

VANCOUVER POLICE DEPARTMENT

REGULATIONS & PROCEDURES MANUAL

Effective: January 15, 2020

Sections of the Regulations & Procedures Manual are continually undergoing review.



VANCOUVER POLICE DEPARTMENT

Beyond the Call



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5.4.3 Court Appearances

5.4.4 Dress and Department

5.4.4 Dress and Department

5.4.4(i) Wearing Firearms with the Standard Dress Uniform at Sanctioned Public Events

5.4.5 Sworn Members

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5.4.10 Religious or Cultural Clothing - Headdress

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5.4.12 Identification Jackets

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5.5 Issue Equipment

5.5.1 Responsibility for Issue Equipment

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5.5.3(i) General

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[5.5.7 Handcuffs](#)

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5.6 Vehicles

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1.1 Jurisdiction and Authority

1.1.1 Authority

(Effective: 2000.11.02)

The Vancouver Police Department is governed by the Vancouver Police Board under the authority of the British Columbia Police Act. The Department is empowered to enforce the criminal law, the laws of the Province, municipal by-laws and to generally maintain law and order within the City of Vancouver.



1.1 Jurisdiction and Authority

1.1.2 Authority Outside of Municipality

(Effective: 2000.11.02)

- a. A municipal constable or a special municipal constable has jurisdiction throughout the Province while carrying out the powers, duties, privileges and responsibilities that a police constable or peace officer is entitled or required to exercise or carry out at law or under any Act (Police Act); and
- b. Where a municipal constable or special municipal constable performs duties outside the municipality, the constable shall, if possible, notify the provincial police force or municipal police force of the area prior to the performance of the duties, but in any case, promptly after performing the duties (Police Act).



1.1 Jurisdiction and Authority

1.1.3 Indian Reserves

(Effective: 2000.11.02)

Police members of the Department have full police authority on Indian Reservations and lands that are within the City. On the question of laying of charges, possible conflict between other statutes and the Indian Act must be kept in mind.



1.1 Jurisdiction and Authority

1.1.4 Boundaries of Jurisdiction

(Effective: 2000.11.02)

The territorial jurisdiction of police members of the Police Department extends to all portions of the City of Vancouver within the boundaries defined in the Vancouver Charter.



1.1 Jurisdiction and Authority

1.1.5 Justification for the Commission of Offences by Members

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.1 Jurisdiction and Authority

1.1.6 Assistance to Police Departments and Enforcement Agencies

(Effective:)

1. Where assistance is requested by the police department of another municipality, or by a non-police enforcement agency, such assistance shall be given immediately and shall only be limited insofar as responsibilities within our own jurisdiction require or dictate.
2. When assistance is requested of a member, other than an Officer, the request is to be filled at once within the limits of authority granted such member and his/her immediate supervisor notified as soon as possible.
3. Where the request for assistance is such that the decision must be made by an Officer, every effort shall be made to expedite the request.
4. In all instances where assistance is provided to outside police departments, or enforcement agencies, the Duty Officer shall be notified and a report submitted to the member's Divisional Commander.

For further reference on assisting other police departments see Section 68 of the BC Police Act.



1.1 Jurisdiction and Authority

1.1.7 Acting as Commissioner for Taking Affidavits

(Effective: 2014.07.22)

POLICY

In British Columbia pursuant to section 60.1 of the BC Evidence Act, police officers of all ranks are given the solemn power to act as Commissioners for Taking Affidavits for the purposes of exercising the powers and performing the duties of their office. Commissioners for Taking Affidavits do not certify the truth of the statements contained in a document, which remains the responsibility of the author.

DEFINITIONS

Oath - An oath is a solemn promise, either to do something or that something is true. It is the way a person signifies that they are bound in conscience to act faithfully or truthfully.

Affirmation - An affirmation is a solemn and formal declaration that an affidavit is true or that a person will tell the truth.

Affidavit - A statement of facts made in writing, which is confirmed by the oath or affirmation of the person making it before someone who has the authority to administer an oath or affirmation.

A Deponent or Declarant: The person swearing an oath, making an affirmation, or making a declaration.

PROCEDURE

1. Members acting as a Commissioner for Taking Affidavits will act ONLY in matters connected to the official business of the VPD (e.g. Promise to Appear, Undertakings, VPD Affidavit of Service, Form 9 Appearance Notice, Provincial Appearance Notice, Swearing in police officers, and Taking of KGB Statements).
2. Members shall not act as their own Commissioner for Taking Affidavits.
3. The deponent or declarant swearing the oath must be physically present and sign the document in front of the member acting as a Commissioner for Taking Affidavits. If the document is pre-signed, the deponent or declarant must sign the document again in the presence of the member acting as a Commissioner for Taking Affidavits.
4. The member acting as a Commissioner for Taking Affidavits must be satisfied with the authenticity of the deponent or declarant's identity and signature before they sign the document themselves.
5. When swearing or solemnly affirming documents, members acting as Commissioners for Taking Affidavits shall:
 - a. Administer the oath or solemn affirmation in accordance as follows:
 - i. Confirm the identity of the person swearing/solemnly affirming the document and if the member does not know the deponent or declarant, examine the person's picture identification, confirm their identity and make notes of their observations;
 - ii. **In the case of an affidavit being affirmed**, address the deponent or declarant as follows:

"Do you, (name of person), solemnly affirm and declare that the contents of this affidavit are true to the best of your knowledge, information and belief?"
 - iii. **In the case of an affidavit being sworn**, hand the deponent or declarant making the statement a Bible and address them as follows:



“Do you, (name of person), swear that the contents of this affidavit are true to the best of your knowledge, information and belief, so help you God?”

- iv. Witness the signature of the deponent or declarant and legibly print the person’s full name below their signature.
- b. Members shall legibly print their name and VPD PIN below their signature, and legibly print the words “Police Officer - Commissioner for Taking Affidavits for British Columbia” immediately next to, or below, where they have printed their name.
- c. When completing a General Occurrence Report members shall include the details of this interaction.

ALTERATIONS

6. Ideally, an affidavit or statutory declaration should not contain any alterations, corrections, or interlineations (inserted words written between the lines). If such changes are necessary, each change should be initialed by both the deponent or declarant and the Commissioner for Taking Affidavits. Furthermore, check marks should be inserted at the beginning and end of each change to identify the portion to which each set of initials applies.



1.2 Use Of Force

1.2.1 Use of Force - Justification

(Effective: 2018.04.20)

THIS PROCEDURE IS CURRENTLY UNDER REVIEW. MEMBERS ARE DIRECTED TO FOLLOW THEIR SBOR TRAINING INSTRUCTIONS REGARDING THE REPORTING OF USE OF FORCE. PLEASE ALSO USE SBOR REPORT INSTEAD OF FORM VPD 840.

PLEASE SEE THE NOTE IN SECTIONS 15 AND 23 REGARDING THE NEED TO PROVIDE MEDICAL ASSISTANCE FOLLOWING THE DEPLOYMENT OF THE CEW.

POLICY

Police members may be required to use force in the execution of their duties. The member must endeavour to use a reasonable level of force in the circumstances facing them, given the use of force model of the Vancouver Police Department.

When using force in the course of their duties, members shall be guided by, and shall comply with, the provisions of the Criminal Code and the Use of Force Regulation (B.C. Reg 203/98) passed pursuant to the Police Act (the "Regulation").

A member who uses force in the course of their duties is legally responsible for the force so applied and cannot rely on an administrative direction or order issued by the Vancouver Police Department or any officer or supervisor within it to protect the member from such scrutiny and legal responsibility. The member may be required to justify their actions afterward in various legal forums, including criminal court, civil court and in the context of an investigation and/or adjudication in a Police Act proceeding.

Also refer to:

- Section 1.16.7: [BC Police Act](#) - Reportable Incidents - Injuries or Death

PROCEDURE

Firearms/Lethal Force

1. Members may discharge their firearms if it is reasonable and necessary to do so and in accordance with the protections and authorizations provided by Section 25 of the Criminal Code (Canada).
2. The seriousness of the offence does not in itself justify the use of firearms in the pursuit of suspects, unless:
 - a. the member is, or is about to be, or has been fired upon, or the suspect has already killed or wounded someone;
 - b. the member is satisfied nothing less than deadly force will stop the fugitive or prevent their escape; and
 - c. the lives or safety of innocent persons will not be jeopardized.
3. Members shall not discharge a firearm at a vehicle in an attempt to disable it. Members are justified with using an appropriate level of force, including deadly force, against the occupant(s) of a vehicle if it is to prevent grievous bodily harm or death to himself or herself or another person, and it is the least violent means available.
4. The discharge of a firearm as a warning shot is prohibited.



NOTE: None of the forgoing is intended in any way to convey the impression that members must unnecessarily risk their personal safety. In potentially dangerous situations, such as entering premises where there may be armed criminals, **DRAWING OF THE SIDEARM AND HAVING IT "AT THE READY" IS QUITE PROPER AND IS RECOMMENDED.**

5. In every instance where a member discharges a firearm while on duty, the member shall:
 - a. notify their Supervisor of the incident;
 - b. verbally report the incident through their Supervisor to the Duty Officer;
 - c. submit a detailed written report through their Supervisor to the Chief Constable;
 - d. turn the firearm used in the incident, used casings, and live ammunition over to their Supervisor or an investigating officer; and
 - e. obtain a replacement pistol, if required, from the Firearms Training Supervisor, or from a person designated by the Inspector i/c Training and Recruiting Section.

Note: Section 5 does not apply to members discharging a firearm at the Range where no injury or death has occurred.

6. A Supervisor receiving notification that a member has discharged their firearm, shall:
 - a. investigate the reason for the discharging of the firearm;
 - b. seize the member's firearm, ammunition and any used casings unless already seized by an investigating officer (Refer to Section 1.6.17(ii) - Seizing of a Member's Firearm);
 - c. obtain detailed reports from all members involved in the incident;
 - d. notify the Firearms Training Supervisor; and
 - e. submit a full report to the Chief Constable, which may include recommendations.
7. A Duty Officer receiving a report that a member has discharged their firearm shall ensure that all requirements of subsection 5 have been met and record the incident in the Duty Officer's Log.
8. In the event that the discharge of the firearm was intentional, or has caused an injury or death, the Duty Officer shall notify the Major Crime Section-Homicide, which will be responsible for the investigation.
9. In the event the discharge of the firearm was unintentional and did not cause injury or death, the Duty Officer shall notify the Professional Standards Section, which will be responsible for the investigation.
10. The Chief Constable or designate, upon receipt of a full report concerning a member discharging their firearm shall:
 - a. conclude the matter forthwith; or
 - b. cause disciplinary proceedings and/or corrective action to be taken.

Use of Intermediate Weapons

11. The Vancouver Police Department supports the use of intermediate weapons by members who are qualified and/or certified to use them when lower levels of force (including other specific intermediate weapons) have been ineffective and/or inappropriate, and the use of higher levels of force (including other specific intermediate weapons) may not be justified and/or appropriate. The Conducted Energy Weapon (CEW); Beanbag Shotgun; ARWEN Gun; Penn Arms SL-65; Baton; and Oleoresin Capsicum (OC) Spray are intermediate weapons that are authorized for use by members upon successful completion of the required training and having been qualified or re-qualified. (See Section 2.4.1 - Qualifying Standards - Firearms, Baton, Vascular Neck Restraint and Oleoresin Capsicum Spray).

Procedures for CEW/Beanbag Shotgun Deployment



12. When the CEW is drawn and aimed (but not discharged) at a non-compliant subject, members shall complete a VPD840 Use of Force Report.
13. When members discharge a Beanbag Shotgun and/or a CEW (contact stun or probe discharge) at an incident they shall:
 - a. ensure that the requirements of subsection 22 have been met;
 - b. complete a VPD840 Use of Force Report;
 - c. ensure that the Emergency Health Service is notified and attends to the person involved;
 - d. ensure that the Forensic Incident Squad attends the incident; and
 - e. notify the Duty Officer.
14. In every instance where a member discharges the beanbag shotgun the member shall attempt to seize the discharged beanbag and tag the beanbag in the property office (See Section 1.6.17(i) - Seizing of Intermediate Weapons).
15. In every instance where a member deploys a CEW (contact stun or probe discharge) the member shall submit the CEW, and any associated cartridge and probes to the CEW Coordinator or Supervisor, Force Options Training Unit (FOTU). If the FOTU office is closed, the member shall:
 - a. Personal Issue CEW
 - i. ensure the CEW is tagged and submitted to the Station NCO along with the VPD840 Use of Force Report;
 - ii. obtain a replacement CEW from the Station NCO;
 - iii. forward a copy of the Use of Force Report to the FOTU Supervisor; and
 - iv. once the Supervisor of the FOTU has downloaded the microprocessor and function tested the CEW, the member will be notified by the FOTU to attend the Office of the Station NCO to return the replacement CEW and obtain their personal issue CEW.
 - b. "Pool" CEW
 - c. ensure the CEW is tagged and placed in a forensic science locker along with the VPD840 Use of Force Report; and
 - d. forward a copy of the Use of Force Report to the FOTU Supervisor.

NOTE: This section is currently being updated to reflect the new Provincial Policing Standards. Please refer to the **Operational Bulletin of 2012-01-27**.

Vascular Neck Restraint

16. The Vascular Neck Restraint shall only be used when the following criteria are met:
 - a. the situation demands immediate control over a violent person;
 - b. no less violent means are available;
 - c. there is no reason to believe that the person being subdued will suffer any injury; and
 - d. the member has been trained to apply the hold correctly.

Use of an Intermediate Weapon Resulting in Death or Grievous Bodily Harm

17. A Supervisor receiving notification that a person died or was grievously injured following the application of an intermediate weapon shall:
 - a. immediately report the incident to the Duty Officer;
 - b. investigate the reason for the use of the weapon;
 - c. seize the weapon (Refer to Section 1.6.17(i) - Seizing of an Intermediate Weapon);
 - d. obtain detailed reports from all members involved in the incident;
 - e. notify the FOTU Supervisor during regular daytime hours when the weapon involved is a CEW;



- f. notify the Firearms Training Supervisor during regular daytime hours when the weapon is not a CEW; and
- g. submit a full report including recommendations (if appropriate), to the Chief Constable.

18. A Duty Officer receiving a report that a person has died or was grievously injured following the application of an intermediate weapon shall:
- a. ensure that the requirements of subsection 22 have been met; and
 - b. notify Major Crime Section-Homicide who will be responsible for the investigation.

Unintentional Discharge of an Intermediate Weapon resulting in Death or Injury

19. In every instance where a member unintentionally discharges an intermediate weapon following which death or injury occurs the member shall:
- a. notify their Supervisor of the incident;
 - b. verbally report the incident through their Supervisor to the Duty Officer;
 - c. submit a detailed written report through their Supervisor to the Chief Constable; and
 - d. submit the weapon used in the incident, used casings, and live ammunition, if applicable, to their Supervisor or an investigating officer. (Refer to [Section 1.6.17\(i\) Seizing of an Intermediate Weapon](#)).
20. A Supervisor receiving notification that a person has died or was injured following the unintentional discharge of an intermediate weapon shall:
- a. immediately report the incident to the Duty Officer;
 - b. investigate the reason and/or circumstances for the use of the weapon;
 - c. seize the weapon (Refer to [Section 1.6.17\(i\) - Seizing of an Intermediate Weapon](#));
 - d. obtain detailed reports from all members involved in the incident;
 - e. notify the FOTU Supervisor during regular daytime hours when the weapon involved is a CEW;
 - f. notify the Firearms Training Supervisor during regular daytime hours when the weapon is not a CEW; and
 - g. submit a full report including recommendations (if appropriate), to the Chief Constable.
21. A Duty Officer receiving a report that a person has died or was injured following an unintentional discharge of an intermediate weapon shall:
- a. ensure that the requirements of subsection 16 have been met; and
 - b. notify Major Crime Section-Homicide who will be responsible for the investigation.

Unintentional Discharge of an Intermediate Weapon not resulting in Injury

22. In the event the discharge of the weapon was unintentional and no injury has occurred, the member shall:
- a. notify their Supervisor of the incident;
 - b. verbally report the incident through their Supervisor to the Duty Officer;
 - c. submit a detailed written report through their Supervisor to the Force Options Training Unit Supervisor when the weapon involved is a CEW;
 - d. submit a detailed written report through their Supervisor to the Firearms Training Supervisor when the weapon involved is not a CEW;
 - e. unload the weapon;
 - f. keep the ammunition from the weapon separate from other ammunition seized; and
 - g. contact the appropriate Supervisor (FOTU Supervisor or Firearms Training Supervisor), who shall determine if the weapon will be seized. In the event the appropriate Supervisor cannot be contacted, notify the Duty Officer who shall make this determination. (Refer to [Section 1.6.17\(i\) - Seizure of an Intermediate Weapon](#)).



Member's Requirement to Report Use of Force and Provide Medical Attention

23. When a member has found it necessary to apply one or more of the following force options to gain physical control of a non-compliant subject:
- a. ARWEN gun
 - b. Penn Arms SL-65
 - c. Beanbag Shotgun
 - d. CEW
 - e. Oleoresin Capsicum (OC) Spray
 - f. A Baton that causes injury to a person
 - g. A Vascular Neck Restraint
 - h. Any physical force to a person that causes injury and medical attention is required or requested.

The member shall:

- a. notify their Supervisor;
- b. in the event of injury, report the incident through their Supervisor to the Duty Officer;
- c. consider whether it is appropriate for an assault, assault peace officer and/or obstruction charges against the non-compliant subject;
- d. offer medical assistance or aid. A member shall have the Emergency Health Service (ambulance) attend if the person requests medical attention or if the member believes it is appropriate (See Section 1.2.2 - Use of Force to Provide Medical Aid). If the member believes that medical attention is required, that member will have Emergency Health Service attend even if the subject initially refuses such aid;

NOTE: This section is currently being updated to reflect the new Provincial Policing Standards. Please refer to the **Operational Bulletin of 2012-01-27**.

- e. document the incident in their notebook, and submit a GO report. If charges are requested, the member(s) shall document the force used on a Vancouver Jail Arrest Report and submit a GO report for Crown Counsel;
- f. complete and submit a VPD 840 Use of Force Report following the use of the CEW or Beanbag Shotgun; and
- g. ensure that reports include the following information:
 - A description of the incident which led up to the necessity of force being applied;
 - Type of force applied;
 - Type of injury, if any, received by the non-compliant subject, or member; and
 - Whether medical attention was requested and the result of the medical attention received.



1.2 Use of Force

1.2.2 Use of Force to Provide Medical Aid

(Effective: 2011.09.16)

POLICY

Injured or sick persons have the right to refuse medical aid, however, in order to do so they must be capable of making a competent, rational decision. In assessing whether someone is capable of making a rational decision, members must pay particular attention to the person's degree of impairment and ability to communicate, and not rely excessively on the person's ability to follow simple commands. If a person refuses medical care, and is capable of making a rational decision, members must make careful notes of the refusal and, where practicable, have the refusal witnessed.

PROCEDURE

1. Injured or sick persons have the right to refuse medical aid. In the event a person appears capable of making a rational decision, and that person refuses medical aid, members shall document the refusal and include any witnesses present.
2. The use of force to provide medical aid shall only be used as a last resort with extreme restraint and only when either:
 - a. the power of arrest exists (Criminal Code, Mental Health Act, Liquor Control and Licensing Act, et cetera). Members may arrest the person and accompany him/her to the hospital via ambulance for treatment; or
 - b. a member reasonably believes that a person is incapable of making a rational decision about whether to accept or refuse medical treatment, as a result of extreme intoxication, mental illness, or some other physical or mental condition, the member shall take reasonable steps to ensure that emergency medical treatment can be administered. In this situation the person may be forcibly taken to hospital via ambulance and members may assist hospital staff if necessary in restraining the person so that emergency medical treatment can be administered.
3. Members shall not assist hospital staff in restraining a patient who is refusing routine delivery of their prescribed medication.
4. Persons in police custody must have medical aid made available, however, members are not required to force prisoners to allow treatment (subject to paragraph 2b).
5. When a member uses force to provide medical aid, members shall document their reason for doing so, and include any personal observations made to reach that decision. (Refer to RPM S. 1.4.6 Arrest of Persons with Injuries or Other Apparent Medical Risks)
6. In all situations where a person has initially refused treatment a member shall accompany the patient in the ambulance to the hospital.
7. In some circumstances, a seriously ill patient may rationally refuse treatment. An example would be a terminally ill patient who wishes to remain at home. In these situations, members shall not use force to transport the person to hospital.
8. When a member has found it necessary in the course of their duty, to apply any level of force to control a person, which results in injury to that person, medical assistance shall be offered. If the person refuses treatment and the injuries are not life threatening, the member shall document the offer of medical assistance and the refusal in the GO report. Please refer to Section 1.16.7: BC Police Act - Reportable Incidents - Injuries or Death for further reporting requirements.



1.2 Use of Force

1.2.3 Use of Force - Restraint Devices

(Effective: 2012.02.09)

POLICY

When an officer arrests or detains a person, or when a person is restrained for officer safety and is transported by police wagon, police vehicle or on foot, the officer must consider their lawful authority for applying any restraint device(s), e.g. handcuffs, to the prisoner. The safety of the prisoner and the safety of the officer are two lawful reasons why restraint devices may be applied; however, an officer must articulate in each circumstance the reasons why they applied a particular restraint device(s) to the prisoner.

Handcuffs and plastic straps are two common approved devices used by members to restrain a person. When a member believes that a person is using, or is about to use their legs/feet to injure themselves or others, damage property, cause a disturbance, or escape, the member may, where appropriate and reasonable to do so, restrain the person by using a Modified Restraint Device (Hobble), Body Cuff™, Emergency Restraint Chair, or other approved device, in addition to applying handcuffs/plastic straps to the person.



1.2 Use of Force

1.2.4 Automated External Defibrillators (AED)

(Effective: 2013.01.22)

POLICY

A conducted energy weapon (CEW), commonly referred to as a “TASER”, is an intermediate weapon that uses a conducted electrical current in order to lawfully incapacitate a person. CEWs can only be used by qualified and/or certified police officers when lower levels of force have been ineffective or inappropriate and higher levels of force may not be justified. This policy for the automated external defibrillator (AED) will:

- a. Provide the examples of “medically high-risk” incidents as it relates to the discharge of a CEW;
- b. Provide practices that will make AEDs “readily available” to CEW operators;
- c. Advise of the medical attention that is required after the discharge of a CEW upon a person; and
- d. Provide the notification and reporting requirements after the discharge of a CEW.

Although the risk of serious injury is relatively low, the intent of this policy is to further enhance the safety of person(s) upon whom a CEW is discharged by increasing the ability of the police to respond to potential medical issues.

DEFINITIONS

Medically high-risk incidents include when a CEW is discharged in:

- a. Probe mode across the person’s chest;
- b. Probe mode for longer than five seconds; or

Any use or potential use against:

- a. An emotionally disturbed person;
- b. An elderly person;
- c. A person who the officer has reason to believe is pregnant;
- d. A child; and
- e. A person who the officer has reason to believe has a medical condition (e.g., heart disease, implanted pacemaker or defibrillator).

PROCEDURE

1. There shall be an AED deployed in the following vehicles:
 - a. BET NCO vehicle;
 - b. CSIU NCO vehicle;
 - c. Patrol NCO vehicles;
 - d. Dog Squad NCO vehicle;
 - e. ERT NCO vehicle;
 - f. Marine Squad vessels (R.G. McBeath and the zodiac);
 - g. Traffic NCO vehicle;
 - h. Police wagons; and
 - i. Any other vehicle deemed appropriate.



2. Members shall check the status of the AED in their AED equipped vehicle, or Marine Squad vessel, at the start of shift. In the event that the AED indicates that it is not functional, a replacement AED shall be obtained from the Kiosk.
3. A member who anticipates that a CEW will be deployed shall request the attendance of a NCO or paramedic to that location, prior to deployment if possible. This does not preclude a NCO from attending prior to the request, if the NCO believes it to be appropriate.
4. Members shall request paramedic attendance at all medically high-risk incidents before discharge of the CEW or, if that is not feasible, as soon as possible thereafter.
5. Only members currently certified on the AED shall use the AED.
6. If a member uses an AED on a person, emergency medical assistance, either from paramedics or a hospital, shall be sought as soon as possible. The member shall advise emergency medical personnel of the circumstances of AED use.
7. The attending NCO shall advise Car 10 of the AED use.
8. When an AED is used for a medical issue arising from the discharge of a CEW or any other use of force by a member, deemed reportable in an Subject Behaviour Officer Response Report (SBORR), that member shall document the use of the AED in a General Occurrence Report and note that an AED was used in the narrative box located on the last page of the SBORR template.
9. When an AED is used for a medical issue that is not related to the use of force by a member, the use of the AED shall be documented in the General Occurrence Report.
10. When an AED is used, the member shall forward an E-mail to the CEW Coordinator with the following information:
 - a. Incident number of the General Occurrence Report;
 - b. The AED serial number; and
 - c. A synopsis of the incident.
11. The CEW Coordinator is responsible for the AED to be removed from service until a function and maintenance check is performed.

RELATED POLICY:

Refer to RPM Section 1.2.1: Use of Force - Justification



1.3 Emergency Services

1.3.1 Ambulances

(Effective: 2000.09.05)

When members require ambulance service they will advise the Channel Dispatcher to send the unit either as "emergency" or "routine." When requesting emergency ambulance service, members shall advise the dispatcher of all available information on the casualty. This information is required to determine if a paramedic unit or a regular unit is to be dispatched.



1.3 Emergency Services

1.3.2 Emergency Equipment

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.3 Emergency Services

1.3.3 Fire and Rescue

(Effective: 2018.03.09)

This policy has been rescinded.



1.3 Emergency Services

1.3.4 Fire Extinguishers in Police Vehicles

(Effective: 2018.03.09)

Each police vehicle is equipped with a fire extinguisher that is regularly maintained and replaced by Fleet Services staff. If members become aware that a fire extinguisher requires immediate replacement, it is incumbent upon them to ensure Fleet Services staff are advised. This will ensure the fire extinguisher is replaced as soon as possible.

A fire extinguisher that has been discharged may be taken to the VPD Kiosk located at 1850 Spyglass Place 24 hours a day, or to National Yards during daytime hours for replacement.



1.3 Emergency Services

1.3.5 Helicopter Operations

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.4 Arrest & Detention

1.4.1 Police Warnings

(Effective: 2019.09.16)

POLICY

Sections 10(a) and 10(b) of the Charter are legal requirements when arresting or detaining a person. Other warnings are not required by law but in certain circumstances, should be given after the Section 10(a) and 10(b) warnings to a person who has been arrested or detained to establish the voluntariness of a statement to assist securing a conviction.

PROCEDURE

1. Charter of Rights

Section 10(a):

"I am arresting/detaining you for: "(State reason for arrest/detention, including the offence and provide known information about the offence, including the date and place.)"

Section 10(b):

"It is my duty to inform you that you have the right to retain and instruct Counsel in private without delay. You may call any lawyer you want."

There is a 24 hour telephone service available which provides a legal aid duty lawyer who can give you legal advice in private. This advice is given without charge and the lawyer can explain the legal aid plan to you. If you wish to contact a Legal Aid Duty Lawyer, I can provide you with a telephone number.

Do you understand?

Do you want to call a lawyer?"

Supplementary Charter Warning

If an arrested or detained person initially indicated that he or she wished to contact legal counsel and then subsequently indicates that he or she no longer wished to exercise the right to counsel, read the following additional charter warning.

"You have the right to a reasonable opportunity to contact counsel. I am obliged not to take a statement from you or to ask you to participate in any process which could provide incriminating evidence until you are certain about whether you want to exercise this right.

Do you understand?

What do you wish to do?"

2. Official Warning

"You are not obliged to say anything, but anything you do say may be given in evidence."



3. Secondary Warning

This is to be used address the possibility of threats or inducements by other persons in authority.

"(Name) you are detained with respect to (*reason for detention*). If you have spoken to any other police officer (*including myself*) with respect to this matter, who has offered to you any hope of advantage or suggested any fear of prejudice should you speak or refuse to speak with me (*us*) at this time, it is my duty to warn you that no such offer or suggestion can be of any effect and must not influence you or make you feel compelled to say anything to me (*us*) for any reason, but anything you do say may be used in evidence."

4. Written Statement Caution

This is to be used when taking a written statement from the accused. The written statement caution should be included in the conversation leading up to the accused making a written statement.

The following written statement caution should be used:

"I have been advised by (*Investigating Officer*) that I am not obliged to say anything but anything I do say may be given in evidence. I understand the meaning of the foregoing and I choose to make the following statement."

Note: The accused and the investigating officers should sign at the bottom of each page of the statement and at the end of the statement.

5. Obstruction

The following warning should be given and, if the person continues to obstruct, he/she should be arrested and charged with obstructing a peace officer.

"I am a police officer. I am (*explain duty*). If you continue to obstruct me, I will arrest you and charge you with obstructing a police officer."

6. Controlled Drugs and Substances

The investigating member should show all narcotic exhibits to all the accused involved in the case, remembering to keep them at a discrete distance, and then give this warning:

"I suspect this article contains (*name of the suspected drug*) and it will be held for analysis. You are going to be charged with (*offence*).

You are not obliged to say anything, but anything you do say may be given in evidence."

7. Approved Screening Device (ASD) Demand

a. Suspicion of Alcohol in Body 320.27(1)(b)

I have reasonable grounds to suspect that you have, within the preceding three hours, operated a conveyance (namely (pick one) a motor vehicle, a vessel, an aircraft or railway equipment) with alcohol in your body. In accordance with the provisions of the Criminal Code, I hereby demand that



you provide a sample of your breath, immediately, suitable for analysis using an approved screening device and to accompany for the purpose of enable such samples to be taken. Do you understand?

b. Mandatory Alcohol Screening 320.27(2)

In accordance with the provisions of the Criminal Code an in the lawful execution of my duty, you are required to provide a sample of your breath into an approved screening device when operating a motor vehicle. I hereby demand that you provide a sample of your breath, immediately, suitable for analysis using an approved screening device and to accompany me for the purpose of enabling such samples to be taken. Do you understand?

8. Compulsory Breath and Blood Samples (Alcohol)

There must be a clear request to the driver when demanding breath or blood samples pursuant to Section 320 CCC. The investigating member shall use the following words when giving the demand:

a. Breath Demand:

"I have reasonable grounds to believe that you committed, as a result of the consumption of alcohol, an offence under Section 320 of the Criminal Code, and I hereby demand that you provide as soon as practicable, such samples of your breath that, in the opinion of a qualified technician, ~~as~~ are necessary to enable a proper analysis to be made by means of an approved instrument to determine the concentration, if any, of alcohol in your blood, and to accompany me for the purpose of enabling such samples to be taken. Do you understand?"

b. Blood Demand:

"I have reasonable grounds to believe that you committed, as a result of the consumption of alcohol, an offence under Section 320 of the Criminal Code, and I hereby demand that you provide as soon as practicable, such samples of your blood as are necessary to enable a proper analysis to be made to determine the concentration, if any, of alcohol in your blood. Samples of your blood will be taken by a qualified medical practitioner, or a qualified technician who is satisfied that the taking of those samples will not endanger your life or your health. Do you understand?"

9. Compulsory Fluid and Blood Samples (Drugs)

a. Oral Fluid Demand:

"I have reasonable grounds to suspect that you have, within the preceding three hours, operated a conveyance (namely (pick one) a motor vehicle, a vessel, an aircraft or railway equipment) with a drug in your body. In accordance with the provisions of the Criminal Code, I hereby demand that you provide a sample of your bodily substance, immediately, suitable for analysis using approved drug screening equipment and to accompany me for that purpose. Do you understand?"

b. Blood Demand:

"In accordance with the provisions of the Criminal Code, I hereby demand that you provide as soon as practicable, such samples of your blood that will enable a proper analysis to be made to determine your blood drug concentration or you blood alcohol concentration, or both, and to accompany me for the purpose of enabling such samples to be taken. Samples of your blood will be taken by a qualified medical practitioner or a qualified technician who is satisfied that the taking of the sample will not endanger your life or health. Do you understand?"



10. SFST (Standard Field Sobriety Tests) Demand - Section 320.27(1)(a) CCC

I have reasonable grounds to suspect that you have, within the preceding three hours, operated a conveyance (namely (pick one) a motor vehicle, a vessel, an aircraft or railway equipment) with alcohol or a drug in your body. In accordance with the provisions of the Criminal Code, I hereby demand that you perform, immediately, physical coordination tests, and to accompany me for the purpose of performing such tests. Do you understand?"

11. DRE (Drug Recognition Expert) Demand - Section 320.28(2)(a) CCC

I have reasonable grounds to believe that you are committing, as a result of the consumption of a drug or other combination of a drug and alcohol, committed an offence under Section 320 of the Criminal Code, and I hereby demand that submit as soon as practicable, to an evaluation conducted by an Evaluating Officer to determine whether your ability to operate a conveyance is impaired by a drug or by a combination of a drug and alcohol, and that you accompany me for this purpose. Do you understand?"

12. Evaluator Demands (DRE ONLY): Bodily Substance - Section 320.28(4) CCC

a. Urine or oral fluid - Section 320.28(4)(a) CCC

"I demand that you provide, as soon as practicable, a sample of your urine (OR oral fluid) that will enable a proper analysis to be made to determine whether you have a drug in your body. Do you understand?"

- or -

b. Blood - Section 320.28(4)(b) CCC

"I demand that you provide, as soon as practicable, such samples of your blood that will enable a proper analysis to be made to determine whether you have a drug in your body. Blood samples will only be taken by a qualified medical practitioner or a qualified technician who is satisfied that the taking of the samples will not endanger your life or health. Do you understand?"

13. Drug Recognition Expert: Approved Instrument Demand - Section 320.28(3) CCC

"As an evaluating officer, I demand that you provide as soon as practicable, a sample of your breath that, in a qualified technician's opinion, will enable a proper analysis to be made by means of an approved instrument. Do you understand?"

14. Motor Vehicle Act: 12 Hour License Suspension - MVA Section 90.3

"I have reasonable grounds to believe:

1. you have alcohol or a prescribed drug in your body

- or -

2. you have failed or refused to comply with the demand to provide a sample of breath or bodily substance that is necessary to enable a proper analysis of your breath or bodily substance to be made by means of an approved screening device or approved drug screening equipment, as applicable.



I therefore direct you to surrender your driver's license. Your license to drive is now suspended for a period of 12 hours from this time and date."

15. Motor Vehicle Act: 215 - 24 Hour Suspension

"I have reasonable grounds to believe that your ability to drive a motor vehicle is affected by alcohol (or by drug), and I therefore direct you to surrender your driver's license.

You are now prohibited from driving a motor vehicle for a period of 24 hours from this time and date."

(for alcohol, if an ASD test not already administered) "You have a right to forthwith request an ASD breath test to determine your blood alcohol level. In the event the test indicates that your blood alcohol level does not exceed 50 mg% (50mg% or less), this prohibition from driving is terminated."

(for drug, if a SFST not already administered) "You have a right to forthwith request a prescribed physical coordination test. In the event that the test indicates that your ability to drive a motor vehicle is not affected by a drug other than alcohol, and if the peace officer is so satisfied, this prohibition from driving is terminated (no provision for DRE)."

TOLL FREE - 24 HOUR LEGAL AID SERVICES

Province Wide toll free telephone service:

Brydges Line services are available at: 1-866-458-5500



1.4 Arrest & Detention

1.4.2 Arresting Outside Jurisdiction

(Effective: 2000.07.26)

Whenever a person is arrested for an outside police department, the following procedures shall apply.

1. The arresting member shall:
 - a. Confirm that the arrested party is the person named on the CPIC printout;
 - b. Ensure through CPIC that the warrant is valid;
 - c. Ensure that all warrants and charges are recorded on a Vancouver Jail Arrest Report; and
 - d. Lodge the arrested party in the Vancouver Jail on a "Hold" basis. Any Vancouver charges and outstanding warrants shall be entered on the Duty Counsel Sheet.
2. CPIC Staff shall:
 - a. Forward the CPIC printout for the "wanted" party to the Vancouver Jail;
 - b. Immediately notify the outside agency that the person is in custody;
 - c. Request confirmation that the warrant is valid;
 - d. Supply the Vancouver Jail with a copy of all CPIC documentation to confirm warrant status, and include, if applicable, a fax copy of the warrant;
 - e. Forward all CPIC correspondence relating to prisoner escorts to the Vancouver Jail; and,
 - f. Log all correspondence on CPIC/Narrative Traffic Log.
3. The on-duty Jail Officer in Charge (Police) shall:
 - a. Ensure that the warrant has been confirmed;
 - b. Determine whether the arrested party may be released under the Bail Reform Act or must be held for escort;
 - c. Confirm that the outside agency has been notified by the CPIC staff to cancel the warrant. Acknowledgement shall be requested;
 - d. Ensure that all CPIC messages concerning the person being held for escort are kept on file;
 - e. Confirm that the outside jurisdiction is willing to return the person; and
 - f. Be responsible for relaying all information to outside jurisdictions regarding escort arrangements and the release of the person to the outside agency. In circumstances where the arrested person has been lodged in the Pre-Trial Centre or the Lower Mainland Regional Correction Centre, the outside agency shall be advised of the requirements for having that person released to an escort.



1.4 Arrest & Detention

1.4.2(i) Outside Jurisdiction Warrant Arrests (Conair)

(Effective: 2012.03.13)

POLICY

Persons wanted on outstanding limited radius of return arrest warrants in other provinces and found in the city of Vancouver may be subject to arrest and returned to the jurisdiction which issued the warrant utilizing provisions in the *Criminal Code*. Members within the General Investigation Section (GIS) assigned to the Outside Jurisdiction Arrest Team (OJAT), commonly referred to as ‘Con-Air’, work in conjunction with other sections and with police departments across Canada to facilitate the arrest and return of suspects to the jurisdictions from which the warrant(s) originated.

This policy will ensure that police members are aware of their authority to arrest persons wanted on a warrant(s) from another province. These arrests are to be made judiciously and only when the offence is related to violence, other serious criminal offences, or gang crime. When conducting these arrests, members are fulfilling their duty to the courts and public, supporting victims of crime, and enhancing community safety by bringing criminals wanted for serious offences to justice.

PROCEDURE

The authority to arrest an individual wanted in another province is found under *Criminal Code* s.495(1)(a) which gives police the authority to arrest anyone who has committed an indictable offence, or whom, on reasonable grounds, the officer believes has committed an indictable offence (including all dual offences), or is about to commit an indictable offence. By virtue of an entry for an arrest warrant on the Canadian Police Information Centre (CPIC), members have reasonable grounds to believe that the accused has committed an indictable offence(s) as required under S. 495(1)(a) CCC.

Criteria

The criteria for a person to be arrested and returned to the jurisdiction that issued the warrant(s) are:

1. The outstanding warrant is for a violent offence;
2. The offence is serious in nature; or,
3. The arrest would disrupt organized crime; and,
4. The person does not have current charges in British Columbia.

Upon arrest of a person pursuant to an outstanding arrest warrant (excluding a Canada-wide warrant or where the radius of a warrant has been extended to British Columbia) from another jurisdiction, members shall:

1. Ensure through CPIC that the existence of the warrant is confirmed;
2. Check for previous ‘Conair’ warrant arrest attempts on PRIME;
3. Notify their Supervisor;
4. Complete a VPD Jail 8 and indicate on the form “Con Air” to advise the Jail Staff that the arrest is an arrest on an outside jurisdiction warrant;
5. Lodge the suspect in the Vancouver Jail;
6. Complete a General Occurrence (GO) report.
 - a. Complete a CPIC Narrative Page in PRIME to the jurisdiction where the arrest warrant was issued (See Checklist for Outside Jurisdiction Warrant Arrests for suggested wording for the CPIC Narrative Page).



- b. The report shall include the circumstances of the arrest and how the suspect was identified (identification, descriptors on CPIC, comments made to the members before and after the arrest including knowledge of the warrant, previous addresses and/or cities lived in). **This is an important step as members must ensure that the identity of the arrested person is established to satisfy Section 503(3) of the *Criminal Code* and allow Crown Counsel to advise a justice that the suspect's identity is not an issue. If identity is not confirmed, the suspect will be released.**
- c. Members shall highlight the 'OP - Out of Province' option in the Special Study Flag.

Supervisors shall:

7. Review the circumstances of the arrest and confirm that the arrest fits the arrest criteria. If the arrest does not fit the criteria, the NCO shall ensure that the accused is released and advised to contact the Court of jurisdiction and have the matter resolved.
8. Ensure the OJAT has been notified (during business hours);
9. Confirm that the Jail NCO has been advised;
10. Confirm that a CPIC message has been sent to the outside jurisdiction; and,
11. Notify the Duty Officer.

The Duty Officer shall:

12. Through consultation with the General Investigation Unit (GIU) on-call NCO, determine if an OJAT member is required to be called out during evenings, weekends, or holidays. During this consultation, consideration should be given to the requirement of immediately arresting the accused if the arresting member(s) believe the accused cannot be located following their release.

Transcription and CPIC Support Unit shall:

13. Forward a copy of the CPIC printout for the "wanted" party to the Vancouver Jail;
14. Forward all CPIC narrative messages to the Jail confirming the warrant status; and,
15. Log all correspondence on the CPIC/Narrative Traffic Log.

The Jail NCO shall:

16. Ensure the warrant has been confirmed; and,
17. Maintain all CPIC messages as part of the Jail record package.

The Outside Jurisdiction Arrest Team shall:

18. Ensure all related documents and reports are completed for the remand hearing; and,
19. Liaise with the outside jurisdiction to address all court related requirements and to arrange transportation of the wanted person.

Refusal to Honour Warrant

20. If a member is advised by the outside jurisdiction that they will not honour the warrant, members shall:
 - a. Release the arrested person forthwith unless they are being held for another matter;
 - b. Submit a CPIC message to that jurisdiction suggesting:
 - i. The charge be stayed;
 - ii. The warrant be removed from CPIC; and,
 - iii. The victim be notified.



- c. Submit a text page in the GO report using the header “**Conair Arrest Denied**” and note in the body of the text the warrant specifics, the date when the warrant was issued, and the reasons why the originating jurisdiction would not honour the warrant, if known.
 - d. Members shall note the name and rank of the member who advised that their agency would not honour the warrant.
21. Members shall advise the wanted person that they should contact counsel to have the matter addressed or they may be subject to further arrest(s). Members shall note this in the GO report.

Considerations for Re-Arrest

22. Section 20 notwithstanding, if a member has evidence or circumstances which may provide additional grounds to justify the arrest on a warrant for which a person was previously arrested and released, members shall re-contact the issuing agency and request they honour the warrant on the basis of the additional grounds (*e.g. a person with an outstanding warrant related to sexual offences is found in a park with a camera and the members reasonably believe this is the beginning of a new crime cycle*).
23. Members shall note the response from the originating jurisdiction in their GO report.

Reference for Members



1.4 Arrest & Detention

1.4.3 Arrest - Hold Pending Investigation (HPI)

(Effective: 2015.08.25)

POLICY

Hold Pending Investigation (HPI) is not an arrest authority but an administrative designation that is initiated when a person is arrested on reasonable grounds for an offence, there is justification for continued police detention, and the suspect is transported to Jail, but further investigation is required to determine whether or not there is enough evidence to support Report to Crown Counsel (RTCC) submission standards. The HPI designation has significant meaning to Jail staff as the HPI administrative process entails a deviation from their standard processing procedure i.e., a suspect who is held HPI shall not be photographed and fingerprinted nor will the suspect be transferred into the BC Sherriff's custody.

A person must be either released or brought before a Justice within 24 hours from the time of the arrest. When a person has been lodged at the Jail and designated HPI, there must be a continuous and on-going investigation until either an RTCC is submitted recommending a charge(s) or the person is released. The authority to hold a person is derived from s. 497 of the *Criminal Code* which stipulates the public interest conditions under which a peace officer shall not release an arrested suspect. These include:

- a. The need to establish the identity of the person;
- b. The need to secure or preserve evidence of or relating to the offence (which can include a suspect interview, per *R. v. Vizslai*);
- c. The need to prevent the continuation or repetition of the offence or the commission of another offence;
- d. The need to ensure victim/witness safety; and/or
- e. For court appearance purposes.

The designation HPI does not relieve the Jail NCO from considering whether to release the person as soon as practicable pursuant to s. 498 of the *Criminal Code*, or without any unreasonable delay in bringing the person before a Justice pursuant to s. 503 of the *Criminal Code*. However, as long as there were reasonable grounds to arrest, there is an on-going investigation, and the continued detention of suspect would advance the investigation (i.e. the securing or preserving of evidence of or relating to the offence), then a release should not be contemplated as long as the 24-hour time limit has not been reached.

PROCEDURE

1. When a suspect is arrested and the arresting member intends to lodge the suspect into the Jail as HPI, the arresting member shall notify a Supervisor.
2. The Supervisor shall:
 - a. Authorize the HPI designation when they are satisfied detention of the suspect is justified and additional investigation is required before charges can be recommended; and
 - b. Notify the Jail NCO of the arrest involving the HPI designation and advise the Jail NCO which *Criminal Code* public interest authority is being relied upon to justify the continued detention of the suspect, e.g., to "secure or preserve evidence of or relating to the offence" s. 497(1.1) *Criminal Code*.
3. Upon receiving authorization for the HPI designation, the arresting member shall print "HPI (offence)" on the VPD 602 Vancouver Jail Arrest Report ("Jail 8").
4. When the arresting member is completing the investigation, they shall:
 - a. Continuously investigate the incident until conclusion;



- b. Provide updates to the authorizing Supervisor and the Jail NCO on the status of the investigation;
 - c. Complete the RTCC;
 - d. Notify the Jail NCO when the RTCC has been submitted and the HPI designation may be removed; and
 - e. Continue to assess the need for continued detention of the accused and discuss with the Jail NCO accordingly.
5. When the arresting member is not completing the investigation, they shall:
 - a. Advance an investigation as far as possible and submit a General Occurrence (GO) Report;
 - b. Recommend what follow-up is required; and
 - c. Advise the Jail NCO which unit or member will be completing the investigation.
6. When a follow up investigator has been assigned, they shall:
 - a. Notify the Jail NCO and confirm they are responsible for the investigation; and
 - b. Continuously investigate the incident until conclusion.
7. The Jail NCO shall:
 - a. Maintain a list of all persons designated HPI and include the:
 - i. The name of the suspect;
 - ii. The name of the member completing the investigation; and
 - iii. The expiry time of the twenty-four (24) hour period.
 - b. Ensure that the VPD 602 Vancouver Jail Arrest Report and the Jail Booking Sheet are marked "HPI (offence)";
 - c. Ensure all suspects designated HPI are allowed access to legal counsel unless otherwise advised for investigative purposes;
 - d. Ensure that the prisoner is not fingerprinted/photographed and is not placed on the court roster or transferred into the Sherriff's custody;
 - e. Continue to assess the need for continued detention of the suspect pursuant to s. 498 of the *Criminal Code* and discuss with the lead investigator accordingly;
 - f. If the Jail NCO believes the suspect should be released prior to the completion of the investigation, the investigating member must be consulted. If there is disagreement, then the Duty Officer, will make this decision. In serious matters, consultation with Crown Counsel is encouraged, pursuant to the Crown's "Legal Advice to the Police" policy and RPM Section 1.16.5: Report to Crown Counsel; and
 - g. Ensure the suspect is taken before a Justice within the twenty-four (24) period as required under s. 503 of the *Criminal Code*.
8. When charges are not being recommended and the suspect is to be released, the investigating member shall:
 - a. Attend the Jail;
 - b. Notify the Jail NCO; and
 - c. Sign the Jail Booking Sheet to release the suspect.



1.4 Arrest & Detention

1.4.4 Arrest for Breach of Peace

(Effective: 2015.04.01)

POLICY

Police Officers have a duty to maintain peace and security in the community. It is recognized that police officers will encounter situations where an individual or a group act in a manner that constitutes a breach of the peace. When arresting for a Breach of the Peace or an Apprehended Breach of the Peace, there must be a reasonable belief that if the police do not intervene, violence, or damage to property will result.

There are two types of Breach of the Peace Arrests:

- a. *Breach of the Peace Found Committing*: A breach of the peace has been defined by the courts as an act or actions which result in actual or threatened harm to someone (also known as having a “tenor of violence”), or where a threat of harm against a person’s property occurs when the person who owns the property is present. This recognizes that violence may occur when a person attempts to damage property in the presence of the owner. An arrest for Breach of the Peace under the Canadian Criminal Code (Section 31 (1)) should only be used when all other options, such as an arrest for a substantive offence, have been exhausted and the police officer has witnessed the breach.
- b. *Apprehended Breach of the Peace*: Police Officers have a common law power of arrest for an “apprehended breach of the peace”. This occurs when the police officer has not witnessed a breach of the peace, but the officer believes on reasonable grounds that a breach will take place unless an arrest is effected. Further, the apprehended disturbance or threat must be serious enough to cause a reasonable belief that, if the police do not intervene, a more serious problem will result involving personal injury or damage to property. The apprehended breach of the peace must be imminent and the risk that the breach will occur must be substantial.

Vehement or emotional verbal expression of disagreement with police does not constitute a breach of the peace, if such behaviour does not otherwise create a risk of violence, or damage to property.

An arrest for a Breach of the Peace or an Apprehended Breach of the Peace is not meant to be a mechanism to control or monitor people that officers may regard as dangerous or prone to criminal activity.

Persons displaying symptoms of intoxication that meet the criteria for H/SIPP but whose actions have a tenor of violence will be dealt with as a BOP as outlined in this section.

PROCEDURE

1. When a Breach of the Peace arrest is made the member shall obtain authorization from an NCO prior to arresting the suspect, or, if impracticable, then immediately after the arrest has taken place.
2. When an NCO authorizes the Breach of Peace arrest and it is determined that continued detention is necessary, that person shall be transported to the Vancouver Jail where they will be reassessed by a Jail NCO upon arrival.
3. Whenever a person is arrested for an apprehended or witnessed Breach of the Peace, the arresting member shall submit a detailed General Occurrence (GO) report prior to the completion of their shift.
4. The GO report shall include the following:
 - a. Narrative of event (detailed synopsis will suffice);
 - b. Reasons and authority (Criminal Code or Common Law) for arrest;
 - c. Name of the authorizing NCO;



- d. Disposition of the arrested party;
- e. UCR code 8350-0 (Breach of Peace); and

The GO will be routed to the arresting officer's assigned squad handle.

Field Supervisor's Responsibilities

- 5. The authorizing field NCO shall attend the scene if practicable and is responsible for ensuring the lawfulness of the arrest.
- 6. The authorizing field NCO shall contact the Vancouver Jail Police NCO before the arrested party is booked into the Jail. The Vancouver Jail Police NCO, in consultation with the authorizing field NCO, shall decide how long the person will be held.
- 7. The authorizing NCO shall submit a Police Statement (PS) page documenting their involvement in the incident as supplement to the GO report.



1.4 Arrest & Detention

1.4.5 Arrest - Hold State of Intoxication in a Public Place

(Effective: 2015.04.01)

POLICY

The VPD is obligated to ensure that persons who are unable to care for themselves due to intoxication are cared for. There are two statutes that assist a police officer in meeting this obligation:

- Section 41 of the *Liquor Control and Licensing Act* (LCLA) authorizes a peace officer to arrest any person found to be intoxicated in a public place.
- Section 91(1) of the *Offence Act* provides peace officers the authority to take into custody a person who is intoxicated in a public place.

A person may be arrested under section 41(2) of the *Liquor Control and Licensing Act* (LCLA) if intoxicated by alcohol, or a combination of both alcohol and drugs.

A person may be taken into custody under section 91(1) of the *Offence Act* if intoxicated by drugs, alcohol, or a combination of both.

A person may be taken into custody under section 91(1) of the *Offence Act* if intoxicated by drugs alone.

Section 91(3) of the *Offence Act* provides police the authority to hold a person arrested under Section 41 LCLA or Section 91(1) of the *Offence Act* in custody (H/SIPP) without charge until the person is able to take care of themselves.

Definition of Intoxication:

Case law (*Besse v. Thom* (1979) D.L.R. (3d) 657 (B.C. Co. Crt)) provides the following definition of “Intoxication”:

“The condition of being stupefied or drunk from the consumption of alcohol or drugs to such a marked degree that a person is a danger to himself or others or is causing a disturbance.”

PROCEDURE

1. Those persons who are apparently intoxicated by alcohol, drugs, or a combination of alcohol and drugs to such a marked degree that they have lost the capacity to care for themselves, or prevent themselves from being a danger to others, may be arrested H/SIPP.
 - a. BC Ambulance Service (BCAS) must be called for any intoxicated persons who are found to be medically questionable, injured, ill, or who require the use of painful stimuli to elicit a response. Members are advised that an individual may be unable, given the nature of his/her injuries or degree of intoxication, to make rational decisions with respect to medical treatment (See RPM Section 1.2.2: Use of Force to Provide Medical Aid).
2. Persons displaying symptoms of intoxication that meet the criteria for H/SIPP but whose actions have a tenor of violence are to be dealt with under RPM Section 1.4.4: Arrest for Breach of Peace.
3. Non-violent persons arrested H/SIPP will be taken to the designated Detox Centre located at 377 East 2nd Ave. In exceptional circumstances such as the Centre being closed, the person may be transported to Jail.



4. Police wagons attending the Detox Centre shall attend the wagon bay (located in the north lane of East 2nd Ave at Scotia St.) and the member shall escort the intoxicated person to the admitting area:
 - a. The member shall remain with the intoxicated person for the duration of the admission process; and
 - b. When attending at the Detox Centre, the transporting member will provide the following information to the Detox staff:
 - Name of arrested party (if known), if unknown please indicate;
 - Date of birth;
 - Location and circumstances of arrest;
 - Time of pick-up;
 - Injuries to arrested party;
 - Whether EHS attended;
 - Badge numbers(s) of arresting and transporting officer(s); and
 - Time that arrested party was dropped off at the Detox Centre.
5. A member may utilize the SAFE RIDE service to keep the police wagon driver available for other duties. SAFE RIDE shall be considered in the first instance for intoxicated people who require detoxification and volunteer to go with SAFE RIDE to either Detox and/or their home. They are people:
 - a. Who are non-violent, and are eligible for admission to the designated Detox Centre, or
 - b. Who live within the City of Vancouver, and are capable of caring for themselves, and being transported to their residence is an option that the authorizing officer deems available and/or appropriate.
6. If the person is voluntarily transported by SAFE RIDE to their home or to Detox, the member is not required to complete a GO report but must enter the following pertinent information into the CAD call:
 - a. Name and DOB of intoxicated party;
 - b. Time and location of pick up;
 - c. Whether BCAS attended.
7. Detox staff may refuse admission to persons who have been arrested for H/SIPP and transported to the Detox Center. Generally, the refusal will be based on the behaviour of the person during a previous visit to the Detox Centre (i.e. they have been “banned”), or as a result of threatening or violent behaviour upon arrival at the Detox Centre. Should Detox staff refuse to admit a H/SIPP person, the transporting member or investigating officer must consider the totality of the circumstances which resulted in the refusal, and determine whether:
 - a. The person should be arrested for BOP or Apprehended BOP and transported to Jail; or,
 - b. The person should continue to be held H/SIPP and transported to the Jail. This would occur in exceptional circumstances i.e. the person is “banned” but the behaviour at the time of arrest indicates no tenor of violence.
8. In every case where a person is refused admission to the Detox Centre, the basis for the refusal must be fully documented on the Vancouver Detox ‘Refusal to Sobering Unit’ form, and in the GO report; the name of the Vancouver Detox staff member who is refusing admission must be included in the documentation;

Reporting Requirements for H/SIPP Arrests

9. When a person is arrested H/SIPP, officers shall submit a GO report.
10. When a person is arrested H/SIPP and transported to Jail (these will be exceptional circumstances), the arresting member shall submit a completed Vancouver Jail Arrest Report VPD 602 to the transporting officer (See RPM Section 1.4.6: Arrest of Injured Persons with Injuries or other Apparent Medical Risks, if prisoner is attended to by BCAS). The Vancouver Jail Police NCO shall ensure that all Vancouver Jail Arrest Reports used for H/SIPP arrests are filed along with all other Vancouver Jail Arrest Reports for that day.



11. If the intoxication is due to alcohol or a combination of drugs/alcohol, the UCR code that shall be entered is Liquor-Intox in Public Place 7100-3. The intoxicated person shall be listed as a “Suspect Chargeable.”
12. When a GO report is submitted for H/SIPP and a section 41(1) LCLA Violation Ticket has been issued, members will enter the ticket information, including type and number, under the Event Link category in the GO. The intoxicated person shall be listed as “Charged” and shall be charged under Section 41(1) of the LCLA.

Casualty/Unconscious Intoxicated/Drug Overdose Person

13. Any time a member investigates a person who is intoxicated by drug and/or alcohol and that person is unconscious or unresponsive, the member shall have BCAS attend to assess and treat the person. If BCAS transports the person to hospital, members may be requested to assist if the person is violent. The member shall complete a GO documenting the incident as a casualty (refer to RPM Section 1.4.6: Arrest of Injured Persons with Injuries or other Apparent Medical Risks. The UCR code used shall be Assist-Casualty/EHS 8900-21.
14. If BCAS states that the person does not require further medical attention, members shall consider taking custody of the person (H/SIPP or Breach of the Peace) and transporting the person to Jail or Detox by wagon. A copy of the BCAS Crew Report will accompany the person. Members will ensure, if appropriate, that ‘Under Influence of Alcohol’, ‘Under Influence of Drug’, ‘Treated by EHS’, ‘EHS Refused’, and ‘Hospital/EHS Report Attached are indicated as applicable on the Vancouver Jail Arrest Report (VPD 602) under the Medical Remarks section.



1.4 Arrest & Detention

1.4.6 Arrest of Persons with Injuries or Other Apparent Medical Risks

(Effective: 2017.07.14)

POLICY

Persons in police custody are vulnerable, and entirely dependent on the police to obtain medical assistance for them. Police officers are responsible for the well-being and protection of persons in their custody, and must ensure that a person in custody receives appropriate medical assistance.

Members should consider obtaining medical attention for persons in custody with physical injuries. However, members should also consider that medical risks may be present for persons who appear to be in medical distress and who may demonstrate a variety of behaviours for reasons including, but not limited to:

- Pre-existing mental illness
- Emergent mental disorder
- Extreme situational stress
- Substance use or misuse
- Combinations of the above

Where there is any doubt about the need for medical attention for a person in custody, members should resolve this doubt in favour of obtaining medical attention.

Also refer to:

- Section 1.2.2: Use of Force to Provide Medical Aid
- Section 1.12.1 (iii): Transportation of Persons in Custody
- Section 1.4.5: Arrest - Hold State of Intoxication in a Public Place
- Section 1.16.7: BC Police Act - Reportable Incidents - Injuries or Death

PROCEDURE

Members shall:

1. Ensure that any persons who have questionable medical risks, or who are suffering from any of the following conditions, are transported directly to a hospital emergency ward by ambulance:
 - a. unconsciousness;
 - b. intoxication by drug or alcohol to the degree that they are incapable of making a rational decision with respect to medical treatment;
 - c. possible fractures, dislocations, concussion, etc.;
 - d. cuts or lacerations requiring stitches;
 - e. dog bites; and
 - f. suspected ingestion of anything that could cause them harm.
2. Not release persons in custody who require medical attention until their medical needs have been addressed.
3. Consider obtaining a medical assessment from the BC Ambulance Service (BCAS) for persons who appear to be in significant medical distress, whether from a physical injury or other suspected



medical risk, or are of questionable consciousness, including situations where questionable consciousness arises from intoxication.

4. Notify a Patrol Supervisor when a person in custody is sent to the hospital (other than a person who has been arrested solely for intoxication), and ensure that the Jail NCO is notified of the necessary details.
5. Remain with a hospitalized person in custody at all times, unless instructed otherwise by a Supervisor. When the person in custody only requires brief hospitalization, they may be guarded by the escorting or arresting member.
6. If during the course of the medical treatment, it becomes apparent that the person in custody will require treatment for an extended period of time, the guarding member shall notify their NCO of the expected time period involved.
7. Ensure a copy of the discharge report from the hospital or crew report from BCAS accompanies the Jail Arrest Report (VPD 602) and that the Jail staff is notified when a prisoner is sent to the Jail who required medical attention.
8. Recognize that persons arrested for intoxication, who later require hospitalization, shall be treated as casualties, and no longer need to be guarded.

Supervisors shall:

9. Arrange for relief and replacement of a guard at the hospital when necessary. If it becomes apparent that the person in custody will require treatment for an extended period of time, determine, in consultation with the Vancouver Jail Police NCO:
 - a. If other resources should be utilized to provide guard duties;
 - b. If EOPS should be contacted to make arrangements for call out members; or
 - c. If other judicial options are more appropriate such as release from custody, or remand to a remand centre.(Refer to RPM Section 1.12.9: Hospital Guards)
10. Attend the scene when there is a disagreement with BCAS or the hospital regarding hospitalization of a person in custody. The Supervisor shall, if necessary, contact a BCAS Supervisor or hospital management.



1.4 Arrest & Detention

1.4.7 Arrest of a Shoplifter

(Effective: 2016.09.20)

Per an Executive meeting on September 20, 2016, this Section has been deleted.



1.4 Arrest & Detention

1.4.8 Arrest of Persons on Private Property

(Effective: 2019.10.17)

POLICY

There are several legal statutes that grant police officers the authority to arrest or remove a person on private property who is there contrary to the lawful occupant's wishes. These include:

1. Criminal Code of Canada
2. Trespass Act
3. Liquor Control and Licensing Act

VPD members must consider the totality of circumstances when determining the appropriate response to assist the lawful occupant of a premises in removing unwanted persons from private property. Where sufficient evidence of a Criminal Code (CC) offence exists, it is preferred that members proceed by CC charges as opposed to provincial statutes.

Members may arrest and remove, without warrant, any persons on private property, if police are lawfully on the property and they have reasonable grounds to believe that an indictable offence has been committed, or is about to be committed, or if they find the person committing a criminal offence or a breach of the peace (see sections 495 and 31 CC). (See also RPM Section 1.4.4: Arrest For Breach of the Peace.)

1. Criminal Code of Canada - Defence of Property, Section 35

Section 35 of the Criminal Code of Canada (CC) addresses *Defence of Property*, and provides that a person in "peaceable possession" of property, and everyone lawfully assisting them or acting under their authority, is justified in committing a reasonable act, including the use of force, to prevent another person from entering without lawful entitlement, taking, damaging or destroying the property, or to remove that person from the property. Note: this is not an arrest power, but a removal power.

Section 35 CC can provide authority for police to act on behalf of a person in possession of property to remove someone from that property, but only if that person has a reasonable belief they are in "peaceable possession" of the property, and has authorized the police to do so.

Peaceable Possession is a legitimate entitlement or uncontested claim to a premises, or when possession of the property in question is not seriously challenged by others (such as by a legal proceeding where the challenger may reasonably argue that the occupier did not have legal possession of the property).

2. BC Trespass Act

The BC *Trespass Act* is a provincial statute that can be used to assist an occupier of a premises, or a person authorized by the occupier, in the removal of unwanted persons, or in stopping unwanted activities from occurring on or in the premises.

Definitions

Authorized Person - someone authorized by an occupier of a premises to exercise a power or perform a duty of the occupier under this act. A police officer can be an authorized person.

Occupier - a person lawfully entitled to possess the premises or who is responsible for and controls the activities over persons allowed to enter the premises.



Premises - land, including enclosed land, foreshore and land covered by water, and anything on the land including a building or other permanent structure, a ship or vessel, train, railway car or vehicle, except while in operation, a trailer or a portable structure designed or used as a residence, for shelter, or to house a business.

Offences under the Trespass Act

Section 2 of the *Trespass Act* creates an offence when a person enters enclosed land without the occupier's consent, or enters a premises after having had notice that entry is prohibited (such as by a "No Trespassing" sign). This section also creates an offence when a person refuses to leave a premises after being directed by the occupier, or continues to engage in an activity on the premises after being directed to stop by the occupier or an authorized person.

Powers of Arrest under the Trespass Act

Section 7(2) of the *Trespass Act* states that a peace officer may arrest without warrant any person found on the premises if the peace officer believes on reasonable grounds that the person is committing an offence under section 2.

Section 7(3) of the *Trespass Act* states a peace officer may arrest without warrant any person who has committed an offence under section 2 who has recently departed the premises if the person:

- (a) refuses to give his or her name and address to the peace officer on demand, or
- (b) the peace officer believes on reasonable grounds that the name or address given by the person is false.

Members shall not assist in preventing entry to, or removing a trespasser from a premises until they are asked to do so by the occupier of the premises or their authorized designate.

Trespass Act: PROCEDURE

1. Members attending an incident involving a report of a trespasser where grounds to arrest for a substantive offence under the CC are not present shall:
 - a. Obtain details from the occupier of the premises or their authorized designate regarding why the trespasser is being asked to leave, regardless of whether or not charges are anticipated;
 - b. Instruct the occupier of the premises or their authorized designate to tell the trespasser to leave or, alternatively, obtain a written statement requesting assistance in the removal of the trespasser, signed by the occupier or their authorized designate;
 - c. If the occupier/designate has chosen to provide a written statement requesting assistance to act on their behalf, tell the trespasser to leave;
 - d. Allow a reasonable period of time for the trespasser to leave;
 - e. Instruct the trespasser of the consequences of remaining;
 - f. Stand by to keep the peace and assist with the removal of the trespasser, if necessary, using no more force than is necessary;
 - g. If the trespasser resists removal, consider arresting and charging them under the *Trespass Act*; and
 - h. Document the incident in a General Occurrence (GO) report.
2. Members arresting under the *Trespass Act* may release the accused person on a Provincial Appearance Notice (PAN), if public interest and attendance issues are satisfied.
3. Alternatively, when appropriate circumstances exist, members may consider issuing a provincial Violation Ticket (VT) to the offender under the *Trespass Act* for the following offences:



Trespass Act Section	VT Offence
s.2(1)	Trepass on enclosed land or premises, or engage in prohibited activity
s.2(3) (c) or (d)	Fail to leave premises or stop prohibited activity, or re-enter premises or resume prohibited activity
s.5(2)	Remove, alter or deface a sign
s.6(2)	Fail to give name or address
s.6(3)	Remain on premises after failure to give name or address

3. Liquor Control and Licensing Act (LCLA)

Request to Leave Licensed Establishment, Event Site or Liquor Store

Section 61(4) LCLA states: A person must not:

- a. remain in a service area, in an establishment, or at an event site after the person is requested to leave in accordance with subsection 61(3) of the LCLA,
- b. enter a service area, an establishment, or an event site within 24 hours after the time the person was requested to leave the service area, establishment, or event site in accordance with subsection 61(3) of the LCLA, or
- c. without lawful excuse, the proof of which lies on the person, possess a knife or weapon in a service area, in an establishment, or at an event site.

Section 61(5) LCLA states that subsections 2-4 apply with respect to liquor stores.

Section 61(6) LCLA provides the authority for police to arrest without warrant any person who without lawful excuse contravenes 61(4) LCLA.

VPD members are not agents for the owners/managers of premises and shall not assist in preventing entry to or removing a person who is contravening the LCLA from the premises until they are asked to do so by the owner/manager of the premise or their designate.



1.4 Arrest & Detention

1.4.9 Arrest of a Peace Officer

(Effective: 2017.10.24)

1. When a Peace Officer (as defined in the Criminal Code of Canada) of any police department or other agency is arrested or issued an Appearance Notice, or a charge is contemplated, the arresting member or lead officer in charge of the case file shall immediately notify their NCO, the Jail NCO, and the Duty Officer (Car 10).
2. The Duty Officer (Car 10) shall notify the Commanding Officer of the police department or other agency concerned, of the incident. The Duty Officer (Car 10) shall also notify the Chief Constable of the Vancouver Police Department.



1.4 Arrest & Detention

1.4.10 Arrest of Armed Forces Personnel

(Effective: 2000.09.05)

1. When a member of the Canadian Armed Forces is arrested:
 - a. The arresting member shall:
 - notify the Vancouver Jail Police NCO of the events surrounding the arrest
 - provide a copy of the report to the Vancouver Jail Police NCO
 - b. The Vancouver Jail Police NCO shall notify the Military Police NCO at the Canadian Forces Area Support Unit.
2. Members of Foreign Forces in Canada on leave, pass or AWOL are in the same category as civilian visitors or residents. The provisions of the Visiting Forces (NATO) Act do not apply and they will be dealt with as civilians with the following proviso: In every case where American Service Personnel are arrested, the facts will be reported to the Crown Counsel Office. Included must be the full name of the individual, their serial number, unit and station. The Crown Counsel Office is the designated liaison with the American Judge Advocate's Branch and will deal with the matter from then on.
3. If a member of a foreign duty force, for example, a section, platoon, company, regiment, ship's company, (i.e. NATO stationed in Canada) is arrested, the Duty Officer shall be notified and the Duty Officer shall advise the Commander of such Force or as in (1) above. The Crown Counsel Office will be advised exactly as in (2) above.



1.4 Arrest & Detention

1.4.11 Arrest of a Merchant Seafarer

(Effective: 2000.10.03)

When a member of the crew of a ship in harbour is arrested, the arresting member shall notify the ship of the arrest and the time of Court appearance. The Vancouver Police Department Waterfront Team - Marine Squad will assist by contacting the ship if necessary.



1.4 Arrest & Detention

1.4.12 Arrests - By-law

(Effective: 2015.04.21)

POLICY

Section 16(2), Section 60F, and Section 77A(6) of By-law 2849 give a police officer the authority to arrest a pedestrian, bicyclist, or a person riding or coasting on skates, skateboard, or push-scooter under certain circumstances.

PROCEDURE

When a member contemplates arresting a person under the authority of any of these sections the following procedure shall be adhered to:

1. Prior to arresting a person under Section 16(2), Section 60F, or Section 77A(6) of By-law 2849 the member shall contact a supervisor and shall obtain the supervisor's authorization to arrest.
2. Only after all reasonable attempts at determining the name and address of the violator have failed may the member arrest the violator. If at any time the correct name and address of the violator is determined, the violator shall be served Due Process relative to the original offence and then released immediately.
3. When a bicyclist is arrested under Section 60F of By-law 2849 the arresting member shall:
 - a. ask the violator if they wish their bicycle to be held for safekeeping and, if they approve, have the bicycle taken to 2010 Glen Drive;
 - b. advise the violator that they may make arrangements to retrieve their bicycle through the Property Office; and
 - c. submit a GO report. Directions to have the bike released to the owner upon request should be included in the report. A property tag bearing the GO report number and directions to have the bike released to the owner upon request, shall be attached to the bike.
4. When a person riding or coasting on skates, skateboard, or push-scooter is arrested under Section 77A(6) of By-law 2849 the arresting member shall:
 - a. Determine if the Jail, given the size of the skateboard or push-scooter, will accept the skateboard or push-scooter in to the prisoner's effects. If so, have the property accompany the prisoner to the Jail; or
 - b. If the Jail will not accept the property, process the property as detailed for bicycles in sub-section 3 of this section.
5. If a member arrests a young offender under the authority of Section 16(2), Section 60F, or Section 77A(6) of By-law 2849 they shall be bound by RPM Section 1.6.47(ii): Charges and Arrests (procedures relating to the Youth Criminal Justice Act).



1.5 Compelling an Accused's Attendance at Court

1.5.1 Issuing Appearance Notices (ANs) (Federal & Provincial) and Undertakings

(Effective: 2019.12.19)

POLICY

The police may compel an accused's attendance in court through various means. For most offences, when a person is arrested without a warrant, the arresting officer is obliged to release the accused if court appearance and public interest criteria are satisfied (*Criminal Code* sections: 497, 498, 500, 501, and 503). Members must also give primary consideration to the release of the accused at the earliest reasonable opportunity and on the least onerous conditions that are appropriate in the circumstances, including conditions that are reasonably practicable for the accused to comply with. This section of the RPM illustrates the correct procedures to follow when ANs or Undertakings are issued for Adult or Community Court. For Young Persons, refer to subsections under RPM Section 1.6.47: Young Persons.

Federal Appearance Notice (FAN)

Section 497 and 497(1)(b) of the *Criminal Code* covers the types of offences for which a FAN may be issued. A FAN may be issued pursuant to a lawful detention (for example an impaired investigation) that did not result in an arrest. A FAN does not have a mechanism by which conditions may be imposed upon release, as it is simply used to compel court attendance and fingerprinting. A FAN should only be issued for summary or dual offences and used when there are no court appearance or public interest concerns.

Provincial Appearance Notice (PAN)

A PAN is issued in circumstances where a power of arrest exists under a provincial statute and/or for those offences indicated in Schedule 1, Columns 2 or 3 of the *Offence Act, Violation Ticket Administration and Fines Regulation* (e.g., "Driving while prohibited" *Motor Vehicle Act* and *Safe Streets Act* offences).

Undertaking

A police officer's power to release a lawfully arrested accused on an Undertaking can be found under section 498(1)(b), 499 and 501(1-6) of the *Criminal Code*. An Undertaking may be issued at various stages throughout the investigation (i.e., it will be completed at the scene when public interest and court appearance criteria are satisfied). In other instances, the accused may have to be transported to Jail until the public interest concerns are addressed; after which time the accused may be released on an Undertaking. An Undertaking is used to impose specific conditions on the accused pursuant to section 501(3) of the *Criminal Code* to satisfy public interest concerns.

PROCEDURE

Adult Court

1. Based on the requirements of the investigation and to meet court administrative needs, members shall allow a minimum of six (6) calendar weeks, or as soon as practicable, but no longer than five (5) months, between the date the AN or Undertaking is issued and the initial court appearance. In selecting the appropriate initial court appearance date, members should consider:
 - a. What evidence remains to be gathered to complete the file and what time frame is required to conduct follow-up;
 - b. Six (6) weeks would be a reasonable time frame for most routine investigations;
 - c. On more complex files, a lengthier return date may be required (5 months should be considered a maximum limit and only given in extenuating circumstances);



- d. Consider the circumstances, and when there are public interest concerns that can be addressed through the imposition of conditions in an Undertaking, articulate it in the bail comments. The available parameters for release conditions that can be issued by the police are listed in s.501(3)(a) through (k) of the *Criminal Code*. (e.g., to remain within a territorial jurisdiction; to abstain from communicating directly or indirectly with any victim, witness or other person identified in the Undertaking);
 - e. When members request the condition of depositing a surety as allowed for by section 501(3)(j) of the *Criminal Code*, members must contact the Jail NCO for assistance;
 - f. As a result of the opioid crisis, the Public Prosecution Service of Canada (PPSC) issued a directive that seeks to address drug traffickers and other accused with substance use disorders. This checklist will assist members in preparing bail documents requesting area restrictions for drug arrests;
 - g. If police are imposing conditions via an Undertaking, a timely investigation is required and Crown Counsel must receive the completed RTCC at the earliest opportunity.
2. The RTCC must be submitted to Crown Counsel at least three (3) weeks in advance of the court date.

Court Appearance: Location and Times

3. For **Provincial and Federal Adult Court** matters, the location for all ANs or Undertakings shall be Courtroom 307 of Provincial Court, 222 Main Street, Vancouver BC. The day of the week/hour shall be determined by the accused’s last name as follows:

Provincial Crown Matters			Federal Crown Matters		
Last Name Beginning with	Day of First Appearance	Courtroom Number and Time	Last Name Beginning with	Day of First Appearance	Courtroom Number and Time
A - F	Monday	Courtroom 307, 1400 hrs	A - F	Monday	Courtroom 307, 0900 hrs
G - L	Tuesday	Courtroom 307, 1400 hrs	G - L	Tuesday	Courtroom 307, 0900 hrs
M - R	Wednesday	Courtroom 307, 1400 hrs	M - R	Wednesday	Courtroom 307, 0900 hrs
S - Z	Thursday	Courtroom 307, 1400 hrs	S - Z	Thursday	Courtroom 307, 0900 hrs

- 4. If the day selected happens to be a statutory holiday, members shall select the same day in the following week.
- 5. When there are two or more accused charged jointly with the same offence or charged with offences arising from the same incident, each accused shall be given the same court date based on the first letter of the last name of the accused who appears first when the last names are placed in the alphabetical order.

Downtown Community Court (DCC)

The DCC is the court of first appearance for accused charged with the following categories of offences, committed within District 1 and District 2 west of Clark Drive, for which they have been held in custody for court or have been compelled to court via an AN or Undertaking:

- Provincial offences heard by a Provincial Court Judge (e.g., “Driving while prohibited” *Motor Vehicle Act* and *Safe Streets Act* offences);
- Criminal Code offences that fall under the Provincial Court’s absolute jurisdiction (e.g., Theft Under \$5000);



- All strictly summary conviction offences;
- Hybrid offences where the Crown proceeds summarily except for intimate partner violence investigations which must be returned to 222 Main Street;
- “Simple” drug possession charges under the *Controlled Drug and Substance Act* (Section 4(1) CDSA); and
- Breaches of Community Court orders.

Court Appearance: Location and Time

6. For **DCC** matters, members shall allow a minimum five (5) business days after the AN or Undertaking is issued for the first court appearance. For files that require further investigation, members may allow up to four (4) weeks for the accused to appear in court. The time and location details on all ANs and Undertakings shall be 0900 hrs, in Courtroom 1, 211 Gore Avenue, Vancouver, BC.

All Courts: Fingerprinting and Photographs

If an accused is NOT fingerprinted for an offence and is convicted of that offence, that conviction will NOT form part of their official Criminal Record.

7. Fingerprinting/photographs and the court date are to be scheduled **one clear business day apart** (eg. Court date is Thursday, fingerprints and photographs should be scheduled on Tuesday).
8. Fingerprinting takes place **Monday to Friday, except holidays**, at 1300 hrs at the Vancouver Police Department, 2120 Cambie Street, Vancouver, BC.
9. If the accused has already been fingerprinted and photographed for the offence while at the Vancouver Jail:
 - a. Void the “Print” section of the AN or Undertaking by drawing a line through the section and initialing; and
 - b. Write “PRINTED AT JAIL” across the top of the top/white copy of the AN or Undertaking.

Information Required on ANs and Undertakings

10. A full description of the accused shall be noted on the back of the police copy (Undertaking and AN) including:
 - a. Height;
 - b. Weight;
 - c. Scars, marks and tattoos;
 - d. Hair colour;
 - e. Facial hair, if any; and
 - f. Any other prominent feature to assist with identification of the accused.
11. The accused shall be given a copy marked for “Accused.”
12. The member who issued the AN shall swear to the Affidavit of Service on the back of the AN. For Undertakings, the issuing member must complete the certificate of service on the rear of the original Undertaking.
13. The AN (white and yellow copy) shall be submitted as an attachment. The GO report number must be clearly marked at the top of the AN.
14. The Undertaking shall be submitted as attachments to the file as indicated on the bottom of the forms. For Vancouver Jail Undertakings, the following procedure must be followed:
 - a. The Jail NCO shall add a PS/PW page in PRIME for Crown Counsel’s information - titled: Jail NCO issued Undertaking.
 - b. The issuing member shall make 3 copies of the Undertaking, and disseminate as follows:
 - i. one copy for the accused;
 - ii. one copy for the Jail NCO’s records;
 - iii. one copy for the Jail Records Guard, who will then attach it to the Booking Sheet;



- iv. fax a copy to CPIC at xxx;
 - a copy of the Undertaking must be faxed to CPIC at xxx to ensure that the release conditions are placed on CPIC in a timely manner. The attachment package shall be left with the Station NCO, so that the arresting officer may have access to it at any time to support a Breach arrest. This will also allow the station NCO to be cognizant of any incomplete RTCCs with upcoming court dates.
- v. the original Undertaking shall either:
 - be submitted to CLU within the file; or
 - in the case of an outside agency, be mailed directly to the outside agency via post at the time of service (instead of being submitted to CLU).

Reports

15. The RTCC should be completed and submitted on the day that the accused was released on the AN or Undertaking. If the investigation cannot be completed on this day, the investigating member must complete as much of the RTCC as possible before the end of shift, indicating:
 - a. Any missing evidence that will be forthcoming with information on when follow-up is expected to be completed and by whom; and
 - b. The public interest concern(s) for which the condition(s) of release were given (Undertaking files).
16. Files with Undertakings shall be treated like “in custody” files, with the end of the shift being the target completion time. As much evidence as possible should be compiled before the end of shift to support any Breach of Undertaking arrest that may occur between the time of arrest and that of RTCC file submission.
17. Crown Counsel requires a minimum of 3 weeks before an accused’s first appearance to review RTCCs for charge approval (except in DCC cases).

Youth Court

Refer to RPM Section 1.6.47(ii): Charges and Arrests - Young Persons



1.5 Compelling an Accused's Attendance at Court

1.5.2 Releasing on an Appearance Notice

(Effective: 2016.09.20)

Per an Executive meeting on September 20, 2016, this Section has been deleted.



1.5 Compelling an Accused's Attendance at Court

1.5.3 Cancelling an Appearance Notice (AN) or Undertaking

(Effective: 2019.12.19)

POLICY

Defective processes will be dealt with in the following manner when the accused is no longer in the custody of the issuing member and the documents cannot be immediately destroyed and new ones issued.

PROCEDURE

1. Where a defect is discovered and the issuing member is not likely to be available before the court appearance date, or the issuing member was the Vancouver Jail NCO, another member may be assigned.
2. All copies of the defective process shall be marked "CANCELLED" across the face.
3. The member shall make all reasonable efforts to contact the accused, advise them that the AN or Undertaking is defective and to ignore the instructions on it. Where possible, the accused's copy will be reclaimed. The accused shall be informed that that a Warrant or Summons will be requested.
4. A Police Statement (PS) page shall be added to the report outlining the reasons for the cancellation, attempts made to contact the accused, and the new court process being requested (i.e. Summons or Warrant). Cancelled processes are to be forwarded to the Crown Liaison Unit and the Accused Template (AT) within the RTCC must be amended to show the application for the new process.
5. A cancelled AN or Undertaking shall be forwarded to Crown as part of the attachment package.



