

Policy Name:	GANG / CRIMINAL ORGANIZATION INVESTIGATIONS		
Policy #:	OP 4.38	Last Updated:	2022-05-12
Issued By:	INVESTIGATIVE SERVICES BUREAU	Approved By:	SURREY POLICE BOARD
		Review Frequency:	AS REQUIRED

RELATED POLICIES

OP 4.19 Duty to Warn

OP 4.26 Gang Intelligence

1. PURPOSE

1.1. To provide guidance to Surrey Police Service (SPS) Members regarding investigations involving people who are associated to Gangs/Criminal Organizations.

2. SCOPE

2.1. This policy applies to all SPS Members.

3. POLICY

3.1. An incident shall be determined to be related to a Gang/Criminal Organization when one or more of the following criteria are met:

- i. the participants (suspects or victims) are identified as Gang/Criminal Organization members or associates;
- ii. police or other reliable information (e.g., from a reliable confidential informer) is received that identifies the incident as related to a Gang/Criminal Organization;
- iii. the incident is consistent with known indicators of Gang/Criminal Organization activity; or
- iv. physical evidence exists that gives the investigator reasonable grounds to believe that the incident was Gang/Criminal Organization-related.

3.2. Gang/Criminal Organization-related crime relies heavily on acts or threats of violence and frequently involves weapons, including firearms, during the commission of offences. To reduce the level of fear that the community may experience due to Gang/Criminal Organization activity,

SPS will work in partnership with the community to identify, interdict, and disrupt Gang/Criminal Organization activity and its participants.

3.3. SPS's Proactive Enforcement Section works in collaboration with the provincial Combined Forces Special Enforcement Unit (CFSEU-BC) to target, investigate, and prosecute crimes committed by Gang/Criminal Organization members and associates.

3.4. Gang/Criminal Organization-related crime is multijurisdictional and other law enforcement agencies may have an interest in certain individuals. This should not deter a Member from investigating an offence involving a suspected Gang/ member or associate; however, Members are reminded that Gang/Criminal Organization members and associates may be subject to ongoing sensitive investigative techniques and/or Duties to Warn by other agencies. Members must ensure that investigative deconflict during all investigations involving Gang/Criminal Organization members and associates.

4. PROCEDURE

S. 15 [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

End Gang Life

4.9. End Gang Life is a comprehensive Gang education, prevention, and awareness initiative. Its goals are to engage and educate the public about Gangs, prevent youth and young adults from joining Gangs, and encouraging those involved in Gangs to exit. The Gang Intervention and Exiting Team (GIET) provides support to high-risk individuals engaged in Gang-related activities who wish to exit Gang life. Service can also be extended to family members who support the person's exit from Gang life. The publicly available GIET helpline number is 604-897-6023 and the email address is gangintervention@cfseu.bc.ca.

S. 15

Inadmissible Patrons Program

4.11. An Inadmissible Patron is a person whose lifestyle, associations and/or activities pose a risk to public safety, either directly or from third parties. The goal of the Inadmissible Patrons Program (IPP) is to:

- i. deter public violence caused by organized crime groups and their associates by making it known that they are unwelcome in and will be removed from participating establishments;
- ii. reduce the threat of collateral violence to establishment patrons by deterring individuals, whose activities pose a risk to public safety, from frequenting participating establishments; and
- iii. reduce interactions between establishment staff and individuals associated to criminal activity to eliminate the intimidation and fear such contact can bring.

4.12. Under the IPP:

- i. licensed establishments voluntarily participate in the IPP and sign an agreement authorizing the police to act on their behalf to identify and remove Inadmissible Patrons from the premises;
- ii. authority to remove patrons is under the *Trespass Act*, which allows an authorized person to collect a patron's name and address (section 6(1)) and ask them to leave the premises (section 2(3)). The patron(s) will not be charged if they leave as requested. Authority for ejection from licensed premises also exists in sections 35 (defence of property) and 430(1) (mischief to property) of the *Criminal Code*; and
- iii. if individuals are deemed to be an Inadmissible Patron they will be refused entry to the premises or will be asked to leave, if they are identified after they have already entered. Patrons do not have a legal right to enter a licensed premises because the premises are private property and subject to the rules set by the owners and operators of the premises.

- 4.13. When Inadmissible Patrons are identified by licensed premises staff, SPS will be contacted by telephone and notified. A Member will attend but will not make face-to-face or direct contact with the complainant, to ensure their ongoing anonymity.
- 4.14. The Operational Communications Centre will dispatch complaints of an Inadmissible Patron to GET Members in the first instance. If there are no GET Members available, Frontline Members will be dispatched.
- 4.15. Members attending an Inadmissible Patron complaint will check the person on PRIME-BC and CPIC to confirm the patron's involvement in serious and/or violent criminal activities associated to Gangs/Criminal Organizations. If the patron meets the criteria for ejection, the Member will speak with the patron(s) and escort them off the private property premises.
- 4.16. The Member will document the matter in a PRIME-BC report, identifying the circumstances of the complaint and the identities of all Inadmissible Patrons ejected from the premises.

APPENDIX A: DEFINITIONS

“Associate” means, for the purposes of gang-related investigations, a person who knowingly associates with the members of a criminal organization or criminal street gang and participates in its activities, without benefit of full membership status.

“CFSEU-BC” means the Combined Forces Special Enforcement Unit of British Columbia.

“CPIC” means the Canadian Police Information Centre, the computerized national information repository and retrieval system operated by the RCMP on behalf of the nation's policing community that facilitates the sharing of information among authorized agencies.

“Criminal Organization” means a group, however organized, that is composed of three or more persons in or outside Canada and has one of its main purposes or main activities the facilitation or commission of one or more serious offences that, if committed, would likely result in the direct or indirect receipt of a material benefit, including a financial benefit, by the group or by any of the persons who constitute the group. It does not include a group of persons that forms randomly for the immediate commission of a single offence. See the *Criminal Code*, section 467.1(1).

“Gang” means, for the purposes of gang-related investigations, the same as a Criminal Organization. Also known as a “street gang” or “criminal street gang”.

“Inadmissible Patron” means a person whose lifestyle, associations and/or activities pose a risk to public safety, either directly or from third parties. This includes people who are involved with or associated to criminal organizations, gangs, and the drug trade.

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“PRIME-BC” means the Police Records Information Management Environment, the provincial police records management system.

“Supervisor” means a Sergeant, Staff Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and any other person acting in a Supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

APPENDIX B: REFERENCES

Combined Forces Special Enforcement Unit – <https://www.cfseu.bc.ca>

Criminal Code, R.S.C. 1985, c. C-46

Gunshot and Stab Wound Disclosure Act, S.B.C. 2010, c. 7

Surrey RCMP – *Inadmissible Patrons Program (IPP)*, 2019-05-28

Trespass Act, R.S.B.C. 2018, c. 3