

September 27, 2022

Ms. Brenda Locke

S. 22(1)

Dear Ms. Locke,

On August 24, 2022, the Board received your Service or Policy Complaint No. 2022-22390. Your complaint is related to public statements made by Chief Constable Lipinski.

Under s. 171 of the Police Act the Board has the following options related to your complaint:

- (a) request a chief constable of that municipal police department to investigate and report on the complaint;
- (b) initiate a study concerning the complaint;
- (c) initiate an investigation into the complaint;
- (d) dismiss the complaint with reasons;
- (e) take any other course of action the board considers necessary to respond adequately to the complaint.

The Board has dismissed your complaint under s. 171(d) of the Police Act for the following reasons:

1. Board-approved SPS Policy AD 9.8.1 *Public Information and Communications* informs all employees of the appropriate avenues for handling public communications. Fundamental to the policy is the public's right to know and, as it relates to the police transition, the public's right to timely and accurate information.
2. Surrey Police Service Communications Section and Chief Lipinski receive frequent requests by media for updates on the transition and the work of SPS. Often, Chief Lipinski is asked to address misinformation. It is important and necessary for Chief Lipinski to correct misinformation to ensure public trust and confidence is maintained both in SPS and the transition in general.
3. The Board expects Chief Lipinski and/or SPS to be available to media when requested and supports Chief Lipinski in his efforts to ensure public information related to SPS and the transition is accurate.

Should you disagree with the Board's decision, you can contact the Office of the Police Complaint Commissioner to request a review per s.171 of the Police Act.

Sincerely,



Jessie Sunner
Vice Chair, Surrey Police Board

Encl: Copy of Service or Police Complaint dated August 24, 2022
SPS Policy AD 9.8.1 *Public Information and Communications*

cc. Chief Constable, Norm Lipinski
Mr. Clayton Pecknold, Police Complaint Commissioner
Mr. Wayne Rideout, Assistant Deputy Minister and Director of Police Services

August 24, 2022

VIA E-MAIL: MelissaGranum@surreypoliceboard.ca

His Worship Mayor Doug McCallum
Chair, Surrey Police Board
13450 104 Ave
Surrey, BC V3T 1V8

Dear Mayor McCallum:

**Re: Service or Policy Complaint – Surrey Police Service
OPCC File No. 2022-22390**

On July 18, 2022, the Office of the Police Complaint Commissioner (OPCC) received a registered complaint from Ms. Brenda Locke outlining her concerns regarding public statements made by Chief Constable Norm Lipinski of the Surrey Police Service. A copy of the original complaint is attached.

Upon review of Ms. Locke's complaint, we note section 82(3) of the *Police Act* which states:

- (3) A complaint or a part of a complaint is inadmissible under this Division insofar as it relates to any of the following:
- (a) the general direction and management or operation of a municipal police department;
 - (b) the inadequacy or inappropriateness of any of the following in respect of a municipal police department:
 - (i) its staffing or resource allocation;
 - (ii) its training programs or resources;
 - (iii) its standing orders or policies;
 - (iv) its ability to respond to requests for assistance;
 - (v) its internal procedures.

Based on Ms. Locke's complaint, the Surrey Police Board may wish to review and/or have a policy in place to govern public statements by its members, including during an election period.

As you are aware, a service or policy complaint may include a complaint regarding the general direction and management or operation of a municipal police department. It may also include a complaint about the inadequacy or inappropriateness of a municipal police department's

policies or internal procedures, training programs or resources, staffing or resource allocation, or the department's ability to respond to requests for assistance.

Upon receiving a copy of the complaint, pursuant to section 171(1) of the *Police Act*, the board, having authority over the municipal police department to which the complaint relates, must promptly do one or more of the following:

- (a) Request that the chief constable of that municipal police department investigate and report on the complaint;
- (b) Initiate a study concerning the complaint;
- (c) Initiate an investigation into the complaint;
- (d) Dismiss the complaint with reasons; and/or
- (e) Take any other course of action the board considers necessary to respond adequately to the complaint.