1.5 Compelling an Accused's Attendance at Court

1.5.4 Failure to Appear for Fingerprints & Photographs

(Effective: 2019.12.19)

This policy has been rescinded.



1.5 Compelling an Accused's Attendance at Court

1.5.5 Members Issuing a Promise to Appear (Field Release Officers)

(Effective: 2016.09.20)

Per an Executive meeting on September 20, 2016, this Section has been deleted.



1.5 Compelling an Accused's Attendance at Court

1.5.6 Issuance of Summons

(Effective: 2016.09.20)

POLICY

If a summons request is sent to Crown, there is a significant delay by Crown to approve the charges and forward the summons to be served by police. Document Services staff then attempt to serve the accused, which results in an even further delay. During this process, the accused is neither entered on CPIC nor can bail conditions be imposed to manage the offender's behaviour.

The summons simply compels a person to court and does not place conditions on the accused. Only after the accused is found guilty can they possibly receive probation conditions. Therefore, a recommendation for a summons should generally only occur for very minor offences or first-time offenders when no public interest or court appearance concerns are present.

If there are public interest concerns which require that conditions be imposed upon the accused, the person should be arrested, and then released with conditions imposed by the police via a Form 11.1 Undertaking, or if need be, by a Justice. Therefore, a warrant may be required, or an arrest without warrant. Conditions are intended to address public interest concerns, including that of public safety, and they allow for subsequent arrest should the accused breach any of the conditions. If an accused breaches a condition, and is charged with the Breach pursuant to s. 145 of the *Criminal Code*, he/she can then be fingerprinted and photographed, which does not occur if a summons has been issued, including upon conviction.



1.6 Incident Investigations

1.6.1 Incomplete 911 Calls

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.2 Abused or Neglected Adult

(Effective: 2002.07.29)

POLICY

Part 3 of the Adult Guardianship Act (AGA) is intended to provide support and assistance for abused and neglected adults. The AGA applies to any person 19 years or older, who is abused or neglected and is unable to seek support or assistance due to:

- a. physical restraint;
- b. physical handicap that limits their ability to seek help; or
- c. an illness, disease, injury or other condition that affects their ability to make decisions about the abuse or neglect.

The role of the VPD is to work collaboratively with Designated Agencies to ensure the safety of adults meeting this definition, and to conduct criminal investigations when an offence is disclosed. AGA DEFINITIONS:

- a. "Designated Agencies" (DA), a public body, organization or person designated certain responsibilities and authorities by the AGA. The following are Designated Agencies:
 - Ministry for Children and Families;
 - Richmond Health Services Society; and
 - All Regional Health Boards and Community Health Services Societies specified by the AGA.

Note: Police are not Designated Agencies under the AGA and do not have any additional authority conferred by this Act.

- b. "Abuse"- the deliberate mistreatment of an adult that causes the adult:
 - physical, mental or emotional harm; or
 - damage to or loss of assets; and includes
 - intimidation, humiliation, physical assaults, sexual assault, excessive medication, withholding needed medication, censoring mail, invasion or denial of privacy or denial of access to visitors.
 - c. "Neglect"- any failure to provide necessary care, assistance, guidance or attention to an adult that causes, or is reasonably likely to cause within a short period of time, the adult serious physical, mental or emotional harm or substantive damage to or loss of assets, and includes self-neglect.
 - d. "Self-neglect"- any failure of an adult to take care of his/herself that causes, or is reasonably likely to cause within a short period or time, serious physical or mental harm or substantial damage to or loss of assets.
1. Members investigating criminal offences involving "abuse" or "neglect" against an adult should be mindful that in many cases the suspect(s) may be family members.
 2. When a DA receives a report that an adult is abused or neglected, the DA will determine whether the adult needs support and assistance. The DA can investigate allegations of abuse or neglect and may apply for an Access Order or Warrant to enter a premise to interview an adult where entry to the premises has been denied. The Access Order or Warrant may only authorize someone from the DA to enter. The DA may request police attendance to stand by and keep the peace, in which case this assistance shall be provided, subject to operational priorities.



3. A DA may also apply directly to the Court for an Interim Restraining Order or Restraining Order. Any violation of these orders constitutes a summary conviction offence as detailed in subsections 10 and 11 below.
4. Where an adult is apparently abused or neglected and it is necessary to preserve life, prevent injury or to protect the adult's assets from significant damage, a DA, without the adult's consent, may enter any premises where the adult may be located. If necessary the DA may use reasonable force to remove the adult to a safe place. Although this statutory authority does not extend to the police, common law powers to enter apply where a person is in danger of serious bodily injury or death.
5. A VPD AGA Liaison has been identified. The VPD AGA Liaison has the responsibility to act as a liaison with the DA, referring incidents of suspected abuse or neglect to the DA, and co-ordinating investigations into reports of abuse or neglect from Designated Agencies. PROCEDURE
6. If a member determines that an adult is suffering from abuse or neglect, and the person is in imminent risk of injury or death, the member shall take immediate action to ensure the person's safety, whether or not an arrest is made and/or charges are recommended. Members shall enter "A" in the "Study" field of all GO reports to notify the VPD AGA Liaison where there has been an AGA investigation.
7. If a member determines an adult is apparently suffering from abuse or neglect, but it does not constitute an emergency and no criminal offence is evident, the member shall advise the VPD AGA Liaison who will make the final decision. The VPD AGA Liaison shall advise the DA of the situation and whether or not a further police investigation is warranted.
8. Where the offence involves the loss of assets of the adult, the member shall indicate the significance of any loss to the adult in addition to the estimated cash value of the loss in the GO report to Crown. The member shall enter "A" in the "Study" field of the GO report to notify the VPD AGA Liaison.
9. When an Interim Restraining Order or Restraining Order is produced and members are not satisfied that it is valid or enforceable, the members shall confirm its validity by contacting the Central Registry of Protection Orders. The Central Registry of Protection Orders is available 24 hours, 7 days a week and will fax applicable orders upon request.
Note: Only Police Officers in the course of their duties have the authority to request information. When contacting the Central Registry of Protection Orders members must be prepared to provide the following information:
 - a. Member's name, phone number and the Vancouver Jail Fax number (which used as a security measure);
 - b. Name of the person holding the protection order;
 - c. The name(s) of people protected under the order, effective date, Court file number and the location of the court responsible for issuing the order; and
 - d. Name, DOB and gender of person(s) prohibited.
10. Members shall arrest without a warrant any party found breaching the terms of an Interim Restraining Order or Restraining Order and submit a GO report to Crown describing the breach. The member shall enter "A" in the "Study" field of the GO report to notify the VPD AGA Liaison.
11. Where a police officer has reasonable and probable grounds to believe a party has, in the past, breached the terms of an Interim Restraining Order or Restraining Order, the officer shall complete a GO report to Crown requesting a warrant. The member shall enter "A" in the "Study" field of the GO report to notify the VPD AGA Liaison.



1.6 Incident Investigations

1.6.3(i) Alarms

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.3(ii) False Alarm Reduction Program (FARP)

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.4 (i) Animal Complaints

(Effective: 2014.08.12)

POLICY

Investigation of Animal Complaints will normally be the responsibility of the City of Vancouver Animal Control Services, the Conservation Office or the Society for the Prevention of Cruelty to Animals (SPCA).

Calls for an animal incident are created when:

- An animal has bitten a person and the injury is deemed to be life threatening or causes serious bodily harm;
- An animal is posing an immediate danger to the public; or
- A criminal offence has been committed or the situation could potentially escalate into a Breach of the Peace/Apprehended Breach of the Peace; or
- The appropriate agency is unavailable or requests police assistance.

City of Vancouver Animal Control will be notified to address complaints regarding barking dogs; including barking dogs running at large on a city street or in another public place. However a police incident may be created when the City of Vancouver Animal Control is unavailable (outside their business hours) or requests police assistance.

When police attend an animal complaint in the first instance, the City of Vancouver Animal Control Services should be notified to ensure that they are aware of the circumstances for future dealings with the same animal.

PROCEDURE

1. In the event members are required to attend a dog bite incident, they shall:
 - a. Investigate the incident;
 - b. Notify the Field Supervisor if the dog has bitten a person and the injury is serious;
 - c. Complete a General Occurrence (GO) report; and
 - d. Forward a synopsis of the incident, including the GO number to the City of Vancouver Animal Control at 1280 Raymur Ave, Vancouver, BC, V6A3L8. Members shall ensure that the synopsis does not contain any personal information for any witness, victim, or other person.

NOTE: Animal Control may request a copy of the report under S. 33 Freedom of Information Act to further their investigation RPM Section 2.9.1(i): Disclosure of Information - General.

2. If a member believes that an animal poses a threat to the public, but not an immediate threat, the member shall:
 - a. Request the attendance of a Conservation Officer for wild animals; or
 - b. Request the attendance of City of Vancouver Animal Control for domestic animals; and
 - c. Make all reasonable efforts to contain the animal.

DISCHARGING FIREARMS AT DANGEROUS ANIMALS

3. Members are prohibited from shooting at animals, except in circumstances where a member believes that an animal poses such an immediate threat to themselves or to the public, that either death or grievous bodily harm may result, and there are no other options available to the officer.



DEAD OR INJURED ANIMALS

4. Members shall not shoot wounded or maimed animals unless authorized by the Duty Officer.
5. Any wild animals that are wounded or maimed shall be reported to the Conservation Office.
6. Any domestic animals that are wounded or maimed shall be reported to the SPCA.
7. When animals are injured, the primary responsibility of care lies with the owner. Maimed or severely wounded domestic animals can be taken by the police or the public, 24 hours a day, to the Vancouver Animal Emergency Clinic located at 1590 W 4th Avenue. When possible, the clinic should be notified before arriving with the animal at the Vancouver Animal Emergency Clinic.
8. Members shall request that the City of Vancouver Animal Control be notified to remove the carcasses of all dead domestic and wild animals (cats, dogs, coyotes, deer, etc.). The City of Vancouver Scavenging, National Yards, will be notified to remove the carcass of any dead skunk. In the event that a wild animal carcass is too large to be moved by Animal Control, the Conservation Officer shall attend and remove the carcass.

ANIMAL NOISE COMPLAINTS - BARKING DOGS

9. When members are required to attend a complaint regarding a barking dog on private property to assist City of Vancouver Animal Control or on their behalf, enforcement may be conducted as per RPM Section 1.6.4(ii): Animal Control By-law 9150.

ANIMALS FOR SAFEKEEPING

10. The City of Vancouver Animal Control is available to attend and take charge of a domestic animal where a person in a public place is:
 - a. Arrested; or
 - b. Required hospitalization due to injury.
11. Members may also consult with the arrested or injured party to identify a person who can take charge of the animal within a reasonable amount of time.



1.6 Incident Investigations

1.6.4 (ii) Animal Control By - Law No. 9150

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.5(i) Assault of a Police Officer

(Effective: 2015.04.21)

1. Before any charges of assault peace officer are requested in a GO report, the member involved, and any investigating member, shall report to a NCO and advise of all the facts and circumstances. The NCO shall, in turn, immediately notify the Duty Officer of the events that have occurred.
2. When considering whether to authorize an assault charge, the Duty Officer shall review the case and consider:
 - the accused's sobriety,
 - mental state,
 - other pending charges
 - degree of force used in the assault, and
 - any other relevant information.
3. The investigating member shall include in the GO report the name and PIN of the NCO, and the name and PIN of the Officer who authorized the request for the charge.



1.6 Incident Investigations

1.6.5(ii) Obstruction of a Police Officer

(Effective: 2015.04.21)

POLICY

Members must be aware that, although a person has a common law duty to provide their identity when they are found committing a summary conviction offence when there is no specified power of arrest (including Motor Vehicle Act & Bylaw offences), not all incidents of Obstruction will justify proceeding with a criminal charge. The obstructive activity has to have been more than an inconvenience to the investigation, and not easily or quickly resolved before the Crown will proceed with a charge. Crown will consider the totality of the circumstances, including whether it is in the Public Interest to proceed, when reviewing the file. Please refer to the Obstruct Legal Discussion document for further information.

To assist members in determining the appropriate course of action, NCO review and authorization is required when requesting a charge of Obstruction of a Police Officer.

PROCEDURE

1. When possible, the Obstruction Warning (RPM Section 1.4.1(8): Police Warnings) should be given to the suspect. This may defuse the incident, or provide evidence that the suspect knew, or should have known, that they were obstructing a police officer in the legal execution of their duties.
2. Before charges of obstruction of a police officer are requested in a GO report, the member involved, or any investigating member, shall report to a Patrol NCO and advise of all the facts and circumstances.
3. The NCO will take into consideration all of the circumstances surrounding the incident, including whether an uninvolved member should be tasked with completing the investigation, while considering whether to authorize the Obstruction charge.
4. In complex or controversial incidents, the NCO may seek advice from the Duty Officer.
5. The investigating member shall include in the GO the name and PIN of the NCO who authorized the charge.
6. Should it be determined that the accused will be lodged in the Jail for a standalone charge of Obstruction (i.e.: no other substantive charge pending), the NCO will contact the Jail NCO as soon as practicable to discuss the need for the accused to be detained.
7. Should it be determined, by either the member or the NCO, that it is not appropriate or necessary to proceed by way of charge following an arrest for obstruction of a police officer, and there are no other substantive criminal charges being sought:
 - a. The member or NCO will speak with the suspect and explain the reasons for the police actions and the reasons that a charge is not being sought,
 - b. The member will ensure that the reasons for the initial arrest are articulated in the GO, and
 - c. The reasons for the decision to not proceed by way of charge will also be documented in the GO by the member or the NCO, as appropriate.
8. Members shall ensure, whether seeking charges or not, that any use of force, and the justification for that use of force, is documented in the GO.



1.6 Incident Investigations

1.6.6 Bail Conditions - Urinalysis

(Effective: 2002.10.31)

1. The courts have imposed conditions of probation in Probation Orders that pertain to drug users where urine samples are required as proof of abstinence from the use of Controlled Drugs or Substances.
2. The Order directs that, "The probationer will surrender themselves into the custody of any peace officer who has reasonable grounds to believe that they are under the influence of a Controlled drug or Substance and submit a sample of their urine on demand."
3. The courts may also impose bail conditions requiring the accused to submit a sample of their urine on demand of a peace officer.
4. Should a probationer/ accused with bail conditions qualify for the test, the following procedure will apply:
 - a. escort the accused to Vancouver Jail;
 - b. obtain a sterile container from the Jail Nurse;
 - c. secure the exhibit and release the accused; and
 - d. deposit the exhibit, with a completed RCMP C414 Request for Analysis in a Science Locker at the Public Service Counter. Urine analysis is completed by a private lab, but an RCMP C414 must be submitted. The RCMP C414 report should include:
 - full outline of the circumstances;
 - the contemplated charge;
 - the nature of the examination or analysis required, e.g.: drug suspected;
 - the location of the exhibit;
 - the full names of suspect(s) involved;
 - the investigator(s) name, assignment, contact number, e-mail address, and;
 - VPD case numbers.
5. The reporting member will be notified by the laboratory of the result. In all cases of positive results involving probationers, the member must notify the Vancouver Probation Office. The member may choose to deal with the breach themselves by arresting the probationer or submitting a report requesting a warrant, OR the member may forward a copy of the analyst's report, plus the member's report, to the Probation Officer for their consideration.
6. In the case of a positive result involving a breach of bail, the reporting member may arrest the accused for Breach of Bail, or submit a report requesting a warrant.
7. Failure of a probationer to comply:
 - a. Release the Probationer and submit a report to Probation Office OR
 - b. Arrest the Probationer for Breach of Probation, or submit a report requesting a warrant.
8. Failure of an accused on bail to comply:
 - a. Arrest the accused for Breach of Bail OR
 - b. Release the accused and submit a report requesting a warrant.



1.6 Incident Investigations

1.6.7(i) Civil Court Order - Protection Order Enforcement

(Effective: 2017.03.22)

POLICY

In most instances, a member will restrict their involvement in civil matters to keeping the peace. Exceptions occur in family matters when a court has made a protection order under the Family Law Act (FLA), or a restraining order or protective intervention order under the Child, Family and Community Service Act (CFCSA). A violation of an order constitutes a dual offence pursuant to Section 127 of the *Criminal Code*.

The new FLA protection orders are intended to be issued in cases where family members are in conflict, and there is a concern about safety. For other civil court order enforcement matters, including orders that were issued under the Family Relations Act (FRA), refer to RPM Section 1.6.7(ii): Civil Court Order Enforcement.

Family Law Act (FLA)

The FLA came into force on March 18, 2013 replacing the Family Relations Act (FRA). The terms “custody” and “access” are no longer used in the FLA; terms such as “parenting time”, “parental responsibilities”, “guardianship”, and “contact with a child” are used instead.

Under the FLA, a judge may issue the following civil orders:

- i. Protection Orders - enforceable by police, valid for one year from the date of the court stamp unless otherwise stated in the order, intended for cases where there is an identified safety risk and the conditions will limit contact/communication between family members; and
- ii. Conduct Orders - **not** enforceable by police under the *Criminal Code*. Conduct orders may include terms to manage parties’ behavior, promote compliance and facilitate settling disputes (e.g., orders to attend counselling, pay fines or expenses, make payments related to a residence, supervise the removal of personal belongings, give security or report to the court). While conduct orders may contain terms restricting communications, this should not be used if there is a safety concern and a protection order is more appropriate.

Child, Family and Community Service Act (CFCSA)

There are two types of protection orders intended to protect the safety of children and youth under the CFCSA:

- i. Protective Intervention Orders - prevent contact between a child and another person (Sec. 28 CFCSA); and
- ii. Restraining Orders - protect a child in care, a child in the custody of a person under a temporary custody order or a youth on a youth agreement from being exploited, abused, or intimidated (Sec. 98 CFCSA).

As of March 18, 2013 the former CFCSA offence and penalty provisions were repealed. Police officers may enforce these two types of protection orders and consider pursuing charges for breaching their terms under Section 127 of the *Criminal Code*.

Civil court orders made under the FRA and CFCSA prior to March 18, 2013 remain effective as per their terms, and are to be enforced in the same manner as before that date, regardless of when the breach offence occurred. (See RPM Section 1.6.7(ii): Civil Court Order Enforcement)



Enforcement and charging provisions

If a police officer has reasonable grounds to believe that a person is in breach of a condition of an FLA protection order, they may *enforce* the order under Section 188(2) of the FLA.

A police officer may similarly enforce each of the two CFCSA protection orders. However, when enforcing a CFCSA protection order, it is recommended that police contact MCFD at xxx (24 hours/day) or the involved Delegated Aboriginal Agency (contact information available from MCFD) to obtain additional background information on the context of the order.

A police officer may *pursue charges* against a person for breaching a FLA or CFCSA protection order under Section 127 of the *Criminal Code* for the offence of disobeying a court order. The offences for breaching these orders require the accused person to have knowledge of the order. Unlike criminal court orders, FLA or CFCSA orders are often issued without the respondent (the person bound by the order) being present in court when the order is made. The Report to Crown Counsel (RTCC) must clearly articulate how the accused person's knowledge of the order will be proven. Where the order was made without the party bound by the order being present in court, evidence must be provided to Crown Counsel at charge assessment to prove that the accused person had knowledge of it (e.g., a copy of a Certificate or Affidavit of Service which is made available to police by the Protection Order Registry at xxx).

Section 9.1 of the BC Enforcement of Canadian Judgments and Decrees Act allows any Canadian civil protection order to be enforced like those from BC without the need to register the out-of-province order.

Child Apprehension

Police officers **do not** enforce conduct orders. However, Section 231 of the FLA provides that, if parenting time or contact with a child has been wrongfully denied or withheld, a court may make an order requiring a police officer to apprehend the child. In accordance with the order, for the purpose of locating and apprehending a child, a police officer may enter and search any place he or she has reasonable and probable grounds for believing the child to be.

When there is no court order for the lawful apprehension of a child, and a member believes that the child's health or safety is in immediate danger, the member may take charge of the child pursuant to Section 27(2) of the CFCSA.

Conflict Between Orders

Section 189 of the FLA provides that, where there is a conflict between any orders, priority shall be given to any safety-related civil or criminal order, including:

- FLA protection orders
- CFCSA protection orders
- *Criminal Code* peace bonds or bail conditions; and
- Safety-related orders from another province.

In cases where there are overlapping conditions, it is intended that the most restrictive safety related conditions apply.

PROCEDURE

1. When an FLA or CFCSA protection order is produced, or advised to be in place, the member shall:
 - a. Request a supervisor's attendance; and



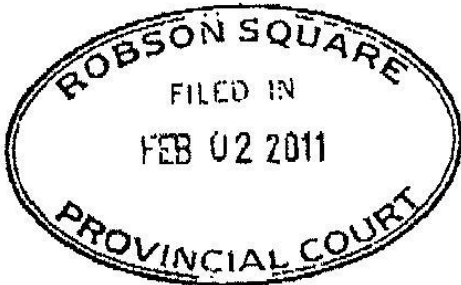
- b. Establish whether reasonable and probable grounds exist to believe that the order is valid and enforceable.
2. If the order is from BC Supreme Court, the order will have the following markings:
 - a. A stamp bearing the BC Coat of Arms, the wording “Supreme Court of British Columbia”, the name of the registry and the date; and
 - b. The signature of a judge, district registrar or deputy district registrar.

Example of a BC Supreme Court stamp:



3. If the order is from Provincial Court (Family Court), the order will have the following markings:
 - a. A stamp indicating which court registry issued the order and the date when the order was filed;
 - b. A court file number; and
 - c. The signature of a judge or signed “By the Court”.

Example of a Provincial Court (Family Court) stamp:



Note: The stamps are only indicators that the order has been entered in the court, but the order takes effect as soon as the order is made in court. The Protection Order Registry (POR) is given notice of the order by the end of the day the order is made, either in the form of a notice or a copy of the entered order depending on what stage the drafting and signing of the order is at. The protected party may not have access to either of these documents.

4. The member shall confirm the order’s validity by phoning the POR at xxx. This number is available 24/7 and is **only** for police officers to use in the execution of their duty. The POR is a confidential database of protection orders issued by the B.C. Courts. The registry’s database is **only** for protection type of orders. **Other family law orders are not included in this registry.**
5. A member in the course of their duties has the authority to request information from the POR. The database includes all:
 - a. Restraining orders issued by the BC Provincial Family Court on or after July 10, 1995;
 - b. Section 810/810.1 *Criminal Code* peace bonds containing no contact or other protective clauses issued by a criminal court on or after August 10, 1995;
 - c. Restraining orders issued by the Supreme Court on or after October 10, 1995;



- d. Valid protection orders issued before the POR began its operations and orders issued outside BC may also be entered into the Registry's database, but, the holder of the order must have initiated this process by contacting their local court registry; and
 - e. Valid protection orders issued under the FLA and the CFCSA on or after March 18, 2013 along with their associated affidavit of service (to prove knowledge of the order).
6. When a member contacts the POR about a particular protection order, the member must provide the following information:
- a. The member's name, badge number and phone number;
 - b. Full name(s) and date(s) of birth of all parties named in the order, or the protection order number;
 - c. If known, the name and location of the court responsible for issuing the order; and
 - d. The location of the current investigation along with the incident number.

With the above information, the POR staff will be able to confirm whether the protection order exists and is valid. The staff will also fax the member a copy of the order on request. The order cannot be emailed. (The Crown Liaison fax number is xxx and the Jail OIC fax number is xxx).

7. Civil protection orders made by judges elsewhere in Canada are enforced like civil protection orders from BC without the need to register the out of province order. If there are questions as to the order's validity, seek assistance from the issuing jurisdiction.
8. In the event that a member is not able to confirm the validity of a protection order by visual examination or through the POR, barring any safety concerns, the member shall not enforce the order. The member shall advise the holder of the order the circumstances that prevent its enforcement and inform the complainant they may pursue the matter through their lawyer. The member shall notify their supervisor, and submit a detailed General Occurrence (GO) report detailing their actions.
9. If a member has reasonable and probable grounds to believe that a person has breached a condition of a valid protection order (FLA or CFCSA), they may *enforce* the order. Members may pursue charges for breaching a protection order under Section 127 of the *Criminal Code*. A copy of the order must accompany the RTCC as an attachment. A copy of the Affidavit or Certificate of Service must also accompany the RTCC as an attachment if this is the evidence to establish the accused person's knowledge of the order.
10. RTCCs submitted to Crown counsel recommending charges under Section 127 of the *Criminal Code* for breaches of FLA and CFCSA protection orders, should be submitted to the Crown counsel office in the location where the breach offence is alleged to have occurred (which may not be the same location where the order was issued).
11. If a member is advised that a condition of a *conduct order* has been breached by a subject of the order, the complainant must contact Family Law court to obtain a remedy.

If the court is satisfied that parenting time or contact with a child has been wrongfully denied or withheld, the court may make an order in accordance with Section 231(4) or (5) of the FLA that *requires a police officer to apprehend the child and take the child to a specific person or guardian*. For the purpose of apprehending a child in accordance with such an order, a police officer may enter and search any place he or she has reasonable and probable grounds for believing the child to be.

These apprehension orders are *not* kept on file in the POR therefore must be obtained from either the complainant or the court registry.

12. When there is no court order for the lawful apprehension of a child, and:
 - a. a member has reasonable and probable grounds to believe that the child's health or safety is in immediate danger; and
 - b. a person denies the police officer access to the child or no one is available to provide access,



the member may, by force if necessary, enter any premises or vehicle or board any vessel to take charge of the child pursuant to Section 27(2) of the CFCSA. The matter must then be reported immediately to the Ministry of Children and Family Development (MCFD).

13. Members shall ensure that the Domestic Violence and Criminal Harassment ('B') and Child at Risk ('R') study flags are selected, as applicable, on the front page of the accompanying GO report.

Station NCO

14. When the person has been lodged at the jail the Station NCO shall:
 - a. Ensure the validity of the court order; and
 - b. Ensure there are reasonable grounds to arrest the person who has breached the court order as outlined in the RTCC.

Jail NCO

15. When the person has been lodged at the jail, the Jail NCO shall:
 - a. If directed by the order, ensure the person is transported to the court that issued the order by the Sheriffs; and
 - b. Ensure a copy of the RTCC and the court order accompany the person; or
 - a. If the order does not contain a directive that the person be brought before a specific court, then arrange for the person to be brought before a Judicial Justice for a bail hearing.



1.6 Incident Investigations

1.6.7(ii) Civil Court Order Enforcement

(Effective: 2017.03.22)

POLICY

Members may be requested to investigate a breach of a civil court order. In general members will restrict their involvement in civil matters to keeping the peace unless an order contains an arrest clause. Prior to taking any enforcement action, members shall confirm an order is valid and thoroughly investigate the incident.

The Family Law Act (FLA) and amendments to the Child, Family and Community Service Act (CFCSA) came into force in BC on March 18, 2013; the FLA replaced the Family Relations Act (FRA), and the former offence provisions under Section 102 of the CFCSA have been repealed. However, civil court orders made under the FRA and CFCSA prior to March 18, 2013 remain in effect as per their terms, and have no expiry date; they are to be enforced in the same manner as before that date, regardless of when the breach offence occurred.

When members encounter a situation where they are presented with an FRA or CFCSA order issued prior to March 18, 2013, only these procedures shall apply.

For enforcement of protection or apprehension orders issued under the FLA or the amended CFCSA, refer to RPM Section 1.6.7(i): Civil Court Order - Protection Order Enforcement.

PROCEDURE

Determining the Validity of an Order

1. In enforcing the provisions of a civil court order a member shall:
 - a. Request a supervisor to attend;
 - b. Make detailed notes on the following:
 - i. The date of the order;
 - ii. The jurisdiction of the court registry, the date registered; and,
 - iii. Other relevant court markings on the order to establish the order is valid and enforceable in B.C. (See RPM Section 1.6.7(i): Civil Court Order - Protection Order Enforcement for more information on court markings);
 - c. Confirm with the complainant that the order produced is the most recent and valid order;
 - d. Ask the complainant if it is known whether or not the suspect is aware of the order;
 - e. Take the court order in hand and present it to the suspect;
 - f. Explain to the suspect that the police have a duty to carry out the directives in the order;
 - g. Allow the suspect the opportunity to produce any amended orders;
Note: In the event that more than one apparently valid order is produced, the order registered on the latest date will take precedence. However, in some situations a subsequent order will only vary part of the previous order. In these cases, the portions of the first order that have not been amended are still valid.
 - a. Phone the Protection Order Registry (POR) at xxx for confirmation. (See RPM Section 1.6.7(i): Civil Court Order - Protection Order Enforcement). Family Law orders that do not contain protective conditions are not registered in the POR.

Supervisor's Duties



2. The Supervisor in attendance shall ensure that the actions of the member are in accordance with this policy. In the event of controversial or unusual incidents, the Duty Officer shall be consulted.

Enforcement of Civil Court Orders - No "Arrest Clause"

When a member has reasonable grounds to believe that the court order is valid and has been breached, but the court order does not contain an arrest clause, the member shall:

3. In the first instance, consider proceeding by way of a new criminal charge (e.g., Criminal Harassment, Assault, or Threatening) if there is evidence to support the charge and seek appropriate bail conditions including a no-contact order, if applicable. Alternatively, a member may consider applying for a Section 810 *Criminal Code* Peace Bond.
4. If there is no evidence to support a new criminal charge, confirm if either of the following conditions exist:
 - a. The breach of the court order was more than merely technical in nature and was not inadvertent, and the suspect has not provided the investigating member with a reasonable and/or lawful excuse for the violation; or
 - b. The circumstances of the incident suggest that the complainant appears to be at some risk from the suspect and/or there is a history of violence in the relationship.
5. If either of the conditions in 4(a) or 4(b) exist, and the suspect was not found committing, submit a Report to Crown Counsel (RTCC) requesting a warrant under Section 128 of the FRA when appropriate, and use the Walk-Through Warrant Process (See RPM Section 1.6.43(v): Walk-Through Warrants).
6. If either of the conditions in 4(a) or 4(b) exist, and the suspect was found committing, a member shall arrest the suspect for committing an offence under Section 128 of the Family Relations Act where appropriate, provided the arrest is required to prevent the continuation or repetition of the offence or there are reasonable grounds to believe the suspect will fail to attend court pursuant to Section 495(2) of the *Criminal Code*. If the member is satisfied there are no concerns regarding the continuation or repetition of the offence or court appearance, a member shall then proceed by way of an Appearance Notice (See RPM Section 1.5.1: Issuing Appearance Notices (ANs) (Federal & Provincial) and Undertakings).

NOTE: When submitting a RTCC, members shall include:

- a. Relevant information on the history of the relationship;
 - b. Evidence of past violence, threats of violence, or potential for violence and a determination if any of the 19 Domestic Violence Risk Factors are present;
 - c. Any other risks to the complainant, in order to assist the Crown in the charge approval process;
 - d. If applicable, the suspect's account of events;
 - e. A copy of the court order; and
 - f. Evidence of the accused person's knowledge of the order. A copy of the affidavit or certificate of service must accompany the RTCC as an attachment if this is the evidence to establish the accused person's knowledge of the order.
7. If either the conditions in 4(a) and 4(b) do not apply (i.e., the breach is only technical and there is no known potential for violence), the member shall inform the complainant that no police action will be taken and they may pursue the matter on their own or through their lawyer. A General Occurrence (GO) report shall be submitted detailing the circumstances of the incident.

Enforcement of Civil Court Orders - With "Arrest Clause"

When a member has reasonable grounds to believe that the court order is valid, contains an arrest clause, and has been breached, the member shall:



8. If the suspect is found committing, the member shall:
 - a. Arrest the suspect as per the arrest clause on the order;
 - b. Lodge the accused in the Jail;
 - c. Submit a RTCC, or GO if, after consultation with a supervisor, no criminal charges are being pursued; and
 - d. Provide a copy of the court order to the Jail NCO.
9. If the suspect is not found committing, the member shall:
 - a. Fully investigate, and attempt to locate and arrest the suspect as per the arrest clause on the order;
 - b. If the suspect is in another jurisdiction, notify a supervisor; and:
 - i. Attempt to locate and arrest the suspect if the jurisdiction is near Vancouver; or
 - ii. Notify through CPIC the police department or detachment having jurisdiction, provide the reasonable grounds to arrest and request that the suspect be arrested. A copy of the order shall be provided to the assisting department or detachment.
 - c. In all instances when the suspect cannot be located and a breach has occurred, the member shall consider whether a charge under Section 128 of the FRA is appropriate in the circumstances, considering the criteria listed in sub-sections 4(a) and 4(b); and
 - d. If the incident does not involve a FRA matter, advise the complainant that they must consult with their lawyer to apply to the court for a warrant to be issued for the suspect.
10. If, after considering sub-section 9(c) charges under the FRA are appropriate, the member shall:
 - a. Submit a RTCC requesting a charge to be laid under Section 128 of the FRA and a warrant issued under Section 34 of the *Offence Act* and/or consider a Peace Bond under Section 810 of the *Criminal Code*;
 - b. Include in the RTCC:
 - i. Relevant information on the history of the relationship;
 - ii. Evidence of past violence, threats of violence, or potential for violence and a determination if any of the 19 Domestic Violence Risk Factors are present;
 - iii. Any other risks to the complainant, in order to assist the Crown in the charge approval process;
 - iv. If applicable, the suspect's account of events;
 - v. Any witness information;
 - vi. A copy of the court order; and
 - vii. Evidence of the accused person's knowledge of the order. A copy of the affidavit or certificate of service must accompany the RTCC if this is the evidence to establish the accused person's knowledge of the order.
 - c. Submit the RTCC using the Walk Through Warrant Process (See RPM Section 1.6.43(v): Walk-Through Warrants).
 - d. When there is no risk to the complainant and the address of the suspect is known, a member shall request a charge to be laid under Section 128 of the FRA and a Summons be issued under Section 27 of the *Offence Act*.

Technical, Inadvertent or Minor Breaches

11. A member shall submit a General Occurrence (GO) report but not request a charge when:
 - a. There are no reasonable and probable grounds to believe that the accused was aware of the order prior to the offence occurring;
 - b. An order is produced and it is determined not to be valid and enforceable; or
 - c. The violation of the order appears to be inadvertent, unintentional, or minor in nature and these findings are reviewed by a supervisor.
12. If the breach is technical in nature (e.g., bringing a child back 10 minutes late) and there are no other aggravating circumstances, the member shall advise the complainant that no action is being taken by the police and they have the option of contacting their lawyer for further action (if



applicable). A member shall consult with a supervisor and submit a GO report documenting their reasons for not proceeding with charges.

New Charges

13. In all instances (found committing, not found committing, suspect located, or not located) members may consider laying any new criminal charges that may have occurred along with the breach.

Station NCO

14. When the suspect has been lodged at the jail the Station NCO shall:
 - a. Ensure the validity of the court order; and
 - b. Ensure there are reasonable grounds to arrest the person who has breached the court order as outlined in the RTCC.

Jail NCO

15. When the suspect has been lodged at the jail, the Jail NCO shall:
 - a. If directed by the order, ensure the suspect is transported to the court that issued the order by the Sheriffs; and
 - b. Ensure a copy of the RTCC and court order accompany the suspect; or
 - c. If the order does not contain a directive that the suspect be brought before a specific court, then arrange for the suspect be brought before a Judicial Justice for a bail hearing.

Child Custody

16. Instances involving issues around guardianship, parenting time or contact with a child, see RPM Section 1.6.7(i): Civil Court Order - Protection Order Enforcement.



1.6 Incident Investigations

1.6.7(iii) Civil Court Order - Child Abduction and Custody Orders

(Effective: 2011.10.19)

POLICY

Members are reminded that not all cases of child abduction by a parent or guardian are criminal offences. In most cases, the aggrieved party does not want to prosecute the spouse but wants the child returned. Nevertheless, some child custody disputes, in the absence of a custody order, may be considered a crime. Each incident will be reviewed individually based on the circumstances. It is a legal requirement in the *Criminal Code* that the consent of a specially designated Crown Counsel be obtained before a charge is laid. Specific Administrative Crown Counsel have been identified for this purpose and may be contacted Monday to Friday: 0830 to 1630 hours. After hours, Crown Counsel may be located on the first floor, 222 Main Street from 1630 to 2300 hours, seven days a week. Also refer to RPM Section 1.6.7(i): Civil Court Order - Protection Order Enforcement.

PROCEDURE

When it is not possible to contact the specially designated Crown Counsel prior to taking action, the member involved shall take appropriate action and immediately thereafter contact Crown Counsel.

1. A member shall immediately notify a Supervisor when a child abduction is reported. The Supervisor shall ensure the Duty Officer is notified and advised of the circumstances of the incident. See RPM Section 1.7.10(ii): Responsibility for Investigation of Major Incident.
2. In incidents involving the abduction of a child under Section 283 CCC (where there is no custody order) or under Section 282 CCC (where there are conflicting orders or where there is only one custody order), members shall, when possible, consult with Crown Counsel prior to completing the investigation, making arrests, removing children, or laying charges.
3. When taking action, members should be aware that consent to proceed will be given by Crown Counsel only in incidents where the suspect has exhibited deliberate conduct, and the available evidence justifies intervention by Crown Counsel.
4. Action would be considered appropriate in incidents when:
 - a. Proceedings have been initiated in any court to establish custody and a person then contravenes Section 283 CCC;
 - b. A person has repeated a contravention of Section 283 CCC;
 - c. The inability of a person to care for the child has been previously demonstrated (example: drugs, alcohol, mental capacity);
 - d. There is a contravention of a written agreement;
 - e. A child has been abducted and the person having lawful care or charge of the child has no reason to suspect that the abducting parent would want the child; or,
 - f. There is a possibility a child is in danger of harm and the provisions of the Family and Child Services Act are either inadequate or inappropriate.
5. Action would not be considered appropriate when:
 - a. A person leaves a dangerous or imminently dangerous place with a child whether or not there is a necessity to protect the child from harm;
 - b. There are conflicting court orders when no special or exceptional factors exist; and,
 - c. There is a conflict in which guardianship, parenthood or person having lawful custody, care, or charge of a child is in dispute.



6. Consideration should be given to the statutory defences contained in Section 284 CCC and Section 285 CCC.
7. It is not a defence to a charge under Section 282 CCC or Section 283 CCC that the abducted child consented to or suggested any conduct of the accused.
8. For emergency assistance such as funds, transportation and emergency homemaker placements contact Car 86 if available or the local Emergency Services Team:

After Hours Emergency Services
Ministry for Children and Families
2nd Floor - 1727 W Broadway Ave, Vancouver, B.C.
xxx-xxx-xxxx
Monday to Friday - 1600 to 0800 hrs
Weekends and Holidays - (24 hours)



1.6 Incident Investigations

1.6.8 Completion of Investigations

(Effective: 2003.01.22)

1. Members conducting a primary investigation shall inform the complainant/victim of one of the following case dispositions and will make specific note of the disposition in their report:
 - a. charges will be requested by the investigating member;
 - b. charges will be requested by the investigating member; however, given the nature of the offence, Crown Counsel Charge Approval Policy would likely negate prosecution;
 - c. the case will be forwarded to the appropriate Specialty Squad for further investigation;
 - d. insufficient evidence exists to substantiate a criminal charge;
 - e. the incident is a civil dispute and that no criminal charges will be processed; or
 - f. the case is inactive and no further police action will be taken, pending receipt of further information.
2. Members shall ensure that all victims are advised of the services available to them as legislated by the *Victims of Crime Act* and direct any victims that need additional information to the Victim Services Unit.
3. Whenever victims are unable to represent themselves (unconscious, missing, etc.), the investigating member shall ensure that next-of-kin is notified. If the victim is a foreign national and no next-of-kin is available, members shall advise the victim's embassy/consulate whenever practicable. (Section 1.6.10(iii) - Foreign Nationals)
4. When a member forwards a case for further investigation by a detective or specialty squad, the involved squad supervisor shall determine if there is sufficient criteria to warrant a follow-up investigation. Members conducting primary investigations who wish to follow-up their own cases shall be responsible for ensuring that another section is not conducting a follow-up of the same investigation. Members shall receive authorization from a NCO prior to conducting a follow-up investigation.
5. Criteria for follow-up investigation: Without restricting the decision making ability of the primary investigator or the detective supervisor in deciding which cases will be forwarded or assigned for follow-up, the following criteria should be considered:
 - a. Solvability factors:
 - Named suspect or the suspect can be readily identified;
 - Physical evidence is available which will identify the suspect(s) and provide evidence to support a charge; and
 - Similar fact patterns which will serve to identify the suspect through a series of offences.
 - b. Nature of Offence:
 - Monetary loss;
 - Injury or the likelihood of injury; and
 - High profile offences where Department or public interest warrant conducting a secondary investigation.
 - c. On completion of the secondary investigation, the secondary investigating member shall notify the complainant of one of the following:
 - The case is inactive and no further police action will be taken pending receipt of further information;
 - The investigation is concluded and the Vancouver Police Department has laid charges which have been approved by Crown Counsel; or
 - The investigation is concluded. Crown Counsel has been consulted and declined to proceed with charges.



1.6 Incident Investigations

1.6.9 (i) CPIC Confidentiality

(Effective: 2006.01.24)

1. Information that is contributed to, stored in, and retrieved from the CPIC files is confidential and must receive the degree of protection necessary to prevent disclosure to unauthorized agencies or individuals.
2. Not all law enforcement agencies have the same CPIC access (Dissemination of CPIC Information Model). CPIC access is divided into three categories:
 - a. **Category 1:** Police Agency - these agencies have full peace officer authority under a federal or provincial Police Act and have full CPIC access.
 - b. **Category 2:** Agency with Limited Law Enforcement Role:
 - i. Category 2 (a) - the agency has a complete range of policing responsibilities including response to complaints from public, patrol, traffic enforcement and investigations that could lead to prosecutions under the C.C.C. or other statute (e.g., Canadian Pacific Railway Police).
 - ii. Category 2 (b) - the agency has investigative responsibilities within the scope of the statutes that it enforces (e.g., Customs and Excise, Immigration Canada).
 - iii. Category 2 (c) - the agency is a federal correctional service, provincial correctional service, or a provincial sheriff service.
 - c. **Category 3:** Agency with Role Complementary to Law Enforcement - the agency has no direct law enforcement authority but provides assistance to law enforcement agencies.
3. Each agency having direct terminal access to CPIC files is responsible for the confidentiality and dissemination of information stored on the CPIC system. Members shall not disseminate CPIC information except to agencies legislatively responsible for law enforcement and in accordance with CPIC policy. Before any CPIC information is released, members must be satisfied that :
 - a. the request is a legitimate request and not just one of personal use;
 - b. the released information will not jeopardize the integrity of the CPIC system or its users;
 - c. confirmation, where applicable, with the originating agency has been carried out; and
 - d. the release conforms with existing policy.



1.6 Incident Investigations

1.6.9 (ii) Canadian Police Information Centre (CPIC) - Operational Use

(Effective: 2000.10.03)

1. General

The central CPIC computer facility is located and managed within the Canadian Police Services organization at RCMP Headquarters, Ottawa. Stored information is arranged in computerized files containing records by subject. These are contributed and updated by affiliated Canadian police agencies throughout the CPIC network. Every police record transmitted for CPIC storage must be supported by related case file documentation within the initiating agency. CPIC does not originate file information, but acts solely on behalf of member agencies in providing an automated information storage/transmission service with technical advice as required. Moreover, each police agency is entirely responsible for the accuracy of all information contributed by them for use by all system members.

2. Operational Files

The major files, along with their sub-categories, are as outlined below:

a. Vehicle File

- Stolen vehicle: Includes automobiles, trucks, motorcycles, trailers, aircraft and other vehicles such as farm and garden tractors, ampicars, all-terrain vehicles, go-carts, dune buggies, buses, construction equipment and motor homes
- Stolen (or lost) Licence Plates
- Stolen (or lost) Licence Validation Tag
- Stolen Vehicle Identification Number Plate
- Stolen Vehicle part (motor or transmission)
- Surveillance Vehicle
- Abandoned Vehicles
- Crime Vehicle
- Pointer vehicle (cross-reference vehicle)

b. Persons File

- Wanted Person
- Missing Person
- Accused Person
- Elopee
- Prohibited Person
- Parolee
- Refused
- Special Interest to Police
- Surveillance
- Pointer Person
- Alias
- Known Associate

c. Boats and Motors File

- Stolen or Missing Boats
- Boats for Surveillance
- Abandoned Boats
- Pointer Boats
- Stolen or Missing Boat Motor
- Abandoned Boat Motor



- d. Criminal Record Synopsis File
System users have query access only to this file by using F.P.S. Number or Surname and/or personal descriptors.
 - e. Property File
 - Article
 - Security
 - GunAgencies may add any stolen, missing, recovered, loaned (pawned) or counterfeit (for securities) property provided that each category item is identifiable by a serial number.
 - f. Motor Vehicle Registration and Driver's Licence Queries
The Police Automated Registration Information System (PARIS), through a computer interface with CPIC, provides information relative to Motor Vehicle Registration for all CPIC users. Currently, the Motor Vehicle files in the provinces of BC, Alberta and Ontario are interfaced to the CPIC network.
3. Operational Procedure
- a. Queries
Members operating CAD terminal equipped vehicles will, under normal circumstances, enter their own queries in the digital form. Otherwise, these queries may be made through ECOMM or the CPIC Operator. When requesting a person's query the member should provide complete name and date of birth whenever possible.
 - b. Response
Whenever a query is made of the system, a "Hit" or "Not on File" response is received. The investigating member is then advised accordingly. In the event of a "Hit" the Terminal Operator will confirm the validity of the record by contacting the originating agency. Members must ensure a "Hit Confirmation" is received before concluding their investigation.



1.6 Incident Investigations

1.6.9 (iii) CPIC - Special Interest to Police (SIP) or Surveillance Category

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.9 (iv) CPIC - Special Interest to Police (SIP) - Officer Public Safety Alert (OPSA)

(Effective: 2006.11.17)

POLICY

The Officer Public Safety Alert (OPSA) is a quality-controlled system of data entry that maximizes officer and public safety by identifying subjects **known or believed to carry firearms**, on the Canadian Police Information Centre (CPIC) database. An OPSA provides police with an immediate understanding of the type of threat they may be facing, thereby limiting risk. **The OPSA does not in itself provide the grounds to detain people. It is an alert, and only directs police to be cautious and well prepared.**

The integrity of OPSA requires that a quality controlled data entry system be in place to ensure the information is credible and verifiable. The following procedure shall be followed to identify a subject as Special Interest to Police (SIP) - OPSA on CPIC.

PROCEDURE

1. In order to place a subject on CPIC as a SIP-OPSA entry, members shall submit a detailed General Occurrence (GO) report containing reasons for their request. Information to consider would include other relevant GO reports, Flag Records (FR) and Street Checks (SC). Source or opinion information is valid, but the submitting member must provide some record of their investigation of the subject that corroborates the information. Incident reports from other agencies may also be included. This documented information is necessary to facilitate tracing the entry should future disclosure be necessary.
2. The member shall:
 - a. complete a text template type "CP" VPD51 SIP/SUR/CRIME in the same manner outlined in Section 1.6.9 (iii): CPIC - Special Interest to Police (SIP) or Surveillance Category. In order to comply with CPIC guidelines, the OPSA entry must be written out in full in the CPIC remarks section of the VPD 51. For example, SIP - Officer Public Safety Alert and details of the firearms intelligence;
 - b. submit the GO report, and if submitted via MRE, determine that the report has been transcribed;
 - c. contact NCO and request authorization of the CPIC - OPSA entry; and
 - d. if the requesting member's, or another, NCO is unavailable, obtain authorization from:
 - i. Manager, Information Management Section
 - ii. CPIC Supervisor, Information Management Section.
3. The NCO shall:
 - a. ensure the report complies with CPIC requirements and, if so, complete a miscellaneous notes page providing name, PIN, assignment and written authorization of the CPIC template; and
 - b. established that a CPIC entry has been made, before approving a report in Workflow that contains officer safety information appropriate for CPIC, and if the information has not been entered on CPIC, assign a follow-up to the member responsible for the report.
4. The CPIC Supervisor shall notify the OPSA Coordinator, who will review the GO Report and the VPD51 - SIP/SUR/CRIME template. The OPSA Coordinator will maintain a file of all VPD SIP - OPSA entries.
5. Should the OPSA Coordinator have any concerns about the suitability of the information, they will contact the submitting member. The submitting member's NCO has the final authority to direct whether a SIP - OPSA entry will be made on CPIC.



1.6 Incident Investigations

1.6.10 (i) Defectors and Refugees

(Effective: 2004.03.15)

1. Immigration is responsible for investigating incidents involving defectors or persons seeking political asylum.
2. Members who are approached by a person requesting to defect, or seeking political asylum (refugee) shall:
 - a. Initially obtain the following information:
 - Name of person and Date of Birth;
 - Country of origin;
 - Languages spoken;
 - Occupation; and
 - Time of request.
 - b. Remove the person to a secure area and keep under observation. Ascertain whether the person feels that they are in danger, and conduct an immediate threat assessment;
 - c. Immediately notify their Field Supervisor;
 - d. Immediately notify the Immigration Duty Officer;
 - e. Notify the Vancouver Police Department Duty Officer; and
 - f. Submit a GO report outlining the circumstances to the Inspector in charge of the Criminal Intelligence Section and the Inspector in charge of the Emergency and Operational Planning Section.



1.6 Incident Investigations

1.6.10 (ii) Diplomatic Immunity

(Effective: 2001.05.22)

1. Accredited Ambassadors, their families, and members of their staff are granted immunity from prosecution. However, if their actions endanger the public safety, they can be restrained. Similar privileges are granted, with the same limitation, to members of the North Atlantic Treaty Organization and to United Nations Agencies.
2. A number of countries maintain Consulates in the City of Vancouver. Consular Officers may be afforded immunity in limited circumstances, depending on the nature of the offence and the duties the official was engaged in.
3. Members conducting an investigation involving an Ambassador, Consular Officer, or members of the family or staff of such person, shall:
 - a. Immediately notify a Supervisor;
 - b. Fully investigate the incident. Members will normally proceed by summons in all cases where charges are considered;
 - c. Notify the Duty Officer through the Supervisor of the incident. The authorisation of the Duty Officer shall be required prior to lodging any Official with diplomatic status in the Vancouver Jail; and
 - d. Route a copy of the GO report to the Duty Officer and the Emergency & Operational Planning Section. The Duty Officer shall forward the report to the Chief Constable.
4. The Chief Constable or an Officer designated by the Chief Constable shall
5. all retain responsibility for notifying all Consulates and the Department of External Affairs regarding the details of any investigation.
6. In all cases where charges are requested against a Diplomat or a member of his/her staff or family, the Police/Crown Liaison Unit shall notify Senior Crown Counsel of the circumstances of the case at their earliest opportunity during normal office hours.



1.6 Incident Investigations

1.6.10 (iii) Foreign Nationals

(Effective: 2003.01.22)

Definition

1. A foreign national is a citizen of a state, nation or country other than Canada, whose presence in Canada may be:
 - a. Legitimate (e.g. visitor, student, landed immigrant, or visitor on extended visa/work permits); or
 - b. Illegal.

Procedure When a Victim

2. In the event that a foreign national is a victim and unable to represent themselves, (e.g. missing person, unconscious, or deceased), and there is no next-of-kin available, the embassy/consulate of the victim shall be advised of the fact, whenever practicable.

Procedure When Arrested

3. In accordance with the Vienna Convention on Consular Relations, when a foreign national is arrested, imprisoned or otherwise detained, the arresting member shall:
 - a. Advise the person of their right to contact their embassy or consulate by telephone or by mail; and
 - b. Facilitate the phone call to the embassy or consulate, if the arrested party so desires.
4. The Jail OIC shall post a notice near the telephone intended for use by the prisoners that shall read as follows:

IF YOU ARE NOT A CITIZEN OF CANADA, YOU HAVE THE RIGHT TO NOTIFY YOUR EMBASSY OR CONSULATE AND SEEK ASSISTANCE FROM THEM IN RELATION TO YOUR ARREST.



1.6 Incident Investigations

1.6.10 (iv) Internationally Protected Persons

(Effective: 2000.07.28)

1. The RCMP may assume jurisdiction for certain offences committed against "Internationally Protected Persons" as provided for under the Security Offences Act.
2. The Security Offences Act gives the RCMP primary jurisdiction for certain offences committed against "Internationally Protected Persons." By agreement between the Federal and Provincial Government, the RCMP and the Vancouver Police Department will consult on a case by case basis as to whether RCMP intervention is authorized within the meaning of the Security Offences Act.
3. In the event of any disagreement between the RCMP and the Vancouver Police Department, a Deputy Chief Constable or the Chief Constable will refer the matter immediately to the Attorney General for adjudication.



1.6 Incident Investigations

1.6.11(i) Domestic Violence - General Policy and Procedure

(Effective: 2011.12.14)

POLICY

Violence within relationships has distinctive dynamics not found in other violent crimes. Violence often escalates and may continue or worsen if the person leaves the relationship. There is usually a power imbalance between the partners in the relationship. The Ministry of Attorney General has provided guidelines for the Police and Crown Prosecutors in the **Violence Against Women in Relationships (VAWIR) Policy**. Where there is sufficient evidence to support an arrest and charge, the policy directs that police officers not exercise their discretion to attempt non-criminal resolution. All incidents involving domestic violence shall be investigated thoroughly. The Vancouver Police Department (VPD) has adopted the VAWIR policy and requires members to arrest when an investigation (with an emphasis on victim safety) supports a criminal charge, except in rare circumstances. Members are encouraged to seek further guidance/clarification from the Domestic Violence and Criminal Harassment Unit (DVACH) when required.

Definitions:

Domestic Violence

For the purpose of this section, “*domestic violence*” is violence against women or men who are married, common-law, or dating regardless of their sexual orientation. It includes those individuals who are in an intimate relationship or have been in the past.

Highest Risk

For the purpose of this section “*highest risk*” is a domestic violence investigation where the police believe there is significant potential for serious bodily harm or death. See sub-sections 26-30.

Primary Aggressor

An allegation of mutual aggression is often raised by the primary aggressor as a defence with respect to an assault against their partner. Members are cautioned against accepting an argument of mutual aggression and should, instead, determine who is the most at risk, and who is the primary aggressor in an incident.

Criminal Harassment (Stalking)

Criminal harassment includes following or watching a victim, communicating with a victim or someone known to the victim, or threatening a victim or their family or friends. Criminal harassment may include vandalism or other minor criminal offences when they form a deliberate pattern leading the victim to fear for their safety. Such offences, combined with the above (following, watching, etc.) may indicate the severity of the situation and the degree of risk to the victim.

stalker can be anyone: a spouse/partner, a person who lived with the victim, someone they dated, a client, a former employee, a co-worker, a fellow student, a peer, or a total stranger. Victims of stalking often feel powerless, overwhelmed, confused, isolated, and afraid to leave their home.



PROCEDURE

Investigation

Members shall:

1. Complete a thorough investigation in all instances with a primary focus on victim safety.
2. Be sensitive to cultural differences or specific communication needs of the victim and where necessary utilize the services of the Victim Services Unit and/or interpreters. Members should be aware of the following impediments to a victim trying to cope with a volatile situation:
 - a. Many cultures stress the paramount value of family togetherness and often women play the primary role in preserving the family's honour;
 - b. In extended families, a victim may be under pressure from several individuals other than the spouse, if the victim decides to report abuse and pursue legal action;
 - c. For victims who speak little or no English, they may be unaware of how to access support service providers and legal or social service agencies; and,
 - d. Marginal economic conditions can limit the options available to a victim who wishes to leave an abusive relationship. These barriers include being unable to access affordable housing or access to legal counsel for advice regarding divorce and custody of children.
3. Determine if the victim has a protection order in effect by querying CPIC, PRIME, and the Protection Order Registry (POR). The POR is a confidential database of protection orders issued by the B.C. Courts and the confidential phone number for the POR may be obtained from ECOMM.
4. Recommend charges when there is sufficient evidence that an offence occurred regardless of whether or not:
 - a. There is evidence of an injury; or,
 - b. The victim is willing to proceed with charges; or,
 - c. The victim and/or suspect consumed or were under the influence of alcohol or drugs; or,
 - d. There is an independent witness

While no one of these factors **in and of themselves** is a barrier to recommending charges, members are reminded that there must still be reasonable grounds to make an arrest, and a prima facie case to recommend charges. Neither the Provincial VAWIR policy nor this VPD policy requires an arrest where insufficient evidence exists to meet the requirements of the Criminal Code. All sources of evidence must be considered in their totality, including, for example, any statement from the victim; physical evidence, including injuries; 911 recordings; witness statements; and admissions from the suspect.

5. Consider apprehending children in consultation with Car 86 when a child is present and their immediate safety has been compromised. When Car 86 is not available, members shall refer to RPM Section 1.6.47(iv): Removal of Children.
6. Be aware that when sufficient evidence exists for a charge, there is a very narrow discretion for not recommending charges. The following factor must be considered before a member may consider using this discretion:
 - a. The complainant/victim has requested that the complaint be kept confidential and that no investigation be conducted, as the victim is fearful that if the police contact the suspect, there will be additional risk to the victim that cannot be managed.
7. Notify their Supervisor if there is an allegation of violence or a threat and members are considering not recommending charges. Authorization from the Supervisor to not recommend charges is required (see sub-section 25 of this procedure).
8. Whenever possible, obtain a signed statement from the victim. Although a charge is not necessarily dependent on the ability or willingness of the victim to provide a written statement, an attempt to obtain one should always be made. An oral statement taken in a notebook is considered a written statement if it is confirmed as accurate with the victim and the victim signs the police notebook. Family members should be identified as soon as possible and be formally interviewed and statements



- obtained if it is determined that they have information relevant to either the background of the complaint or the circumstances of the alleged abuse or other related incidents .
9. Identify, arrest, and charge only the primary aggressor where grounds exist in situations where apparent injury has occurred to both parties. Members must be prepared to support their identification of the primary aggressor with observations and evidence. Factors to be considered when determining the primary aggressor include the following:
 - a. What is the history and pattern of abuse in the relationship?
 - b. Who has suffered the most extensive physical and/or emotional damage?
 - c. Who has superior physical strength and skills to effect an assault?
 10. Determine whether the suspect has access to a firearm or other offensive weapon, and whether there are grounds for believing that it is not desirable in the interest of the safety of the victim or any other person, that the suspect possess, or have custody or control of any firearm. If grounds exist, members shall seize all firearms or offensive weapons and take appropriate action to revoke any firearms-related certificates, licenses, permits, or authorization (See RPM Section 1.6.17(iv): Seizure of Weapons without Warrant).
 11. When recommending charges, request a bail condition to prohibit possession of a firearm(s). When there is insufficient evidence to support a charge or where charges were recommended but not approved by Crown Counsel members may consider a Preventative Prohibition Order under s.111 CCC if the circumstances of the incident would justify the application of an order.
 12. Elicit the following information from the victim:
 - a. Victim's proper name;
 - b. Victim's address (where victim actually lives, not merely where incident occurred);
 - c. Victim's telephone numbers (residence and work) and, if any, pager, cellular number, or email; and,
 - d. Alternate contact persons and telephone numbers of persons who could reliably and quickly pass a notification message to the victim (relative or close friend of victim). This is particularly important to assist in prompt notification;
 - e. The investigating member shall enter the victim contact information and alternate contact person information on a Miscellaneous Notes (MN) page in the Report to Crown Counsel (RTCC). This will ensure the information is not inadvertently released compromising the victim's safety. Members shall note:
 - i. The relationship of the alternate contact person to the victim; and,
 - ii. The alternate contact person is not directly linked to the investigation.An alternate contact person shall not be entered in the entities section of the RTCC unless they are directly linked to the incident (e.g., a witness). If a person is directly linked to the incident, then they shall be entered as an entity.

Reports

13. Complete a General Occurrence (GO) report for all domestic violence incidents, regardless if charges are being recommended.
14. Choose the appropriate value in the "Family Violence" box on the front page and mark "K- Domestic Violence and Criminal Harass" in the Special Study Field when completing the GO report or RTCC.
15. Indicate on the Civilian Will Say (CW) page of the RTCC whether the victim may be a reluctant witness.
16. Whenever a child normally resides in the residence where a domestic violence incident occurred, ensure the "Car 86 - Youth At Risk" PRIME handle has been marked "notify" when submitting the GO report.
17. Include the criminal record of the accused and details of any previous violence in a relationship complaint in the RTCC. Investigators must ensure that the report articulates the potential risk to the victim based on the background of the accused to assist Crown Counsel in the charge approval process.
18. When criminal charges are being recommended, request a copy of the 911 call through the Telecommunications Services Unit:



- a. MRE users: Complete the K-File 911 Audio Request Template; or,
- b. DRE users: Complete a **VPD Form 96: Audio Recording Request** requesting a copy of the 911 Call only and submit it to the Telecommunications Services Unit.

Providing a copy of the 911 call to Crown Counsel is a requirement under the VAWIR policy.

Charges

19. Be aware that domestic violence incidents are not limited to assaults. Members should be cognizant of other offences including:
 - a. Assault (s.266 CCC);
 - b. Breach of (any court orders) (s.145(3) CCC or s.733.1 CCC);
 - c. Choking/Strangulation (s.246 CCC);
 - d. Criminal Harassment (s.264(1) CCC) ;
 - e. Forcible Confinement (s.279(1) CCC);
 - f. Intimidation (s.423(1) CCC);
 - g. Recognizance to Keep the Peace (s.810 CCC Peace Bond) (See RPM Section 1.6.50: **Recognizance to Keep the Peace**);
 - h. Sexual Assault (s.271(1) CCC); or,
 - i. Uttering Threats (s.264.1 CCC).
20. If there is insufficient evidence for a charge, but there is reason to believe that a follow-up investigation would result in further evidence being obtained, and the primary investigator is unable to complete this follow-up, then the primary investigator shall consult with their Supervisor to identify a member coming on-duty or consult with DVACH to complete the follow-up.

When the suspect is not in custody

21. Submit an RTCC using the “walk-through warrant” process when the suspect has fled prior to police attendance and immediate efforts to locate the suspect have failed (See RPM Section 1.6.43(v): **Walk-Through Warrants**). A Supervisor or a designated member who is on night shift shall pass the report to a dayshift Supervisor with the appropriate instructions to ensure that the report is immediately processed by Crown Counsel.

Release of Accused

22. Be cognizant in domestic violence incidents that there are particular concerns surrounding repetition, continuation, or commission of another offence. Upon arrest, members shall ensure that public interest has been met prior to any release. When determining what conditions should be imposed on a suspect, members must be able to justify the conditions sought and determine what form of release is appropriate.
23. Recommend specific conditions related to the protection of the victim, other family members, and witnesses to be placed on any release order served on the suspect.

Breach of Conditions

24. Fully investigate any allegation of a breach of conditions related to domestic violence and recommend charges when there is evidence to support a charge. The onus is always on the accused to abide by their court ordered conditions whether or not the victim initiated the contact.

Supervisors

25. Supervisors must be cognizant that members have narrow discretion for not recommending charges where reasonable and probable grounds exist to arrest. Domestic violence investigations where there



is any evidence to suggest violence or threats must be reviewed by a Supervisor prior to a member not recommending charges. A Supervisor shall document the reasons why an arrest was not made in the GO report.

Highest Risk

26. A member who believes they are investigating a domestic violence incident defined as “highest risk” shall notify their Supervisor.
27. The Supervisor shall notify the DVACH NCO or, after-hours, the Duty Officer.
28. If the domestic violence incident is determined to be “highest risk”, then a member trained in threat assessments shall be assigned by the DVACH NCO to complete a threat assessment.
29. The assigned follow-up investigator shall provide Corrections, the Victim Service worker, and the MCFD (if necessary) with the following information upon completion of the Bail Hearing:
 - a. The detention or release of the accused;
 - b. The conditions of release (if applicable);
 - c. The presence of a highest risk designation;
 - d. The status of the investigation;
 - e. The contact information of other agencies involved (e.g. Crown, Victim Services, Corrections);
 - f. Any updates regarding the risk factors; and
 - g. Any new offences or significant updates to the investigation
30. If there is a breach of condition or additional charges related to a “highest risk” domestic violence incident, the assigned follow-up investigator shall notify Corrections, the Victim Service worker, and the MCFD (if applicable).

Station NCO or Investigator

31. The Station NCO or an investigator who has authority to approve their own reports shall ensure all alternate contact numbers have been entered on the Miscellaneous Notes (MN) page of the RTCC. It shall also be noted on the MN page if there are no other alternate contact numbers.

Notification

32. Whenever a suspect is released from VPD custody, members shall comply with RPM Section 1.12.15: Victim Notification Upon Release - K Files.

Victim Services

33. A victim of domestic violence may be subjected to severe emotional and physical intimidation to not co-operate with the criminal charge process or not to testify in court or both. Affording the victim access to victim assistance programs can mitigate the degree of intimidation.
34. Members shall notify the Victim Services Unit. When a victim must leave the home or wishes to leave, the member shall refer the victim to a transition house or other safe location and ensure safe transportation is available.



1.6 Incident Investigations

1.6.11(ii) Domestic Violence Emergency Response Alarm System

(Effective: 2018.08.02)

This policy has been rescinded.



1.6 Incident Investigations

1.6.12 (i) Drug Laboratories

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.12(ii) Drug Handling Procedures

(Effective: 2012.07.18)

POLICY

All drugs coming into the possession of a Vancouver Police Department employee for evidentiary purposes or for destruction shall be handled in a professional, ethical manner that maintains the requirements of continuity of evidence. All reports regarding drugs shall be completed prior to the end of the member's shift unless authorized by a Supervisor.

DEFINITIONS

For the purposes of this policy, the following definitions apply:

Drug Exhibit: is any seized controlled drug or substance or prescription drug, or anything suspected of being a controlled drug or substance or prescription drug, or anything believed to be contaminated by a controlled drug or substance or prescription drug (e.g., containers, spoons, money, or syringes).

Drug Exhibit Envelope: is a serial numbered envelope provided by Health Canada for the purpose of processing a drug exhibit for analysis by the Health Protection Branch.

Contaminated Syringe: is a syringe or hypodermic needle that is not contained in sealed factory packaging.

PROCEDURE

1. Seizure of Drug Exhibits:

- a. Keep independent drug exhibits separated for analysis to prevent contamination. "Zip lock" plastic bags are available at the Property Office.
- b. Liquid drug exhibits shall be in sealed containers to prevent leakage or contamination. Sealed containers are available at the Property Office.
- c. Contaminated syringes shall be placed in plastic needle tubes. For additional information, refer to subsections 2(e)(ii) and 3(f).
- d. When illicit or prescription drugs are found at the scene of a sudden death, members shall:
 - i. Remove all drug and ensure the prescribed drugs accompany the deceased body to the morgue;
 - ii. Lodge the illicit drugs in the Property Office as per subsection 2 below; and
 - iii. Note the disposition of the drug exhibits in the General Occurrence (GO) report including a Property Module Page, where applicable.

See RPM Section 1.6.38: Sudden Deaths

2. Drug Exhibits for Analysis:

- a. Mark exhibit with date, initials and PIN. Tape may be used to mark single tablets, capsules, or syringes.
- b. Measure the weight (in metric) of the drug exhibit or in the case of capsules, tablets, or pieces both weigh (in metric) and count.
- c. The following are the weight allowances for drug exhibits to be analyzed for identification:
 - i. Dried cannabis: 1 gram
 - ii. Cannabis Resin or Hashish 2 grams



- iii. Plant Material: 2 grams (Wet Marijuana and Psilocybin)
- iv. Powders: 3 grams
- v. Pieces (e.g., Rock, Spitballs): 5 pieces
- vi. Dried psilocybin: 5 grams
- d. The following are the weight allowances for drug exhibits to be analyzed for quantification (purity):
 - i. Powders: 5 grams
 - ii. Pieces (e.g., Rock, Spitballs): 7 pieces
- e. All drug exhibits shall be placed in a “zip lock” plastic bag except for:
 - i. Wet of fresh psilocybin or marijuana where these exhibits shall be wrapped in paper towels and placed in a paper envelope; and
 - ii. Syringes shall have the needle removed and be placed in a plastic needle tube. Devices for removing needles are located in the:
 - 1. Property Office;
 - 2. Report Writing Rooms;
 - 3. Vancouver Jail; and
 - 4. Mounted Squad Stables.
- f. If a container is seized where there are different types of capsules, tablets, or pieces, they shall be forwarded separately for analysis. A note shall be sent with the exhibits indicating possible contamination by cross referencing the drug exhibit envelopes containing the exhibits.
- g. The drug exhibit shall then be placed in a drug exhibit envelope. The envelope shall:
 - i. Be sealed;
 - ii. Have the seal line initialed; and
 - iii. Have clear tape placed over the seal line and initials.
- h. Print the following information on the drug exhibit envelope:
 - i. “Quantitative” where applicable;
 - ii. “Syringe” if exhibit includes a contaminated syringe;
 - iii. “Youth Criminal Justice Act” under name of accused if a Young Person;
 - iv. Name of accused;
 - v. Submitting officer’s name, PIN, and Section/Team;
 - vi. Incident number;
 - vii. Drug suspected; and
 - viii. Drug weight (in metric) or for capsules, tablets or pieces, both the weight (in metric) and count.
- i. The drug exhibit envelope shall be deposited in the “Drugs for Analysis” depository box in the Property Office Overnight Room. Prior to depositing the envelope, members shall ensure the envelope is filled out correctly by verifying the following:
 - i. Completeness of information on face of the envelope;
 - ii. That the envelope is properly sealed;
 - iii. The deposit is properly recorded in the Drugs for Analysis Book; and
 - iv. If the exhibit is too large to pass through the slot, the exhibit shall be secured in a Pass-Through locker in the Property Office Overnight Room.
- j. After a suitable sample has been taken for each drug exhibit, a separate drug exhibit shall be submitted for the excess amount. The excess amount shall:
 - i. Be measured;
 - ii. Be placed in a tamper proof plastic bag except for wet or fresh psilocybin and marijuana. Those exhibits shall be wrapped in paper towels and placed in a paper envelope.
 - iii. Have the contents listed on the bag or envelope;
 - iv. Have a a bar code sticker attached to the exhibit;
 - v. Be entered in the Drugs Not For Analysis Book; and



- vi. Deposited in the Drugs Not For Analysis locker. For bulk quantities, refer to subsection 4.
- 3. Drug Exhibits for Destruction - No Charges
 - a. Place exhibits in a tamper proof plastic bag.
 - b. List contents on the bag.
 - c. Attach a bar code sticker to the exhibit. For syringes, refer to subsection (f).
 - d. Members shall ensure that the deposit is properly recorded in the Drugs Not For Analysis Book.
 - e. Deposit the bag in the Drugs Not For Analysis locker.
 - f. When contaminated syringes are seized as drug exhibits for destruction, members shall:
 - i. Remove the need from the syringe. Devices for removing needles are located in the:
 - 1. Property Office;
 - 2. Report Writing Rooms;
 - 3. Vancouver Jail; and
 - 4. Mounted Squad Stables.
 - ii. Place each syringe in a plastic needle tube;
 - iii. Attach a 'Biohazard' sticker to the needle tube;
 - iv. Attach a bar code sticker to the needle tube;
 - v. Enter the exhibit in the Drugs Not For Analysis Book; and
 - vi. Deposit the needle tube in the Drugs Not For Analysis locker.
 - g. For bulk quantities, refer to subsection 4.
- 4. Bulk Quantities of Drug Exhibits
 - a. Bulk quantities of powders, tablets, pieces, and liquids that are too large to be placed in the Drugs Not For Analysis Locker shall be lodged in a Pass-Thru locker at the Property Office. The locker number shall be recorded in the Drugs Not For Analysis book.
 - b. Due to health reasons, bulk quantities of wet or fresh psilocybin and marijuana shall be lodged in the "Bulk Drug Container" at the Property Office.
 - c. When accessing the Bulk Drug Container, the following procedures apply:
 - i. Enter the south side parking of the Property Office and proceed to the Bulk Drug container.
 - ii. Use Proximity Access Card and PIN to unlock the left side door of the container.
 - iii. Place the exhibits with a bar code sticker attached inside the container.
 - iv. Members shall enter the exhibit in the Drugs Not For Analysis book in the Overnight Room.
 - d. If the bulk quantity is of substantial monetary value or weight and special storage or security arrangements are required, members shall notify their Supervisor. The Supervisor shall notify the Duty Officer who shall determine what resources are required to safely secure the exhibit.
- 5. Non-Drug Exhibits Pertaining to Drug Investigations
 - a. Non-drug exhibits pertaining to drug investigations shall be processed in accordance with **RPM Section 1.9.3: General Property Policy and Procedure**.
 - b. Exhibits that are believed to be contaminated shall be marked "Contaminated" and if known, what the exhibit is contaminated with.
- 6. Reports
 - a. When a charge(s) is recommended, a Report to Crown Counsel shall be submitted including a full description of the exhibit, measurements, name of the drug suspected and the drug exhibit envelope number. An Evidence Continuity Page shall also be completed.
 - b. When drugs are to be analyzed but no charges are being recommended, a GO report shall be submitted including a full description of the exhibit, measurements, and the name of drug suspected. An Evidence Continuity Page shall also be completed.
 - c. A Form 5.2 Report to a Justice shall be submitted for all drug exhibits and seizures. See **Form 5.2 and Property Handling**.



7. Drug Exhibits Not Entered as Evidence

Drug exhibits not entered as evidence shall be returned by the member to the Property Office. If the exhibit is returned to the Property Office after business hours, members shall ensure that an entry is made in the Drugs Not For Analysis Book (to maintain continuity) and the drug exhibit envelope is deposited in a Pass-Through Locker in the Property Office Overnight Room. No additional report is necessary.

8. Destruction of Drug Exhibits

The Property Office Custodian shall arrange for disposal of drug exhibits that are no longer required in accordance with Health Canada guidelines.



1.6 Incident Investigations

1.6.12(iii) Psilocybin and Wet Marijuana

(Effective: 2012.07.18)

Per Police Board meeting on July 18, 2012, this Section has been deleted.

Please see RPM Section 1.6.12(ii) Drug Handling Procedures.



1.6 Incident Investigations

1.6.12(iv) Syringes

(Effective: 2012.07.18)

Per Police Board meeting on July 18, 2012, this Section has been deleted.

Please see RPM Section 1.6.12(ii) Drug Handling Procedures.



1.6 Incident Investigations

1.6.13 Electronic Monitoring Checks

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.14 Interception of Private Communication

(Effective: 2007.04.26)

POLICY

Specialized knowledge and expertise is required in order to obtain judicial authority to utilize electronic surveillance. Members who require assistance in making an application seeking such authority may contact the Tactical Support Section (TSS) Intercept Co-ordinator. The following procedure shall be followed when seeking authority to utilize electronic surveillance.

PROCEDURE

1. Normal Authorizations

- a. After having identified a need to intercept private communications for the purpose of carrying out an investigation, a member shall consult with their immediate supervisor, who will initiate the completion of an Operational Plan (VPD 1318). The investigating member shall have reasonable grounds to believe that an offence specified in s.183 of the Criminal Code of Canada has been or is being committed and that the interception of private communications will afford evidence of the offence.
- b. The Operational Plan will be submitted to the member's Inspector who will submit it to the Deputy Chief Constable (DCC) in charge of the Division in which the investigation is being conducted.
- c. If approved, the DCC will forward the request for the use of electronic surveillance to the DCC in charge of Operations Support Division.
- d. If approved, the DCC in charge of Operations Support Division will forward the request to the Inspector in charge of TSS.
- e. Once approval of the DCC in charge of Operations Support Division has been obtained, the investigating member will prepare an affidavit to obtain an authorization pursuant to Part VI of the Criminal Code of Canada. If assistance is required the investigating member may contact the TSS Intercept Co-ordinator.

2. Emergency Authorizations

- a. When the urgency of a situation is such that it would be impractical for a member to obtain an authorization to utilize electronic surveillance by the above-mentioned procedure, the member shall contact their NCO or the Duty Officer and obtain assistance directly from the TSS Intercept Co-ordinator.
- b. The TSS Intercept Co-ordinator has an up-to-date list of Specially Designated Officers who may apply for an Emergency Authorization under S. 188 CCC.

3. Other Authorizations\Warrants

If required, TSS will assist members with any of the following:

- Renewal authorizations S.186(7) CCC
- Authorizations over 60 days (organized crime investigations) S. 186.1 CCC
- Interception of private communications, without an authorization, to prevent bodily harm S.184.1 CCC
- Authorizations for the interception of private communications with the consent of either the originator of the communication or the person intended to receive the communication S. 184.2 CCC
- Interceptions of private communications, without an authorization, in exceptional circumstances - S. 184.4 CCC
- Inter-provincial applications of authorizations to intercept private communications S.188.1 CCC



- Assistance orders S. 487.02 CCC
 - General warrants - Issuance of an authorization or warrant for television or video observation S. 487.01 CCC
 - Tracking warrants S 492.1 CCC
 - Number Recorder warrants S. 492.2 CCC
 - Tactical alarms
5. Members utilizing electronic surveillance in an investigation shall forward a copy of any supporting Warrant or Authorization issued to the TSS Intercept Co-ordinator for record keeping purposes.



1.6 Incident Investigations

1.6.15 Fire Calls - Procedure When Responding

(Effective: 2018.10.03)

POLICY

Incidents involving fires are dangerous, potentially life threatening and can cause extensive property damage. The potential loss of life, injury, and damage to public and private property requires the proper investigation of fire scenes in a thorough and professional manner.

PROCEDURE

1. Police members responding to fire calls shall:
 - a. Ensure that police vehicles do not obstruct Fire and Rescue Services personnel or equipment;
 - b. Remain on the scene and assist Fire and Rescue Services personnel until no longer required;
 - c. Provide vehicular and pedestrian traffic control where appropriate; and
 - d. Assist in maintaining the security of Fire and Rescue Services equipment, if call-load and staffing levels permit.
2. Police members attending fire related calls of a suspicious nature or any fire involving death, serious injuries, or resulting in damage of significant value shall:
 - a. Ensure that any human remains are undisturbed;
 - b. Prevent access to the scene by non-essential personnel;
 - c. Identify and document the involvement of all emergency services members present;
 - d. Request the attendance of a Supervisor;
 - e. Remain at the scene to assist the Fire and Rescue Services Investigator and report the findings of the investigation;
 - f. Request the attendance of the Forensic Identification Unit where appropriate or required by the Fire and Rescue Services;
 - g. Seize any property exhibits required for the investigation;
 - h. Submit a comprehensive General Occurrence (GO) report that includes all pertinent information from the Fire and Rescue Services Investigator; and
 - i. Route a copy of the report to the Robbery, Assault, and Arson Unit (RAAU).
3. A Patrol Supervisor responding to serious fire calls shall:
 - a. Determine the need for additional units to assist in the investigation or traffic control; and
 - b. Notify the Duty Officer.
4. The Duty Officer shall:
 - a. Notify the Major Crime Section (MCS) NCO where:
 - i. The fire is deemed an arson or is suspicious in nature;
 - ii. There are serious injuries and/or death; and/or
 - i. The damage caused by a fire is of significant value, or there are circumstances that warrant notifying the MCS NCO, who in consultation with the Duty Officer, will determine if an RAAU Investigator is required to attend the scene.

See also Section 1.7.6: Major Crime Scene Responsibilities



1.6 Incident Investigations

1.6.16 Food and Drug Tampering

(Effective: 2000.07.27)

1. An ECOMM Operator or any other member receiving a report of the tampering or sabotage of food/drugs shall immediately notify the area NCO by telephone.
2. The area NCO shall:
 - a. Assess the credibility of the report and the potential threat level posed to the public;
 - b. Determine the need for additional units and brief them in person, by telephone, or by other non-public means;
 - c. Determine the actions to be taken, if necessary, to prevent further access to the possibly tampered goods. This will be done in consultation with the management of the victimised premises;
 - d. Notify the Duty Officer as soon as practical; and
 - e. Ensure that the assigned unit directs a copy of the reports to the Major Crime Section.
3. Unless the report appears unsubstantiated or is extremely minor, the Duty Officer shall notify the Inspector i/c Major Crime Section.
4. The Major Crime Section shall:
 - a. Take charge of the investigation;
 - b. Determine the need for a public alert; and
 - c. Liase with the Health Protection Branch, Health Canada, utilising their Product Tampering Communications Network if necessary.



1.6 Incident Investigations

1.6.17(i) Seizure of an Intermediate Weapon

(Effective: 2011.09.16)

THIS PROCEDURE IS CURRENTLY UNDER REVIEW. MEMBERS ARE DIRECTED TO FOLLOW THEIR SBOR TRAINING INSTRUCTIONS REGARDING THE REPORTING OF USE OF FORCE. PLEASE ALSO USE SBOR REPORT INSTEAD OF FORM VPD 840.

1. The following applies when a supervisor seizes a member's intermediate weapon. These weapons include, but are not limited to:
 - a. a shotgun firing "bean-bag" rounds;
 - b. a Conducted Energy Weapon (CEW), also known as TASER;
 - c. an ARWEN gun; and
 - d. a Penn Arms SL-65.

2. If grievous bodily harm or death has occurred following application of the weapon, the seizing supervisor shall comply with the requirements of Section 1.2.1(14) - Use of Force - Justification and:
 - a. not unload the weapon unless its condition is very unsafe, in which case, ammunition removed from the weapon must be separated from other ammunition seized;
 - b. forward the shotgun, ARWEN, or Penn Arms SL-65, ammunition and casings to the Forensic Firearms & Tool Mark Unit (FFTMU). If the Forensic Firearms & Tool Mark Unit (FFTMU) is closed, the weapon, ammunition and casings shall be placed in a Forensic IDENT Science Locker; or
 - c. forward the CEW, associated cartridge(s) and probes to the Force Options Training Unit (FOTU) Supervisor. If the FOTU is closed the CEW, cartridge(s) and probes shall be placed in a forensic science locker.

