POLICY MANUAL: OPERATIONAL

Policy Name:	DUTY TO WARN		
Policy #:	OP 4.19	Last Updated:	2022-05-12
Issued By:	COMMUNITY SERVICES BUREAU	Approved By:	SURREY POLICE BOARD
		Review Frequency:	AS REQUIRED

RELATED POLICIES

AD 9.11 Making Records Private or Invisible

AD 9.12 PRIME-BC

AD 9.18 Security and Confidentiality of Records and Information

AD 9.20 Intelligence Sharing

OP 4.34.8 Major Case Management

OP 4.11 Confidential Informants / Agents

OP 4.19.1 Duty to Warn – Public Interest Notification

OP 4.51 Young Persons

1. PURPOSE

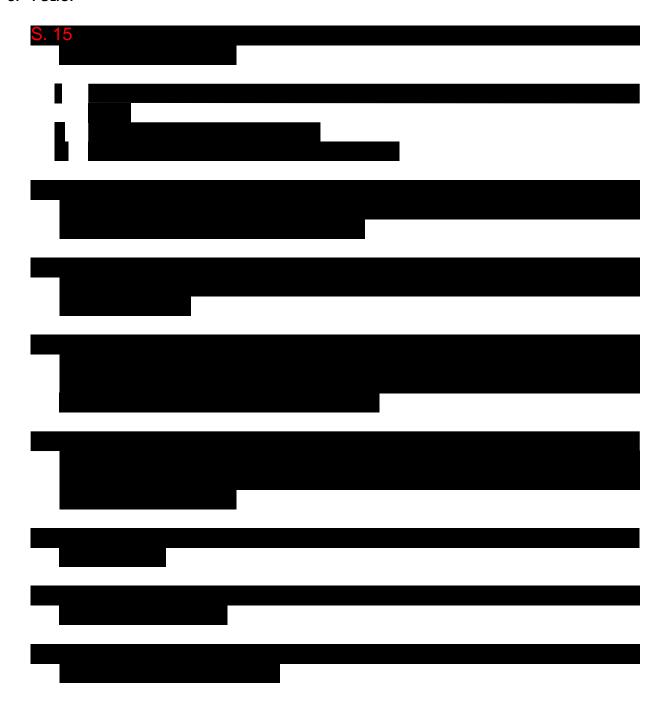
- 1.1. Surrey Police Service (SPS) has a legal duty to warn members of the public when there are reasonable grounds to believe there is a risk of significant harm, to an affected group of people, or an individual. Based on the risk, SPS will determine the need and urgency to conduct an inperson warning and will determine necessary safety measures to mitigate the risk of harm. This policy will outline the SPS process for conducting a Duty to Warn (DTW) notification.
- 1.2. To supplement and support existing practices by which information is shared between police services and other criminal justice agencies.
- 1.3. To enhance public confidence SPS will notify members of the public when there are reasonable grounds to believe there is a risk of significant harm to the public, to an affected group of people, or an individual.