Pursuant to section 171(3) of the Act, within 20 business days after doing any of the things described in subsection (1)(a) to (e), the board must notify the Complainant, the Director of Police Services and the Police Complaint Commissioner regarding the course of action being taken. The Police Complaint Commissioner may request a status report from the board regarding the progress of an investigation or a study concerning a complaint under Division 5.

The police board must send an explanation for actions taken by the board under section 171 (1) and if applicable, a detailed summary of the results of any investigation or study initiated to the Complainant, the Director of Police Services and the Police Complaint Commissioner. If the Complainant is dissatisfied with the board's actions, explanations, or results from the investigation or the summary of those results, that person may, within 20 business days of receiving the explanation or summary, request the Police Complaint Commissioner to review the matter.

Should you have any questions regarding the above or with respect to the *Police Act* process, please do not hesitate to contact me at (250) 356-7458 or by email at info@opcc.bc.ca.

Yours truly,



Andrea Spindler
Deputy Police Complaint Commissioner

Enclosure

cc: Chief Constable Norm Lipinski, Surrey Police Service
Ms. Brenda Locke

From: Locke, Brenda <Brenda.Locke@surrey.ca>
Sent: Monday, July 18, 2022 12:58 PM
To: Info-OPCC
Subject: Complaint
Attachments: 07 12 22 Policitcal Interference Lipinski OPCC.pdf

CAUTION: This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Attached please find a complaint regarding the actions of Chief Constable Norm Lipinski. It is my concern that he has and continues to insert himself and his position in the political arena in this election cycle.

Thank you for your consideration.

Respectfully,

BRENDA LOCKE | COUNCILLOR



CITY OF SURREY

13450 104th Ave, Surrey, BC, Canada V3T 1V8

www.surrey.ca



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In Surrey we gather upon the unceded territory of the Semiahmoo, Katzie, and Kwantlen First Nations.

July 18, 2022

Office of the Police Complaints Commissioner
PO Box 9895, Stn Prov Govt
Victoria, BC V8W 9T8

Email: info@opcc.bc.ca



Brenda Locke
Councillor

T. 604.502.6032
brenda.locke@surrey.ca
surrey.ca

Dear Sir/Madam,

Re: Chief Constable Surrey Police Service – Norman Lipinski

Chief Constable Norm Lipinski of the Surrey Police Service (SPS) has maintained on numerous occasions that he is “apolitical”, yet he frequently conveys contradictory messaging through the media. In fact, his messaging, is tantamount to election meddling.

It is not Chief /Cst. Lipinski’s job to sell a service to the public. Isn’t it his job to oversee his police agency, without political interference or influence? To their credit, the RCMP do not publicly defend retaining their services in Surrey, notwithstanding that their contract for services remains in effect (until 2032).

I completely understand, and agree, that the City of Surrey, under provision of the BC Police Act has the authority to create a municipal police service, providing that it satisfies criteria as established by the Province of British Columbia to maintain and ensure public safety. Ultimately then, the province is responsible for public safety. To this end, the province must ensure that established objectives are met by the City of Surrey to establish a police service.

There are many examples, exemplifying that the Surrey Police Service has not met objectives, not the least of which was to be fully operational by April 2021. The following are *recent* examples of Chief Cst. Lipinski’s attempts to convince uncertain voters that his Service is the best. I appreciate there is repetition in my comments, but they are included as consistent with media examples.

Surrey Now-Leader, Thursday June 23, 2022, Guest column
“Two main benefits of having a police force dedicated to Surrey”
“Chief’s Message”

Perhaps the first, and most significant statement, *“having a police force dedicated to Surrey”*, infers that the RCMP is not dedicated to Surrey.

The second misleading comment, *“Chief’s Message”* infers that Lipinski is the Chief of Police in Surrey – he is not, in fact he is far from it.

Through his article, which I would suggest is a paid ad for by the SPS union, Lipinski, in reference to creating the SPS, comments, *“we do not want to squander this opportunity to create a policing model for today’s world and for Surrey’s needs”*. Not only does this comment, yet again, infer that Surrey is not adequately policed, but is an obvious attempt to influence readers to not *“squandering”*. The comment essentially criticizes anyone that may not support the SPS.