3. In all cases involving the discharge of a CEW, the seizing supervisor shall forward a VPD 840 Use of Force Report to the FOTU Supervisor. The report shall briefly outline the circumstances surrounding the discharge and include any associated event numbers. A copy of this report shall be placed with the weapon.

4. In cases involving a Shotgun firing "Bean Bag" rounds, ARWEN Gun, or Penn Arms SL-65 the seizing supervisor shall complete and forward a VPD 840 Use of Force Report to the Firearms Training Section Supervisor. The report shall briefly outline the circumstances surrounding the seizure and include any associated event numbers. A copy of this report shall be placed with the weapon.

5. The Firearms Training Supervisor shall initiate the release of a weapon seized from a member, on completion of the investigation by the Shots Fired Review Board. The Firearms Training Supervisor will forward a Release of Firearm Authorization (VPD 1100) form to the Deputy Chief Constable who is assigned to the Shots Fired Review Board. A seized weapon shall only be released when authorized by the Deputy Chief Constable who is assigned to the Shots Fired Review Board.

Member's Requirement to Tag Intermediate Weapons

6. In the event of an unintentional discharge of a CEW not resulting in injury, the member shall refer to Section 1.2.1 (21)(Unintentional Discharge of an Intermediate Weapon not Resulting in Injury) and:
 - a. contact the FOTU Supervisor when the weapon involved is a CEW. The Supervisor shall determine if the weapon will be seized. In the event the FOTU Supervisor cannot be contacted, notify the Duty Officer who shall make this determination;
 - b. if the CEW is to be seized the member shall forward the weapon, cartridges and probes to the FOTU Supervisor. If the FOTU is closed the member shall place the items in a forensic science locker;



and

c. in all cases the member shall direct a VPD 68 to the FOTU Supervisor. The report should outline the circumstances surrounding the CEW discharge and include any associated event numbers. If the CEW is seized the report must include the science locker number where the CEW is located. The member shall also place a copy of the report with the seized CEW

7. In the event of an unintentional discharge of a shotgun firing “Bean Bag” rounds, ARWEN Gun, or Penn Arms SL-65, not resulting in injury, the member shall refer to Section 1.2.1 (21) (Unintentional Discharge of an Intermediate Weapon not Resulting in Injury) and:

- a. unload the weapon;
- b. keep the ammunition from the weapon separate from other ammunition seized;
- c. contact the Firearms Training Section Supervisor. The Supervisor shall determine if the weapon will be seized. In the event the Firearms Training Section Supervisor cannot be contacted, notify the Duty Officer who shall make this determination; and
- d. in all cases the member shall direct a VPD 68 to the Firearms Training Section Supervisor. The report shall briefly outline the circumstances surrounding the unintentional discharge and include any associated event numbers. A copy of this report shall be placed with the weapon (if seized).

8. Where a weapon has not been used and is seized merely for safekeeping (e.g. on-duty member is seriously injured), the seizing member must:

- a. unload the weapon;
- b. store the weapon, ammunition and magazines in the appropriate locker; and
- c. make official record (where appropriate) of continuity and disposition of weapon, ammunition, and magazines.



1.6 Incident Investigations

1.6.17 (ii) Seizure of a Member's Firearm

(Effective: 2011.09.16)

The following procedure applies when a member seizes another member's firearm.

1. If use of the firearm has caused human injury or death, the seizing member must:
 - a. Not unload the firearm unless it's condition is very unsafe in which case, ammunition removed from the firearm must be separated from other ammunition seized
 - b. Forward the firearm, ammunition and casings to the Forensic Firearms & Tool Mark Unit (FFTMU). If the Forensic Firearms & Tool Mark Unit (FFTMU) is closed, the firearm, ammunition and casings shall be placed in a Forensic IDENT Science Locker.
2. In a "shots fired" incident where there is no human injury or death, the seizing member must:
 - a. Unload the firearm
 - b. Keep the ammunition from the firearm separate from other ammunition seized
 - c. Forward the firearm, ammunition and casings to the Firearms Training NCO. The firearm, ammunition and casings shall be placed in the designated Firearms locker at the Public Service Counter if the Range is closed
3. In all cases, the seizing member shall direct a VPD 68 to the Firearms Training NCO. The report shall briefly outline the circumstances surrounding the seizure and include any associated incident numbers. A copy of this report shall be placed with the firearm.
4. The Firearms Training NCO shall initiate the release of a weapon seized from a member, on completion of the investigation by the Shots Fired Review Board. The Firearms Training NCO will forward a Release of Firearm Authorization (VPD 1100) form to the Deputy Chief Constable who is assigned to the Shots Fired Review Board. A seized weapon shall only be released when authorized by the Deputy Chief Constable who is assigned to the Shots Fired Review Board.
5. Where a firearm has not been used and is seized merely for safekeeping (e.g. on-duty member is seriously injured), the seizing member must:
 - a. Unload firearm
 - b. Store firearm, ammunition and magazines in the member's locker
 - c. Make official record (where appropriate) of continuity and disposition of firearm, ammunition and magazines.



1.6 Incident Investigations

1.6.17(iii) Seizure of a Firearm

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.17 (iv) Seizure of Weapons Without Warrant

(Effective: 2005.09.26)

1. Section 117.04(2) CC authorizes a police officer to search any place, including a dwelling house, without warrant and seize any of the following items:
 - a. a weapon (including firearm);
 - b. prohibited device;
 - c. ammunition;
 - d. prohibited ammunition; or
 - e. explosive substance; and the documents relating to those items, including:
 - f. an authorization issued under the Firearms Act;
 - g. a licence issued under the Firearms Act; or
 - h. a Registration Certificate issued under the Firearms Act, that are held by or in possession of a suspect in certain circumstances.
2. Section 117.04(2) CC allows a warrant-less search and seizure when two conditions are met:
 - a. when there are reasonable grounds to believe that it is not desirable in the interest of safety of any person (including the suspect) for the suspect to be in possession, control or custody of any of the items described in paragraph 1 of this Section, and
 - b. if the grounds for obtaining a warrant under subsection 117.04 (1) exist but by reason of a possible danger to the safety of any person (including the suspect), it would not be practicable to obtain a warrant.
3. If those conditions are met, the police officer may, without warrant, search any place, including a dwelling house, and seize any of the items and/or relevant documentation listed in paragraph 1 of this Section.
4. Members that seize any item or document under Sections 117.04(2) or 117.04(1) CC shall make an application for the Disposition of the Seized Articles and a Prohibition Order, under Section 117.05(1) CC. This shall be done by submitting a GO report for Crown with the heading "Application for Disposition of Seized Articles and Application for a Prohibition Order, under section 117.05 (1) CC".
5. When completing the GO, the officer shall:
 - a. Choose both the UCR codes 8210-8 Firearms Seizure/Public Safety and 8210-7 Firearms Prohibition Application, in addition to any other relevant UCR codes (i.e. Mental Health Act/Attempted Suicide 7300-34);
 - b. Enter the subject as a "**Charged**" entity and enter section "**117.05**" of the Criminal Code in the Charged Linkage Section; and
 - c. Place a "**C**" in the study field to ensure that the report is routed to the CPIC operator and that the subject is entered as a Firearms Interest Police (FIP) candidate.
6. In addition to any other relevant information, the report shall contain:
 - a. the date the search and seizure was made;
 - b. the address or location where the search took place;
 - c. a description of articles seized, including: make, model and serial number;
 - d. the names of the members conducting the search;
 - e. the grounds on which the search was conducted;
 - f. the location of the articles when seized and the manner in which they were stored (this is especially important where unsafe storage charges are contemplated);
 - g. whether the seizing member was able to locate and seize any documentation related to firearms (e.g. any authorization or licence or Registration Certificate issued under the Firearms Act);



- h. whether it can be determined (through confirmation by the office of the Area Firearms Officer) if the person is registered in BC as possessing any authorization, licence or Registration Certificate; (CFC Police-Only Information and Referral Line)
 - i. any history of mental illness involving violent or potentially violent behaviour and the names of doctors, social workers or others involved;
 - j. if the individual has a criminal record involving violence, a copy of the record must be attached to the Crown Counsel Report and noted therein;
 - k. that RMS and CPIC were checked, to determine if there have been any other instances of violence or potential violence in the past five years and copies of the relevant reports attached with an appropriate note on Crown Counsel Reports; and
 - l. any other information that the member may acquire which would indicate a history of violent behaviour.
7. The officer shall send a CPIC narrative to the Provincial Firearms Officer and the Canadian Firearms Centre Registrar of Firearms. One CPIC narrative can be written and Carbon Copied (CC'd) in order to provide both agencies with the information. The information required on the narrative shall contain:
 - a. The name, date of birth and firearms licence number (if known/applicable) of the person from the whom the firearms were seized;
 - b. The name of the investigating officer and the make, model and serial numbers for the seized firearm(s); and
 - c. The reason for the seizure and that the police will be seeking a section 117.05 "Application for Disposition of Seized Articles and Application for a Prohibition Order."
 - d. The officer shall request that the Provincial Firearms Officer mail them an affidavit for the "Status of the Firearms Licence" and that the Canadian Firearms Centre Registrar of Firearms mail them an affidavit for the "Status of the Firearms" (both of these affidavits are required for court).
 - e. The officer shall enquire if there are any outstanding firearms that are registered to the subject that have not been seized by the police.
8. Members shall complete a Form 5.2A (Report to a Justice) whenever firearms or other related articles are seized. Members shall refer to Section 1.9.4: Seizure of Property -- Federal Statute, of this manual. Members shall place seized articles into the Property Office as per **Section 1.6.17 (iii): Seizure of Firearms**, of this manual.
9. Members exercising the power under authority of Section 117.04(1) CC (with warrant) or Section 117.04(2) CC (without warrant) shall "walk" the report through the Crown Counsel charge approval process as in "in-custody" cases to ensure that the "Application for Disposition and Prohibition Order" is dealt with in a timely fashion. When Crown Counsel is not on duty, member's supervisor shall ensure that the report is handed over to the relieving shift supervisor who will then arrange to have the Report "walked through" the Crown Counsel charge approval process at the first possible opportunity.



1.6 Incident Investigations

1.6.17 (v) Firearms Disposal

(Effective: 2000.08.30)

1. The Property Office shall advise the Forensic Firearm and Toolmark Unit and the Firearms Training NCO prior to firearms, firearm parts or ammunition being forwarded to the Chief Provincial Firearms Officer.
2. The Firearms Training NCO or the Firearm/Toolmark Analyst may remove from the Property Office any firearms, firearms parts or ammunition that are suitable for use in the Department upon authorisation by the Deputy Chief Constable Commanding Administrative Support Division.
3. The Firearms Training NCO and the Firearm/Toolmark Analyst shall maintain a record of all items removed from the Property Office. The record shall contain a description of the items and a record of the use made of the items. The Property Office shall obtain a receipt for all items removed from the Property Office.
4. Firearms that have been designated by the Firearms Training NCO as suitable for use by the Department shall be sent to Police Stores to be recorded on the inventory of the Department.



1.6 Incident Investigations

1.6.17 (vi) Safe Storage of Firearms

(Effective: 2005.03.22)

Members are reminded of the ever-present necessity of safeguarding Department issue firearms while in their homes or elsewhere in order to ensure against any of the dangers associated with them, particularly those involving children.

1. To ensure complete security of firearms and ammunition, members are required to leave such equipment with the Sergeant i/c Force Options Training Unit or sign the equipment in at Police Stores during any extended absence from duty over 60 days. However, members are encouraged to turn in their firearm during any extended absence of less than 60 days especially if their absence will take them out of the country for the extended period, or they will be in hospital or treatment. Members shall notify the Sergeant i/c of Force Options that the firearm has been turned into Police Stores.
2. The Inspector i/c of the Training and Recruiting Section and the Inspector i/c of the Human Resources Section have the discretion to request a member to turn in their firearm after consideration of a member's situation.
3. Range staff will collect the firearm from Stores and retain it until the member either returns to duty or qualifies, depending on the circumstances unique to that member
4. The following are the minimum requirements when Department issued firearms are stored at the workplace:
 - a. The firearm shall be:
 - i. Unloaded; and
 - ii. Either:
 - Stored in the member's personal locker that is kept securely locked; or
 - Stored in a container or receptacle that is kept securely locked.
5. When members are loading or unloading a firearm within any Department facility, it **MUST** be done at a designated loading and unloading station.
6. The following are the minimum requirements when Department issued firearms are stored at home or in places other than lockers provided at the workplace:
 - a. The firearm shall be:
 - i. Unloaded;
 - ii. Rendered inoperable by a secure locking device;
 - iii. Stored in either:
 - A container, receptacle or room that is kept securely locked and that is constructed so that it cannot readily be broken open; or
 - A vault, or safe or room that has been specifically constructed or modified for the secure storage of restricted firearms.
 - iv. Stored separately from compatible cartridges (unless the cartridges are stored in a securely locked container or receptacle that cannot readily be broken open, or in a vault or safe as described above).
7. The following are the minimum requirements when members are transporting Departmental weapons in their personal vehicles:
 - a. When the vehicle is attended, the firearm shall be:
 - i. Unloaded;
 - ii. Rendered inoperable by a secure locking device; and
 - iii. Contained in a locked case or container that cannot readily be broken open during transportation.
 - b. When the vehicle is unattended and equipped with a trunk or similar compartment, the firearm shall be:
 - i. Unloaded;



- ii. Rendered inoperable by a secure locking device; and
 - iii. Contained in a locked case or container that cannot readily be broken open during transportation. The locked case or container shall be stored in the trunk or similar compartment that is then securely locked.
- c. When the vehicle is unattended and is not equipped with a trunk or similar compartment, the firearm shall be:
- i. Unloaded;
 - ii. Rendered inoperable by a secure locking device; and
 - iii. Contained in a locked case or container that cannot readily be broken open during transportation. The locked case shall not be visible from outside the vehicle and shall be stored in the vehicle or, part thereof, that is securely locked.
- d. The ONLY exception to these storage requirements occurs when a member is in possession of written instructions from a Divisional Commander or, in their absence, the Duty Officer, to disregard the safe storage requirements of the Criminal Code and this Regulations and Procedures Manual. In any case where the Duty Officer gives written instructions for a member to disregard the storage requirements, that Officer shall notify, in writing, the member's Divisional Commander as soon as practicable. (See also Section: 1.6.39 (i)- Threats to Members.)

Note: Members who have not been supplied with a locking device for their issue firearm, and who require the device when transporting their firearm to and from the outdoor range may obtain one by contacting the range staff. Note: handcuffs are not considered to be a suitable locking device for firearms.



1.6 Incident Investigations

1.6.17 (vii) Firearms Related Interviews

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.18 Graffiti

(Effective: 2003.04.17)

Policy

Graffiti is a serious problem that has a negative impact on the businesses targeted, and on the appearance of the City of Vancouver. It is expensive to remove, and considerable resources are expended dealing with the problem. Graffiti suspects are often repeat offenders who are involved in other criminal activity and verbal warnings may not effectively terminate their activity. It is therefore the Policy of the VPD to consider the laying of criminal charges wherever practicable, or to charge under by-law 7343 where criminal charges are not appropriate.

Procedure

1. Members attending all reports of graffiti with suspect shall determine if there is enough evidence to support a charge.
2. Members taking enforcement action may do so by one of the following means:
 - a. Charge under section 430(1) Mischief, Criminal Code of Canada;
 - b. Summons by way of City of Vancouver by-law # 7343; or
 - c. In complaints of a minor nature, issue a notice of by-law violation using the wording "Graffiti by-law". Members will ensure that the GO # is written in the notes section of the Notice of Violation that is forwarded to the by-law Prosecutor.
3. Members attending all cases of graffiti with suspect shall:
 - a. Obtain statements from any witnesses and submit the original copies to the Property Office;
 - b. Complete a GO and check the Special Study flag, forwarding the information to the Graffiti Unit;
 - c. Complete the graffiti template in PRIME; and
 - d. Wherever possible, members shall attempt to obtain a photograph of the graffiti. (SOCO and IDENT members are available for this purpose)
4. When conducting a street check of a person suspected to be involved in graffiti, the member shall complete a street check on PRIME and shall request on the narrative page that the information be forwarded to the Anti-Graffiti Unit.
5. Where there are difficulties in locating a business property owner regarding a graffiti incident, the member shall:
 - a. Go to the Intranet;
 - b. Click on Citywire;
 - c. Click on "Look up Business Licences"; and
 - d. Enter the name of the business or street address.
6. The Anti-Graffiti Unit is available to assist members in attempts to locate and obtain statements from property owners, as well as to provide investigative advice and suspect information regarding graffiti incidents.



1.6 Incident Investigations

1.6.19 Hospital Emergency Calls

(Effective: 2009.07.27)

Members shall attend at hospitals and investigate the following types of incidents:

- a. Gunshot and knife wounds;
- b. Poisonings and gassings;
- c. Sexual and indecent assaults;
- d. Industrial accidents of a serious nature;
- e. Serious injuries as a result of an assault;
- f. Any injuries resulting in death where there are suspicious circumstances or when the attending physician has refused to sign a death certificate;
- g. Injuries received as a result of a motor vehicle incident when police were not in attendance at the scene; and
- h. Any admission of a patient, or other circumstances, in which the hospital authorities require the assistance of the police to keep the peace Section 1.2.2: Use of Force to Provide Medical Attention Section_1.6.24 (i): Arrests Under the Mental Health Act.



1.6 Incident Investigations

1.6.20 Suspect Identification

(Effective: 2016.06.13)

POLICY

The identification of a suspect(s) is paramount to any investigation. The Vancouver Police Department (VPD) supports the use of several investigative techniques including (but not limited to) photo packs, composite drawings, and fingerprinting by consent as methods to assist members in the identification of a suspect(s).

PROCEDURE

Photo Packs

1. A photo pack should be presented to a witness as soon as possible after the event, while witness memories are still fresh. Where the presentation of the photo pack may hinder the progress of an investigation, the presentation may be delayed until a more appropriate time.
2. A photo pack used for a photo presentation shall contain ten (10) photos, to be shown sequentially.
3. A photo pack presentation shall be conducted by a member who does not know the identity of the suspect.

Constructing a Photo Pack

4. Computer generated or standard photographs may be used for a photo pack presentation. In the first instance, members are to use the VPD Computerized Arrest and Booking System (CABS) to generate suitable photographs for a photo pack presentation.
5. If there is not a recent VPD CABS photograph available, members shall query the suspect on CPIC and contact the police agency with the most recent photograph of the suspect to obtain a copy of that photograph. Filler photographs from the same police agency shall also be requested to ensure that the background and format of the photographs are consistent. Members should request a copy of the booking sheet information related to their suspect and the filler photographs, and also record the name and PIN information of the police member from the agency that is assisting them.
6. Where there is no photograph available from a police agency, members shall use a Production Order to obtain a photograph from another agency such as the Motor Vehicle Branch. As a last resort, members may seek to obtain a Section 487.01 CCC General Warrant to obtain a photograph of the suspect through some other investigative technique. For additional information, members may speak to a member of the Legal Applications Team or refer to the **Search Warrant Resource Centre**.
7. A photo pack shall be made up of all colour, or all black and white photographs. Colour photographs shall be used whenever possible.
8. All photographs used in a photo pack shall resemble each other in a fair manner, and bear a reasonable likeness to the suspect.
9. No more than one suspect shall be included in a photo pack.
10. All photographs in a photo pack shall be of the same size and shall be printed on similar paper.
11. There shall be no identifying marks or numbers on the front of the photographs in any photo pack presentation.
12. The type of photographs used in a photo pack shall not preclude or imply that the suspect may have a previous criminal record (e.g. a mug shot with a police detachment name or occurrence number).
13. Sufficient copies of each picture in a photo pack shall be prepared to allow a separate photo pack to be used for each witness who will be viewing the line-up.
14. Each witness shall be presented a separate photo pack for each suspect.



Recording and Documenting the Photo Pack Presentation

15. All members shall utilize the following forms when presenting a photo pack:
 - a. Constructing Member Checklist;
 - b. Photo Pack Presentation Checklist; and,
 - c. Photo Pack Presentation Instructions and Ballot.
16. When conducting a photo pack presentation, the member shall make notes in their notebook and document the circumstances surrounding the presentation in the General Occurrence (GO) report.
17. At the completion of a photo pack presentation, the member shall photocopy the front and back of each photo for court purposes. These photocopies shall be included with any other attachments into the GO report.

Presenting the Photo Pack to Witnesses

18. A photo pack presentation shall be conducted by an independent member who:
 - a. Has not been and is presently not involved in the investigation; and,
 - b. Has not been advised by anyone as to the identity of the suspect.
19. A member presenting a photo pack shall use the VPD Photograph Pack Presentation Instructions and Ballot form.
20. A photo pack shall be presented to each witness separately from other witnesses.
21. Each of the ten (10) photographs in a photo pack shall be presented to the witness sequentially and in random order.
22. Only one (1) photograph shall be visible to the witness at any time.
23. If the witness asks to view a photograph(s) again, the presenting member will separate that photograph from the photo pack for viewing by the witness. It is important that the member make note of each such request and ensure that only one (1) photograph is viewed by the witness at a time.
24. Once the witness has signed the photograph they have selected, the presenting member shall sign the rear of the same photograph, and include their PIN, and the date. The presentation will continue until all of the photographs have been shown.
25. If no identification is made, the presenting member shall seal all of the photographs presented and add a text page in the GO report advising the disposition of the photo pack presentation.
26. Members shall not discuss with witnesses their ability or inability to make an identification before, during, or after the presentation.

Reporting

27. The construction and presentation of a photo pack shall be fully documented through the use of the checklists and member's notes. Members shall also ensure that the instruction and ballot form is completed and that any other necessary information is recorded in their GO report.
28. Where practicable, the presentation of a photo pack should be audio and video recorded, particularly in serious investigations. If video is not available, the presentation should be audio recorded where practicable.
29. After a presentation, the photo pack shall be sealed and maintained as an exhibit for court, regardless if any identification was, or was not, made (See RPM Section 1.9.3: General Property Policy and Procedure).

Identification Line-Ups

30. Members making arrests shall not return suspects directly to witnesses for purposes of identification.

Composite Drawings



31. Members should consider having a composite drawing done to aid in the identification of suspects. Composites and the interviewing used in rendering them are effective in both the identification and elimination of suspects. Composites may be used to generate new leads and to identify deceptive behavior. While composite artists are typically used to render a drawing of a suspect's face, they may also produce sketches of anything a witness describe in detail. These include sketches of suspects, residences, vehicles, tattoos, clothing, insignias, and jewelry. See **Forensic Composite Artistry Program**.

Fingerprinting By Consent

32. Members may obtain fingerprints from an adult as an investigative aid, providing the person clearly consents by completing a **VPD Form 1727: Fingerprint Consent Form**. Members may also consider the option of obtaining an Impression Warrant under Section 487.092(1) CCC to obtain the fingerprints, taking into account all details of the investigation. For additional information, members may speak to a member of the Legal Applications Team or refer to the **Search Warrant Resource Centre**.
33. Due to the inherent problems that arise with young persons and consent issues, it is strongly recommended that members obtain an Impression Warrant under Section 487.092(1) CCC whenever the fingerprints of a young person are sought as an investigative aid.
34. Members shall be guided by **RPM Section 1.6.20(i): Police Authority to Take and Use Photographs** when considering taking photographs of persons.



1.6 Incident Investigations

1.6.20(i) Police Authority to Take and Use Photographs

(Effective: 2009.09.25)

POLICY

Members are advised to use only Department issued camera equipment for taking photographs and are strongly discouraged from using alternate means such as cell phones or personal cameras due to continuity issues. However, in extenuating circumstances, such as when faced with the imminent loss of evidence, members may use alternative devices to document evidence.

Authority to Photograph Persons Arrested, or of Interest:

A member's authority to take photographs is established through statute and case law. The authority to take photographs for identification or investigative purposes is mainly derived from case law, and, while the taking of a photograph for this purpose is lawful, it is not a requirement. Therefore, members are cautioned that they must be able to articulate to the Courts the reason for taking the photograph, that reason must be justifiable, and their method of obtaining the photograph, including any use of force, must be reasonable, considering all aspects of the investigation.

DEFINITIONS

Sourced Photograph - a properly sourced photograph requires the name of the member who took the photograph, the subject of the photograph, when the photograph was taken, and the authority by which the photograph was obtained.

PROCEDURE

1. Photographs shall be taken pursuant to the procedure set out in the Identification of Criminals Act (ICA), if the person is arrested and in custody for an indictable offence and the information has been sworn. Necessary force can be used in this circumstance.
2. Photographs may be taken if the person is arrested for a criminal offence to establish identity. Reasonable force can be used in this circumstance.
3. Photographs may be taken as an investigative tool if the person is arrested for a criminal offence. Reasonable force can be used in this circumstance.
4. Photographs may be taken as an investigative tool where the person is not arrested, but held under investigative detention, or voluntarily in the company of the police. No force can be used in this circumstance.
5. Photographs may be taken anywhere, anytime, with consent. No force can be used in this circumstance.
6. Photographs for intelligence purposes may be taken in public places. No force can be used in this circumstance.

Accessing Non-Police Agency Photographs

7. Members may use photographs taken by another agency by submitting a written request to the distributing agency or by obtaining a Production Order.
8. Members must obtain a Production Order when they are of the belief the photograph will be used for an affidavit or for court purposes.

Dissemination of Photos to other Police Agencies



9. Only photographs obtained pursuant to the procedure set out in the ICA can be distributed and used for an evidentiary purpose in other investigations.
10. Photographs, other than those obtained pursuant to the ICA, may be published in electronic databases (e.g., bulletins or briefing boards) or circulated (e.g., surveillance photos for identification by other members); however, they only hold evidentiary value specific to the file for which the photograph was originally taken.
11. Surveillance photos, where identity is either known or not known, can be distributed, but can not be placed into data banks such as the Computer Aided Booking System (CABS).
12. All photographs must be properly sourced prior to distribution.



1.6 Incident Investigations

1.6.21 Insecure Premises

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.22 Labour Disputes and Incidents

(Effective:)

Labour Management disputes are usually civil in nature. However, the police are often called to such disputes because of the potential for a breach of the peace. It is imperative that police members be seen to act fairly on such occasions. Equal consideration must be given to both sides. A supervisor shall attend all Labour Management disputes.

Members shall be governed by the following:

1. General Police Objectives
 - a. maintain an independent position;
 - b. maintain or restore the peace. Prevent injury to persons and property; and
 - c. arrest only if all other available remedies have failed.
2. General Procedures
 - a. identify potential dangers to persons or property. Imminent dangers and observed unlawful acts may have to be dealt with;
 - b. communicate with representatives from each side to determine the nature of the issue;
 - c. if the issue is not manifestly unlawful, take no action and advise the complainant;
 - d. if the actions of the group appear to be unlawful (i.e. occupation of offices, intimidation, sabotage at picket lines) alternative courses of action must be considered; and
 - e. if the dispute is civil in nature, no comment should be made by the police. Advise both sides that police are only there to keep the peace. Advise the complainant to seek a remedy by civil process.
3. In the case of other reported criminal acts, a normal police investigation should be considered.



1.6 Incident Investigations

1.6.23(i) Special Event Permits

(Effective: 2017.02.07)

POLICY

Special Event Permits (SEP) for private functions in Vancouver are normally obtained directly from Vancouver Liquor Distribution outlets, 7 days in advance of the event, without referral to the Vancouver Police Department. In some special circumstances, the Liquor Branch may refer the applicant to the Police Department for approval.

PROCEDURE

Persons applying to the Police Department for Special Event Permits shall be dealt with as follows:

1. Members shall ascertain whether the person has already applied for a Special Event Permit.
2. If the person has not applied at a Liquor Distribution outlet, they will be advised that they must first apply there.
3. If the person applied at a Liquor Distribution outlet and was referred to the Police Department, members will direct them to present the application between the hours of 0800 to 1600, Monday through Friday (except public holidays), to the Inspector i/c Emergency & Operational Planning Section.
4. Only the Inspector i/c Emergency & Operational Planning Section may approve Special Event Permit applications.



1.6 Incident Investigations

1.6.23(ii) Liquor License or Special Event Permit Suspension

(Effective: 2017.02.07)

Liquor Control and Licensing Act:

Section 22 permits suspension of a liquor licence in a licensed establishment when the conduct of the licensee's patrons or employees is of a riotous, violent, drunken or disorderly nature, or the safety of one or more persons in the licensed establishment is threatened.

Section 7 permits the cancellation of a Special Event Permit: if, in the general manager's opinion or in the opinion of a peace officer, there is a breach of this Act or the regulations, or of a federal, Provincial or municipal enactment relating to the sale, purchase or consumption of liquor, the general manager or the peace officer may cancel a licence issued under this section.

The general manager (or delegate) may, without a hearing, suspend the licence and order the immediate removal of patrons and closure of the licensed establishment for a period not exceeding 24 hours.

If the licensed establishment of a licensee is required to be vacated under this section, the licensee must take all reasonable steps to ensure that the licensed establishment is immediately vacated.

PROCEDURE

1. The Member making the initial observations shall notify a Supervisor.
2. The Supervisor shall:
 - a. attend at the scene;
 - b. ensure that the conditions required for a suspension or cancellation pursuant to the Liquor Control and Licensing Act are present;
 - c. request the attendance of the Duty Officer;
 - d. assign members to issue a Licensed Premises Check (LPC) to the Licensee and submit a detailed GO; and
 - e. contact the Liquor Co-ordinator and advise them of the circumstances.
3. The Duty Officer, or a sergeant designated by the Duty Officer, upon consideration of all the facts will determine if he has the lawful authority under the Liquor Control and Licensing Act to order the Licensee to shut down his operation. If the decision is to suspend the licence or permit and close the establishment or event site, he will advise the Licensee that they must take all reasonable steps to ensure that the licensed establishment or event site is immediately vacated.
4. The Duty Officer or designated sergeant will advise the Licensee of the number of hours (must not exceed 24 hours) the suspension and closure of the establishment or event site will last.
5. The Duty Officer or designated sergeant will have a member seize the Liquor License or Special Event Permit and make sure it is returned to the Licensee upon completion of the suspension or immediately turned over the Liquor Co-ordinator or Liquor Control Licensing Board (LCLB).
6. The authority to suspend a Liquor License or Special Event Permit has been delegated by the general manager, Liquor Control and Licensing Branch, to Members of the Department holding the rank of Sergeant or higher. Vancouver Police Department policy is the Duty Officer will make the decision to suspend liquor licences or Special Event Permits and determine the number of hours the premise will be closed. This is not to preclude the Duty Officer delegating that authority to the appropriate rank.



1.6 Incident Investigations

1.6.23(iii) Liquor Seizure

(Effective: 2017.02.07)

POLICY

Liquor seized for safekeeping, as evidence (complete a Form 5.2 as required), or under the Liquor Control and Licensing Act, will be tagged at the Property Office at 2010 Glen Drive.

When liquor is held only for safekeeping, the investigating members shall tag the property and submit a GO report. In cases where arrested persons are involved, the member will advise the Vancouver Jail staff who will notify the prisoner, upon release, to go to the Property Office to claim their liquor. Members impounding a vehicle shall remove and tag any liquor in accordance with these procedures.

PROCEDURE

When seizures are made under the Liquor Control and Licensing Act, members shall:

- a. Tag individual bottles or packages of liquor or other related items;
- b. Complete a GO report explaining the seizure;
- c. During the hours that the Property Office is open, turn in the seized liquor or other items; and
- d. If the Property Office is closed, the seized liquor or related items shall be tagged and placed in a locker in the Property Office Report Writing Room. Indicate the locker number in the report.

Members are advised that liquor seized under the Liquor Control and Licensing Act may not be returned to the owner until they have applied to the General Manager of the Liquor Control and Licensing Branch for permission to have the liquor returned. This application must be made in writing within 30 days of the seizure or the liquor is subject to destruction.



1.6 Incident Investigations

1.6.24(i) Apprehensions Under the Mental Health Act

(Effective: 2018.05.04)

POLICY

Apprehensions under Section 28 of the Mental Health Act (MHA) should occur primarily when a member comes into contact with a person who meets the criteria for apprehension and the person has not committed a criminal offence. There may, however, be occasions where members use their discretion to apprehend a person under the MHA where the offence is minor and non-violent in nature.

Members are advised that it is not appropriate to apprehend a person under Section 28 of the MHA, when the person has committed a serious or violent offence as there are specific NCRMD (Not Criminally Responsible by Reason of Mental Disorder) provisions within the Criminal Code that address this type of situation.

PROCEDURE

1. When members come into contact with a person who meets the criteria for apprehension under Section 28 of the MHA, members shall apprehend the person and ensure that the person is taken to a physician for examination.
2. Members shall apprehend any person who has attempted suicide or is about to attempt suicide, under Section 28 of the MHA and take them to a physician for examination. The member shall accompany the patient to the hospital and provide the hospital staff with a full and detailed report as outlined in subsection 4.
3. Members shall maintain control of the apprehended person until the hospital has assumed control of the person and admitted the person into care.
4. The British Columbia Ambulance Service (BCAS) will normally transport persons apprehended under Section 28 of the MHA. The apprehending member shall:
 - a. Consult with the Ambulance Attendant to determine the most appropriate hospital emergency ward for the person;
 - b. Immediately prepare a GO Report after the person has been admitted into hospital. Obtain the hospital's fax number and the name of the appropriate contact person (e.g. Mental Health nurse);
 - c. After completing the GO Report, contact the Information Section. Provide the Reviewer with the incident number, the fax number of the hospital, and the name of the hospital contact person. The Reviewer will process the electronic report, make a hard copy and fax the required report to the hospital; and
 - d. Notify the hospital staff when further police action is contemplated.

Persons on Unauthorized Leave from Hospital

5. In the case of patients who have eloped from Provincial Mental Health Facilities (Vancouver Hospital, St. Paul's, UBC, Riverview are the main ones) the following applies:
 - a. If a patient is suspected of having eloped, a query will be made through CPIC. If there is nothing on file, further inquiries may be made directly to the hospital where the person is believed to be a patient on unauthorized leave. If no authority to apprehend can be located, consideration should be given to proceeding under Section 28 of the MHA;
 - b. If information is received from a Provincial Mental Health Facility authority (nurse, doctor, et cetera), that a patient detained under the MHA has eloped, then members may:



- i. if a Form 21 Director's Warrant has been issued, apprehend and return the patient to the facility (See RPM Section 1.6.24(ii): Transportation of Persons Apprehended Under the Mental Health Act); or
 - ii. where no warrant exists, the patient may be apprehended under Section 41(6) of the MHA, providing the apprehension takes place within 48 hours of the time the patient was reported to have eloped from the facility.
- c. When members assist in the transport of a patient on unauthorized leave to hospital, they shall advise staff at the hospital of the circumstances so that the hospital is aware that a Medical Certificate is in effect for the patient. A Medical Certificate provides the hospital with authority to prevent the patient from leaving the facility. The hospital then assumes responsibility for the patient.
- b. Members are reminded that when hospital authorities require police assistance to keep the peace, members shall provide assistance as appropriate (See RPM Section 1.6.19: Hospital Emergency Calls).



1.6 Incident Investigations

1.6.24 (ii) Transportation of Persons Apprehended Under the Mental Health Act

(Effective: 2015.12.29)

POLICY

The police have the authority to apprehend and convey patients to hospital in certain circumstances under the British Columbia Mental Health Act (MHA). It is preferable to have the BC Ambulance Service (BCAS) transport the patient when available as mental health is foremost a medical issue; however, there are instances where it is appropriate for members to apply their discretion and convey the patient to a hospital or designated mental health facility in a police vehicle to eliminate waiting time for BCAS.

The decision to transport a person apprehended under the MHA in a police vehicle is a discretionary one for the apprehending members.

Before choosing the option to transport a person apprehended under the MHA in a police vehicle, members must weigh the convenience of doing so with both officer safety considerations and the needs of the apprehended individual. Members should consider that the person, no matter how cooperative at roadside, may become uncooperative after being placed in a police vehicle.

In making an assessment whether to transport an apprehended person in a police vehicle members should establish that the following criteria exist:

- i. The person is not suffering from any physical, non-mental health related medical condition and/or distress that would require that they be seen by BCAS prior to hospital admission;
- ii. There are no significant hygiene or biohazard concerns; and
- iii. There are no apparent officer safety concerns.

All decisions to transport a person apprehended under the MHA in a police vehicle must be documented (including how the person met the above criteria) in the accompanying General Occurrence (GO) report.

The following procedure outlines the options that members have for transporting persons apprehended under the MHA.

PROCEDURE

BC Emergency Health Services

1. When a person has been apprehended under the MHA, it may be in the best interest of the patient to be transported by BCAS, for medical or other reasons. If BCAS requests that a police officer accompany them, a member shall do so.
2. If BCAS refuses to transport a person who has been apprehended under the MHA, members shall call a Supervisor.
3. The Supervisor shall:
 - a. Contact a BCAS Supervisor;
 - b. Advise the BCAS Supervisor that the patient is a person apprehended under the MHA and therefore transportation by the BCAS is more appropriate and is in the best medical interests of the patient; and



- c. In the event BCAS continues to refuse to transport, the patrol supervisor may consider the transportation alternatives below, and follow up with the Youth Services Section Mental Health Unit for further assistance in resolving the matter.

Transport by Police Car

4. If members determine that it would be appropriate to transport a person whom they have apprehended under the MHA in a police car (not equipped with a partition), the following will apply:
 - a. Members shall notify their supervisor of the intended transport;
 - b. The apprehended person must be handcuffed and searched prior to being placed in the police car, and the police car must be searched by members before and after the transport;
 - c. The person must be placed in the rear passenger-side seat of the police car, with the seatbelt securely fastened;
 - d. The apprehended person must be accompanied by at least one member of the same gender;
 - e. Mileage, and start and end times must be provided by the transporting members to dispatch over the radio and the details logged in CAD remarks;
 - f. The destination hospital or designated facility must be contacted via phone by the assigned members to advise that the apprehended person is en route; and
 - g. Police vehicles with firearms stored in the interior vehicle gun rack shall not be used to transport patients. Members deploying with carbine or beanbag shall have apprehended patients transported by ambulance, or in a different police vehicle that is not carrying firearms such as carbine or beanbag.
5. If, at any time during the transport, the members' original assessment changes whereby the transport in the police car is no longer appropriate (e.g. emergent medical issues, a significant change in the apprehended person's behaviour), they may discontinue the transport and call for BCAS.

Transport by Police Wagon

6. Children and youth under 19 years of age shall not be transported in a police wagon.
7. Police wagons should only be used for transporting persons apprehended under the Mental Health Act in exceptional circumstances (e.g., where the patient presents a biohazard concern, or is combative and the wait time for BCAS can make the situation more volatile or be detrimental to the patient).
8. Supervisory approval must be granted prior to transporting via wagon.
9. The assigned members must contact the destination hospital or facility by phone prior to transport, accompany the wagon while en route, and assume custody of the apprehended person upon arrival.
10. The apprehended person shall be placed alone in a compartment and must be transported directly to the destination hospital or facility.

Transport Destinations

11. Members transporting persons apprehended under the MHA should convey them to the nearest Metro Vancouver hospital or to BC Children's Hospital if the person is 16 years of age or under.
12. If feasible, members transporting individuals for whom a Form 21 Director's Warrant or a Form 4 Medical Certificate has been issued should convey them to the originating facility from where the document was issued. If the facility lies outside of the above mentioned geographical area, members should instead transport the apprehended person to the nearest hospital or designated facility, from where further transport will be arranged internally.



1.6 Incident Investigations

1.6.25 Missing Person/Child

(Effective: 2018.08.08)

POLICY

It is the policy of the Vancouver Police Department (VPD) that all cases of a missing person reported to the VPD be treated as suspicious until demonstrated otherwise, requiring a thorough response appropriate to the circumstances. This will provide the best chance of preserving perishable evidence and locating the missing person quickly, or determining if there has been foul play requiring a different investigative direction.

A missing person incident is inherently a stressful situation for family members/reportees and this cannot be overlooked by investigators. When conducting these investigations, individual circumstances and individualized risk factors must be considered, especially for marginalized persons who are likely to face societal challenges that increase their risk of going missing and may act as barriers to reporting. The principles of respect, compassion and empathy must guide all missing person investigations.

A **“Missing person”** is defined as anyone reported to police or by police as someone whose whereabouts are unknown, whatever the circumstances of their disappearance, and who are considered missing until located.

A Missing Person investigations fall under one of two categories:

1. High risk people or situations.
2. Non-High risk people or situations.

A **“High risk missing person investigation”** is defined within BC Provincial Policing Standards as one in which the missing person’s health or well-being may be in immediate danger due to:

- Their own vulnerability (i.e., the very young and very old, persons with physical illness, disability, addictions or mental health concerns, persons who may be suicidal and persons involved in activities that may place them at increased risk of harm);
- Being part of an identifiable group that is at an increased risk of harm (e.g., Indigenous women and children);
- The weather or physical conditions where the missing person is believed to be; or
- Reasonable grounds to believe they may be the victim of a crime.

Missing person incidents determined to be high risk shall be investigated and documented as soon as possible by Patrol members, and followed up by the Missing Persons Unit (MPU) where necessary.

The VPD will investigate all missing person reports when the person was last seen in Vancouver, or if the person resides in Vancouver and it is not known where they were last seen. In the event of a jurisdictional dispute, the safety and welfare of the missing person is paramount. The VPD will assume initial responsibility for investigations when jurisdiction is unclear and cannot be resolved between police forces. In these circumstances, the Missing Persons Unit shall be notified and will be the point of contact with the Officer in Charge of the BC Police Missing Person Center to render a decision on jurisdiction as soon as practicable.

PROCEDURE

When E-Comm determines a file to be a missing person incident, they will notify the patrol supervisor and assign a member. The PRIME-BC Missing Person Details Page (i.e., Provincial Missing Person Intake Form) must



be completed upon file intake, along with all relevant CPIC fields. This is normally completed by E-Comm but the member must ensure its inclusion in the GO and complete it themselves should the call be initiated by patrol.

A GO must be submitted for every report of a missing person.

Member Responsibilities

Members assigned to investigate a missing person incident shall:

1. Conduct an initial risk assessment as soon as practicable. This risk assessment includes:
 - a. Completion of the *Missing Person Risk Assessment Template*; and
 - b. Determination of risk in consultation with a supervisor:
 - i. If the response to ALL questions on the *Missing Person Risk Assessment Template* is “no”, the member must then consult with a supervisor to confirm the screening result; or
 - ii. If the response to any question on the *Missing Person Risk Assessment Template* is “yes”, the matter requires immediate review and consultation with a supervisor to assess the appropriate response and resources.
2. If the determination is made that the incident is non-high risk, the GO will be forwarded to the MPU for notification and follow-up the next business day. The family/reportee are to be advised of the action to be taken.
3. If a determination is made that the missing person investigation is high risk, the initial investigative steps should include, but are not limited to the following:
 - a. Interview relevant persons which may include the reportee, witnesses, friends and family members of the missing person and the person who last saw or had contact with the missing person to determine:
 - i. The location where they were last seen;
 - ii. A possible destination;
 - iii. Any medical condition(s) and/or any required medication;
 - iv. The identity and location of the complainant;
 - v. Cell phone, credit card and bank account numbers, email accounts, Facebook and other social media access;
 - vi. Employment and or school contact information and details;
 - vii. A vehicle description and license plate number, if applicable;
 - viii. Any history of similar incidents; and
 - ix. Possible reasons(s) why the person may have gone missing;
 - b. Obtain a description of the person and a photograph if possible. (Ensure the photograph is recent and a true likeness of the person);
 - c. Search the premises where the person was last seen, including the residence or other applicable premises. Where applicable (i.e., dementia cases), attend the past and present residences of the missing person;
 - d. Check for the missing person on CPIC and PRIME and ensure a CPIC message is sent to all relevant jurisdictions;
 - e. Request that E-Comm contact all area hospitals;
 - f. Take the following steps when the missing person may have access to a vehicle:
 - i. Contact all towing companies operating within the City of Vancouver and determine if the vehicle has been impounded since the missing person was last seen;
 - ii. Contact the City of Vancouver Parking Enforcement “police only line” (xxx) to determine if the vehicle has been ticketed; and
 - iii. Enter the vehicle license plate number on CPIC if the vehicle has not been located;



- g. Provide the family and/or reportee of the missing person with information about support services available; and
- h. Advise the family and/or reportee of the missing person that the MPU will contact them as soon as practicable for follow-up, and to contact 911 should the missing person return home.

Reporting procedures:

- 4. Complete the GO as soon as practicable and before the end of shift. The report must include:
 - a. The *PRIME-BC Missing Persons Details Page* and all relevant CPIC fields (usually completed by E-Comm but member must ensure);
 - b. The completed *Risk Assessment Template*;
 - c. The completed *Risk Assessment - Supervisor Review Template*; and
 - d. Documentation of police actions and investigative steps taken.
 - i. All investigative steps are to be documented including steps that were taken but failed to advance the investigation, and steps that were considered but determined not to be appropriate or relevant given the circumstances of the case.
- 5. Ensure the report is routed to the MPU.
- 6. E-mail digital photograph(s) of the missing person to xxx.
- 7. When a missing person has been located prior to the end of the assigned member's shift, the member shall:
 - a. Confirm the well-being of the missing person;
 - b. If the found person is under the age of 19, an extra standard of care is required to determine:
 - i. Whether the minor was exploited or harmed leading up to or during their absence; and
 - ii. Any resources or assistance that could be offered to help promote the minor's safety or prevent them from going missing again.
 - iii. If required, consult the MPU.
 - c. Ensure that the missing person and their vehicle (if applicable) are removed from CPIC;
 - d. If it's a VPD missing person file, submit a supplemental page to the original GO as soon as practicable and before the end of shift;
 - e. If it's an outside jurisdiction missing person file, ensure the missing person and found person PRIME reports are cross referenced; and
 - f. Notify the appropriate sections and/or other jurisdictions and agencies.

Supervisor Responsibilities

Patrol Supervisors advised of a missing person incident shall:

- 9. Consult with the investigating member, review the file, and complete the *Risk Assessment - Supervisor Review Template*;
- 10. Consider the specifics of the incident, including factors that may make the case high risk, including whether the missing person is part of a marginalized group.
- 11. If a determination is made that the incident is high risk, the Supervisor shall:
 - 1. Ensure a priority one response and that appropriate resources are immediately assigned;
 - 2. Notify the Duty Officer;
 - 3. Notify the Sergeant i/c MPU. After hours, the Duty Officer will provide authorization for the call; and
 - 4. Ensure a GO has been completed.

Duty Officer shall:



13. Consider if additional resources are required (e.g. Search and Canvass Team, Public Affairs Section);
14. Activate an *AMBER Alert* if the missing person is a child and the criteria are met as per RPM Section 1.7.2 *AMBER Alert*;
15. Consider an abduction or kidnapping and refer to RPM Section 1.7.24 Child Abduction and Attempted Abduction by Stranger; and
16. Set up a command post if necessary.



1.6 Incident Investigations

1.6.26 Municipal Ticket Information

(Effective: 2006.12.15)

POLICY

The City of Vancouver has approved a pilot project for the use of Municipal Ticket Informations (MTIs). MTIs are regulated by the Ticket Offences By-Law No. 9360. MTIs may be issued for specified offences under the Animal Control, Health, Noise, and Street and Traffic By-Laws (see table below).

PROCEDURE

1. Determine whether the by-law offence in question is an offence for which a MTI can be issued. MTIs can be issued in relation to the following offences:

By-Law	Section	Approved Phrase	Fine
Animal Control By-Law No. 9150	3.1	No dog license	\$250.00
Animal Control By-Law No. 9150	4.2	Dog off leash in public	\$250.00
Health By-Law No. 6580	6.1	Smoking in public place	\$100.00
Health By-Law No. 6580	6.2	Proprietor permitting smoking	\$300.00
Health By-Law No. 6580	4.21	Urinating/ defecating/ expectorating	\$100.00
Noise Control By-Law No. 6555	4	Objectionable Noise	\$150.00
Noise Control By-Law No. 6555	19	Refuse collection noise outside of permitted time	\$500.00
Street and Traffic By-Law No. 2849	69A	Fighting in public	\$200.00
Street and Traffic By-Law No. 2849	60	Riding bicycle on sidewalk	\$100.00
Street and Traffic By-Law No. 2849	60D	No helmet	\$50.00
Street and Traffic By-Law No. 2849	12(2)	Jaywalking	\$100.00
Street and Traffic By-Law No. 2849	6	Disobeying traffic sign/signal	\$100.00

2. MTIs are most appropriate in cases that are:
 - a. straightforward;
 - b. on-view;
 - c. less likely to be disputed; and
 - d. where the indicated fine is adequate in light of the seriousness of the offence.
3. A Notice of By-Law Violation (BVN) is most appropriate in cases involving:
 - a. an offender with no fixed address and no assets who is likely to ignore the MTI;
 - b. more serious or complicated incidents;
 - c. incidents involving witnesses who will be required to prove the offence;
 - d. repeat or chronic offenders, where a higher fine would be appropriate; and



- e. where it is appropriate for the sentence to include conditions such as area restrictions;
4. The member issuing a MTI must be satisfied that there is evidence of all essential elements of the offence, and must make sufficient notes of this evidence. Notes can be written in the space provided on the MTI form, in the member's notebook, or detailed in a GO report. Copies of all notes and reports shall be submitted with the MTI and forwarded to the City Prosecutor's office.
5. The member issuing the MTI shall confirm the identity of the Accused, and provide evidence in their notes of this confirmation.
6. Members shall include the following information when completing an MTI:
 - a. indicate which By-Law is being enforced, along with the approved phrase, By-Law and section number (see above table);
 - b. indicate the prescribed fine amount set out in the Ticket By-Law No. 9360 (see above table);
 - c. complete the affidavit of service on the MTI form; personally serve the MTI on the Accused; and
 - d. submit the required copies of the issued MTI by the end of each shift.
7. Members shall retain their copy of an issued MTI and accompanying notes for court and other investigative purposes.



1.6 Incident Investigations

1.6.27 Noise Control By-law

(Effective: 2014.04.24)

POLICY

Noise is regulated in the City of Vancouver By-law 6555. The By-law contains offences that may be enforced by the police generally, as well as offences requiring specific sound measurements. For offences requiring sound measurements, members shall refer the complainant to the Environmental Health Division. Members proceeding under By-law 6555 shall be guided as follows:

1. The Noise Control By-law 6555 is intended to regulate those noises which disturb, or tend to disturb, the peace of the neighbourhood or the residents of the neighbourhood. It is not necessary to prove that someone is disturbed, but rather that the noise would have that tendency. The By-law allows the person responsible for the noise or the owner of the premises where the noise occurs, to be charged.
2. If the complaint appears to be valid the member shall:
 - a. Conduct a location query prior to speaking to the person(s) responsible for the noise;
 - b. Speak with the complainant (where practicable) to determine the cause and all other relevant aspects of the complaint. It is not necessary for the complainant to appear in court, if the investigating member can give evidence regarding the noise. However, if the noise has ceased and the investigating member cannot give evidence as to the degree or type of noise and the complainant still wishes to proceed with the charge, the complainant will have to attend Court;
 - c. Speak to the person(s) responsible for the noise (and/or the residence, if applicable) and obtain their name(s);
 - d. Advise the person(s) responsible that a complaint has been received, but do not release name or location of complainant;
 - e. Explain that the noise is an offence under the Noise Control By-law;
 - f. If appropriate, e.g., there is no recent history of noise complaints, advise that if the noise continues the persons will be charged under the Noise Control By-law;
 - g. If there is a history of noise complaints, consider proceeding by charge. Recurring noise problems are a source of great concern to the public and members are encouraged to use all available resources, including the laying of charges, in an attempt to achieve a long-term solution; and
 - h. Advise that charges for mischief may also be considered.
3. If the person responsible for the noise and/or residence refuses to open the door or to identify themselves, every effort should be made to establish their identify, e.g., by Location Query, speaking to neighbours or landlord, or by obtaining the information from the mailbox or the intercom labels.
4. The member shall ensure the complainant is informed of the action taken and advised to call back if the noise continues.
5. If the noise continues to cause a problem, the investigating member shall consider taking enforcement action. If enforcement action is to be taken, the investigating member may:
 - a. In cases involving minor infractions or transient persons, issue a Notice of By-Law Violation (NBV). The GO report number and the words "Violation of Noise Control By-law 6555" should be specified on the ticket. Members should be aware that if the fine is not paid voluntarily, the charge approval standard must be met before an information can be laid and the matter prosecuted in court. Members shall complete a GO report outlining all the essential elements of the offence. The GO report should also include details of the circumstances of all dealings with the premises including:
 - i. Number of times attended;
 - ii. Previous problems at premises;



- iii. Whether police members can testify to noise levels, and if they cannot, the civilian witnesses who are willing to give evidence; and
 - iv. Type of noise and the extent of the disruption caused by it.
 - b. In the following cases, submit a GO Report along with any notebook entries to the City By-law Prosecutor, requesting a summons (requesting a summons will leave the amount of the fine to the discretion of the judge, who will consider the seriousness of the violation):
 - i. Serious or continuous violations; or
 - ii. When the member is unable to issue a Notice of By-law Violation, e.g., when a loud radio has been left unattended or a person refuses to answer the door.
 - a. For the following offences under the By-law, a Municipal Ticket Information (MTI) may be issued, (refer to RPM Section 1.6.26: Municipal Ticket Informations (MTI's))
 - i. Section 4 - Objectionable Noise
 - ii. Section 19 - Refuse Collection Noise Outside of Permitted Time
 - b. The member issuing a MTI must be satisfied that there is evidence of all essential elements of the offence, and must make sufficient notes of this evidence. Notes can be written in the space provided on the MTI form, in the member's notebook, or detailed in a GO report. Copies of all notes and reports shall be submitted with the MTI and forwarded to the Bylaw Prosecutor's office.
6. To arrest an individual for violating the By-law, the responsible owner/occupant or other identified individual must be found committing the offence. An arrest should be used as a last resort and only when the following criteria have been met:
 - a. The person responsible refuses to identify themselves; or
 - b. The member has reasonable and probable grounds to believe the person will continue to repeat the violation.

A supervisor is required to attend the scene before a By-law arrest is made. The name of the supervisor shall be included in the GO Report.
7. Where a member deems that issuing a Notice of By-law Violation or requesting a summons would be inappropriate, the member may direct the complainant to contact the Office of the City By-law Prosecutor.
8. In the case of a complaint regarding an audible security alarm, members shall refer to RPM Section 1.6.3(ii): False Alarm Reduction Program (FARP).
9. In the case of a complaint regarding a barking dog, members shall refer to the 1.6.4(ii) Animal Control By-law No. 9150.
10. Construction noise that disturbs the quiet or enjoyment of the public is only allowed in the following circumstances:
 - a. In or adjacent to residential premises;
 - i. between 07:30 and 20:00 hrs. on any weekday that is not a holiday; and
 - ii. between 10:00 and 20:00 hrs. on any Saturday that is not a holiday.
 - b. In all other areas and for construction on streets;
 - i. between 07:00 and 20:00 hrs. on any weekday or Saturday; and
 - ii. between 10:00 and 20:00 hrs. on any Sunday or holiday.
 - c. Where a valid Mayor's exemption permit is in effect.



1.6 Incident Investigations

1.6.28 Guidelines for Police Attending Illicit Drug Overdoses

(Effective: 2006.06.29)

POLICY

Recent research has shown that though many drug overdose cases are witnessed, there is often reluctance in calling for emergency medical assistance for fear that police will also attend, resulting in prosecution. A drug overdose is by its very nature a medical emergency requiring rapid medical intervention to preserve life.

There is little value in police attendance at a routine, non-fatal overdose. It would be a rare circumstance for criminal charges to arise from attendance at a routine overdose call. In order to encourage a witness to a drug overdose to access emergency medical aid without delay, it is necessary to establish policy with respect to police attendance at overdose calls. Policy should tend to restrict police attendance to drug overdose calls only in the event there is a specific need for public safety.

The primary reason for police attendance at a non-fatal drug overdose call is to assist with life saving measures, and to assist with public safety.

PROCEDURE

NON FATAL ILLICIT DRUG OVERDOSE RESPONSE POLICY

1. When a member is advised of a drug overdose while in the performance of their duties, they shall immediately notify EHS through ECOMM and attend to the location of the victim until EHS arrives.
2. When EHS receives a call of "a possible drug overdose" EHS dispatch will notify Police Dispatch, through ECOMM, who shall, by way of a general broadcast, advise District Units that "EHS is responding to a possible drug overdose, the location and assistance not requested."
3. Police will not normally attend EHS calls for a routine drug overdose unless EHS has advised ECOMM that "Assistance is Requested," for any or all of the reasons below:
 - a. Death of a person from an overdose is likely; or
 - b. EHS personnel request police attendance to assist with public safety; or
 - c. EHS personnel request police attendance because there is something suspicious about the incident; and
 - d. In each instance when police assistance is requested, the reason for the request will be broadcast to police units by the district dispatcher.

FATAL DRUG OVERDOSE CALLS

4. In the case of a drug overdose death, the member will fully investigate the incident as a sudden or suspicious death (refer to: Section 1.6.38- Sudden Deaths; Section 1.6.12 (ii)-Handling Procedure and Section 1.7.6- Major Crime Scene Responsibilities).
5. The assigned unit shall notify their Supervisor of the fatal overdose, and record the details of the incident in the District Overnight Book for discussion at the Daily Operations Management Meeting. The assigned patrol unit will ensure that a copy of the General Occurrence Report is routed to the Inspector i/c of the Drug Squad for follow up consideration.



1.6 Incident Investigations

1.6.29 Parolees

(Effective: 2013.07.22)

POLICY

When investigating a person who is on Parole and is alleged to have breached their condition(s), members must ensure that the incident has been thoroughly investigated. When investigating a breach of Parole, the Correctional Service of Canada shall be notified.

Offenders in the Community

Persons on Parole may be in the community on an escorted or unescorted Temporary Absence, or they may be on conditional release, including:

- Day Parole
- Full Parole
- Statutory Release
- Long Term Supervision Order

Persons sentenced to a term of two (2) years or more are Federal offenders and fall under the jurisdiction of the Correctional Service of Canada. Those with sentences of less than two (2) years are Provincial offenders and fall under the jurisdiction of B.C. Community Corrections. However, Provincial offenders who apply for, and are granted parole are supervised by the Correctional Service of Canada.

All Parolees are issued a certificate that details the conditions of their release in the community. They are also required to have this certificate with them at all times and must produce it upon the request of a peace officer.

The *Corrections and Conditional Release Act* was amended in June 2012. Section 137.1 now gives Peace Officers the power of arrest of offenders breaching the conditions of their parole, statutory release or unescorted temporary absence.

Section 137.1:

A peace officer may arrest without warrant an offender who has committed a breach of a condition of their parole, statutory release or unescorted temporary absence, or whom the peace officer finds committing such a breach, unless the peace officer:

- a. *believes on reasonable grounds that the public interest may be satisfied without arresting the person, having regard to all the circumstances including the need to*
 - i. *establish the identity of the person, or*
 - ii. *prevent the continuation or repetition of the breach; and*
- b. *does not believe on reasonable grounds that the person will fail to report to their parole supervisor in order to be dealt with according to law if the peace officer does not arrest the person.*

Members upon arresting an offender without warrant for breaching a condition of their parole, statutory release or unescorted temporary absence will continue to use the following procedure.



PROCEDURE

1. All Federal and Provincial Parolees are entered on CPIC for police information purposes. When a member investigates a parolee who may be violating the terms of their release, the member shall:
 - a. Request to view the person's release certificate and Parolee identification;
 - b. Contact the person's Parole Officer (listed on CPIC), or contact the on duty Correctional Service of Canada Duty Officer at xxx for further direction;
 - c. If the person is arrested, ensure that the VPD Jail 8 is clearly marked indicating the person is on Conditional Release; and,
 - d. Submit a detailed GO report.
2. The Correctional Service of Canada may request assistance in executing a Warrant of Apprehension and Suspension. Correctional Service of Canada Parole Officers have powers of arrest and are peace officers but lack the resources to regularly execute warrants of arrest. Upon execution of a Warrant of Apprehension and Suspension, members shall:
 - a. Confirm the warrant with Correctional Service of Canada;
 - b. Sign the warrant if it is available; and,
 - c. Submit a GO report.

Reference Material

For Probationers, refer to RPM Section 1.6.49: Failure to Comply with (Breach of) Undertaking, Release Order, Conditional Sentence Order, or Probation
Police Officer's Reference Guide for Federal Offenders
Police - Parole Handbook, Pacific Region
Arrest Without Warrant - Handbook for Front-Line Peace Officers



1.6 Incident Investigations

1.6.30 Parking Meters

(Effective: 2000.08.30)

Members receiving complaints regarding mechanically defective parking meters will refer the person to the Traffic Engineering Department at City Hall.



1.6 Incident Investigations

1.6.31 Sub Post Offices

(Effective: 2001.05.22)

Members investigating offences at premises where a sub post office is located, (example: drug stores), shall indicate in the GO report whether the sub post office was the subject of the offence.



1.6 Incident Investigations

1.6.32 Rave and Late Night Dance Parties

(Effective: 2001.04.27)

Late Night Dance Parties or "Rave" parties are governed by by-law 8138, which is part of the Licensing By-Law. Key elements of this by-law are:

- A permit is required;
 - Applies only to events between the hours of 0200 and 0600 on any day;
 - Applies to events held in any place other than a private residence; and
 - All sound equipment must be within the building or structure described in the permit.
1. A member attending a "Rave" or "Late Night Dance Party" shall do the following: Determine whether or not the party is in fact a "Rave". If a Fire Investigator is required to gain entry to any premises suspected of holding an illegal "Rave", a Supervisor shall be requested to attend the scene. The Supervisor will determine if Fire Dispatch is to be notified in order to page a Fire Investigator to attend the scene.
 2. Once the party is confirmed a "Rave", a Supervisor must be on scene and at that time the following must be determined:
 - a. Does the promoter have a permit? If so, take appropriate action and submit a GO report. Route a copy of report to EOPS. The report shall contain:
 - The circumstances of the call (i.e., complaint or walk-through);
 - The name of the promoter;
 - Name and information of the security company, if any;
 - Name and information of the building owner and address; and
 - Any information on problems observed or charges contemplated.
 - b. If there is no permit, charges under one or more of the following Acts may apply:
 - Criminal Code
 - Provincial Statutes
 - LCL Act
 - CDSA
 - By-Laws
 - Fire Act
 - Permits and Licence
 3. Unless the "Rave" party is authorized by a permit pursuant to By-Law 8138, members may consider charges under any of the aforementioned sections. (Also see: Noisy Party and Party Out Of Control Section 1.6.46.



1.6 Incident Investigations

1.6.33 Reward for Information

(Effective: 2011.06.15)

POLICY

Members may request that the Vancouver Police Board (VPB) issue a financial reward as an investigative aid in a criminal investigation. The offering of a reward may lead to a witness or witnesses coming forward with critical information that results in the successful conclusion of an investigation.

Considerations for a Reward

For the purpose of this section, in determining whether a case merits the issuance of a reward, members should give consideration to the following:

- a. The nature and seriousness of the case;
- b. The public interest in apprehending the offender; and,
- c. The public profile of the case.

If, after consideration of these facts, it is determined a reward is not merited, members should consider using Crime Stoppers as an alternative method of offering a financial incentive for information and publicizing the case. If a reward is merited, the following procedure shall be followed.

PROCEDURE

1. Requests for rewards shall be forwarded to the Chief Constable or designate on a **VPD 68** via the Superintendent - Investigative Services.
2. Where the Chief Constable or designate agrees with a recommendation for a reward to be posted, a report shall be submitted by the Superintendent - Investigative Services to the VPB for consideration. The report will include:
 - a. A description of the offence;
 - b. A recommendation as to the maximum amount of the reward;
 - c. An expiry or review date for the reward; and,
 - d. A draft copy of the proposed reward poster on a **VPD Form 184**. If applicable, arrange for the translation of the poster into other languages including a translator's certificate of authenticity.
3. In the event that exigent circumstances merit the issuance of a reward at a time prior to a regularly scheduled VPB meeting, a phone or email poll of VPB members may be conducted by the Executive Director of the Police Board to obtain authorization for the reward.
4. The VPB will consider the posting of all rewards on their individual merit. The VPB shall be the sole arbiter in all matters related to the reward, including the term for which the reward will be in effect, a claimant's eligibility and apportionment, and the monetary value of the reward with consideration to:
 - a. The nature and seriousness of the case;
 - b. The public interest in apprehending the offender; and,
 - c. The public profile of the case.



5. Upon the authorization of a reward, the VPB shall provide written notification to the Senior Director of Finance of the Vancouver Police Department's Financial Services Section (VPD-FS).
6. The Superintendent - Investigative Services shall be responsible for:
 - a. The accuracy, printing and distribution of reward posters;
 - b. Any media releases; and,
 - c. The posting on the VPD's internet website.

Claiming a Reward

7. Claimants must apply for the reward, in writing, to the Chief Constable. All claims must be made:
 - a. Prior to the expiration date printed on the reward poster; or,
 - b. Prior to the cancellation of the reward; or,
 - c. Prior to any amended expiry date of the reward; and,
 - d. The information must lead to the arrest and conviction of a person or persons responsible for the crime which is the subject of the reward poster.
8. Upon receiving a claim, the Chief Constable or designate shall:
 - a. Direct the Superintendent - Investigative Services to investigate the claim including a recommendation of payment or non-payment of the reward;
 - b. Based on the results of the investigation, recommend a course of action to the Chief Constable, and if approved, to the VPB; and,
 - c. Provide notice as soon as practicable of the VPB's decision to the Senior Director of VPD-FS.
9. The confidentiality of the claimant must be maintained to the extent afforded by law.
10. The VPB will make the final decision with respect to the amount of or apportionment of the reward, if any, to be paid to the claimant, as well as the method of payment to be utilized. Any reward paid out shall be in accordance with the terms of the reward poster.

Expiration or Renewal of the Reward

11. Two weeks prior to the expiration of the reward, the Superintendent - Investigative Services shall review the case file and via the Deputy Chief Constable Commanding the Investigation Division report to the Chief Constable in writing:
 - a. The status of the investigation, including any progress that has been realized as a result of the posting of the reward;
 - b. The existence and credibility of any claims for the reward; and,
 - c. Recommendations to whether an application should be made for a time period extension of the reward or if the reward should be permitted to expire.
12. If the VPB cancels a reward at any time prior to the expiry date printed on the face of the poster or causes the expiry date to be amended without advance notice to the public, such changes must be communicated in writing to the Senior Director of VPD-FS.



1.6 Incident Investigations

1.6.34 (i) Vandalism of School Property

(Effective: 1993.09.30)

1. Students on school property during school hours do not enjoy any special protection from the law flowing from their student status. School administrators have no legal authority to interfere with a police investigation, other than that which flows from their status as lawful occupants of private property. However, in recognition of the special relationship between schools and students, members intending to conduct an investigation on Vancouver School Board or Independent School property (i.e., elementary or secondary schools) during school hours shall:
 - a. In the first instance, consult with a School Liaison Officer or the NCO i/c School Liaison;
 - b. The School Liaison Officer or, where he or she is not available, the investigating member, shall notify a school administrator prior to:
 - i. arresting a student on school property;
 - ii. searching a student or any place on school property; or
 - iii. interviewing a student on school property.
2. When the school administrator does not concur with the member's proposed course of action, the investigating member shall give consideration to proceeding with the investigation outside of school hours. This is in no way intended to imply that school administrators may dictate the course of the investigation.
3. In the event that the investigating member and the school administrator are unable to agree on the course of action to be taken, the investigating member shall consult with a NCO before taking any action.
4. In situations when it is not practical to notify the school administrator prior to contact with a student or the search of any place on school property (e.g., during an emergency or an on-view situation), the investigating member shall notify the administrator as soon as possible after the incident. (Also see S. 1.6.47 (v))



1.6 Incident Investigations

1.6.34 (ii) Trespassing on School Property

(Effective: 2001.05.22)

1. Section 177 of the BC School Act states:

A person must not disturb or interrupt the proceedings of a school or an official school function.

A person who is directed to leave the land or premises of a school by an administrative officer or a person authorized by the board to make that direction

- a. must immediately leave the land and premises, and
- b. must not enter on the land and premises again except with prior approval from the administrative officer or a person who is authorized by the board to give that approval.

A person who contravenes subsection (1) or (2) commits an offence.

An administrative officer of a school or a person authorized by the board may, in order to restore order on school premises, require adequate assistance from a peace officer.

2. Members attending a school in response to a complaint of trespassing on school property shall:
 - a. attend the school and obtain the circumstances of the trespass from the Principal or the Principal's designate;
 - b. accompany the Principal or designate to the trespasser's locations; and
 - c. obtain the trespasser's particulars and stand by while the school representative requests the trespasser to leave. The member shall give the person the opportunity to leave voluntarily.

Note: A person who does leave the school property voluntarily, and has not been previously barred (issued a Notice to Intruders), is not committing an offence and cannot be required to identify him/herself.

3. If the member determines that the person is committing an offence and the person refuses to identify themselves or will continue the offence (example: refuses to leave), the member shall:
 - a. place the person under arrest for contravening Section 177 of the BC School Act (under authority of the BC Offence Act);
 - b. escort the person off school property;
 - c. once the person has properly identified themselves and the member is satisfied that the trespasser will not return immediately, issue a Provincial Appearance Notice indicating a charge under Section 177 of the BC School Act;
 - d. release the person. The person may be transported to the Detention Annex if they continue to refuse to identify themselves; and
 - e. submit a GO report for Crown outlining the circumstances of the trespass. Provincial Appearance Notice is to be submitted as an attachment. A summons shall be requested if a Provincial Appearance Notice has not been issued or the offender is a young person.
4. When the trespasser leaves upon request (no charge), submit a GO report and route a copy of the completed report to the Supervisor i/c School Liaison Squad.
5. The appropriate Neighbourhood Policing Team NCO shall direct a School Liaison member to initiate a follow-up investigation if the person is deemed to be a repeat offender. If warranted, the School Liaison member shall forward a charge to Crown Counsel.



6. Members are reminded that young offenders convicted of a provincial offence and given a probation order that prohibits their attendance on the school grounds may be arrested and/or charged with breach of probation under the BC Young Offenders Act.
7. Members of School Liaison, designated Youth Officers and Gang Squad are authorized by the Vancouver School Board to exercise the authority granted under Section 177 of the BC School Act.



1.6 Incident Investigations

1.6.34 (iii) School Board Property

(Effective:)

1. Communications Centre staff will accept calls regarding vandalism to schools even though the complainant refuses to divulge a name and address.
2. Even though the complainant's name and address are obtained, investigating units should not go to the complainants home. Communications Centre staff should advise the complainant of this procedure. Follow-up, where required, should be by telephone.
3. Whenever possible, units assigned to school vandalism calls should remain on the air and available for re-assignment.



1.6 Incident Investigations

1.6.35 Hold-up Procedure

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.36 Hold-up Searches

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.37(i) Suspect Interviews - Patrol-Based Investigations

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.37 (ii) Witness Statements

(Effective: 2000.09.06)

In the following cases it is desirable that members attempt to obtain signed written statements from the persons indicated. If this is not possible, detailed notes should be taken by the members and shown to the person for agreement and, if possible, the witness' signature.

- a. Homicides - all witnesses
- b. Sexual Assaults - the victim, first person complained to and, if possible, one other person who observed the victim's demeanor and injuries.
- c. Serious Assaults - the victim, if possible, and one or two persons at the scene who observed it.
- d. Threats, Harassing - the victim and, if possible, one other person who heard the threat.
- e. Friend of Accused - where possible, a friend of the accused who observed the incident.
- f. Impaired Driver (involved in MVA) - on view witnesses who can identify the driver and the time of the accident.
- g. MVA Fatal - all involved and any persons who observed the incident.

The above is not intended to preclude members from obtaining written statements in other incidents or from additional persons where they consider it appropriate.

See also: INFORMATION BULLETIN: KGB Statements



1.6 Incident Investigations

1.6.37(iii) Use of Interpreters or Translators

(Effective: 2015.12.09)

POLICY

The Department recognizes the diversity of our communities and the need to use translators/interpreters to ensure that all citizens have access to police services.

Translation - “The written transposition of text from one language into another and which requires, among other things, excellent knowledge of the source language and mastery of the target language.” (<http://www.stibc.org>)

Interpretation - “To convey, in a given language and for a given audience, the *content of oral messages* produced in another language. Interpretation may be simultaneous or consecutive. It requires, among other things, excellent knowledge of both the source language and the target language.” (<http://www.stibc.org>)

A Best Practices Protocol for translation and transcription of victim, witness and accused person's statements has been developed between Police and Crown in BC. This protocol includes an appendix of resources, and is set out in **Schedule IV** of the Memorandum of Understanding on disclosure between the Provincial Prosecution Service and Police in British Columbia. All police agencies in BC have committed to the standards set out in this document for cases submitted to Crown Counsel.

The Department also recognizes the need to ensure that persons who are Deaf or hard of hearing receive the services of a sign language interpreter when it is necessary to ensure that there is proper communication between the police member and the Deaf or hard of hearing person. A sign language interpreter will be used if either the police member or the Deaf or hard of hearing person believes the use of an interpreter is required to ensure proper communication takes place. The VPD has an agreement with the Western Institute for the Deaf and Hard of Hearing (WIDHH) to provide interpreters who are qualified to interpret in police/legal situations.

PROCEDURE

Use of Interpreters

1. Members should be mindful of the fluency of an interpreter and the needs of the investigation to determine to what degree a person may be able to assist an investigation. When a spoken language interpreter is required for an investigation, members shall consider the following options:
 - a. Obtaining the assistance of on-duty personnel including:
 - a person on the VPD second language list;
 - an on-duty Crisis Intervention Worker (formerly Victim Services); or
 - a Chinatown CPC employee.
 - b. During regular business hours, the investigating member may contact the Intercept Coordinator of the Covert Intercept Unit (xxx-xxx-xxxx) to determine the availability of an interpreter.
 - c. If an interpreter is still required, and internal resources are not available, the investigating member may contact the Multi-Lingual Orientation Service Association for Immigrant Communities (MOSAIC). (Business hours: xxx-xxx-xxxx, After Hours: xxx-xxx-xxxx).



Use of Translators

2. For translation of written documents/statements, a person's ability to translate the document shall be ascertained and the following procedures considered:
 - a. Obtaining the assistance of on-duty personnel including:
 - A person on the VPD second language list; or
 - A Chinatown CPC employee.
 - b. During regular business hours, Investigators may contact the Intercept Coordinator of the Covert Intercept Unit (xxx-xxx-xxxx) to determine availability of a translator;
 - c. For translation of written documents/statements, members shall exhaust all other avenues before using an outside agency such as MOSAIC. For consideration, an appropriate alternative to getting a written statement translated is to use an interpreter while interviewing the witness and writing the statement yourself (or taping the interview and having it transcribed later). This would be more cost efficient and still meet the requirements of Crown Counsel for the prosecution of the case;
 - d. When members have to use an outside agency for translation of written documents, members must obtain a written estimate of the cost of such translation before getting approval from a supervisor.

Translation and Transcription of recordings

3. For translation/transcription of audio recordings, in the first instance, members shall contact the Intercept Coordinator of the Covert Intercept Unit (xxx-xxx-xxxx) before obtaining the services of an outside agency such as those listed in the MOU attached.

Services for persons who are deaf or hard of hearing

4. When a sign language interpreter is required to facilitate communication with a Deaf or hard of hearing person, members will make use of a WIDHH interpreter. The following guidelines apply:
 - a. Proper interpretation services are necessary to ensure that the Deaf person and the police member have both been properly understood. VPD or E-Comm personnel shall arrange for an interpreter to attend the scene if a Deaf or hard of hearing person indicates that they require the use of an interpreter to communicate properly.
 - b. Non-Scheduled (Emergency) Callouts - The police member, supervisor, or dispatcher will contact the WIDHH contact telephone line to arrange for an interpreter to attend the incident (xxx-xxx-xxxx). The name of the Deaf or hard of hearing person who requires the interpreter must be provided.
 - c. These callouts are more costly, regardless of the time of day, than a scheduled callout. Therefore, for a routine report or interview it is preferable that a scheduled callout be arranged for a mutually agreeable time.
 - d. Scheduled Callouts - The police member will contact WIDHH Community Interpreting Services during their normal business hours (0900 - 1700, Monday to Friday) to arrange a scheduled callout (Primary contact number: xxx-xxx-xxxx, Secondary contact number: xxx-xxx-xxxx). The scheduled callout may take place during an evening or on the weekend, but it must be booked during normal WIDHH business hours. The name of the Deaf or hard of hearing person who requires the interpreter must be provided.

Documentation and follow-up

5. In all cases where an interpreter or translator is used, the General Occurrence (GO) or Crown Counsel Report must contain the following information:
 - a. Where the person's name was obtained from;
 - b. Why this person was used (example: no police interpreter available);



- c. What this person's part was in the investigation.; and
 - d. A self-assessment of the language skill level, experience and/or certification(s) of the person used as an interpreter or translator.
6. When an interpreter is used to translate an interview, where practicable, they should be furnished with a transcript of the interview as soon as possible to review and verify its accuracy.



1.6 Incident Investigations

1.6.37 (iv) Hospital Interviews

(Effective: 2000.08.01)

Members wishing to interview patients before discharge from the hospital shall arrange for a note to be attached to the face of the patient's hospital chart, asking hospital authorities to notify the police before such patient is discharged . Members doing so shall advise the Central Dispatcher in order that they can be reached when the hospital calls.



1.6 Incident Investigations

1.6.37 (v) Psychiatric Ward Interviews

(Effective: 2000.10.03)

Members wishing to interview patients confined to psychiatric wards or observation units in hospitals should, if possible, phone in advance and advise the hospital that they are coming to interview a patient. If practicable, the members should be in plainclothes when interviewing patients in psychiatric wards.



1.6 Incident Investigations

1.6.37 (vi) Witness Protection Policy

(Effective: 2002.01.08)

Where information is received that as a result of an investigation the safety of a victim or witness is in real danger, members shall consider applying for protection under the Witness Protection Policy. This policy is administered by the Provincial Government and may be accessed through the Vice-Drugs Section.

Members seeking protection for a victim or witness shall submit a report to the Deputy Chief Constable Commanding Investigation Division outlining all circumstances of the threat.



1.6 Incident Investigations

1.6.37 (vii) Duty Statements or Witness Reports From Members

(Effective: 2006.04.05)

POLICY

There are many situations where police officers may be required to provide a Duty Report or a Witness Statement. Police officers are expected to provide a comprehensive Duty Report in compliance with the B.C. Police Act. Doing so will ensure a timely investigation while also assisting officers through a complex and stressful circumstance.

PROCEDURE

Major Crime Investigations

1. In any situation where MCS is required to investigate a serious injury or death as a result of the use of force by a member, officers who were **directly involved** in the application of force will be ordered to provide a duty report by the investigator.
2. Respondent officers may first consult with legal counsel and a Vancouver Police Union (VPU) representative prior to providing a duty report. It is critical that duty reports are submitted within a reasonable period of time. Overtime may be required to complete any statement or duty report. Approval for overtime will be provided by the Inspector I/C MCS or the Inspector I/C Professional Standards Section.
3. When ordered to provide a duty report, respondent officers will submit their report to the investigator as soon as it is possible to do so. In any case, this statement shall be provided within five business days of being ordered (five normal working days, not including week-ends or statutory holidays). If there are extenuating circumstances and the respondent officer needs an extension beyond the five business days to complete the duty report, authorization from the Chief Constable or designate is required.
4. Section 9.9(b)(i) of the Collective Agreement between the Vancouver Police Board and the Vancouver Police Union outlines indemnification for police officers. It states:

The Employer will indemnify a member for necessary and reasonable costs for up to a two hour consultation by the member with a lawyer as to whether the member should make a statement, and if so, in what form, if the member learns that an allegation has been made that the member misconducted himself or herself in the performance of their duties

- (1) reasonably believes that the allegation may result in the initiation against the member of proceedings under the Criminal Code; and
- (2) has been asked by the Employer or a person in authority to make a statement to anyone about the facts connected with the allegation.

The Department recognizes that two hours of consultation with a lawyer, that is provided for in the Collective Agreement, may not be adequate in these situations. Therefore, the respondent officer will be issued authorization in writing from the Inspector I/C Professional Standards Section or his designate, for indemnification. This will provide a reasonable opportunity to consult with a lawyer. The amount of time authorized to meet with a lawyer, to prepare the duty report, shall be up to but may not exceed ten (10) hours without additional authorization from the Inspector I/C Professional Standards Section.



5. The respondent officer will be provided with a copy of the CAD printout related to the incident being investigated to provide more accurate accounting in the duty report.
6. The respondent officer will be provided with a list of issues that MCS needs to have addressed in the duty report. This will ensure that the duty report is complete and that it includes all of the information required by MCS to complete the investigation.

Witness Officers

7. Any witness officer will remain available to assist the MCS investigation provide whatever duty reports or witness statements that are required. Unless permission is given by the lead investigator, witness officers are to provide their statements prior to going off duty and shall not go off duty until receiving such permission. Witness officers are entitled to VPU representation but are not usually entitled to legal counsel before providing a duty report or witness statement. However, if the witness officer is concerned that they may be a respondent, then they should be given an opportunity to discuss this with a lawyer. Once a member has had the opportunity to discuss the incident with a lawyer and is satisfied that they are a witness officer, their witness statement or duty report shall be submitted forthwith. Witness officers may also choose to provide a statement without seeking any advice.

