



Policy Name:	EXTENDING RADIUS OF ARREST WARRANTS – FUGITIVE RETURN		
Policy #:	OP 4.49.1	Last Updated:	2022-05-12
Issued By:	INVESTIGATIVE SERVICES BUREAU	Approved By:	SURREY POLICE BOARD
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RELATED POLICIES

AD 9.10 *Legal Processes: Summonses / Subpoenas / Arrest Warrants*

OP 4.49.4 *Search Warrants and Production Orders*

1. PURPOSE

1.1. To provide guidance to Surrey Police Service (SPS) Members regarding extending the geographical coverage (radius) of arrest warrants from other jurisdictions.

2. SCOPE

2.1. This policy applies to all SPS Members.

3. POLICY

3.1. Persons wanted on outstanding arrest warrant(s) with a limited jurisdictional radius that does not extend to Surrey, B.C. may be subject to arrest and returned to the jurisdiction which issued the warrant if the offence is related to violence, other serious criminal offences, gang crime, or Crown Counsel determines it is in the public interest to extend the jurisdictional radius of the outstanding arrest warrant to B.C.

3.2. The authority to arrest an individual wanted in another province is found under section 495(1)(a) of the *Criminal Code*. This section gives police the authority to arrest anyone who has committed an indictable offence, or whom, on reasonable grounds, the Member believes has committed an indictable offence (including all dual offences) or is about to commit an indictable offence. The existence of an entry for a person’s arrest warrant on the Canadian Police Information Centre (CPIC) provides Members with reasonable grounds to believe that the person has committed an indictable offence(s) as required under section 495(1)(a) of the *Criminal Code* and is therefore subject to arrest. In addition, there are other CC sections that provide a process by which arrested

persons are brought before the Court to have their warrants addressed. These include sections 503(3) CC and section 528(2) CC.

- 3.3. If the radius of the arrest warrant associated to the criminal charge does not extend to Surrey, B.C., there are steps the Member can take to have the radius of the outstanding warrant extended to include Surrey.

4. PROCEDURE

- 4.1. When a Member has knowledge obtained from a CPIC entry that a person has an outstanding warrant of arrest for criminal charges and the jurisdictional radius of the warrant of arrest does not extend to Surrey, B.C., the Member may take these steps to attempt to extend the radius of the arrest warrant if:

- i. the outstanding arrest warrant is for a violent offence and is serious in nature; or
- ii. it is in public interest to have the outstanding arrest warrant to be extended.

- 4.2. If the requirements in section 4.1 above are satisfied, SPS Members are to contact the Crown Counsel who has file knowledge and request the warrant be extended to British Columbia.

- 4.3. An Administrative Crown Counsel can determine whether to have the warrant radius extended. When Crown Counsel approves, police can then bring the accused before a Judge or Justice of the Peace and seek a six-day remand in custody under section 503(3) of the *Criminal Code*.

- 4.4. The Province of British Columbia has a signed Memorandum of Understanding between the Royal Canadian Mounted Police (RCMP) and independent municipal police agencies in British Columbia that assists in sending some individuals with outstanding warrants from British Columbia to another jurisdiction.

Provincial Fugitive Return Program

- 4.5. The B.C. Police Services Branch provides an annual budget to the RCMP under the Provincial Police Service Agreement for the purpose of funding the Provincial Fugitive Return Program (PFRP).

- 4.6. To identify, target and arrest individuals wanted on out-of-province warrants, these are the governing criteria that will be considered by the PFRP Coordinator:

- i. the individual is wanted for a violent crime beyond simple assault or threats (e.g., sexual assault, robbery, aggravated assault, assault causing bodily harm);
- ii. the individual is wanted for serious and sensitive crimes where offences involve undermining the administration of justice; and
- iii. offences that relate to organized or gang crime.

4.7. The PFRP is managed by a PFRP Coordinator provided and administered by RCMP “E” Division. The PFRP Coordinator is responsible for liaising with other stakeholders, Crown Counsel and out-of-province police agencies for the return of the wanted person.

Engagement with Program Coordinator

4.8. When a Member arrests a person whom the Member believes is an individual suitable for the PFRP, the Member must:

- i. generate a Police Records Information Management Environment (PRIME-BC) file documenting the police service holding the warrant. The PRIME file will include:
 - a. a current photo of the candidate (to confirm identity request from the police service holding the warrant);
 - b. CPIC information/background (including summary);
 - c. PRIME-BC history (including summary, ensure queries of all servers as the arrest candidate may be transient);
 - d. criminal record showing disposition of charges;
 - e. confirmation the subject does not have outstanding judicial matters within BC Courts;
 - f. summary of warrant offence and/or substantive offence warrant relates to;
 - g. copy of outstanding warrant(s);
 - h. copy of outstanding information(s) if available;
 - i. documentation of any correspondence with the police service holding the warrant; and
 - j. documentation with Crown from the jurisdiction where the warrant was issued if applicable.
- ii. Once the PRIME-BC file is complete and if seeking PFRP funding, the Member will contact the PFRP Coordinator and provide the name of the wanted person and associated PRIME-BC file for review.

4.9. The PFRP Coordinator will then review regarding the viability and approval for funding, including whether Crown Counsel in the jurisdiction outside B.C. wishes to continue with prosecution of the arrest candidate. Once a decision has been made whether to send the person to the originating jurisdiction, the PFRP will notify the Member, and what steps need to be taken, if any.

APPENDIX A: DEFINITIONS

"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.

"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.

"SPS" means Surrey Police Service.

APPENDIX B: REFERENCES

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