Lipinski states that the two primary benefits of a municipal policing are local accountability and responsiveness. He states that accountability starts with being governed by a civilian police board independent from both city council and the provincial government. This is a somewhat confusing comment given that the chairperson of the police board is the mayor, and, that 7 of 8 police board members are solicited and appointed by the provincial government. The police board, according to Lipinski is the employer of all SPS staff and states that *“this separation between the police and government is crucial”*.

He goes on to say, *“you can already see this accountability and transparency in action at SPS. Our financials, policies and collective agreements are posted online”*. If this is the case, why are the majority of police board meetings, *“in camera”*? Why doesn’t the police board respond to public inquiries through their meetings. I would assume that they keep records of all inquiries.

Perhaps the police board, or Chief Lipinski could answer these simple questions?

- What is the **total** anticipated cost of transition?
- What is the **total** cost of for complete IT services?
- Has the RCMP contract been terminated by the City of Surrey?
- **Could** a change in municipal government cause the process of transition to stop?

Lipinski’s reference to responsiveness is pure rhetoric. *“SPS is already developing policies that are specifically tailored to Surrey as opposed to federal policies that must work for towns and cities across Canada ”*. He fails to mention specific programs Surrey Detachment has developed, unique to Surrey. Lipinski paints the picture that all RCMP decisions in Surrey, or for that matter BC are Ottawa

based. They are not. He knows that having been an Assistant Commissioner in the RCMP responsible for criminal operations in BC. He is aware of the resources available to and through the RCMP and that Detachments are accountable to local governments. His comments are deliberately misleading.

He closes his article by saying, *“At Surrey Police Service, our only concern, every day, is the citizens of Surrey”*. Quite a statement from a Chief Constable who, like most of his executive, choose not to live in Surrey. Hard to imagine a less political statement.

City News Everywhere – July 5, 2022

“It’s too late to stop Surrey’s police transition according to the chief of the Surrey Police Service” in response to Councilor Locke’s statement that if elected Mayor, she will stop the ongoing transition.

Councilor Locke asserts that *“The financial Impact of carrying on is going to be much, much worse for the residents of Surrey than us stopping it”*. Lipinski’s response is that, at this point, there is no turning back, *“I can tell you it’s way, way too far down the road financially to unring the bell”*. This is not a comment he is qualified to make, nor is it prudent. The actual costs associated to transition have never been made available, if they are in fact known. The cost benefits associated to retaining the RCMP are known. A ten per cent (10 %) subsidiary and costs of indemnity, to name just two. Hard to imagine a more political statement.

Lipinski stated that there will be 120 officers with SPS working along with Surrey RCMP this month, responding to calls. He does not say that this is substantially short of the initial goal of the transition being complete by April 2021. Nor does he say that the RCMP are and remain the police of jurisdiction.

With reference to SPS officers, should the transition fail, Lipinski asks, *“What happens with their wages? What happens with their jobs? We have a union. We’ve invested millions in IT infrastructure, etc etc”*. This is not a subject Lipinski should be addressing. Well aware of the controversy over the police transition, Lipinski, the police board and the City of Surrey should have considered suspending spending until the October election.

This suggests that Lipinski is in a spending frenzy to support his assertion that too much money has been spent to turn back. Perhaps he should have considered the welfare of his employees until after the election. He fails to consider the hardships faced by Surrey RCMP members while this experiment plays out.

Furthermore, he makes reference to the millions spent on IT infrastructure – how much? How much more will IT alone cost?

Hard to imagine less political comments. **If Lipinski is confident that there is no turning back on transition, why is he engaging in such dialogue?**

CKNW – Mike Smythe July 7, 2022 – interviews with Councillor, Brenda Locke and Chief Cst. Lipinski

In response to a question by Mr. Smythe, Councillor Locke stated that it is not too late to stop the transition process. In fact, she referred to transition as being in the very early stages, that there is no legal agreement pertaining to the separation of assets between the RCMP and SPS. She further pointed out that the RCMP remains under contract to police the City of Surrey until 2023.

Councillor Locke stated that a number of polls have reflected Surrey resident's wish to retain the RCMP. She states that the city's own consultation process, started in 2019, has consistently (73-75%) reflected that Surrey residents wish to retain the services of the RCMP. (These are statistics that can be verified). Councillor Locke emphatically states that if elected mayor, she will stop the transition and retain the RCMP.