Internal Investigations

8. Any respondent officer, potential respondent officer, or any witness officer, under the provisions of the BC Police Act, may be ordered during the course of an internal investigation to provide a duty report. In all cases, when ordered to provide a duty report by a member of Professional Standards Section, that duty report must be submitted to the Professional Standards Section investigator within five (5) business days of receiving the order. If an extension is required, the respondent, witness officer, or his/her VPU representative must provide the request that outlines the reason for the delay to the Inspector I/C Professional Standards Section. The request for an extension must be approved by the Inspector I/C Professional Standards Section.



1.6 Incident Investigations

1.6.37 (viii) Reluctant or Unreliable Complainant or Witness

(Effective: 2001.05.22)

1. In making a decision to request charges after an investigation, members must consider the following:
 - a. The willingness of the complainant to proceed.
 - b. The reliability of the complainant.
 - c. The seriousness of the case.
2. If the complainant is reluctant to proceed, but there is sufficient evidence to substantiate a charge, the investigating member shall submit a GO report for Crown with the requested charge and include in the report an assessment of the complainant's attitude.
3. If there is doubt as to the reliability of the complainant and the offence is not serious, the investigating member shall submit a GO report outlining why a charge is not being forwarded. Include an assessment of the complainant's attitude.
4. During any investigation, a member has reason to believe that a complainant or witness to an offence may subsequently become uncooperative or reluctant to testify as to their actions or what they actually observed or heard, the member should obtain a written statement from that person, signed by him/her and the reporting member. If this is not possible, detailed notes should be taken by the member and shown to the person for agreement and, if possible, signed by that person.



1.6 Incident Investigations

1.6.38 Sudden Deaths

Withheld under s. 69(2)(a)(d) of the Police Act.



1.6 Incident Investigations

1.6.39 (i) Threats to Members

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.39 (ii) Threats to Members of Other Agencies

(Effective:)

1. Members who became aware of threats to the following persons shall immediately notify their supervisor:
 - a. non-Vancouver police members; and
 - b. family members of non-Vancouver police members where the threat arises because of the police duties of the member.
2. A supervisor upon receiving a report of a threat shall:
 - a. fully investigate the reliability of the information; and
 - b. notify as soon as practicable, the Duty Officer.
3. The Duty Officer when advised of a threat involving a non-Vancouver police member shall:
 - a. notify the appropriate police agency; and
 - b. ensure the external police agency is aware of which members to liaise with for additional information.
4. When there is sufficient evidence to support a criminal charge, the Duty Officer shall consult with the external police agency and determine the investigation procedures to be followed.
5. In situations where time is of the essence, none of the foregoing shall deter any member who believes that a danger exists, from taking appropriate action to ensure the safety of the threatened member and family. Appropriate action will usually be the following:
 - a. advising the threatened member personally; and
 - b. requesting assistance from the police agency in the jurisdiction where the threatened member resides.



1.6 Incident Investigations

1.6.39 (iii) Threats to Peace Officers, Officers of the Court and Judges

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.40 High Risk Offenders - Unlawfully At Large

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.41 U.S. Investigations

(Effective: 2001.07.11)

POLICY

Vancouver Police Department members shall not undertake any investigative activity in a foreign country without the explicit consent of that country, obtained through proper channels.

PROCEDURE

Liaison Visits to USA

1. A liaison visit by a member to a police agency in the USA does not require notification to the U.S. State Department, provided it is not for the purpose of conducting a criminal investigation.

Investigations, Enquiries or Surveillance in the USA

2. US Federal Criminal Code and Rules require that the Department of Justice be notified before travel to the USA for investigative purposes; it is not enough to inform only the host US police agency.
 3. When a member is planning to visit the United States for the purpose of conducting an investigation, whether it be an enquiry or surveillance, the RCMP Liaison office in Washington DC may be contacted directly for assistance in notifying the US authorities. This should be done at least two days prior to date of intended travel unless it is an emergency. They may be reached at xxx (24 hours) or at the Liaison Officer (LO) cellular numbers xxx. The request may also be faxed at xxx. Members are not to make this contact directly, but are to request arrangements be made through the Deputy Chief Constable Commanding Investigation Division or designate. The following information shall be provided:
 - a. Names of the member(s) making the visit;
 - b. Dates of travel (departure and return);
 - c. Brief description of investigation to be conducted;
 - d. Host police agency in the USA; and
 - e. Contact person with the identified agency.
 4. Alternatively, assistance may be sought from the Foreign and Domestic Liaison Unit, based at RCMP "E" Division HQ, on a 24-hour basis at telephone/pager xxx-xxx-xxxx. They will assist in filing the necessary information with the US authorities.
 5. Under no circumstances should firearms be conveyed into the United States. All firearms shall be checked in at the U.S. Customs office at point of entry, to be retrieved upon re-entering Canada.
 6. When conducting enquiries in the USA, members should be accompanied by a police officer from the host U.S. police agency, to avoid any confusion and to comply with the spirit of their legislation.
- ##### **Investigations in Foreign Countries Other Than USA**
7. When a member is planning to visit a country other than the United States for the purpose of conducting an investigation, the Interpol office in Ottawa shall be contacted for assistance in filing the required information with authorities in that country at least three weeks in advance of travel. They may be contacted by telephone at xxx or Fax xxx or by CPIC at ORI ON-10059. Members are not to make this contact directly, but are to request arrangements be made through the Deputy Chief Constable Commanding Investigation Division or designate.



1.6 Incident Investigations

1.6.42 (i) Unoccupied Stolen Vehicles

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.42 (ii) Stolen Rental Vehicles

(Effective:)

1. Due to the contractual nature of agreements entered into by both parties when renting or leasing a motor vehicle or trailer, theft complaints will not be taken by the Department until thirty days after the agreed return date.
2. All theft complaints regarding rental or leased vehicles received by the Department shall be referred to the Auto Theft Squad in the first instance. If it is appropriate to take a stolen auto complaint, the NCO i/c Auto Theft Squad shall notify E-COMM to have a member attend to take the victim's complaint.
3. Members locating a rental or leased vehicle being driven which has been reported stolen on CPIC shall initiate a criminal investigation unless the member is provided information which indicates that it would not be appropriate to do so. Where a criminal charge is not supportable, the member shall detail the circumstances in the GO report.



1.6 Incident Investigations

1.6.42 (iii) Vehicle Identification

(Effective: 2006.10.20)

1. Members investigating an incident where the identity of a vehicle is in question shall impound the vehicle according to section 1.10.12 (ii) Regulations and Procedures Manual - Impound For Investigation.
2. Members shall ensure the GO report is forwarded to the Stolen Auto Squad, and includes a text page requesting vehicle identification.
3. In the case of a vehicle that has been burned, the member shall ensure the report is forwarded to the Arson Investigator.
4. The Stolen Auto Squad or Arson investigator will be responsible to identify the vehicle. If further assistance is required, they will contact the ICBC Vehicle Identification Unit.



1.6 Incident Investigations

1.6.43 (i) General Procedure - Warrants

(Effective: 2005.11.04)

POLICY

The Vancouver Police Department (VPD) has a duty to make all reasonable efforts to execute arrest warrants issued pursuant to VPD requests for charges in a timely manner. Further, the VPD must record all of the steps taken to locate individuals wanted on these arrest warrants in the Versadex RMS. Failure to meet this responsibility may unnecessarily put the public at risk, create a civil liability for the Department, and create a defence for accused parties where their trial does not occur within a reasonable time following the alleged offence.

PROCEDURE

First Instance Warrants

1. When a Vancouver warrant is issued in the first instance, a CPIC warrant clerk will enter the warrant into the Versadex RMS and a follow up will be sent to the original unit/section that requested the warrant.
2. The NCO in charge of the originating section shall review the follow-up and assign it to the officer who requested the warrant (lead investigator) or to another member of that section if the lead investigator has transferred or retired.
3. Once an officer is assigned a follow up, the officer must attempt to locate the person named in the warrant. Officers should consider using various data bases to assist in locating the accused. If it is determined that the wanted person lives outside VPD jurisdiction, the officer must CPIC the appropriate agency to advise them that the wanted person is living in their jurisdiction and to request assistance in executing the warrant.
4. At the completion of the investigation, members shall complete a PS - Police Statement text page in the Versadex RMS outlining all the steps they took to locate the wanted person.



1.6 Incident Investigations

1.6.43(ii) Search Warrants and Production Orders

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.43 (iii) Surreptitious Entry

(Effective: 2000.09.05)

1. It is appropriate for a police officer to enter a dwelling house either by invitation or proper legal authority. Proper legal authority includes: Search Warrants, certain provisions of the Controlled Drugs and Substances Act or Official Secrets Act, the Privacy Provisions of the Criminal Code and such authority as may be found in any Federal or Provincial Act giving authority or as given in Case Law.
2. Entering a premises without invitation or proper legal authority may result in disciplinary action. Entering a premises and committing a criminal offence, albeit technical, provides grounds for prosecution.



1.6 Incident Investigations

1.6.43(iv) Telewarrants

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.6 Incident Investigations

1.6.43(v) Walk-Through Warrants

(Effective: 2017.03.07)

POLICY

Violent crimes against members of the public continue to be a high priority for the Vancouver Police Department (VPD). Suspects involved in violent crimes must be arrested as soon as possible in order to protect victims and witnesses of offences. In cases where there are threats of violence, or when a violent crime has occurred and the accused cannot be located, officers shall use the Walk-Through Warrant process to ensure that a warrant for the accused is issued immediately. This will notify all police agencies that the accused is wanted and must be arrested for the alleged crime during any police contact.

PROCEDURE

Courthouse Business Hours

Crown Counsel Charge Approval Office Hours:

Monday to Friday 08:00 - 18:30

Saturday, Sunday & Statutory Holidays 08:00 - 10:30

1. The investigating member shall complete a General Occurrence (GO) report to Crown counsel and submit it to the Station NCO for approval. The completed GO report must include the offender's CPIC Level 1 and all related attachments. The member must indicate in the GO report that they are requesting a Walk-Through Warrant. Lead Investigators from specialty units who have authority to approve their own reports shall directly attend Crown Liaison Unit (CLU).
2. Once the report is approved by the Station NCO, the member shall proceed to CLU with the GO report and all related attachments, and advise that they are requesting a walk-through warrant. CLU staff shall upload the GO report into JUSTIN and provide the member with any documents required by Crown Counsel Charge Approval.
3. The member shall take the GO report attachments to the Crown Counsel Charge Approval office:
 - 5th Floor 222 Main St. for Provincial Crown (Adult)
 - 800 Hornby St. for Provincial Crown (Youth)

The member shall inform the Crown Counsel Charge Approval office that they are submitting a walk-through warrant request and ask that Crown Counsel review the GO report for immediate charge approval. The member shall be available to the Crown Counsel Office until Crown decides to lay a charge; Crown Counsel may provide the member with a time estimate, and the member may choose to leave a contact cell phone number to maximize time efficiency in the interim.

4. Once Crown Counsel has laid the charge, the member shall take the information and associated Crown Counsel file to the Justice of the Peace (JP) office located on the 2nd floor of 222 Main St. during business hours (before 16:00 hrs).
5. The member shall inform the JP that they wish to swear an Information for an arrest warrant and that Crown Counsel has already approved the charge. The member shall provide the JP with facts about the case including reasonable grounds to believe that the accused committed the offence, and the reason why an arrest warrant is required.
6. The member shall swear/affirm the Information before the JP, and upon issuance of a warrant, the JP will generate the warrant electronically and send this to the CPIC Management Unit (CMU) directly through the JUSTIN Court Incoming inbox.



7. The member shall complete a Police Statement Page (PS) text page in the GO report and explain that the charge was approved and that an arrest warrant has been issued and entered on CPIC. The member must ensure their PS text page has been routed to the 'HCROWN' handle.

After Courthouse Business Hours

Justice Center Hours: 08:00 - 23:00, 7 days a week

8. The investigating member shall complete a GO report and submit it to the Station NCO for approval. The member shall provide the Station NCO with all related attachments including the accused's CPIC Level 1 any applicable court orders and advise that they are requesting a walk-through warrant.
9. The Station NCO will review the report to ensure it meets all the necessary PRIME/JUSTIN requirements. Lead Investigators from specialty units who have authority to approve their own reports shall ensure that the report meets all necessary PRIME/JUSTIN requirements.
10. After Crown Counsel Charge Approval business hours, but prior to night-time closure of the Justice Center at 23:00hrs, the member shall advise the Jail NCO that they will be attending for a walk-through warrant. Members shall bring a copy of the GO report and attachment envelope when they attend the Jail.
11. The Jail NCO shall provide the member with a Criminal Code, blank information sheet, prisoner booking sheet (provides tombstone information to the Judicial Justice (JJ)) and a fax cover sheet. The member shall prepare a proper information for the charge requested (the Jail NCO will assist the member with this process) and fax the on-call JJ with the information sheet and the prisoner booking sheet.
12. When the member is contacted by the JJ (by telephone), they will provide the JJ with facts about the case, so the JJ can be satisfied that:
 - a. an offence has occurred;
 - b. the member has exhausted all means to locate the accused;
 - c. a warrant is required immediately; and,
 - d. a warrant is required to satisfy public interest and/or safety of the victim.
13. If the JJ is satisfied that the standard for charge approval is met and a warrant must be issued immediately, the member will swear/affirm the Information for the charge and arrest warrant. The JJ will fax a copy of the arrest warrant to the Jail NCO. The Jail NCO will then fax the warrant to the Transcription and CPIC Support Unit (TCSU) for upload to CPIC, and submit a copy as an attachment in the RTCC.
14. Shortly after sending a copy of the warrant to CPIC, but prior to the end of their shift at the latest, the member shall contact the TCSU and ensure that the warrant is entered on CPIC. The member shall place the attachments and the copy of the Information in the mailbox located outside the CLU office for processing the next morning.
15. The member shall complete a Police Statement (PS) text page in the GO report and explain that an Information was laid and that an arrest warrant was obtained and entered on CPIC. The member must ensure their PS text page has been routed to the "HCROWN" handle.
16. After Crown Counsel Charge Approval and Justice Center hours (ie., between 23:00 - 08:00), members shall consult with their supervisor or the Station NCO to determine whether a walk-through warrant is exigently required (e.g. the accused poses imminent, serious danger to a victim and police must take every measure to ensure immediate arrest. The exigent threshold does not generally include process hearing.) In this case, they may then request the Duty Officer contact the E-Division Regional Duty Officer for the on-call JP to be called out.

Charges or Arrest Warrant Not Approved

17. If requested charges are not approved, the member should discuss the reasons for the no-charge decision with the Crown Counsel who made the decision, and document this in their RTCC. The member should notify their Supervisor with regard to the disposition of the case. If a member wishes



to appeal a no-charge decision, the procedure is detailed in RPM Section 2.7.7: Appeal of a Crown Charge Assessment Decision.

18. If the JP/JJ does not approve the arrest warrant, the member shall make any changes suggested by the JP/JJ to the file and re-apply. If, even with further investigation, the JP/JJ does not believe that there are enough grounds to issue an arrest warrant, the member shall document this in the GO report and submit the original witness statements for scanning. The member should consult their Supervisor with regard to the disposition of the case.

Supervisor Notification

19. In all circumstances the member shall notify their Supervisor once the Walk-Through Warrant process has been completed. The member shall submit a PS page in the GO report documenting the notification.

K- File General Occurrence Reports

20. Members shall present all K-File (domestic violence) GO reports and attachments where charges are sought to the Station NCO, regardless of the custodial status of the charged/accused person. Under no circumstances shall members place a warrant (K-file) or other process request in the Station NCO drop box without notifying the Station NCO. This includes all breach type files related to an original K-file occurrence. Lead Investigators from specialty units shall refer to the Business Hours and After Hours procedures.



1.6 Incident Investigations

1.6.43(vi) Executing Warrants to Arrest

(Effective: 2017.03.07)

PROCEDURE

1. When a person wanted on a warrant of arrest comes to the attention of the police, the police officer is required to follow the directive of the issuing judge, justice of the peace or court in executing the warrant. A police officer may arrest a person who is wanted on a current and valid warrant of arrest in that territorial jurisdiction, as per section 514 CC.
2. Under section 511 of the Criminal Code, if a wanted person makes arrangements to surrender him or herself to the police or the courts, arrangements can be made to execute the warrant in that manner. Officers must take into account the reason why the arrest warrant was issued, the person's history in regards to failing to attend court and any other factors that the officer feels are important in determining if the person should be allowed to turn themselves in.
3. For all warrants, but particularly for Traffic Bench Warrants, Warrants of Committal and Warrants of the Provincial Court of BC, Family Division, if the officer believes that the person named in the warrant may no longer be liable to arrest because the terms of the warrant have been met, the officer is obligated to fully investigate the matter. If unable to resolve the issue, the officer shall consult with an NCO prior to booking the person into the Vancouver jail.
4. A Justice of the Peace or the Police Jail Supervisor may release persons arrested on warrants for any police department.
5. The arresting officer shall submit a General Occurrence (GO) report documenting the circumstances of the warrant arrest, including where the warrant originated and the associated file number, a description of the arrested person and disposition (lodged in jail, released by OIC, etc.) and route the GO to CPIC to ensure it is removed from CPIC once executed. If the warrant originates from a VPD file, the arresting member may supplement the associated file number with the warrant arrest information and ensure this is routed to CPIC.



1.6 Incident Investigations

1.6.43 (vii) Warrants Originating Outside of Canada

(Effective: 2001.05.23)

POLICY

When a member encounters a person wanted on a warrant that originates outside of Canada **there is no power of arrest**. An Extradition Warrant must be obtained by the Department of Justice from a Supreme Court Judge before a fugitive can be arrested or detained in Canada on an outstanding foreign warrant. This does not preclude the officer from exercising their powers of arrest under any other Canadian statute and awaiting the extradition warrant while the party is in custody on that other matter.

PROCEDURE

1. A member who encounters a person wanted on a foreign warrant shall:
 - a. Not arrest unless the person is arrestable for an offence committed in Canada;
 - b. Obtain all necessary particulars of the individual and include how identity was determined and confirm the person's address for follow-up;
 - c. Contact the Immigration Duty Officer to ensure that the person is not of interest to them. The Central Dispatcher and the Vancouver Jail Police NCO have phone numbers for the Immigration Duty Officer;
 - d. During daytime hours contact the Department of Justice to ensure that an extradition process has not commenced or that an extradition warrant has been issued but has not yet been entered on CPIC. If after hours, ensure the Department of Justice is advised by their next working day;
 - e. If the individual is wanted for a serious offence advise their Supervisor of the particulars;
 - f. Ensure that the originating agency is advised immediately or prior to the end of the member's shift, of the whereabouts of the individual wanted. This is done through CPIC; and
 - g. Submit a GO report outlining the details of the check and actions taken. Route a copy of the report to the appropriate sections e.g. Strike Force, Violent Crime Section, OCA or any other section the member believes would be appropriate.
2. A Supervisor may:

Consider using surveillance in cases where an individual is wanted on a foreign warrant for a serious offence. Any decision to take action must incorporate that it is not possible to detain individuals unless they are arrestable for an offence committed in Canada or an extradition warrant is in effect.



1.6 Incident Investigations

1.6.43(viii) Traffic Bench Warrants

(Effective: 2017.03.07)

Definitions:

Traffic Bench Warrant - A bench warrant that is issued by a judge, for failure to attend a court appearance in relation to a traffic-related offence (such as an MVA or bylaw charge), or failure to comply with a court order to pay a traffic fine or bylaw ticket within a specified time.

Warrant of Committal - a legal term allowing a judge to enforce an order against a person/corporation that has refused/neglected to comply with a court order in a fixed period of time. This may include a court order to pay a fine. A warrant of committal directs peace officers to arrest a person who has ignored the conditions or judgement issued by a court, and hold them in custody for a specified period of time or until a fine is paid, as directed by the warrant.

PROCEDURE

1. Persons arrested on Warrants of Committal shall be given the opportunity to pay the outstanding money owed.
2. Persons arrested on Traffic Bench Warrants, either endorsed or unendorsed, shall be given the opportunity of paying the indicated fines. The person shall be advised that:
 - a. Payment of the fine by themselves or another person will finalize the matter, thereby relinquishing the right to dispute the allegations; and
 - b. If they wish to dispute the allegations, the Vancouver Jail NCO may release them on a Promise to Appear provided the Warrant is endorsed.
3. The accused may make payment of fines to the Court Registry during business hours. During the hours that the office is closed, cash payments shall be collected by the Vancouver Jail NCO and a Provincial Court Receipt issued to the arrested person. The Court Registry Cashier will attend the Jail to collect monies paid during business hours.
4. The Vancouver Jail NCO may collect payments respecting Warrants of Committal and Traffic Bench Warrants for outside jurisdictions when the J.P.'s office is closed. The amount to be collected will be the amount indicated in the CPIC reply to our request for confirmation of the Warrant. On receipt of payment the Vancouver Jail NCO shall ensure that a CPIC message is sent to the police agency in question to cancel the Warrant, quoting the Provincial Court Receipt number. The CPIC message shall include a request for the police agency to acknowledge the message.
5. Upon execution of the Warrant, the arresting member shall submit a General Occurrence report.



1.6 Incident Investigations

1.6.44 Theft Of Income Assistance Cheques or Funds

(Effective: 2001.05.22)

1. Members investigating an incident where an income assistance recipient is deprived of money or a cheque by way of an alleged criminal offence shall submit a GO report.
2. When there are grounds to doubt the legitimacy of the complaint, the member's suspicions shall be included in the GO report. The victim's social worker and Ministry of Human Resources office shall be indicated in the report.
3. When welfare recipients lose their cheques, a phone-in report may be taken.



1.6 Incident Investigations

1.6.45 Workplace or Industrial Accidents

(Effective: 2006.04.24)

POLICY

The Vancouver Police Department (VPD) is committed to investigating all sudden deaths and serious injuries relating to industrial or work-place accidents. Officers shall liaise with investigators from the Worker's Compensation Board (WCB) and the BC Coroner's Service when conducting an industrial or work-place accident investigation related to a sudden death or serious injury.

PROCEDURE

1. Police officers attending a sudden death or serious injury that is the result of an industrial or work-place accident shall secure the scene for evidence and separate any potential witnesses.
2. Police officers shall notify the Patrol Supervisor about the sudden death or serious injury, who will ensure that the WCB (Workers Compensation Board) and the Coroner are notified as soon as possible.
3. The Forensic Identification Squad (FIS) shall be notified and attend all industrial or work-place accidents that result in death or serious bodily harm and photograph the scene. Where FIS is not available to attend the scene, details shall be recorded.
4. The Supervisor shall notify the Duty Officer about the sudden death or serious injury.
5. If the death or injury appears suspicious or criminal in nature it shall be immediately reported to MCS Homicide (RPM Section 1.7.6 - Major Crime Scene Responsibilities).
6. If the death or injury does not appear to be the result of criminal behaviour, the WCB investigator will assume control of the investigation at the scene and may require further assistance from the police. Officers shall obtain the name of the WCB investigator and the WCB file number and include that information in the GO report.



1.6 Incident Investigations

1.6.46 Noisy Party Out of Control

(Effective: 2007.04.26)

POLICY

1. For the purpose of this procedure, a 'party out of control' is a party that has exceeded being a simple noisy party and requires immediate police intervention to restore peace to the community. These occurrences are characterized by, but not restricted to:
 - a. Persons trespassing or causing damage to other property;
 - b. Participants outside a dwelling house causing a disturbance as defined in the Criminal Code; and
 - c. Participants committing other federal, provincial or municipal offences.
2. Where a member attends a complaint of a party and classifies it as a 'party out of control', the member shall request the attendance of a NCO.
3. The NCO shall:
 - a. Gather any needed information concerning the party including the numbers, ages and actions of participants;
 - b. Consider the appropriate response to the party and the number of members required to handle the situation;
 - c. If the problem appears to require a major response, contact and advise the Duty Officer; and
 - d. Consider having a member of the Forensic Identification Squad attend. The member can be requested to take photographs of criminal activity or, if a large number of arrests are made, of members and suspects to assist in identification at trial.
4. Generally, the NCO shall first deal with those persons not inside the premises, through detention or other means. Consideration may be given to use of Breach of the Peace, Liquor Control and Licensing Act and other powers to remove persons from the scene.
5. Where there has been a widespread breach of the peace, any person who fails to comply with the direction of a member to leave the area may be arrested (i.e. for breach of the peace or obstructing police) if the member is of the opinion, formed on reasonable and probable grounds, that the continued presence of that person will result in the commission of further offences or a breach of the peace.
6. The NCO shall not authorise the members under their command to enter the residence at the centre of the complaint until the following criteria have been met
 - a. All reasonable efforts have been made to contain or eliminate the problems outside the residence;
 - b. It is apparent to the member that the party cannot be brought under control by any other means; and
 - c. Entry can be justified on a legal basis.
7. If at any point, the NCO determines that the party has become an unlawful assembly or a riot, the NCO shall request the Duty Officer to attend the scene.
8. If upon attendance, the Duty Officer determines that the party has become an unlawful assembly or a riot and that criminal provisions are needed to bring the party under control, the Duty Officer or their designate shall:
 - a. Advise the participants, by loud speaker or other means, that the party has become an unlawful assembly and that all persons who have not left in the next five minutes (time can be varied to suit circumstances) will be subject to arrest and prosecution;
 - b. Allow participants a clear exit and have members encourage persons to leave the area; and
 - c. After reasonable efforts have been made to clear the area, exercise arrest power to remove remaining persons.
9. Whenever these 'Party Out of Control' procedures are used, the NCO shall submit a full report through the Chain of Command to the Chief Constable.



1.6 Incident Investigations

1.6.47(i) Child Under 12 Acting Contrary to Law

(Effective: 2001.05.23)

1. When a child under 12 acts contrary to the law, he or she may be taken by a peace officer and delivered to a parent. A written or verbal referral shall be made to the Ministry of Children and Families under the following circumstances:
 - a. The parent indicates total disregard or a lack of concern
 - b. The parent shows despair or cannot act for some reason
 - c. The child is involved in a crime of violence, extreme vandalism or repeated occurrences of criminal behaviour, or exhibits indications of severe underlying problems
2. When a parent indicates that they will abuse the child by way of excessive discipline, the member shall immediately take charge of the child and deliver that child into the custody of the Director of Family and Children's Services Division (local Ministry of Children and Families).
3. In all cases, if the child has killed, assaulted or endangered another person, the incident must be reported prior to the end of shift to the Director or the person designated by the Ministry of Children and Families as required under the Child, Family and Community Service Act. A member shall document the incident and note that it was reported to the Ministry of Children and Families on a GO report.



1.6 Incident Investigations

1.6.47(ii) Charges and Arrests - Young Persons

(Effective: 2019.12.19)

POLICY

When there is sufficient evidence to charge a young person with an offence, the investigating officer may use their discretion in conjunction with the requirements of the *Criminal Code* and *Youth Criminal Justice Act (YCJA)* to determine which process should be used to compel court attendance and ensure public interest.

The *YCJA* provides a legal presumption that for first time property offenders, extrajudicial measures will hold the youth accountable. Extrajudicial measures include: taking no further action, a verbal warning, a referral to a community program, or a Crown Counsel Extrajudicial Sanction (including warning letters or programs). For subsequent property offences or violent crimes, the matter may be resolved by an extrajudicial measure by police or Crown, or by referral to Crown Counsel for charge approval. The arrest of a young person is no different than that of an adult in that a public interest concern must be present. While the *YCJA* directs police officers to use discretion, officers may be called upon to justify their discretionary decisions.

For information on young persons arrested HSIPP or Breach of the Peace, refer to RPM Section 1.6.47(iii): Intoxicated Youth.

The provisions of RPM Section 1.4.6: Arrest of Persons with Injuries or other Apparent Medical Risks apply to young persons who are injured or are questionable medical risks.

Youth Court is located at 800 Hornby Street and the telephone number is xxx. The Youth Court holding cells may be accessed by entering the first off-ramp south of Georgia Street on the east side of Howe Street. Once down the off-ramp, the holding cells are approximately 150 metres on the right side of the ramp.

PROCEDURE

Minor Case - No Further Action

1. In minor cases where no further action is taken, officers shall:
 - a. Submit a GO report;
 - b. Enter the young person with the role code of "YTH - SUS CHG" (Youth - Suspect Chargeable);
 - c. Ensure that the young person is indexed in the linkage screen under "Accused Status" as "Other Means";
 - d. Specify the "Study flag" as "U" on the GO to ensure the report is forwarded to the Youth Services Program Coordinator; and
 - e. Specify the CCJS status as "O" for Departmental Discretion on the front page/conclusion block.

Minor Case - Warning

2. In minor cases where a verbal warning is given to the young person, officers shall:
 - a. Submit a GO report;
 - b. Enter the young person with the role code of "YTH-SUS CHG";



- c. Ensure that the young person is indexed in the linkage screen under “Accused Status” as “Warning”;
- d. Specify the “Study flag” as “U” on the GO report; and
- e. Specify the CCJS status as “O” for Departmental Discretion on the front page/conclusion block.

Community Program

3. When determining whether it is an appropriate case for a community program, members shall:
 - a. Make an assessment of the young person’s willingness to participate in alternative measures;
 - b. If the investigating officer feels it is an appropriate case for a community program, the member shall make that recommendation in the report, and indicate study field “U” on the front page of the GO report;
 - c. Contact VPD’s Youth Referral Coordinator or click on the following link for information on youth referrals: <http://ipar.vpd.bc.ca/Youth/ReferralCoordinator.htm>;
 - d. Index the young person in the linkage screen under “Accused Status” as “Youth Referred” with the role code of “YTH-SUS CHG”; and
 - e. Indicate the CCJS status of “R” for Alternative Measures on the front page/conclusion block.

Extrajudicial Sanction

4. If the investigating officer feels it is an appropriate case for a referral to an Extrajudicial Sanction through Crown Counsel, the member shall:
 - a. Make that recommendation in the report;
 - b. Specify the study field as “U” on the front page of the GO report;
 - c. Index the young person on the linkage screen under “Accused Status” as “Referral to Extrajudicial Sanctions Program” with the role code of “YTH-CHARGED”;
 - d. Leave the charge section blank;
 - e. Specify the CCJS status as “R” for Alternative Measures on the front page/conclusion block; and
 - f. Forward the GO report to Crown Counsel.

Summons

5. Where the investigating officer feels it is an appropriate case for a summons, the member shall:
 - a. Make that recommendation in the report;
 - b. Specify the study field as “U” on the front page of the GO report;
 - c. Index the young person on the linkage screen under “Accused Status” as “Charged or Charges Recommended,” with the role code of “YTH-CHARGED”;
 - d. Specify the CCJS status as “C” for Charged on the front page/conclusion block; and
 - e. Forward the GO report to Crown Counsel.

Appearance Notice (AN) or Undertaking - Young Person

6. Members are to utilize the same forms as for adults, to denote that the form is being used for a young person, members must tick the checkbox (“A Young person within the mean of the Youth Criminal Justice Act) at the top of the form.
7. For information on how to complete an AN or Undertaking, refer to RPM Section 1.5.1: Issuing Appearance Notices (ANs) (Federal & Provincial) and Undertakings.
8. Probation prepares a pre-court report, and therefore the young person must be given a reporting condition on their undertaking. Check off the reporting box and enter “You must report to Youth Worker at 800 Hornby Street in the Province of British Columbia on the next business day before 1600 hrs and afterwards as required”.



9. As per section 28.1 of the YCJA, a peace officer, youth justice court judge or a justice shall not detain a young person in custody or impose a condition in respect of a young person's release by including it in a an undertaking or release order as a substitute for appropriate child protection, mental health or other social measures.

Court Appearance: Location and Times

10. When youths are released on an Undertaking or AN:
 - a. For Provincial matters, the court time and location shall be 9:30 am on Thursdays in Courtroom 101, 800 Hornby Street, Vancouver, BC. For Federal matters, the court time and location shall be 9:30 am on the first and third Thursday of the month in Courtroom 101, 800 Hornby Street, Vancouver, BC.
 - b. The court date shall be chosen based on the requirements of the investigation and to meet court administrative needs. Members shall allow a minimum of six (6) calendar weeks, but no longer than 3 months (for more complex investigations), between the date the AN or Undertaking is issued and the initial court appearance.

Fingerprints and Photographs

11. Members shall ensure that all young persons aged twelve to seventeen years inclusive, charged under the Youth Criminal Justice Act with an offence proceeded with by indictment under the Criminal Code, are fingerprinted and photographed. If members fail to have a young person fingerprinted, a conviction for that offence will not form part of their criminal record.
12. When youths are released on an Undertaking or AN:
 - a. Fingerprinting and photographs should occur one week prior to the court date.
 - b. Fingerprinting takes place Monday to Friday, except holidays, at 1300 hrs at the Vancouver Police Department, 2120 Cambie Street.

Notifications

13. The investigating officer shall make notifications regarding the arrest or interim release for a young person as follows:
 - a. If the young person is arrested and detained in custody pending their appearance in court, the arresting officer or Jail NCO shall, as soon as possible, give or cause to be given to a parent, adult relative, or adult who is known to the young person and is likely to assist, orally or in writing, notice of the arrest stating the place of detention and the reason for the arrest;
 - b. Officers shall notify the Jail NCO of the young person being held in custody.
 - c. In the event notification cannot be made verbally, a VPD 262 (Notice to Parent) shall be sent by registered mail;
 - d. If the young person is released on an Appearance Notice, then a parent, adult relative, or adult who is known to the young person and is likely to assist, shall be advised in writing, using the VPD 262 (Notice to Parent). In the event the VPD 262 cannot be personally served, it shall be sent by registered mail. A YTH023 (Affidavit of Service) shall also be served on the young person, and the young person's parent, adult relative, or adult who is known to the young person and likely to assist. In the event service cannot be made in person, a YTH023 (Affidavit of Service) shall be sent by registered mail;
 - e. If a young person is released on an Undertaking, the arresting officer or the Jail NCO, shall, as soon as possible, verbally inform the parent of the young person or give or cause to be given to a parent of the young person notice in writing, using the VPD 262 (Notice to Parent) of the Undertaking.
14. Officers requiring a form VPD 262 (Notice to Parent) or YTH023 (Affidavit of Service) to be sent by registered mail shall do so as follows:



- a. During normal business hours attend the Mail Room, 3585 Graveley Street, to make the necessary arrangements;
 - b. Outside of business hours, attend the Mail Room, 3585 Graveley Street. Access the mail room using your building pass. Place the documents to be mailed in an addressed envelope, and leave the envelope on the mail room desk. Clearly indicate to mail room staff that it is to be sent via registered mail, along with officer's name, PIN, and section so a receipt/tracking number may be forwarded.
15. If a charged young person is a Ward of the Director of Children and Family Development, the investigating officer shall advise the Ministry for Children and Families, Emergency Services, of the arrest or possible summons either verbally or in writing prior to the end of the investigating officer's tour of duty using a VPD 262 (Notice to Parent).
16. It shall be noted in the GO report the name and relationship to the young person of the responsible adult advised.
17. Officers should not tell young persons or their parents that they will receive a summons or that extrajudicial measures will be implemented. Officers may inform them that they are making a recommendation for or against extrajudicial measures. The final decision rests with Crown Counsel. A youth worker will contact the parent(s) and advise them of what action will be taken.

Jail Procedures for Young Persons

18. When a young person has been arrested in Vancouver, and a determination has been made to not release, the following procedures must be followed:
- a. The arresting officer shall obtain approval by a Patrol NCO to have the young person(s) transported to the Vancouver Jail. The arresting officer shall ensure that the VPD 602 Jail Arrest Report is complete and has the word "YOUTH" clearly marked at the top of the form. The name and PIN of the authorizing NCO shall be included at the top of the form;
 - b. The Patrol NCO who approved the transport of the young person(s) to the Vancouver Jail shall contact the Jail NCO at xxx to inform the Vancouver Jail of the incoming young person(s);
 - c. The young person shall be transported to the Vancouver Jail (refer to RPM Section 1.12.1(iii): Transportation of Persons in Custody);
 - d. The transporting officer shall leave the young person(s) in the wagon and buzz the Vancouver Jail Youth intercom to notify control that a young person(s) is in the wagon;
 - e. The transporting officer shall then remove one young person, search the young person at the Sally Port search station and buzz the Youth Intercom when the young person is ready to be turned over to the Vancouver Jail Staff. The VPD 602 and prisoner property shall be turned over to Jail Staff;
 - f. The Vancouver Jail will only accept one young person at a time. If the wagon has multiple young parties for admission, they shall be processed one at a time.
19. When a young person is transported to the Vancouver Jail on a new charge:
- a. The Jail Staff shall book the young person into the Vancouver Jail, provide access to counsel, and maintain care and control of the young person. Young persons shall not be fingerprinted or photographed until an information is sworn;
 - b. The young person will either:
 - Be released by the Jail NCO with or without conditions or be taken before a Justice and released with or without conditions;
 - Be transported to Youth Court between the hours of 0730 - 1300 Monday to Friday unless Youth Crown approves otherwise. Youth Crown can be contacted at xxx during regular business hours; or
 - Be transported to the Burnaby Youth Secure Custody Centre outside of Youth Court hours until 2200 hrs. After 2200 hrs the young person will be held for Youth Court until 0730 hrs.
20. When a young person is transported to the Vancouver Jail on a warrant:
- a. The Jail Staff shall book the young person into the Vancouver Jail, provide access to counsel, and maintain care and control of the young person;



- b. Once the appropriate documents have been obtained by the Jail Staff, the young person can be fingerprinted and photographed;
- c. The young person will either:
 - Be released by the Jail NCO with or without conditions or taken before a Justice and released with or without conditions;
 - Be transported to Youth Court between the hours of 0730 - 1300 Monday to Friday unless Youth Crown approves otherwise. Youth Crown can be contacted at xxx during regular business hours; or
 - Be transported to the Burnaby Youth Secure Custody Centre at 7900 Fraser Park Drive in Burnaby outside of Youth Court hours, until 2200 hrs. After 2200 hrs the young person will be held for Youth Court until 0730 hrs.
21. Officers shall ensure that all young persons aged twelve to seventeen years inclusive are fingerprinted and photographed, when charged with an offence which may proceed by indictment under the *Criminal Code*, prior to being transported to Youth Court or the Burnaby Youth Secure Custody Centre at 7900 Fraser Park Drive in Burnaby.
22. The Jail NCO shall ensure that the Burnaby Youth Secure Custody Centre is contacted (phone xxx) and advised that a young person is enroute. The escorting member shall fill out the admission form at the Burnaby Youth Secure Custody Centre.

Failure to Comply with Summons, Appearance Notice, Undertaking, Release Order - Young Persons

23. The *Criminal Code* authorizes a police officer to arrest without warrant, anyone whom they have reasonable grounds to believe has failed to comply with or is about to fail to comply with a summons, appearance notice, undertaking, release order or fails to attend court (as required).
24. A member shall arrest a person who fails to comply with conditions that are related to individuals having no contact with victim(s) or witness(es) in regards to intimate partner violence and serious incidents.
25. As per section 4.1 of the YCJA, extrajudicial measures are presumed to be adequate to hold a young person accountable for failures to comply unless
 - a. the young person has a history of repetitive failures to comply; or
 - b. the young person's failure to comply caused harm or risk of harm, to the safety of the public
26. In cases referred to in paragraph (a) and (b),
 - a. extrajudicial measures should be used if they are adequate to hold the young person accountable for the failure to comply
 - b. if the use of extrajudicial measures would not be adequate under paragraph (a) but issuing an appearance notice under section 496 (judicial referral hearing) of the *Criminal Code* as an alternative to proceeding by charge would be adequate, then the applicable alternative should be used.

Judicial Referral Hearings (JRH) - Young Persons

27. For information on how to fill out an AN for a JRH, refer to RPM Section 1.6.49: Failure to Comply with (Breach of) Undertaking, Release Order, Conditional Sentence Order, or Probation Order.
28. For Provincial Youth Court matters, the location for a JRH AN shall be 9:30 am on Thursdays in Courtroom 101, 800 Hornby Street, Vancouver, BC.



1.6 Incident Investigations

1.6.47(iii) Intoxicated Youths

(Effective: 2015.04.01)

POLICY

The VPD is obligated to ensure that persons who are unable to care for themselves due to intoxication are cared for. There are two statutes that assist a police officer in meeting this obligation:

- Section 41 of the *Liquor Control and Licensing Act* (LCLA) authorizes a peace officer to arrest any person found to be intoxicated in a public place.
- Section 91(1) of the *Offence Act* provides peace officers the authority to take into custody a person who is intoxicated in a public place.

A person may be arrested under section 41(2) of the *Liquor Control and Licensing Act* (LCLA) if intoxicated by alcohol, or a combination of both alcohol and drugs.

A person may be taken into custody under section 91(1) of the *Offence Act* if intoxicated by drugs, alcohol, or a combination of both.

A person may be taken into custody under section 91(1) of the *Offence Act* if intoxicated by drugs alone.

Section 91(3) of the *Offence Act* provides police the authority to hold a person arrested under Section 41 LCLA or Section 91(1) of the *Offence Act* in custody (H/SIPP) without charge until such time as the person is able to take care of themselves and have recovered sufficient capacity so as not to cause a nuisance. The young person shall be released sooner, if an application is made by an adult who appears to be capable of taking charge of the person, into the charge of the applicant.

Definition of Intoxication:

Case law (*Besse v. Thom* (1979) D.L.R. (3d) 657 (B.C. Co. Crt)) provides the following definition of "Intoxication":

"The condition of being stupefied or drunk from the consumption of alcohol or drugs to such a marked degree that a person is a danger to himself or others or is causing a disturbance."

PROCEDURE

1. Normally, young persons (less than 18 years) shall be released to their parent/guardian. The provincially designated Vancouver Detox Centre and Sobering Unit (377 East 2nd Ave) will accept cooperative young persons arrested H/SIPP (alcohol and/or drug) if the parent, guardian or responsible adult cannot be located.
2. If attempts to locate the parent, guardian, or responsible adult are unsuccessful the facilities to house the young person will depend on their behaviour and circumstances:
 - a. If the young person is cooperative, they shall be taken to the Vancouver Detox Centre and Sobering Unit. In exceptional circumstances such as the Detox center being closed, they shall be transported to Jail as a H/SIPP;



- b. If the young person is displaying violent or potentially violent behaviour they shall be arrested for Breach of the Peace or Apprehended Breach of the Peace and transported to Jail;
- c. If the young person is rejected from the Detox Centre and Sobering Unit due to past violent behaviour these reasons shall be noted in a GO and the young person transported to jail as a H/SIPP unless they are displaying violent or potentially violent behaviour that constitutes BOP or justifies Apprehended BOP;
- d. In all cases where young persons are transported to jail, they shall be admitted pursuant to the youth procedure outlined in RPM Section 1.6.47(ii): Charges and Arrests.

Casualty/Unconscious Intoxicated/Drug Overdose Youth

3. Any time a member investigates a youth who is intoxicated by drug and/or alcohol and that youth is unconscious or unresponsive, the member shall have BCAS attend to assess and treat the youth. If BCAS transports the person to hospital, members may be requested to assist if the person is violent. The member shall complete a GO documenting the incident as a casualty (refer to RPM Section 1.4.6: Arrest of Persons with Injuries or Other Apparent Medical Risks). The UCR code used shall be Assist-Casualty/EHS 8900-21.
4. If BCAS states that the youth does not require further medical attention, members shall consider taking custody of the youth (H/SIPP or Breach of the Peace) and follow the procedures outlined above. If the youth is released to his/her parent, guardian, or responsible adult, the member will advise the attending adult that the youth was assessed by BCAS. If the youth is transported to Detox or jail, a copy of the BCAS Crew Report will accompany the youth (See RPM Section 1.4.5(3): Arrest & Detention - Reporting Requirements for H/SIPP arrests). Members will ensure, if appropriate, that 'Under Influence of Alcohol', 'Under Influence of Drug', 'Treated by EHS', and 'Hospital/EHS Report Attached' are indicated as necessary on the Vancouver Jail Arrest Report (VPD 602) under the Medical Remarks section.



1.6 Incident Investigations

1.6.47(iv) Protection of Children

(Effective: 2016.02.23)

POLICY

The Child, Family and Community Services Act (CFCSA) exists to ensure the safety and well-being of children. The paramount considerations are that children are entitled to be protected from abuse, neglect, threats and harm, and are entitled to be cared for in a nurturing and safe environment.

Vancouver Police Department members have authorities and obligations under the CFCSA, including the duty to report a child at risk, as set out in the procedure below.

DEFINITIONS

For the purposes of this policy, and based on language used in the CFCSA, the following definitions apply:

"**Caregiver**" - a person with whom a child is placed by a Director and who, by agreement with the Director, is authorized to carry out the rights and responsibilities under the agreement of the Director.

"**Child**" means a person under 19 years of age and includes a youth.

"**Director**" means a person designated by the minister under section 91 CFCSA.

"**Parent**" includes:

- a. a person to whom guardianship or custody of a child has been granted by a court of competent jurisdiction or by an agreement; and
- b. a person with whom a child resides and who stands in place of the child's parent or guardian;

but does not include a caregiver, prospective adoptive parent or Director.

"**Youth**" means a person who is 16 years of age or over but is under 19 years of age.

PROCEDURE

1. All police officers in the Vancouver Police Department may be obligated to carry out duties relating to the CFCSA, specifically:
 - Section 14: Duty to report need for protection;
 - Section 15: If young Child Breaks the law;
 - Section 17: If director is denied access to child;
 - Section 27: Child in immediate danger;
 - Section 28: Child who needs to be protected from contact with someone;
 - Section 30: Removal of child;
 - Section 63: Enforcement of Custody Order; and
 - Section 96: Director's right to information.
2. Members shall notify the Ministry of Child and Family Development (MCFD), (either via Car 86 / Youth Services Section or directly), and shall thoroughly document in a G.O. and all incidents relating to:
 - a. child protection;



- b. children in danger;
 - c. enforcement of court orders;
 - d. removal of children and children needing to be prevented from contacting an inappropriate person; and
 - e. any other circumstance relating to child welfare.
3. The Police-only business hours number for the MCFD is xxx-xxx-xxxx. After business hours, members may call xxx-xxx-xxxx.

CHILD PROTECTION

4. A child is in need of protection, as defined under Section 13(1) of the CFCSA, in the following circumstances:
 - a. the child has been or is likely to be, physically harmed by the child's parent;
 - b. the child has been, or is likely to be, sexually abused or exploited by the child's parent;
 - c. if the child has been or likely to be physically harmed, sexually abused or sexually exploited by another person and if the child's parent is unwilling or unable to protect the child;
 - d. if the child has been or likely to be physically harmed because of neglect by the child's parent;
 - e. if the child is emotionally harmed by
 - i. the parent's conduct, or
 - ii. living in a situation where there is domestic violence by or towards a person with whom the child resides;
 - f. if the child is deprived of necessary health care;
 - g. if the child's development is likely to be seriously impaired by a treatable condition and the child's parent refuses to provide or consent to treatment;
 - h. if the child's parent is unable or unwilling to care for the child and has not made adequate provision for the child's care;
 - i. if the child is or has been absent from home in circumstances that endanger the child's safety or well-being;
 - j. if the child's parent is dead and adequate provision has not been made for the child's care;
 - k. if the child has been abandoned and adequate provision has not been made for the child's care; or
 - l. if the child is in the care of a director or another person by agreement and the child's parent is unwilling or unable to resume care when the agreement is no longer in force.
5. If a child is in need of protection, as defined in Section 13(1) of the CFCSA, but the child's health or safety is not in immediate danger, the member shall not take charge of the child but shall promptly report the circumstances (as required by Section 14 of the CFCSA) to the MCFD and document the incident in a G.O.
6. Section 28 of the CFCSA empowers the Director of Family and Child Services to seek protective intervention orders prohibiting undesirable persons from contacting a child. Section 28(5) CFCSA states that at the request of the Director, a police officer must assist in enforcing a protective intervention order.

CHILD IN IMMEDIATE DANGER

7. Section 27(1) of the CFCSA states that a police officer may, without a court order, take charge of a child if the police officer has reasonable grounds to believe that the child's health or safety is in immediate danger.
8. Further, Section 27(2) of the CFCSA states that a police officer may without a court order and by force if necessary, enter any premises or vehicle or board any vessel for the purpose of taking charge of a child under Section 27(1) if:
 - a. the police officer has reasonable grounds to believe that the child's health or safety is in immediate danger, and



- b. a person denies the police officer access to the child or no one is available to provide access.
9. Whenever a police officer takes charge of a child pursuant to Section 27 of the CFCSA, the member shall either:
 - a. take the child to a Director or to a person or place designated by a director, or
 - b. with the approval of a Director, return the child to the child's parent or take the child to a person designated by the parent.
10. Members shall submit a GO report outlining the grounds for taking charge of the child, the disposition of the child and the name of the Director or designate involved.
11. In situations where a parent, guardian or caregiver is uncooperative with police and/or a Director at the time the child is being removed, a member may consider warning the uncooperative person against Obstructing a Peace Officer under Section 129 CC, and pursuing arrest/charges if appropriate.

COURT ORDERS

12. Members may be called to assist or keep the peace in cases where disputes arise regarding Supervision Orders or Custody Orders. Members may contact Car 86 for advice and assistance in interpreting these orders.
13. In cases where an enforcement clause exists that grants police officers powers to enforce a court order, police may arrest a person violating conditions of such an order. Members should confirm the existence and validity of court orders by contacting the **24-hour Court Registry at xxx-xxx-xxxx.**



1.6 Incident Investigations

1.6.47(v) Statement From Young Persons

(Effective: 2007.11.26)

1. If the young person wishes to make a statement, the Youth Criminal Justice Act sets out the guidelines to be followed. No oral or written statement given by a young person to a police officer or other person who is, in law, a person in authority is admissible against the young person unless the following requirements are met:
 - a. The statement was made voluntarily;
 - b. The person to whom the statement was given has, before the statement was made, clearly explained to the young person, IN LANGUAGE APPROPRIATE TO HIS/HER AGE AND UNDERSTANDING that:
 - i. The young person is under no obligation to give a statement;
 - ii. Any statement given may be used in evidence;
 - iii. The young person has the right to consult with counsel and/or a parent or, in their absence, an adult relative or, in their absence, any other appropriate adult chosen by the young person, except a co-accused, or person under investigation, for the same offence;
 - iv. Persons consulted are not persons in authority unless proven otherwise, and statements made under duress to a person not in authority are not admissible; and
 - c. The person to whom the statement is to be made must caution the young person that any statement he or she makes must be made in the presence of counsel, a parent or other appropriate adult, unless the young person desires otherwise;
 - d. Any adult with whom the young person has consulted is legally required to be present if the young person wishes to make a statement, unless the young person chooses to formally waive that requirement. Note: This requirement must be communicated to the young person regardless of whether they wish to speak to an adult.
 - e. The young person must be given a reasonable opportunity to consult with counsel, a parent or other appropriate adult; and
2. Exception - Waiver of Rights
 - a. A young person may waive the right to consult or have an adult person present. Any such waiver must be recorded on video tape or audio tape, or must be in writing and shall contain a statement, signed by the young person, that they have been apprised of and understand the right that is being waived. Use the form VPD 263 (Statement of a Young Person).
 - b. Any statement taken from a young person without having counsel or an adult present, must be further accompanied by taped video or audio, or signature of the young person, documenting that they are aware of the requirement to have any adult with whom they consult present, and waive that requirement. This applies regardless of whether the young person has in fact contacted anyone. Use the form VPD 263 (Statement of a Young Person).
3. Exception - Spontaneous Statement
 - a. The Youth Criminal Justice Act allows the admissibility of oral statements where they are made spontaneously by the young person to a police officer or any other person in authority before the person has had a reasonable opportunity to comply with requirements relating to statements.
 - b. Under the Youth Criminal Justice Act it is paramount that young persons be given the Section 10 Charter Warning throughout all proceedings



1.6 Incident Investigations

1.6.47(vi) Young Offenders - Records

(Effective: 2006.06.29)

POLICY

In cases where youths have been charged or convicted of a criminal offence, the General Occurrence (GO) report containing any information about the youth is subject to the protection of privacy as per the Youth Criminal Justice Act (YCJA). Police officers requiring these reports for a police investigation must request the status of the report through the Criminal Records Section and the Information & Privacy Unit.

PROCEDURE

1. The Youth Criminal Justice Act provides the authority to create a record of any offence alleged to have been committed by a young person, including fingerprints and photographs (subject to the Identification of Criminals Act). The Act clearly specifies who is entitled to have information regarding an offence committed by a young person.
2. Police officers and Departmental records-keepers may disclose information contained in any record providing that the information is required for the purposes of a police investigation by an officer of this Department or another accredited police agency. This authority is subject to the non-disclosure time periods as specified in the following paragraph.
3. Police Officers should first check the status of the GO report via E-mail (criminalrecords@vpd.ca). The E-mail shall contain the youth's name and the reason for the officer's request. If access to a privatized GO report is permitted under the YCJA, the request will be forwarded to the Information and Privacy Unit (IPU) so that the GO report may be vetted accordingly. If access is denied, IPU will E-mail the requesting officer the reason why the request was denied, and, if applicable, the YCJA process for obtaining the report.
4. The Youth Criminal Justice Act sets out time periods governing non-disclosure of all records linking the young person with an offence or conviction. Records relating to an offence will not be available to officers when the file relating to an offence is deemed to be subject to non-disclosure. The specified time limits are as follows:
 - a. Acquittal (other than mental disorder): two months after expiration of the time allowed for the taking of an appeal or, where an appeal is taken, three months after all proceedings in respect of that appeal have been completed. **NOTE:** Where the finding is not guilty by reason of mental disorder, the record stays open indefinitely.
 - b. Dismissal, Withdrawal or Finding of Guilt for which a reprimand is given: two months after the dismissal, withdrawal, or finding of guilt.
 - c. Stay of Proceedings: one year.
 - d. In a case where extrajudicial sanctions are used to deal with the youth: on the expiration of two years after the young person consents to participate into an extrajudicial sanction program.
 - e. Absolute Discharges: one year after the guilty verdict is rendered.
 - f. Conditional Discharges: three years after the guilty verdict is rendered.
 - g. Summary Conviction Offences: three years after the sentence is completed, unless another offence is committed during that three year period.
 - h. Indictable Offences: five years after the sentence is completed, unless another offence is committed during that five year period.
 - i. Subsequent Summary Conviction Offences: three years after all sentences made in respect of that offence have been completed.



- j. Subsequent Indictable Offences: five years after all sentences made in respect of that offence have been completed.
 - k. Presumptive Offences: (murder, manslaughter, attempted murder, aggravated sexual assault or repeated violent offences) the record MAY be detained indefinitely in the special records repository.
 - l. Violent Offences: other than those mentioned above and set out in the schedule, the record will be kept in the special repository for an additional five years. During that five year period, if a young person recommitted an offence, access to the record may be given to a restricted list of individuals or agencies for specific purposes, including research or statistical purposes.
 - m. If a young person over 18 is found guilty of a subsequent offence before the requisite crime-free period for a youth record has expired, those youth records become part of the adult record and the rules applicable to adult records prevail. A young person shall be deemed not to have been found guilty or convicted of the offence after the time periods set out above are met.
5. Officers are cautioned that it is a dual offence under the Youth Criminal Justice Act to use any record or copy or print for any purpose that would identify the young person to whom the record relates once the record is subject to non-disclosure. Files that are subject to non-disclosure will be clearly marked.
 6. Records that are subject to the non-disclosure may be made available to officers once a Youth Court Judge makes an order. An application for an order requires that the young person be given 5 days written notice. In order to obtain the order, officers shall consult with Youth Court Crown Counsel.



1.6 Incident Investigations

1.6.47(vii) Young Persons as Agents and Informants

(Effective: 2000.08.01)

1. Members shall not:
 - a. Pay a young person for information; or
 - b. Use a young person as an agent or in an undercover capacity for the Department, unless authorized by the Deputy Chief Constable Commanding the Investigation Services Division.
2. The Deputy Chief Constable Commanding the Investigation Services Division shall only authorize such use of a young person in exceptional circumstances and only after considering all relevant factors including:
 - a. Other possible avenues of investigation;
 - b. The seriousness of the investigation;
 - c. The need to notify the legal guardian of the young person; and
 - d. The age of the young person.
3. The Deputy Chief Constable Commanding the Investigation Services Division shall submit a full report to the Chief Constable.
4. Members may accept information from young persons who voluntarily provide it.
5. A young person is a person under 18 years of age.



1.6 Incident Investigations

1.6.47(viii) Young Persons as Witnesses or Complainants

(Effective: 2000.11.10)

Whenever a person under the age of nineteen is involved in a police investigation as either a complainant or witness, members may consider notifying the young person's parent or guardian of the circumstances, based on the following circumstances:

- the nature of the investigation,
- the age of the person,
- the level of maturity of the person,
- the wishes of the person regarding privacy, and
- any other relevant factors.

Note: As a general guideline the younger the person and/or the more pronounced the lack of maturity, with due consideration for the nature of the incident, the greater the likelihood that members proceed with a notification.



1.6 Incident Investigations

1.6.47(ix) Youth Victims - Parental Notification

(Effective: 2006.02.22)

POLICY

The Vancouver Police Department (VPD) recognizes a young person's right to privacy. However, in circumstances where a young person is a victim of crime, officers may have a legal duty to inform the Director for the Ministry for Children and Families or may use their discretion when informing the young person's parents or legal guardians subject to the *Freedom of Information & Protection of Privacy Act*. Officers considering disclosure to a young person's parents, against the young person's wishes, must consider the circumstances and the young person's reasons for withholding information before coming to a decision to either inform, or not inform, the parents of the young person. The mental and biological age of the young person, as well as their level of emotional maturity must be taken into consideration by the officers, along with the weight of the young person's argument for not informing their parents.

PROCEDURE

Notifications Re: Young Person (12 to 18 Years)

1. The mental capacity and level of maturity for understanding the severity of a situation will vary in a young person between 12 and 18 years of age. Both the **biological** and **mental** age of a young person must be considered when a young person advises that they do not wish the police to disclose to their parents that they were the victim of crime.
2. If a young person is a victim of crime and requests that an officer not advise their parents, the officer shall notify their Supervisor.
3. The Supervisor shall attend the scene and, if the Supervisor is satisfied that the young person is sufficiently mature to make a reasoned and informed decision, the Supervisor shall notify the Duty Officer and apprise them of the circumstances.
4. If the Duty Officer is satisfied that the young person is sufficiently mature to make a reasoned and informed decision to withhold information from their parents, the Duty Officer shall authorize that the investigating officer comply with the young person's request. The officer shall document the reasons why they did not contact the young person's parents in the General Occurrence (GO) report. The officer should consider contacting the Victim Service Unit to provide the young person with emotional support (RPM Section 1.14.2: Victim Services Unit).
5. If the young person is in need of protection as they are likely to be physically harmed, sexually abused or sexually exploited by another person, and the young person's parents are unwilling or unable to protect the child, the officer shall report the crime to a Director for the Ministry for Children and Families.
6. An officer may contact the young person's parents, regardless of the young person's wishes, provided they have complied with the requirements of the *Freedom of Information & Protection of Privacy Act*. The requirements are that:
 - a. The contact is related to the crime being investigated; and
 - b. The disclosure is necessary for the police officer to carry out their investigative duties.

Notifications RE: Children (0-11 Years)



7. In all circumstances where the victim of a crime is a child, the officer shall notify the child's parents or the Ministry for Children and Families.



1.6 Incident Investigations

1.6.47(x) Fingerprinting and Photographs- Young Offenders

(Effective: 2019.12.19)

This policy has been rescinded.



1.6 Incident Investigations

1.6.48 Criminal Investigation Fund

(Effective: 2004.06.28)

POLICY

The Vancouver Police Department (VPD) Criminal Investigation Fund (CIF) is set up to provide funding for extraordinary investigations/operations beyond the normal day-to-day operations of investigative squads. The police have an obligation to the public to ensure adequate resources are applied to serious crimes, particularly where public safety is at risk. The more serious the risk to public safety, the greater the obligation on the police to take all reasonable steps to solve the crime. However, there is also an obligation on the police to carefully weigh the cost of any proposed major investigation against the value of proceeding, and the funding available. These are difficult decisions that call for careful analysis and good judgement.

All requests for funds from the CIF must be approved through the Chain of Command to the Deputy Chief Constable Commanding the Investigation Division using form VPD 1318 Operational Plan and Application for Criminal Investigation Fund.



1.6 Incident Investigations

1.6.49 Failure to Comply with (Breach of) Undertaking, Release Order, Conditional Sentence Order, or Probation

(Effective: 2019.12.19)

POLICY

The *Criminal Code* authorizes a police officer to arrest, without warrant, anyone whom they have reasonable grounds to believe has breached or is about to breach a condition of an Undertaking, Release Order, Conditional Sentence Order (CSO) or Probation Order. A member shall arrest a person who is breaching their conditions that are related to individuals having no contact with a victim(s) or witness(es). The use of discretion is not appropriate in these incidents. If a police officer has reasonable grounds to believe that a person has failed to comply with Undertaking or Release Order and the failure did NOT cause a victim:

- a. Physical or emotional harm;
- b. Property damage; or
- c. Economic loss

The peace officer may, without laying a charge, issue an appearance notice to the person to appear at a Judicial Referral Hearing (JRH).

PROCEDURE

Failure to Comply with Undertaking or Release Order

When an accused has been released on an Appearance Notice for a Judicial Referral Hearing (JRH) for failure to comply with Undertaking or Release Order, members shall:

1. Allow 10-14 straight days (not business days) between the day that an AN for JRH is issued and the court appearance.
2. Document the court location on the AN for Provincial Adult Court matters. The location for a JRH AN shall be Courtroom 101 of Provincial Court, 222 Main Street, Vancouver, BC. The day of the week shall be determined by the accused's last name as follows:

Provincial Crown Matters		
Last Name Beginning with	Day of First Appearance	Courtroom Number and Time
A - F	Monday	Courtroom 101, 0930 hrs
G - L	Tuesday	Courtroom 101, 0930 hrs
M - R	Wednesday	Courtroom 101, 0930 hrs
S - Z	Thursday	Courtroom 101, 0930 hrs

3. Select the same day the following week, if the date selected happens to be a statutory holiday.
4. Document the court location date and time on the AN for Downtown Community Court (DCC) matters. The location and time for a JRH AN shall be Courtroom 1, 211 Gore Avenue, Vancouver, BC at 0900 hrs (if the original file was handled through DCC, all JRH's must be scheduled as DCC matters regardless of where the breach occurred).



5. Document the offence committed in the space provided on the AN.
6. Check the JRH box immediately below the offence area on the AN.
7. Void the "PRINT" section of the AN by drawing a line through the section and initialing as photographs and fingerprints are not required.
8. Provide the accused a copy of the AN marked for "Accused".
9. Swear the affidavit of service on the back of the AN.
10. Submit a Report to Crown Counsel (RTCC) including:
 - a. The primary UCR code as failure to comply with Undertaking or Release Order and a secondary UCR code of JRH;
 - b. The charging section as 523.1 of the Criminal Code;
 - c. A copy of the Undertaking or Release Order as an attachment. If a copy of the Undertaking or Release Order is not readily available, then submit a copy of the CPIC printout; and
 - d. An event-to-event link to the original RTCC.
11. Treat JRH files as "in custody" files, with the end of the shift being the target completion time. If the investigation is complex and cannot be completed this day, members should complete the investigation in a timely manner.

When an accused has been arrested for Breach of Undertaking or Release Order, members shall:

12. Complete a VPD 602 Jail Arrest Report including the incident number of the substantive charge;
13. Lodge the accused at the Vancouver Jail; and
14. Submit a RTCC including:
 - a. A copy of the Undertaking or Release Order as an attachment. If a copy of the Undertaking or Release Order is not readily available, then submit a copy of the CPIC printout; and
 - b. An event-to-event link to the original RTCC.

Breach of Conditional Sentence Order (CSO)

When an accused has been arrested for Breach of CSO, members shall:

15. Complete a VPD Form 602 Jail Arrest Report including the incident number of the original offence;
16. Lodge the accused at the Vancouver Jail; and
17. Submit a RTCC including:
 - a. A copy of the CSO as an attachment. If a copy of the CSO is not readily available, then submit a copy of the CPIC printout;
 - b. A signed copy of the Occurrence Report (OR) page as an attachment; and
 - c. An event-to-event link to the original RTCC.

Breach of Probation

18. Complete a VPD Form 602 Jail Arrest Report including the incident number of the original offence;
19. Lodge the accused at the Vancouver Jail; and
20. Submit a RTCC including:
 - a. A copy of the Probation Order as an attachment. If a copy of the Probation Order is not readily available, then submit a copy of the CPIC printout; and
 - b. An event-to-event link to the original RTCC.

Multiple Charges

21. When recommending new charges in conjunction with a breach charge, one RTCC is required including the court documents as attachments. An event to event link to the original RTCC is required if the substantive offence occurred in Vancouver.

General



22. Investigations where there is any evidence to suggest a breach of a court order has occurred in relation to a domestic violence or serious incident that involves the accused having conditions to have no contact with the victim(s) and/or witness(es) shall be reviewed by a Supervisor prior to a member not recommending charges. A Supervisor shall document the reasons why an arrest was not made and/or charges are not recommended in the General Occurrence report.
23. When breach charges are being recommended in relation to a domestic violence incident, members shall request a copy of the 911 call through the Crown Liaison Unit:
 - a. MRE users: Complete the K-File 911 Audio Request Template; or
 - b. DRE users: Complete a VPD Form 96 Audio Recording Request requesting a copy of the 911 Call only and submit it to the Crown Liaison Unit.



1.6 Incident Investigations

1.6.50 Recognizance to Keep the Peace

(Effective: 2002.01.16)

1. When an investigation reveals elements of a threatening, intimidation, or an assault, and the investigator concludes that there is insufficient evidence for a criminal charge, the complainant may still have grounds to apply for a recognizance against the suspect. The complainant need only fear on reasonable grounds that the suspect will cause the complainant personal injury, injury to a family member, or will damage personal property.
2. Where a complainant has expressed an intention to proceed with a Section 810 recognizance and there are reasonable grounds that the suspect will cause the complainant personal injury, injury to a family member, or will damage personal property, the investigating member shall submit a GO report to Crown Counsel.
3. Members should advise the complainant that Crown Counsel will review the Section 810 application and determine whether the application contains sufficient information. Swearing of the Information will be the responsibility of Police/Crown Liaison who will ensure an arrest warrant is issued. Members shall not refer the complainant to the Crown Counsel Office.
4. When an apparent risk of harm to the victim exists, the investigating member(s) shall "walk" the report through the Charge Approval system to ensure immediate processing of the warrant. The member(s) shall:
 - a. submit the GO report to Crown Counsel to a supervisor for initial approval;
 - b. attend at Crown Charge Approval with the report;
 - c. attend at a Justice of the Peace to have a warrant authorized.
 - d. take the original warrant materials to CPIC for entry. Members on night shift shall pass the report to the dayshift supervisor with the appropriate instructions to ensure that the GO report is immediately processed.



1.6 Incident Investigations

1.6.51 Bias, Prejudice and Hate Incidents

(Effective: 2009.04.14)

POLICY

The Vancouver Police Department (VPD) recognizes that crimes motivated by bias, prejudice or hate are serious incidents that can have a distressing and prolonged impact on victims and affected communities. The main objectives of the police are to ensure members fully investigate incidents of bias, prejudice or hate, preserve evidence, address the concerns of the victim and affected communities, and ensure that, when requesting charges, Crown is aware that the offence was motivated by prejudice, bias or hate.

It is vital that the Supervisor or Duty Officer contact the appropriate follow up investigative section once they are notified of the incident.

DEFINITIONS

Section 718.2 in the Criminal Code mandates sentencing principles only and is not a separate Criminal Code offence. It requires the Court to consider imposing an increased sentence when there is:

evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, color, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor

This policy also applies to the following Criminal Code sections;

- 318 Advocating Genocide
- 319(1) Public Incitement of Hatred
- 319(2) Willful Promotion of Hatred
- 320 Warrant of Seizures
- 320.1 Warrant of Seizure
- 430 (4.1) Mischief to Religious Property

PROCEDURE

Primary Investigator

Members investigating an event that may be a hate, bias or prejudice incident shall:

1. Notify a field Supervisor.
2. Obtain written statements from all witnesses.
3. Complete a GO containing the following information:
 - a. describe the actions, words, markings or other evidence that indicate prejudice, bias, or hate was involved;
 - b. record verbatim any bias, prejudicial or hate comments and how they relate to the crime or incident;
 - c. complete a Hate Crimes details page in the GO;
 - d. enter the secondary UCR code: 8450 and ensure the study flag is marked "T";
 - e. articulate the reasons if a reported event is believed to be unfounded;



- f. if further investigation is required, forward the GO to the appropriate investigative unit;
4. Members attending incidents where there is graffiti or other markings that indicate bias, prejudice or hate shall have the Forensic Identification Squad (FIS) or a Scenes of Crime Officer (SOCO) photograph the scene;
5. Members conducting a street check of a person suspected to be involved in a bias, prejudice or hate incident shall complete a GO intelligence report and forward it to the Diversity Policing Unit (DPU) and ensure the study flag is marked "T";
6. Consult with the Hate Crimes Investigator if necessary.

Field Supervisor's Responsibilities

7. When notified by a member that they are investigating an incident involving hate, bias or prejudice the Field Supervisor shall:
 - a. Notify the Duty Officer.
 - b. During office hours contact the Supervisor of the appropriate specialized investigative unit (example: Robbery/Assault Squad for assault investigations).
 - c. During non-office hours notify the Duty Officer to contact the on-call Supervisor for the follow-up investigative unit.
 - d. Ensure the incident is investigated thoroughly.
 - e. Verify that the primary investigator completes the GO by the end of their shift and check that the report is forwarded to the appropriate follow-up investigation unit.

Duty Officer's Responsibilities

8. When notified by a field Supervisor of a serious incident involving bias prejudice or hate the Duty Officer shall:
 - a. Call the Supervisor of the appropriate follow-up investigative unit;
 - b. Determine if the Hate Crimes Investigator needs to be notified;
 - c. Record the incident in the Car 10 duty log book; and
 - d. In significant cases during non-business hours (e.g. weekends) contact the Media Relations Officer for consultation. This responsibility can be passed on to the dayshift Duty Officer if appropriate.

Follow-up Investigation Responsibilities

9. Substantive offences will be investigated further by the primary unit or specialized investigative unit (i.e.: Robbery/Assault, GIU, Arson Squad, Graffiti Unit, etc.)
10. The role of the VPD Hate Crimes Investigator is to:
 - a. provide expertise relevant to the bias, prejudice or hate component of the evidence, and related legal provisions;
 - b. provide knowledge of specific symbols, markings or language, and how this information may be substantiated in court; and
 - c. assess and convey the impact of an incident to an affected community.



1.6 Incident Investigations

1.6.52 Drones and Unmanned Aerial Vehicles (UAVs)

(Effective: 2017.03.23)

POLICY

The operation of Unmanned Aerial Vehicles (UAVs) or “drones” and model aircraft is governed by legislation, including the Criminal Code, City of Vancouver Bylaws, the Aeronautics Act, and the Canadian Aviation Regulations (CAR). Members have several enforcement options available when conducting investigations involving UAVs.

The UAV operator must fly in a safe manner that does not endanger people, interfere with manned aircraft, damage structures and property or commit other offences. UAV operators must observe requirements set out in the CAR and produce proper certificates and insurance when they do not meet exemption requirements. At this time, Transport Canada is the enforcement body of the CAR, and will investigate and issue fines when there is evidence that a UAV operator knowingly violated the CAR. Vancouver Police may be called to ensure that people and property are not at risk, and investigate if a UAV was involved in a criminal offence or contains evidence in respect to the commission of an offence (E.g. contains video capturing an offence being committed). See the training bulletin on UAVs in the Virtual Duty Bag at UAV and Drone Related Investigations.

PROCEDURE

1. When responding to UAV/drone/model aircraft complaints, members should consider:
 - a. If the UAV is posing a danger to persons, interfering with manned aircraft, or at risk of damaging property;
 - b. If the UAV is being used in the commission of a criminal offence or contains evidence in respect to the commission of an offence; and
 - c. If the UAV is being operated in accordance with City of Vancouver bylaws and the CAR.

CRIMINAL INVESTIGATIONS INVOLVING UNMANNED AERIAL VEHICLES

2. Members may encounter situations where a UAV was involved in the commission of a criminal offence or contains evidence pertaining to a criminal offence. Examples of criminal charges that might be considered include:
 - a. Mischief (s. 430 CC)
 - b. Voyeurism (s. 162 CC)
 - c. Criminal Harassment (s. 264 CC)
 - d. Operation of aircraft that is dangerous to the public (s. 249 CC)
 - e. Common Nuisance (s. 180 CC)
3. Should members find it necessary to seize a UAV and its peripherals subsequent to an investigation, members shall follow procedures regarding seizing property and evidence (see RPM Section 1.9.19: Seizing Digital Media, Cryptocurrency, and Electronic Devices); members may also refer to the Tech Crime Website on the VPD Intranet, or contact on duty TCU investigators for advice and assistance. If necessary, tag the UAV at the Property Office and notify TCU through a VPD 1369 Digital Forensics Lab Exhibit Submission Form and email, as per RPM Section 1.9.19: Seizing Digital Media, Cryptocurrency, and Electronic Devices.



LAWFUL OPERATION OF AN UNMANNED AERIAL VEHICLE

4. UAV operators must adhere to the Canadian Aviation Regulations when flying a commercial or recreational UAV. Depending on the size or usage of the UAV, the operator may be required to carry a valid Special Flight Operators Certificate issued by Transport Canada.
5. The CAR directs recreational UAV operators with UAVs weighing between 250 g and 35 kg to:
 - a. Fly their UAV during daylight;
 - b. Maintain visual continuity of the UAV at all times and not fly their UAV more than 500 meters from the operator;
 - c. Not fly higher than 90 meters off the ground;
 - d. Not interfere with manned aircraft;
 - e. Not fly closer than 9 kilometers from an airport, heliport or aerodrome;
 - f. Not fly over vehicles, vessels, roadways, near bridges or anywhere that may distract drivers;
 - g. Not fly in an area that may interfere with police or first responders;
 - h. Not fly over populated areas such as festivals, parades or fireworks;
 - i. Not fly closer than 75 meters from people, buildings, structures and vehicles; and
 - j. The UAV operator must clearly mark their UAV with the operator's name, address and telephone number.
6. If members identify a UAV operator that is flying contrary to the CAR, they may, if appropriate, complete a General Occurrence Report and forward details of their investigation via telephone or email to the Pacific Region Aviation Enforcement Branch of Transport Canada. Transport Canada may issue fines to the UAV operator found in contravention of the CAR. Information that Transport Canada requests includes:
 - a. Name, address, phone number and business name of the UAV Operator and witnesses;
 - b. Date, time and location of the offence;
 - c. Written statements from witnesses;
 - d. Details of the allegation;
 - e. Photographs or video evidence; and
 - f. Description of the UAV including make, model, serial number, and size as well as any attached peripherals such as cameras.

The Pacific Region Aviation Enforcement Branch can be reached at xxx-xxx-xxxx or email CAOPac-OACPac@tc.gc.ca and request to be put in contact with Enforcement.



1.6 Incident Investigations

1.6.53 Conducting and Documenting Street Checks (and Police Stops)

(Effective: 2020.01.15)

POLICY

A Street Check is not appropriate when members are operating with lawful authority to detain or arrest. When members are operating without lawful authority to detain or arrest, this policy provides direction to members with regards to the completion of a Street Check.

In the furtherance of their lawful duties, members are expected to interact with the public. Members must nonetheless ensure that those interactions are consistent with the *Canadian Charter of Rights and Freedoms* (sections 7, 9, 10 and 15) and the values that they reflect, including the right to be free from arbitrary arrest and detention; to move freely in society subject only to reasonable restrictions imposed by law; and to equal protection and benefit of the law, without discrimination.

In British Columbia (BC) and across Canada there has been attention on the police practice of Street Checks. The changes to the practice of Street Checks are part of broader efforts by the BC Police Services to promote unbiased policing. One of those efforts is the issuance of an interim BC Provincial Policing Standard (BCPPS) on Police Stops, which includes the practice of Street Checks.

The procedures about Street Checks, contained herein, provide direction to members that is compliant with the BCPPS on Police Stops; however, it is important to specify that sections 1, 2, 3, and 10 of the procedure provides direction to members when they are conducting a police stop with lawful authority.

Definitions

Street Check: any voluntary interaction between a police officer and a person that is more than a casual conversation and which impedes the person's movement. A Street Check may include a request for identifying information depending on the circumstances.

Psychological Detention: a situation where, in the absence of a direction or demand from a police officer, a person reasonably believes that they are not free to leave.

Identity Factors: any information which, alone or in combination with other information, can be used to identify a person. Identity Factors include but are not limited to: economic or social status, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.

Detention Authorities

The scope of lawful authorities for police to detain a person, which fall outside of a Street Check and which may permit a request or demand for identifying information from a person include:

Investigative Detention: A brief detention based on a police officer's reasonable suspicion, in all of the circumstances, that a person is connected to a recent and particular crime for which the detention is necessary.

Reasonable Grounds to Arrest: Grounds that would lead an ordinary, prudent and cautious person to have a strong and honest belief about the situation at issue. When a police officer has reasonable grounds to believe that a person has committed, is committing, or is about to commit an indictable offence, then Section 495 of the *Criminal Code* provides authority for an arrest.



Statutory Authority: Federal statutes such as the *Criminal Code* as well as certain provincial statutes such as the *Motor Vehicle Act* in the case of driving activity, and certain municipal bylaws, provide police the authority to compel identification from a person pursuant to the applicable statute or when the person is or has committed an offence in relation to the statute or bylaw.

PROCEDURE

In compliance with the BCPPS, the following provisions shall govern VPD members:

Member Responsibilities

When conducting a Street Check or a police stop where there is lawful authority

1. The decision to conduct a Street Check or a police stop shall not be based on Identity Factors.
2. The decision to conduct a Street Check or a police stop shall not be based solely on that person sharing an Identity Factor with a person being sought by the police.
3. Arbitrary or random Street Checks or police stops, which may or may not include a request for or the collection or recording of a person's identifying information shall not be conducted.

When conducting a Street Check

4. If a detention, arrest, or application of a statutory authority is appropriate, a Street Check should not be conducted.
5. Members must take steps to ensure that the interaction with the person is voluntary, including but not limited to advising the person they are:
 - a. not required to provide any identifying information;
 - b. not required to answer any questions; and
 - c. free to walk away at any time.
6. In fulfilling their obligations under 5 (above), members should be mindful of the possibility that the person may feel psychologically detained due to factors such as:
 - a. the circumstances that gave rise to the interaction;
 - b. the nature of the member's conduct; and
 - c. the particular characteristics of the person, including but not limited to:
 - i. Indigenous;
 - ii. homelessness;
 - iii. racialized;
 - iv. age;
 - v. physical stature;
 - vi. minority status; and
 - vii. level of sophistication in the context of the person's ability to understand their rights.
7. Where a member concludes that a person is psychologically detained the member should conclude the Street Check and allow the person to proceed.
8. Where the member asks the person for identifying information, the member shall inform the person of the public safety purpose or objective for the Street Check.
9. After a person's refusal to cooperate with a Street Check, a member may only take subsequent law enforcement action in circumstances where that subsequent law enforcement action is completely unrelated to the initial request made in the Street Check.



Authority to collect identifying information during a police stop with lawful authority:

10. Members are not permitted to request or demand, collect, or record a person's identifying information without a justifiable reason. A member's request or demand for a person's identifying information in relation to a lawful detention, arrest, statutory authority or other existing legal authority is considered a justifiable reason and without limitation, examples are:
 - a. as permitted or required by City of Vancouver, municipal, provincial or federal legislation or regulations;
 - b. a traffic stop, consistent with statutory and common law;
 - c. an arrest;
 - d. an attempt to execute a warrant against the person; or
 - e. an investigation of an offence, or reasonable grounds to believe that an offence has occurred or is about to occur, or an imminent public safety threat.

Requesting identifying information during a Street Check

11. Members may request that a person voluntarily provide identifying information provided that:
 - a. the member reasonably believes the interaction, and any information requested, serves a specific public safety purpose or objective, including:
 - i. assisting in locating a missing person;
 - ii. an objectively reasonable concern for a person's immediate safety;
 - iii. assisting a person in distress to refer them to health, substance use, mental health or other support services; or
 - iv. as part of the response to a call for service;
 - b. the member informs the person of the reason or purpose for the interaction; and
 - c. the member takes steps to ensure the information is provided voluntarily, including but not limited to advising the person that they are not required to answer any questions and are free to leave.

Documenting a Street Check

12. A Street Check report should not be used to document any incident for which a General Occurrence Report would normally be submitted (PRIME-BC policy section 2.4).
13. When a member conducts a Street Check, for which identifying information was requested, the member shall document the following in a PRIME Street Check report:
 - a. the public safety purpose or objective of the Street Check in sufficient detail to articulate the reason for the interaction;
 - b. identifying information collected or provided; and
 - c. factual information and/or observations from the Street Check.



1.7 Major Incidents

1.7.1 Major Emergencies

(Effective: 2009.09.24)

POLICY

The Vancouver Police Department is responsible for providing the initial police response in a major emergency. Major emergencies may include, but are not limited to, serious fires, explosions, civil disorder, plane crashes and natural disasters such as earthquakes, debris flow, flooding, and other incidents that require a significant police response.

Major emergencies will be managed using the BC Emergency Response Management System (BCERMS) which is based on the Incident Command System (ICS). During these incidents, representatives from agencies other than the VPD may act as the Incident Commander (IC). This designation will be determined by the location or nature of the event (e.g. Vancouver Fire and Rescue Service will likely take command at a major fire, BC Hydro in an electrical emergency, etc.). In these cases the Department's most qualified member available may participate in a Unified Command or assist the lead agency with their command.