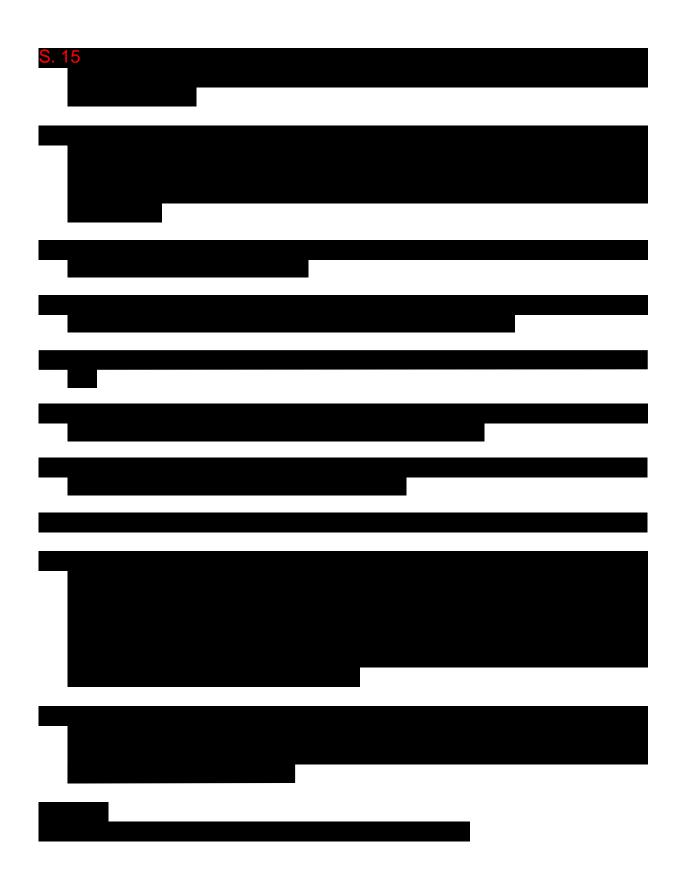
1.4. To balance the protection of confidential information and the need to warn members of the public, only sharing information that would not identify the source of the information.