Given that there is no legal agreement to replace the RCMP, which is still under contract, her decision would not be a "reversal", simply that transition would not progress further. She points out that the SPS has failed to meet goals, specifically that it was not fully operational in April 2021 and subsequently that it did not have 50 operational officers in place by November 2021. This too is verifiable information.

According to Councillor Locke, the City of Surrey has allocated 63.5 million dollars for capital costs related to transition. Not all of that amount has been spent and can be recaptured through retaining the RCMP. Of concern to Councillor Locke, is that a number of SPS officers hired by the SPS are being "warehoused", that they are not providing service to Surrey residents.

Lipinski started the interview by stating, *"As a police chief, I don't get involved in politics but I do get involved in the facts and the law"*. As previously mentioned, the fact that he engages in such dialogue can only be described as political. The **"facts"** of transition are not clear, which is the cause of controversy. He correctly states that under "the charter", (I assume referring to the BC Police Act), that a

municipality has the right to have its own police service, but that any change in policing must be authorized by the Provincial government. Lipinski referred to

two (2) studies undertaken [on behalf of the City of Surrey] that the provincial government, upon review, acknowledged that the City of Surrey could affect adequate and effective policing and, accordingly, could move to a municipal police service. He reiterated that the province has to have that say – it isn't done with just the mayor and council.

What has become of the two (2) studies Chief Lipinski refers to? Have the recommendations from those reports, which Mayor MacCallum has been quoted as saying the best reports he's ever read been implemented? If not why not? Is there a new plan? What is it, or is it a work in progress?

When asked if a majority of council elected to “rethink” transition, why would the province stand in the way, Lipinski responded, *“I think what we have to think, is what is responsible under the circumstances and what is fiscally responsible under the circumstances”*? Lipinski asked why the province would keep flipping back and forth.

The questions presented by Chief Lipinski; what is responsible under the circumstances and what is fiscally responsible under the circumstances are exactly the questions Surrey residents want answers to. If Chief Lipinski has answers to those questions, he should articulate them rather than infer that he has the answer.

As he often does, Lipinski referred to the support of three levels of government and that nobody has ever said that this [transition] is some sort of experiment. He has never publicly stated what legally binding agreements with respect to costs and the transition of sources, including human resources are in place. There is considerable work to be done.

Lipinski stated that to date he (SPS) has spent approx. 30 million dollars of the allotted 63 million dollars on “one time” expenses, including *“IT equipment and other equipment etc., etc.”* above and beyond wages. Of the 30 million dollars spent, how much, specifically has been spent on IT equipment? Is the “one time” expense for IT equipment then complete? If not, what are the anticipated, realistic costs? What does “etc, etc” refer to?

Lipinski related that the SPS at time of interview has 237 officers, 85 of whom are front line with an expectation of 121 by end of Sept 2022, that 14 recruits are presently undergoing training at the Justice Institute of BC and that more will be hired in Sept. This reflects that approximately 35% of officers hired to date by the SPS are operational. He maintains that recruiting is “good”, which is not reflected by front line officers and is not in line with Mayor McCallum’s claim of the SPS been fully operational by April 2021. Nor is it reflective of recruiting within the police community at large.

Lipinski again expressed his concern as to what will happen with his staff should the transition not reach fruition. His concern over the welfare of his staff is noble, but one that should have been taken into consideration given ongoing controversies. With the knowledge that transition may be in jeopardy, the problem was created by Chief Lipinski, and his to resolve.

Lipinski stated *“we’re here to stay, clearly, and we’re demonstrating that every month”*. He says that they [SPS] have received good feedback as their members go to calls and community events. Has there been any negative feedback? He fails to mention the positive feedback that the RCMP consistently receives. Comments made by Lipinski are only anecdotal and not only political but inappropriate and inaccurate. His comments directed at the RCMP are generally demeaning, not the qualities one would expect of a police chief.

Global TV News July 8, 2022 with Paul Haysom

Paul Haysom inquired how closely Lipinski has been paying attention to the turmoil at City Hall given that civic politics is not his (Lipinski’s) job. Lipinski responded that Haysom was right, that policing is apolitical and added, *“and I do watch from afar of what is going on and just to ensure that factual information is disseminated to the public”*.

