

<b>Policy Name:</b>	<b>DUTY TO WARN</b>		
<b>Policy #:</b>	OP 4.19	<b>Last Updated:</b>	2022-05-12
<b>Issued By:</b>	COMMUNITY SERVICES BUREAU	<b>Approved By:</b>	SURREY POLICE BOARD
		<b>Review Frequency:</b>	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 in-person 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**

**S. 15** [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

S. 15

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

S. 15

[REDACTED]

[REDACTED]

#### 4. PROCEDURE

S. 15

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

S. 15

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

S. 15

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]

[REDACTED]

- [REDACTED]



S. 15

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## **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.

**PROTECTED “B”**

**DUTY TO WARN: First Name, Last Name (DOB:)**  
**[date]**  
**SPS DTW FILE NUMBER:**

**Advisory - This Duty to Warn Notification is being Audio Recorded**

(1) The Police have determined by way of one or more investigative avenues that a threat has been made against your life. At this time, we are unable to provide you specific details of the threat.

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 or friends, there is that possibility they could be injured during an attempt on your life. Police have a duty to notify the Ministry of Children and Family Development if a potential threat to children is identified.

a. Do you understand? Yes\_\_ No\_\_

b. Would you like the police to notify your family, friend(s) or other individuals of the threat against you? Yes\_\_ No\_\_

Details: \_\_\_\_\_

(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 legal precautions for yourself, family and friends.

(6) If you chose to discuss this warning with others engaged in criminal activity you may expose yourself to future or additional risk.

Do you understand? Yes\_\_ No\_\_

Member: \_\_\_\_\_ Signature: \_\_\_\_\_

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

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

Do you understand?

Yes\_\_ No\_\_

*[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\_\_