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Withheld pursuant to/removed as

s.3

# CITY OF SURREY

OFFICE OF THE MAYOR

November 6, 2018

The Honourable Mike Farnworth  
Minister of Public Safety and Solicitor General  
Parliament Buildings  
Victoria, BC  
V8V 1X4

Dear Minister Farnworth:

**Re: Transitioning to an Independent Municipal Police Service**

On October 20, 2018 the people of Surrey voted for change. They provided a clear mandate to my Council and I to establish an independent Municipal Police Service as provided for in the BC Police Act.

Violent crime, drug crime and property crime continue to impact our community and our citizen's sense of safety. In order to create a responsive, urban policing model, a new police service will be needed. Therefore the City of Surrey is formally notifying your office that we are moving to establish a new police service as soon as possible.

As per the attached Council Motion unanimously adopted on November 5, 2018, the City of Surrey hereby gives notice of termination of the Municipal Police Unit Agreement (the "MPUA") between the City of Surrey and the Province of British Columbia under Article 22.1(c)(i) which states:

*Article 22.1 (c) This agreement may be terminated on March 31 in any year by either party giving the other party notice of such termination:*

*i) 25 months prior to the date of the intended termination the case of the Municipality giving such notice [.]*



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We are developing a transition plan that will meet our shared need to ensure public safety is enhanced through this process. We are requesting immediate notification of the elements the Province requires in the transition plan. I would like to assure you that the City of Surrey is fully committed to cooperating with the Province in creating an orderly transition of service from the RCMP as the municipal police service to an independent municipal police service.

I look forward to further discussions on this important issue.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Doug McCallum', with a stylized, cursive script.

Doug McCallum  
Mayor  
City of Surrey

Attachment

c.c.    The Right Honourable Justin Trudeau, PC, MP  
         The Honourable Ralph Goodale, PC, MP  
         The Honourable, John Horgan, Premier of B.C  
         Commissioner, Brenda Lucki  
         Deputy Commissioner, E Division, Brenda Butterworth-Carr  
         Assistant Commissioner, OIC, Surrey RCMP, Dwayne McDonald  
         City Manager, Vincent Lalonde

## **Motion – Establishing a Surrey Police Department**

### ***Motion***

Whereas the BC Police Act, (1996) outlines the policing service delivery options for municipalities in excess of a population of 5,000 persons;

Whereas one of those options is the establishment of a city police department;

Whereas the citizens of Surrey in the October 20, 2018 municipal election strongly expressed a desire for such a police department for the City of Surrey, the following motion is put forth;

“That Council direct staff to take all appropriate steps to immediately create a Surrey Police Department in accordance with the BC Police Act. Council further directs staff to notify the Federal and Provincial governments that the City of Surrey is terminating its contract for the RCMP municipal police service.”



November 23, 2018

His Worship Doug McCallum  
Mayor of the City of Surrey  
13450 – 104 Avenue  
Surrey BC V3T 1V8

Dear Mayor McCallum:

Thank you for your letter dated November 6, 2018, in which you have advised that your council wishes to move the existing RCMP policing model to a municipal police department governed by a Police Board.

I have directed senior ministry staff to work with Surrey to understand your community's needs and ultimately assist in the development of a new policing model and transition plan for your community. I understand that the Director of Police Services has been in discussions with your staff on this matter. As I have discussed with you, as the Solicitor General, it is my statutory responsibility to review and consider the plan under the requirements of the *Police Act* and the public safety of British Columbians.

Thank you for writing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Farnworth'.