At the risk of repetition, **“facts”**, are what the public wants. Is Chief Lipinski prepared to provide them? If not, he should not infer those facts are being misrepresented by anyone else. He hardly watches from “afar”.

Lipinski stated that he is not concerned that a new mayor could put the brakes on the SPS, *“and I’ll tell you why”*. He went on to relate that the “province is in charge of policing in BC” and stated that when the present council voted unanimously for the Surrey Police Service, the province had to approve and, in fact required two (2) sets of reports, so “Ultimately, they’re the ones that make the decision”.

Lipinski pointed out that the chair [mayor] of the police board does not vote unless in the case of a tie. Haysom agreed and suggested that the mayor and police chief should have a good rapport. Haysom referenced Brenda Locke is running on a promise to reverse transition which she called a failed experiment and a colossal waste of money. He asked Lipinski that in the event Locke becomes mayor, how he would work with her. Lipinski responded, *“I’ll work with*

whoever is in the chair, I’ll work with any council person as well’. He continued *“My view of the situation is that if you look at it from a practical perspective, if you look at it from a public interest perspective, and even fiscally, that this train is way, way far down the track, and it’s past the point of no return”*. Haysom rephrased the question, asking Lipinski that if a new mayor wants to reevaluate transition, or perhaps even slow it down, would he work with them? Lipinski deferred to the Police Board, *“the Police Board would have to work with city council and mayor, and the police board reports out on the operations of the police service and also reports out on the human resource aspect, so it would be defacto the police board that would work with mayor and council, and, of course I would certainly be there as well”*. In reference to Lipinski’s comment that he would work with any council person as well has not been my experience as both he and the SPS Board members have refused to respond to requests.

Chief Lipinski repeatedly deflects to the “province” and the “police board” when asked if transition may be in jeopardy and whether **he** will work with a new council that may have the authority to stop the transition. The reality is, is that if a new council stops transition, Chief Lipinski will not have to work with them – he will be out of a job. Perhaps this is why he is engaging with the media in discussions that are absolutely political.

When asked, under the circumstances, if it has been difficult to recruit, and get *“actual boots on the ground”*, Lipinski replied. *“It hasn’t been difficult at all”*. He stated that there are two (2) streams of recruiting, one is experienced officers and the other is new recruits that go to the Justice Institute of BC. He said that in total, the SPS has 252 employees and that in a week he’ll have 120 police officers on the ground.

There are a lot of applications for the experienced officers he said, and that, in fact, he has 19 different police departments represented within the SPS. Lipinski stated that he is surprised in a positive way that there is so much interest in the SPS from across Canada, but that 90% of his officers are from BC. With respect to recruits, Lipinski stated he has 14 people in the Justice Institute of BC, chosen from 300-400 candidates, and that he will have another 14 going to the JIBC in

the fall, so he claimed, I do not have a problem with recruiting. (If recruiting was/is not a problem I suggest that the SPS may have met its goals).

It would seem from his claims, that the majority of recruit applicants are not suitable for police work, and, have applied for numerous police agencies, not just the SPS.

Asked if he thinks it will be easier after October when/if, it's full speed ahead, Lipinski responded that he'd like to think so but he's not thinking that far ahead but "Logic tells me that once the election is over it's just a little bit smoother". What logic is he referring to?

By Chief Lipinski's own stated logic, Surrey City Council could stop transition as the RCMP are not only still under contract, but have demonstrated, very clearly that they meet the requirements of the province with respect to public safety.

How would Chief Cst Lipinski respond if asked if it is possible that he was overheard in a Surrey coffee shop, in conversation with SPS spokesperson, Ian MacDonald, saying words to the effect that the SPS should be OK if Councillor Locke is not elected mayor? He should give careful and honest consideration to his answer. This, in a nutshell, may explain his recent media strategy.

The residents of Surrey deserve the best policing possible. It is not for Chief Lipinski's decision to make.

Chief Constable Lipinski has overstepped his authority by making political comments which should be subject of investigation. He is clearly attempting to interfere in the upcoming municipal election and influence voters. The SPS Board should reconsider any further political interference by Chief Constable Lipinski in the upcoming municipal election.