DEFINITIONS

For the purposes of the policy the following definitions apply:

B.C. Emergency Response Management System (BCERMS): Is a standardized emergency management concept, based on the Incident Command System (ICS) and is specifically designed to allow the responders to adopt an integrated organizational structure equal to the complexity and demands of single or multiple incidents without being hindered by jurisdictional boundaries.

Incident Command System (ICS): Is a standard incident management system used to address the needs for multi-agency and multi-functional involvement at incidents by all emergency response disciplines.

Incident Commander (IC): The Incident Commander is responsible for all direction at the site of the incident.

Department Operations Centre (DOC): Is an operations centre established and operated by an agency to coordinate and support their emergency response efforts.

Emergency Operations Centre (EOC): Is a pre-designated facility established by the local government authority to coordinate the site response and support in major emergency response efforts.

PROCEDURE

A major emergency may require a significant extension of on-duty members' tour of duty or activation of the Department-wide *Fan-Out Procedure*. When a major emergency occurs the following procedures apply:

1. In the event of a major emergency, on-duty members shall:
 - a. Take steps to ensure their own safety;
 - b. Meet at a location designated by their Supervisor and await further instruction; and
 - c. Adhere to the rules of the fan-out procedure if it has been activated, as per s.1.7.18 [Fan-Out Procedure](#);
2. In the event of a major emergency, off-duty members (who have been called out as per the Departmental *Fan-Out Procedure*) shall:
 - a. Take steps as necessary to ensure their own safety; and



- b. Report to the identified muster point in their regular duty gear, including respirators, or as directed, as per s.1.7.18 - **Fan Out Procedure**;
3. Patrol Supervisors assigned to a major emergency shall:
 - a. Take steps to ensure their own safety and the safety of their members;
 - b. Contact the Duty Officer;
 - c. Advise assigned units of the location of the staging area;
 - d. Set up an Incident Command Post if directed by the Duty Officer; and,
 - e. If directed, adhere to the rules regarding the Departmental Fan-Out, as per s. 1.7.18 - **Fan Out Procedure**;
4. In the event of a major emergency, the Duty Officer shall:
 - a. If the Duty Officer is designated as the IC, discuss and determine initial actions with other attending senior first responders;
 - b. If the Duty Officer is not designated as the IC, meet with the IC to determine the Department's response;
 - c. Attend the Incident Command Post, meet on-duty Supervisors and provide them with details and mobilization instructions;
 - d. Contact the Chief Constable or a Deputy Chief Constable to request activation of the *Fan-Out Procedure*;
 - e. Determine the need for additional specialized police resources;
 - f. Consider activating the Vancouver Police Department's DOC. Activation procedures are located in the Duty Officer binder and the **Vancouver Police Department Emergency Management Plan**; and,
 - g. If appropriate, recommend the COV activate their EOC.
5. In the event of a major emergency, the Chief Constable or Designate shall:
 - a. Determine whether a Department-Wide, Divisional, or limited fan-out is required and activate the procedure if necessary; and,
 - b. Liaise with the Duty Officer and/or designated IC.



1.7 Major Incidents

1.7.2 AMBER Alert

(Effective: 2015.05.08)

POLICY

AMBER Alert is used in confirmed or suspected child abduction cases. It is an investigative tool that is intended to supplement the procedures outlined in RPM Section 1.7.24: Child Abduction and Attempted Abduction and RPM Section 1.7.14: Kidnapping. Details, such as vehicle description, license plate information, and victim and suspect descriptions can be broadcast via local radio and television stations and social media to advise the public and request their assistance. Certain criteria must be met before the *AMBER Alert* can be activated, and only the Duty Officer or Team Commander can recommend activation of an *AMBER Alert*.

All of the following criteria must be met prior to recommending an *AMBER Alert* be activated:

- a. the victim is under the age of 18;
- b. there are reasonable grounds to believe the victim has been abducted;
- c. there are reasonable grounds to believe the victim is in imminent danger;
- d. there is enough descriptive information about:
 - i. the victim, and
 - ii. the abductor and/or an involved vehicle;
- e. there are reasonable grounds to believe that dissemination to the public could help locate the victim; and
- f. the alert can be issued in a time frame that would provide a reasonable expectation that the child will be returned and/or the abductor will be apprehended.

If all of the above criteria are not met, an *AMBER Alert* will not be activated.

PROCEDURE

When there are reasonable grounds to believe that a child has been abducted, and is in imminent danger, members shall determine whether the criteria exist for an *AMBER Alert* to be activated, and in all cases will notify a supervisor of their findings; the supervisor will in turn notify the Duty Officer.

In these situations, the following procedures will apply:

Members shall:

1. Have a reasonable belief that the criteria for an *AMBER Alert* exist;
2. Immediately contact a patrol supervisor;
3. Obtain as much of the following information as possible, including but not limited to:
 - a. Abduction details:
 - date, time, and location the child was last seen.
 - b. Child information:
 - full name, age, gender, race, height, weight, hair/eye colour;
 - clothing description;
 - identifiable markings;



- medical issues;
 - belongings in the child's possession when he or she was last seen; and
 - recent photograph(s), preferably a close-up of the child's face.
- c. Suspect information:
- name (if known), gender, race;
 - full description, including clothing, jewellery, facial hair, glasses, or other identifying information;
 - last known direction of travel and possible destination;
 - recent photograph (if available); and
 - whether any weapons were involved.
- d. Vehicle information:
- make and model;
 - colour;
 - year;
 - license plate and province;
 - distinctive features or damage;
 - number of occupants; and
 - direction of travel.
4. With the authorization of the patrol supervisor, complete the 'Amber Alert Checklist' text template using the 'Miscellaneous Notes' (MN) text type, and have it transcribed immediately. If the members do not have timely access to MRE or DRE, they can contact the Transcription CPIC Support Unit (TCSU) by telephone at xxx-xxx-xxxx 24/7 to have it filled out on the members' behalf. Members must advise TCSU that an *AMBER Alert* has not yet been activated, and that no information is to be forwarded via CPIC until advised to do so by the Duty Officer;
 5. Notify the patrol supervisor immediately of any additional information/updates. If an 'Amber Alert Checklist' text template has already been submitted, add any updated information (eg. child's clothing description) onto an additional template, completing only the relevant section(s);
 6. Notify the TCSU by telephone of any subsequent information/updates and 'Amber Alert Checklist' text templates so that these may be relayed via CPIC to the activation team; and
 7. Refer to RPM Section 1.7.6: Major Crime Scene Responsibility.

Patrol Supervisors shall:

8. Ensure that all of the criteria to activate an *AMBER Alert* are met, that as many relevant details as possible have been obtained, and that the *AMBER Alert* checklist has been completed and transcribed;
9. Contact the Duty Officer (if an investigation has already been initiated, then the Team Commander or designate) and recommend that an *AMBER Alert* be activated;
10. Continue to ensure that additional *AMBER Alert* templates are completed as new information becomes available; and
11. Refer to RPM Section 1.7.6: Major Crime Scene Responsibility for investigative guidelines.

The Duty Officer shall:

12. Identify and contact the VPD media representative and obtain a contact telephone number;
13. Consult the completed 'Amber Alert Checklist' text template;
14. Call the *AMBER Alert* activation team at: XXX-XXX-XXXX (XXX-XXX-XXXX - Police only), who will in turn notify the BC RCMP Regional Duty Officer (RDO). If there are any significant delays experienced in reaching the RCMP RDO, contact the RCMP E Division Operational Communications Centre 24/7 phone number at (XXX) XXX-XXXX for assistance;



15. Once the *AMBER Alert* has been authorized by the RDO, have the investigating member immediately contact the TCSU, who will then send the initial CPIC BOLF message to the *AMBER Alert* activation team;
16. Ensure that the investigating member e-mails all photos to the *AMBER Alert* activation team, preferably in JPEG format, at: Ediv_federal_occ@rcmp-grc.gc.ca as soon as practicable;
17. Notify a Team Manager at E-Comm that an *AMBER Alert* is being issued;
18. Confirm whether E-Comm will relay 'on view' or 'in-progress' witness reports to the VPD directly (cell phone number to be determined by the Team Commander or Designate);
19. Request that E-Comm contact the 24/7 Canadian Border Services Agency (CBSA) Risk Assessment Line by phone (XXX-XXX-XXXX) to advise them of the *AMBER Alert*;
20. Ensure relevant updates are communicated to the *AMBER Alert* activation team at XXX-XXXXXXX;
21. Ensure relevant updates on the abduction file are forwarded to E-Comm;
22. Request that E-Comm fax or email all tips as directed by the Duty Officer (the fax number and/or email address will be determined at the time the activation is requested) until the Robbery Assault Arson Unit (RAAU) or Designated Unit is in a position to accept calls directly;
23. Call out additional resources as required or as requested by the Team Commander; and
24. Determine if there is a need to notify agencies outside of British Columbia of the *AMBER Alert*; if so, request the assistance of the activation team in order to initiate an *AMBER Alert* in those areas.

Public Affairs Section shall:

25. Liaise with the Duty Officer or Team Commander to develop a media strategy and post information to the VPD website;
26. Ensure that any information released to the public has also been communicated to the *AMBER Alert* activation team and is consistent with what has been released in the Alert; and
27. Liaise with the Duty Officer or Team Commander for information and/or updates.

Information Management Section shall:

28. If requested by the investigating member(s), complete the 'Amber Alert Checklist' text template on their behalf;
29. Once advised by the Duty Officer or the investigating member that the *AMBER Alert* has been authorized by the RDO, send an initial CPIC BOLF message to the activation team, containing all of the information in the 'Amber Alert Checklist' text template;
30. When advised by a member of any subsequent information/updates and 'Amber Alert Checklist' text templates, forward the information via CPIC to the activation team;
31. Distribute the e-mail notification of the *AMBER Alert* and any subsequent e-mail updates received from the activation team to all sworn and civilian members of the VPD using the "VPD All Sworn Staff" and "VPD All Civilian Staff" distribution lists. The same procedure applies to *AMBER Alert* notifications from outside BC and/or Canada that have been designated for e-mail distribution via the BC activation team.

Cancellation of *AMBER Alert*:

32. An *AMBER Alert* can be cancelled when the child is located, when 24 hours have passed without any updates, or when it has been established that the suspect/child have left the province. To cancel an *AMBER Alert*, the Duty Officer or Team Commander shall:
 - a. contact the *AMBER Alert* activation team at 1-XXX-XXX-XXXX (1-XXX-XXX-XXXX) to advise of the cancellation;
 - b. request that the VPD TCSU send a CPIC message advising of the cancellation to the activation team for distribution province-wide;
 - c. contact a Team Manager at E-Comm to advise them of the cancellation; and
 - d. advise the Public Affairs Section that the *AMBER Alert* has been cancelled.



1.7 Major Incidents

1.7.3 Code 5

(Effective: 2006.04.05)

1. A Code 5 incident refers to high-risk circumstances where a person(s) is believed to be armed, and dangerous to the safety of the public or police members. Whenever members use force and no charges are processed as a result of a Code 5 incident or apprehension, a Supervisor shall attend the scene and assess the situation.
2. The attending Supervisor shall ensure that:
 - a. The Duty Officer is notified immediately.
 - b. Available resources address any trauma experienced by the subjects of the incident (example: Victim Services Unit).
 - c. Property damage issues are immediately addressed at the scene (Section 5.2.3, 5.2.4 and 1.6.21).
 - d. Evidence is gathered and properly processed.
 - e. Photographs are taken if appropriate.
 - f. Witnesses are interviewed.
 - g. A GO report detailing all relevant particulars of the incident shall be completed and submitted by the investigating member(s) prior to the end of their shift, with a copy routed to the Professional Standards Section, if applicable.
 - h. Appropriate explanations are provided to citizens when required.
 - i. Complete a VPD 68 report reviewing the incident with respect to compliance with department policy, and submit the report, prior to the end of shift, to the Deputy Chief Constable i/c Operations Division through the appropriate District Inspector. A copy of the report will also be submitted to the Duty Officer.
3. After consultation with the on scene Supervisor, the Duty Officer shall, whenever warranted, attend the Code 5 incident scene.



1.7 Major Incidents

1.7.4 Chemical, Biological, Radiological, Nuclear and Explosion Incidents

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.5 Crowd Control

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.6 Major Crime Scene Responsibility

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.6(i) Seizure of Recording Equipment and/or Images at Crime Scenes

(Effective: 2009.07.07)

POLICY

The police have a duty to secure crime scenes in order to prevent the potential destruction of evidence and to allow for thorough investigations. Therefore, it is necessary, and appropriate, to ensure that citizens and media personnel remain outside of established perimeters (1.7.6(1) (e) Major Crime Scene Responsibility). Members must also be cognizant that citizens and media have the right to observe, photograph, and audio or video record in a public place, as long as they remain outside of police perimeters.

Members have a duty to identify and collect evidence at crime scenes including photographic or video images where available. However, members must be certain that any seizure of evidence at a crime scene, including cameras, photographs, audio recordings, or video images, is lawful and reasonable.

Members are reminded that “freedom of the press” is enshrined in the *Canadian Charter of Rights and Freedoms* and, therefore, seizure of equipment, images or audio recordings from media personnel will require a very high level of justification.

For the purposes of this policy, the legal authorities to seize such items are:

1. With consent;
2. As an incident to lawful arrest;
3. Pursuant to a Search Warrant obtained under s. 487 of the *Criminal Code*; and
4. In circumstances where grounds for obtaining a Search Warrant exist, however, it would be impracticable for the police to obtain one based on “exigent circumstances,” police have the authority under s. 487.11 of the *Criminal Code* and Common Law to seize evidence without warrant.

Definition of Exigent Circumstances

Exigent circumstances usually arise where immediate action is required for the safety of the police or public or to secure and preserve evidence of a crime. Case law extends this definition to include circumstances where making a seizure without warrant is necessary to prevent the imminent loss or imminent destruction of the evidence. There is no blanket exception permitting the use of this authority; rather, whether or not exigent circumstances exist must be determined on a case by case basis.

Exigent circumstances may allow the seizure of a civilian's (non-media personnel) recording device IF the officer has reasonable grounds to believe it is necessary to do so in order to prevent loss or destruction of evidence in the device. The officer would be required to articulate reasons specific to the situation to justify the warrantless seizure. This provision would generally be applicable with non-media individuals where there are concerns that the person may not be locatable to serve a search warrant, or where there are concerns that the evidence may be destroyed.

Where media personnel are concerned, they would not ordinarily be expected to destroy evidence, so it is extremely unlikely police would be able to articulate grounds to seize it pursuant to exigent circumstances, or that a court would uphold such a warrantless seizure. In fact, media premises (and persons) are afforded EXTRA protection from interference by the police, given their authority and obligation to disseminate the news. Media people are generally knowledgeable about those issues and will usually require the police to follow the appropriate, extra procedures for obtaining evidence from them, but they will not generally completely frustrate the police investigation by destroying evidence. In other words, the added protections available to the media make warrantless seizures of media recording devices particularly difficult to justify.

Definition of Recording Device or Equipment



For the purposes of this section, Recording Device or Recording Equipment refers to a device capable of capturing still images, video images, or audio recordings.

PROCEDURE

When members attend a scene where a citizen or the media is photographing, audio recording, or videotaping and there is reason to believe the incident in question may have been captured, members shall:

1. Ask the citizen for consent to seize the equipment;
2. If the citizen refuses, attempt to determine whether the person can be located to be served a search warrant, and whether there are concerns that the evidence may be destroyed. If there are no such concerns, obtain the person's contact information, ask them to secure the evidence, and advise them that a follow up investigator will contact them, and that a search warrant may be applied for.
3. If there are reasonable grounds to believe that the person may not be locatable or will destroy the evidence, seize the equipment under the authority provided to police pursuant to exigent circumstances. A search warrant is not required later to search the seized item.
4. When items are seized pursuant to the authority provided to police for exigent circumstances, members must ensure that the reasons for the seizure are fully documented in the GO report, just as they would have been in an Information to Obtain, had it been practicable to obtain a search warrant.
5. In situations where persons identify themselves as media personnel, members shall not seize their recording equipment unless there is an imminent public safety issue involved, or there are reasonable grounds to believe the evidence will be made unavailable to police (e.g., hidden or destroyed). If there are no such concerns, members shall obtain the media person's contact information, ask them to secure the evidence, and advise them that a follow up investigator will contact them and that a search warrant may be applied for.

If recording equipment is seized pursuant to exigent circumstances, or by way of a search warrant, members shall submit a Report to a Justice, Form 5.2, reporting the seizure of the camera equipment in compliance with s. 489.1(1)(a) of the *Criminal Code*. As noted in RPM Section 1.9.15, Return of Property to Property Owner, the 5.2 reporting the seizure is required even if the property is returned to the owner at the scene.



1.7 Major Incidents

1.7.7 Dangerous Goods, Gas and Electricity

(Effective: 2010.01.20)

POLICY

Members may encounter emergency situations involving the leaking or spilling of dangerous goods or high-voltage electrical exposure from wires down. During these events, containment is of the utmost importance to protect the public, members and other emergency personnel.

Incidents involving dangerous goods may result in the release of hazardous or lethal fumes. Some dangerous goods may be hazardous up to a distance of 775 meters. If the container involved is exposed to direct flame, they may be hazardous up to a radius of 1,550 meters.

The *Emergency Response Guide 2008 (ERG)* is a guidebook designed to assist first responders upon arriving at the scene of a dangerous goods incident (available on the **Intranet**. E-Comm also has access to the guide.

This policy does not address Chemical, Biological, Radiological, Nuclear and Explosion Incidents, refer to **S. 1.7.4**.

PROCEDURE

Electrical Wires Down - Members shall:

1. Assume that downed wires, displaced wires, vehicles or other structures in contact with them are energized and potentially lethal;
 - a. if the wires down are dry the containment distance is 30 meters; and,
 - b. if they are wet it is 100 meters;
2. Not attempt to rescue anyone until advised it is safe to do so by a Supervisor and BC Hydro representative; and,
3. Contain the scene until advised by a BC Hydro representative that the site is safe.

Dangerous Goods may include, but are not limited to: compressed gases, flammable liquids, radioactive materials, and corrosive, poisonous, or oxidizing substances. All of the information below refers to a spill or leak that it is not a CBRNE incident.

Members shall:

4. Notify a Supervisor;
5. Request via E-Comm that Vancouver Fire and Rescue Service (VFRS) attend, if not already on-scene or enroute;
6. Whenever possible stay uphill and/or upwind of the dangerous goods;
7. In consultation with VFRS and/or Terasen Gas:
 - a. evacuate the area for minimum of 100 meters; or
 - b. shelter-in-place (a location where you can close doors and/or windows); and,
 - c. assist with the evacuation.
8. Consult with the ERG or E-Comm, to determine appropriate action referencing any placard markings posted on the tanker or container. Take precautions at the scene to prevent potential ignition from sources that can create sparks and electrical discharges (e.g., vehicles, portable radios, and smoking); Await the arrival of and further instruction from a Terasen Gas Representative and the VFRS to all emergencies involving a natural gas leak; and



9. In the event of a train derailment: allow access to representatives from Transport Canada, Transport Safety Board and those responsible for the rail line and rail cars involved.

The Patrol Supervisor shall:

11. Advise the Duty Officer;
12. Consider the need for additional resources (e.g., perimeter control, containment, possible evacuation);
13. Advise BC Ambulance Service (BCAS) via E-Comm; and,
14. Consult with VFRS Supervisor and/or Terasen Gas and/or BC Hydro Representative to confirm the safety of a site before allowing members or the public access.



1.7 Major Incidents

1.7.10 (i) Initial Response

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.10 (ii) Responsibility for Investigation of Major Incident

(Effective: 2006.04.24)

1. The initial investigation of all incidents coming to the attention of the Department is the responsibility of the Operations Division.
2. The initial investigation unit shall immediately notify a Supervisor when a major incident occurs. The Supervisor will take such action as deemed necessary.

The Supervisor shall advise the Duty Officer of all major incidents, which include the following:

- a. Abduction
- b. Aggravated assaults
- c. Arson (serious)
- d. Drug seizures (large)
- e. Explosives in possession
- f. Homicide
- g. Motor vehicle incident (if a fatality or possible fatality involved)
- h. Robbery
- i. Sexual assaults
- j. Suspicious deaths
- k. Any investigation where, in the opinion of a Supervisor, an immediate follow-up would appear imperative to ensure a successful conclusion of the case.

The Duty Officer will determine whether a situation which falls within these categories is sufficiently serious in nature and scope to justify its continued classification as a major incident as well as the immediate and specialized follow up that such incidents merit.

Where a major incident falls under the realm of the Major Crime Section, an on duty Supervisor from the specialized unit shall be consulted. If there is no on duty Supervisor available, the on call Supervisor, or on call members are to be contacted by the Duty Officer or by the area Supervisor originally in charge of the initial investigation.

If a callout of specialty unit Investigator is required, the Duty Officer shall, after consultation with the specialty unit Supervisor, or on call members, authorize the callout.

3. The Supervisor, or on call members from the specialty unit will advise whether Investigators from their unit will be attending immediately and what steps are to be undertaken by members on scene prior to their arrival. The primary investigation unit assigned to the call is responsible for submitting a GO report.
4. Upon their arrival, the specialty unit investigators will take charge of the investigation unless the ranking member present gives contrary orders. When no Specialist Unit Investigators are available, the Duty Officer will decide the extent of the initial investigation.
5. The Supervisor in charge of the initial investigation shall be responsible for Patrol and Traffic members and ensure that their numbers are adequate.
6. When a member of the Traffic Section becomes involved in an incident other than traffic, the member will immediately notify the Supervisor, pursue the investigation, if necessary, and take direction from the Patrol Supervisor NCO and specialty unit investigators, if attending.
7. Where specialty unit investigators are supplied with information or assistance from initial investigators, a copy of the follow-up shall be directed to the initial investigators.



8. As far as possible, the Channel Dispatcher shall be kept informed of the command at the scene of all incidents.



1.7 Major Incidents

1.7.11 ECOMM

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.12 Explosive Devices

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.13 (i) Hostage Incidents and Baricaded Persons - Procedure

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.13 (ii) Hostage Incidents and Barricaded Persons - Jurisdiction

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.14 Kidnapping

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.15 Poisoning

(Effective: 2000.09.05)

1. In cases of obvious death, any materials that may have been the cause of death shall be seized by the investigating member and, where necessary, processed for fingerprints and submitted for analysis.
2. In cases other than those of obvious death, the toxic materials, together with containers, shall be taken by the ambulance attendants to the hospital with the patient. These materials, with the containers, shall be left with the hospital authorities, who have agreed to retain them for future use. A receipt shall be given to the ambulance attendant whom shall be available to police when necessary.
3. The procedure shall apply in all cases of poisoning, including overdoses of narcotics or barbiturates, irrespective of whether the act was accidental or intentional.
4. Information concerning poisons - antidotes and treatment - may be obtained from:
 - a. Vancouver Hospital, Poison Control Department,
 - b. Lower Mainland Poison Control Centre,

Coroner's phone number and pager number may be obtained from ECOMM.



1.7 Major Incidents

1.7.16 Sexual Offences

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.17 Train Derailments

(Effective: 2000.08.01)

Members shall allow access to Canada Safety Officers, representing Labour Canada, at railway derailment sites where dangerous substances are involved. These officers carry identification in the form of a certificate of authority issued by the Minister of Labour.



1.7 Major Incidents

1.7.18 Fan-Outs and Self-Deployment

(Effective: 2016.10.12)

POLICY

The Vancouver Police Department (VPD) is prepared to take action and provide an appropriate and effective police response to pre-planned or unexpected major events, incidents or emergencies. Major emergencies such as natural disasters, mass casualties, riots or acts of terrorism may require short or long term police action, and the Emergency and Operational and Planning Section (EOPS) is prepared to support the deployment of such events.

When VPD members are required to respond to an incident, they must be notified in a timely manner. A “fan-out” is the process by which off-duty members are notified of an incident and asked to deploy. A fan-out may take place by direct contact or any other type of communication. Members are required to respond regarding their availability to attend. Determining the scale and priority of a fan-out is the responsibility of the initiator, depending upon their assessment of the situation and the response required. Note that for protracted or long duration events, there will be a need to have personnel respond for shifts commencing at various times, and thus some members will not be required for immediate deployment.

A fan-out may be initiated by the:

- Chief Constable or a Deputy Chief Constable (or designate);
- Inspector i/c Emergency and Operational Planning Section;
- Duty Officer;
- Public Order Commander (POC); or
- Critical Incident Commander.

PROCEDURE

Process of Conducting a Fan-Out

1. Once a fan-out is warranted, the notification shall follow the chain-of-command, beginning at a section management level and carrying through their subordinates until the required personnel have been notified. A report-back through the chain of command is required to determine the level of capability readiness (number of resources available).

Inspector / Manager

2. Each Section Inspector / Director (or designate) will be notified by the fan-out initiator of the number of personnel required and for any specific skillsets. They will then:
 - a. Direct their Staff Sergeant or subordinate supervisors (or designate) to contact their own personnel with instructions of where and when they are to report for duty and request they report back the number of available resources; and
 - b. Update the appropriate designated (Duty Officer, Incident Commander, POC, Superintendent or DOC) with the confirmed number of personnel reporting for duty once advised by their subordinate supervisors.

Staff Sergeant



3. Within their assigned sections, Staff Sergeants will be responsible for:
 - a. Notifying their Sergeants and/or civilian supervisors of the fan-out request, and direct them to contact their respective subordinates; and
 - b. Upon receiving confirmation of numbers of responding members from their Sergeants or civilian supervisors, the Staff Sergeant shall notify their Inspector/Director and provide updates at regular intervals or as required.

Sergeant / Civilian Supervisor

4. A Sergeant or Civilian Supervisor (or designate) shall:
 - a. Contact their members to notify them of the fan-out request and leave a message for those who cannot be directly reached;
 - b. Create a list of personnel that have been notified and are available for the deployment, those who are unavailable at that time, as well as those they were unable to contact but messages were left; and
 - c. Update their Staff Sergeant/Manager with confirmed numbers of personnel who will be reporting for duty.

Sworn and Civilian Members

5. Upon being informed of a fan-out deployment request, sworn and civilian members shall:
 - a. Ensure the safety of their immediate family before reporting for duty;
 - b. Confirm their availability with the Sergeant/civilian supervisor;
 - c. Sworn members shall report to the identified location in their regular duty gear, including respirators, or as directed;
 - d. Civilian employees shall report as directed by their supervisor; and
 - e. Personnel who are unable to attend due to being non-operational (e.g. recovering from injury or illness), or have insurmountable obligations (such as being unable to find adequate child care at the time of the notification) shall advise their Sergeant or supervisor that they are unable to report for duty.

Mobilization Plan during a Fan-Out

6. When the requested members arrive at the identified muster-point, the Duty Officer, the Incident Commander, POC, or designate shall:
 - a. Assess the number of personnel responding and the availability of portable radios. If possible, issue radios preferably to every member deploying, or to each team's supervisor at minimum;
 - b. Brief the supervisors;
 - c. Assemble teams with the appropriate number of members and a supervisor;
 - d. Liaise with the Departmental Operations Centre (DOC) and obtain call signs;
 - e. Maintain a log and advise the DOC of the following:
 - i. The members in each team and call signs;
 - ii. The time each team is deployed;
 - iii. The total number of members deployed; and
 - iv. Any specialized equipment that has been issued to a team.
 - f. Ensure that transportation to the scene is arranged in consultation with the DOC; and
 - g. Assign civilian members to appropriate support duties.

Demobilization Plan at the Conclusion of an Event



7. Once the situation has stabilized, sworn and civilian members will be released from duty in an organized manner by the Incident Commander, POC, or the Duty Officer.
8. Personnel will be debriefed once the personnel are no longer required or as soon as is practicable.
9. The Critical Incident Stress Management (CISM) team may be engaged at an appropriate time to provide debriefings for involved members. Refer to RPM Section 1.7.20: Critical Incident Stress Management Team.

Reporting Requirements after Conclusion of an Event

10. All members are to complete and submit the required General Occurrence reports before they conclude their deployment at the incident.
11. All supervisors are to complete the EOPS Event Debrief Report before they conclude their deployment.
12. After the incident, the Duty Officer, Incident Commander, or the POC shall ensure that an After Action Report is completed, analyzing the Department's response, any recommended changes in training, and a report of expenditures, that will be forwarded to the Chief Constable for review.

Annual Testing of the Fan-Out Process

13. The fan-out procedure will be assessed by EOPS on an annual basis to determine its effectiveness.

Self-Deployment - General Considerations

14. In the event of a large-scale public order incident, members may be keen to report for duty and offer assistance prior to being requested by fan-out notification. Self-deployment is not recommended and can often create complications that may disrupt the response plan for incidents including:
 - a. Insufficient equipment (radios, transportation, or Personal Protective Equipment (PPE)) available to equip self-deployed members;
 - b. The self-deploying member may be required in subsequent response planning cycle fan-outs;
 - c. The ratio of supervisors to members has been maximized and additional members may exceed the supervisory span of control;
 - d. Self-deploying members may fail to attend briefings and are unaware of the operational plan;
 - e. Officer safety concerns; and
 - f. Personnel welfare may become unmanageable (providing relief, food, water or shelter).
15. Major emergencies such as natural disasters are managed in conjunction with the Office of Emergency Management and involve multi-agency partners such as fire, health-care, city engineering, etc. A deployment model will be developed to use personnel in the most efficient and effective means possible. The arrival of unexpected self-deploying personnel will impede and disrupt the emergency management response.

Self-Deployment: Public Order Incidents

16. It is recommended that members not self-deploy to public order incidents, however if the member believes after assessing the situation that self-deployment prior to receiving a fan-out notification is necessary or justified, they shall first attempt to contact their supervisor to determine if they are required.
17. If a member chooses to self-deploy to a public order incident prior to receiving a deployment request they should take into consideration their personal circumstances. These considerations include that they are operationally fit for duty, that their family/personal obligations are being addressed and it is safe for them to attend to their regular workplace or 2120 Cambie Street. If these conditions are met, then the self-deploying member shall report in regular duty uniform and equipment, including respirators, to 2120 Cambie Street and await further direction.



Self-Deployment: For All Other Types of Incidents

18. Sworn and civilian members shall not self-deploy to any other type of incident (ie. natural disasters, acts of terrorism). Such self-deployment may cause unintended negative consequences for immediate and future deployment planning cycles. Members are to await direction from a fan-out notification.



1.7 Major Incidents

1.7.19 Managing Officer

(Effective: 2005.12.22)

POLICY

The investigation and resolution of major incidents must be conducted to the highest standards of best police practice, and must be seen by the public to be handled in a thorough manner. In these cases, the investigative and other processes may span multiple Vancouver Police Department (VPD) sections, external resources, and other stakeholders. This requires that all reasonable avenues of investigation and other responses and processes are conducted in a coordinated effort.

To this end the Chief Constable or his designate may direct the appointment of a Managing Officer for any incident that the Chief Constable or his designate deems appropriate. The purpose of the Managing Officer is to serve as a central and overall source of direction for the incident.

Procedure

1. The Managing Officer will oversee the incident and other associated processes to ensure that:
 - a. A thorough and professional investigation is conducted;
 - b. Approved procedures, tactics and policy are followed;
 - c. A Media plan is in place and is managed;
 - d. Human Resources issues are addressed;
 - e. Potentially conflicting needs and demands from VPD sections (eg. PSS, Public Affairs, Investigative Units) are moderated and resolved in the best overall interests of the VPD.
 - f. External disclosure requirements (eg, Unions, Coroner, Police Services) are managed;
 - g. A follow-up action plan is put in place in the event of breaches of the Police Act and/or the VPD Regulations and Procedures Manual;
 - h. Appropriate information is provided to other police agencies affected or involved;
 - i. Any potential civil litigation or criminal action that may be brought against the VPD or a member is brought to the attention of the Chief Constable and the City Law Department;
 - j. Suitable support for members such as, but not limited to, critical incident debriefing, counselling, and medical care is provided; and
 - k. Interim and full de-briefs of the VPD response are conducted. Deficiencies, including training needs, are identified and recommendations for improvements are forwarded to the Chief Constable in a timely manner.

Short Term Strategies

2. The Managing Officer, shall:
 - a. Ensure supervision is maintained throughout the course of the major incident investigation;
 - b. Advise and consult with the Executive on developments in the investigation on an ongoing basis;
 - c. Ensure a media plan is in place;
 - d. Establish contact with the Duty Officer, the District Commander where the incident occurred, the Managers of any Sections involved in the investigation, and assigned investigators if appropriate;
 - e. Attend the scene of the incident if appropriate and necessary for the review of the incident;
 - f. Ensure that all personnel, both VPD and external, who have previously been or are presently assigned to the investigation or may have information to offer, are identified;
 - g. Assess the resource requirements on a continual basis and ensure that appropriate resources are dedicated to the investigation;



- h. Ensure that all Units, Sections and members involved in the investigation are communicating effectively and limiting duplication of efforts;
- i. Ensure that there is a process in place where investigators are reporting, through the chain of command and into the Versadex Records Management System (RMS) system, the progress of their investigation; and
- j. Acquire all relevant information and review the investigation with the assigned investigators and or other suitable persons if necessary.

Intermediate Strategies and Reporting Requirements

3. The Managing Officer shall report to the Executive and work in close consultation with the responsible Deputy Chief Constables and managers.
4. The Managing Officer shall be responsible for compiling a comprehensive report documenting the progress of the investigation and update the Executive regularly.

Long Term Strategies

5. The Final Report shall include a review of the cause of the incident and shall document any recommendations that would lead to preventing similar incidents from occurring in the future. These recommendations may include, but are not limited to:
 - a. Labour process issues;
 - b. Breaches of law;
 - c. Training;
 - d. Procedure;
 - e. Policy;
 - f. Equipment;
 - g. Officer safety ; and/or
 - h. Tactics.
6. Reports completed during the course of a Managing Officer Review shall be:
 - a. Disseminated to affected Divisions, Units, Sections and members as directed by the Chief Constable ; and
 - b. Archived appropriately after the conclusion of any civil, criminal or other proceedings.



1.7 Major Incidents

1.7.20 Critical Incident Stress Management Team (CISM)

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.21 Stakeout Responsibility

(Effective: 2007.02.27)

General

1. Members conducting a stake out shall notify their Supervisor. The Supervisor shall notify the Central Dispatcher and the appropriate District Supervisor of: The location of the stake out;
 - a. the reason for the stake out; and
 - b. any known suspect information.

The Central Dispatcher shall ensure that ECOMM staff are aware of the stake out.

2. Upon concluding a stake out, the Central Dispatcher and the appropriate District Supervisor shall be advised that the stake out has been concluded.
3. Members conducting stake outs outside of the City should refer to **Section 1.1.2** of this Manual.
4. Any member receiving a stake out notification from an outside police agency shall ensure that ECOMM is notified by the outside police members.
 - a. upon notification of a stake out by an outside police agency, ECOMM shall notify the Duty Officer and the appropriate District Supervisor by telephone.
 - b. the Duty Officer will determine what, if any, assistance shall be provided, and what measures will be necessary to ensure the safety of Vancouver Police Department members and the general public.

Stolen Vehicles - Refer to RPM Section 1.6.42 (i) for procedures in relation to unoccupied stolen vehicles.



1.7 Major Incidents

1.7.22 Home Invasion Investigations

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.23 Serious School and Youth Related Incidents - Youth Services Section Notification

(Effective: 2009.04.01)

1. The Duty Officer shall contact the Youth Services Section (YSS) Inspector or designate in an incident involving young persons where there is an identified threat to a school (e.g. weapons seizure with threats to school community).
2. The Duty Officer should consider contacting the Youth Services Section (YSS) Inspector or designate in major crime incidents where young people are either the suspects or victims, and the units from the Investigation Division (Homicide, SOS, Robbery/Assault) have been called out. The Duty Officer will consult with the YSS Inspector, or designate, and determine whether the YSS can be of assistance. Consultation should then take place between the NCO of the assigned investigative unit and the YSS Inspector.



1.7 Major Incidents

1.7.24 Child Abduction and Attempted Abduction

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.25 Handling of Holdback Evidence

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.26 Guarding Hospitalized Victims

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.7 Major Incidents

1.7.27 Use of Forensic Chemicals and Compounds and/or the presence of Biohazards

(Effective: 2011.10.19)

POLICY

The Vancouver Police Department (VPD) is entrusted with ensuring the safety of all members of the community. In keeping with its commitment to public safety the VPD Forensic Identification Unit (FIU) shall ensure that notification is clearly visible at any building, place, receptacle or vehicle where there is a serious risk posed to the public, and other members from chemicals used as a result of a police incident or investigation.

Crime Scenes that may pose a health risk due to the presence of Biohazardous material shall also be clearly posted to alert other police members or the public.

At scenes located in a public place, the appropriate City of Vancouver (COV) Department shall be advised and security of the scene shall be maintained until the appropriate cleanup has neutralized the hazard.

PROCEDURE

1. When a member of the Forensic Identification Unit (FIU) processes a scene, forensic chemicals and compounds may be utilized. If the use of forensic chemicals may be hazardous to other persons, a "Caution Form" (VPD0185) shall be completed and posted in plain-view by the lead FIU member.
2. Scenes of crimes which may contain biohazards such as the by-products of decomposition or contamination by blood borne pathogens shall be evaluated by the lead investigator (if necessary in consultation with FIU). If the member determines that a scene is or may become a potential biohazard, the member shall complete and post in plain-view a "Caution Form" (VPD0185).
3. In all cases a supplemental report detailing the member's cause for concern shall be submitted in PRIME and a hard-copy of the supplement shall be forwarded to the City of Vancouver Risk Management Department.
4. If necessary, the member may request, through their NCO, that the COV Environmental Protection Branch (EPB) become involved as they have the authority to declare a property unfit for occupancy. The EPB business hours are Monday to Friday, 8:30am - 4:30pm. Within Vancouver, call 3-1-1; outside of Vancouver call, xxx. If a property is believed unfit for occupancy, members must secure the scene until COV EPB has conducted their evaluation.
5. Each incident is unique and must be assessed on a case-by-case basis by the FIU investigator.
6. In all incidents where damage to property results from police action, members shall refer to RPM Section 5.2.3: Damage as a Result of Police Action.



1.8 Informants

1.8.1 Informant Procedure

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.8 Informants

1.8.2 Informant Confidentiality

(Effective: 2007.02.26)

POLICE-INFORMANT PRIVILEGE RULE

1. On occasion, investigations are commenced or built upon information received by Informants whose identity must remain confidential. The Informant Handler must weigh the consequences of basing a case on the information received, against the need to protect the identity of the Informant. The "police-informant" privilege rule is a special provision of the common law, which is invoked when a police officer makes a promise to an Informant of confidentiality. The rule, which precludes the disclosure of the identity of an Informant, recognizes the great importance that Informants have to effective policing.

EXCEPTION

2. A general exception to the privilege rule exists where disclosure of the identity of an Informant could help to prove that a person charged with a crime was innocent. This exception is applied by the courts in the following three circumstances:
 - where the Informant is a material witness to the alleged crime;
 - where the Informant has acted as an agent provocateur in the sense that the informer was directed to play a role in the alleged crime itself; and
 - where the identity of the Informant is necessary for an accused to establish that a search was not based on reasonable or probable grounds.

DIVULGING INFORMANT IDENTITY

3. From time to time, defence counsel may attempt to have the identity of the Confidential Informant revealed through cross-examination of Crown witnesses. A Judge has discretion to order a witness to divulge the identity of the Informant.
4. In order to prepare for the possibility that a Judge may order the identity of an Informant to be divulged, members **shall make the Crown aware of the fact that a Confidential Informant exists.** This communication should be made at the time that charges are requested.
5. If a Judge orders that the identity of the Confidential Informant be disclosed, the member should expect that the Crown will seek an adjournment to consider its position.
6. If the Crown makes no application for an adjournment and no previous decision has been reached between the member and the Crown to divulge the Informant's identity, the member should:
7. raise the police-informant privilege rule, and request an adjournment to discuss the matter with Crown Counsel and the member's Inspector, and
8. if further directed to disclose the Informant's identity, consider seeking legal advice independent of Crown, bearing in mind the three exceptions to the police-informant privilege rule.

If the anonymity of an Informant is crucial, Handlers must consider the consequences of acting on the information received. For example, information from an informant cannot be used as the basis of a case, if the circumstances exist giving rise to the exception to the privilege rule.



1.8 Informants

1.8.3 Crime Stoppers Tips

(Effective: 2017.03.14)

Crime Stoppers - General Information

Metro Vancouver Crime Stoppers (MVCS) is a non-profit organization that works cooperatively with police and media to provide an avenue for citizens to anonymously supply information regarding crimes and criminal intelligence, in exchange for reward monies through their Crime Stoppers program.

The Vancouver Police Department (VPD) maintains a formal agreement with the MVCS to process tips that Crime Stoppers receives. This policy serves to outline the VPD's responsibilities to ensure the tips are processed according to the agreement.

To protect a tipster's anonymity, Crime Stoppers does not provide identity information (if known) to police, and instead retains this separately to pay out any reward monies if a tip is found to be successful. The success of the Crime Stoppers program relies upon confidentiality and maintaining a tipster's anonymity. Equally as important is timely police follow-up and communication of outcomes to Crime Stoppers so that a person may be rewarded for their tip.

Crime Stoppers does not have access to police databases such as CPIC, and therefore does not conduct any follow-up to determine a tip's validity prior to supplying the information to the relevant police agency.

Citizens wishing to provide anonymous information to police may contact Crime Stoppers via several means:

1. Online at www.solvecrime.ca
2. Telephone 1-800-222-8477 (TIPS)
3. Texting "BCTIP" and the information to 274637 (CRIMES)
4. Mobile application

As with information received from confidential informants, members must take steps to protect sensitive or identifying information in relation to anonymous Crime Stoppers tipsters. Please refer to RPM Sections 1.8.1: Informant Procedure and 1.8.2: Informant Confidentiality, or contact the Human Source Handling Unit for more information.

PROCEDURE

1. When the Metro Vancouver Crime Stoppers (MVCS) program receives a Crime Stoppers tip that is believed to be within the jurisdiction of the Vancouver Police Department (VPD), they:
 - a. Provide the tip to the relevant VPD investigative section via an emailed tip form;
 - b. If the tip is applicable to the Patrol district investigations (such as Problem Premises or street level crime) the tip is emailed to the Telephone Response Team (TRT) for preliminary work-up.
2. Upon receiving a Crime Stoppers tip, members will also receive a disposition reply form to be completed within 60 days of receiving the tip. Members shall use this form to respond to MVCS with the disposition of the tip by the BF date, or request an extension if required.
3. For tips sent to TRT, TRT shall progress the investigation as much as possible to determine the validity or viability of the information. If a tip requires further investigation or may be considered for basis of a patrol project, TRT shall create a G.O. outlining the details and their investigative



work and forward the tip to a District Crime Control Officer or appropriate follow-up investigator, along with the disposition response form to return to MVCS upon determining the disposition of the tip.

4. The assigned lead investigator for the Crime Stoppers tip shall be responsible for responding to MVCS with the disposition of the tip by the BF date.

Crime Stoppers Assistance in Investigations

5. Members may request the assistance from MVCS program to progress an investigation through “Wanted” or “Info Requested” bulletins on the Crime Stoppers website or making public pleas for information via short videos or media releases. For more information, members may contact MVCS, (which is housed with the VPD Organized Crime Section in the Kootenay building), at mvcs@solvecrime.ca.



1.9 Property & Evidence

1.9.1 Audio Recording Evidence

(Effective: 2006.05.31)

Policy

All audio recordings relating to incidents in the City of Vancouver (COV), and/or handled by the Vancouver Police Department (VPD) are the property of the VPD.

Procedure

1. E-Comm shall provide copies of audio recordings at no cost to the VPD to allow the Department to meet the following obligations:
 - a. When members require a copy of an audio recording for investigative purposes. E-Comm will provide one non-vetted audio recording. This recording shall not be given to Crown Counsel or Defence Counsel in the original or copied form;
 - b. When requested by Crown Counsel for court purposes. E-Comm will provide members with three copies of any audio recording relating to an incident in the COV. A request for a “Court” purpose audio recording shall be made separate of any request for investigative recordings. Court purpose recordings will include both vetted and non-vetted information for Crown Counsel and the investigator. Defence Counsel will receive only the vetted information; and
 - c. So that the Information and Privacy Unit can provide one copy of any audio recording related to an incident in the COV as a result of an application under the Freedom of Information and Protection of Privacy Act.
2. E-Comm shall not provide audio recordings for VPD members' personal use, and members shall not make any such requests.
3. Requests for audio recordings shall be submitted to the VPD Telecommunications Co-ordinator on an Audio Recording Request form (VPD96), listing as much detail as possible. Failure to provide adequate specifics will cause a delay in obtaining copies of the recordings.
4. In an investigative emergency, members may contact the Inspector in-charge of the Communications Section or the Duty Officer who will make the request directly to the on-duty E-Comm Team Manager.
5. The VPD Telecommunications Co-ordinator shall log the request and forward the completed form to the E-Comm Voice Records Co-ordinator via secure fax.
6. The E-Comm Voice Records Co-ordinator shall complete the request and may contact the member who requested the recording for further details if the information cannot be readily obtained.
7. The completed request shall be returned to the requesting member via the VPD Telecommunications Co-ordinator to preserve continuity of evidence.
8. The VPD Telecommunications Co-ordinator shall arrange delivery of the recording to the member who made the request. It shall be the member's responsibility to forward audio recordings to follow up investigators or to Crown Counsel, or to tag any audio recordings required as evidence.



1.9 Property & Evidence

1.9.2 DNA Collection and Handling

(Effective: 2017.10.03)

PROCEDURE

When members identify items bearing possible DNA evidence at a crime scene, they shall request that the Forensic Identification Unit (FIU) attend the scene. However, if FIU is unable to attend, and the exhibits are readily transportable, the members themselves may collect them as evidence.

In doing so, the following procedures will apply:

1. Document the location, description, and current state of the exhibits in members' notebooks.
2. Be aware of the possible biohazardous nature of any DNA-related evidence and use appropriate personal protective equipment when handling any item possibly containing biological substances such as blood, semen, fecal matter, etc., to prevent the spread of communicable disease.
3. Collect, handle and package the exhibits appropriately to prevent contamination and to preserve their potential evidentiary value. Use the following steps as guidelines:
 - a. Use new, clean disposable latex or nitrile gloves when handling exhibits, and change the gloves before handling any subsequent exhibit(s);
 - b. Unless individual exhibits are in direct physical contact, collect and package individual exhibits separately;
 - c. Any exhibit that is suitable for fingerprinting (eg. bottles, paper documents, etc.) shall be personally delivered to an FIU member or secured in the FIU Science Lockers at 1570 Kootenay Street, as outlined in RPM Section 1.9.7: Exhibits Requiring Forensic Examination;
 - d. Package dry or slightly damp exhibits (eg. soiled tissues, stained undergarments, etc.) in new, clean paper bags or envelopes. Place larger items in new, clean cardboard boxes. Do NOT use plastic packaging. Seal and initial the packages;
 - e. Wet items, such as bloodstained clothing or bedding, may be temporarily placed into a new, clean paper bag, and if the item is extremely saturated and may leak, place the item into a plastic bag and transport to the Evidence Drying Facility at 2010 Glen Drive. Follow the procedure as outlined in RPM Section 1.9.7: Exhibits Requiring Forensic Examination. When dry, these exhibits will be packaged by Property Office staff;
 - f. Place all sexual assault kits inside the freezer located in the Oversize Drop Off room in the Property Office, 2010 Glen Drive;
 - g. Place all other biological exhibits seized for possible toxicology testing in the freezer in the Oversize Drop Off room;
 - h. Biological exhibits, other than those mentioned in 3(e) and 3(f), should be placed in the refrigerator in the Property Office at 2010 Glen Drive;
 - i. To eliminate the possibility of cross-contamination, any possible DNA-related exhibits shall be collected, handled, packaged and transported separately, and, whenever practicable, by different investigators; and
 - j. When dealing with a potential DNA source that is not readily collectable by members (eg. bloodstains or other bodily fluids on immovable objects), contact the FIU NCO for instructions.
4. All exhibits that have not been personally delivered to an FIU member or tagged in an FIU Science Locker shall be tagged at the appropriate location inside the Property Office facility at 2010 Glen Drive. Before tagging the exhibits, members shall ensure that:
 - a. Each article has been entered in the *Versadex Property Module*;
 - b. A property label has been printed and attached to the packaging; and
 - c. A Form 5.2 has been completed, if required.



5. Members shall complete a General Occurrence (GO) report in a timely manner, and ensure that it is routed to the Supervisor i/c the appropriate follow-up unit. The report should indicate any follow-up required, outlining all pertinent details including, but not limited to:
 - a. The description of each exhibit;
 - b. The location each exhibit was seized from;
 - c. The circumstances of the seizure, including whether or not the seizure was in conjunction with the execution of a search warrant (See RPM Section 1.9.4: Seized Property re Form 5.2's);
 - d. The current location of the exhibit; and
 - e. The particulars of any requested analysis, including the availability of appropriate exemplars ("known" samples).
6. The Supervisor of the unit responsible for the follow-up investigation shall ensure that a copy of the GO report is routed to the assigned follow-up investigator. If appropriate, the Supervisor may request that the initiating patrol member do further follow-up.
7. The assigned member or follow-up investigator shall consider the viability and appropriateness of DNA analysis, having regard to all circumstances of the case including, but not limited to:
 - a. The seriousness of the case;
 - b. The availability of other forensic evidence that can be used to identify persons, such as fingerprints;
 - c. The availability and viability of other evidence to establish the facts of the case, including statements, eyewitnesses, video, electronic evidence, etc.; and
 - d. The availability of required exemplars ("known" samples).
8. If, after consideration of all circumstances, a DNA analysis is warranted, investigators shall obtain authorization from the Forensic Assessment Centre (FAC) in Ottawa to submit the exhibit to the RCMP National Forensic Laboratory Service (NFLS). Investigators submitting exhibits to the NFLS shall comply with the following:
 - a. Complete a "Request for Forensic Laboratory Analysis" (RCMP Form C-414), detailing the following:
 - full outline of the circumstances (NOTE: For sexual offences the NFLS now requires the investigator to document any consensual sexual partners within the preceding 7 days, as it determines how the sample is processed and interpreted in the lab. Care needs to be taken in how this information is obtained from the victim. For example, it should not form part of a recorded statement as it would need to be vetted prior to disclosure);
 - contemplated charge(s);
 - full description of the exhibit, its unique identifier, and its relevance to the investigation;
 - nature of the examination or analysis required (NOTE: if the analysis is related to a sexual offence where semen may be present, members must make specific request to the NFLS to test for the presence of semen);
 - full names and dates of birth of the victim and suspect(s) involved;
 - investigator(s) name, assignment, contact number, e-mail address;
 - VPD incident number(s);
 - an "Exhibit Return Shipping Address" of 2010 Glen Drive, Vancouver, BC, V5T 0B1; and
 - should there be any questions or assistance required with the Form C-414 or to seek advice regarding the exhibit, investigators may call the FAC at xxx.
 - b. Submit the completed "Request for Forensic Laboratory Analysis" RCMP Form C-414 to the Forensic Assessment Center (FAC) to obtain authorization to submit the exhibit for analysis, by either:
 - fax (xxx), or
 - e-mail (xxx).



- c. Upon receipt of the authorization for submission from the FAC and delivery instructions, enter the authorization number on the RCMP Form C-414 and follow the packaging and delivery instructions provided by the FAC. The exhibit may be delivered by traceable means such as registered courier. If the exhibits are to be delivered to other labs, or assistance with delivery instructions is required, contact FIU;
- d. If some or no exhibits are accepted by the FAC for analysis, document this as a text page in the GO report and indicate the reasons if known;
- e. Create a separate text page in the related GO Report, including the relevant details (exhibits accepted for forensic analysis, expected diary date provided by the FAC, etc.), with the page heading: "Request for Forensic Laboratory Analysis.";
- f. Upon receipt of the *Forensic Science and Identification Services Laboratory Report*, update the GO report with a summary of the results;
- g. Ensure all RCMP forms and relevant documentation (including, but not limited to, Form C-414, Submission Authorization, Submission Receipt, Laboratory Report, Notice of Diary Date Extension, Forensic Hit Notifications, Convicted Offender Hit Notifications, etc.) are scanned into the GO as attachments, and the printed originals are tagged at the Property Office; and
- a. The member who submitted the exhibit and C-414 for analysis shall be responsible for completing the administrative follow-up upon receiving the Forensic Science and Identification Services Laboratory Report, unless this task is assigned to the follow-up investigator by a supervisor, or if the submitting member and follow-up investigators make arrangements to have the tasks completed by another member.

DNA Exemplars

9. If the collection of DNA exemplars ("known" samples) is required at any point during the investigation, only those members trained and qualified to take samples of bodily substances by means of the investigative procedures described in Sec. 487.06(1) of the *Criminal Code of Canada* are authorized to do so. If required, members shall consult with the Supervisor i/c the FIU for further information.



1.9 Property & Evidence

1.9.3 General Property Policy and Procedure

(Effective: 2012.05.31)

POLICY

All property coming into the possession of a Vancouver Police Department employee for evidentiary purposes, safekeeping or forfeiture shall be handled in a professional, ethical manner that maintains the requirements of continuity of evidence. All reports regarding the property shall be completed prior to the end of the member's tour of duty, unless the officer is authorized by a supervisor to do otherwise. A Vancouver Police Department employee shall not keep, buy, barter or accept as a gift any property that is found, seized by, surrendered to, or intended to be surrendered to the Vancouver Police Department.

Federal and Provincial statutes, including the Criminal Code of Canada, provide a police officer with the authority to seize property in prescribed circumstances. Members who seize property must have reasonable and probable grounds to do so, and must conduct a thorough investigation in relation to that property. In some circumstances, whether or not there is sufficient evidence to recommend charges, it is appropriate to seize certain items where lawful authority exists (e.g., drugs, prohibited weapons). Where suspected stolen property is involved, it is expected that members will draw on electronic resources such as PRIME-BC and CPIC to verify the status of the property, give the stolen property warning, interview the person from whom the item is seized, and take other necessary steps to ensure a thorough investigation is completed. Where the threshold of reasonable and probable grounds has not been met, there is no lawful authority to seize property believed to be stolen. Where the reasonable and probable grounds threshold has been met but there is insufficient evidence to recommend a charge, then the seizing member must intend to pursue the investigation, or request (via GO report) that a follow-up unit continue the investigation. Where there is insufficient evidence for a charge and no timely follow-up investigation is intended, the suspect property shall not be seized.

DEFINITIONS

Seized Property: Any property that comes into the possession of a member during the course of an investigation, and is not considered found property, relinquished property or property for safekeeping.

Found Property: Any property that is found by the member to not be in the possession of the lawful owner, or person who claims to be the owner, and is not linked to an investigation or required for a future investigation.

Found Property as Evidence: Any property that is found by the member to not be in the possession of the lawful owner, or person who claims to be the owner, but is linked to an investigation or required for a future investigation.

Safekeeping: Any property that belongs to a person in custody which is too large to be admitted by Vancouver Jail staff shall be stored at the Property Office.

Relinquishment: An owner of property may relinquish claim to the property by voluntarily turning it over to the police with the knowledge that the property will not be returned to them and will be otherwise disposed of by the police. Anyone in possession of property is deemed, in law, to be in lawful possession of the property, unless it is proven otherwise in a court of law. If a member believes the possessor of property is neither the owner nor in lawful possession of the property, then the member is conducting a possession of stolen property investigation. In that case, the member cannot seek relinquishment of the property but can only seize the property, if reasonable grounds exist, during the course of the possession of stolen property investigation.

PROCEDURE



Property Office

1. When the Property Office is open, members shall tag property (except large items) at the Property Office. A General Occurrence (GO) report clearly indicating disposition of the property shall be submitted for all tagged items. Any property seized by members pursuant to a criminal investigation must be reported on a 5.2 Report to a Justice (**Section 1.9.4 - Seized Property**). This does not include found property or relinquished property which does not require a Form 5.2. All property shall be entered on an Evidence Continuity Page of the PRIME GO report. In cases where there is a serial number or other identifiable markings on the property, a "C" shall be entered in the study field of the GO report to alert CPIC staff to enter the property on CPIC.

Property Seized for Destruction

2. In cases where property, such as prohibited weapons, is seized for forfeiture (commonly referred to as destruction), and where no charges are laid and no further investigation is required, a GO report shall be submitted for the substantive offence, such as possession of a prohibited weapon. In addition, the member shall:
 - a. Complete and submit a Form 5.2 and request that the property be detained;
 - b. Complete and serve the person from whom the property was seized with a Notice of Application for Hearing;
 - c. Complete the Affidavit for Service and attach it to the Forfeiture Order; and,
 - d. Submit a copy of the Notice of Application for Hearing, Affidavit for Service and Forfeiture Order to the Property Office clerk who will forward the documents for the scheduled Hearing Date with the Justice of the Peace and request that an order be granted for forfeiture.
3. In cases where the seized item is a controlled substance for destruction, and where no charges are laid and no further investigation is required, a GO report shall be submitted for the substantive offence, such as possession of a controlled substance. Members shall also refer to **Section 1.6.12(ii), Drug Handling Procedures**.

In addition, the member shall:

- a. Complete and submit a Form 5.2; and
- b. Enter the seized drug information in the Drugs for Destruction Log Book located at the Property Office.

Relinquished Property

4. In cases where the ownership of property is not disputed and the owner voluntarily relinquishes the property to the member, the property shall be tagged at the Property Office with the disposition "RELINQUISHED" written on the tag. A photocopy of the receipt of relinquishment obtained by the member in their notebook shall be attached to the property. The receipt shall state the following:
 - a. "I, (name of owner) do hereby voluntarily relinquish my property to the police to be disposed of in accordance with departmental policy";
 - b. List of property being relinquished;
 - c. Signature of owner; and,
 - d. Signature of member.

Note: In these types of cases, where the property is a dangerous weapon or controlled substance, for example, a GO report shall be submitted for the substantive offence such as possession of a dangerous weapon or possession of a controlled substance.

After Hours

5. When the Property Office is closed, members shall:



- a. Place money and valuables in an envelope and list the contents on the face of the envelope (including the total amount of money and all denominations);
- b. Have another member verify the contents, seal and initial the envelope in their presence;
- c. Ensure that both members' names, signatures and PIN numbers are on the envelope. Document the witness name and PIN number in your notebook or GO report;
- d. Place money and valuables in the Property Office cash drop in the presence of the witnessing officer and register the money and/or valuables in the Property Log Book;
- e. Place small items, drugs and weapons in the Property Office as required (e.g. Drug or exhibit locker, counter area);
- f. Tag each item separately and register it in the Property Log Book; and,
- g. Maintain security of the Property Office, and the continuity of the evidence it contains, by ensuring that the Property Office door remains closed and locked.

Non-compliance and 'Right of Refusal'

6. Any seized property that is not properly tagged and/or not reported on a Property Continuity Page of the GO report, and in the case of seizures, on a Form 5.2 shall be refused by the Property Office staff. The Property Office staff member will send a message to the seizing member's supervisor and request that the member return to the Property Office and complete the tagging procedure before the property will be logged into the Property Office.

Oversize Drop-Off

7. The Oversize Drop-Off is a facility designed for storing larger seized or recovered property at the Property Office.
8. Members placing property in the Oversize Drop-Off shall:
 - a. Tag each item with a VPD 34 Property Tag <LINK> (including a bar code sticker) and include the appropriate report(s) detailing both the circumstances of seizure and the requested disposition of the property;
 - b. Attach a copy of the Form 5.2 to the property; and
 - c. Record submission of property in Property Log Book.

Dangerous Goods

9. The City of Vancouver classifies the following as Dangerous Goods:
By-Law 5572 "Dangerous Goods":

Class 1: Explosives, including explosives within the meaning of the Explosives Act.

Class 2: Gases: compressed gases, liquefied petroleum, liquefied natural gas, and liquefied or dissolved gases under pressure

Class 3: Flammable liquids and combustible liquids.

Class 4: Flammable solids; substances liable to spontaneous combustion; substances that on contact with water emit flammable gases.

Class 5: Oxidising substances; organic peroxides, chlorates, nitrates, etc.

Class 6: Poisonous (toxic) and infectious substances.

Class 7: Radioactive materials and prescribed substances within the meaning of the Atomic Energy Control Act.



Class 8: Corrosives.

Class 9: Miscellaneous products, substances, or organisms considered dangerous to life, health, or the environment, not included in any of the above classes.

Dangerous Goods-Handling

- a. Members whose investigations involve dangerous, biologically contaminated, or explosive substances should make every effort to have the substance photographed if the substance(s) might be required as an exhibit in a court case. (Members must determine that the dangerous goods etc. can be photographed without danger, e.g. flash photography may cause an explosion; if in doubt, an "Incendiary Explosive Device" qualified member must be consulted).

Under no circumstances should an member attempt to enter a dangerous, biologically contaminated or explosive substance(s) as a court exhibit. If the substance requires laboratory analysis the Vancouver Fire and Rescue Services, Health Department, City of Vancouver Environmental Protection Branch, and/or the Emergency Response Team (ERT) must be contacted to ensure proper handling of the substance. The Vancouver Fire and Rescue Services, Health Department, the City Environmental Protection Branch, and the RCMP are trained and equipped to identify and deal with dangerous, biologically contaminated, and explosive substances and their services must be utilized.

The City Health Department and the Environmental Protection Branch can be contacted 24 hours a day via the Vancouver Fire and Rescue Services (**Section 1.7.12: Explosive Devices**).

- b. If the owner of the substance (**Section 1.7.12: Explosive Devices**) cannot be identified or located and the substance is not required for any police purpose, the Health Department or Environmental Protection Branch should be contacted for disposal of the substance.
- c. The Property Office is not equipped to deal with dangerous, biologically contaminated or explosive substances. The Upper Police Garage may be used for the storage of these substances if the Vancouver Fire and Rescue Services, Health Department, the City Environmental Protection Branch and/or ERT is contacted prior to their storage. They will advise if these substances can be stored without risk and in compliance with Provincial and Federal Regulations

Dangerous Goods-Seizure

10. Members seizing property that may be dangerous shall have first determined that the property could be safely handled and stored by police personnel. The dangerous goods shall be clearly marked 'Dangerous' and the VPD 34 (Property Tag) shall indicate what type of dangerous goods the property is or is suspected to be. A GO report (including an Evidence Continuity Page) shall be submitted for all seized dangerous goods. The report shall indicate the circumstances of the seizure, who determined that the dangerous goods may be safely handled and stored by police personnel, and the required disposition of the property.

Seizure of Compressed Gas Cylinders

11. Under no circumstances shall compressed gas cylinders of any size be transported in any police vehicle or stored in any police building. Members requiring a gas cylinder for evidence shall first consider photographing it and returning it to the owner. When seizure is absolutely necessary, members shall comply with the following procedure:
 - a. Attach a VPD 34 Property Tag (including a bar code sticker) to each item;
 - b. Attach a copy of the Form 5.2 to the property;
 - c. Contact the City of Vancouver Streets Emergency Truck through Engineering Dispatch at xxx to attend and transport the cylinder(s) to Manitoba Yards; and,
 - d. Ensure that a copy of any applicable report is routed to the Property Office. The report shall contain the officer's instructions regarding the disposition of the property.

Flammable Materials



12. Members shall make every effort to locate the owner of the property, have it photographed for court purposes, and return it to the owner. If the owner cannot be located, photograph the item and contact the Vancouver Fire and Rescue Services for disposal instructions. Empty containers should then be placed in the Oversize Drop-Off with clear instructions to the Property Office staff regarding disposal and/or destruction of the item (they do not have facilities for long-term storage of flammable materials). Flammable materials shall not be stored at 2120 Cambie St., 3585 Graveley St., or 236 E. Cordova St.

If they are exhibits from a major crime scene:

- a. Contact and advise the appropriate investigative section;
- b. Liaise with the Arson Investigator;
- c. Contact the Vancouver Fire and Rescue Services regarding proper handling of the exhibit for laboratory analysis;
- d. Seized containers should be emptied (contact the Vancouver Fire and Rescue Services for disposal instructions);
- e. Store the exhibit in an air tight metal container supplied by the Vancouver Fire and Rescue Services;
- f. Place the exhibit in the Oversize Drop-Off; and,
- g. Attach a copy of a Form 5.2 to the container.

Continuity of Evidence

13. Members are reminded that the appropriate report must include the names, position and address of all non-VPD personnel who handled or seized the dangerous goods. Members must also clearly advise the required disposition (e.g. for evidence and/or analysis or for forfeiture) to all non-VPD personnel seizing dangerous goods.



1.9 Property & Evidence

1.9.4 Seized Property

(Effective: 2005.11.09)

The Criminal Code requires judicial control over property seized by police officers while investigating any offence under the Criminal Code or other statute passed by the Parliament of Canada. In British Columbia, the Offence Act contains procedures that parallel the Criminal Code providing for judicial control over property seized by police officers while investigating any offence contrary to any provincial statute.

A Form 5.2 Report to a Justice must be sent to a Justice of the Peace to ensure that police return seized property as soon as practicable. Failure to comply with this requirement may prevent property from being entered in court as evidence.

1. Seizing Officer - Form 5.2 Report to a Justice

- a. **A Form 5.2A Report must be completed whenever officers seize anything, including drugs, for an investigative or legal process.** This would include items seized under Federal or Provincial statutory authority or under common law powers.
- b. All seized items, including drugs, must be recorded on a Form 5.2A Report. **A photocopy of the Form 5.2 must be attached to the seized exhibit when tagged in the Property Office.**
- c. For Telewarrants or Facsimile warrants (487.1 CCC), a Form 5.2A Report must be filed within a period not exceeding seven days after the warrant has been executed.
- d. All seized items must be described to allow a Justice of the Peace to identify the property seized and determine whether or not the continued detention of the property is warranted.

2. There are five different Form 5.2s:

- a. Form 5.2A Report to a Justice (Following Seizure of Property And / Or Warrant to Search). This is the basic form used to report a seizure of property.
 - Form PCR 087 for seizures conducted under Federal statutes.
 - Form PCR 815 (electronic version only - available on the Intranet under Forms) for seizures conducted under Provincial statutes.
- b. Attachment to Report to a Justice. This is a continuation of the Form 5.2A, used to list additional property when the space for listing property on the bottom of the Form 5.2A is insufficient;
- c. Form 5.2B Report to a Justice (Following Warrant or Demand to Take Blood Samples). This form is used whenever a blood sample is taken pursuant to a warrant or demand for an impaired investigation; and
- d. Form 5.07 Report to a Provincial Court Judge of The Court for DNA Analysis. This report is required any time an officer obtains a DNA sample following a DNA warrant.

Completion of Form 5.2 Reports.

3. Prior to forwarding a Form 5.2A, officers shall:



- a. Complete the 5.2A report. The application for detention at the bottom of the report shall be completed only when the officer is seeking a detention order ('B' status). A 5.2A attachment form may be used to record lengthy lists of property. The list must include a number, description and the intended disposition for each piece of property on the list.
- b. Submit the Form 5.2A as an attachment to the GO report.
- c. Ensure that the accompanying report clearly states the justification for the seizure, provides clear direction for the handling of the property, and includes any required follow-up. Whenever possible, the seizing officer shall indicate to whom the property should ultimately be returned.

NOTE: Property cannot be lawfully held without a detention order. Therefore, officers **must** complete the application for detention section of the 5.2 Report. A Detention Order authorises the detention of property for 90 days so that officers can continue an investigation.

Further Detention of Things Seized

4. After the expiry of the 90 day detention period, the property seized can be reclaimed by the owner. Where no charges have been laid with respect to seized property and an investigation is still ongoing, at the **60 day mark** officers shall:

- a. Request permission from a Justice of the Peace to further detain the property for an investigation. An officer shall complete and serve/attempt serve one copy of a Notice of Application for Hearing (VPD154) to the possessor of the property and retain another copy for the Property Office;
- b. Complete an Affidavit for Service (VPD155) swearing the service/attempt service of the possessor of property. If unable to serve the Notice of Application for Hearing to the possessor of property, document on the Affidavit for Service the number of attempts made and detail reasons for failure. This may include the number of attempts at service, person moved and no forwarding address, evading service, etc;
- c. Print-off the Order for Further Detention of Things Seized (PCR095);
- d. Update PRIME as to why the officer is seeking the continued detention of the property on a Police Statement (PS) page, transcribe and print-off the PS; and
- e. Attach all forms (VPD154, VPD155, PCR095 and PS) to the original Form 5.2A and submit the package to the Property Office who will forward the package to the Justice of the Peace.

Forfeiture Orders

5. Property that cannot be returned such as prohibited weapons/devices or items that are illegal to possess or where there is evidence to support that the property was not lawfully possessed by the person from whom it was seized, the officer shall request permission from a Justice the Peace to have the property forfeited. The officer shall:

- a. Complete and serve/attempt serve one copy of a Notice of Application for Hearing (VPD154) to the possessor of the property and retain another copy for the Property Office;
- b. Complete an Affidavit for Service (VPD155) swearing the service/attempt service of the possessor of property. If unable to serve the Notice of Application for Hearing to the possessor of property, document on the Affidavit for Service the number of attempts made and detail reasons for failure. This may include the number of attempts at service, person moved and no forwarding address, evading service, etc;



- c. Complete the Order of Forfeiture of Things Seized (PCR095);
- d. Update PRIME as to why the officer is seeking a Forfeiture Order for the seized property on a Police Statement (PS) page, transcribe and print-off the PS; and
- e. Attach all forms (VPD154, VPD155, PCR095 and PS) to the original Form 5.2A and submit the package to the Property Office who will forward the package to the Justice of the Peace.

Drugs for destruction

6. Drugs tagged for destruction do not require a forfeiture process but may be destroyed by Property Office staff once a Destruction Order is obtained from Health Canada. Officers shall choose disposition “A” on the Form 5.2A and write “Destroy as per Health Canada/Drugs for Destruction Safe” in the section “Location Where Detained.”

Hearing Date and Disposition

7. Hearing dates shall be set between Monday and Thursday at 10:00 hrs at 222 Main St., Vancouver B.C., 2nd Floor, Justice of the Peace Offices. Hearing dates may be set **no later than 1 week before the expiry of the Detention Order.**

- a. Property Office clerk shall forward the appropriate documents for the hearing and submit a copy of the hearing disposition to the Property Office. This will assist the Property Office in maintaining a record of any upcoming property detention expiry dates.
- b. Property in the custody of Crown shall not be released for thirty days following the disposition of the trial period.

Property Office

8. When any property is seized by an officer and deposited at the Property Office, the Property Office is responsible for the safekeeping of the property. As a result, no property in the custody of the Property Office shall be returned to the person from whom it was seized unless an Order to Return Things Seized, signed by a Justice of the Peace, has been received by the Property Office. When the Property Office is notified to release the property, the Property Office shall notify the indicated lawful possessor to claim the property.

9. If the disposition of the property is disputed at the hearing, the Justice of the Peace will assist in setting a hearing date before a Provincial Court Judge. The property disposition hearing shall be set on the officer’s regular duty hours. If the disputant is represented by counsel, and if the item seized is of significant value, the officer shall speak to the VPD Legal Advisor and request that a lawyer from the City of Vancouver represent the officer at the upcoming disposition hearing.

10. All property must be held by the Property Office 31 days from the date any Order is issued by a Justice as per the Criminal Code. This provides 31 days for any appeals or disputes in relation to the disposition of the property. After 31 days, if no appeals or disputes are received by the Property Office, the property shall be dealt with as stated in the Order.

See also: **INFORMATION BULLETIN: Report to a Justice-Form 5.2**



1.9 Property & Evidence

1.9.5 Counterfeit Money, Currency, and Travel Documents

(Effective: 2017.10.03)

POLICY

The RCMP National Anti-Counterfeiting Bureau (NACB) is the central repository for all counterfeit currency in Canada. The NACB conducts forensic examinations of Canadian and foreign bank notes and coins, travel documents such as passports and visas and payment cards. Regardless of whether criminal charges are anticipated or not, all suspected counterfeit currency seized by a member of the Vancouver Police Department (VPD) shall be submitted directly to the NACB for analysis and/or destruction.

As the NACB now handles all counterfeit currency, the VPD's Financial Crime Unit (FCU) is no longer tasked with this role, however, helpful information is available on their intranet website and members may contact the FCU for assistance and advice regarding counterfeit investigations.

DEFINITIONS

Counterfeit money - false coins, bank notes or paper money intended to resemble or pass for genuine currency.

Counterfeiting includes the manufacture of false bank notes, forged credit cards, payment cards, traveller's cheques, passports, and identity documents.

PROCEDURE

1. Members seizing suspected counterfeit currency, payment cards and travel documents such as passports or travel visas, whether criminal charges are anticipated or not, shall:
 - a. Avoid handling the exhibit to preserve forensic evidence;
 - b. Not mark the exhibit in any way;
 - c. Document the denomination, serial number, country of origin and any other identifying features in their notebook;
 - d. Obtain a GO number to include on the appropriate NACB intake form (see below for the form required for charge/no charge investigations); and
 - e. If applicable, upon receipt of the forensic analysis report from the NACB, scan the document into the GO and complete a text page updating the GO with the analysis results.

Exhibits Requiring Fingerprint Examination

2. All suspected counterfeit currency requiring fingerprint examination shall be shipped to the NACB lab in Ottawa BEFORE examination by the VPD Forensic Identification Unit (FIU). (Note there could be a 6-8 week delay before the currency is shipped back here for fingerprinting.)
 - a. Provide clear instructions on the exhibit envelope so examiners from the NACB lab do not contaminate any possible fingerprint evidence, such as by writing "Special Handling - Fingerprinting Required" on the outside of the exhibit envelope.
 - b. Once the testing is completed the NACB will ship the currency exhibit back to the submitting VPD member, who is then responsible for delivering it to FIU for fingerprint examination (turnaround time usually ~ 6 to 8 weeks).

There may be exigent circumstances that necessitate suspected counterfeit currency being fingerprinted by FIU prior to processing by the NACB, such as if fingerprints are urgently required to support charges for other



offences. Should exigent circumstances apply, members may consult with FIU or the NACB prior to processing the exhibit. Note: the currency exhibit(s) could become altered by the chemicals used during the fingerprint examination.

3. If members have any questions for the NACB, they may contact them at:
Tel: xxx
Fax: xxx
E-mail: xxx

Submission of Suspected Counterfeit Exhibits to the NACB - CRIMINAL CHARGES EXPECTED

4. Complete an RCMP Form C-414 Request for Forensic Laboratory Analysis, and indicate that the exhibit is intended for charges. Include:
 1. The submitting member's name and PIN;
 2. Division/Section;
 3. Contact phone number and work address;
 4. General Occurrence (GO) report number; and
 5. In the 'Brief Summary' field, write the suspect's name, DOB, FPS (if applicable).
5. Scan a copy of the C-414 into the GO report.
6. Place the suspected counterfeit exhibit into an exhibit envelope and label the envelope with the member's name, PIN, GO number and date. If fingerprinting is required, indicate this on the envelope as previously described.
7. Obtain a new Purolator Courier envelope and Purolator Waybill from the Public Service Counter at 2120 Cambie or 3585 Graveley Street during business hours. Fill out the information required on the Waybill label for ground shipping:

Shipping Address:

National Anti-Counterfeiting Bureau
1200 Vanier Parkway
Ottawa, Ontario
K1A 0R2

Return Address:

Vancouver Police Department
3585 Graveley Street
Vancouver, BC
V5K 5J5

8. Place the exhibit(s) and the RCMP Form C-414 into the Purolator envelope and deliver this to the 2120 Cambie Street or 3585 Graveley Street Public Service Counter during business hours for shipping.
9. The NACB will analyze the exhibit, prepare a report of their findings, and mail this to the submitting member usually within 6-8 weeks. Upon receiving the NACB analysis report, the member shall scan this into the GO report, complete a text page summarizing the results, and submit copies for court disclosure to the Crown Liaison Unit (CLU). Original copies of the reports and the counterfeit exhibit shall be tagged at the Property Office.
10. If the exhibit is considered counterfeit, the analysis report will include a 'Certificate of an Examiner of Counterfeit Money' and a 'Notice of Intention to Produce Certificate'. These must be served upon the accused person prior to the trial for disclosure purposes.

Submission of Suspected Counterfeit Exhibits to the NACB - NO CHARGE/FOR DESTRUCTION

11. When no charges are expected and the counterfeit currency is submitted for destruction, members shall:
 - a. Complete a RCMP Form 3774 - Request for Analysis of Non-Court File Submissions;
 - b. Make 2 hard copies of the Form 3774: one to accompany the exhibit submitted for destruction, and one for scanning into the GO report; and



- c. Place the counterfeit item in an exhibit envelope labeled with the submitting member's PIN, GO number, and date.
12. Obtain a new Purolator Courier envelope and Purolator Waybill from the Public Service Counter at 2120 Cambie or 3585 Graveley Street during business hours. Fill out the information required on the Waybill label for ground shipping:

Shipping Address:

National Anti-Counterfeiting Bureau
1200 Vanier Parkway
Ottawa, Ontario
K1A 0R2

Return Address:

Vancouver Police Department
3585 Graveley Street
Vancouver, BC
V5K 5J5

13. Place the exhibit(s) and the RCMP Form 3774 into the Purolator envelope and deliver this to the 2120 Cambie Street or 3585 Graveley Street Public Service Counter during business hours for shipping



1.9 Property & Evidence

1.9.6 Credit Cards

(Effective: 2000.08.01)

1. The legal owner of a credit/money card is the issuing institution. All cards coming into the possession of a member shall be tagged in the Property Office. This includes cards found or turned in as found property by the public.
2. The Property Office shall destroy or return to the issuing institution all cards except for:
 - a. Cards held for evidentiary purposes
 - b. Cards held for safekeeping and where there was no opportunity for the card to be used illegally (example: cards tagged as effects from a person deceased or in detention)
3. For exceptions occurring in Subsection (2), a member or the Property Office may return cards to the cardholder.



1.9 Property & Evidence

1.9.7 Exhibits Requiring Forensic Examination

(Effective: 2017.10.03)

POLICY

When VPD members seize exhibits including documents that require further forensic examination, there are several administrative and procedural steps that must be completed to ensure the item is properly seized, itemized, retained and submitted for analysis. When in doubt, members are encouraged to seek advice from the Forensic Identification Unit (FIU).

PROCEDURE

Exhibits for Forensic Identification Unit or Forensic Firearm and Toolmark Unit

1. Members seizing evidence for examination by the Forensic Identification Unit (FIU), the Forensic Firearm and Toolmark Unit (FFTU), or the RCMP National Forensic Laboratory Service (NFLS) shall:
 - a. Enter each exhibit into the *Versadex Property Module*, and if required complete and submit a Form 5.2 to the Property Office (see Form 5.2 Guidelines);
 - b. Package the exhibits appropriately to preserve potential trace evidence;
 - c. Print a property label for each item, but leave the labels on their paper backing;
 - d. (i) Deliver the exhibits and property labels by hand to a FIU member or FFTU technician, or
(ii) Place and secure the exhibits and property labels in a patrol science locker at 1570 Kootenay Street. Complete a Science Locker Submission form and attach it to the Science Locker door; and
 - e. Create a separate text page in the related GO report, outlining the analysis required, with the page heading: "Forensic Examination Requested."

Submissions to the RCMP National Forensic Laboratory Service (NFLS)

2. Members seizing evidence (such as swabs of DNA evidence) for direct submission to the NFLS shall:
 - a. Enter each exhibit into the *Versadex Property Module*, and complete a Form 5.2 if required;
 - b. Package the exhibits appropriately to preserve potential trace evidence;
 - c. Print a property label for each item, and attach the label to the packaging;
 - d. Tag the property in the Property Office, 2010 Glen Drive;
 - e. Complete a "Request for Forensic Laboratory Analysis" ([RCMP Form C-414](#)), detailing the following:
 - full outline of the circumstances (NOTE: For sexual offences the NFLS now requires the investigator to document any consensual sexual partners within the preceding 7 days as it determines how the sample is processed and interpreted in the lab. Care needs to be taken in how this information is obtained from the victim. For example, it should not form part of a recorded statement as it would need to be vetted prior to disclosure.)
 - contemplated charge(s);
 - full description of the exhibit and its relevance to the investigation;
 - nature of the examination or analysis required (NOTE: if the analysis is related to a sexual offence where semen may be present, members must make specific request to the NFLS to test for the presence of semen);



- full names and dates of birth of the victim and suspect(s) involved;
 - investigator(s) name, assignment, contact number, e-mail address;
 - VPD case number(s);
- f. Either fax (xxx) or e-mail (xxx) the completed Form C-414 to the Forensic Assessment Centre (FAC) for authorization. If assistance or advice is required, call the FAC at xxx;
 - g. When the FAC has completed their review of the C-414, they will provide the submitting member with an authorization number and a diary date of the anticipated completion of the analysis, as well as instructions on the handling, packing and address for delivery. Upon receipt of the authorization for submission, enter the authorization number on the RCMP Form C-414 and deliver the exhibits as instructed by the FAC. If the exhibits are to be delivered to other labs, contact FIU for assistance;
 - h. Create a separate text page in the related GO report, including the relevant details (exhibits accepted for analysis, expected diary date, etc.), with the page heading: "Request for Forensic Laboratory Analysis.";
 - i. Upon receipt of the *Forensic Science and Identification Services Laboratory Report*, update the GO report with a text page detailing a summary of the results;
 - j. Ensure all RCMP forms and relevant documentation (including, but not limited to, Form C-414, Submission Authorization, Submission Receipt, Laboratory Report, Notice of Diary Date Extension, etc.) are scanned into the GO as attachments, and the printed originals are tagged at the Property Office; and
 - k. The member who submitted the exhibit and C-414 for analysis shall be responsible for completing the administrative follow-up upon receiving the Forensic Science and Identification Services Laboratory Report, unless this task is assigned to the follow-up investigator by a supervisor, or if the submitting member and follow-up investigators make arrangements to have the tasks completed by another member.