Mike Farnworth  
Minister of Public Safety  
and Solicitor General

pc: Mr. Clayton Pecknold

PSPB

GODENZIE/ENGER/PECKNOLD

C549454



May 6, 2019  
Ref: 554446

Mr. Vincent Lalonde  
City Manager  
City of Surrey  
13450-104 Avenue  
Surrey BC V3T 1V8  
Email: [VALalonde@surrey.ca](mailto:VALalonde@surrey.ca)

Dear Mr. Lalonde:

**RE: Formal acceptance of City of Surrey's request to terminate the *Municipal Police Unit Agreement with the Province of British Columbia***

I'm writing again in response to the November 6, 2018 letter received from Mayor Doug McCallum expressing the City of Surrey's intention to transition to an independent municipal police service. In that letter, Mayor McCallum provided notice of termination of Surrey's Municipal Police Unit Agreement with the Province (the MPUA) in accordance with its terms.

The implications of the City's notice to terminate the MPUA were outlined in my January 22, 2019 letter, a copy of which is enclosed for your reference.

We appreciate the desire for Surrey to quickly move towards creating an independent municipal police department and Policing and Security Branch wishes to communicate its commitment to work with the municipality through this complex process. It is the Minister's statutory responsibility to ensure that there is adequate and effective policing throughout the province and any transition plan will need to meet that standard. Further, as you know, section 23 of the *Police Act* (the Act) states that a municipal council's desire to achieve its section 15 obligations to provide policing and law enforcement by means of a municipal police department is subject to the Minister's approval. The Minister's primary duty is to ensure public safety in the Province of British Columbia and that duty will, at all times, guide the Minister's assessment and ultimate decision whether to approve Surrey's plan to provide policing and law enforcement to its community members through a municipal police department.

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Ministry of Public Safety and  
Solicitor General

Policing and Security Branch

Mailing Address:  
PO Box 9285 Stn Prov Govt  
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Mr. Lalonde  
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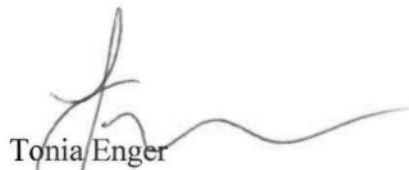
As the Province has not received further correspondence from the Mayor and Council to provide clarification on the intended termination date of the MPUA, please accept this letter as the Province's acknowledgement of the City's notice to terminate in the Mayor's November 6, 2018 letter. In accordance with Article 22.1(c) of the MPUA, the earliest possible effective termination date of the MPUA is March 31, 2021.

If March 31, 2021, is Surrey's intended termination date (the date was not clearly stated in the Mayor's November 6, 2018 letter), there is a significant amount of work to be done, and a limited period of time within which to do it, in order to ensure a smooth and orderly transition from the Provincial Police Service to a municipal police department. As referred to above, there are numerous complexities associated with such a transition, chief among which are labour relations issues, police training and the requirement for a new police records management system, all of which will prove to be extremely time-intensive to resolve. While the MPUA would allow the City of Surrey to terminate the agreement on March 31, 2021 (subject to the Minister's approval), we recommend that Council consider whether it will require additional time to complete the significant amount of work required to prepare a sensible and workable transition plan that the Minister might consider approving.

We confirm that the Province remains committed to working with the City of Surrey to ensure a smooth transition to a municipal police department provided that the municipality continues to desire this outcome and provided the transition plan generated by the City is one that meets the Minister's mandate under s. 2 of the *Act* to ensure adequate and effective policing in Surrey and throughout the Province. In that vein, we wish to advise you that Policing and Security Branch has engaged a contractor to assist with the development of an evaluation framework which will be applied when the Province is asked to consider Surrey's proposed model and transition plan. We will look forward to receiving that plan at your earliest opportunity, such that it can be evaluated in keeping with the Minister's statutory obligations.