Respectfully submitted,

Cllr. Brenda Locke
City of Surrey

Policy Name:	PUBLIC INFORMATION AND COMMUNICATIONS		
Policy #:	AD 9.8.1	Last Updated:	2022-07-13
Issued By:	OFFICE OF THE CHIEF CONSTABLE	Approved By:	SURREY POLICE BOARD
		Review Frequency:	AS REQUIRED

RELATED POLICIES

AD 9.7 Freedom of Information and Protection of Privacy Act

AD 9.17 Social Media

AD 9.18 Security and Confidentiality of Records and Information

OP 4.1 AMBER Alert

OP 4.19.1 Duty to Warn – Public Interest Notification

OP 4.35 Missing Persons Investigations

1. PURPOSE

1.1. To inform Surrey Police Service (SPS) Employees of the appropriate avenues for disclosing information to the public, the Media, and external audiences.

2. SCOPE

2.1. This policy applies to all SPS Employees.

3. POLICY

3.1. The public has a right to know about the services SPS performs on their behalf, but this right is not absolute. The public’s right to personal information about individuals who encounter the police or need help from the police is governed by the *Freedom of Information and Protection of Privacy Act* (FOIPPA). Furthermore, many police operations and tactics must remain confidential to

maintain their effectiveness. Subject to these restrictions, SPS's position is to be open with the Media, both in a reactive and a proactive mode.

- 3.2. SPS policy and FOIPPA restricts Media access to police reports and investigations. Employees must not provide the Media with investigative reports or information relating to police data or incidents except in accordance with SPS information sharing policies, FOIPPA and the advance approval of the Communications Section.
- 3.3. Individuals who have been designated as official SPS spokespersons by the Chief Constable and Manager, Strategic Communications will handle most Media inquiries. However other Employees may serve as spokespersons, on occasion, at the request of or with the approval of the Manager, Strategic Communications. Duty Officers will respond to Media inquiries on routine, unfolding incidents when the Communications Section is off duty.
- 3.4. To ensure strategic and consistent internal and external communications, and to remove responsibility for these matters from other Members and civilian Employees, the Communications Section is responsible for producing and supervising the production of all Communication and Marketing Materials in support of public relations, media relations, and staff communications.

4. PROCEDURE

Disclosure of Information

- 4.1. Disclosure of crime-related information and other SPS-related information to the Media is the responsibility of the Communications Section.
- 4.2. When Members are at the scene of an incident that has generated or is likely to generate Media and public interest, the Supervisor at the scene must notify the Duty Officer as soon as practicable, so that the Duty Officer can notify the Communications Section.
- 4.3. When Media is at the scene of an incident and the Communications Section is unavailable, the Duty Officer or Supervisor at a scene may disclose general information about the incident (except information as described s. 4.8 and s. 4.9 below). If the incident is political in nature, likely to attract significant and/or national media attention, could threaten the reputation of SPS, involves the conduct of an SPS Employee, and/or the IIO, the Communications Section must be called, even if off duty.
- 4.4. Members from other bureaus may also disclose information, when asked to provide their expertise by the Communications Section, or when permitted by this policy.

4.5. Section Managers may approve Media interviews of their Employees and may delegate this approval as appropriate; however, they must notify the Communications Section before the interview.

4.6. All Media inquiries must be referred to the Communications Section. If a member of the Communications Section is not available, media inquiries related to in-progress or high-profile incidents will be referred to the Duty Officer.

4.7. Members approved to give on-camera Media interviews must be in uniform.

Information Not to be Disclosed

4.8. Employees must not disclose information to the Media when disclosure of the information could:

- i. jeopardize or hinder an investigation or operation (e.g., the disclosure of hold-back information);
- ii. endanger human life (e.g., a ransom kidnapping);
- iii. interfere with a sensitive investigation (e.g., reporting a suicide);
- iv. prejudice court proceedings or violate the rights of an accused (e.g., commenting on cases before the courts without a valid operational need to do so);
- v. be reasonably considered as personal opinion and/or speculative;
- vi. violate the law (e.g., releasing the name of a Young Person or the names of family members which may identify the youth); and
- vii. breach a court-ordered publication ban that restricts disclosure of information.