Handling of Wet Exhibits or Exhibits With Live Biological Evidence

3. All wet items must be dried at the evidence drying facility at the Property Office at 2010 Glen Drive before packaging for submission to the FIU, FFTU, or the NFLS. Members should refer to the sheets marked "General Exhibit Processing Procedure" and shall:
 - a. Print a property label for each item, but leave the label on its paper backing and place it inside the slot on the front of the locker door;
 - b. Secure the exhibit(s) in the drying cabinets using the Property Office locks, located on the wall outside the two drying rooms;
 - c. Log the exhibits into the evidence drying facility log book;
 - d. In the event that all drying lockers are full, on weekdays during dayshift hours advise a Property Custodian. After hours, members shall notify the Duty Officer through a supervisor; the Duty Officer can in turn contact a Property Supervisor or Manager;
 - e. If an exhibit contains maggots, flies or other vermin, do not place it in a locker. Ensure that a property label is securely attached to the exhibit, and place it inside the stand-up freezer located inside the evidence drying room; and
 - f. Ensure that the exhibits, once dry, are delivered to the FIU, FFTU, or the NFLS.

Evidence for the Hit & Run Team

4. A member seizing evidence requiring investigation by the Hit & Run Team shall:
 - a. When possible, hand the evidence directly to a Hit & Run Team member, or if the Hit & Run Office is closed, tag all evidence at the Property Office, 2010 Glen Drive;
 - b. Secure any vehicles, particularly any suspect vehicles in which airbags have deployed, that require forensic examination at the Police Garage, 2010 Glen Drive; and
 - c. Ensure the GO report is routed to the Hit & Run Team handle.



Documents Requiring Forensic Examination and Counterfeit Analysis

5. When members have a suspected counterfeit document or currency that requires forensic examination in addition to counterfeit document analysis, refer to RPM Section 1.9.5: Counterfeit Money, Currency, and Travel Documents.



1.9 Property & Evidence

1.9.8 Documents for RCMP Forensic Laboratory

(Effective: 2017.10.03)

This policy has been rescinded. For relevant policy sections, please see RPM Section 1.9.7: Exhibits Requiring Forensic Examination and RPM Section 1.9.5: Counterfeit Money, Currency, and Travel Documents.



1.9 Property & Evidence

1.9.9 Handling Property for Court Purposes

(Effective: 2000.08.02)

1. When property is taken from the Property Office to Court, the member shall:
 - sign the Property Transit Form, which remains at the Property Office, and
 - take a Court Exhibit Receipt along with the property.
2. When the property is no longer required for Court, members shall return it to the Property Office and re-enter it in the Property Logbook. The Court Exhibit Receipt must accompany the property.
3. When property is entered as evidence, the Court Exhibit Receipt is submitted with the property to the Court Clerk. If a portion of property is entered in Court, the Court Exhibit Receipt accompanies it and the member returns the remaining property to the Property Office. The property shall be re-registered in the Property Logbook.
4. When the property is entered in a Court at another location (Supreme Court, Family Court, or out-of-town Courts), the member entering it will obtain the signature of the Court Clerk or Crown Counsel on the Court Exhibit Receipt indicating that it was entered in Court. The member shall then return the Court Exhibit Receipt to the Property Office.
5. When Crown Counsel takes charge of the property or the Judge orders the property returned to the owner in the courtroom, the member must obtain the signature of Crown Counsel or the Court Clerk on the Court Exhibit Receipt. If the member returns the property directly to the owner, the signature of the owner must be obtained on the Court Exhibit Receipt. The member shall then return the Court Exhibit Receipt to the Property Office.



1.9 Property & Evidence

1.9.10 Passports

(Effective: 2014.10.07)

POLICY

The Vancouver Police Department recognizes that Canadian and international passports are valuable documents. Canadian Permanent Resident Cards and Citizenship Certificates are also valuable and secure documents which facilitate travel, and therefore should be treated in the same manner as passports when being reported as lost, stolen or found.

PROCEDURE

Lost Canadian passport or travel document

1. When a member of the public reports the loss of a Canadian passport/travel document, members or PSC staff shall advise the complainant to immediately report the loss to Passport Canada by calling 1-800-567-6868 or presenting themselves at a Passport Canada office.

Stolen Canadian/foreign passport or travel document

1. When a member of the public reports the theft of passport or travel, a General Occurrence (GO) report documenting the circumstances of the theft of these documents is required.
2. Reports of stolen passports must be made in person where practicable. Reports can be taken at a VPD Public Service Counter (PSC) or by members investigating crimes during which a passport was stolen (such as theft from auto or break and enter).
3. When exceptional circumstances prevent the complainant from making a report at the PSC, consideration shall be given to dispatching a member to take the call. If, due to call load or other operational considerations, this is not practical, then:
 - a. Permission shall be requested of the Telephone Response Team Supervisor or, if unavailable, a Patrol Supervisor to take the call over the phone; and
 - b. If permission is granted, a report can be taken over the phone by a call taker or Telephone Response Team member.
4. If the PSC staff suspect a fraudulent report or believe there are suspicious circumstances, a member shall be called to take the report.
5. A complainant reporting a stolen passport must:
 - a. Provide their name, date of birth, address, phone number, and if possible, their passport number and expiry date;
 - b. Produce valid identification; and
 - c. Write a statement outlining the circumstances of the loss or theft and any efforts made to locate the document.
6. When a complainant is unable to provide any valid identification, or the report is being made over the telephone, the police member, PSC staff, or call taker taking the report shall attempt to confirm the identity of the complainant utilizing tools such as PRIME, CPIC and BCDL queries. Consider additional resources such as Immigration and Interpol where appropriate. Steps taken to confirm the identity of the complainant shall be documented in the GO report.
7. For Canadian passports, Passport Canada can be contacted as a resource at:
 - a. (819) 934-3159, Monday-Friday, 0800-1600; or
 - b. (613) 286-8722, Monday-Friday, 1600-0800 and weekends.
8. If the complainant has immediate travel plans, a confirmation letter can be issued to help facilitate travel (VPD Form 1335).
9. Reports of stolen passports must be taken regardless of whether the passport is valid or expired.



10. A GO report regarding a stolen or recovered passport shall include the following:
 - a. The Study Field must be marked "C" to notify CPIC;
 - b. A Property Report must be completed, indicating the appropriate status;
 - c. Add the passport as a Security;
 - d. If a person's identity cannot be confirmed: "unable to confirm ID" must be clearly stated in a text page; and
 - e. If a passport is stolen during the course of a minor crime (e.g. a theft from auto) where no suspect is identified and an investigation is not completed: "not investigated" must be clearly stated in a text page.
11. Complainants who report the loss or theft of a passport should be advised:
 - a. Once a passport has been reported stolen, it is no longer valid and is not to be used for any travel if recovered; and
 - b. To report the theft to Passport Canada, or the appropriate consulate or embassy.

Found Canadian/foreign passport or travel document

1. When members or a PSC staffs recover or receive a lost or stolen Canadian or international passport, they shall not return it to the individual whose name appears on the passport.
2. Members shall document the circumstances in the related GO report on how, where and when the individual recovered the passport or travel document.
3. All recovered passports shall be tagged and submitted to the Property Office in accordance with general property procedures outlined in Section 1.9.3: *General Property Policy and Procedure* . A Property Report including an Evidence Continuity page must be completed.
4. The Property Office is responsible for forwarding all recovered passports to the appropriate agency.



1.9 Property & Evidence

1.9.11 Perishables and Hazardous Goods

(Effective: 2005.01.05)

1. When dealing with cases involving perishable property, members shall photograph the property and/or make a note of any labels or markings. The perishable property shall then be returned to the owner (Section 1.9.14: Release of Property From Property Office For Investigative Purposes).
2. If the owner of the perishable property is not known, the property shall be delivered to the Property Office or, if the office is closed, the property shall be disposed of in a suitable manner approved by a NCO and disposition noted in the report.
3. In cases where the perishable property is valuable or of large bulk, or where the owner is known but cannot be contacted immediately, the Property Office should be contacted for storage instructions. If the Property Office is closed the Forensic Identification Squad NCO has a list of Property Office Custodians who may be contacted.
4. It is the seizing member's responsibility to contact the owner at the earliest opportunity.



1.9 Property & Evidence

1.9.12 Property In Impounded Vehicles

(Effective: 2005.03.23)

1. Where a vehicle is impounded for any reason and items of value are readily visible or discovered during the investigation, the member impounding the vehicle will tag the items for safekeeping in the Property Office. This procedure also applies to property that has been ejected from a vehicle as a result of a motor vehicle accident or other cause.
2. The trunk, glove compartment or other locked areas of the vehicle will not be searched unless the vehicle is impounded for investigation.
3. Contract towing companies take full responsibility for vehicles and contents towed by them.
4. If property is reported missing or damaged, or a vehicle is damaged, a staff member from the Property Office shall arrange to have the complaint investigated. After completion of the investigation, the complainant shall be informed of their right to file a formal claim with the City Legal Department. If it appears that the damage and/or loss were incurred while the vehicle was being towed, the complainant shall be notified to discuss the matter with the towing firm.



1.9 Property & Evidence

1.9.13 Recovery of Property Outside Jurisdiction

(Effective: 2000.08.02)

When a member identifies seized property as stolen and entered on CPIC by an outside jurisdiction, the member shall notify the originating agency of the details of the seizure by way of a CPIC narrative message and attach a copy of the CPIC message to the initial investigation report.



1.9 Property & Evidence

1.9.14 Release of Property From Property Office for Investigative Purposes

(Effective: 2000.08.02)

1. When members require property to be released from the Property Office for further investigation, the member shall:
 - a. Attend at the Property Office and specify which item is required
 - b. After receiving the required property, verify that it is the item requested and sign the Property Receipt Form. The Property Receipt Form remains at the Property Office.
2. When the investigation is complete and/or members wish to return the property or a portion of the property to the Property Office, they shall:
 - a. Attend the Property Office
 - b. Present the property to a Property Office custodian. When possible, the property should be returned in its original packaging with the original property tag attached
 - c. Have a member of the Property Office, or if the Property Office is closed, another police member, verify the contents. Money, valuables, weapons and/or drugs shall be dealt with, as they would be in the first instance (e.g. placed in the safe)
 - d. Register the property in the Property Log Book.



1.9 Property & Evidence

1.9.15 Return of Property to Property Owner

(Effective: 2011.10.19)

POLICY

Members shall return found property to the lawful owner as soon, as is practicable, unless it is necessary to retain the property for evidence, scientific testing or legal process (keeping in mind the seriousness of the offence and continuity of the evidence).

PROCEDURE

Members shall:

1. When seizing property at a crime or investigative scene for evidence consider photographing the property and returning it to the owner. The property should, when possible, be photographed by any member from the Forensic Identification Unit (FIU), Crime Scene Investigation Unit, or any member with a Departmental issued camera. Members shall also:
 - a. Record a description of the property and identifying marks (e.g. Serial Numbers) prior to returning the property to the owner;
 - b. Have a close-up photograph taken of the identifying marks;
 - c. Have the owner photographed with the property prior to release (if possible);
 - d. Include in their notebook (regardless of whether photographs are taken or not):
 - i. A complete list of the property;
 - ii. A detailed description of the property (e.g. serial numbers);
 - iii. The date and time when the property was returned; and,
 - iv. The name and signature of the lawful owner and possessor.
2. Advise the owner to retain the property until after the court process is complete and that it may be required as evidence. Members shall complete the appropriate reports outlining the continuity of the evidence. If photographs are taken and subsequently required for court, the member is responsible for obtaining and presenting them in court. The seizing member must order the photographs from the FIU at least five business days before the trial.
3. Submit a Form 5.2 and complete the return to lawful owner section (property status 'A') including the name of the person whom the property was returned. Members shall not complete the Application for Detention section at the bottom of the Form 5.2 because the property has been returned at the scene and there is no reason to request the court's authorization to detain the property.
4. When returning property held as evidence, or responding to requests from the Property Office or a property owner, follow the procedures below:

Form 5.2 submitted and charges have been laid

- a. The Property Office staff shall attempt to determine if the property is required for court.
- b. If the property is not presently required for court, or if the Property Office is unable to determine the status of the property, the Property Office shall forward a Property Query Form to the member who seized the property.



- c. The seizing member shall determine the status of the property and indicate on the Property Query Form whether or not the property is required for the investigation and/or court. The member shall return the form indicating the disposition of the property to the Property Office.
- d. Members have sole responsibility for releasing property when it is not entered as evidence and is no longer required by Crown Counsel for court.

Form 5.2 submitted and charges have not been laid

- e. If the property is no longer required for an investigation and the owner is known, then the investigating member shall:
 - i. Complete a **Form PCR095: Orders Relating to Report to a Justice**;
 - ii. Have the Form PCR095 signed by a Judicial Justice of the Peace (JJP);
 - iii. Complete a Police Statement (PS) page in the General Occurrence (GO) report advising why the property is being released to the owner; and,
 - iv. Attach a copy of the PS page and the Form PCR095 to the original Form 5.2 and submit the package to the Property Office.
- f. If the property was seized from a suspect and there is no evidence to disprove that the property belongs to the suspect, the investigating member shall:
 - i. Complete a **Form PCR095: Orders Relating to Report to a Justice**;
 - ii. Have the Form PCR095 signed by a Judicial Justice of the Peace (JJP);
 - iii. Complete a Police Statement (PS) page in the General Occurrence (GO) report advising why the property is being released to the person who was in possession of the property at the time of the seizure; and,
 - iv. Attach a copy of the PS page and the Form PCR095 to the original Form 5.2 and submit the package to the Property Office.
- g. If the property is a prohibited weapon/device is illegal to possess, or there is evidence to prove that the person who was in possession of the property at the time of the seizure is not the lawful owner, the member shall seek a forfeiture order (See **RPM Section 1.9.4: Seized Property**).
- h. In paragraphs (d),(e) and (f), when the Orders are submitted to the Property Office, the staff shall comply with the direction of the order.
- i. All property shall be held in the Property Office for thirty-one (31) days from the date any Order is issued by a JJP as per the *Criminal Code*. This provides thirty-one (31) days for any appeals or disputes in relation to the disposition of the property. After thirty-one (31) days, if no appeals or disputes are received by the Property Office, the property shall be dealt with as stated in the Order.



1.9 Property & Evidence

1.9.16 Taxicab Camera Evidence

(Effective: 2017.12.07)

POLICY

The Passenger Transportation Board ("PTB"), established under the Passenger Transportation Act requires the installation of approved security cameras in all taxis in Greater Vancouver (including Metro Vancouver), the Fraser Valley Regional District (excluding Hope), and Greater Victoria (including the Capital Regional District). The PTB has authored and implemented a document known as the *BC Taxi Camera Rule* which establishes rules and guidelines for camera installation and usage that is designed to improve passenger and driver safety and assist the police with criminal investigations relating to incidents inside a taxi. These cameras capture digital still images of the interior of the taxi on a "flashcard" that is secured inside the digital recording system installed in the taxi. Audio recording is not captured by these cameras. Several "triggers" will start the activation of the camera, including the opening of the taxi door, the starting of the meter, or the activation of the panic button. The Vancouver Police Department (VPD) uses this technology for the collection of evidence in relation to criminal investigations.

PROCEDURE

1. Images recorded on a taxi digital recording system will be retained for approximately four to seven days before they are overwritten. Image retention is dependent on the system model and flashcard installed in each individual taxi. Taxi companies should be contacted as soon as possible to preserve recordings during an investigation.
2. Police officers shall not routinely seize or impound the taxi vehicle when investigating general criminal offences when there is no exigency indicating destruction of digital evidence is likely.
3. A warrant may for be required for the recovery of images stored on a taxi recording system (see "Search Warrant Considerations" within this policy).

Recovery of images stored on a taxi recording system

4. The investigating officer shall contact the taxi company with the taxi number and incident number to request that the taxi attend the designated installer (in Vancouver, it is West Coast Meter Service Ltd. located at 108-8898 Heather St., Vancouver) to have the flashcard removed. The taxi company will then make arrangements with the designated installer to have the flashcard removed during business hours.
5. Once the flashcard is removed, the installer will notify the investigating officer by either phone or email that it is ready for retrieval. The flashcard will be packaged in a sealed envelope provided by the BC Passenger Transportation Board marked "Fragile Evidence". The envelope serves as the evidence of the installer and must not be destroyed.
6. A police officer will attend the installer's location and seize the flashcard. The officer shall record their signature on the envelope package provided by the installer, as well as their name, PIN, and the date and time that the flashcard was received. The flashcard shall not be removed from the sealed envelope by the investigating officer and the officer will then follow the steps specified in sub-sections 13-17.
7. If applicable, a copy of the search warrant shall be provided to the installer for their records.

Search Warrant Considerations

8. In all circumstances where the driver or owner of the taxi is the suspect of a crime, or their involvement is unknown, the police officer shall obtain a search warrant prior to removing the flashcard.



9. A search warrant to access the flashcard is required if the victim of the crime is neither the driver nor the passenger of the taxi. This may occur when a member is investigating an incident that occurred outside of the taxi and the victim used the taxi thereafter, and the member has reason to believe that the taxi video is relevant to investigating the incident.
10. A search warrant to access the flashcard is not required if the victim of the crime is the driver or passenger of the taxi provided the taxi company or owner will voluntarily relinquish the flashcard (RPM Section 1.9.3: Property - General Procedures).

Seizure of Taxicabs and Transportation to the Police Garage

11. If a taxi is involved in a major crime, members may consider seizing and impounding the taxi at the Police Garage (PG) to ensure preservation of evidence. See RPM Section 1.10.12(ii): Vehicle Impounds.
12. When members impound a taxi vehicle at the PG and requires the flashcard for evidentiary purposes, they shall:
 - a. Determine if a warrant to search the vehicle is required and obtain the warrant prior to commencing the search;
 - b. Consult with FIU to assist with the search of the vehicle, and ensure the vehicle may be entered without compromising forensic evidence;
 - c. Upon arrival at the PG, disconnect the taxi vehicle battery. To do this, members shall:
 - i. Ensure the taxi can be entered to access the hood release without compromising other forensic evidence;
 - ii. Physically disconnect the vehicle battery, requesting assistance from the tow truck driver if necessary. This ensures that the triggers that activate the recording system are not engaged, and preserves the integrity of the flashcard;
 - d. Request that the designated installer attend the PG to retrieve the flashcard from the taxi recording system. The designated installer may be called out to attend after-hours in exigent circumstances with Duty Officer approval. Contact information for the designated installer is available through E-Comm or the Duty Officer;
 - e. The designated installer shall place the flashcard in a sealed envelope provided by the Passenger Transportation Board. Members shall place this envelope into a VPD Exhibits envelope and tag this at the Property Office;
 - f. Complete a VPD1322 - Forensic Video Unit Exhibit Submission Form requesting FVU process the flashcard (with a copy of the search warrant attached where applicable). The Duty Officer may authorize an FVU member to be called out to assist with the investigation.

Processing a Flashcard

13. Officers shall not open the installer's sealed envelope or attempt to view the contents of the flashcard. The flashcard is encrypted and should only be viewed by a FVU analyst. If the flashcard is retrieved as part of a Major Crime investigation (after hours), consideration may be given to having a FVU analyst called out to process the flashcard, with the Duty Officer's approval.
14. The seizing police officer shall:
 - a. Tag the card and envelope together at the Property Office and log the card in the PRIME Property Module;
 - b. The officer shall place the sealed installer envelope containing the flashcard into a new exhibit envelope and affix the property tag to the exterior;
 - c. The taxi card shall be secured in an exhibit locker at the property office; and
 - d. Under no circumstances should the exhibit envelope be forwarded through internal mail.
15. The seizing police officer shall complete a VPD1322 FVU Exhibit Submission Form, and submit the form electronically to xxx or forward the paper copy through inter-office mail.
16. FVU shall be responsible for the examination, archive and return of taxi flashcards. A forensic copy of the original taxi flashcard will be submitted to the Property Office as the master exhibit.



Report Requirements

17. The General Occurrence (GO) report shall contain the following information when a taxi flashcard is retrieved:
 - a. The date and time of the event recorded on the flashcard;
 - b. The name of the person from West Coast Meter Services Ltd. who extracted the flashcard;
 - c. A detailed suspect description;
 - d. The license plate number of the cab;
 - e. The name of the cab company; and
 - f. The unit number of the cab.



1.9 Property & Evidence

1.9.17 Video Evidence

(Effective: 2016.08.25)

POLICY

Video evidence is a valuable asset to police investigations and should be handled with care to ensure its preservation, continuity of evidence and security. From the moment VPD members become aware video evidence exists, certain steps must be taken when viewing, seizing, processing, delivering and storing video to maintain its integrity and admissibility in court. When members are in doubt of how to handle video evidence, they may consult with the Forensic Video Unit (FVU), or the Technological Crime Unit (TCU) for advice and assistance.

The FVU has provided further information on their website at:
<http://ipar.vpd.bc.ca/Investigation/ForensicVideo/Procedure.htm>

For all urgent requests, call FVU at xxx-xxx-xxxx or xxx-xxx-xxxx during business hours, or consult the Duty Officer after-hours.

PROCEDURE

Seizure and Handling of Video Evidence

1. Members shall tag *all* original video evidence at the Property Office and log the video in the PRIME Property Module. Seal the video evidence in a property submission envelope and attach the exhibit barcode tag.
2. It is essential that video evidence obtained from sources such as digital video recorders (DVRs), personal digital recording devices or CCTV is extracted in a manner that preserves the original format and does not alter or compromise the integrity of the digital information. If members are not sure of how to obtain or extract video evidence, they may contact the FVU at xxx-xxx-xxxx or the TCU at xxx-xxx-xxxx for guidance and assistance.
3. Members seizing video evidence should make note of:
 - a. The make and model of the recording device;
 - b. The accuracy of the date/timestamp displayed on the recording device, ideally to the second;
 - c. The retention time of the recording device - the length of time until the recording is overwritten or deleted;
 - d. The format in which the video is saved;
 - e. The name and contact information of the person copying and delivering the video;
 - f. Any training or experience the person using the software possesses;
 - g. How the member preserves and maintains continuity of the video until it leaves their possession; and
 - h. The date and time the video is extracted and delivered to members.
4. Members shall consult with FVU before seizing DVRs; do not seize or power-off a DVR without direction from FVU as this can damage the machine or compromise the stored video. If a DVR is wet or has been submerged in water, members shall place it in an Evidence Drying Locker at the Property Office and immediately notify FVU. After-hours requests for information or assistance must be approved by the Duty Officer.
5. Members shall not send video evidence (CDs, DVDs, USB thumb drives, etc.) through interoffice mail, as this compromises continuity of evidence and there is a risk the video may be lost or damaged.



Handling Suspected Child Pornography

6. Members seizing digital video evidence in sensitive investigations such as Child Pornography must ensure the exhibit is handled properly to preserve continuity and integrity of the video evidence. When seizing an exhibit that may contain Child Pornography:
 - a. Members shall not view the video evidence to confirm or negate the contents. If the video evidence is suspected to be Child Pornography, it shall be reviewed by Counter Exploitation Unit (CEU) investigators for classification and processing for Crown;
 - b. Upon lawfully seizing the exhibit, tag the item at the Property Office and indicate in the RTCC the suspected contents of the video recording;
 - c. Members shall not copy or alter the video evidence in any way. For assistance or advice on extracting the video, contact FVU or TCU;
 - d. Members shall not transmit the material to anyone, including Crown Counsel. There is an established procedure for disclosure of Child Pornography evidence to Crown/Defence Counsel. Contact CEU for assistance; and
 - e. Complete a General Occurrence report and route to CEU.

Copying Video and Obtaining Video Stills for Crown Counsel

7. Members who require copies of video evidence for charge approval shall:
 - a. Create CD/DVD copies for Crown/disclosure through the Crown Liaison Unit (CLU);
 - b. Tag the original recording at the Property Office for safekeeping; and
 - c. For all USB thumb drive evidence, complete a VPD 1322 FVU Exhibit Submission form and forward the paper copy through Inter-Office mail or submit the form electronically to forensicvid@vpd.ca. The USB thumb drive shall be stored at Property Office until required by FVU.
8. When a member has seized video to obtain still images for ID, or that requires processing, examination or conversion at the request of Crown Counsel, they shall:
 - a. Log the video evidence into a PRIME Property module page in the G.O.;
 - b. Seal the video evidence in a property submission envelope and attach an exhibit barcode tag;
 - c. Secure the original video (DVD, CD, USB thumb drive, etc.) in an exhibit locker at the property office; and
 - d. Complete a VPD 1322 FVU Exhibit Submission form and forward the paper copy through Inter-Office mail or submit the form electronically to forensicvid@vpd.ca.
 - e. Video conversions to a new format will only be completed when requested by Crown Counsel for a set trial date.

Video Evidence - Interviews of Witnesses, Victims and Suspects

9. Upon completion of an audio/video recorded interview of a witness, victim or suspect, members shall tag the *original* digital recording (stored on a DVD, CD or USB thumb drive) at the Property Office. Should the interview be required for court or disclosure, forward *copies* of the digital recording to Crown Counsel via the CLU.
10. Members shall not encrypt or password-protect any original recording or copies of video evidence being submitted to Crown Counsel for disclosure.
11. Interviews recorded on a USB thumb drive must be submitted to FVU for duplication. To request duplication, members may tag the original USB/thumb drive at the Property Office and submit a VPD 1322 FVU Exhibit Submission form to FVU.
12. Digital video recordings conducted for outside police agencies shall be handled as follows:
 - a. The original recording shall be tagged at the Property Office;
 - b. Members shall not alter or encrypt the original recording in any way;



- c. Any copies of the digital video recording leaving VPD possession should ideally be delivered in person to the intended recipient or a member of the receiving police agency;
 - d. If personal delivery is not practical, members may use the MOVEit DMZ secure/encrypted file transfer system at <https://transfer.vpd.ca> to electronically transfer the file. INSTRUCTIONS:
 - i. Open <https://transfer.vpd.ca> in an internet browser;
 - ii. VPD members may sign into MOVEit DMZ using VPD username and password; non-VPD members wishing to send files to investigators may create a temporary account and upload files to deliver to intended recipients;
 - iii. Upload or Download the file to be transferred using the Upload Wizard if desired (for speed and ease of use);
 - iv. Detailed instructions are found at: MOVEit DMZ File Transfer Instructions.
 - e. Should neither the option of personal delivery nor the option of secure online file transfer be possible, members may deliver a copy of the recording using a secure third party such as courier or registered mail. The video file storage device (USB thumb drive, etc.) should be encrypted prior to leaving VPD possession if possible.
 - f. For encrypted copies of digital video files, the encryption code or password shall be recorded in the member's notes and provided to the intended recipient only via telephone.
13. Members shall document details of the recording and video evidence handling in a G.O. including information on:
- a. How the interview was recorded, and handling of the digital storage device;
 - b. Disposition and storage location of the original recording; and
 - c. To whom copies were sent, and how they were sent (hand delivered, courier service, via CLU, etc.) including any security measures used to protect personal information such as encryption or password protection.

Interview Transcription Requests

14. When members require a digitally recorded interview be transcribed, they shall submit a VPD1637 Request for Audio Transcription form to the Audio Transcription Services Unit. The digital file for transcription may be:
 - a. E-mailed to VPD Audio Transcription Requests with the VPD1637 Request for Audio Transcription form attached (preferred method); or
 - b. Saved as a hard copy (DVD/CD/USB thumb drive) and submitted in person with the VPD1637 Request for Audio Transcription form attached.
15. The completed transcript shall be emailed to the requesting member and the hardcopy of the digital file returned for proofreading by the member. Upon completion, the member may submit the transcription and relevant accompanying files to Crown Counsel via CLU if requested/required.



1.9 Property & Evidence

1.9.18 GPS Tracking Use and Handling Policy

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.9 Property & Evidence

1.9.19 Seizing Digital Media, Cryptocurrency, and Electronic Devices

(Effective: 2018.02.02)

POLICY

Police investigations may involve seizing digital media, cryptocurrency or electronic devices that contain evidence of a crime. The forensic recovery of the digital files or digital data could be vital to obtaining evidence for a successful prosecution.

The Technological Crime Unit (TCU) provides specialized technical investigative support and assistance to all members in the areas of computers, digital storage, cellular device forensic examinations and digital data recovery. To ensure the integrity of seized evidence, members should obtain direction from a TCU investigator whenever possible prior to manipulating or accessing digital devices, and follow the procedures below.

Members are encouraged to refer to the TCU Website for information, guidance and instruction on seizing digital and electronic devices.

Information specific to cryptocurrency may be found at: Forms - VPD 1371 Cryptocurrency Exhibit Submission Form.

Warrant Considerations

Investigating members shall ensure that digital and electronic devices are lawfully seized and that any subsequent search of the device's digital contents is also authorized by law. To search the digital contents of a device, the search warrant should be based upon reasonable grounds to believe the electronic device contains evidence relating to the offence and it should specify the parameters and scope of the search. A search warrant to search a place for an electronic device **does not** inherently include authorization to search the digital contents of the device.

Patrol members are encouraged to seek guidance from the Technological Crime Unit and the Legal Authorities Team, and to review reference material in the Investigative Knowledge Base - Warrant Form Samples to ensure they have the proper judicial authorization.

See "2017 TCU 487 Search Warrant ITO for digital devices" on the TCU website for detailed information.

DEFINITION

Digital and electronic devices include, but are not limited to the following: computers, hard drives, tablets, cellular devices, other mobile devices, and electronic storage media including CD/DVDs, USB thumb drives, memory cards, and digital cameras.

Note: When an item is seized to obtain digital video images, the item should be forwarded to the Forensic Video Unit (See RPM Section 1.9.17: Video Evidence).

PROCEDURE

1. The TCU shall be solely responsible for conducting forensic examinations of seized digital and electronic exhibits and preparing associated documentation as required for court.
2. When seizing digital and electronic devices that require examination by the TCU, members shall:



During TCU Office Hours

- a. Contact TCU during business hours for guidance on how to properly disconnect or seize the electronic device, to ensure digital data or evidence is not lost or compromised.
- b. For each exhibit, complete a:
 - i. Property tag with barcode;
 - ii. VPD 1369 TCU Digital Forensics Lab Exhibit Submission Form and e-mail this to TechCrimeUnit.VPD@vpd.ca;
 - iii. TCU Consent to Search Form OR the Warrant authorizing the search, including parameters of the search, and submit this with the exhibit;
 - iv. Form 5.2 Report to a Justice;
 - v. Miscellaneous Notes “MN” text page in the General Occurrence (GO) report routed to the TCU handle, with the heading “TCU Examination Requested” and outline the examination required;
 - vi. Entry in the Property Office log book for each exhibit being tagged at the Property Office.
- c. In urgent circumstances and with TCU Supervisor approval, members may tag devices that require urgent TCU examination in the Patrol Science Lockers on the first floor of the Kootenay building. Members shall indicate the exhibit is for TCU examination by placing a note indicating this on the locker.
- d. If the device operates on a cellular network:
 - i. Document the device’s on/off status, obvious markings, brand and model, general state and description;
 - ii. If the device is off at the time of seizure, do not turn it on;
 - iii. If the device is on at the time of seizure, do not interact with the device (i.e. do not look at messages, phone calls, photos, etc. stored on the phone);
 - iv. As soon as possible, place the device within a radio frequency (RF) proof container for exhibit integrity.
- e. When a digital or electronic device is no longer required for an examination by TCU, refer to RPM Section 1.9.15: Return of Property to Property Owner. TCU should be consulted prior to returning any digital or electronic device to the owner.

After TCU Office Hours

- f. When a member believes it is necessary to call out a TCU Forensic Investigator during non-business hours, they shall consult with their supervisor to obtain Duty Officer authorization to call the TCU supervisor. The Duty Officer shall consult with the TCU supervisor to decide if a TCU Forensic Investigator will be called-out after hours.
3. The TCU Forensic Investigator shall:
 - a. Be responsible for forensic evidence recovery from computers, cellular devices and other electronic and digital storage devices seized as evidence;
 - b. Provide copies of recovered data to the Lead Investigator;
 - c. Assist the Lead Investigator in determining appropriate charges;
 - d. Submit detailed reports outlining the forensic examination to the lead investigator; and
 - e. Return all exhibits to the Property Office or Lead Investigator.
 4. The Lead Investigator shall:
 - a. When practicable, contact a TCU Forensic Investigator for advice prior to seizing a digital or electronic device;
 - b. Maintain the case management entries;
 - c. Coordinate all preliminary interviews and interrogations;
 - d. Take responsibility for the evidence recovered as a result of a forensic examination and be responsible for the disposition of evidence; and



- e. Be responsible for obtaining required search warrants and submitting related Reports to Crown Counsel including forensic reports submitted by the TCU.

Requests for additional forensic images of hard drives that fall outside of the agreed disclosure requirements set out in the Memorandum of Understanding on Disclosure between the Crown and Police in British Columbia shall be approved by the TCU Supervisor.



1.10 Motor Vehicle Incidents (MVI)

1.10.1 Alternative Fuel Vehicles

(Effective: 2001.07.11)

Whenever a vehicle powered by a fuel other than gasoline or diesel is involved in a motor vehicle accident, the following procedures shall apply.

Vehicles powered by natural or propane gas

1. When no leak is detected, members shall:
 - a. Check for the odour or sound of escaping gas.
 - b. Have the driver shut off the service line to the engine (tap on tank marked "Service").
 - c. If vehicle is to be towed, ensure the plastic bag covering the service tap is not broken.
 - d. Advise the driver that the vehicle should not be stored within a garage or confined space.
2. When a leak is suspected, members shall:
 - a. Not attempt to shut off the fuel.
 - b. Not open the trunk.
 - c. Shut the vehicle engine off.
 - d. Render aid to injured persons.
 - e. Keep all persons, including members, a minimum of one-half block from the scene.
 - f. Have ECOMM contact the Vancouver Fire and Rescue Services and explain the situation.
3. When a fire is observed, members shall:
 - a. Notify the Vancouver Fire and Rescue Services through ECOMM.
 - b. Move the injured, if possible, one block from the scene.
 - c. Keep all persons, including members, one block from the scene, to avoid danger of explosion from the main tank or a spasmodic release from the relief valve. Members are cautioned that there is extreme danger to unprotected personnel. Members should allow the Vancouver Fire and Rescue Services to render aid to victims who cannot be moved.
4. When propane-equipped City vehicles are involved, members shall:
 - a. Tow police and city vehicles to Manitoba Yards for a safety check; and
 - b. Submit reports as required: (Section 22.05: Motor Vehicle Accident -Vancouver Police Vehicles)

Note: Alternate fuels can cause burns to bare skin, do not handle any ruptured tanks or lines.
Whenever a Hybrid vehicle propelled by a combination of electricity and gasoline has been damaged, the following procedures shall apply.

5. The power cells for hybrid vehicles may carry up to 300 volts and must be treated with caution. If there is no damage to the battery cells, members shall:
 - a. Ensure the ignition key has been removed and the power is off;
 - b. Not cut the cables to the battery cells; and
 - c. If the vehicle is to be towed, it is to be placed on dollies or on a flatbed truck. Towing the vehicle with the wheels on the ground may cause the motors to generate electricity, so must be avoided.
6. The contents of the battery cells have a high alkaline level that will react with various metals and organic compounds creating hydrogen gas, which is flammable. Should the vehicle catch fire, only a Class-ABC dry powder fire extinguisher or copious amounts of water are to be used. When the battery is crushed or there is a possibility it is crushed, members shall:
 - a. Not touch the vehicle.
 - b. Ensure no one approaches the vehicle without protective clothing; and



- c. Have ECOMM contact the Vancouver Fire and Rescue Service and give details of the vehicles involved.



1.10 Motor Vehicle Incidents (MVI)

1.10.2 Bicycle Collisions

(Effective: 2001.05.23)

1. When cyclists are involved in a collision with a motor vehicle, members shall comply with the reporting requirements as specified in Section 1.10.7: MVA Procedures.
2. When cyclists are involved in an incident that does not involve a motor vehicle, members shall submit a casualty (GO) report.



1.10 Motor Vehicle Incidents (MVI)

1.10.3 Collision Investigation

(Effective: 2000.09.05)

1. The Collision Investigation Squad shall investigate the following Motor Vehicle Collisions involving:
 - a. Fatalities and possible fatalities;
 - b. Serious injuries;
 - c. Police vehicles from any jurisdiction;
 - d. Private vehicles being driven by members in connection with their duties; and
 - e. Rail cars causing injuries or death; and
 - f. Cyclists that result in serious injury, fatality or possible fatality. Serious injuries are defined as injuries which are potentially life threatening or result in severe trauma.
2. Patrol units shall investigate the following:
 - a. Any motor vehicle collisions that meet the criteria for police investigation (see Section 1.10.7), that are not the responsibility of the Collision Investigation Squad; and
 - b. Collisions listed in subsection (1) when the Collision Investigation Squad is unavailable.
3. When Collision Investigation Squad units are not engaged in current or follow-up investigations or other assigned duties, they will investigate injury collisions not listed in Section 1(a) and (b).
4. When investigating a fatal collision, Collision Investigation Squad members will contact the Coroner. However, when there is a significant delay in the attendance of a Collision Investigation Squad unit, or in the event that they are unavailable, the investigating Patrol member will ensure that the Coroner is notified.



1.10 Motor Vehicle Incidents (MVI)

1.10.4 Collision Scene Evidence

(Effective: 2009.11.12)

POLICY

The Vancouver Police Department (VPD) is committed to traffic safety and proper vehicle operation on the road. In the event of a serious or fatal collision, the Collision Investigation Unit will attend and investigate.

PROCEDURE

1. Members investigating serious or fatal collisions shall, if appropriate, ensure that photographs are taken of the scene
2. All deceased persons shall be moved from the scene as soon as practicable and once permission is granted by the Coroner. Before removal, the position of the body shall be carefully noted and, if possible, outlined in chalk. Unless there are extenuating circumstances, it is not necessary to photograph the body at the scene.
3. When there is reason to believe evidence exists on a deceased person's clothing (example: paint fragments from a Hit and Run), members shall ensure continuity of this evidence in the following manner:
 - a. When the deceased person's clothing is removed by medical personnel, members shall seize and tag the clothing.
 - b. When medical staff does not remove the clothing, members shall:
 - Not handle the clothing;
 - Accompany the clothed body to the morgue; and
 - Obtain a padlock and key from a Collision Investigation Unit member to secure the locker. If Collision Investigation Unit personnel are not available, a padlock and key shall be obtained from the PSC.
 - c. Ensure that the key to the padlock and all reports are forwarded to the speciality Unit responsible for the follow-up investigation.
4. The follow-up investigator shall attend at the autopsy to seize all clothing and any other physical evidence.
5. When the motor vehicle collision involves a vehicle being operated for work-related purposes, members shall notify the Workers' Compensation Board (RPM Section 1.6.45: Industrial or Work-Place Accidents)
6. Vehicles requiring testing shall be impounded at the Cambie Bridge Lot (RPM Section 1.10.12 (ii): Impounded Vehicles - For Investigation Purposes). Tractor trailer units or similar vehicles shall be towed to National Yards, 701 National Avenue, Vancouver, B.C..



1.10 Motor Vehicle Incidents (MVI)

1.10.5 Fatal Collisions - NCO Duties

(Effective: 2019.06.11)

1. A NCO attending the scene of a fatal or near fatal motor vehicle collision shall:
 - a. Determine the need for additional units to assist in the investigation or traffic control
 - b. Determine the need for a specialist from the Collision Investigation Squad or the Hit and Run Squad
2. If the incident occurs after normal specialist duty hours, the NCO shall request the Duty Officer's authorisation to call out a specialist unit. Circumstances to consider include the evidence, the time and the availability of the next on duty member.
3. If the decision is to not call out a specialist unit, or if all on duty Collision Investigation or Hit and Run members are unavailable, the NCO shall:
 - a. Ensure that a Forensic Identification Squad member is aware of all pertinent information and that photos taken will accurately depict the evidence and the scene
 - b. Ensure that the investigating member or other designated member notifies the next of kin
 - c. Ensure that vehicles required for testing are sent to the Property Office and that a VPD 111(93) accompanies each impounded vehicle. If it is necessary to impound a tractor-trailer unit, bus, or a similar unit for further examination, the vehicle shall be towed to National Yards.
 - d. Peruse all reports prior to sending them to the Collision Investigation Squad NCO and ensure that all investigations and reports have been completed fully. If a follow up or specialized investigation is still required, this shall be noted by the NCO.
4. At every fatal collision the NCO shall ensure that an investigating member has notified the Coroner. In the absence of a Collision Investigation Squad member, the primary assigned member, usually patrol shall make the notification.



1.10 Motor Vehicle Incidents (MVI)

1.10.6(i) 215 Prohibition

(Effective: 2011.10.19)

POLICY

When conducting impaired driving investigations, members may proceed by way of criminal charges, issue a prohibition under the Motor Vehicle Act (MVA) or both. When issuing a 24-hour prohibition for alcohol, members shall only issue either a 24 hour prohibition or an Immediate Roadside Prohibition (IRP). (For IRP, see RPM Section 1.10.6(x): Immediate Roadside Prohibition).

PROCEDURE

24-Hour Prohibition- Alcohol

A member proceeding under the MVA: 215- 24-hour Driving Prohibition shall read the MVA 215 - 24 Hour Prohibition warning from their Charter card (See RPM Section 1.4.1: Police Warnings).

Breath Samples

1. Where the driver provides a breath sample into an Approved Screening Device (ASD) and a “Fail” is displayed, members shall use the following UCR codes in the General Occurrence (GO) Report:
 - a. 9230-2: DRIVE OVER .08; and,
 - b. 8120-40: 215 ALCOH-24HR

The driver will be role coded as a **Suspect Chargeable** and a CCJS status of “O” - departmental discretion chosen. Members shall complete the Roadside Prohibition Template with the text type “SY” in the GO report. Members may complete an additional narrative (OR) text page to further explain the incident if necessary. PSC staff will complete the conclusion block.

2. Where the driver provides a breath sample into an ASD and a “Warn” is displayed, members shall use the following UCR code in the GO report:
 - a. 8120.4-40: 215 ALCOH-24HR

The driver shall be role coded as a **Driver** and a CCJS status of “B” - founded not cleared chosen. Members shall complete the Roadside Prohibition Template with the text type “SY” in the GO report. Members may complete an additional narrative (OR) text page to further explain the incident if necessary. PSC staff will complete the conclusion block.

3. If a breath test was not administered in the first instance as grounds to serve a 24-hour prohibition, the driver may request a blood alcohol test to determine their blood alcohol level. Officers shall use an ASD to conduct this test. In the event the test indicates the driver’s blood alcohol level does not exceed 50 mg, and there is no evidence of impairment by drugs, the Driver’s License shall be returned and the prohibition from driving will be terminated. If the reading is 50 mg. or over, the prohibition remains in effect.

Note: The ASD is the prescribed device for the purposes of a 24-hour prohibition breath test.

24 Hour Prohibition- Drugs



4. When a member has grounds to believe that a driver's ability is affected by drugs, members shall use the following UCR codes in the GO report:
 - a. 8120-50: 215 DRUG; and,
 - b. 9235-0: IMPAIRED OP MOTOR VEH (DRUGS).

The driver shall be role coded as a **Suspect Chargeable** and a CCJS status of "O" - departmental discretion chosen. Members shall complete the Roadside Prohibition Template with the text type "SY" in the GO report. Members may complete an additional narrative (OR) text page to further explain the incident if necessary. PSC staff will complete the conclusion block.

5. If the prohibition is issued because the driver is impaired by drugs, the driver has the right to not accept the prohibition and attempt to satisfy the member having charge of this matter that their ability to drive a motor vehicle is not affected by a drug other than alcohol. If the member is so satisfied, then the prohibition from driving is terminated.

General

6. Upon issuing a 24-hour prohibition, the issuing member shall seize the driver's license.
7. Complete a "Notice of 24-hour Prohibition and Report to ICBC" form MV2634, at the time of the prohibition and distribute the copies of the form as follows:
 - a. **White Copy:**
 - i. Place the driver's license in an envelope, and attach the envelope to the white copy and file in the drop box the 2120 Cambie St, 5th floor report writing room;
 - ii. The backside of the white copy must be completed by the member for the Superintendent of Motor Vehicle's report. This shall be done prior to the end of the member's shift;
 - b. **Blue Copy:** serve to the prohibited driver;
 - c. **Yellow Copy:** retain for Court or reference requirements; and,
 - d. **Green Copy:** provide to the tow truck operator when impounding a vehicle.
8. Members may impound vehicles for twenty-four (24) hours upon issuing a 24-hour prohibition. Members may use their discretion and release the vehicle to a sober person holding a valid driver's license or leave the vehicle if it is legally parked.
9. Advise the suspended driver that the Section 215 driving prohibition will form part of their driving record.
10. When completing the General Occurrence Report, members shall include the:
 - a. Location of the vehicle;
 - b. Make, colour, and license number of the vehicle;
 - c. Name and driver's license number of the prohibited driver;
 - d. Time of prohibition; and
 - e. Name and badge number of the member issuing the prohibition.
11. Traffic Support Services is available to assist members during normal business hours.
12. Members who find a person driving a vehicle after being prohibited under section 215 MVA shall refer to **RPM Section 1.10.13 (v): Driving while Prohibited.**



1.10 Motor Vehicle Incidents (MVI)

1.10.6(ii) Approved Screening Devices (ASD)

(Effective: 2011.10.19)

POLICY

Members who are issuing prohibitions under the Motor Vehicle Act, or are recommending criminal charges of impaired driving against an individual, are required to document all information relating to their use of an Approved Screening Device (ASD).

PROCEDURE

Members shall:

1. When obtaining an ASD from the Kiosk at the commencement of their shift, record in their notebooks:
 - a. The number of the instrument; and,
 - b. The date printed on the label of the ASD. The date indicates the expiration of the calibration period for the instrument. An ASD is not to be used beyond the indicated expiration date.
2. Perform the tests recommended by the manufacturer (listed on back of ASD) to ensure the ASD is functioning properly.
3. Include in their Report to Crown Counsel:
 - a. The number of the instrument;
 - b. The expiration date for the instrument; and,
 - c. That the manufacturer's recommended tests were completed prior to the ASD being used in an impaired driving investigation.
4. Return the ASD to the Kiosk at the end of their shift to ensure that its calibration schedule is maintained.



1.10 Motor Vehicle Incidents (MVI)

1.10.6 (iii) Blood Samples

(Effective: 2000.11.10)

1. Members may demand a blood sample from a suspected impaired driver when the member believes on reasonable and probable grounds that:
 - a. The suspect's ability to operate a motor vehicle was impaired by alcohol within the previous three hours
 - b. By reason of the suspect's physical condition:
 - They would be incapable of providing breath samples; or
 - It would be impracticable to obtain breath samples.

The investigating member, having decided to obtain a blood sample, must keep the suspect under observation until such time as the blood samples are taken.

Members should inquire from hospital staff whether there is any likelihood of early release from hospital in which case a member would consider a breath demand.

2. If there is any doubt as to whether a person is capable of understanding the demand as a result of an accident or medication, a doctor should be consulted. A demand will only be given when the person is conscious and capable of understanding the demand. Members will proceed by way of warrant (Section 1.10.6 (iv): Blood Samples Warrant) where it is deemed that the person would not be capable of understanding a demand.
3. When samples of blood are to be taken:
 - a. A police officer must make a demand under S.254(3)(b) CCC
 - b. The samples must be taken by or under the direction of a qualified medical practitioner
 - c. The medical practitioner must be satisfied the samples will not endanger the person's life or health
4. When the member is able to satisfy the above criteria, a blood demand pursuant to Section 254(3)(b) CCC may be given to the suspect. Because it is intended that all drinking driver cases will be proceeded with by way of certificates, the demand should be given and both blood samples obtained within two hours of the offence. The investigating member shall note in their police report any circumstances that prevented them from obtaining the samples within two hours of the offence.
5. Failure or refusal without reasonable excuse to comply with a demand for blood samples is an offence. Force will not be used to obtain blood samples.
6. Members shall not interfere with the primary function of hospital emergency departments in providing medical care for their patients. Members are cautioned that Sec. 256(5) CCC states that no offence is committed by a medical practitioner or qualified technician who refuses to take blood samples for purposes of Sec. 254 or Sec. 256 CCC.
7. When blood is taken by or under direction of a qualified medical practitioner, the member shall follow the steps listed on the "Blood Sample Checklist" (included in the blood kit package), and also shall:
 - a. Ensure that only blood sample kits approved by the Ministry of the Attorney General are used as blood containers
 - b. Ensure that the expiry date on the edge of the blood kit box has not passed (return expired kits to the Traffic Support Unit);
 - c. Take the blood sample containers directly from the taker of the blood to minimize hospital staff being required for court
 - d. Legibly print the information required on all four seals. The member shall ensure the taker of the blood places initials in the space provided. Where the taker's initials are not legible, the member shall advise the taker that they will be required to legibly print them on the certificates



- e. Legibly print the information required on both narrow Stopper Seals and both Integrity Seals. The member shall ensure the taker of the blood places initials in the space provided on both Stopper Seals. The taker's initials on the Stopper Seals must be identical to the initials that he/she will be required to place on the certificates; and
 - f. Properly seal both containers ensuring that no part of the "VACUTAINER" label is covered by any part of the Stopper Seal. Do not write anything on the "VACUTAINER" LABEL.
8. Having sealed the container, the member shall:
- a. Prepare the Certificate of a Qualified Medical Practitioner, completing it in its entirety except for the signature block of the medical practitioner or technician
 - b. Have the medical practitioner review the certificate and sign it
 - c. In cases where the medical practitioner directs a technician as designated pursuant to subsection 254(1) CCC to take the blood samples, prepare the Certificate of a Qualified Technician in addition to the Certificate of a Qualified Medical Practitioner
 - d. Place both sealed containers back into the plastic box provided.
 - e. Under no circumstances provide one of the blood containers to the suspect. The Court must order the release of a container
 - f. Seal the plastic box at each end with the two Integrity Seals;
 - g. Serve a true copy of the certificate(s) on the driver and retain the original for court. (Section 1.10.6 (vi): Certificates of Analysis). Certificates will only be served once the person is capable of understanding the Notice of Intention
 - h. Determine whether it is appropriate to serve the Notice of Greater Punishment. Where a Notice of Greater Punishment is served, an Affidavit of Service or Statutory Declaration of Service shall be sworn before a Commissioner of Oaths (includes all police officers of any rank) and attached to the police report
 - i. Complete the information required on the lid of the box
 - j. Place the plastic box into the zip-loc baggie provided, then into the cardboard box.
9. The investigating member shall:
- a. Turn the blood samples package over to the RCMP Forensic Service Laboratory Vancouver during working hours
 - b. Place the package in the exhibit room refrigerator (PSC Main) with copies of the certificates, a completed RCMP C414 Request for Analysis, and a copy of the Crown Counsel Report. After hours access to the exhibit room is by means of the Station Duty Keys which are kept at the CPIC OPS DESK (located on the second floor of the Information Section). Members must obtain prior approval from the Duty Officer; and make the appropriate entry in the CPIC logbook.
 - c. Forward the original Crown Counsel Report with copies of all certificates to the Supervisor i/c Crown Counsel Liaison
10. Where blood samples are obtained, pursuant to a demand, the member shall complete a Form 5.2 Report To A Justice (Section 1.9.4: Seized Property) and attach it to the Crown Counsel Report.
11. Approved blood container kits are available from the staff in the emergency wards at St. Paul's, Vancouver General, Mount St. Joseph and UBC hospitals. Kits are also available from the Duty Officer and the Administrative Sergeant, Operations Division. Members obtaining a kit from a hospital shall forward a VPD 68 to the Inspector i/c Traffic Section indicating:
- A blood kit was used
 - The name of the hospital where the kit was obtained; and
 - The suspect's name



1.10 Motor Vehicle Incidents (MVI)

1.10.6 (iv) Blood Samples Warrant

(Effective: 2003.04.22)

1. When a medical practitioner forms an opinion that a person is unable to give consent to provide blood samples as a result of a physical or mental condition caused by alcohol, an accident, or other related occurrence, the investigating member shall apply for a warrant to obtain blood samples. The medical practitioner must be satisfied that there will be no danger to life or health if blood samples are taken.
2. Prior to applying for a warrant to obtain blood samples, the member must be satisfied that:
 - a. there are reasonable and probable grounds to believe that as a result of the consumption of alcohol, an offence was committed under S.253 CCC within the previous four hours;
 - b. there was an accident resulting in death or bodily harm to any person, including the suspected impaired driver; and
 - c. the identity of the person from whom the samples will be taken has been established by some means. The member may be required to provide a physical description to the Justice of the Peace if there is no other means of establishing identity.
3. A member will normally obtain a warrant by telephone in cases where it would be impracticable to appear before a Justice of the Peace (see Telewarrants Sec. 1.6.43 (iv) of the Regulations and Procedures Manual). All conversation on the telephone will be recorded.
4. Prior to contacting the JP the member shall:
 - a. have in possession a "Application by Telephone for Warrant to Take Blood Sample for Analysis" form; and
 - b. have the necessary information required to apply for a warrant.
5. Having obtained a warrant, members shall adhere to the procedures for obtaining blood samples under Sec. 1.10.6 (iii) of the Regulations and Procedures Manual.
6. The duration of the warrant is conditional upon the medical practitioner being satisfied that the conditions given in paragraph (1) of this section continue to exist.
7. No offence is committed by a medical practitioner who refuses to take a blood sample despite a warrant having been obtained to take the sample.
8. The member shall serve a copy of the warrant on the accused as soon as practicable after obtaining the samples. The member will only serve the warrant when the suspect is capable of understanding the purpose of the document. If the member is unable to serve the copy of the warrant prior to end of their shift the member will notify their NCO and arrange for service by the on-coming shift.
9. Where blood samples are obtained pursuant to warrant, the member must complete a Form 5.2-B "Report To A Justice Following Warrant To Take Blood Samples."



1.10 Motor Vehicle Incidents (MVI)

1.10.6 (v) Breath Testing Apparatus (BTA)

(Effective: 2003.04.22)

1. Whenever a test is administered on the Breath Testing Apparatus, the following procedures shall be adhered to:
 - a. the arresting member shall arrange to have a BTA technician conduct the tests;
 - b. only those members duly qualified as technicians are permitted to conduct BAC tests;
 - c. physical tests given by the arresting member shall not be conducted in the presence of the technician;
 - d. when a breath test is taken of an apparently intoxicated person, and the reading is very low or higher than 300 mg., the investigating officer shall consider obtaining a medical opinion; and
 - e. the arresting member will submit all the necessary reports.
2. Members may utilize the breath testing apparatus when sobriety may be an issue for criminal offences other than impaired driving. The procedures for administering the tests shall be same as for a impaired driving offence.



1.10 Motor Vehicle Incidents (MVI)

1.10.6(vi) Certificates of Analysis

(Effective: 2011.10.19)

POLICY

Certificates of Analysis are required for court when members are recommending impaired driving charges. The Crown will always proceed by way of certificates unless more than two readings are necessary, when only one reading was obtained, or when technicians and analysts are required for court pursuant to Section 258(6) CCC.

PROCEDURE

1. When obtaining two proper breath samples and the first sample is obtained within two hours of the offence, the technician shall complete the "Certificate of Qualified Technician" VPD Form 755 (Please refer to Traffic Services for this form) in the presence of the arresting member. The technician will then turn the completed document over to the arresting member. The technician shall not serve any certificate unless they are also the arresting member.
2. The arresting member shall:
 - a. Complete the Notice of Intention at the bottom of the certificate;
 - b. Make two copies of the certificate;
 - c. Compare each copy to the original to ensure that it is a true and accurate copy;
 - d. Initial each copy;
 - e. Serve a copy on the accused;
 - f. Scan a copy of the certificate to the Report to Crown Counsel (RTCC); and,
 - g. Place the original certificate in the Property Office and be prepared to produce it in court in any subsequent trial.
3. The technician who originally prepared the certificate in the presence of the arresting member and the arresting member shall check the accuracy of the particulars contained in the certificate.
4. The arresting member shall ensure that the accused understands that the Certificate will be introduced as evidence in court.
5. If the accused is lodged at the Vancouver Jail due to their level of intoxication, the arresting member shall:
 - a. Delay service until the accused is sufficiently sober to understand the intent of the Certificate; and
 - b. Request the Jail NCO to serve the Certificate when the accused is sufficiently sober if the arresting member is unable to attend the jail.

The Jail NCO shall submit a supplemental page in the RTCC when service has been completed (if necessary).

6. Any member serving a certificate other than the arresting member shall complete the Affidavit of Service.



1.10 Motor Vehicle Incidents (MVI)

1.10.6(vii) Notice to Seek Greater Punishment

(Effective: 2011.10.19)

POLICY

When a driver has been arrested for impaired driving and has a prior conviction for impaired driving, the driver shall be served with a Notice to Seek Greater Punishment in order to provide the driver notice that Crown Counsel will be seeking a greater punishment if the driver is found guilty of the offence.

PROCEDURE

The arresting member shall:

1. Conduct a Level II CPIC query and serve a Notice to Seek Greater Punishment (**PCR099**) if the person has prior convictions for impaired driving under the *Criminal Code* within the previous five (5) years.
2. Note in the Report to Crown Counsel (RTCC) the details of service and scan the original Notice to Seek Greater Punishment in to the report.
3. When the CPIC system is unavailable, the arresting member shall:
 - a. Serve a Notice to Seek Greater Punishment and advise the accused that the Notice will apply only if there is a prior conviction; and,
 - b. Note in the RTCC that the CPIC system was unavailable.
4. If the accused is lodged at the Vancouver Jail due to their level of intoxication, the arresting member shall:
 - a. Delay service until the accused is sufficiently sober to understand the intent of the Notice; and
 - b. Request the Jail NCO to serve the Notice when the accused is sufficiently sober if the arresting member is unable to attend the jail.

The Jail NCO shall submit a supplemental page in the RTCC when service has been completed (if necessary).



1.10 Motor Vehicle Incidents (MVI)

1.10.6(viii) Breath Samples

(Effective: 2011.10.19)

POLICY

For the purposes of impaired driving investigations, the "arresting member" is defined as the member who, as the result of information received or observations made, has formed the belief that a suspect is impaired while operating a motor vehicle, vessel, aircraft, or railway equipment and has therefore given a Breath Demand to the suspect.

PROCEDURE

An arresting member investigating impaired driving offences under s. 253(1)(a) and/or s. 253(1)(b) CCC shall:

1. Whenever practicable, be the only member who engages a suspect in an investigative interview;
2. Give the:
 - a. Charter of Rights (See RPM Section 1.4.1: Police Warnings);
 - b. Breath Demand (See RPM Section 1.4.1: Police Warnings);
 - c. Roadside Prohibition Section 215 MVA (See RPM Section 1.4.1: Police Warnings).
3. Allow the suspect to have reasonable access to a telephone if requested;
4. Ensure two (2) breath samples are taken whenever possible;
5. Request a charge under Section 253(1)(a) CCC if the lowest breathalyzer reading is below 100 mg. but there are gross signs of impairment; and,
6. Request charges under Sections 253(1)(a) CCC and 254(5) CCC if there is a refusal to provide at least one adequate sample. When a suspect refuses to provide a sample of their breath, the arresting member shall be the member who made the demand.

When the suspect refuses to supply a second sample:

7. If, in the opinion of the qualified technician, a second sample of breath is necessary to make a proper analysis to determine the concentration of alcohol in the suspect's blood, both Sections 253(1)(a) and 254(5) CCC shall be requested; or,
8. If, in the opinion of the qualified technician, a second sample of breath is not necessary, they shall request charges under Sections 253(1)(a), 253(1)(b) (if applicable), and 254(5) CCC.



1.10 Motor Vehicle Incidents (MVI)

1.10.6(ix) Impaired Drivers - Appearance Notice

(Effective: 2011.10.19)

POLICY

Persons arrested for impaired driving offences shall be released on an Appearance Notice, providing that they fulfill the necessary requirements regarding "public interest" and "appearance in court." See RPM Section 1.5.1: Issuing Appearance Notices (ANs) (Federal & Provincial) and Undertakings.

PROCEDURE

1. The arresting member shall release a person arrested on impaired driving offences on an Appearance Notice; unless on reasonable grounds, a member believes the arrested person:
 - a. Does not meet the Public Interest requirements of the *Criminal Code*;
 - b. Will not appear in court; or
 - c. Is unable to care for themselves due to their level of intoxication

In which case they shall have the accused transported to the Vancouver Jail by the prisoner wagon.

2. The Jail NCO must approve the incarceration of all persons who do not meet the criteria for release on an Appearance Notice when impaired driving charges are recommended. Members shall note the reasons why a person was incarcerated and the Jail NCO who approved the incarceration.
3. When a person is placed in custody, the arresting member shall ensure that the Report to Crown Counsel is completed as soon as possible and prior to the member going off duty.
4. Before release on an Appearance Notice, the arresting member shall ensure that all certificates and the "Notice to Seek Greater Punishment" are served, if applicable .
5. Members issuing an Appearance Notice to an impaired driver at police headquarters shall adhere to RPM Section 1.12.3: Detention Pursuant to the Immigration Act.
6. When an impaired driver is hospitalized due to injuries, and;
 - a. Two (2) blood samples have been obtained; and
 - b. The accused is able to understand the service of documents and the Appearance Notice.

Then the member shall allow fourteen (14) weeks between the date the Appearance Notice is issued and the initial court appearance.



1.10 Motor Vehicle Incidents (MVI)

1.10.6(x) Immediate Roadside Prohibition (IRP) Program

(Effective: 2011.10.19)

This Section is currently under review, please refer to the Operational Bulletin issued on 2011-12-05 "IRP Police Informational Bulletin".

POLICY

The Immediate Roadside Prohibition (IRP) program prohibits drivers who register a WARN or FAIL on an Approved Screening Device (ASD) or refuse to provide a breath sample on an ASD upon a lawful demand. An IRP cannot be combined with a 215 MVA 24-hour suspension or criminal charges. Members must be trained in the IRP program before using this enforcement tool and the Office of the Superintendent of Motor Vehicles maintains a database of trained police personnel.

PROCEDURE

Upon proceeding under the IRP Program, members shall:

1. Give the ASD demand (See RPM Section 1.4.1: Police Warnings).
2. If a "Warn" or "Fail" is displayed on an ASD, read the "IRP and 2nd ASD Demand" from the IRP book.
3. Seize the driver's license.
4. Perform the second ASD test if requested by the driver.
5. Advise the prohibited driver that the IRP will form part of their driving record.
6. Request a tow truck and provide the tow truck driver the completed Impound Lot Operator (I.L.O.) copy of the MV2721.
7. Complete the following forms at the time of prohibition:
 - a. Notice of Driving Prohibition MV2723;
 - b. Report to Superintendent MV2724- IRP; and, if required, the
 - c. Notice of Impoundment MV2721; and,
 - d. Report to Superintendent- Vehicle Impoundment MV2722.



8. Complete a General Occurrence (GO) report including the Roadside Prohibition Template with the text type “SY” in the GO report. Members may complete an additional narrative (OR) text page to further explain the incident if necessary, and:
 - a. When a driver provides a breath sample into an ASD and “Fail” is displayed, use UCR codes:
 - i. 9230-2: Drive Over .08;
 - ii. 8120-44: 215ALCOH IRP FAIL ASD-90DAY; and,
 - iii. 8110-90: VI-Vehicle Impoundment.
 - b. When a driver refuses to provide a breath sample into an ASD, use UCR codes:
 - i. 9240-2 FAIL/REFUSE TO PROVIDE BREATH; and,
 - ii. 8120-45: ALCOH IRP REFUSE ASD-90DAY; and,
 - iii. 8110-90: VI-Vehicle Impoundment.

The driver will be role coded as a **Suspect Chargeable** and a CCJS status of “O” - departmental discretion chosen; or,

- c. When a driver provides a breath sample into an ASD and “Warn” is displayed, use the applicable UCR code:
 - i. 8120-41: 215ALCOH IRP WARN-3DAY; or,
 - ii. 8120-42: 215ALCOH IRP WARN-7DAY; or,
 - iii. 8120-43: 215ALCOH IRP WARN-30DAY; and,
 - iv. 8110-90: VI-Vehicle Impoundment.

The driver shall be role coded as a **Driver** and a CCJS status of “B” - founded not cleared chosen; and,

- d. Complete the Conclusion Block (CB).
9. Place the:
 - a. Driver’s license in an envelope and attach the envelope to the white copies of the: MV2723 and MV2724, and if completed, the MV2721 and MV2722; and
 - b. White copies and the envelope in the Traffic Tray in each district mailroom at 2120 Cambie St. or via internal mail to the Traffic Section prior to the end of the member’s shift.

The driver’s license and white copies will be sent to the Office of the Superintendent of Motor Vehicles by Traffic Support Services.



1.10 Motor Vehicle Incidents (MVI)

1.10.7 Motor Vehicle Collision Procedures

(Effective: 2012.06.05)

1. Members attending at motor vehicle collisions where there are no injuries and/or property damage may advise the involved parties to exchange information and file their own reports.
2. Members shall investigate and report all motor vehicle collisions in the following circumstances:
 - a. All serious collisions including fatalities
 - b. All collisions where the nature of injuries requires the victim to be transported to hospital via ambulance
 - c. When there is evidence to support a charge
3. The following reporting criteria shall be followed for motor vehicle collision investigations:
 - a. A MV 6020, a diagram and a GO report for Crown shall be submitted:
 - When the collision involves a fatality or possible fatality
 - When criminal charges are requested
 - When collision reconstruction evidence is present and required to prove a charge
 - In Hit and Run investigations where physical evidence has been seized, when a suspect has been located, or when sufficient evidence exists to locate a suspect
 - When the investigating member decides that a GO report for Crown is appropriate
 - b. A MV 6020, a diagram and a GO report shall be submitted:
 - When there is injury to an involved party which requires the victim to be transported to hospital via ambulance
 - When there is evidence to support a charge
 - In Hit and Run investigations where it is unlikely that a suspect can be located
 - When a member is laying charges in the first instance under the Motor Vehicle Act
4. When a collision is reported using a MV6020 and a diagram, a brief narrative of how the collision occurred shall be included in a GO report. The following additional information shall be included, if applicable, and when a person is charged:
 - a. Which member saw the accused's drivers licence
 - b. The accused's verbal statement and all persons present for the statement
 - c. Copies of the written statements of the accused or witnesses
 - d. A photocopy of the ticket(s) issued to the accused
5. A Collision Investigation Supervisor or any Supervisor if the Collision Investigation Supervisor unavailable, shall be requested to attend the scene when the motor vehicle collision involves the following:
 - a. Fatal or possible fatal
 - b. A police vehicle from any jurisdiction
 - c. Private vehicles being driven by members in connection with their duties
6. In any case where a young person is involved in a motor vehicle collision as a driver, passenger, cyclist or pedestrian, the investigating members shall notify the young person's parent or guardian of the circumstances as soon as practical and shall include the details of that notification in the report.



1.10 Motor Vehicle Incidents (MVI)

1.10.8(i) Police Vehicles Code 3 Procedure

(Effective: 2019.06.21)

POLICY

Emergencies occur under a wide variety of circumstances that demand the immediate presence of the Police. During routine responses members are obliged to conform to all driving requirements found within the Motor Vehicle Act. However, in an emergency situation that requires an immediate police response, members may make use of exemptions for emergency vehicle operation found in Section 122 of the Motor Vehicle Act (MVA). Even so, members shall engage in emergency vehicle operations only when in compliance with the *Motor Vehicle Act*, the Emergency Vehicle Driving Regulations (EVDR), the Guidelines for Peace Officers Operating Emergency Vehicles (Guidelines), and this policy. Further, all members are accountable for, and must justify, their actions when undertaking any emergency vehicle operation.

Not all Priority 1 dispatch calls require a Code 3 response. Members must conduct on-going risk assessments to determine whether a Code 3 response to an incident is required.

More than one member may respond Code 3 to a call until it is deemed that sufficient resources have arrived to effectively deal with the call.

PROCEDURE

Code 3 Response

1. In accordance with the provisions of the EVDR, members may respond Code 3 and exercise the privileges granted by section 122(1) of the *Motor Vehicle Act* if:
 - a. The member has reasonable grounds to believe that the risk of harm to members of the public from the exercise of those privileges is less than the risk of harm to members of the public should those privileges not be exercised; and
 - b. The peace officer operates emergency equipment. For the purpose of this section, emergency equipment means lights and sirens.
2. In considering whether there are reasonable grounds to respond Code 3, members must consider all pertinent factors, including the following, if relevant:
 - a. The nature and circumstances of the suspected offence or incident;
 - b. The risk of harm posed by the manner in which the emergency vehicle is being or is likely to be operated;
 - c. The risk of harm posed by the distance, speed or length of time required or likely to be required to exercise the privileges;
 - d. The nature, condition and use of the highway;
 - e. The volume and nature of pedestrian or vehicular traffic that is, or might reasonably be expected to be, in the area;
 - f. The degree of risk of harm to members of the public in consideration of the seriousness, the nature, and the circumstances of the suspected offence or incident; and
 - g. The appropriate speed considering the circumstances.
3. A Code 3 response to an incident in the field is permitted only in the following situations:
 - a. The Radio Dispatcher broadcasts a call and the member(s) recognizes that the incident is an emergency; or
 - b. The member encounters an emergency situation requiring a Code 3 response in the field and advises the Radio Dispatcher of the circumstances, or



- c. The Supervisor recognizes that an emergency exists and direct a member or members to respond Code 3.
4. Members responding Code 3 to an emergency situation shall:
 - a. Immediately advise the Radio Dispatcher that they are responding Code 3 and utilize both emergency lights and siren. (For members engaged in investigations of a covert or sensitive nature the Radio Dispatcher may be advised of a Code 3 response, when it is practicable to do so, by the responding member or another member involved in the investigation);
 - b. Only exercise the privileges found in *Section 122 of the MVA* without operating emergency lights and siren or by operating emergency lights alone if they believe that an offence has been, is being, or is about to be committed and that the risk of harm to the public with emergency equipment activated outweighs the potential risk of harm to the public entailed in not activating them; and
 - c. Comply with the duties and requirements as stipulated in *Section 122 of the MVA*, the EVDR, and the Guidelines.
5. The majority of serious police-involved collisions occur at intersections. When responding Code 3 and entering an intersection against a traffic control device, members must exercise extreme caution and slow their vehicles to a speed at which they can observe and react safely to all potential hazards. During periods of heavy vehicular or pedestrian traffic, this may require members to come to a complete stop.
6. Where a Field Unit(s) broadcasts it is responding Code 3, or has been instructed to respond Code 3, the unit may continue to do so until it is determined that a Code 3 response is no longer necessary or the Code 3 response is cancelled by a supervisor, the Duty Officer, or another field unit that has already arrived on scene.
7. Police vehicles not equipped with emergency equipment must not be utilized in a Code 3 response.



1.10 Motor Vehicle Incidents (MVI)

1.10.8(ii) Police Vehicles Involved in Motor Vehicle Accidents

(Effective: 2019.11.19)

POLICY

1. Whenever a police vehicle is involved in any collision, it must be reported as soon as practicable regardless of the amount of damage or extent of injury (RPM Section 5.2.5: Damage To Department Vehicles).
2. Any member(s) involved in a collision shall make all reasonable efforts to secure the collision scene (ensure the vehicles involved are not moved from their final resting place), giving consideration to safety, the extent of the damage/injuries and the circumstances surrounding the collision.
3. Member(s) who are not injured shall ensure portable radios and laptops are removed from the vehicle and returned to the Kiosk.
4. The Collision Investigation Unit will investigate motor vehicle accidents involving police vehicles. A Patrol Unit will be assigned if the Collision Investigation Unit is unavailable.
5. The involved member's Supervisor shall attend at the scene. In circumstances where the member's Supervisor is unavailable another field Supervisor shall attend. The attending Supervisor shall ensure all injured members' portable radios and laptops are removed from the vehicle and returned to the Kiosk.
6. The investigating member shall submit the following reports:
 - a. A MV6020, when the combined damage total exceeds \$10,000.
 - b. A General Occurrence (GO) report including a diagram. The member shall submit the diagram as an attachment.
7. The member involved in the collision shall submit the following reports:
 - a. A Police Statement (PS) page in the investigating member's GO report outlining:
 - i. The circumstances of the collision;
 - ii. The damage if any to the police vehicle; and,
 - iii. The location of the police vehicle.
 - b. If a member is injured, members shall comply with the reporting requirements as specified in RPM Section 1.11.2: Injuries to Department Personnel.
 - c. If there is damage to clothing or equipment (non-automotive) members shall comply with the reporting requirements as specified in RPM Section 5.2.1: Damage to Department or Private Property.
8. The attending Supervisor shall:
 - a. Report any injuries to the Duty Officer.
 - b. If a member is injured, the Supervisor shall comply with the reporting requirements as specified in RPM Section 1.11.2: Injuries to Department Personnel.
 - **Note:** Please refer to RPM Section 1.16.7: [BC Police Act](#) - Reportable Incidents - Injuries or Death for further reporting requirements.
 - c. Complete a City of Vancouver Vehicle Accident Report (VAR). The original shall be forwarded directly to the Fleet Kiosk Staff.
 - d. Send a copy of the VAR shall be sent to Risk Management within 48 hours and submitted as an attachment in the GO report.



- e. Shall complete a NCO Report - Collision template in the member's GO report containing a summary of the collision and a statement of the Supervisor's findings and recommendations directed to the Supervisor i/c Collision Investigation Squad.
9. The Supervisor i/c Collision Investigation Unit will gather all reports relating to the accident, review the file and classify the incident as one of the following:
 - a. No blame;
 - b. Calculated risk in the operation of a police vehicle;
 - c. Intended Action; or,
 - d. Error in judgment on the part of the member.
10. This recommendation will be forwarded to the Inspector i/c Traffic Section for concurrence in accordance with the Collision Review Process.

Allegation of Police Involved Motor Vehicle Accidents

11. A request for a VAR in response to an allegation of a police involved motor vehicle accident shall be reviewed and completed by the Supervisor of the member(s) identified in the request.



1.10 Motor Vehicle Incidents (MVI)

1.10.8(iii) Outside of Jurisdiction Motor Vehicle Accident (MVA)

(Effective: 2015.10.09)

1. Vancouver Police vehicles and private vehicles being driven by members in connection with their duties may become involved in a motor vehicle collision outside of the City of Vancouver. Responsibility for the investigation of these collisions lies with the police agency serving the particular jurisdiction. Members involved in such an accident shall:
 - a. Report the collision immediately to the police agency in the jurisdiction;
 - b. Notify a Supervisor as soon as practical; and
 - c. Comply with the reporting requirements and obtain a copy of the MV 6020, if applicable.
2. A Supervisor upon being notified of a collision in the outside jurisdiction shall:
 - a. Attend at the collision scene if the circumstances warrant their attendance. Factors to consider include the severity of the collision, the time delay, the distance to the collision scene, and other relevant factors. The Supervisor may request the assistance of the Collision Investigation Unit;
 - b. Liase with the involved members, the investigating police agency and other witnesses if necessary to determine the circumstances of the collision; and
 - c. Comply with the reporting requirements. (See RPM Section 1.10.8(ii): Police Vehicles Involved in Motor Vehicle Accidents)



1.10 Motor Vehicle Incidents (MVI)

1.10.8(iv) Outside Agencies - Motor Vehicle Accidents

(Effective: 2000.10.03)

1. Collisions involving police vehicles from outside jurisdictions shall be handled as follows:
 - a. A Collision Investigation Squad unit will be dispatched to the scene to investigate the collision. If a Collision Investigation Squad unit is not available, a patrol unit will be assigned. In addition, an NCO will be dispatched to the scene.
 - b. The attending NCO shall notify an NCO from the outside jurisdiction.
 - c. If the member is injured, where necessary, the NCO will arrange for any firearms to be turned over to an NCO in the jurisdiction concerned.
 - d. The investigating member shall submit the reports listed in **Section 1.10.7: MVA Procedures**.
 - e. The attending NCO shall submit a VPD 68 containing details of the collision and a statement of the NCO's findings and recommendations, directed to the NCO i/c Collision Investigation Squad.



1.10 Motor Vehicle Incidents (MVI)

1.10.9 Pursuit Driving

(Effective: 2012.04.16)

POLICY

The police have a duty to apprehend offenders; however, there are times when the risk of harm to the public may be too great. Vehicle pursuits are an inherently dangerous activity and must be recognized as such by all police members. Protecting the public must always be of primary concern. Therefore, members involved in a vehicle pursuit must continuously assess whether there are reasonable grounds to continue a pursuit when weighed against the risk of harm to the public. All pursuits undertaken must be in compliance with the Motor Vehicle Act (MVA), **Emergency Vehicle Driving Regulations (EVDR)** and Guidelines published by the Police Services Division of the Ministry of the Solicitor General (**Guidelines**). Further, all members are accountable for, and must justify, their actions during a police pursuit.

Members are encouraged to utilize safe and effective alternatives to a pursuit if possible. If time and circumstances allow for approved alternate tactics to resolve a situation that has the potential to become a pursuit, those measures should be implemented at the earliest opportunity. See **Section 1.10.10 Boxing, Pinning, Ramming, and Other Methods of Stopping a Vehicle**.

PROCEDURE

Police Pursuit Defined

1. As stated in the **EVDR**, a pursuit means "the driving of an emergency vehicle by a peace officer while exercising the privileges granted by **Section 122 (1) of the MVA** for the purpose of apprehending another person who refuses to stop as directed by a peace officer and attempts to evade apprehension".
2. The determination of whether a member is engaged in a pursuit does not depend on whether the member has the lights and/or siren activated. Rather, a member is considered to be in a "pursuit" whenever:
 - a. The member is exercising the privileges in section 122 of the MVA;
 - b. The member follows a vehicle, or attempts to close the distance to a vehicle, with the intent to stop it, or identify the vehicle or driver; and
 - c. The driver intentionally continues, takes evasive action or ignores the member's direction to stop, in order to avoid apprehension.

Note: Members driving in the circumstances described in subsection 2 without their lights and siren activated, are in violation of the **EVDR**.

Engaging in a Vehicular Pursuit

3. A member shall only pursue a vehicle while in compliance with the requirements of the **EVDR**. During a pursuit members must:
 - a. Activate their emergency equipment;
 - b. Undertake an ongoing risk assessment that primarily includes the seriousness of the offence and the need for immediate apprehension;
 - c. Also assess:
 - i. the risk of harm posed by the manner in which the emergency vehicle is being operated;
 - ii. the risk of harm posed by the distance, speed or length of time required;



- iii. the nature, condition and use of the highway;
 - iv. the volume and nature of pedestrian or vehicular traffic that is or reasonably expected to be there; and
 - d. Not consider an offender's attempt to evade apprehension in determining the seriousness of the offence or the need for immediate apprehension,
4. Members may only engage in a pursuit when they have reasonable and probable grounds to believe that:
- a. The driver or passenger of the suspect vehicle has committed, is committing, or is about to commit an indictable Criminal Code offence, involving serious threats or acts of violence, or
 - b. Even without police presence, the actions of the driver pose immediate and grave risks to public safety (e.g. grossly impaired driver; suicidal driver).
5. Members shall NOT engage in a pursuit when the suspected offence is solely:
- a. A Motor Vehicle Act infraction; or
 - b. A property crime, including the possession of a stolen vehicle

Pursuit Procedures

6. Members shall comply with the requirements as outlined in the EVDR and Guidelines.
7. Unless authorized by a Field Supervisor, only the members in the initial pursuing unit (the “primary unit”) and the assigned back-up unit (the “secondary unit”) shall pursue a suspect fleeing in a vehicle. Members in other units shall stay clear of the pursuit and off the pursuit route. Units not assigned to the pursuit should remain alert to its progress and location.
8. The member(s) of the pursuing unit, or the Field Supervisor, should immediately request the use of Police Aerial Support and/or the involvement of pursuit termination trained and equipped members. If necessary, the Field Supervisor may request additional units if it appears the members in the two units involved may not be sufficient to safely effect the arrest of the suspect(s).
9. Members shall not participate or engage in a pursuit in any vehicle not equipped with operating emergency equipment. In the event that members on motorcycles or unmarked units with full emergency equipment begin a pursuit, these units shall relinquish their position when a marked police unit with full emergency equipment has joined the pursuit (If the unmarked is a Dog Unit, see subsection 12). The motorcycle or unmarked unit shall then proceed to the termination point.
10. Members shall not parallel a pursuit without authorization from a Field Supervisor. Also, any unit that is close to a pursuit in an adjacent district must obtain authorization from a Field Supervisor prior to responding. Members must then advise their dispatcher and change frequency to the appropriate talk group, and self dispatch by using the “Assist Unit” command on the Mobile Work Station (MWS).
11. A member engaged in a pursuit shall not pass other police units or the vehicle being pursued unless requested to do so by the primary unit, or unless exigent circumstances exist.

Use of a Dog Unit

12. When a Dog Unit member becomes aware of a pursuit, the member shall:
- a. First consider the nature of the pursuit and distance required to travel to become involved in the pursuit;
 - b. Request authorization of a Field Supervisor to join a pursuit;
 - c. If a Dog Unit is a marked vehicle, the Dog Unit shall become the primary unit, if practicable; and
 - d. If a Dog Unit is unmarked, the Dog Unit may become involved in a pursuit if authorized by a Field Supervisor, however, shall not be the primary or secondary unit. (See primary unit requirements in provincial Guidelines).