If you require any further information or would like to discuss the foregoing, feel free to call me at s.17

Sincerely,



Tonia Enger  
Associate Director of Police Services  
Policing and Security Branch

Enclosure

Ministry of Public Safety and  
Solicitor General

Policing and Security Branch

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# CITY OF SURREY

OFFICE OF THE MAYOR

May 21, 2019

File: 7400-01

Honourable Mike Farnworth  
Minister of Public Safety and Solicitor General  
PO Box 9010 Stn Prov Govt  
Victoria, BC V8W 9E2

Re: Surrey's Transition to Municipal Policing

Dear Minister Farnworth:

Surrey is an exceptionally vibrant city. Surrey is one of the fastest growing cities in Canada with more than 10,000 new residents and 2,500 businesses relocating to Surrey each year. In addition, Surrey is one of the most culturally diverse communities in our country with 43 per cent of residents being immigrants to Canada. Furthermore, Surrey has the largest urban Indigenous, South Asian, and student populations in British Columbia. While it is currently the 12<sup>th</sup> largest city in Canada with a population of over 520,000, Surrey is forecasted to become the largest city in the province by 2041.

This extraordinary growth and diversity results in unique opportunities, as well as a need to ensure our infrastructure matches growth. Just as the city is maturing its transportation infrastructure and the pace and approach of development, it is time to develop a locally accountable and responsive policing infrastructure.

The City of Surrey is thankful for the policing service provided under contract by the Royal Canadian Mounted Police and its members since 1951. At that time, the RCMP took over from the Surrey Police Department, which had policed Surrey since 1905. However, as Surrey has grown from a rural, suburban, satellite community into a major urban city, it has outgrown the contract policing model. To support the city's astounding growth and diversity, the City of Surrey recognizes that a municipal policing model is urgently needed to facilitate a more diverse police service where officers can forge career-long relationships with citizens, community groups, and businesses. Only through such relationships and collaboration can public safety and inclusiveness be maximized.



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Accordingly, the City of Surrey has issued notice of termination regarding the Municipal Police Unit Agreement to the Prime Minister of Canada, the Premier of British Columbia as well as yourself – the Minister of Public Safety and Solicitor General. Specifically, the Municipal Police Unit Agreement specifies that a municipality can terminate the contract for police services on March 31 in any year provided that notice of the termination is issued 25 months in advance.

On November 5, 2018, Surrey Council unanimously passed a motion directing staff “to take all appropriate steps to immediately create a Surrey Police Department in accordance with the BC Police Act . . . and to notify the Federal and Provincial governments that the City of Surrey is terminating its contract.” The following day, on November 6, 2018, the City of Surrey provided your office notice of termination of the Municipal Police Unit Agreement effective on March 31, 2021 – a period more than 25 months prior to the termination date.

To develop a comprehensive framework for the transition from a contract to a municipal policing model, the City of Surrey developed all necessary internal processes required to support such an ambitious transition. Our Surrey Policing Transition Implementation Team has developed and is implementing comprehensive workplans. As you know we have also launched our ambitious Citizen Engagement Strategy.

To ensure this work is not done in a silo, the City retained the expertise of the City of Vancouver. Accompanying this letter is a report, entitled *Surrey Policing Transition Plan* (the “Transition Plan”), authored by the City of Vancouver, the Vancouver Police Department, Dr. Curt Griffiths, and reviewed externally by PricewaterhouseCoopers. The technical expertise of these parties has been leveraged to develop this Transition Plan. This report provides a comprehensive and viable framework for transitioning to a municipal policing model. The City of Surrey worked on the development of this report and concurs with its findings.

The City of Surrey appreciates that the adoption of a municipal policing model, and the associated loss of subsidies and exemptions from senior levels of government, will require additional funding from the City of Surrey. Specifically, annual operating costs for policing are forecasted to increase by 10.9 per cent in 2021. The City of Surrey is fully prepared to fund these costs in order to obtain the benefits of municipal policing.

These additional costs are not simply due to changing policing models; rather, they are an investment in Surrey’s public safety. Specifically, the Transition Plan will result in quantifiable benefits that include: 5 per cent more total policing staff; 16 per cent more frontline patrol officers to prevent crime and respond to calls for service from residents and businesses; and, 29 per cent more school liaison and youth officers to combat the upstream drivers of gang violence.