4.9. To protect a person's privacy, Employees must not disclose the following information about an individual, unless the person involved consents or the Communications Section authorizes its disclosure after consultation with the Information and Privacy Unit:

- i. names of deceased persons unless next-of-kin consent to disclosure of the name or the name is already known to the public, or disclosure of the name is required to further a police investigation;
- ii. names of injured persons;
- iii. names of suspects, unless confirmed criminal charges have been laid (or as provided in section 4.11 below);
- iv. names of victims and witnesses;
- v. cause of death before it is determined by the BC Coroners Service;
- vi. medical information/history related to a missing person, suspect or victim;
- vii. address of a victim, witness, suspect or accused;
- viii. the street address of crimes where the location is a residence; and
- ix. racial origin of the accused (except as provided in section 4.12 and 4.13 below).

4.10. The Media will be notified of the reason why information is withheld whenever possible.

Information that May be Released

4.11. When an Employee discloses information to the Media about an incident, the following types of information may be disclosed:

- i. nature and time of the incident – including a general description of what appears to have taken place;
- ii. location of the incident; however, if the location is a residence, only the hundred block of where the incident occurred may be disclosed; if there is only one residence in a larger geographic area, the location description disclosed to the Media may be less detailed;
- iii. description of suspect(s) involved – adults suspects may be named once charged with a criminal offence relating to the incident; and
- iv. except as provided in section 4.12 and 4.13 below, no reference is to be made to the race, colour, ethnicity, or sexual orientation of the suspect or accused;
- v. the victim's age and gender; and
- vi. that a victim is deceased, provided that an official pronouncement of death has been made by the BC Coroners Service, next of kin have been notified, and disclosure of this information will not adversely affect an investigation.

4.12. If a missing person is deemed to be high risk by the lead investigator, the lead investigator may request the Communications Section to issue a news release. The news release may include the missing person's name, gender, age, physical and clothing descriptors, and last known location. Medical information should not be disclosed unless it is part of the essential descriptive information about the missing person. A photo of the individual should be included with the news release, with the consent of the family. Once the individual has been located, a news release must be issued to report that the individual has been located, and the original news release must be removed from the website, along with the individual's photo. All original social media posts/photos of the missing person must also be removed from SPS channels (see OP 4.35 *Missing Person Investigations*; OP 4.1 *AMBER Alert*).

4.13. If a suspect is still at large and it is necessary to assist in identifying and apprehending the suspect, and to protect the public, Employees may disclose personal information related to the suspect, including name, aliases, race, colour, ethnic background, or sexual orientation. This information should only be disclosed when it is relevant and essential to the investigation.

4.14. Police photographs of suspects accused or convicted persons may be disclosed to the Media when attempting to locate a person wanted by the police. Employees must ensure the disclosure of the photograph will not adversely affect ongoing investigations.

Public Interest Notification

- 4.15. Section 25 of FOIPPA imposes a duty to warn the public, or an affected group of people, information about a risk of significant harm to the environment or to the health or safety of the public or a group of people, or the disclosure of which is, for any other reason, clearly in the public interest.
- 4.16. The Communications Section must consult the Superintendent, Investigative Services Bureau, the SPS General Counsel and the Information and Privacy Unit, to seek authorization for the disclosure of public warnings and the required notifications (see OP 4.19.1 *Duty to Warn – Public Interest Notification*).

Disclosure of Information about Employees

- 4.17. Pursuant to FOIPPA, the name of an Employee who has been suspended, whether with or without pay, must not be disclosed to the Media – only confirmation of the suspension will be provided, and only by the Communications Section.
- 4.18. If criminal charges against an Employee are approved, the name of the Employee may be disclosed to the Media. For charges involving Members, further information may be disclosed, as required by processes outlined in the *Police Act*, and to the extent necessary to prosecute a violation of law.

Media Video Recording in a Public Place

- 4.19. Members must restrict the Media and all unauthorized persons from entering a crime scene; however, Members must be aware that the Media, and other persons, have the right to video record, audio record and photograph anyone or any event in a public place, including police officers and their actions.
- 4.20. Where a concern exists about the public identifying a suspect under arrest or detention, the suspect's face should be covered before being brought into a public place. In the case of a Young Person's arrest, Members should, if practical, tell the Media prior to the Young Person being brought into a public place.