Use of Police Aerial Support



13. Where practicable, Police Aerial Support will be employed as the primary unit during a pursuit. Members and Field Supervisors shall request the use of Police Aerial Support through the Central Dispatcher.
14. Once Police Aerial Support is in position to observe a pursuit, it will assume the responsibilities of the primary and secondary units. Members involved in the pursuit of the suspect vehicle shall then disengage from the pursuit, take direction from Police Aerial Support and the Field Supervisor, who shall remain in command of the incident, and follow the pursuit termination procedures as outlined in subsections 38 and 39).
15. Police Aerial Support will monitor the target vehicle, unless this appears to be exacerbating the driving behaviour of the target vehicle.
16. Members involved in the pursuit will remain alert as to the location of the target vehicle and be prepared to assist in the apprehension of the suspect(s) if the vehicle is abandoned. Police Aerial Support will inform ground units when the target vehicle is slowing or stopping and provide direction to facilitate the safe apprehension of the suspect(s).

Use of Firearms

17. Members shall not discharge a firearm, while mobile, at a vehicle during a pursuit.
18. The use of firearms is not permitted as a method of stopping or disabling a vehicle. See **Section 1.2.1(3) Use of Force Justification - Firearms/Lethal Force.**

Communications

General Pursuit Communications Requirements

19. When a pursuit occurs, regardless of location, the District Dispatcher or the Central Dispatcher shall immediately initiate a patch to Talkgroup 15/16. Permission from a Field Supervisor is not required to initiate a patch during a pursuit. All radio communication with respect to that pursuit shall continue on that district's Talkgroup. When such a pursuit enters into another district, members in that district will be advised by the District Dispatcher to switch to Talkgroup 16, which will be patched into the original Talkgroup.
20. Members shall not change Talkgroups when entering into another jurisdiction unless advised by the District Dispatcher. When a pursuit is handed over to another E-COMM jurisdiction all members in the receiving jurisdiction will be advised to switch to the active Talkgroup 15/16. This will allow members to communicate directly with the dispatcher and police units of that jurisdiction.
21. Radio communication is essential when conducting a police pursuit. Members must be cognizant that the primary unit, secondary unit and Field Supervisor require access to radio communication. Therefore, members not directly involved in the pursuit shall maintain strict radio discipline and shall not transmit unless absolutely necessary. Members should instead use their MWS or switch their radio to another Talkgroup to communicate with the E-COMM Dispatch Centre.

Primary Unit Pursuit and Broadcast Responsibilities

22. The first responsibility of the member(s) engaged in a pursuit as the primary unit is the apprehension of the suspect(s) without unnecessarily endangering themselves or other persons. Unless relieved by a Supervisor, the member(s) in the primary unit shall:
 - a. Request air control by broadcasting "Code 4", informing the District Dispatcher that they are "Code 3" with emergency equipment activated, in pursuit of a fleeing vehicle;
 - b. Advise the District Dispatch as to the reason for the pursuit, especially the nature of the offence and need for immediate apprehension, and provide information including description of the suspect vehicle, location, speed, direction of travel and



- traffic conditions as soon as practicable; updates of this information shall be broadcast throughout the pursuit;
- c. Provide other relevant information including identification of driver, number of occupants and violation of traffic control devices;
 - d. Continuously assess whether there are reasonable grounds to continue a pursuit when weighed against the risk of harm to members of the public;
 - e. Request that a Field Supervisor enquire as to the availability of Police Aerial Support and/or members equipped with vehicle disabling devices or assign additional units to the pursuit if required;
 - f. Advise if they are an unmarked unit with emergency equipment; and
 - g. Decide whether the pursuit should be terminated.
23. If the primary unit can not continue in its capacity, the secondary unit shall become the primary unit. In this case, another unit will be assigned by the Field Supervisor as the secondary unit

Secondary Unit (Communications Unit)

24. The member(s) in the secondary unit shall immediately notify the District Dispatcher when they are in position behind the primary unit. The secondary unit should be a marked unit with full emergency equipment. When it is an unmarked unit, this unit shall abandon its position when a marked police unit with full emergency equipment has joined the pursuit. Once a marked secondary unit has joined the pursuit, it becomes the communications unit in the pursuit, and assumes the broadcast responsibilities of the primary unit.
25. A two (2) member unit will be assigned as the secondary unit whenever possible to facilitate broadcasting.

Field Supervisors' Responsibilities (Communication)

26. Police pursuits are inherently dangerous activities. Radio priority is crucial for the Field Supervisor controlling the pursuit as well as the primary and secondary units; therefore, dispatchers and police members monitoring a pursuit must exercise strict radio discipline at all times.
27. Field supervisors must have "radio" priority to properly provide direction to police units and control the pursuit. When a vehicle pursuit occurs, the following procedure shall be followed:
- a. The Field Supervisor assuming control of the pursuit shall immediately inform the radio dispatcher that he or she is "taking control";
 - b. The radio dispatcher shall acknowledge when a Field Supervisor assumes control of a pursuit and take direction from the Field Supervisor. All other units shall self dispatch by using the "assist unit command" on the Mobile Work Station;
 - c. Dispatchers and other members shall keep radio traffic to an absolute minimum, only broadcasting information essential to the pursuit;
 - d. The Field Supervisor shall obtain information from the primary unit and direct other units as he/she sees fit. The Field Supervisor will "copy back" information from the pursuing unit to ensure all units are aware of the status and circumstances of the pursuit; and
 - e. When the pursuit is either terminated or concluded, the Field Supervisor shall advise the dispatcher to resume radio control and normal radio operations.

Field Supervisors' Responsibilities (General)

28. The Field Supervisor responsible for a pursuit shall:
- a. Ensure correct pursuit procedures are followed, and elicit from the primary unit all pertinent information of pursuit conditions for broadcast;
 - b. Take command of the pursuit, and remain in command, regardless of whether the pursuit crosses district boundaries, and retain command if the pursuit crosses jurisdictional boundaries until relieved by a Field Supervisor in the accepting jurisdiction;



- c. Respond immediately to the termination point of the pursuit, and on arrival, inform the Central Dispatcher;
 - d. Control all police action and ensure compliance with Departmental regulations and procedures;
 - e. Review and approve the member's VPD 68, Police Pursuit Information Report and GO report for Crown;
 - f. Prepare a detailed report of the pursuit;
 - g. Submit all reports to the Inspector i/c Traffic Section, and provide copies of the reports to the Inspector in charge of the district in which the pursuit began; and
 - h. Report all pursuits resulting in injury or serious property damage to the Duty Officer.
29. The Field Supervisor is responsible for ensuring that members engaging in a pursuit are in compliance with this policy, specifically, subsections 3-5. In exceptional circumstances, the Field Supervisor may override these directives. The Field Supervisor must be able to articulate that the need to apprehend the driver or occupant(s) was greater than the risk to the public.

NOTE: Whenever a Field Supervisor is actively involved in pursuing a vehicle (for instance as the primary unit) that Supervisor shall not take charge of the pursuit. Another Supervisor is required to take charge of the pursuit and will be responsible for monitoring the ongoing pursuit, attending and taking charge of the scene at the termination point, supervising any subsequent investigation, and reviewing and submitting all required reports.

Central Dispatcher

30. The District Dispatcher will initiate the Code 4 Emergency Radio Procedure and acknowledge the unit requesting air control. The District Dispatcher will activate a "Crime Alert" tone to restrict air traffic, notify the Central Dispatcher, and request a Field Supervisor to assume command and monitor the pursuit.
31. The Central Dispatcher shall:
- a. Monitor the pursuit and ensure a general broadcast on all uninvolved frequencies, alerting them to the incident;
 - b. Enquire as to the availability of Police Aerial Support;
 - c. Initiate an all channels broadcast if the vehicle is lost, advising of the vehicle description and last known location, **and shall include in the broadcast the reason the pursuit was commenced**. The Central Dispatcher will also notify neighboring jurisdictions of the relevant information;
 - d. Assist the Field Supervisor when possible, particularly with respect to obtaining relevant information from the pursuing members when communication difficulties occur, and ensure the Field Supervisor is apprised of this information; and
 - e. Notify the Duty Officer of the pursuit as soon as is practicable.

Pursuit Crossing Jurisdiction Boundaries - Leaving Vancouver

32. When a pursuit begins in Vancouver and proceeds into another jurisdiction:
- a. The Central Dispatcher shall notify adjacent municipalities (receiving jurisdiction) of the incident, reason for the pursuit, vehicle description, number of police units involved, present location, and where and when they may enter that jurisdiction;
 - b. The Central Dispatcher shall relay clear grounds for the initiation of the pursuit including the offence involved to the receiving jurisdiction;
 - c. When advised by the receiving jurisdiction that they are in position to take control of the pursuit, the Field Supervisor shall direct all VPD units, except the initiating unit, to immediately terminate the pursuit and return to Vancouver;
 - d. The initiating VPD unit shall proceed in a routine, non-emergency fashion to the termination point of the pursuit; and



- e. The decision to continue or abandon the pursuit shall be made by the jurisdiction controlling the pursuit.

Pursuit Crossing Jurisdiction Boundaries - Entering Vancouver

33. When notification is received that a pursuit may enter Vancouver:

- a. The Central Dispatcher shall confirm whether the vehicle is being pursued or merely being followed, and broadcast this information on the receiving District Talkgroup;
- b. The Central Dispatcher shall immediately broadcast on the receiving District Talkgroup that a Code 3 pursuit is entering Vancouver, and advise all responding units to switch to Talkgroup 15/16;

NOTE: The patch to Talkgroup 15/16 is always made by the originating agency, not the receiving agency

- c. The Dispatcher of the originating agency will maintain dispatch control throughout the pursuit until termination, regardless of duration or changes in jurisdiction;
- d. All District Dispatchers shall broadcast the pursuit as soon as practicable, and advise units to monitor Talkgroup 15/16;
- e. The Central Dispatcher shall obtain clear grounds for the pursuit from the initiating jurisdiction, vehicle description, number of police units involved, present location, and where and when they may enter the City of Vancouver;
- f. The Central Dispatcher will immediately provide this information to the appropriate Field Supervisor and, as soon as practicable, the Duty Officer;
- g. Responding units shall advise their location and attempt to intercept the pursuit as directed by the Field Supervisor. VPD units shall take control of the pursuit when practicable and in compliance with these regulations. When a secondary unit is in position, that unit shall advise the District Dispatcher that they have taken control of the pursuit. Units from the initiating jurisdiction shall be advised to discontinue the pursuit, with the exception of the initiating unit who shall proceed in a routine, non-emergency fashion to the termination point of the pursuit; and
- h. The decision to continue or abandon the pursuit shall be made by the jurisdiction controlling the pursuit.

Loss of Pursued Vehicle

34. When the pursued vehicle is lost, or the driver/occupants flee on foot, the member(s) in the primary unit will immediately broadcast all pertinent information to the District Dispatcher. After receiving the District Dispatcher's broadcast that the suspect vehicle was lost, all involved units shall resume normal non-pursuit operation of their police units. The attending Field Supervisor will co-ordinate the search as required.

Terminating a Pursuit

35. A pursuit can be discontinued by the:

- a. Pursuing members;
- b. Field Supervisor; or
- c. Duty Officer.

Reasons for Terminating Pursuits

36. Once a pursuit is terminated, no member shall renew that pursuit unless a new offence or other extenuating circumstances alter the risk assessment that resulted in the prior termination, such that a renewed pursuit is reasonable. No criticism will be leveled against a member whose judgment dictates the need to discontinue a pursuit. All members involved in a pursuit will be held accountable for the continuation of that pursuit when circumstances indicate it should have been discontinued or when directed to terminate.



37. Members involved in a vehicle pursuit must continuously assess whether there are reasonable grounds to continue a pursuit when weighed against the risk of harm to the public and members of the Department. Even though the police have a duty to apprehend offenders, there are times when the risk of harm to the public may be too great. Therefore, when a decision is made to terminate a pursuit, certain tactics must be used to limit the potential for a suspect to believe that he or she is still being pursued.

Pursuing Units' Responsibilities upon Pursuit Termination

38. Unless otherwise directed by either a Field Supervisor or Police Aerial Support that has assumed control of a pursuit, all members involved in a pursuit who terminate the pursuit on their own initiative or are directed to terminate a pursuit shall:
- Acknowledge the termination of the pursuit to dispatch;
 - Immediately turn off the pursuit route and not continue to follow the pursued vehicle;
 - Turn off all emergency equipment;
 - Return to the legal speed limit; and
 - Advise dispatch of their location and the last known location and direction of the pursued vehicle.

Members' Responsibilities upon Pursuit Termination

39. All members directly or indirectly involved in a pursuit shall:
- Not renew the pursuit without authorization of the Field Supervisor handling the call;
 - Respond to the area of the termination and set up containment as determined by the assigned Field Supervisor or as directed by Police Aerial Support;
 - Advise dispatch if the suspect vehicle is spotted, but do not follow or parallel the vehicle, unless authorized by a Field Supervisor; and
 - Follow specific instructions from the Field Supervisor handling the call, including leaving the area if the risk to the public has become too great in attempting to apprehend the suspect(s).

Field Supervisors' Responsibilities upon Termination

40. The Field Supervisor monitoring a pursuit that has been terminated shall:
- If practicable, direct a unit, other than the primary or secondary unit, to drive the last known route that the suspect vehicle may have taken after termination, once it has been determined that the suspect vehicle is no longer in the area, to ensure that the suspect was not involved in a collision;
 - Not order the pursuit to be renewed unless a new offence has been committed or other extenuating circumstances alter the risk assessment that led to the termination and makes renewal of the pursuit reasonable;
 - Coordinate units to contain the last known area of the suspect vehicle in the event that the vehicle has been abandoned; and
 - Conduct a debriefing with the members involved at the conclusion of the call.

Duty Officer Responsibilities

41. When notified that a pursuit has resulted in injury or serious property damage, the Duty Officer shall record the incident in the Car 10 duty log book and ensure that all necessary reports are submitted.

Report Requirements

42. At the conclusion or termination of a pursuit, the members in the primary unit shall submit to the Field Supervisor who handled the call, a VPD 68, a VPD Police Pursuit Information Report VPD 881(12) in hardcopy, and, if applicable, attach a copy of the GO report for Crown. The VPD 68 shall include:
- The reason for commencing the pursuit, including the offence and need for immediate apprehension;



- b. A description of the pursuit route;
- c. The surname and PIN of all members involved;
- d. The weather, lighting and traffic volume;
- e. Charges requested;
- f. Persons injured or fatalities; and
- g. A description and estimate of damages to police, suspect or civilian property.

Police Pursuit Review Board

43. The Police Pursuit Review Board will be chaired by the Inspector i/c Traffic Section and will review all police pursuits on a regular basis, or, where circumstances merit, an immediate review may be undertaken at the DCC's direction. The Board will be comprised of:
- a. Permanent board members, consisting of the:
 - i. Inspector i/c Traffic Section; and
 - ii. Sergeant i/c Collision Investigation Section; and
 - iii. A rotating board member, consisting of one (1) Inspector i/c of the member(s) under review.

Police Pursuit Review Board Terms of Reference

44. The Police Pursuit Review Board will have the following terms of reference:
- a. Determine and ensure that compliance with existing Regulations and Procedures is ongoing;
 - b. Determine if there are any training or education issues that may arise with respect to pursuit driving;
 - c. Compile statistical data with respect to those pursuits reviewed;
 - d. Determine if any disciplinary proceedings are required and to refer such matters to the Chief Constable; and
 - e. Examine any issues or concerns with respect to increasing the effectiveness and safety of existing procedures.
45. The Board will be required to forward all recommendations to the Chief Constable. Particular attention will be paid to issues of public safety, compliance with regulations, education and training issues.



1.10 Motor Vehicle Incidents (MVI)

1.10.10 Boxing, Pinning, Ramming, and Other Methods of Stopping a Vehicle

Effective (2007-05-17)

Policy

The Vancouver Police Department recognizes that, in the course of their duties, members may be required to manoeuvre a police vehicle to box, pin, or ram a suspect's vehicle. In undertaking such an action, members must always consider safety and the nature of the circumstance. Also, as these manoeuvres are all considered force options, members must be prepared to justify their actions as a use of force.

Procedure

Boxing and Pinning

1. Boxing is the safe positioning of police vehicles around a stationary suspect vehicle to prevent the movement of the suspect's vehicle. Boxing should result in minimal or no contact between the police vehicle and the suspect's vehicle. Boxing only occurs when a suspect's vehicle is stopped.
2. Pinning is the use of a police vehicle to safely make physical contact with, and contain, the suspect's vehicle. Pinning only occurs at very low speeds or when a suspect's vehicle is stopped.
3. Boxing and Pinning are low-level force options. However, as with any force option, members are required to fully justify their actions. Members should note that boxing and pinning are manoeuvres that primarily occur when a suspect vehicle is stopped or moving at low speeds and should not be confused with ramming. When damage occurs to any vehicles involved in a boxing or pinning manoeuvre, members shall comply with the procedures found in **section 1.10.8 (ii) : Police Vehicles - Involved in MVA**.
4. Members shall not attempt to box and/or pin a suspect vehicle unless they are trained and certified in the box and pin technique.
5. Members shall not attempt a second box or pin, or engage in a pursuit of the suspect vehicle, if an attempt to box or pin is unsuccessful in the first instance, unless authorized by the Field Supervisor.
6. The Field Supervisor shall not authorize a second box or pin attempt, or pursuit of the suspect vehicle, unless it is reasonable in response to a new offence or extenuating circumstances that alter the original risk assessment.

Ramming

7. Ramming is the use of a police vehicle to physically contact a suspect vehicle, and is a high-level force option. As with any force option, members are required to fully justify their actions. Members are advised that ramming is a tactic of last resort, but should not occur at high speeds, and is to be used only in the most exigent circumstances.
8. The Vancouver Police Department recognizes that in rare circumstances, and out of operational necessity, members may be required to ram another vehicle. However, the following conditions must exist for a member to ram a vehicle:
 - a. there are compelling and exigent circumstances;
 - b. there are no other reasonable means of stopping the vehicle available; and
 - c. the member(s) know that the suspect(s) has committed, is about to commit, or is committing, a serious criminal offence involving imminent threat of bodily harm or death to any person.



9. Having rammed a vehicle, the member(s) shall request a Field Supervisor to attend the scene. The members shall then submit a completed VPD 68 to the Field Supervisor detailing:
 - a. the full circumstances involved in the incident, including the compelling exigent nature of the event;
 - b. the nature of the offence(s) involved in the incident; and
 - c. any damage, injury or death that may have resulted.
10. On receiving the completed VPD 68 report, the Field Supervisor shall review the report and attach written comment. The Field Supervisor will then forward the report, through the chain of command, to the Chair of the Collision Review Board with a copy to the Force Options Training Unit. The Collision Review Board will review all ramming incidents.
11. In the event of injury, death or serious property damage, the attending Field Supervisor will advise the Duty Officer.
12. Members shall also take note of RPM Sections 1.10.8 (ii) : Police Vehicles - Involved in MVA and 1.10.9: Pursuit Driving.



1.10 Motor Vehicle Incidents (MVI)

1.10.11 Stalled Vehicles - Pushing

(Effective: 2000.03.07)

Police vehicles shall not be used to push stalled vehicles. If an emergency makes such action necessary the onus shall be on the member to justify the action taken.



1.10 Motor Vehicle Incidents (MVI)

1.10.12(i) Towing General Policy

(Effective: 2016.02.23)

1. The existing towing contract requires that, except for emergency situations or where the contract towing company is unable to respond within a reasonable time, the contract towing company will be called to perform towing service in each of the following circumstances:
 - a. All impoundments for violations of City By-laws;
 - b. All required towing of police vehicles;
 - c. All required towing from the scene of a motor vehicle collision where the owner/operator of a vehicle is unable or unwilling to specify a towing company;
 - d. All vehicles impounded under the vehicle impoundment (VI) provisions of Section 215.46 and Section 251 of the Motor Vehicle Act.

With respect to (c), if an owner/operator has called or wishes to use a towing company other than the contract company the owner/operator has this privilege and police members must accede to it. The only time this is not allowed is when a vehicle is required for police purposes.

2. Vehicles impounded for By-law violations, including violations of the Motor Vehicle Noise and Emission Abatement By-law, shall be taken to the By-law Impound Lot. Parking violations shall not be impounded unless they obstruct traffic, constitute a hazard or violate rush hour time zones. Members shall direct all abandoned automobile inquiries to City of Vancouver Parking Enforcement, and shall tow only those vehicles that obstruct traffic or constitute a hazard.
3. Vehicles violating the Motor Vehicle Noise and Emission Abatement By-law shall only be towed where the owner can not be located to disable the alarm, or to prevent continuation of the offence. Where the owner is located, a Notice of By-law Violation may be completed by the member if circumstances warrant.
4. Vehicles towed as a result of a violation of the Motor Vehicle Noise and Emission Abatement By-law # 9344, shall be towed to the By-law Impound Lot. A Notice of By-law Violation shall be placed on the vehicle to indicate an offence under the Motor Vehicle Noise and Emission Abatement By-law. The court copy of the ticket shall not be submitted as there is no fine associated with this offence where the vehicle is also towed. A brief General Occurrence Report shall be written by the impounding member to ensure that, where a dispute arises over the incident and towing, Traffic Section can have access to the circumstances.
5. The City of Vancouver, operating the By-law Impound Lot, will notify the owners of the vehicles that have been impounded as a result of a Motor Vehicle Noise and Emission Abatement By-law Violation. (This notification is a requirement of the Impounding By-law #3519.)
6. Members are not to discuss or offer advice to the general public as to the merits, services or fees of auto towing companies.
7. When members attend a motor vehicle collision they are to refrain from telling motorists that ICBC covers the cost of towing from the scene of a motor vehicle collision. ICBC has numerous policies covering towing and citizens should be advised to see their agent for details as to coverage.
8. Summary of Impound/Towing Procedure:

Offence	Process	Impound	Comments
Rush Hour Zone	*BN	Yes	



Lane Parking - 3 meters or more	BN	No	Tow only if obstructing
Lane Parking - less than 3 meters	BN	Yes	
One or two hour zones - 9 am to 6 pm (except Sundays)	BN	No	
Commercial Loading Zones - Variable times and days - Black and yellow signs	BN	Yes	Commercial vehicles must be over 30 min. Prior to enforcement
General Load Zone - Variable times and days - Red on white signs	BN	Yes	All vehicles must be over 30 min. prior to towing.
Passenger Zones	BN	Yes	Must be parked over 30 min. prior to towing. Commercial vehicles allowed 30 min. in zone prior to 1200 hrs.
Resident Only	**NOBV	No	Zone applies 24 hours, 7 days per week. Enforcement on complaint only unless other times stated on signs
3 Hour By-law	NOBV	No	8 am to 6 pm 7 days per week
Bus Zone	BN	Yes	
Cab Zone	BN	Yes	
Consular Zone	BN	Yes	Action to be taken only upon complaint from the Consul who occupies the zone
Abandoned Vehicle	Advise COV Parking Enforcement	No	Issue NOBV and tow only if obstructing traffic or if vehicle constitutes a hazard (s.72A, By-law 2849).
Motor Vehicle Noise and Emission Abatement By-law (If owner present or can be located)	NOBV See Sub Sec 3 & 4	No	If owner present, no tow is required unless it is necessary to prevent continuation of offence
Motor Vehicle Noise and Emission Abatement By-law (If owner can not be located)	NOBV See Sub Sec 3 & 4	YES	If owner can not be located, vehicle may be towed to COV By-law impound lot.



Safekeeping under RPM Section 1.10.12(iii)	NOBV See RPM Sec 1.10.12(iii)	Yes	NOBV will indicate "Hold for Safekeeping" and the vehicle shall be towed to COV By-law Impound Lot.
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*BN - By-law Notice

**NOBV - Notice of By-law Violation



1.10 Motor Vehicle Incidents (MVI)

1.10.12(ii) Vehicle Impounds

(Effective: 2017.04.21)

POLICY

This policy sets out the locations to which vehicles will be towed to facilitate investigations. It is imperative that vehicles impounded to facilitate police investigations are towed to the correct facility. This will ensure continuity of evidence, timely release of vehicles to owners, and reduced VPD liability for storage fees. Members shall not rely on the contract towing company to impound vehicles to the correct location. In the event a member is unclear on where to store a vehicle, they shall seek clarification from their Supervisor or a member of the specialty unit expected to conduct the follow-up investigation.

DEFINITIONS

- “City Impound Lot ” - The City of Vancouver Impound lot, which is located at 425 Industrial Ave;
- “CIU” - Collision Investigation Unit;
- “CVU” - Commercial Vehicle Unit;
- “FIU” - Forensic Identification Unit;
- “Police Impound” - AKA “PG” or Police Garage, located at the Property Office at 2010 Glen Dr;
- “PSC” - the Public Service Counter at 2120 Cambie St or 3585 Graveley St;
- “VPD111” - VPD form numbered 111(3), entitled “Vancouver Police Department Impounded Vehicle Report.” This form is a carbon copy form, not available on the Intranet. This form can be obtained in the report writing rooms at the Annex at 236 E Cordova St and 2120 Cambie St, as well as the Property Office at 2010 Glen Dr.

PROCEDURE

FORENSIC EXAMINATION

1. Vehicles are to be towed to the Police Impound if they:
 - a. Require fingerprint examination;
 - b. Require additional forensic examination; or
 - c. Have been involved in a serious crime.
2. All vehicles requiring forensic examination, except those involved in serious/major crime investigations, shall be placed in the interior General Investigations stalls (1-14) of the Police Impound and shall not be parked outside unless otherwise directed by a member of the FIU. Vehicles seized pursuant to a serious/major crime investigation for forensic examination shall be placed in a secure bay (1-7) in the Property Office Police Impound. Bay 3 may accommodate oversized vehicles if required.
3. The seizing member(s) shall complete a VPD111 and place the original copy in the tray in the Police Impound. The yellow copy is placed on the tray on the magnetic clip police garage bay door, or the windshield of the vehicle if the bay has no bay door clip.
4. If the Police Impound is full and cannot accommodate the impounded vehicle, the vehicle should not be left outside as this may destroy evidence and interfere with continuity. The escorting members should consult with Property Office staff for direction; if the Property Office is closed, the escorting member shall advise a supervisor or contact a member of FIU for advice and direction.
5. Members should confirm the ownership of items in the vehicle and make sure the vehicle is unlocked and if possible, disable the alarm prior to leaving the Police Impound.



SERIOUS / MAJOR CRIME INVESTIGATIONS

6. A vehicle involved in a homicide or other serious/major crime investigation shall be towed to the Police Impound for forensic examination and placed in an available **secure bay (1 - 7)**. FIU will provide a lock to secure the bay until examination can begin.
7. Members shall:
 - a. Ensure one member remains with the vehicle at all times to ensure continuity and security of evidence during the towing and parking process, until the vehicle is secured within the Police Impound;
 - b. To access the Police Impound bay, members may scan their proximity card to enter and open the secure bay door; members may then direct the tow truck to park the vehicle in the desired location;
 - c. Prior to leaving, members shall record the impoundment details in the Police Impound Log Book. Upon leaving, close the garage bay door and secure the entry door with the lock provided by a FIU member;
 - d. Members shall complete a Form 5.2 and a VPD111 and place them on the magnetic clip or tray on the door of the bay prior to the end of shift.

OTHER INVESTIGATIONS

Vehicles held as evidence - Police Impound

8. All vehicles being held for evidentiary purposes shall be towed to the Police Impound. This will include:
 - a. Arson vehicles (to the outside vehicle storage spaces adjacent the Police Impound);
 - b. Vehicles involved in fatal collisions and/or serious hit & run collisions; and
 - c. Vehicles involved in collisions that are impounded for mechanical testing (to the outside vehicle storage spaces adjacent the Police Impound).
9. Members will complete a VPD111 and place the yellow copy on the vehicle windshield, and submit the original copy to the designated location in the Property Office (attachment/form submission tray). Place appropriate special instructions such as “fingerprint”, “DNA Do Not Touch”, etc. on the copy affixed to the windshield.

Vehicles for mechanical inspection - National Yards

10. Members wishing to tow vehicles for mechanical inspection shall seek authorization from the field supervisor or a CIU member prior to towing the vehicle.
11. With the exception of oversized commercial vehicles, all other vehicles towed for mechanical inspection shall be towed to the Police Impound, and members shall notify CIU and forward a GO report to the Traffic Services Section prior to the end of shift.
12. All large Commercial Vehicles being held for mechanical inspection and follow-up by the CVU shall be towed by the contract tow company to National Yards. The investigating member should contact National Yards and advise the Garage shift supervisor that police are impounding a commercial vehicle for mechanical inspection and that a member from the CIU or CVU will be in contact by the next business day to arrange for the inspection.
13. Members should seize the following documents from the Commercial Vehicle driver:
 - a. Pre-Trip report;
 - b. Log books;
 - c. Insurance documents; and
 - d. Commercial vehicle inspection report.
14. Members seizing the documents should then deliver them to the CVU investigating member assigned to assist on the file. After hours, or if for other reasons this is not possible, the member may tag the documents at the Property Office and notify the CVU of their location for follow-up. Members shall



write a general occurrence report and forward this to the CVU/CIU handle by the end of shift. The member must complete a VPD111 and forward the original copy to the lead investigator in CVU/CIU. The yellow copy remains with the vehicle and a copy submitted to the Property Office.

Other vehicles and vehicles of undetermined status - City Impound Lot

15. The following vehicles shall be towed to the City Impound Lot at 425 Industrial Ave:
 - a. Collision vehicles, where the owner/operator of the vehicle is unable or unwilling to specify a towing company or a location to impound to;
 - b. Vehicles impounded as a result of service of a Notice of Impoundment (VI) under Section 104/105 of the Motor Vehicle Act; and
 - c. Vehicles impounded in conjunction with a 215 Prohibition or IRP.
16. Vehicles of undetermined status (e.g.: suspected stolen vehicles NOT listed on CPIC, and the registered owner cannot be contacted) shall be towed to the Police Impound (outdoor spaces), unless impounded for fingerprinting or other forensic examination.

RECOVERED STOLEN VEHICLES

17. When the decision is made to impound a stolen vehicle, and members are waiting for the arrival of the tow truck, they shall ensure they are highly visible near the stolen vehicle. (Refer also to RPM Section 1.7.21: Stakeout Responsibility and RPM Section 1.6.42(i): Unoccupied Stolen Vehicles.)
18. When members chose to recover a stolen vehicle for forensic examination, it shall be towed to the PG. If the license plates are known to be stolen, they should remain on the vehicle and members should avoid touching them to preserve possible fingerprints. Members should make a notation on the VPD111 indicating this.
19. Vehicles in the City Impound Lot that are subsequently identified as stolen/recovered shall remain at the lot unless fingerprint or other forensic examination is required. Members shall record the original location from which the vehicle was towed in the GO report. If the registered owner cannot be notified, the vehicle shall be towed to the Police Impound (outdoor spaces).

OUTSIDE JURISDICTIONS

20. Vehicles impounded for investigative purposes from an outside jurisdiction will be towed to the appropriate VPD location (depending on the circumstances of the investigation) and a VPD111 submitted. The tow can be done by either the City of Vancouver towing contractor or the towing company responsible for the jurisdiction in which the vehicle is found. The VPD111 must be submitted regardless of which company completes the tow.
21. When a vehicle is towed in from an outside jurisdiction for non-investigative reasons (i.e. safekeeping) members shall have the police of jurisdiction arrange for the tow and notify the Impound Lot Operator that the VPD has no need to have the vehicle held. Members shall inform the registered owner of the location of the vehicle and that the vehicle is not being held for investigative purposes.

REPORTING REQUIREMENTS

22. When a vehicle is impounded to the Police Impound, the member shall:
 - a. Complete a VPD111, clearly indicating on the report the reason for the tow, any follow-up required, and the tests requested;
 - b. Detach the “vehicle copy” of the VPD111 report and place it on the bay door clip/tray, or if in the general bay, attach it to the windshield of the vehicle, ensuring that it will not interfere with any required forensic examination;
 - c. Complete a Form 5.2 Report to a Justice and submit a copy to the Property Office when the vehicle is to be held for investigation;



- d. Forward a copy of all report(s) to the Supervisor i/c of the specialty unit that will be involved in the follow-up investigation, either electronically or by hardcopy, along with a copy of the VPD111 report, prior to the end of shift;
 - e. Submit a copy of the VPD111 report as an attachment to the GO report; and
 - f. Complete the Tow Details page of the GO report.
23. In the event a vehicle is towed as a result of an investigation, the member shall:
- a. Ensure that the vehicle is listed as an entity on the GO report;
 - b. Check the “tow box” on the vehicle linkage screen; and
 - c. Clearly note the location towed to in the text portion of the GO report.
24. The Supervisor i/c of the specialty unit responsible for the follow-up investigation shall review the submitted report and VPD111 as soon as practicable to determine the action to be taken. Follow-up investigations shall be conducted as expeditiously as resources permit, to facilitate the timely release of vehicles.

PROPERTY / EVIDENCE IN IMPOUNDED VEHICLES

25. Members impounding a vehicle at the Police Impound shall be responsible for tagging valuable property and evidence within the vehicle.
26. In cases where the vehicle is impounded as evidence, requires forensic examination, or a warrant to search is required, members shall contact the FIU for forensic examination and assistance.
27. Should any property located within the vehicle require forensic examination, the property shall be tagged in the science lockers in the Kootenay Building.
28. Property seized from a vehicle that does not require forensic examination shall be tagged in the Property Office lockers.

RELEASE OF IMPOUNDED VEHICLES

29. Releasing impounded vehicles is the responsibility of the Property Office staff. Vehicles are released from the Police Impound at 2010 Glen Dr. The Property Office staff will contact the registered owner or designate and that person will attend the Police Impound to take custody of their vehicle.
30. If a member has concerns regarding the safety and security of the Property Office staff releasing a vehicle, the integrity of evidence within any VPD impound lot, or otherwise feels a person should not be permitted entry to a VPD impound lot, that member shall notify the Property Office staff of these concerns. Property Office staff will make arrangements to have a member attend and/or have the vehicle towed to the street for pick up by the registered owner.
31. If Property Office staff have concerns regarding their safety and security, the integrity of evidence within any Police Impound lot, or otherwise feel a person should not be permitted entry to a VPD impound lot, they may request a member attend and/or have the vehicle towed to the street for pick up by the registered owner.

SUMMARY OF IMPOUND / TOWING PROCEDURE

32. The following table is to be used as a guide only. In the event of extenuating circumstances or where members are unsure of where to impound a vehicle, they shall seek direction from their Supervisor or a member of the specialty unit expected to conduct the follow-up investigation.



<u>REASON FOR IMPOUND</u>	<u>LOCATION</u>	<u>REPORT REQUIRED</u>	<u>COMMENTS</u>
Serious/Major Crime Vehicle	Police Impound Forensic Bay (1-7)	VPD111, GO including Tow Details page, Form 5.2 Report to a Justice	Continuity of vehicle must be maintained. Member must attend to open the lot.
Fingerprint Examination	Police Impound Interior General Stalls (1-14)		
Forensic Examination	Police Impound Interior General Stalls (1-14)		
Evidentiary Vehicle	Police Impound Interior General Stalls (1-14)		
Serious/Fatal Collision, not held for forensic examination	Police Impound General Stall		
Serious/Fatal Hit & Run, not held for forensic examination	Police Impound General Stall		
Arson	Police Impound Outdoor Parking		
Mechanical Testing - except large commercial vehicles	Police Impound General Stall		
Mechanical Testing - large commercial vehicles / oversized	National Yards		
Suspected stolen, the R/O cannot be contacted, no FIU f/u required	Police Impound Outdoor Stall		
Recovered stolen, not being held for forensic examination	City Impound Lot	Note disposition in narrative of GO	
Vehicle Impounds (VI's)	City Impound Lot		
Collision vehicle where the owner has not specified a location	City Impound Lot		
Vehicles towed in conjunction with a 215 Prohibition	City Impound Lot		
Vehicle held for safekeeping (TFA, vandalized, etc.) when R/O cannot be contacted	Police Impound Outdoor Stall		See RPM Section 1.10.12(iii)



1.10 Motor Vehicle Incidents (MVI)

1.10.12(iii) Impound for Safekeeping

(Effective: 2016.02.23)

1. Vehicles impounded for safekeeping (e.g. insecure, vandalized, or victim of theft from auto), where the registered owner cannot be located, shall be towed to the City By-law Impound Lot at 425 Industrial Ave. Members shall:
 - a. Make every effort to locate and advise the registered owner (by phone or in writing) of the situation;
 - b. Complete a Notice of By-law Violation ticket writing "HOLD FOR SAFEKEEPING" in the offence section;
 - c. Attach the violator's copy to the vehicle and retain a copy for your records. Do not process the administration copy; and
 - d. Instruct the tow truck driver to take the vehicle to the By-law Impound lot.

2. Vehicles suspected to be unreported stolen autos (**NOT** listed on CPIC) where the registered owner cannot be located shall be towed to the Viaduct (Industrial) Lot. (Refer to RPM Section 1.10.12(ii): Vehicle Impounds)



1.10 Motor Vehicle Incidents (MVI)

1.10.12 (iv) Impound for Mechanical Testing

(Effective: 2004.04.21)

1. Members impounding a vehicle for mechanical testing shall:
 - a. Obtain authorization from a Collision Investigation Unit (CIU) member, a CIU Supervisor, or, in their absence, the Duty Officer;
 - b. Complete the VPD111 Impounded Vehicle Report;
 - c. Ensure the "vehicle copy" of the VPD111 remains with the vehicle;
 - d. Attach the original VPD111 report to the MV 6020, with details of what is to be tested; and
 - e. Submit the original reports to the Traffic drawer at the Public Service Counter (PSC) 312 Main Street, with copies to the Supervisor i/c CIU prior to the end of shift.
2. Collision vehicles impounded for mechanical testing shall be towed to the secure compound of the Cambie Police Lot. The ignition and door keys are to remain with the vehicle if available.
3. If a vehicle is being impounded as a result of a serious or fatal collision investigation, a unit must accompany the vehicle in order to maintain continuity of evidence, and shall document this information in the GO.
4. The Collision Investigation NCO shall:
 - a. Log the information contained on the VPD 111;
 - b. Contact the City of Vancouver mechanical inspectors by faxing a copy of the VPD 111 to the Superintendent of Cambie Yards, and arrange for the vehicle to be inspected;
 - c. Liase with the Property Office clerk to clarify if:
 - the vehicle is to be held for further investigative purposes; or
 - released upon completion of the mechanical inspection; and
 - d. Consider using alternate facilities based on the circumstances of the individual case, if the vehicle to be tested is a City of Vancouver vehicle.
5. Members shall list the vehicle as an entity, and complete the "tow details" page in the GO report.



1.10 Motor Vehicle Incidents (MVI)

1.10.13 (i) Traffic Violations - By-Law Violations

(Effective: 2000.11.10)

1. Members are responsible for the Notice of By-law Violation books issued to them. Members are to retain their copy of By-law ticket books and notes for a minimum of 2 years after the date of service.
2. A spoiled By-law ticket will be processed in the same manner as a spoiled Violation Ticket (See Section 1.10.13 (xi): Withdrawing of Violation Tickets).



1.10 Motor Vehicle Incidents (MVI)

1.10.13 (ii) Traffic Violations - Identification of Drivers

(Effective: 2000.09.15)

1. The identification of violators is essential for a successful prosecution. Also, the occurrences of violator related personation offences have increased as a result of changes in ticketing procedures and increased assessment of fines.
Therefore, when a member stops a motor vehicle operator for committing a driving offence, the member shall be guided by the following procedure in determining the identification of the driver:
 - a. ask the driver to produce his/her driver's licence;
 - b. compare the likeness of the driver with the driver's licence photo;
 - c. ask the driver if the information on the driver's licence is correct;
 - d. ask the driver for their name and address, and compare with the name and address on the licence; and
 - e. ask the driver "is this your drivers licence?"
2. When the driver fails to produce a driver's licence the member shall:
 - a. request any other identification in the driver's possession;
 - b. obtain all other pertinent information that will assist in confirming the identification of the driver; and
 - c. record a detailed description of the driver (including scars, marks and tattoos).
3. Where a photo of the driver is not included on the driver's licence the member shall:
 - a. read out the name and address on the licence and ask the driver if he/she is the person so named on the licence;
 - b. ask the driver for their name and address, and compare with the name and address on the licence;
 - c. ask the driver "is this your drivers licence?"
 - d. record a detailed description of the driver (including scars, marks and tattoos).
4. If the driver is not the owner of the vehicle and cannot produce registration for the vehicle, he/she should be asked for the name and address of the owner and this information verified.
5. Members should consider the following charges when a driver has falsely identified himself/herself: Personation (Section 403 Criminal Code of Canada), Obstruct Peace Officer (Section 129 Criminal Code of Canada) and Fail to Correctly State Name (Section 67 Motor Vehicle Act of British Columbia).



1.10 Motor Vehicle Incidents (MVI)

1.10.13 (iii) Traffic Violations - Notice of Prohibition

(Effective: 2003.04.22)

SEE: BULLETIN NOTICE

When the driver of a motor vehicle is checked on CPIC (PARIS) system and it is determined that there is an outstanding Notice of Prohibition by the Superintendent of Motor Vehicles, members shall take the action outlined below. This applies even if the PARIS printout indicates that another prohibition order is currently in effect.

1. Advise the driver of the prohibition and request that any driver's licences in his/her possession be surrendered.
2. Complete a Notice of Prohibition From Driving a Motor Vehicle having regard for the following instructions:
 - a. print the driver's full name;
 - b. the Driver's File Number on the Notice refers to a 9,000,000 series number on the PARIS printout which is assigned to persons who do not have a BC Driver's Licence;
 - c. check off the appropriate type of suspension on the Notice and fill in the applicable time periods;
 - d. if the driver is not already prohibited, complete the Temporary Driver's Licence portion of the Notice. The expiry date and time should be set to allow a reasonable time for the driver to remove the vehicle from the road;
 - e. if the driver is already prohibited, tear off the Temporary Driver's Licence portion of the Notice; and
 - f. complete the Certificate of Service on the back of the original only. In addition to the information required, members shall print "Vancouver Police Department" and their PIN under the space provided for the Peace Officer's signature.
3. Securely affix the driver's licence to the original of the Notice and forward it to the Traffic Support Services Section for the Superintendent of Motor Vehicles.
4. Issue the driver the blue copy of the Notice and explain the Notice and the terms of the Temporary Driver's Licence, if applicable.
5. Retain the yellow copy of the Notice for Court.
6. Correct minor errors by drawing a single line through the error and initialing the correction.
7. Major errors such as checking off the wrong prohibition box require a new Notice. Complete the Notice and write "SPOILED" across all three copies. Attach all three copies of the canceled Notice, as well as the original of the new Notice, to a VPD 68, addressed to the Superintendent i/c Traffic and Auxiliary Division, explaining the reasons for cancellation.



1.10 Motor Vehicle Incidents (MVI)

1.10.13 (iv) Traffic Violations - Provincial Appearance Notice

(Effective: 2000.09.29)

1. Provincial Appearance Notices are issued to an offender when it is compulsory for that person to attend court to answer a charge under a Provincial Act. (As specified in the Traffic Offences and Fines Reference Booklet).
2. Members issuing a Provincial Appearance Notice shall:
 - a. Indicate the first available court date a minimum of five weeks from the issuance of the Appearance Notice
 - b. Serve the offender at the scene
 - c. Complete the Certificate of Service at the time of issue (it is not necessary to swear an Affidavit before a NCO)
 - d. Distribute the form as follows:
 - White - Court Copy
 - Blue - Defendant
 - Yellow - Crown Counsel
 - Pink - Police
 - e. Prepare a Report to Crown Counsel and attach the court and crown counsel copy of the Provincial Appearance Notice to it.



1.10 Motor Vehicle Incidents (MVI)

1.10.13(v) Traffic Violations - Driving While Prohibited

(Effective: 2011.10.19)

POLICY

Members investigating incidents where a driver is alleged to have driven a motor vehicle while prohibited may proceed by releasing the driver on a Provincial Appearance Notice or arresting the driver if the driver does not meet the requirements for release on an Appearance Notice as set out below.

PROCEDURE

1. Where a member believes on reasonable and probable grounds that the driver of a motor vehicle is prohibited the member shall:
 - a. Conduct a CPIC Driver's License query to confirm the appropriate charging section;
 - b. Arrest and release the driver on a Provincial Appearance Notice (PAN); and,
 - c. Impound the motor vehicle under Section 251 MVA for a period of seven (7) days unless:
 - i. There are reasonable and probable grounds to believe that the vehicle has been stolen. If so, refer to **RPM Section 1.10.12(ii): Vehicle Impounds** for follow-up; or,
 - ii. The impoundment would endanger the life or safety of a person.
2. Members shall only arrest and lodge in the jail an alleged suspended or prohibited driver when:
 - a. The identity of the driver is unknown; or,
 - b. There are reasonable and probable grounds to believe the driver will continue the offence or not appear in court.
3. Members seizing motor vehicles under Section 251 MVA shall:
 - a. Allow the owner or driver of the vehicle to remove any property in or on the vehicle;
 - b. Stand by until the tow truck arrives;
 - c. Provide the tow truck driver the completed Impound Lot Operator (I.L.O.) copy of the MV2721;
 - d. Advise the tow truck driver the time and reason of impoundment;
 - e. Advise the driver where the vehicle may be picked up after seven (7) days; and,
 - f. Make a reasonable effort to notify the owner of the motor vehicle of the impoundment (if applicable).

Reports

4. Members shall complete a:



- a. Report to Crown Counsel;
- b. Notice of Impoundment MV2721; and
- c. Report to Superintendent - Vehicle Impoundment MV2722.

Notice to Seek Greater Punishment

5. A VPD Form 1360: Notice to Seek Greater Punishment shall be served on the driver if there is a prior prohibited driving conviction.



1.10 Motor Vehicle Incidents (MVI)

1.10.13 (vi) Traffic Violations - Service to Reluctant Recipients

(Effective: 2000.09.29)

In situations where a violator refuses to accept a Violation Ticket or Notice of By-law Violation from the issuing member, the member shall:

- a. Explain the nature of the ticket
- b. Not argue with the person as to whether they should take the ticket
- c. Touch the person with the ticket, then place it under the windshield wiper
- d. If there is no vehicle, touch the person with the ticket and then drop it on the ground
- e. If the person is unable to be touched (i.e. refuses to roll the window down) place the ticket under the windshield wiper
- f. Advise the person that if they wishes to contest the ticket, the procedure for doing so be contained on the ticket



1.10 Motor Vehicle Incidents (MVI)

1.10.13 (vii) Traffic Violations - Uninsured Vehicles

(Effective: 2000.08.31)

1. When members observe an uninsured vehicle being driven, the members shall:
 - a. Ticket the driver
 - b. Check to see if the vehicle is parked legally
 - c. Have the vehicle towed to a place chosen by the owner/driver (at their expense) if the vehicle is not parked legally
 - d. Tow the vehicle in the normal manner if the owner/driver will not co-operate in having their vehicle moved and the offending vehicle is obstructing or presents a danger to other road users
 - e. Not drive the uninsured vehicle
 - f. Advise the driver that the vehicle cannot be driven unless insured
2. The Property Office shall be responsible for maintaining the operation of the Impoundment Lots, including control over access to the lots, authorisation for the release and disposition of vehicles and audit control.
3. Vehicles are to be impounded solely to facilitate police investigations. Therefore, the lots will be used to store vehicles only until the necessary investigation is complete and are not to be considered as a storage facility for vehicles.



1.10 Motor Vehicle Incidents (MVI)

1.10.13(viii) Traffic Violations - Unsafe Vehicles

(Effective: 2018.08.14)

POLICY

The *Motor Vehicle Act Regulations* MVAR 25.30 authorize a peace officer to order a vehicle off a highway or be inspected at an inspection station. There must be reasonable and probable grounds to believe that a vehicle has a mechanical, structural or other defect, or is not in compliance with the *Motor Vehicle Act* or Regulations standards. Inspection Orders for **Box 1 and 2 are entered on CPIC/PARIS/PRIME and a hold order is placed on the ICBC database**, which will prevent all license transactions unless a valid inspection certificate is produced. Inspection Orders for **Box 3 are only entered on PRIME and do not affect the driver's license.**

PROCEDURE

1. Minor Defects (Box 3)

When a member encounters a vehicle that has **minor defect(s) that do not affect the safe operation of the vehicle** (e.g. worn tire(s) in the summer, inoperative signals, inoperative brake lamps), the member shall:

- a. Query the vehicle on CPIC/PARIS/PRIME to ensure there are no outstanding Orders, (if there is an outstanding Inspection Order see subsection 5 below), or
- b. If there are no outstanding Inspection Orders:
 - Mark Box 3 on the Notice and Order,
 - Indicate in the bottom section of the Notice and Order the defect(s) to be repaired,
 - Note the number of days or write specific requirements for repair,
 - If the vehicle is registered outside of Vancouver the member may advise the operator to attend an RCMP detachment in their area to have repairs inspected. Otherwise, the issuing member is responsible for follow up, (arrange to meet with the owner, have them fax/email copies of repair receipts or photo's.) **Advise the operator not to attend the Vancouver Police station to have repairs inspected, and**
 - Serve the blue copy on the operator, the white copy is sent to VT entry.
- c. If the member is concerned about the vehicle continuing to operate on the road note on the Notice and Order that the defect(s) must be corrected prior to being operated on the road. The defect(s) may be corrected roadside if safe, or at the owners choosing towed off the road to a place of his/her choosing.

2. Non-critical Defects (Box 2)

When a member believes a vehicle should undergo a **complete inspection** due to the number of deficiencies or the severity of the deficiency, the member shall:

- a. Check the vehicle on CPIC/PARIS to ensure there is no Inspection Order outstanding (if there is an outstanding Inspection Order see subsection 5 below), or
- b. If there is no outstanding Inspection Order:
 - Complete a Vehicle Inspection Notice and Order,
 - Ensure that the vehicle registration number and V.I.N. are included, as this information is required to enter the vehicle on CPIC/PARIS,



- Mark Section "2" and explain to the driver that defects must be repaired immediately and that the vehicle must be inspected at an authorized inspection station within 30 days,
 - Serve the blue copy of the notice on the operator, the white copy is sent to VT entry.
- c. Advise the operator **not** to attend the Vancouver Police station to have repairs inspected. The Box 2 is entered on the ICBC system by the inspection facility automatically. Advise the operator that failure to comply with the Notice and Order will prevent all license transactions.
- d. Issue a Violation Ticket where the member believes the circumstances are appropriate.
3. Manifestly Unsafe Vehicles (Box 1)

When a vehicle is stopped and found not to be roadworthy (one or more critical safety items are in extreme dis-repair), the member shall:

- a. Order the vehicle off the highway,
 - b. Check the vehicle on CPIC/PARIS to ensure there is no Inspection Order or if there is an Inspection Order outstanding, (see subsection 5 below),
 - c. If there is no Inspection Order outstanding:
 - Complete the Vehicle Inspection Notice and Order ensuring that the vehicle registration number and V.I.N. are included, and
 - Mark Section "1" on the Inspection Order and serve the blue copy on the driver, the white copy is sent to VT entry.
 - d. Advise the driver why the vehicle is being ordered off the highway and that it can't be driven until it is inspected,
 - e. Advise the driver that the vehicle **will be towed at their expense** to a location of their choice off the highway,
 - f. If the driver will not cooperate in having the vehicle removed, have it towed by the contract towing company to their lot,
 - g. Issue a Violation Ticket for the most serious vehicle defect if the member believes the circumstances are appropriate,
 - h. **Do not** seize the license plates unless there are reasonable and probable grounds to believe that the order will be disobeyed and the vehicle will be driven,
 - i. When seizing license plates members shall:
 - Note in the Comments Section on the Inspection Order that the license plates have been seized,
 - Obtain an incident number,
 - Submit a GO report explaining why the plates were seized. Route a copy of the report to the Property Office, and
 - Attach a completed property tag to the seized plates and log into the Property Office. The plates will be forwarded to ICBC for cancellation.
 - j. Advise the operator **not** to attend the Vancouver Police station to have repairs inspected. The Box 1 is entered on the ICBC system automatically by the inspection facility. Advise the operator that failure to comply with the Notice and Order will prevent all license transaction.
4. Removal of Inspection Decals (non-commercial and commercial vehicles (buses, taxis, and vehicles over 8201 kg))
- a. A member who stops a non-commercial vehicle with an inspection decal shall:
 - Obtain the Private Vehicle Inspection Report from the operator and review the inspection date and items inspected,
 - If the member determines that the defects were present during the time of the inspection the member shall forward a brief report to Traffic Services with details of when the inspection was done, the facility name, the number of the decal and the defect found by the member at roadside, and



- If the member believes the defect warrants a Box 1 or 2 remove the decal from the window and complete an Order as noted above.
 - b. A member who stops a **commercial** vehicle with minor defects shall:
 - Obtain the Commercial Vehicle Inspection Report from the operator and review the inspection date and items inspected, if the member determines that the defects were present during the time of inspection raise the Commercial Vehicle Unit, if unable to forward a brief report to Traffic Services with details per 4(a)(2),
 - Issue a Box 3 as per above, and
 - Issue a Violation Ticket if appropriate.
 - c. A member who stops a **commercial** vehicle missing the decal or believes a Box 1 or 2 is warranted shall contact the Commercial Vehicle Unit for assistance. An Inspection Order will only be issued by the Commercial Vehicle Unit due to specific requirements.
5. Drivers Disobeying a Notice and Order
If a driver is found operating a vehicle in contravention of a Box 1 inspection order, the member shall:
- a. **Not** issue a new Inspection Order,
 - b. Issue a Violation Ticket for the most serious vehicle defect. If there is evidence that the driver was aware of the Inspection Order, issue a Violation Ticket for "Fail to Comply with Notice and Order" under the *Motor Vehicle Act Regulations* section 25.30(4),
 - c. Remove the license plates from the vehicle, obtain an incident number, and affix a property tag to the plates and forward to the Property Office,
 - d. Submit a GO report outlining the reasons for seizure of the license plates and route a copy of the report to the Property Office. The plates will be forwarded to ICBC for cancellation and destruction, and
 - e. Tow the vehicle as outlined in subsection (3)(f).
6. Drivers Disobeying a Box 2 or Box 3 Notice and Order
If a driver is found operating a vehicle in contravention of a Box 2 Inspection Order, the member shall:
- a. Issue a Violation Ticket for the most serious vehicle defect. If evidence exists that the driver is aware of the Inspection Order, issue a Violation Ticket for "Fail to Comply with Notice and Order" under the *Motor Vehicle Regulations Section* 25.30(4), and
 - b. Consider issuing a Violation Ticket for "Fail to Comply with Notice and Order" for Box 3 defects if it is obvious that the original defect for which the Notice and Order was issued has not been repaired, and the driver is aware of Notice and Order having been issued.

Note: If the registered owner of a vehicle ignores a Notice and Order, they will be unable to reinsure the vehicle until the Order is complied with and the vehicle is repaired and inspected.



1.10 Motor Vehicle Incidents (MVI)

1.10.13 (ix) Traffic Violations - Violation Tickets

(Effective: 2006.07.13)

1. Violation Tickets are to be used to charge persons with Provincial offences that have a voluntary penalty and the circumstances of the offence do not justify a mandatory court appearance. The Violation Ticket may be used for the enforcement of the following statutes:
 - a. Motor Vehicle Act and Regulations
 - b. Liquor Control and Licensing Act
 - c. Firearms Act
 - d. Wildlife Act
 - e. Commercial Transport Act
 - f. Motor Carrier Act
2. The Vancouver Police Department (VPD) recognizes the importance of traffic enforcement and its role in providing safer streets for the citizens of Vancouver. When encountering a situation where multiple traffic charges are contemplated, police officers should use their powers of discretion to determine the number of charges that are appropriate in the circumstances.
3. Members shall include the following information when completing a Violation Ticket:
 - a. Indicate which Act is being enforced;
 - b. Print "MVA" at the top of the ticket when a Motor Vehicle Accident is involved;
 - c. Indicate the prescribed fine as found in the "Fine Reference Booklet." (Members do not have discretion to vary the prescribed fine);
 - d. Circle the PIN of the member whose evidence is essential in court;
 - e. Complete the Certificate of Service on the reverse of the original copy if the violator did not sign the ticket; and
 - f. Submit the "Motor Vehicle Branch" and "Enforcement Agency" copies of the ticket at the end of each shift.
4. If the Violation Ticket is for a Provincial offence, other than the Motor Vehicle Act or Regulations, the member shall:
 - a. Complete the Violation Ticket and forward it to Central Records.
 - b. In all cases where property is seized in conjunction with a Violation Ticket, obtain an incident number and submit a GO report. The Violation Ticket number shall also be recorded in the brief narrative, which specifies the circumstance of the seizure and the disposal of property.
 - c. Members shall record the GO number at the top of the Violation Ticket.
 - d. If the allegation is disputed, Crown Counsel will notify members.
5. If a Violation Ticket is spoiled, write "spoiled" across the face of the ticket and then submit the ticket.
6. Violation Ticket's shall not be used as warning tickets.
7. Violation Ticket's shall not be used for offences against registered owners of vehicles unless the registered owner is personally served with the Violation Ticket.
8. Members are to retain their copy of violation tickets and accompanying notes for Court and other investigative purposes.

See Traffic Fines & Offences



1.10 Motor Vehicle Incidents (MVI)

1.10.13 (x) Traffic Violations - When More Than One Member Witnesses the Violation

(Effective: 2000.08.31)

When there is more than one member present at the commission of a traffic violation, the member who has all the necessary evidence shall serve the Violation Ticket (VT). The member will indicate requirement for court by inscribing their Police Identification Number (PIN) first on the VT, and circling the number. This will indicate that the second member's evidence is only corroborative.



1.10 Motor Vehicle Incidents (MVI)

1.10.13 (xi) Traffic Violations - Withdrawing a Violation Ticket

(Effective: 2000.08.31)

Should a member, after issuing a violation ticket, determine that it is appropriate to withdraw the violation ticket, the member shall, within 25 days of the date of service:

1. Submit the violation ticket or a member's copy, complete with a VPD 68 report to the Traffic Support Unit
2. The Traffic Support Unit will review all cancellation requests considering both public interest and the administration of justice
3. The Traffic Support Unit will advise members of their decision. Furthermore, the violation ticket and cancellation request submitted by the member shall both be retained by the Traffic Support Unit for no less than two years.



1.10 Motor Vehicle Incidents (MVI)

1.10.13 (xii) Traffic Violations - Summons Application

(Effective: 1998.10.28)

1. Members who observe traffic violations while in plain clothes and operating covert vehicles, will generally proceed by way of summons, except in those instances where there is a danger to the public. In these cases, the plainclothes members may stop the violator and call, if necessary, a uniform member to the scene.
2. Off duty members who observe traffic violations shall proceed by way of summons. If the infraction is serious enough to warrant immediate action the member shall notify the appropriate municipal police force for that jurisdiction.



1.11 Member Safety

1.11.1 Infectious Diseases

(Effective: 2014.05.13)

1. All members and supervisors shall observe the following procedure when;
 - a. A member has come in contact with the blood or body fluids of any person.
 - b. A member has received a needle stick injury.
2. The member shall:
 - a. Immediately advise their supervisor that an exposure has occurred;
 - b. Make all reasonable attempts to convince the involved person to accompany the member for blood analysis;
 - c. Attend at St. Paul's Hospital Emergency Ward immediately to receive appropriate medical aid. OPTIMUM TIME is within two hours following an exposure, or as soon as possible. St. Paul's Hospital is recognized by the Vancouver Police Department as having expertise in the field of infectious disease, and thus will be the only medical institution to be utilized for this service; and
 - d. Subsequent to attending the hospital, contact a LEVEL 2 First Aid Attendant at 2120 Cambie Street, 3585 Graveley Street, or 236 E Cordova Street to complete a City of Vancouver Blood and Body Fluids Accident Report Form. Level 2 First Aid Attendants:
 - 236 E Cordova Street, pager: xxx-xxx-xxxx
 - 2120 Cambie Street, Days (except statutory holidays) Monday to Friday, pager: xxx-xxx-xxxx
 - 3585 Graveley Street, 24 hours a day, pager: xxx-xxx-xxxx
3. The supervisor shall:
 - a. Upon being notified of the exposure, attend at St. Paul's Hospital with the member who sustained the exposure;
 - b. Conduct an evaluation of the member's needs and mental condition, taking the extent of the exposure into consideration;
 - c. Notify the Duty Officer (Car 10) when a significant exposure occurs, and advise when it appears that the needs of the member include immediate additional follow up. The Duty Officer may contact the Employee Services Sergeant, Human Resources Section, the Occupational Health Physician and the Critical Incident Stress Management Team if appropriate;
 - d. Provide, or arrange for the provision of, any support required to assist the member;
 - e. Notify the member's Inspector/Manager, via Departmental e-mail of any significant exposures and advise of the actions taken regarding the exposed member(s); and
 - f. Complete along with the member, a City of Vancouver WCB claim and Accident Investigation Report Form (WCB R2). The NCO shall fully investigate, complete Supervisor's portion of the WCB R2 and forward it to the Human Resources Section, within 24 hours of the incident.
4. The Level 2 First Aid Attendant shall:
 - a. Ensure that the member and supervisor have completed the WCB R2 Report;
 - b. Complete the City of Vancouver Employee's Blood and Body Fluid Accident Report Form;
 - c. Record the incident and fax the City of Vancouver form to the Occupational Health Physician at CIRA Medical Services Inc (Phone: xxx-xxx-xxxx and Fax: xxx-xxx-xxxx); and
 - d. Advise the member to contact the CIRA Medical Services Occupational Health Physician for follow-up requirements.
5. The Human Resources Section, Employee Services Sergeant shall:
 - a. Upon receipt of the WCB R2 Report, contact the member to ensure that appropriate follow-up medical treatment is provided and that all other necessary reports have been completed;
 - b. If required, provide the member with information regarding making an application for a testing order under the *Emergency Intervention Disclosure Act*, and assist with the



- application process (refer to RPM Section 1.11.1(i): *Emergency Intervention Disclosure Act*);
and
- c. Provide additional assistance as required.

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS

FREQUENTLY ASKED QUESTIONS

FACT SHEET ON COMMUNICABLE DISEASES



1.11 Member Safety

1.11.1(i) *Emergency Intervention Disclosure Act*

(Effective: 2014.05.13)

GENERAL INFORMATION

The *Emergency Intervention Disclosure Act* (the 'Act') permits individuals to apply to the Provincial Court of British Columbia for an order to have another person tested for Hepatitis B, Hepatitis C, and HIV if they have come into contact with that person's blood or bodily substance in any of the following circumstances:

- While providing emergency health services;
- While performing their duties as a firefighter, an emergency medical assistant, or a peace officer; or
- When they have reason to believe that they have been the victim of an alleged offence under the *Criminal Code of Canada* and have reported the matter to a law enforcement agency.

The purpose of the testing order is to provide information to the exposed individual (applicant) about the health status of the source individual, which may assist the exposed individual and their physician in managing the possible consequences of the exposure.

The source individual can agree to be voluntarily tested for Hepatitis B, Hepatitis C, and HIV. They can consult with any primary care provider or emergency department to undergo testing, and request that the results be communicated to the exposed individual's healthcare provider.

If the source individual does not agree to be voluntarily tested, they must be informed of the exposed individual's intention to apply for a testing order.

The testing sample can only be analysed for the diseases specified in the testing order and may not be used for any other purpose.

Refer to RPM Section 1.11.1: Member Safety-Infectious Diseases for direction on procedure to follow should a member come into contact with the blood or bodily substance of any person, or has received a needle stick injury.

DEFINITIONS

- *Exposed Individual* - the individual who came into contact with another person's blood or other bodily substance
- *Applicant* - an exposed individual who is applying to the court for a testing order
- *Source Individual* - a person identified by an applicant as the person with whose blood or other bodily substance the applicant came into contact

CONFIDENTIALITY

A person must not disclose any information concerning either the applicant for a testing order or the source individual that is revealed in the course of carrying out the responsibilities under the *Emergency Intervention Disclosure Act*, or as a result of obtaining a testing order.

The prohibition against disclosing information does not apply in the following circumstances:



- In the course of administering the *Emergency Intervention Disclosure Act* or of carrying out a duty imposed or exercising a power given under the act;
- As required by law;
- With the consent of the person whom the information is about;
- In the course of a consultation between qualified health professionals; and

In the case of information about a person who is a minor or represented adult, to a guardian of that person.

NON-COMPLIANCE

If a source individual does not comply with a testing order issued by the Provincial Court, the *Emergency Intervention Disclosure Act* provides for fines of up to \$10,000, upon conviction, for each day that the contravention continues.

FORMS

The following forms will be required to apply for a testing order (they are located on the Provincial Forms webpage of the Intranet):

- Notice of Intention (4 pages)
- Affidavit of Personal Service (1 page)
- Physician's Report (5 pages)
- Application to Obtain a Testing Order (2 pages)
- Testing Order Template (2 pages)
- Information Accompanying Testing Order (3 pages)

TEST RESULTS

The source individual named in the testing order must attend the health facility identified in the order to have a blood sample taken. The health facility must then deliver the sample to the BC Centre for Disease Control (BCCDC) to have it analysed for the specified diseases.

When the analysis is complete, the BCCDC will provide a written report of the results to both the applicant's and the source individual's physicians. If the source individual did not provide a physician's name to the health facility, they will receive the results directly from the BCCDC.

APPEAL

The source individual and the applicant have the right to appeal the Provincial Court's decision relating to a testing order to the Supreme Court of British Columbia.

SERVICE OF DOCUMENTS

All documents must be served personally by the applicant, or by someone acting on their behalf. Whoever serves a particular document must complete an Affidavit of Service, which must then be filed with the Provincial Court registry office. If there is more than one person served, a separate Affidavit of Service must be prepared for each person.

If it is impossible or impracticable to serve the documents upon the source individual within a reasonable time, the applicant must articulate to the court the reasons why, and provide details of all efforts that were made to do so.



If the person to be served is under the age of 19 or a represented adult, the documents should be served on the guardian of that person.

PROCEDURE

A member who wishes to apply for a testing order (the “applicant”) shall consult with the Human Resources Section Employee Services Sergeant (xxx-xxx-xxxx or xxx-xxx-xxxx), and may consult with any Critical Incident Stress Management (CISM) team member called out to assist with the original incident, for information and assistance with the process.

The following procedure will apply:

Notice of Intention

1. The applicant must complete the Notice of Intention form, and retain a copy.
2. The applicant, or someone acting on their behalf, must personally serve the original Notice of Intention (4 pages total) on the source individual *at least three days* before applying to the court for a testing order.
3. Once the Notice of Intention form has been served on the source individual, the applicant or the person who served the document must complete an Affidavit of Personal Service form.
4. The applicant must keep the copy of the completed Notice of Intention form that was served on the source individual, along with the completed Affidavit of Personal Service form, as evidence for court.
5. If the source individual agrees to be voluntarily tested after receiving the Notice of Intention, they must sign the ‘Consent for Voluntary Testing’ (page 4 of 4), and follow the instructions on the accompanying information sheet: *About the Notice of Intention Form* (page 3 of 4).

Physician’s Report

6. The Physician’s Report is a required form that is part of the application to the court for a testing order. The applicant should request that a physician complete the Physician’s Report as soon as possible. The applicant will retain the original, and make three copies of the Physician’s Report.
7. The applicant must advise the physician that the report is related to a Worksafe BC claim. In the event that the applicant is required to pay the associated fees at the time of the consultation, they should provide payment, retain the receipt, and contact the Human Resources Section Employee Services Sergeant for assistance at the earliest convenience.

Application to Obtain a Testing Order

8. The applicant must complete the first page of the Application to Obtain a Testing Order, and must allow *3 days* to pass between serving the Notice of Intention and making the application for a testing order. The application must be made *within 30 days* of when the exposure to the blood/bodily substance of the source individual occurred. In addition to the original, the applicant will need 3 copies of the Application to Obtain a Testing Order for court purposes.
9. The applicant will also require a Testing Order Template, which will accompany the Application to Obtain a Testing Order.
10. The completed Application to Obtain a Testing Order and accompanying documents (see #11) must be filed at the BC Provincial Court registry office; if the applicant wishes that a representative from the City of Vancouver Legal Services Department (453 W. 12th Ave.) appear in court on their behalf, they must contact the Operations Legal Advisor prior to filing any documents.
11. The following documents must be filed *together* at the Provincial Court registry:
 - A copy of the Notice of Intention to apply for a testing order that was served on the source individual
 - The completed Affidavit of Personal Service relating to the Notice of Intention



- The original and 3 copies of the Physician's Report
 - The original and 3 copies of the completed Application to Obtain a Testing Order
 - The testing order template
12. After the Provincial Court registry office has entered the date, time, and location of the court hearing on page 2 of the Application to Obtain a Testing Order form, the applicant, or someone acting on their behalf, must personally serve the Application to Obtain a Testing Order and a copy of the completed Physician's Report on the source individual *at least 4 days* before the scheduled date for the court hearing.

An Affidavit of Personal Service must be signed by whoever has served the documents, and filed with the Provincial Court registry office.

Serving the Testing Order

13. If, following the hearing, the court grants a testing order, the applicant, or someone acting on their behalf, must, within the time period specified in the order, serve the following documents on *both* the source individual and the health facility identified in the order:
- The testing order
 - The information sheet titled "Information Accompanying Testing Order"

Separate Affidavits of Personal Service must be signed by whoever has served the documents on both the source individual and the health facility, and filed with the Provincial Court registry office.

Non-Compliance

14. If the source individual fails or refuses to comply with the testing order, charges can be requested under Section 13 of the Act, which provides for fines of up to \$10,000, upon conviction, for each day that the contravention continues. The Act, however, contains no arrest provision; a source individual cannot be arrested without warrant for failing or refusing to comply with a testing order.
15. Members submitting a Report to Crown Counsel (RTCC) in this regard shall do so following the "urgent RTCC submissions", or "walk-through", protocol (See RPM Section 1.6.43(v): Walk Through Warrants).

For further information, members can refer to the following website:
<http://www.labour.gov.bc.ca/eida.htm>.



1.11 Member Safety

1.11.2 Injuries to Department Personnel

(Effective: 2017.07.04)

POLICY

1. All injuries to on duty members shall be investigated.
2. The injured member shall:
 - a. Immediately notify a Supervisor. If the nature of the injuries prevents this notification, an accompanying or investigating member shall notify the Supervisor forthwith.
 - b. Forward a completed Vancouver Police Department WorkSafeBC Claim Form (VPD 1353) to the Supervisor.
 - c. Call the VPD Sick Line (Sworn: xxx / Civilian: xxx) to book off if they will be missing time from work as a result of an injury.
 - d. Refer to the WorkSafeBC Claims page of the HR website for detailed information on the process for submitting WorkSafeBC claims.
3. The Supervisor shall:
 - a. Immediately notify the Duty Officer of any serious injuries to members of the Department, both sworn and civilian.
 - b. Fully investigate the incident.
 - c. Complete the member's portion of the Vancouver Police Department WorkSafeBC Claim Form (VPD 1353) when the nature of the injuries prevent the member from completing the form.
 - d. Review and submit a copy of the Vancouver Police Department WorkSafeBC Claim Form (VPD 1353) to the Human Resources Section within 24 hours of the incident.
 - e. Call the VPD Sick Line (Sworn: xxx / Civilian: xxx) to book the member off when the nature of the injuries prevent the member from calling.
 - f. If the member is hospitalized or incapacitated, ensure the member's firearm is properly secured (Refer to RPM Section 1.6.17(ii): Seizure of a Member's Firearm, of this manual).
4. Upon notification of a serious injury to a member of the department, the Duty Officer shall notify the Inspector i/c of the Human Resources Section and the member's Inspector who will enact protocols to support the injured member.



1.11 Member Safety

1.11.3 Use of Naloxone for Opioid Overdose

(Effective: 2017.04.20)

POLICY

The Vancouver Police Department (VPD) is dedicated to optimizing its members' health and safety. To achieve this, the VPD aims to provide the equipment, training, and support to maintain a safe work environment for all sworn and civilian members.

In the course of their duties, VPD members may encounter hazardous substances including opioid drugs such as fentanyl. To support member health and safety, the VPD provides naloxone nasal spray to front-line officers and civilian support staff, for emergency treatment of an opioid overdose.

In the event that a VPD member is exposed to an opioid and suffering from an overdose, naloxone nasal spray temporarily slows the effects of the drug, allowing the exposed person to seek emergency medical assistance.

DEFINITIONS

Opioid - Opioids are a class of drugs derived from opium that act on the nervous system to reduce the intensity of pain signals reaching the brain. Opioids may induce drowsiness, mental confusion and respiratory depression that can lead to death.

Fentanyl - A powerful and fast acting synthetic opioid with potency much greater than morphine, used to treat severe pain. Fentanyl may be absorbed through the skin, inhaled or ingested and can quickly lead to overdose. Symptoms of fentanyl overdose include pinpoint pupils, unconsciousness and respiratory depression, which may lead to death.

Naloxone - A synthetic drug that blocks or reverses the effects of opioid drugs including fentanyl, and is used to treat an overdose in an emergency situation, allowing the overdosing person time to seek medical treatment. Naloxone may be delivered to patients in several forms, such as nasal spray or injectable.

PROCEDURE

Administration of Naloxone Nasal Spray

1. Upon discovery of a possible opioid overdose, VPD members should immediately call for the British Columbia Ambulance Service (BCAS) and/or the Vancouver Fire and Rescue Service (VFRS).
2. VPD members are not compelled to administer naloxone if they believe doing so would cause harm to the recipient, a member of the public, or to the member themselves.
3. A VPD member who is trained in the use of naloxone may administer naloxone nasal spray to any person when:
 - a. BCAS, VFRS, or other medical assistance is not imminently available;
 - b. the VPD member believes that the person is experiencing an opioid overdose;
 - c. there is reason to believe the administration of naloxone nasal spray would be appropriate and effective to treat the overdosing person; and
 - d. the VPD member believes it is safe for them to administer the naloxone nasal spray.
4. If the VPD member has administered the naloxone nasal spray, they are to request that the BCAS and/or VFRS provide follow-up medical treatment.



Documentation and Reporting

5. When a VPD member administers naloxone they must notify their supervisor as soon as is practicable.
6. Supervisors shall notify the Duty Officer when naloxone is administered by a VPD member.
7. Consistent with the policy of the Independent Investigations Office (IIO), the IIO does not need to be notified of an incident that is limited to the member administering naloxone in the event the overdosing person suffers serious harm or death. There may be rare exceptions when the IIO does need to be notified and for details on incidents where the IIO shall be notified, see RPM Section 4.2.1: B.C. Police Act - Independent Investigation Office: General Procedures.
8. Sworn members must document the incident in their notebooks and submit a General Occurrence report including any applicable templates.
9. When naloxone is administered to a VPD member, a WorkSafeBC Claims Report (VPD 1353) must be completed prior to the end of shift and submitted to the member's supervisor.

Storage, Handling and Accessibility

10. Naloxone kits are located in accessible locations in VPD facilities for emergency use by trained VPD members in the event of an accidental opioid overdose. Front-line members working in designated higher risk environments will qualify to receive a personal-issue kit to carry on their person.
11. The VPD Safety and Health Coordination Unit is responsible for maintaining and replacing all naloxone kits. VPD members shall report lost, damaged, or expired kits to the Safety and Health Coordination Unit.
12. VPD members who are personally issued naloxone kits must ensure the product is replaced prior to expiry and that it is protected from exposure to extreme temperatures



1.12 Prisoners and Jail Operations

1.12.1 (i) Overview of Jail Policies and Procedures

(Effective: 2006.12.05)

Section 25 of the Regulations and Procedures Manual outlines policy and procedure for Prisoners, Escorts, and Jail related issues. The following definitions detail terminology that may be unfamiliar to members working outside of the Jail.

Definitions

1. A&D - Admitting and Discharge. This refers to the “sheriff’s area” located on Level 0.
2. Control Officer - Vancouver Jail Guard responsible for the security and movement inside and outside of the Jail.
3. Guard Records Officer- Vancouver Jail Guard responsible for transferring and releasing inmates and processing and maintaining related records.
4. Guard Supervisor - Vancouver Jail Guard responsible for supervising and participating in the work of Vancouver Jail Guards.
5. Hotel 1 - This is the living unit, on the first floor, where prisoners are housed in cells awaiting court or release. Youths and females would usually be housed in Hotel 1.
6. Hotel 2 - This refers to the living unit where prisoners are housed in cells, on the second floor of the Jail.
7. Hotel 3 - This refers to the living unit where prisoners are housed in cells, on the third floor of the Jail.
8. Level 0 - This refers to the “sheriff’s area” where prisoners are held in cells, awaiting escort to and from court, as well as the A&D area.
9. Level 1 - This refers to the first floor of the Vancouver Jail, and includes the booking areas for Adults and Youths as well as Hotel 1.
10. Level 4 - This refers to the “sheriff’s area” where prisoners are held in cells awaiting escort to and from trial court.
11. Sally Port - The Secure driveway where prisoners are loaded and unloaded in and out of transporting vehicles.
12. Vancouver Police Jail Constable (Jail Constable) - Vancouver Police Officer assigned to the Jail, who is responsible for the intake of new prisoners, as well as other jail duties as directed by the Jail NCO.
13. Vancouver Jail Guard - VPD employee assigned to the Jail for the purposes of providing jail guard duties.



1.12 Prisoners and Jail Operations

1.12.1 (ii) Responsibility for Prisoners

(Effective: 2006.12.05)

1. Members shall be personally responsible for searching their prisoners, and for the safe custody, at all times, of:
 - a. Persons arrested by them;
 - b. Prisoners guarded by them; and
 - c. Prisoners escorted by them.

Until this obligation is removed by another peace officer accepting such responsibility.

2. Whenever a prisoner is treated or attended to by Emergency Health Services personnel (EHS), the arresting member shall obtain a copy of the EHS Crew Report, attach the copy to the Vancouver Jail Arrest Report, and check off the box on the Arrest Report that indicates that the prisoner was attended by EHS. Both reports shall be submitted to the jail staff with the prisoner. Where the person in custody is being escorted to Detox, the transporting member shall submit the copy of the EHS Crew Report to the Detox staff when the person is admitted.
3. Whenever a person in custody is transferred to the charge of another person or facility, members shall ensure that all injuries, and any medical condition(s), are clearly explained to the person or agency taking charge of the prisoner.



1.12 Prisoners and Jail Operations

1.12.1(iii) Transportation of Persons in Custody

(Effective: 2017.07.20)

POLICY

Members are responsible for the safe and timely transportation of persons in their custody. A police wagon is the primary method of transporting people in custody. The Department recognizes that wagon drivers may be diverted to an emergent situation while in the process of transporting persons in custody. Wagon drivers must therefore consider the time delay involved and continue with the transport as soon as is practicable.

DEFINITIONS

Transgender or Trans: an umbrella term referring to people with diverse gender identities and expressions that differ from stereotypical gender norms. It includes but is not limited to people who identify as transgender, trans women (male-to-female MTF), trans men (female-to-male FTM), transsexual, or gender non-conforming, gender variant, gender queer, or non-binary. The term “trans” is also appropriate; however, it is noteworthy that some transsexual people do not identify as transgender.

PROCEDURE

1. A person in custody shall be transported by police wagon; however, members should consider transporting people in custody in a police car where conditions such as advanced pregnancy, disability or infirmity exist. Members must also make an assessment of the person in custody to determine whether officer safety concerns limit their ability to transport in a police car. When people are transported in a police car, they will be placed in the rear right seat of the vehicle, and shall be accompanied by a member who will sit behind the driver. When two members are provided for escort, the person in custody will be seated between the escorts.
2. Every person transported by the wagon shall have an accompanying Vancouver Jail Arrest Report completed. (VPD 602)
3. For all parties being transported to the Jail, the wagon driver shall ensure that the arresting members have completed the Vancouver Jail Arrest Report (VPD 602) prior to transporting any person in the wagon.
4. For all other transportation (Breaches, Impaired Drivers, or others), the wagon driver shall ensure that the arresting members have completed the Vancouver Jail Arrest Report listing the pertinent information, including the reason for the transportation prior to transporting any person in the wagon. The wagon driver will record the release location. (VPD 602)
5. It is the responsibility of the arresting member to ensure that all Descriptors, Prisoner Alerts, Medical Remarks, Circumstances of Arrest, Prisoner Effects and Property are completed on the Vancouver Jail Arrest Report, PRIOR to transportation of the person in custody. This report will be reviewed by the wagon driver to ensure that the report is complete.
6. The wagon driver shall confirm that the arresting member(s) have conducted a frisk search and that those member(s) have recorded their PIN numbers in the appropriate field on the Vancouver Jail Arrest Report.
7. The wagon driver shall conduct a frisk search and ensure that every person is checked with a metal detector (when available) prior to that person entering the wagon.
8. Prior to the end of their shift, the wagon driver will take all non-Jail related Vancouver Jail Arrest Reports (Breaches, Impaired Drivers, or others) and all Detox Forms and place those reports in the 215/ Vancouver Jail Arrest Reports depository at the Annex or 2120 Public Service Counter. The Public Service Counter staff will submit these forms to the Archive Unit on a monthly basis.