In addition, the Transition Plan includes numerous intangible benefits:

- Enhanced relationships: officers will spend their entire 20 to 30 year careers in the community, which will allow them to forge long-term relationships with residents, community groups and businesses.

- Improved diversity: local hiring will result in officers who better reflect the diversity of the community in gender, ethnicity and language skills.
- Responsiveness: a municipal department will be a nimble organization that can promptly devise and implement public safety solutions tailored to the unique and evolving needs of the community.
- Police board oversight: a governing body with local, civilian guidance that will set priorities and develop solutions that are specific to Surrey.
- Enhanced civilian oversight and transparency: the Office of the Police Complaint Commissioner will ensure police are held accountable to the community they serve.

Surrey is not unique as a major Canadian city that has had to carefully consider its policing model. The other 18 Canadian communities with more than 300,000 residents have each faced a similar decision. Of note, each of these communities has chosen to adopt a municipal policing model. The reality that each of these communities has implemented a municipal policing model and has continued to support this model on a year-over-year basis, makes it apparent that the benefits of a municipal policing model outweigh the associated costs. As a result, the City of Surrey is intent on joining its peer major Canadian cities in utilizing a municipal policing model.

The City of Surrey has reviewed the detailed Transition Plan as well as the associated costs. The City of Surrey firmly states that these costs can be supported. Further, the City of Surrey believes that each of the potential challenges in the Transition Plan can be effectively managed and mitigated. As a result, the City of Surrey reaffirms its commitment, and intention, to transition to a municipal policing model effective March 31, 2021.

The Transition Plan details how the adoption of a municipal policing model will be achieved through five milestones. The first of these milestones will commence in July 2019 – a period of 21 months prior to the transition date. Given that this is less than two months away, the City of Surrey requests that the Province of British Columbia review the Transition Plan and provide concurrence within 30 days to ensure that the first milestone can proceed on schedule.

In transitioning to a municipal policing model, the City of Surrey is committed to working with key partners, including the Province of British Columbia, to ensure a smooth and orderly transition – one that maximizes public safety and ensures that Surrey is a community where people can live, work, and play without fear of crime. We look forward to working with you in achieving this important outcome for the residents of Surrey and the citizens of British Columbia.

Sincerely yours,



Doug McCallum  
Mayor  
City of Surrey



Terry Waterhouse  
General Manager, Policing Transition  
City of Surrey  
13450 104 Avenue  
Surrey BC V3T 1V8

Dear Terry:

I am writing further to the correspondence sent to Mayor Doug McCallum on August 21, 2019, from the Honourable Minister Mike Farnworth, Minister of Public Safety and Solicitor General, and to summarize recent discussions that you and I have had regarding the path forward to the City of Surrey establishing a municipal police force.

First, I would like to highlight some information regarding the role of the Director of Police Services (the Director) pursuant to Section 39 (1) of the *Police Act* (the Act). As you are aware, the Director is responsible for superintending policing and law enforcement functions in BC. For clarity, this responsibility is not diminished if a municipal police board is established and therefore you can anticipate the interests of the Director in ensuring adequate and effective policing, on behalf of the Minister, would be relevant throughout any transition process as well as in the event that a new police department is operationalized. As identified in the *BC Police Board Handbook*, the role of the Director includes—but is not limited to—audits, inspections and reviews, recommendations about appointments to police boards, policing policy, research and statistics, and advice to the Minister, police boards and Chief Constables.