Written Media Releases

- 4.21. All written news releases, and Media advisories are to be produced by the Communications Section, and if practicable, they will be approved by the Manager, Strategic Communications before distribution to the Media. News releases should be sent to involved Members and/or Supervisors for their information and verification, if appropriate prior to release. When the Communications Section is off-duty, basic news releases on unfolding events can be issued to Media by the Duty Officer.

Feature Stories

4.22. A request by the Media for a feature story or in-depth interview with an Employee must be submitted in writing to the Communications Section. The request will be forwarded to the Manager, Strategic Communications, who will liaise with the appropriate Supervisor. Interview and feature story requests are subject to the Employee's willingness to participate. Employees may terminate their participation in interviews and feature story requests at any time.

Pre-Planned Events

4.23. Employees responsible for planning major events involving significant SPS resources, SPS-related ceremonies, or planned events where the Media is anticipated to be in attendance, must notify the Communications Section in advance. Requests for the attendance of a member of the Communications Section must be submitted to the Manager, Strategic Communications.

Statements Made on Behalf of SPS

4.24. An Employee who wishes to speak to the Media on behalf of SPS must provide advance notice to the Communications Section and must first obtain approval from the Manager, Strategic Communications.

Corrections

4.25. Due diligence will be applied to ensure the accuracy of every statement, written or verbal, issued by the Communications Section. If a substantive error is made, every effort will be made to correct the error and notify the Media, member of the public, or affected person, of the error and correction.

Standards and Production of Communication and Marketing Material

4.26. All Communication and Marketing Material must be approved by the Communications Section before being internally or externally distributed or made public.

4.27. The Communications Section must be consulted at the concept stage of Communication and Marketing Material development, to ensure the strategic need for, and alignment of, the material.

4.28. Communication and Marketing Material will:

- i. follow SPS graphic and brand standards established, and made available, by the Communications Section (e.g., standards for the use of any crests, logos, colours, and positioning statements);
- ii. not contain any information conflicting with SPS key messages; and
- iii. convey high standards of professionalism.

Production and Posting of Content to the SPS Intranet Site

4.29. Postings to the SPS intranet site must be approved by the Communications Section.

4.30. The Communications Section has final creative control over all requested postings and is available to assist Employees with design and content.

4.31. The Communications Section is responsible for posting approved content, and removing posted content, from the SPS intranet site.

Advertising

4.32. The Communications Section has primary responsibility for the design, purchase, placement, and rollout of all SPS advertising.

Recruiting Campaigns

4.33. Developing and producing Communication and Marketing Material for recruiting Members and civilian Employees is the primary responsibility of the Communications Section.

Crime Prevention

4.34. Designing and implementing public communication for crime prevention campaigns, in support of SPS global, and section-specific, crime reduction strategies and objectives, is the primary responsibility of, or must otherwise be approved by, the Communications Section.

Printing and Design Services

4.35. The Communications Section must be consulted prior to retaining external printing or graphic design services, or ordering branded promotional items.

APPENDIX A: DEFINITIONS

“Communication and Marketing Material” means anything in a physical, electronic, or other medium, designed specifically to promote the SPS, or a program or initiative of the SPS, to internal or external audiences. These marketing media include but are not limited to brochures, posters, booklets, broadcast spots, videos, films, Internet postings, broadcast emails, speeches, PowerPoint presentations, stickers, cards, newsletters, publications, challenge coins, clothing, and SPS-branded merchandise.

“Employee” means a sworn Member or civilian Employee appointed by the Surrey Police Board.

“External Audience” means any individual, group or organization outside Surrey Police Service, the Surrey Police Board, and the Surrey Police Union.

“Media” means information or data that is published or transmitted by a third-party in any form (digital, electronic, print, etc.).

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

“Supervisor” means a Team Leader, Manager, 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

British Columbia Provincial Policing Standards

Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165

Human Rights Code, R.S.B.C. 1996, c. 210

Police Act, R.S.B.C. 1996, c. 367