2. SCOPE

2.1. This policy applies to all SPS Employees.

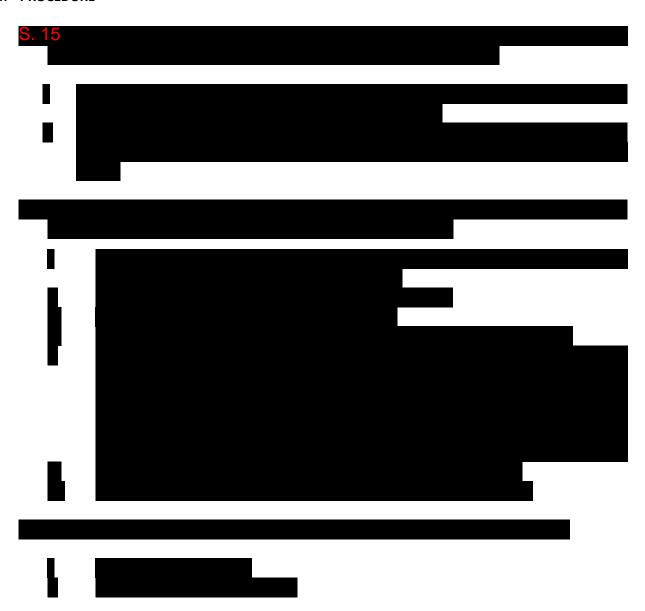
3. POLICY



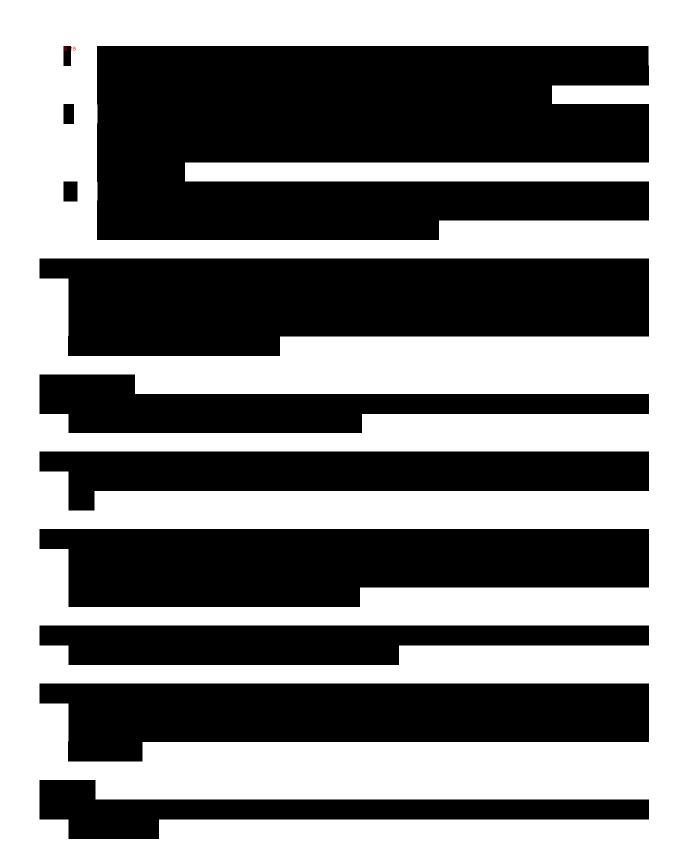


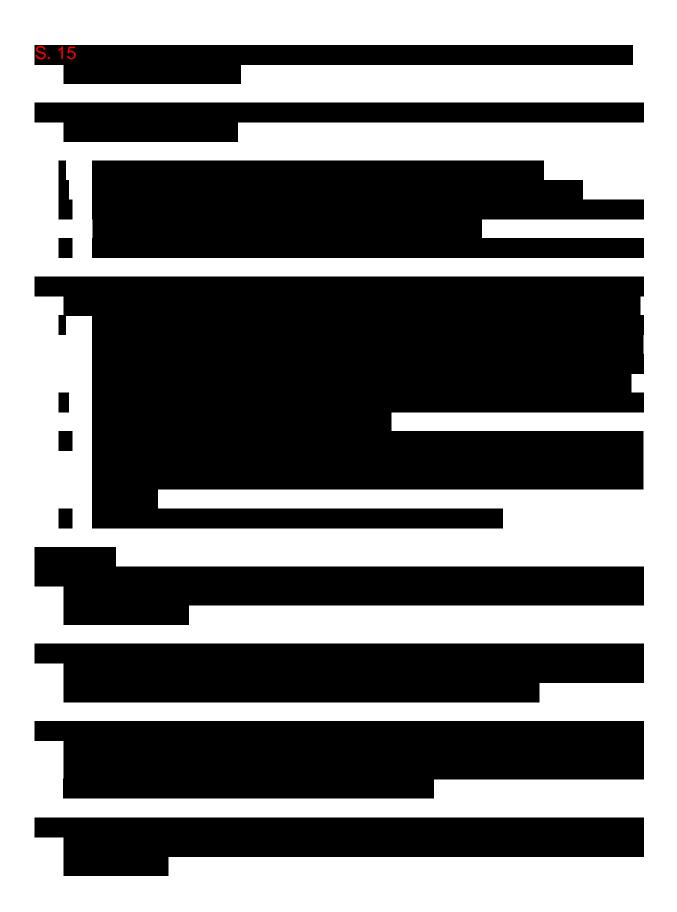


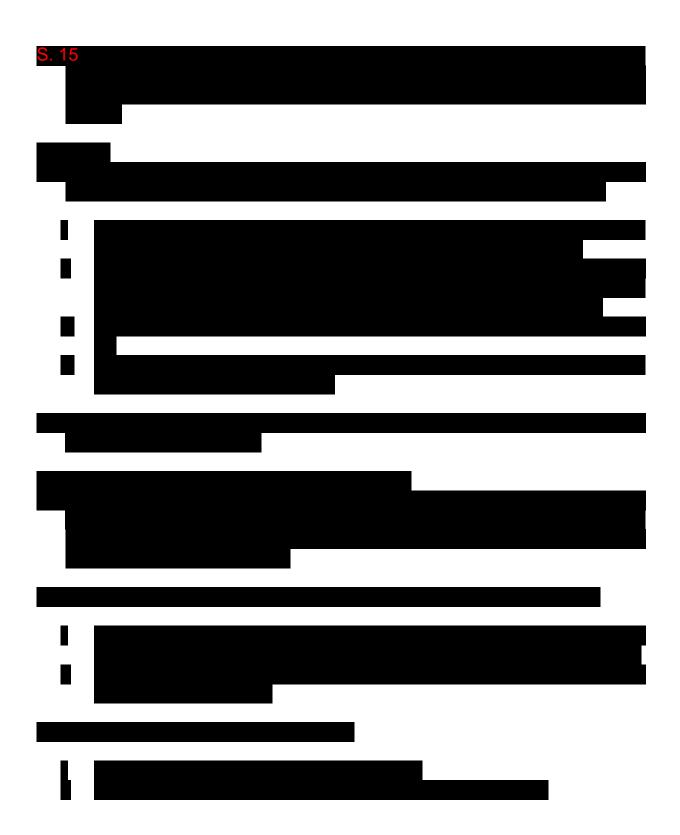
4. PROCEDURE













APPENDIX A: DEFINITIONS

"CI" means Confidential Informant.

