
  - ii. The details of the occurrence, including the names of any other individuals involved in the occurrence; and

- iii. The level of severity of the misuse.
  - b) The SOPM must immediately advise the Director/delegate in writing of the details listed in subsection 1(a).
  - c) The Director/delegate must promptly notify the CPI Centre DG and report the details listed in subsection 1(a) and provide the Ministry's ORI number.
  - d) As soon as the details become available, the Director must promptly notify the CPI Centre DG and report the following:
    - i. The details of the investigation; and
    - ii. Any corrective measures, discipline/sanctions, or actions taken.
2. In the event the Director becomes aware of a suspected or identified breach or misuse of CPIC information through a source other than the involved CSO employer, the Director/delegate shall:
  - a. Notify the involved CSO employer of the suspected or identified breach or misuse of CPIC information and advise that the SOPM will investigate the occurrence(s);
  - b. Promptly notify the CPI Centre DG of the suspected or identified breach or misuse of CPIC information, and provide the details listed in subsections 1(a) and (d) as soon as they become available.
3. Following an investigation into a suspected or identified breach or misuse of CPIC information and, should a CSO's user access to a CPI Centre system be revoked by the Director for reasons of misuse, Form 5139, *CPI Centre User Authorization Request* (as found in Appendix C of the CPIC Policy Manual (May 2015)) must be completed by the Director and forwarded to the CPI Centre immediately.
4. Any subsequent request for access to a CPI Centre system for a user whose access had previously been revoked due to misuse will be referred to the CPI Centre DG and the Agency Head for review.