As you can appreciate, in the interest of public safety for the citizens of Surrey and all of BC, it is imperative that decisions to proceed through the transition process are fully informed and consider all the potential related impacts and risks. The process to transition to an independent municipal police force is complex, with many details that need to be addressed. Prior to any decision being made to approve the creation of a police board, which would be the next major milestone of this process, the Minister is responsible for ensuring that adequate and effective policing will be maintained with the establishment of the new policing model and throughout the transition. To fulfill this responsibility, there are a number of components of the *Surrey Policing Transition Plan* that require further research, analysis and validation prior to any formal review and eventual decision. These include, but may not be limited to:

- The development of a comprehensive recruitment and training plan;
- The development of a comprehensive plan that fully details the process and required actions to establish a collective bargaining agreement, as defined in the *Labour Relations Code*, for the hiring of all constables and civilian staff as employees of the municipal police board;
- The development of a comprehensive plan regarding the pension process including steps for the establishment of a pension plan for a future Surrey Police Department and portability options for current RCMP members;
- The development of a comprehensive plan that addresses investigation continuity with detailed procedures for the effective transition of investigations to the new department, including file governance and accountabilities, stakeholder transition and any confidentiality or privacy considerations;
- The development of a comprehensive plan regarding information management and information technology systems (IM/IT) including clarification into what IM/IT systems will be used (including PRIME access), the required clearance and licensing approvals and implementation requirements; and
- An overarching business analysis of the impact to policing in BC which will detail the potential impacts of a policing transition of this scope and scale, and how it may affect policing within the region and across the province.

A plan or report for each of the aforementioned components must include a comprehensive analysis, as well as detail all dependencies, assumptions and risks with identified mitigation strategies. Furthermore, a thorough financial analysis, identification of corresponding timelines and validation from relevant stakeholders must be incorporated.

To support this work, the Director is establishing a Transition Committee to conduct the required research and analysis to inform the policy work required for a transition between provincial and municipal policing models. The committee will be chaired by the Honourable Wally Oppal and will include representatives from the Province, the City of Surrey and independent consultants with expertise in local government, finance, independent municipal policing and the provincial police service. I believe the Transition Committee will promote a cooperative process between the ministry and the City of Surrey, and will provide the City of Surrey with the necessary support to finalize a robust plan.

Upon submission of the additional information to the satisfaction of the Director, the Director will evaluate the City of Surrey's Policing Transition Plan and provide a recommendation to the Minister. The Director's recommendation will inform the Minister's decision, under s. 23 of the Act, on whether to approve of Surrey providing policing and law enforcement by means of a municipal police department governed by a municipal police board. As we both recognize there is a strong desire for this work to proceed as expeditiously as possible, the Minister has asked for the recommendation of the Director by December.

Terry Waterhouse  
Page 3

Additionally, as part of the work ahead and in consideration of the time required to establish and effect an orderly transition to a municipal police force, the timeline for the termination of the Municipal Police Unit Agreement (MPUA) will need to be determined. In the Province's view, all required work is unlikely to be completed to allow for a termination date of March 31, 2021. I am confident that the City of Surrey fully recognizes the complexity of transitioning from one policing agency to another and public safety for all citizens must remain the core driving principle that will guide future decisions and timelines.

It is also important to note that it is anticipated that the work ahead will also consider a future Surrey Police Department's participation in integrated teams. Public safety requires current integrated teams be maintained at their current levels. Currently, Surrey contributes to the following integrated teams: Integrated Homicide Investigations Team, Emergency Response Team, Forensic Ident Section, Police Dogs Service, Integrated Collision Analyst Reconstruction Section, Integrated Internal Investigator, and the Real Time Intelligence Centre.

Additionally, in order to meet the required provincial training standards, a future Surrey Police Department must continue to partake in the required specialized training offered by the Pacific Regional Training Centre in support of these Integrated Teams.

I look forward to our continued collaboration on this initiative and reaffirm that ministry staff will continue to work with the City of Surrey staff on next steps to uphold our collective commitment to public safety for the citizens of Surrey and the Province of British Columbia.

Sincerely,



Lisa Anderson  
Assistant Deputy Minister  
and Project Lead, Policing Model Transition Project  
Community Safety and Crime Prevention Branch

pc: Mark Sieben, Deputy Solicitor General  
Brenda Butterworth-Carr, Assistant Deputy Minister and Director of Police Services

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