"Deconfliction" means the process of identifying commonalities that may exist within one or more projects or major files.

"Duty Officer" means the Frontline Policing Inspector.

"DTW" means Duty to Warn.

"Intended Victims" means one or more persons who have been identified as potential victims of a threat of death or serious bodily harm.

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

"OCU" means Organized Crime Unit.

"POJ" means Police of Jurisdiction.

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

"RTIC-BC" means the Real-Time intelligence Centre - British Columbia.

"SPS" means Surrey Police Service.

"Subject matter resource" means an individual who has specific knowledge and abilities based on training and experience with DTW investigations.

"Supervisor" means 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.

"UCR" means Uniform Crime Report.

"Unintended Victims" means one or more persons whose safety may be at risk due to their close proximity or relationship to the intended victims (examples: family members, neighbours, co-workers, or the community).

APPENDIX B: REFERENCES

Canadian Charter of Rights and Freedoms, Part I of the Constitution Act, 1982

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

Doe v. Metropolitan Toronto (Municipality) Commissioners of Police, (1998), 39 O.R. (3d) 487 (ONSC)

Privacy Act, R.S.C. 1985, c. P-21

Smith v. Jones, [1999] 1 S.C.R. 455

APPENDIX C: SAMPLE DTW NOTIFICATION SCRIPT

Below is a sample script for a DTW Notification. All DTW Notification Scripts are Protected "B" and must not be disclosed outside SPS without approval of the Organized Crime Unit Officer or designate and Crown Counsel, if required.

Each DTW Notification Script should be tailored to the investigation and provided as much information as possible without compromising the source of the information. The Intelligence Management Team Coordinator can assist in creating the script.

PROTE	CTED "B"		
[date]	O WARN: First Name, Last Name (DOB:) W FILE NUMBER:		
Adviso	ry - This Duty to Warn Notification is being Audio Recorded		
(1)	The Police have determined by way of one or more investigative avenues that made against your life. At this time, we are unable to provide you specific detail		
	Do you understand a threat has been made against your life?	Yes	No
(2)	Do you understand that although there is no specific threat against your family that possibility they could be injured during an attempt on your life. Police has the Ministry of Children and Family Development if a potential threat to children a. Do you understand? b. Would you like the police to notify your family, friend(s) or other individuagainst you? Details:	ve a dut n is iden Yes	ty to notify tified. No the threat
(3)	Would you like police assistance?	Yes	No
(4)	If you would like police assistance, what would you like the police to do for you? Details:)	
(5)	If you do not want police assistance, we suggest you take appropriate and leg yourself, family and friends.	gal preca	autions for
(6)	If you chose to discuss this warning with others engaged in criminal activity yourself to future or additional risk.	you m	iay expose
	Do you understand?	Yes	No
Membe	er: Signature:		

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[Below noted content could be used i	n the event there	is information th	e intended	victim may	be at risk if
associated to a particular location o	r vehicle but that	the information	regarding i	the specific	location or
vehicle is too sensitive to share]					

You may be putting yourself at risk if you spend ti	me in any residence	, vehicle or location	frequented by
those who engage in a criminal lifestyle.			

Do you understand?	Yes	No
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[Below noted content could be used if partner agencies such as MCFD or Corrections have been notified due to the subject being under the care of the Province of British Columbia]

Please be aware that the Secwepemc Child & Family Services, the Ministry of Children and Family Development, and Kamloops Community Corrections have been made aware of the threats that have been made against your life as you are currently in the care of the Province of British Columbia.

Do you understand?	Yes	No
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