9. Members transporting a person in custody in a police car shall search the rear seat area before and after the transport.
10. Where operationally feasible, prisoners shall be placed alone in wagon compartments. At-risk prisoners (e.g., youth, elderly, disabled, or transgender prisoners) shall be placed in compartments alone at all times.
11. Notwithstanding the direction in sub-section 10, where it is operationally required, prisoners may be placed in the same compartment; however, males and females shall not be placed in the same compartment.
12. Persons in custody who are handcuffed shall not be transported in the same compartment of a police wagon as persons who are not handcuffed.
13. The transporting officer shall provide a completed Vancouver Police Jail Arrest Report to the Booking Officer. The arresting member shall note in the medical remarks or arrest narrative section of the Arrest Report whenever a prisoner:
 - a. Has received any injury, suffers from any illness, or advises that they have an on-going medical condition that requires treatment;
 - b. Was placed in a vascular neck restraint;
 - c. Is a known drug user or has taken any drugs;
 - d. Requires, or is presently on, medication;
 - e. Has received medical treatment (See JMO Section 6.02 - Responsibility for Prisoners; JMO Section 6.03 - Arrests of Injured Prisoners), or has refused such treatment;
 - f. Has a history of mental illness or suicide attempts;
 - g. Was placed in the Hobble™;
 - h. If Oleoresin Capsicum Spray, Conducted Energy Weapon (CEW), Bean Bag Shotgun, or a baton was used while placing them under arrest;
 - i. Is wearing a medical bracelet including the contents of that Medical Bracelet. (See RPM Section 1.12.1(iv): Booking Prisoners)
14. If EHS attends to a prisoner, a copy of the EHS Crew Report is to be attached to the Vancouver Jail Arrest Report, for the Jail Nurse. If a prisoner is returned from the hospital, a copy of the hospital medical treatment and/or release form must be delivered to the Jail Nurse.
15. All persons in custody transported by police wagon shall be handcuffed, unless pregnancy, infirmity, disability or other circumstances would make handcuffing impractical. Anyone placed in the Hobble restraining device shall not be transported in the same compartment with other prisoners and must be transported directly to the Jail. The Police Jail Supervisor and Jail Nurse must be advised of anyone who been transported to the Jail while restrained in the Hobble (See RPM Section 1.2.1: Use of Force - Justification).
16. When there are two or more persons in custody in the same incident, they should be transported separately.
17. Members are encouraged and expected to check on the well-being of persons in their custody, particularly when a considerable delay has interrupted the transportation of prisoners, or the prisoner being transported has been injured or suffers from a medical condition. (See RPM Section 1.4.6: Arrest of Persons with Injuries or Other Apparent Medical Risks).
18. Under no circumstances shall a young person be transported in the same compartment as an adult in a police wagon. For additional procedures on transporting young persons, see RPM Section 1.6.47(ii): Charges and Arrests - Young Persons.
19. Members shall search the wagon compartment before and after the transport of any person(s) in custody.
20. Wagons shall enter the Vancouver Jail sally port (one way traffic) via the entrance off Powell Street and exit on to East Cordova Street. The sally port door will only be opened if the interior sally port area is clear of prisoners.
 - a. Wagon drivers shall park at the forward end of the sally port and wait for the door to close.
 - b. Prisoners are to remain in the wagon while the wagon driver unloads their sidearm.
 - c. The wagon driver shall unload their sidearm at the unloading station and secure sidearm inside the gun locker, door SA4.



- d. All items removed from the prisoner should be placed in a clear plastic bag and turned over to the booking officer with the accompanying arrest report by the transporting officer(s) prior to removing prisoners from the wagon.
 - e. The transporting officer(s) will remain until the effects have been confirmed and compared with the items listed on the arrest report.
 - f. The transporting officer(s) will remain present while the counting of money takes place and an accurate accounting of all funds is confirmed. (See JMO Section 8.01 - Effects, Duties of Booking Officer)
 - g. The wagon driver shall remove one prisoner and conduct a frisk search (See RPM Section 1.12.1(v): Searches of a Person) of that prisoner at the designated search bay in the sally port. The prisoner will remain handcuffed behind the back; this search shall include checking the prisoner with the metal detector supplied for this purpose. This search must be conducted prior to placing the prisoner into the pre-hold cell. The wagon driver will then repeat this procedure with each prisoner. If the wagon driver is of a different gender to the prisoner, Jail staff should be summoned to the sally port to conduct this search. Where a person identifies themselves as being transgender, or a member has reasonable grounds to believe that the person is transgender, the member shall ask the person about which gender of member they would prefer conduct the search, and facilitate that request (assuming that the availability of the requested member's gender is not an issue).
 - h. Prisoners who identify themselves as being transsexual/transgendered shall be discretely given the option of being placed into an unoccupied pre-hold cell or be placed in a pre-hold cell that matches their stated gender identity (even if other prisoners are in that pre-hold cell). Jail staff shall record the prisoner's choice. However, the Jail NCO may place the transgender prisoner in an unoccupied pre-hold cell, regardless of the prisoner's choice, based on a specific, articulable concern for the prisoner's safety.
21. Members on foot shall enter the Vancouver Jail through door SA3, at 265 East Cordova Street.
- a. Members shall conduct a frisk search (refer to RPM Section 1.12.1(v): Searches of a Person) of the prisoner at the search bay in the sally port. The prisoner shall be handcuffed behind the back; this search shall include checking the prisoner with the metal detector supplied for this purpose. If the officer is of a different gender to the prisoner, Jail staff should be summoned to the sally port to conduct this search. This search must be conducted prior to placing the prisoner into the pre-hold cell. Where a person identifies themselves as being transgender, or a member has reasonable grounds to believe that the person is transgender, the member shall ask the person about which gender of member they would prefer conduct the search, and facilitate that request (assuming that the availability of the requested member's gender is not an issue).
 - b. Prisoners who identify themselves as being transsexual/transgendered shall be discretely given the option of being placed into an unoccupied pre-hold cell or be placed in a pre-hold cell that matches their stated gender identity (even if other prisoners are in that pre-hold cell). Jail staff shall record the prisoner's choice. However, the Jail NCO may place the transgender prisoner in an unoccupied pre-hold cell, regardless of the prisoner's choice, based on a specific, articulable concern for the prisoner's safety.
 - c. All prisoners are to be handcuffed from behind prior to being placed into a pre-hold cell. Prisoners with medical conditions that preclude handcuffing from behind shall be handcuffed in front, and the wagon driver shall advise the Vancouver Jail staff accordingly.
 - d. Members escorting a prisoner shall place that person in a pre-hold cell prior to unloading their sidearm.
 - e. Members shall unload their sidearm at the unloading station and secure the sidearm inside the gun locker, door SA4.
22. All members shall gain access to the booking area through door H138. No visible weapons or visible knives are allowed in the booking area, otherwise they should be secured in the gun locker.
23. Control room staff regulate the opening and closing of jail doors by remote control and may exercise discretion accordingly. If control officers perceive a security concern, no sally port doors will be opened until all prisoners are secured. Control officers, not police or outside agencies, determine the pace of the sally port. Any concerns may be directed to the Jail NCO.



Hospital Transfers

24. Any prisoner of the Vancouver Jail who requires transport to hospital for medical treatment shall be transported to the hospital by EHS (Refer to RPM Section 1.2.2: Use of Force to Provide Medical Aid). Prisoners, other than those arrested for “Hold SIPP”, shall be guarded at all times until they are returned to the Jail.
25. Whenever a prisoner requires hospitalization, the Jail NCO shall ensure:
 - a. the Jail Nurse completes a medical report for the prisoner;
 - b. the medical report accompanies the prisoner to hospital; and
 - c. Please refer to RPM Section 1.16.7: *BC Police Act* - Reportable Incidents - Injuries or Death for further reporting requirements.
26. If a prisoner is returned from the hospital, a copy of the hospital medical treatment and/or release form must be delivered to the Jail Nurse.



1.12 Prisoners and Jail Operations

1.12.1(iv) Booking Prisoners

(Effective: 2008.08.13)

1. All Vancouver Police members and peace officers from outside agencies presenting a prisoner to the Vancouver Jail shall:
 - a. Handcuff and search the prisoner (refer to Sections 1.12.1 (v) Search Policy and 1.12.1 (iii) Transportation of Persons in Custody) prior to placing them in a pre-hold cell; and
 - b. Provide a completed Vancouver Police Arrest Report to the Jail Intake Officer. The arresting member shall note in the medical remarks or arrest narrative section of the Arrest Report whenever a prisoner:
 - Has received any injury or suffers from any illness;
 - Was placed in a vascular neck restraint; Is a known drug addict or has taken any drugs;
 - Requires, or is presently on, medication; Has received medical treatment (See Section 1.12.2 Authorization to Detain at Vancouver Jail if prisoner attended by EHS), or has refused such treatment;
 - Has a history of mental illness or suicide attempts;
 - Was placed in the BodyCuff™;
 - If Oleoresin Capsicum Spray, Conducted Energy Weapon, Bean Bag Shotgun, or a baton was used while placing him/her under arrest;
 - and Is wearing a medical bracelet, the contents of that Medical Bracelet.
2. Vancouver Jail staff shall retain and file all Vancouver Police Arrest Reports and advise the Jail Nurse of any of the conditions noted in the medical remarks or arrest narrative.
3. When the Vancouver Police Arrest Report indicates the prisoner has been attended to by EHS, Vancouver Jail staff will ensure the Jail Nurse receives the EHS Crew Report copy accompanying the Vancouver Police Arrest Report.
4. In the event a person is released to the custody of another facility or police agency, Vancouver Jail staff and/or VPD members shall:
 - a. advise the other facility or police agency of all relevant medical issues concerning the person in custody; and
 - b. note that advice in the Medical Information Form.
5. Ensure that CPIC forwards all documentation concerning the confirmation of warrants to the Jail.



1.12 Prisoners and Jail Operations

1.12.1(v) Searches of a Person

(Effective: 2018.08.08)

POLICY

The *Canadian Charter of Rights and Freedoms* states in Section 8 that everyone has the right to be secure against unreasonable search. A search is deemed in law to be ‘reasonable’ if the search is authorized by law, the law itself is reasonable and the search is carried out in a reasonable manner. The search may be authorized in common law, criminal law or authorized by statute relating to an alleged offence. Searches must not be conducted in an abusive or arbitrary fashion. The use of physical and psychological constraints should be proportionate to the objectives sought and other circumstances of the incident. The more intrusive the search the higher the standard of justification required. A search may also be conducted with a person’s informed consent.

Evidence gathered from a search that is unlawful or in violation of the *Charter* will usually not be admissible at trial.

There are four categories of searches of a person:

1. Protective Search

A protective search involves patting down a person who has been detained by police when there are reasonable grounds to believe the person may be in possession of an item that poses a safety risk. The scope of the search is limited to exterior patting of clothing such as pockets, waistband or areas that may reasonably conceal such items. This search may also be described as a “safety search”, as that is the purpose and objective.

2. Frisk Search

A frisk search involves a thorough search of an arrested person’s clothing, pockets, handbags or any other object in their possession that may contain a weapon or evidence related to the offence for which they were arrested. Police have the lawful authority to search all arrested persons and the area within their immediate control at the time of arrest. Frisk searches may be more expansive to the degree justified by the circumstances, which members can support through thorough articulation of their reasoning.

3. Strip Search

R vs. Golden [2001] established what constitutes a strip search, which is a thorough search of a person’s clothing and body including the removal or rearrangement of some or all of the clothing of a person so as to permit a visual inspection of a person’s private areas, namely, genitals, buttocks, breasts or chest, or undergarments. The Supreme Court notes that strip searches “represent a significant invasion of privacy and are often humiliating, degrading and traumatic” and therefore require “a higher degree of justification in order to support the higher degree of interference with individual freedom and dignity.”

When considering whether a strip search is justified, the Supreme Court has stated, “*In addition to reasonable and probable grounds justifying the arrest, the police must establish reasonable and probable grounds justifying the strip search,*” and “*the police must establish they have reasonable and probable grounds for concluding that a strip search is necessary in the particular circumstances of the arrest.*”

4. Body Cavity Search

A body cavity search involves a search of bodily orifices and shall only be conducted by a medical practitioner.

Searches of Cultural, Religious, or Personal Items and Clothing:



The Vancouver Police Department recognizes the many diverse cultures and religions that co-exist in Vancouver, each with unique customs, beliefs and traditions. This may include wearing special garments, carrying cultural or religious artifacts, or observing traditional ceremonies or practices.

In the course of their duties members may be required to search arrested persons in possession of cultural, religious or spiritual items. These items may pose unique considerations for members when balancing the need to ensure safety, enforce the law and conduct criminal investigations with preserving the person's dignity and respecting the sanctity of their culture. Members should be cognizant that the manner of handling certain significant items may cause offense or compromise the sanctity of the item, and steps can be taken to observe cultural sensitivities.

As with any search of a person, officer and public safety is paramount and should be achieved through the least intrusive means to fulfill police duties.

When members are required to search an Indigenous Medicine Bag, or cultural or religious clothing or items of Sikh, Muslim, or Jewish people, they are to refer to the following guide: Cultural Considerations in Searches of a Person.

Some transgender people wear special clothing or prosthetics to perform their felt gender. These can include: chest binders (a usually elasticated rib or waist length sleeveless garment that flattens the chest, sometimes with a Velcro closure under one arm, or a front zipper); shoe lifts; "gaffer" undergarments which flatten external genitals; breast forms; wigs, or; penile prosthetics ("packers", often made of rubber or latex). Some transgender people may also have recently undergone gender-affirming (formerly "sex-reassignment") genital surgery or chest augmentation or reconstruction, which require special care or special garments. If a search of these items is necessary, then after the search the items shall be returned to the prisoner while in police custody (assuming that there are no reasonable concerns that the item could be used as a weapon or for of self-harm).

Physical search of such persons should be conducted in a way which does not impair healing, cause unnecessary pain, and which protects their privacy as much as possible.

PROCEDURE

1. Precautionary Measures:

- a. Members who conduct a search of a person shall take appropriate precautions to protect themselves and others from possible biohazards (e.g., wearing protective gloves and using appropriate search techniques); and
- b. Any member who suffers a puncture wound or comes in contact with bodily fluids from a person suspected to be in a high-risk category shall attend St Paul's Hospital (see RPM Sections 1.11.1: Infectious Disease and 1.11.2: Injuries to Department Personnel).

2. Gender of Searcher:

- a. A member shall not search a person of another gender, other than cursory searches of clothing, unless there is an immediate risk of injury or escape.
- b. Where a person identifies themselves as being transgender, or a member has a reasonable belief that the person is transgender, the members shall ask the person about which gender of officer they would prefer conduct the search, and facilitate that request (assuming that the availability of the requested officer's gender is not an issue).
- c. A transgender person may request that a split search be performed and may specify the gender of members to search either the upper or lower portions of their body. For example, the transgender person may request a female member to search the upper portions of their body and a male member to search the lower portion of their body (or vice versa). Members shall facilitate that request (assuming the availability of the requested member(s) is not an issue).



Strip Search Procedure:

3. Strip Searches shall only be conducted at the Vancouver Jail (Jail) unless there are exigent circumstances which require that the prisoner be strip searched in the field prior to being transported to the Jail. The Jail NCO must authorize a strip search before it is conducted at the Jail.
4. The Jail NCO shall only authorize a strip search of the prisoner if they have formed reasonable grounds to suspect that the prisoner has weapons, contraband, or evidence that may be discovered by conducting such a search. The Jail NCO shall consider the following factors when deciding whether reasonable grounds exist to conduct a strip search:
 - a. The reason for the arrest/charge and the legal grounds;
 - b. Information received from other persons, including the arresting or transporting officers, witnesses, other prisoners etc.;
 - c. The prisoner's demeanor and behavior;
 - d. The prisoner's criminal history and information retrieved from police records;
 - e. Information provided by the prisoner themselves; and
 - f. The likelihood of discovering weapons or evidence related to the offence for which the prisoner was arrested.
5. Field Strip Searches shall only be conducted when exigent circumstances exist and a member has reasonable grounds to believe that there is a demonstrated necessity and urgency to strip search in the field for **weapons or objects** that may be used to threaten the safety of the prisoner, members or others. There is a limited exception to these exigent requirements described above in the case of field strip searches for drugs when:
 - a. A member has reasonable grounds to believe a prisoner is in possession of a controlled substance;
 - b. There is a demonstrated necessity and urgency to strip search in the field to prevent the destruction and/or loss of evidence, or ensure the health and safety of the prisoner; and
 - c. All field strip searches shall be authorized by a Field Supervisor.
6. Strip searches and field strip searches shall follow these guidelines:
 - a. The search must be minimally invasive (e.g. pulling back an article of clothing to recover evidence);
 - b. Be conducted by members of the same gender as the person being searched, limited to two members present unless safety concerns create a necessity for additional members to be present;
 - i. Where a person identifies themselves as being transgender, or a member has reasonable grounds to believe that the person is transgender, the member shall ask the person about which gender of member they would prefer conduct the search, and facilitate that request (assuming that the availability of the requested member's gender is not an issue).
 - ii. A transgender person may request that a split search be performed and may specify the gender of members to search either the upper or lower portions of their body. For example, the transgender person may request a female member to search the upper portions of their body and a male member to search the lower portion of their body (or vice versa). Members shall facilitate that request (assuming the availability of the requested member(s) is not an issue).
 - c. Be conducted in private, in such a way that no member of the public is able to view the search, or no other member can view the search who is not involved in conducting the search;
 - d. Be conducted in phases so that only one portion of clothing is removed or adjusted at a time, to minimize the person's exposure and ensure the person is never fully naked;
 - e. The search must not pose any health risk to the prisoner; and
 - f. Members shall document the details of any field strip search in their notebooks and G.O. report. Any Jail staff conducting a strip search at the Jail shall make detailed notes and supplement the G.O. report accounting for the search.



7. The searching members shall offer the prisoner the opportunity to remove their clothing in order to conduct the strip search. If the prisoner declines, reasonable force may be used in order to conduct the search.
8. When a prisoner has been strip searched and the circumstances reveal that material located in or near a body cavity should be seized, the prisoner being searched should be given the opportunity to remove the material themselves or the advice and assistance of a qualified medical professional (e.g. Jail Nurse) shall be sought to ensure that the material can be safely removed.
9.
 - a. Where it is not known that a prisoner is transgender prior to a search, and in the course of the search, a member develops a reasonable belief the prisoner is transgender, the member shall halt the search and ask the prisoner which gender of member they prefer to continue the search, and the member shall facilitate the request (assuming that the availability of the member(s) is not an issue).
 - b. The possibility exists that some prisoners may claim to be transgender when they are not in order to manipulatively request the gender of a member to perform a search. The VPD recognizes the right of transgender people to self-identify. However, if and when a member, has a reasonable belief that the prisoner is requesting a specific gender of a member to conduct the search for reasons that are inconsistent with the spirit of this procedure; the member shall advise the Jail NCO of the reasons that formed their reasonable belief, and the Jail NCO shall make the final decision as to the gender of the member that will perform the search. In this case the member and the Jail NCO shall make notes that record what formed their reasonable beliefs.
10. Unless there is an evidentiary or reasonable safety reason to do so (e.g., the item can be used as a weapon or for self-harm), prisoners admitted to the Jail will be able to retain items which form an integrated part of their gender performance, including breast forms, undergarments, wigs, and penile prosthetics.

Body Cavity Search Procedure:

11. Body Cavity Searches (e.g., anal or vaginal searches) are a great intrusion of an individual's privacy and dignity and shall only be conducted by a doctor or nurse in hospital and be resorted to in the following circumstances:
 - a. When there are reasonable grounds to believe narcotics, weapons, or contraband are being carried in an internal body cavity of the suspect; and
 - b. In cases of considerable significance and the merits of the case outweigh the intrusive nature of cavity searches or there is a threat to the safety of the suspect, members, or others.
12. Body Cavity Searches shall only be authorized by the Duty Officer. When the Duty Officer authorizes the search, all pertinent details shall be entered in the Car 10 Log Book.
13. Where the criteria for conducting a body cavity search are not met, members shall not conduct any internal search as a "consent search".
14. Body Cavity Searches shall not take place in the Jail.
15. Where members have received authorization for a body cavity search the following procedures shall apply:
 - a. Lodge the suspect in the Jail (dry cell) under continuous observation by both a cell equipped with a monitor and by an officer (preferably of the same gender) instructed to maintain constant visual observation;
 - b. The Jail NCO shall verify the authorization of the body cavity search with the named Duty Officer;
 - c. Have the Jail Nurse assess the prisoner if they are drug affected or have a medical concern;
 - d. Give the prisoner the opportunity to remove the item themselves if the Jail Nurse deems it safe to do so;
 - e. Inform the prisoner that a cavity search will be performed and why;
 - f. The Jail NCO should contact the hospital which will conduct the procedure;
 - g. Transport the prisoner via EHS to the hospital with an escort in the ambulance;
 - h. Request the attendance of a physician of the same gender as the prisoner or as requested by the prisoner (if practicable);



- i. Advise the physician of the specific search requested and the specific grounds for the search. The search shall not exceed that which is supported by the grounds (e.g., rectal searches shall not be conducted when the grounds support a vaginal search only);
 - j. Members are reminded that medical practitioners are not obliged to conduct the search on behalf of the police and will only conduct searches if there is a bona fide medical reason to do so;
 - k. Take all reasonable steps to avoid or minimize the intrusiveness of the search (e.g., explaining process, offering alternatives, and providing assistance in contacting counsel);
 - l. A member of the same gender as the suspect shall be present for body-cavity searches (if practicable);
 - m. If a charge is recommended, include in the RTCC particulars of the body-cavity search and whether or not evidence or contraband were recovered;
 - n. Whether or not drugs were recovered, if an RTCC is not submitted, then submit a detailed GO report containing the following information:
 - i. Name of the suspect;
 - ii. Brief circumstances of the case, including the incident number and the grounds for the search;
 - iii. Name of the person who authorized the search;
 - iv. Name of the physician who conducted the search;
 - v. Date and time the prisoner was transported to the hospital;
 - vi. Date and time the prisoner arrived at the hospital;
 - vii. Time the search was commenced;
 - viii. Time the search was completed; and
 - ix. What, if anything, was found in the course of the search.
16. The Jail NCO shall enter all pertinent details of a body cavity search on a prisoner in their custody in the Jail NCO Electronic Log, including:
- a. The name of the person authorizing the search;
 - b. The incident number;
 - c. The prisoner's name; and
 - d. The items searched for and whether they were located.
17. Special care will be used for prisoners who have recently undergone gender-affirming (formerly "sex-reassignment") genital surgery or chest augmentation or reconstruction, in order not to impair healing. Physicians conducting body-cavity searches should be notified of any suspected surgical issue related to a transgender prisoner requiring such a procedure, in a manner which protects the privacy of the prisoner as much as possible.



1.12 Prisoners and Jail Operations

1.12.2 Authorization to Detain at Vancouver Jail

(Effective: 2006.12.05)

1. The following persons only are to be detained in the Vancouver Jail:
 1. Those arrested pursuant to provisions contained in legislation;
 2. Those arrested for other Departments, where a charge has been laid and arrival of escort with warrant is awaited;
 3. Those arrested or held for processing by the Immigration Department;
 4. Those arrested for being in a state of intoxication in a public place that are violent and require restraint or are refused admittance by the Detox Centre; and
 5. Other persons where prior authorization has been obtained from the Inspector i/c Court and Detention Services.

The Jail NCO shall ensure that authority exists to detain all individuals brought to the Vancouver Jail, and may make an independent judgment as to the legality of detaining an individual.

Procedure

1. The Jail NCO or designate shall:
 - a. Determine if a prisoner will be admitted to the Jail;
 - b. In circumstances where the prisoner will not be admitted to the Jail, record the event in the Jail Log; and
 - c. Process any Promise to Appear, OIC release etc, as required.
2. The Guard Supervisor or Jail Constable Shall:
 - a. Monitor staff and assist with or direct prisoner movement when required; and
 - b. Monitor the holding cells to assist with the timely processing of new prisoners.



1.12 Prisoners and Jail Operations

1.12.3 Detention Pursuant to the Immigration Act

(Effective: 2006.12.07)

1. There are occasions when a detainee will be arrested by a member under Section 103(2) of the Immigration Act without a warrant. Before any such person is detained at the Vancouver Jail, an Immigration Officer will be contacted, and authorization will be obtained to hold that person as an Immigration detainee. The Immigration Officer will forward, as soon as possible, the Immigration detention form - 412, to the Jail NCO.
2. Detainees are not to be fingerprinted unless under the direction of an Immigration Officer, and are not required during their confinement, to be placed before a Justice, or appear in Criminal Court unless charged with a criminal offence.
3. Members who arrest a person under the Immigration Act must contact 6 INDIA through the Central Dispatcher, or, after 6 INDIA's duty hours, contact Immigration Canada at Douglas Border Crossing (24 hours per day).
4. Any disagreement as to the acceptance of a detainee will be resolved by the Jail NCO.



1.12 Prisoners and Jail Operations

1.12.4 Dangerous or Maximum Security Prisoners

(Effective: 2000.09.06)

1. All prisoners, who are classified as dangerous and maximum security or maximum security, and requiring hospital treatment, shall be accompanied by a guard. Prior to transporting the prisoner from the prison institution to the hospital, the guard shall contact E-COMM and supply the following information:
 - a. Details of the prisoner, their status and reason for treatment
 - b. Details of security measures and number of escorts
 - c. Which hospital and where in the hospital the prisoner is to be taken for treatment
2. E-COMM shall notify the Duty Officer, Central Dispatcher and the appropriate District NCO. The District NCO will make periodic visits to the hospital as time permits.
3. In the event of an escape, see the procedure outlined in Section: 1.12.5 (i), Prisoner Escapes - General, of this manual.
4. The Safety and Security Services of each hospital will attempt to supply assigned guards with portable radios on the hospital frequency. This will provide a link between the guard and the Safety Services. Any information transmitted in this manner will be relayed via 911 to the Central Dispatcher for transmission to attending police members.
5. When the prisoner has been returned to the prison institution, the escorting guard shall immediately advise E-COMM. E-COMM shall notify the Duty Officer, Central Dispatcher and the appropriate District NCO.



1.12 Prisoners and Jail Operations

1.12.5 (i) Escapes - General

(Effective: 2006.12.07)

1. E-Comm shall be notified when a prisoner escapes custody in the City of Vancouver.
2. The E-Comm Central Dispatcher shall:
 - a. Initiate normal emergency response procedures
 - b. Notify the area NCO and the Duty Officer
 - c. Ensure a patrol member is assigned to investigate the escape
3. The assigned member shall:
 - a. Complete a GO Report to Crown Counsel. The report should include if the escort or guard can identify the escapee.
 - b. During regular hours of operation deliver the original report and two copies personally to Police/Crown Liaison. At all other times deliver the original report and two copies to the Jail NCO, as per In-custody Report to Crown Counsel standard procedure.
4. When no Police/Crown Liaison members are on duty, the Duty Officer shall assess the need to have a warrant obtained immediately for entry on CPIC. If this is required, Crown Counsel shall be consulted prior to calling out a Justice of the Peace.



1.12 Prisoners and Jail Operations

1.12.5 (ii) Escapes From Vancouver Jail

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.12 Prisoners and Jail Operations

1.12.6 (i) Hospital Escorts

(Effective: 2006.12.07)

Policy

The Patrol Section shall be responsible for providing escorts to Vancouver Jail prisoners that must be transported to hospital. Vancouver jail staff will only escort prisoners to hospital in emergency situations, when patrol is not available. When this occurs, jail staff shall be relieved by patrol officers as soon as practicable.

Procedure

1. Should a prisoner require immediate transport for medical attention, the nurse shall immediately advise the Jail NCO that EHS is required (Section 1.4.6: Arrest of Persons with Injuries or Other Apparent Medical Risks).
2. The Jail NCO shall request EHS and notify Control of the EHS arrival.
3. The Jail NCO will contact E-Comm to request escort assistance from patrol (or ERT if high risk). Normally, the district or police agency where the arrest occurred will be responsible for supplying the escort.
4. In an emergency situation where neither Patrol nor ERT are available, the Vancouver Jail Guard will accompany the prisoner in the ambulance and will carry the required prisoner documentation as well as the following equipment:
 - a. One portable radio for external use;
 - b. OC (Oleoresin Capsicum) Spray;
 - c. Handcuffs; and
 - d. ASP Baton;
5. A Jail Constable shall obtain and wear their firearm, an external use radio and the assigned Police Vehicle. This Officer shall accompany and maintain contact with the EHS vehicle during the transport.



1.12 Prisoners and Jail Operations

1.12.6 (ii) Aircraft Escorts

(Effective: 2006.12.07)

Members who are assigned to escort persons by aircraft should be aware that there are recommended procedures issued by Transport Canada that govern the escort of persons and the carrying of firearms by Police Officers. For regulations governing the carrying of firearms by Vancouver Police Department members see RPM Section 5.5.6: Carrying of Firearms, Batons & Oleoresin Capsicum Spray.

When it has been decided to escort a prisoner by air, the Deputy Chief Constable, Commanding the Investigation Division shall authorize the escort and shall ensure that the escorting members are fully briefed. The Deputy Chief Constable will provide the members with a copy of the guidelines for escort and a "Notice to Armed Individuals and Escort Officers."



1.12 Prisoners and Jail Operations

1.12.7 Female Prisoners

(Effective: 2006.12.07)

When a female prisoner is to be arrested or escorted, a female member shall be present when practical. When not practical, a second male member shall be present.

When a female prisoner is to be transported, members will advise the Dispatcher of their vehicle's mileage and their intended destination. On arrival, members will again advise the Dispatcher as to their status and vehicle mileage.



1.12 Prisoners and Jail Operations

1.12.8 Fingerprinting - Use of Force

(Effective: 2009.09.25)

General

The Identification of Criminals Act allows the fingerprinting of all persons arrested and charged with an offence which may be proceeded with by indictment.

Fingerprints are necessary to place a conviction for an offence on a person's criminal record.

Consent

Fingerprints may be obtained from adults prior to an information being sworn, if they have provided informed consent and signed the Fingerprint Consent Form VPD 1657(07). Young persons cannot consent to have fingerprints taken and can only be fingerprinted and photographed after an information is sworn (RPM Section 1.6.47(ii): Charges and Arrests - Young Persons).

Use of Force

No force shall be used to obtain fingerprints prior to an information being sworn before a justice of the peace.

Photographing

See RPM Section 1.6.20(i): Police Authority to take and use Photographs for policy regarding photographs.



1.12 Prisoners and Jail Operations

1.12.9 Hospital Guards

(Effective: 2011.09.16)

1. When guards are required at a hospital for prisoners transferred from the Vancouver Jail, the Vancouver Jail Police NCO shall notify the Duty Officer and the Field NCO concerned. The Field NCO is responsible for assigning a member for guard duty. A VPD 179 (Hospital Guard Duty Sheet) shall accompany the prisoner to the hospital or be sent up as soon as possible. The VPD 179 (Hospital Guard Duty Sheet) will be completed by the guards and attending NCO's, then subsequently returned to the Vancouver Jail when the prisoner is transported back.

Note: Please refer to **Section 1.16.7: [BC Police Act](#) - Reportable Incidents - Injuries or Death** for further reporting requirements.

2. A NCO shall visit the guard at least once every tour of duty, whenever such tour of duty exceeds two hours.
3. If during the course of the prisoners' medical treatment, it becomes apparent that the prisoner will require treatment for an extended period of time, the guarding member shall notify their NCO of the expected time period involved.
4. The NCO shall in consultation with the Vancouver Jail Police NCO determine;
 - a. If other resources should be utilized to provide guard duties
 - b. if EOPS should be contacted to make arrangements for call out members
 - c. if other judicial options are more appropriate such as release from custody, or remand to remand center.
5. When a person is released from hospital to the custody of the police and further medical attention is necessary, a brief statement in writing will be given by the attending doctor to the members taking custody of the prisoner. This statement will include:
 - a. The reason for admission to hospital
 - b. The medical findings and behavior while in hospital
 - c. The treatment given
 - d. Any advice to Vancouver Jail staff on changes in condition or behaviour of the prisoner than may be expected and the action to be taken
6. The on duty Vancouver Jail Nurse shall interpret this statement for the Jail staff, and shall place it on file for the attention of the Jail Physician. If there is any doubt as to action to be taken, the Vancouver Jail Nurse shall contact the Jail Physician for advice.



1.12 Prisoners and Jail Operations

1.12.10 Hold State of Intoxication in a Public Place and Breach of the Peace

(Effective: 2015.04.01)

POLICY

Violent intoxicated persons arrested for Breach of the Peace will be transported to the jail when, in the opinion of the arresting officer and the authorizing NCO, the person poses an actual or potential physical risk (as demonstrated by the behavior/demeanour of the person).

When an intoxicated person has been arrested H/SIPP and has been refused admittance by Vancouver Detox Centre staff, the person(s) may remain a H/SIPP arrest unless grounds exist for them to be arrested for Breach of the Peace or Apprehended Breach of the Peace, and transported to the Jail (refer to RPM Section 1.4.4: Arrest for Breach of Peace and RPM Section 1.4.5: Arrest - Hold State of Intoxication in a Public Place).

PROCEDURE

1. Jail staff shall notify nursing staff when an intoxicated prisoner arrives at the Vancouver Jail. Intoxicated prisoners shall be medically assessed on arrival to the Jail or shortly thereafter. Intoxicated prisoners with head injuries or other medical alerts shall be held separately from other prisoners for observation.
2. The nursing staff shall:
 - a. Visibly assess intoxicated prisoners admitted into the Vancouver Jail. Documentation on each intoxicated prisoner shall be completed;
 - b. Conduct a more thorough assessment if required. Transfer to hospital may also be required if deemed necessary (RPM Section 1.4.6: Arrests of Persons with Injuries or Other Apparent Medical Risks) assess intoxicated prisoners every hour. If it appears the intoxicated prisoner is at risk for aspiration the prisoner will be placed into the recovery position; and
 - c. Hourly awaken intoxicated prisoners who remain in custody beyond four hours, to get a verbal response and ensure their condition is not deteriorating.
3. The Booking Officer who admits the prisoner shall:
 - a. Inform the Jail NCO, Guard Supervisor, and Duty Nurse of medical alerts; and
 - b. Transcribe medical record remarks/recommendations from the EHS Crew Report and Vancouver Jail Arrest Report to the Vancouver Jail Prisoner Observation Log.
4. The Jail Guard shall:
 - a. Physically check and assess intoxicated prisoners every 15 minutes; and
 - b. Move intoxicated Prisoners into the recovery position if they are sleeping.
5. The Jail NCO shall be responsible for the release of intoxicated prisoners.



1.12 Prisoners and Jail Operations

1.12.11 Interviewing Prisoners and Temporary Release for Investigation

(Effective: 2000.07.13)

Prisoners are not to be interviewed by members of the Department between 0830 to 1000 hours, unless absolutely necessary, and then only on the authority of a supervisor.

Prisoner Interviews and Temporary Releases for Investigation - Federal and Provincial Correctional Facilities

1. Members requesting the temporary release or an interview of an inmate in a provincial or federal facility shall submit a VPD 68 through the Chain of Command to the Deputy Chief Constable Commanding the Investigation Division. The report shall include:
 - a. an outline of the circumstances;
 - b. the time and date of the interview or release;
 - c. if prison authorities should have the inmate sign the consent form in advance; and
 - d. the institution where the inmate is incarcerated.
2. Requests of an urgent nature shall be telephoned directly to the Deputy Chief Constable Commanding the Investigation Division or, in the Commander's absence, the Duty Officer.
3. Members should be aware that if the inmate is not cooperative a court order will be required.



1.12 Prisoners and Jail Operations

1.12.12 (i) Prisoner's Property

(Effective: 2014.07.14)

1. It is the responsibility of the member who seizes property from a prisoner to account for that property.
2. The wagon driver or arresting member shall remove ALL effects from the prisoner's pockets, prior to lodging the prisoner in the Vancouver Jail. Effects shall be placed in a clear plastic bag, with the prisoner's surname and first initial on the bag.
3. Any currency shall be secured in the envelope designed for this purpose, labelled with the amount and the prisoner's surname, and then placed in the larger plastic effects bag, ensuring that it is visible through the bag. Wagon drivers and the arresting members shall initial the cash amount listed on the Vancouver Jail Arrest Report. Members shall also note if there is no money among the prisoner's effects.
4. Any money seized as evidence from a prisoner shall be noted on the Vancouver Jail Arrest Report. The arresting member shall inform the prisoner that the money is being seized.
5. The prisoner's effects shall be placed in the pre-hold search room in the bins labelled "A" to "D", "E" to "J", etc.
6. The Vancouver Jail does not accept any knapsacks, suitcases or bulky items exceeding 12" (30cm) x 15" (38cm) x 5" (13cm). Furthermore, all prisoner property (e.g. outer clothing, shoes, belts, purses) must be contained within the Prisoner Garment Bag (30" (76cm) x 20" (50cm) x 5" (13cm)). All oversized and other property shall be tagged at the Property Office and the disposition noted on the Vancouver Jail Arrest Report (VPD 602). The Report shall include the prisoner's name and date of birth, case number and the PIN of the member who tagged the property. The member seizing the property shall inform the prisoner that the property will be held for a maximum of 90 days
7. For safety reasons, the Vancouver Jail does not accept any knives, animal repellent and/or other potentially dangerous weapons. The arresting member shall tag these items at the Property Office for safekeeping, noting the disposition of the property on the Vancouver Jail Arrest Report and inform the prisoner that the property will be held for a maximum of 90 days.
8. The Vancouver Jail does not accept perishable food items, open liquor, or used needles.
9. Upon release or transfer from the Vancouver Jail, Jail staff shall notify the prisoner that any seized property will be disposed of to charity after the expiration of 90 days. The prisoner must make arrangements to retrieve the property either in person, or through someone on their behalf, bearing a letter of permission signed by the prisoner.

See RPM Section 1.9.3: General Property Policy and Procedure



1.12 Prisoners and Jail Operations

1.12.12 (ii) Transactions with Prisoners

(Effective: 2000.07.13)

1. Members shall not enter into any transaction with any suspect or prisoner for personal gain.
2. In the event that a member is named in a conditional clause of an Undertaking or Recognizance order issued by a Judge or Justice of the Peace, a member shall immediately:
 - a. comply with the order; and
 - b. advise the Chief Constable's Executive Assistant of the existence of the document and the terms stipulated therein.



1.12 Prisoners and Jail Operations

1.12.12 (iii) Sentenced or Remanded Prisoners

(Effective: 2006.12.07)

1. In order to request a prisoner held for further questioning, after the prisoner has been remanded by the Court, a member shall request their NCO to notify the Jail NCO. The Jail NCO shall then contact the appropriate agency, in order to help facilitate the request.
2. Outside police agencies requesting a prisoners to be held after remand, must provide an Officer of this Department with the name of their agency and requesting member. The Officer shall then provide direction to the Jail NCO. In no instance shall prisoners be held for a period longer than twenty-four hours, unless so directed by the Officer.



1.12 Prisoners and Jail Operations

1.12.13 (i) Prisoner Death or Serious Injury

(Effective: 2006.12.07)

Procedure

- a. Jail staff processing or handling a prisoner who later commits suicide, dies in jail from other causes, or suffers a serious injury shall submit individual reports to the assigned investigator(s).
- b. Upon discovery of a dead or seriously injured prisoner, the following procedures shall be followed:
 - a. The staff member shall broadcast “Code Blue” (medical emergency) immediately, and alert Control of the emergency and the status of the prisoner.
 - b. The Control Officer shall:
 - notify the Jail Nurse and the Jail NCO immediately;
 - immediately lockdown the scene to all but essential medical personnel;
 - document all emergency responses, noting time, place, number and identification of staff involved, description of the incident, action taken by staff, support staff utilised and any other pertinent information; and
 - assist as directed by the Jail NCO.
 - c. The Jail NCO shall:
 - report immediately to the location of the medical emergency;
 - contact emergency health services if required, e.g., fire/ambulance;
 - determine in consultation with the Nurse, if special measures are required for the prisoner, e.g., MDO cell, specialized clothing, special watch;
 - assign staff to function as hospital escorts if emergency hospitalisation is required and Patrol is unavailable;
 - seal off the cell or area where incident occurred. All evidence shall be protected and the cell closed until the police investigation is completed (refer to RPM S. 1.12.13 (iv): Evidence Preservation Following Critical Incidents in the Jail);
 - inform control not to provide access to the cell or area unless instructed to do so by a Supervisor or investigating police members;
 - report all deaths immediately to the Duty Officer, Inspector i/c Court and Detention Services, and the Coroner;
 - report all suicide attempts to the Duty Officer (refer to RPM S. 1.12.13 (ii) Attempted Suicide).
 - Arrange for an investigation by the Major Crime Section;
 - Ensure that Jail Guards complete written statements for assigned investigators and that Jail Constables document their involvement in the GO;
 - record the incident in the appropriate Jail Logs; and
 - direct all media inquiries to the Public Affairs and Marketing Section.
 - d. The Nurse shall:
 - immediately attend the location of the emergency;
 - examine the prisoner and provide any medical treatment required;
 - determine if EHS is required and request if necessary (Section 1.12.13 (ii) Attempted Suicide);
 - prepare the Hospital Report if hospitalisation is necessary, and record the incident in the Vancouver Jail system medical records; and
 - update VISEN code if suicidal tendencies must be indicated.
 - e. Jail Guard staff shall complete written statements detailing their evidence in the incident for investigators.
 - f. The Jail Administrative Sergeant shall be responsible for obtaining the Digital Video Recordings.



1.12 Prisoners and Jail Operations

1.12.13 (ii) Attempted Suicide

(Effective: 2006.12.07)

1. In all cases of suicide attempts, the Jail NCO shall be notified at once. The Vancouver Jail NCO shall notify the Duty Officer and arrange for a police investigation. Preventative measures shall be taken as indicated.
2. All prisoners attempting suicide will be hospitalized for examination if the degree of "self-infliction" indicates this need or there is the possibility of recurrence. A Hospitalisation Report shall accompany the prisoner to hospital or be forwarded as soon as possible.
3. The Jail NCO may direct alternative action by isolating the prisoner, moving the prisoner to an MDO (Mental Disorder) cell, replacing the prisoner's clothing with appropriate clothing for the situation, and by directing a special watch to ensure the prisoner's well being. The Jail Nurse will examine prisoners so detained in the Jail.



1.12 Prisoners and Jail Operations

1.12.13 (iii) Hostage Taking Within the Jail

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.12 Prisoners and Jail Operations

1.12.13 (iv) Evidence Preservation Following Critical Incidents in the Jail

(Effective: 2006.12.07)

General

This section sets out procedures with respect to the preservation of evidence and/or crime scenes in the event of a critical incident in the Vancouver Jail. For the purpose of this section, “critical incidents” include suicides, serious assaults, arson, murder or attempted murder, wilful damage, escapes, and industrial and vehicle accidents.

Procedure

1. The initial responsibility of the first staff member to attend the scene of a critical incident shall be to ensure that there is no further danger to staff or prisoners.
2. When staff or prisoners have suffered injury, medical staff shall be contacted immediately.
3. Jail staff shall ensure that any potential crime scene or work site is adequately protected to enable a thorough investigation. Where an incident is of sufficient seriousness to require police investigation, the crime scene shall be sealed until police have attended and processed the scene. The Control Officer is to ensure no access to the scene unless authorised by the Jail NCO.
4. The Jail NCO shall ensure that an appropriate police investigation is initiated for any critical incident.
5. Vancouver Jail Police Constables shall submit details of their involvement into the GO report, as well as in the appropriate Jail Logs.
6. Vancouver Jail Guards involved in critical incidents must document their involvement as follows:
 - a. make notes in their notebooks, as well as in the appropriate Jail Logs; and
 - b. submit written statements for investigators.
7. Reports shall be distributed to the Jail NCO, the Inspector i/c Court and Detention Services Section, and the investigating officers (if applicable).



1.12 Prisoners and Jail Operations

1.12.13 (v) Jail Evacuation

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.12 Prisoners and Jail Operations

1.12.14 Use of Force Custodial Guards

(Effective: 2010.04.26)

POLICY

Authority to Use Force

Vancouver Police Department Jail Guards are “peace officers” for the purposes of the Criminal Code of Canada and the Offence Act of British Columbia, while they are carrying out jail guard duties.

In circumstances where it is reasonably necessary in order to carry out their duties, the Criminal Code authorizes Jail Guards to use reasonable force against prisoners. Examples of circumstances where reasonable force may be used include: in self defence against unprovoked assault; to prevent against a personal assault or assault against another; to prevent the commission of an offence; to suppress a riot; and as required or authorized by law in the administration or enforcement of the law. Jail Guards shall under no circumstances use excessive force, i.e., a greater level of force than is reasonably necessary in the circumstances to which it is applied.

Jail Guards who use force in the course of their duties are personally responsible for the force so applied and must themselves make the decision to use force or not. Jail Guards cannot rely on an administrative direction or order issued by the Vancouver Police Department, or any officer or supervisor within it, as authorization to use force in circumstances in which it is not otherwise authorized under the provisions of the Criminal Code or other statute. Jail Guards using force in the course of their duties may be required to justify their actions afterward in various legal forums, including criminal and civil court.

Definition

For the purpose of this procedure a “Use of Force” incident is defined as an incident where one or more of the following have been applied in order to gain physical control of a non-compliant subject:

- a. Oleoresin Capsicum (OC) Spray
- b. A Baton that causes injury to a person
- c. A Vascular Neck Restraint
- d. The BodyCuff™ restraining device
- e. Any physical force to a person that causes injury, resulting in medical attention being required or requested.

Application of Force

1. In the course of carrying out their duties, Jail Guards may only use force on prisoners in circumstances where all other reasonable means of control have failed or cannot be used.
2. In the context of performing jail guard duties, the authority to use force will generally only arise in circumstances in which it is reasonably necessary for self-defence, to prevent an assault or the commission of another offence, or to suppress a riot.
3. In justifiable circumstances Jail Guards may be required to use force on prisoners, in order generate compliance with the Jail Guard’s or other person’s duties to administer or enforce the law. Jail Guards finding themselves in situations where force might reasonably be necessary should proceed cautiously, keeping in mind that force may only be used in circumstances where it is authorized by law. Jail Guards should only proceed with the application of force after all reasonable non-physical means of obtaining compliance have been tried and exhausted, and then only to assist Vancouver Police Department police officers in carrying out lawful duties at the jail.



4. In all cases, a Guard may only use force on prisoners if the that Guard believes, on reasonable grounds, that using force is necessary in the circumstances. In other words, force may only be used for reasons that, in the same circumstances, a reasonable person in the Guard's position would accept as justifying the use of force.

Level of Force

5. The level of force to be used shall be limited to that which is reasonably necessary in the circumstances to achieve its purpose, and is to be discontinued as soon as possible thereafter.
6. Anyone authorized to use force is not expected to measure exactly the level of the force that is authorized in any given circumstance. Nevertheless, anyone using excessive force, i.e., force that is a greater level than is reasonably necessary in the circumstances, may be subject to criminal prosecution and/or civil action for the excessive force used.

Documentation

7. Jail Guards witnessing or taking part in any "Use of Force" incident shall submit a written incident report to the Jail NCO, and document the incident in their notebook.
8. All Jail Constables shall follow the documentation procedures specified for each weapon/restraint specified in Section 1.2.1: Use of Force - Justification, and record the details of the incident into the appropriate Jail Logs.
9. The Jail Nurse shall examine all prisoners who have been the subject of a "Use of Force" incident, and record in their clinical notes, all observations of injury and all forms of treatment given in respect thereof.

Inquiry into Use of Force

10. Immediately following any "Use of Force" incident within the Jail, all staff witnessing or taking part in any such incident shall immediately notify the Jail NCO. The Jail NCO shall carry out a preliminary investigation in respect thereof.
11. In the event of injury, the Jail NCO shall notify the Duty Officer.
12. The Jail NCO will review the submitted reports, attach their recommendations and submit them through the chain of command to the Inspector i/c Court and Detention Services.
13. In any circumstances where, based on the Jail NCO's submitted report, the Inspector i/c Court and Detention Services has reasonable grounds to believe that use of force by jail staff has been unjustified or excessive, a police investigation shall be initiated.

Use of Intermediate Weapons

14. The Vancouver Police Department supports the use of intermediate weapons by Jail Guards who are qualified and/or certified to use them, when lower levels of force have been ineffective or are inappropriate, and the use of higher levels of force may not be justified and/or appropriate. The Baton and OC Spray are intermediate weapons that are authorized for use by trained and qualified Jail Guards. (See RPM Section 2.4.1: Qualifying Standards - General)
15. The Jail NCO, upon receiving notification that a person was killed or grievously injured as a result of the use of an intermediate weapon, shall refer to Section 1.2.1 Use of Force - Justification paragraph (14) and Section 1.12.13 (i): Prisoner Death or Serious Injury for specific procedures to be followed.

Vascular Neck Restraint

16. The Vascular Neck Restraint shall only be used when the following criteria are met:
 - a. The situation demands immediate control over a violent person;
 - b. No less violent means are available;
 - c. There is no reason to believe that the person being subdued will suffer any injury; and



- d. The Jail Guard has been trained and qualified in applying the hold.

Violent Prisoners

Jail Guards will assist Jail Constables and other VPD Police Officers in the handling of violent prisoners within the Jail, on verbal notice from, and as directed by a VPD Police Officer.



1.12 Prisoners and Jail Operations

1.12.15 Victim Notification Upon Release - K Files

(Effective: 2018.12.13)

POLICY

Where an accused is charged with an offence that has been identified as a K-file, indicating intimate partner violence, and the accused is being released from the Vancouver Jail, the Vancouver Jail will assume responsibility for notifying the victim of the accused's impending release and any conditions attached to their release. If the accused is released from Court, the same process shall apply as soon as the Jail is notified that the accused has been or is being released.

PROCEDURE

1. The Jail NCO or designate shall assume responsibility for K-file victim notifications whenever an accused is released from the Vancouver Jail or Court.
2. When an accused is released:
 - a. Jail staff shall make reasonable attempts to contact the victim(s) by telephone;
 - b. When the victim has been notified by jail staff, the Jail NCO shall ensure that this information is documented by way of a "Miscellaneous Notes" page in the GO;
 - c. If all attempts to notify the victim or a victim's alternative contact fails, the Jail NCO or designate shall request victim notification by faxing a VPD Form 1636 - K-File Victim Notification Request to E-Comm. E-Comm shall then dispatch a patrol unit, preferably the investigating members, to attend victim's location to notify the victim(s) in person;
 - d. The assigned members shall advise the Jail NCO if the victim was notified or not; and
 - e. The assigned members shall document in a "Miscellaneous Notes" page of the original GO whether or not the victim was notified. If the victim was not notified, assigned members shall document all attempts made to notify the victim.



1.12 Prisoners and Jail Operations

1.12.16 Visits to Jail

(Effective: 2000.07.13)

1. All persons shall report to the Booking Office before entering the Jail Area.
2. Firearms are NOT to be taken into the Booking Office. Firearms must be unloaded and secured in the lockers located outside the detention area prior to proceeding into the Booking Office.



1.12 Prisoners and Jail Operations

1.12.17 Jail Procedures for Youth in Custody

(Effective: 2017.02.02)

POLICY

The following procedure is in place in order to provide direction to jail staff with regard to the booking and housing of Young Persons. For information regarding the transportation and or arrest/charge of Young Persons, refer to RPM Section 1.12.1(iii): Transportation of Persons in Custody and RPM Section 1.6.47(ii): Charges and Arrests - Young Persons.

PROCEDURE

1. The transporting member shall buzz the “Youth Door” intercom and inform Control that a young person is ready to be turned over to the Jail.
2. The Jail Constable or designate assigned to the Youth Booking area will “Lock Down” or oversee “Lock Down” of Hotel 1/Youth Booking area and do the following:
 - a. Review the Vancouver Jail Arrest Report and make a determination as to whether the young person requires a Strip Search or Body Search. The search shall be done off-camera next to the print station of the Youth Booking Area. Jail staff shall ensure all windows on the doors are covered for the search;
 - b. Once the search is complete, book the young person into the Jail, except for photographing and fingerprinting; and
 - c. Place the young person into a Youth cell, while waiting for charges to be laid.
3. Once a charge has been laid, depending on the time of day, the Jail NCO shall take one of the following courses of action:
 - a. Conduct a Bail Hearing, and perform a Jail NCO release. If this is done, the young person shall be put on three-way calling with the JJP.
 - The young person can be released to a parent or guardian.
 - If no parent or guardian is available the young person may be transported to the Ministry of Children and Families and released to Ministry staff;
 - b. The Jail NCO or designate may arrange for sheriffs or the wagon to attend to transport the young person to Youth Court, 800 Hornby St. Young persons are accepted as follows:
 - Between the hours of 0730 - 1300 for new charges;
 - 0730 - 1530 hrs for warrant arrests; and
 - c. After hours, but prior to 2200 hrs, the Jail NCO may arrange for the wagon to transport the young person to the Burnaby Youth Secure Custody Centre.
 - d. After 2200 hrs the Jail shall continue to hold the young person until Youth Court opens at 0730 hrs.
4. If the young person is being held HSIPP and is sober enough to be released, the Jail NCO or designate shall do the following:
 - a. Contact a parent or guardian to attend and pick the young person up at the Jail; or
 - b. If no parent or guardian is available, the young person shall be transported to the Ministry of Children and Families and turned over to Ministry staff.



1.13 Operational Support Services

1.13.1 Use of Police Service Dogs

(Effective: 2015.09.01)

POLICY

Police service dogs are an important policing tool that can be used for a variety of tasks. Police service dogs are also considered intermediate weapons in the context of use of force and, as such, dog handlers are responsible and accountable for deploying police service dogs in a manner, which facilitates the effective execution of police duties while reasonably safeguarding the public and police members.

The use of a police service dog must be proportional to the level of risk posed to the officer, the suspect, and the public. Ultimately the use of a police service dog as a means of force lies with the dog handler. The dog handler makes decisions within the framework of law, training and policies of the Vancouver Police Department, and the requirements of the B.C. Provincial Policing Standards.

Provincial Standards for Police Service Dogs

Police Service Dogs may be deployed in the exercise of all regular police duties including:

- a. Tracking or searching for persons who may have committed, or be about to commit, an offence;
- b. Apprehending persons by police dog bite or display;
- c. Tracking or searching for missing or lost persons;
- d. Searching for drugs;
- e. Searching for explosives/firearms;
- f. Searching for evidence;
- g. Crowd control;
- h. Community relations and other demonstration events; and
- i. Other uses approved by the director of police services, Ministry of Justice.

Definitions:

Bite: A police service dog's use of mouth and teeth to grab or hold a person's body or clothes. This does not include bites that occur during training on training equipment, such as padded sleeve or suit.

Deployment: Having a police service dog performing an operational task such as tracking or searching for an arrestable person, apprehending persons by police dog bite, locating missing persons, or searching for evidence. This does not include having a police service dog present at an incident only as a precaution when the dog is not used in any way.

Exigent circumstances: (As defined by Provincial Policing Standards for the purposes of this policy)

"Circumstances where a delay in taking action would result in danger to human life or safety or where action is necessary to prevent the continuation of an offence which threatens human life or safety."

Physical contact causing injury: Actual physical contact between a police service dog and a person, other than a dog bite, resulting in an injury that interferes with the health or comfort of the person and is more than merely transient or trifling in nature.



PROCEDURE

General

1. Unless assigned a specific duty, members of the Canine Unit will support patrol units and attend calls where there is a request for their services or where it is apparent that their services may be of assistance.
2. Members assigned to the Canine Unit shall comply with the *B.C. Provincial Policing Standards for Police Service Dogs*.

Searches and Apprehension

3. Where a police service dog is to be applied in a search, the dog should be the first to cover the area. To facilitate this, attending members should contain the area or building and await the arrival of the dog handler and dog.
4. When a member believes on reasonable grounds that a suspect may be in possession of a weapon, the dog handler shall be immediately informed.
5. Police dog handlers are prohibited from deploying their police dog to search for or apprehend a person, if the person is reasonably believed to be 12-years-old or younger, unless:
 - a. The police dog handler has reasonable grounds to believe that the child poses an imminent risk of grievous bodily harm or death to any person, including themselves; or
 - b. The child is a missing or lost person.

Warnings prior to search

6. Before releasing a police service dog from physical control into a building or confined space to locate a suspect, the police dog handler shall first call a loud verbal warning that the police are present, that the building will be searched by a police service dog, and that anyone present should identify themselves immediately and comply with police instructions or they may be bitten. The police dog handler will then give persons in the building a reasonable opportunity to exit the building before releasing the police service dog. The warning should be repeated as often as reasonably necessary to alert persons who may be on the premises.
7. A loud verbal warning may be omitted when there are exigent circumstances.

Warnings prior to a bite

8. Police dog handlers must give a loud verbal warning prior to permitting their police service dog to bite, unless such a warning would be impractical or place anyone, including the police handler-dog team, at risk of bodily harm.
9. The purpose of this warning is to identify the police dog handler as a police officer with a police service dog, and advise the person they may be bitten if they do not comply with police instructions.

Requirements after a police service dog bite or physical contact causing injury

10. Whenever a VPD police service dog bites a person and/or comes into physical contact with a person causing injury, the following steps are required:
 - a. In the event of injury ensure that appropriate medical attention is immediately provided or offered. Record the names of the attending paramedics and the BCAS unit number or the medical practitioner. If the person refuses medical treatment, document the refusal;
 - b. Notify the Field Supervisor of the incident and request they attend the scene;
 - c. Field Supervisor to report the incident to the Duty Officer;



- d. Ensure all visible injury sites on the body, or injury sites that are not visible but are claimed by the injured person, are photographed and documented in the GO;
 - e. Members of Forensic Identification Unit (FIU) shall be contacted to photograph the injuries. When FIU is unavailable or it is impracticable for them to photograph the injuries, NCOs or members trained in photography, other than the involved police dog handler, shall be utilized;
 - f. If the subject refuses to have their injuries photographed then document the circumstances of the refusal and include it in the GO report;
 - g. If the person involved is under 18 years of age, notify their parent or guardian;
 - h. Identify and interview any witnesses in the immediate area; and
 - i. Canvass the immediate area for video evidence.
11. Reportable injuries that result from a police service dog bite or physical contact causing injury will be handled in accordance with RPM Section 1.16.7: Police Act-Reportable Incidents-Injuries or Death and also RPM Section 4.2.1: Police Act – Independent Investigation Office: General Procedures.



1.13 Operational Support Services

1.13.2(i) ERT Organization

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.13 Operational Support Services

1.13.2(ii) ERT Operations

(Effective: 2004.04.07)

Vancouver Jurisdiction

1. A Tactical Team Supervisor may initiate the attendance of Tactical Team members and Crisis Negotiators, however, the Duty Officer must be notified as soon as practical. The command role in these instances is initially the responsibility of the Duty Officer, however, after consultation with a designated Critical Incident Commander, the command responsibility may be, if appropriate, turned over to a Critical Incident Commander.
2. The Officer In Charge (OIC) at an ERT operation shall:
 - a. Assume overall command at the scene;
 - b. Establish a command post at an appropriate location;
 - c. Consider the use of the Operations Room as a support adjunct to the command post; and
 - d. Consider options available to ensure the safe resolution of the critical incident.
3. The Officer In Charge, after an ERT operation, shall:
 - a. Ensure that a debriefing occurs involving the appropriate members;
 - b. Ensure that the incident is noted in the Duty Officer log; and
 - c. In the event of a major critical incident, submit a detailed report containing all relevant reports and information including an incident critique to the Deputy Chief Constable Commanding Investigation Division. A copy of this report will be forwarded to the Inspector i/c of the Emergency Response Section (ERS).
4. The ERT Supervisor at an ERT operation shall:
 - a. Attend the debriefing at the conclusion of the incident; and
 - b. Submit a report outlining the incident, including recommendations on equipment, training or tactical methods to the Inspector i/c ERS.
5. The Inspector i/c of ERS shall compile a monthly operational review of ERT incidents and submit a report to the Deputy Chief Constable Commanding Investigation Division.

Other Municipal Jurisdictions

6. The Vancouver Emergency Response Team will at all times be under the command of a member of the Officer rank of the Vancouver Police Department.
7. ERT will respond to a request from the Chief Constable or designate (hereafter referred to as "responsible authority") of a Municipal Police Department, as well as a responsible authority from the RCMP jurisdiction requesting assistance.
8. The Officer In Charge shall then:
 - a. Ensure the Inspector i/c ERS is notified;
 - b. Liase with the requesting responsible authority;
 - c. Assess the situation;
 - d. Deploy ERT personnel as appropriate; and

Ensure that the requesting department provides sufficient personnel for support purposes.



Departmental Liability

9. Authority for the use of weapons or chemical agents, which could result in a personal injury, loss of life or damage to property must remain with the responsible authority within that jurisdiction. Therefore, unless an emergency demands the immediate use of weapons to save lives, the OIC must consult with the Responsible Authority and a joint decision reached before ordering the use of such weapons.
10. At the conclusion of an ERT operation in an outside jurisdiction, the OIC will be responsible for submitting a comprehensive report to the Deputy Chief Constable Commanding Investigation Division.



1.13 Operational Support Services

1.13.3 Use of Remotely Piloted Aerial System (RPAS)

(Effective: 2019.09.26)

POLICY

The Vancouver Police Department (VPD) supports the use of a Remotely Piloted Aerial System (RPAS) as a platform to gather digital imagery in an effort to support public safety, enhance investigative techniques, expand operational awareness and aid in critical incident resolution.

The Chief Constable, his/her delegate and/or a qualified VPD RPAS Pilot may authorize the deployment of a RPAS for specific purposes including but not limited to:

- Mass casualty events;
- Disaster response and recovery;
- Search & Rescue;
- Lost and/or missing persons;
- Mass event situational awareness aid;
- Investigative scene aid (mapping, modeling and documentation);
- Investigation of a hazardous material release or suspected energetic object;
- Critical incident and life preservation flights including but not limited to barricaded suspects, hostage situations, active deadly threat scenarios, high risk search warrants, and suicidal persons;
- Pursuant to judicial authorization;
- Flight testing, training and demonstrations;
- Public Affairs awareness and education applications;
- Training applications; and
- Mutual agency aid provided the scope of the mission falls within the VPD's RPAS regulations.

The VPD RPAS program shall be administered by the Emergency Response Section and all operations shall be carried out by VPD members in accordance with regulations established by Transport Canada and Navigation Canada.

Flight missions may be recorded and all recorded digital flight imagery that is of evidentiary or training value shall be handled and stored in accordance with the Regulations and Procedures Manual Section 1.9.17 - Video Evidence and the Forensic Video Unit's Standard Operating Procedures. Imagery and/or data that is of no evidentiary or training value shall be retained for a period of 30 days and then purged in accordance with the VPD Forensic Video Unit's policy.

Electronic and/or manual flight logs will be kept in accordance with the VPD RPAS Operation Manual.

Information pertinent to conducting an RPAS investigation may be found in the Regulations and Procedures Manual Section 1.6.52 - Drones & Unmanned Aerial Vehicles (UAVs).

DEFINITIONS

Aeronautics Act R.S. 1985, c. A-2: the legislation that governs civil aviation in Canada (authority for establishment of the Canadian Air Regulations (CARs)).

Aerodrome: a location from which aircraft flight operations take place.



Canadian Aviation Regulations (CARs): the rules that govern civil aviation in Canada.

Canadian Domestic Airspace: includes all airspace over the Canadian land mass, the Canadian Arctic and Archipelago and certain areas over the high seas (CARs 101.01(1)).

Collection: collection of personal information occurs when an individual's image or voice is captured by a surveillance system. The personal information may be played back, displayed, saved or stored, or disclosed to other public bodies or organizations.

Command and Control Link (C2): the data link between the RPAS and the control station for the purpose of managing flight.

Crew Member: a person assigned to duties essential to the operation of the unmanned aerial vehicle during flight time.

Flight Review: Transport Canada sanctioned practical exam designed to assess a pilot's ability to operate an RPAS in a safe manner.

Handover: the act of passing pilot-in-command responsibilities from one control station or pilot to another.

Lost Link: the loss of command and control link contact with the RPAS such that the pilot-in-command can no longer manage the aircraft's flight.

Model Aircraft: an aircraft, the total weight of which does not exceed 35kg that is mechanically driven or launched into flight for recreational purposes and that is not designated to carry persons or other living creatures (CARs 101.01(1)).

NAV Canada: the company that owns and operates Canada's civil air navigation services.

Notice to Airmen (NOTAM): a notice filed with an aviation authority to alert aircraft pilots of potential hazards along a flight route or at a location that could affect the safety of the flight.

Operations Manager: is responsible for RPAS operations, as required and identified, within the SFOC.

Payload: in the case of an RPAS, means a system, an object or collection of objects onboard or otherwise connected to the RPAS that performs, or is related to, a mission function but is not required for flight.

Payload Operator: a crew member responsible for the operation of any payload carried by the RPAS while in flight.

Personal Information: recorded information about an identifiable individual, other than contact information. Video and audio recordings of an individual's image and voice are considered identifiable information.

Photogrammetry: the science of making measurements from photographs and establishing exact positions of surface points.

Remotely Piloted Aerial System (RPAS): a power-driven aircraft where the aircraft and its components are operated without an on-board flight crew. It is also commonly referred to as a drone, Small Unmanned Aircraft (SUA), Unmanned Aerial Vehicle (UAV) and Unmanned Aerial System (UAS). The Vancouver Police Department operates several different systems that are capable of carrying both still and video cameras, infrared cameras or thermal imagery. When in operation, the RPAS is flown by a pilot remotely, while a payload operator is responsible to capture any images and/or video.



RPAS Pilot Certificate (Advanced Category): qualification certificate that allows the holder of the certificate to:

- Fly an RPAS in a controlled airspace;
- Fly an RPAS over bystanders;
- Fly within 30 meters of bystanders; provided that,
- The RPAS has been registered with Transport Canada;
- The RPAS has been marked with a visible identification indicator; and
- The RPAS pilot has passed the Small Advanced RPAS Exam and the RPAS Flight Review.

RPAS (Remotely Piloted Aerial System): an unmanned aerial vehicle (UAV) or uncrewed aerial vehicle commonly known as a drone is an aircraft without an on board human pilot and a type of unmanned vehicle. The system includes, but is not limited to, a UAV, a ground based controller and a system of communications between the two. The flight of UAVs may operate with various degrees of autonomy; either under remote control by a human operator or autonomously by onboard computers.

RPAS Program Coordinator: responsible for all administrative functions of the RPAS program and identified within the SFOC application.

RPAS Operator: in respect of an aircraft, means the person that has possession of the aircraft or RPAS, as owner, lessee or otherwise.

RPAS Pilot: the crew member in charge of the RPAS during flight operation who has met the required qualification standards for the system being operated.

Scene Security Officer: a VPD member, designated by the pilot in command, responsible for operational scene security including any unexpected safety concerns during the span of flight operations including pre and post flight procedures.

Sense and Avoid: the capability to see, sense or direct conflicting traffic or other hazards and take the appropriate action.

Small Advanced Exam: online exam administered by Transport Canada designed to test the knowledge requirements for RPAS pilots.

Special Flight Operations Certificate (SFOC): legislative authority to conduct RPAS operations within Canadian Domestic Airspace (Section 602.41 CARs).

Unmanned Aerial System: an unmanned aerial vehicle and its associated elements which are operated with no pilot on-board.

Unmanned Aerial Vehicle: a power driven craft that is operated without a flight crew member on board.

RPAS/UAS Base: a VPD unit where an approved UAS/RPAS is deployed.

Vancouver Area Control Center: is responsible for the provision of control services via radar, multiateration (MLAT), and satellite for IFR operations, largely during the enroute phase of flight and for positive control of high density aviation traffic areas, such as in the vicinity of major airports served by commercial carriers.

Vancouver Flight Information Region: covers airspace mainly above the central and southern part of British Columbia.



Visual Line-of-Sight: unaided (corrective lenses and/or sunglasses are exempt) visual contact with the aircraft sufficient enough to be able to maintain operational control of the aircraft, known location, and be able to scan the airspace in which it is operating to decisively see and avoid other air traffic or objects.

Visual Observer: a crew member who assists the pilot with sense and avoid duties

PROCEDURE

Type and Purpose of Operation

Subject to restrictions, RPAS operations shall be conducted for the following purposes:

1. To obtain digital aerial images and/or video in support of public safety, operational awareness, critical incident resolution and/or to aid in investigative techniques (e.g. crime scene mapping, modeling and documentation).
2. Flight testing, maintenance flights, flight training and demonstration flights.
3. All flight operations shall be conducted as part of a police operation with appropriate, situationally dependent security provisions in place to minimize risks to the public and others involved in the operation.

Restrictions

4. Members shall not:
 - a. use any personally owned or otherwise acquired RPAS for the purpose of any police investigation or operation;
 - b. alter the RPAS and /or its system in any manner;
 - c. use the RPAS for any personal or unapproved purpose;
 - d. operate an RPAS in flight except in accordance with a SFOC, or an air operator certificate (Section 602.41 of the CARs); and
 - e. use the RPAS to obtain or record any aerial images or video that are not for the purpose of supporting a police investigation, training, demonstration, public affairs, maintenance flights or flights that could otherwise be deemed to be unprofessional.
5. Flights will not be conducted for surveillance purposes, however may be used in exigent circumstances where there is an imminent risk to life or safety that can be alleviated by using an RPAS and/or where prior judicial authorization is so authorized. Permission must be obtained from the Duty Officer or designate in such circumstances.
6. Flights will not be conducted for the purpose of recording and/or identifying members of the public involved in peaceful protests or demonstrations.
7. At no time shall an RPAS and a piloted aircraft operate in the same airspace at the same time. In such circumstances, the RPAS shall land immediately to avoid a collision.

Flight Parameters

RPAS flight parameters will include but are not limited to:

8. All flights will be conducted by trained VPD members on behalf of the VPD or another public safety service.
9. Flight locations shall take place within the Vancouver Flight Information Region unless approved by the Duty Officer or designate.
10. The Duty Officer or designate shall be notified prior to and at the conclusion of all flight operations.
11. The E-Comm Central Dispatcher, Team Manager or District Dispatcher shall be notified prior to any RPAS deployment and provided information related to the intended flight location and duration.



12. The E-Comm Central Dispatcher, Team Manager or District Dispatcher shall be notified at the conclusion of a flight mission.
13. In accordance with Transport Canada, the managing director or designate of any aerodrome within the prescribed flight path of a VPD RPAS shall be notified prior to and at the conclusion of the flight. Aerodrome contact information includes:
 - a. Vancouver International Airport
 - i. Planning: 604-775-9531
 - ii. Operations: 604-775-9531 (Request Emergency Supervisor)
 - b. Vancouver Harbour Tower
 - i. Planning: 604-688-2748
 - ii. Operations: 604-688-9254 (Request Emergency Supervisor)

Flight Operations

14. RPAS flights shall be conducted by an RPAS Pilot and a Visual Observer.
15. Every RPAS flight shall be documented via:
 - a. post flight collection and storage of electronic and manual logs;
 - b. inspection and maintenance logs; and where required,
 - c. a RPAS Pilot and/or Observer shall document their involvement in an investigation as required by Regulations and Procedures Manual Section -1.16.1 General Occurrence Reports.
 - d. Where practicable, all requests for RPAS services shall be communicated to and approved by the RPAS Coordinator or designate prior to deployment.
 - e. Where it is not practicable for the RPAS Coordinator to pre-approve an RPAS flight, the Inspector or designate i/c of ERS and the RPAS Coordinator will be notified via email and/or voice mail of the RPAS mission.

Duty Officer

16. The Duty Officer Shall:
 - a. be notified prior to and at the conclusion of all RPAS flights; and
 - b. in the event of a collision or injury, the Duty Officer shall notify the Inspector i/c ERS and where applicable, the Inspector i/c Professional Standards Section and the City of Vancouver Risk Management Department: 604-873-7700 or risk.management@vancouver.ca.

RPAS Pilot

17. The RPAS Pilot shall:
 - a. successfully complete the prescribed RPAS training;
 - b. hold a valid advanced RPAS Pilot Certificate;
 - c. meet the qualifications listed in the VPD RPAS Standard Operating Procedures Manual;
 - d. ensure that all RPAS flights are conducted in accordance with the SFOC;
 - e. make the required notifications in accordance with the SFOC;
 - f. complete the VPD RPAS Pre-Flight Checklist;
 - g. brief the designated Visual Observer and ensure they are capable of completing their responsibilities;
 - h. maintain responsibility for ensuring that operating procedures detailed in the current SFOC and supporting applications are followed during all flights;
 - i. keep detailed notes regarding the type and purpose of operation including:
 - i. dates and times of the operation;
 - ii. incident number(s);
 - iii. the requesting officer/unit; and
 - iv. lawful authority to fly.



- j. disclose any notes, training logs, electronic imagery/data that may be pertinent to the investigating unit;
- k. be responsible for the deployment of the RPAS and its safe operation for incidents described above; and not violate any federal and/or provincial search authorities during operations and shall consider privacy concerns of persons and/or property not directly involved in the operation; and
- l. report RPAS flight plans to NAV Canada.

Visual Observer

18. The Visual Observer shall:
 - a. familiarize themselves with the role of a Visual Observer as contained in the VPD RPAS Standard Operating Procedures Manual;
 - b. complete the VPD RPAS Pre-Flight Checklist;
 - c. maintain a consistent line of sight with the RPAS while in flight; and
 - d. immediately notify the RPAS Pilot of any safety issue or concerns.

Privacy

19. It is recognized that personal information, unrelated to the intended purpose of the RPAS deployment, may be inadvertently captured during an operational flight or training exercise.
20. All reasonable efforts, as operationally feasible, to avoid the capture of unrelated personal information shall be made by the RPAS pilot. Unless information is required to meet prosecutorial disclosure obligations, prior to the disclosure of any personally identifiable information outside the VPD, the VPD Information and Privacy Unit shall be consulted.
21. All reasonable efforts will be made to remove personal information of those not related to the investigation or purpose of flight. This includes but is not limited to faces, addresses, license plates, and voices.

Data Storage

22. All information collected during an RPAS deployment shall be stored in accordance with the Regulation & Procedures Manual Section 1.9.17 – Video Evidence and the Forensic Video Unit's *Standard Operating Procedures*.
23. Imagery and/or data that is of no evidentiary value shall be purged after a period of 30 days by the member who ordered the video to be obtained.

Safety

24. Safety is of paramount concern in all RPAS deployments and shall be the primary concern for the RPAS pilot prior to conducting any flight.
25. All persons directly involved in the RPAS flight operation shall be familiar with the contents of the SFOC, supporting application, and departmental policy.
26. For the purpose of operational and/or training flights, persons directly involved include: pilot, crew member and scene security officer.
27. The RPAS Program Coordinator will maintain an electronic document outlining the environmental and situational factors required for an RPAS deployment.
28. All pilots shall adhere to all safety requirements set forth by:
 - a. the RPAS manufacturer;
 - b. the SFOC;
 - c. VPD RPAS Operating Procedures Manual; and
 - d. NAV Canada's RPAS Best Practice Manual.



29. Effective, complete and timely communication is critical to aviation safety. NAV Canada may be contacted in the following manners:
 - a. Email - RPASVRFIR@navcanada.ca (non-emergent communication).
 - b. Area Control Center Operations Shift Manager
 - i. Phone: 604-586-4500 (emergent situations including rogue lateral or vertical fly away scenarios).
 - ii. Email: VRSM@navcanada.ca
30. Towers
 - a. Vancouver Tower (CTVR)
 - i. Planning: 604-775-9531
 - ii. Operations: 604-775-9531 (Request Emergency Supervisor)
 - b. Vancouver Harbour Tower (CYHC)
 - i. Planning: 604-688-2748
 - ii. Operations: 604-688-9254 (Request Emergency Supervisor)
 - c. A list of all other BC Flight Towers may be located at: NAV Canada - Vancouver Flight Information Region RPAS Best Practice for Air Traffic Services Coordination.
31. The Duty Officer shall be notified in the event of an RPAS collision or injury.
32. If there is injury and/or significant property damage as a result of an RPAS collision, Transport Canada shall be notified at (tc.aviationservicespac-servicesaviationpac.tc@tc.gc.ca or Toll Free Phone: 1-800-305-2059) and policy pertaining to Regulations and Procedures Manual Section: 5.2.3 - Damage as a Result of Police Action shall be followed.

VPD RPAS Operation Manual

33. The VPD RPAS Operation Manual (RPASOM) is available to all RPAS Pilots and Visual Observers to assist with specific guidance for RPAS operations.
34. The VPD RPASOM content will be date stamped, reviewed and approved annually, and amended as required by the ERS Inspector.
35. The RPAS Program Coordinator, Pilots, and Visual Observers are responsible for familiarizing themselves with any changes/updates to the SFOC and or the VPD RPASOM.
36. The VPD RPASOM shall be accessible to the RPAS Pilot and/or crew during RPAS deployments.

Reporting

37. The VPD RPAS Coordinator shall coordinate the tracking of all RPAS flight missions and collate that data as required.
38. RPAS Flight missions that are not automatically electronically recorded and/or stored by the RPAS craft shall be recorded by the RPAS Coordinator and/or RPAS Pilot in a manual RPAS Flight-Log.
39. Amendments to RPAS policy should be made available on the VPD's public website.
40. RPAS flights that do not comply with or adhere to policy shall be brought to the attention of the ERS Inspector for further review and action if required.



1.14 Community, Diversity, and Victim Services

1.14.1 Ride-Along

(Effective: 2016.12.22)

POLICY

The purpose of Ride-Alongs is to provide members of the community and other individuals involved in aspects of law enforcement an opportunity to gain insight, knowledge and understanding into the role and practices of police officers. Ride-Alongs also highlight the challenges and complexities that are faced daily by members of the Vancouver Police Department and provide an avenue of education to citizens.

PROCEDURE

1. Candidates for a Ride-Along shall be considered when they are:
 - a. Civilian members of the Department;
 - b. applicants to the Department;
 - c. immediate family of Department members;
 - d. criminology students interested in a police career; or
 - e. volunteers in programs approved by the Department.

It is also recognized that there will be legitimate exceptions to these categories. The Inspector in charge of the District or Section involved shall approve these exceptions.

2. A VPD 24 Ride-Along Request Form shall be completed at least seven days prior to the date of the Ride-Along. All applicants must be at least 16 years of age.
3. The member receiving the VPD 24 Ride-Along Request Form shall ensure that a criminal background check has been completed unless the ride-along applicant is an employee. In such instances, a criminal background check has already been completed by the Departmental Security Officer and the Departmental Security Officer, or designate, shall sign the VPD 24 indicating the background check is complete.
4. The VPD 24 shall be forwarded to the Inspector i/c of the District or Section that:
 - a. the ride-along applicant has indicated as a preference; or
 - b. is able to provide the policing experience requested by the ride-along applicant.
5. Inspectors shall, at their discretion, approve all Ride-Along forms and then forward the VPD 24 to the appropriate NCO. The NCO shall ensure that arrangements are made for the issue of appropriate visitor identification to the approved ride-along for the duration of the shift. In case of late shifts, prior arrangement shall be made with the Public Service Counter staff for the same. See RPM Section 3.1.4: Identification of Employees.
6. The Supervisor shall:
 - a. ensure the applicant is advised concerning the ride-along;
 - b. ensure the Waiver of Liability on the VPD 24 is completed;
 - c. witness the signature of the ride-along applicant prior to the commencement of the tour of duty;
 - d. make a copy of the completed VPD 24 (both the Request For Ride-Along and Waiver Of Liability) and place the copy in the section or team's Ride-Along file; and
 - e. submit the completed original VPD 24 to the Executive Assistant, Operations Division, at the completion of the ride-along.
7. Immediate family of members is permitted as Ride-Alongs in order to develop a better understanding of the nature of police work. Members shall:
 - a. not accompany their family relation in a vehicle;



- b. not be assigned to the same District or Team as their family member; and
 - c. family members shall not participate in the program more than twice annually.
8. Members shall take reasonable steps to avoid exposing Ride-Alongs to hazardous situations. In cases where members must attend an obviously hazardous situation they shall take reasonable steps to ensure the ride-along participant remains in a position of relative safety, as determined by the member.
9. The ride-along participant has an observer status only and is not to perform any police function unless otherwise directed by the member. Members shall not allow Ride-Alongs to be present when statements are taken from a suspect.
10. Members shall not compromise covert police operations by discussing current investigations, procedures, suspects, police personnel involved, observation points, or related information with Ride-Alongs. Exceptions require the approval of an Inspector.
11. ERT Ride-Alongs are not permitted except under exceptional circumstances, and then only with the approval of the Inspector, i/c Tactical Support.
12. In all instances Ride-Alongs are at the discretion of the Vancouver Police.



1.14 Community, Diversity, and Victim Services

1.14.2 Victim Services Unit

(Effective: 2019.10.15)

VICTIM RIGHTS

The BC Victims of Crime Act, and the federal Canadian Victims Bill of Rights, sets out certain legal rights for victims of crime. These include the rights to information, participation, protection and restitution. In order to ensure that victims are aware of their rights, a referral should be made to the VPD Victim Services Unit.

POLICY

The Victim Services Unit (VSU) has been supporting victims of crime since 1984. Today, the VSU is comprised of paid staff with specialized training in emotional support, crisis intervention, and communication skills.

The mandate of the VSU is to provide victims, witnesses and their family members with professional, supportive and timely assistance, to lessen the impact of crime and trauma.

VSU staff can only offer support and assistance to receptive, non-hostile clients, where no alcohol/drug, or active mental health concerns exist.

PROCEDURE

VSU staff are available Monday-Friday 0700-1800hrs to accept referrals via email, voicemail, VSU Handle, and in-person, OR 24/7 to attend police incidents.

Contact Radio Dispatch to request VSU staff attend on-scene. VSU deploys as "6V45." If multiple calls exist a secondary unit may deploy as "6V46". A police unit must be on-scene upon VSU arrival.



1.14 Community, Diversity, and Victim Services

1.14.3 Community and Police Incident Response Team

(Effective: 2000.05.16)

Policy

The purpose of the Community and Police Incident Response Team (CPIRT) is to provide a co-ordinated and co-operative community / police response to potentially serious and controversial incidents involving the police and the community. The CPIRT will be used to provide accurate and timely information to the Chief Constable's Diversity Advisory Committee (DAC) as well as to designated community contacts.

Procedure

1. The CPIRT will comprise of:
 - a. The Chief Constable or designate;
 - b. The Executive Officer;
 - c. The Diversity Relations Unit;
 - d. The Media Relations Officer; and
 - e. Volunteer members of the DAC.
2. On a routine basis, a member of the Diversity Relations Unit will attend the Operational Division morning meeting and meet daily with the Media Relations Officer.
3. Following the morning meeting, a member from the Diversity Relations Unit will consult with the Chief Constable or designate and the Executive Officer to determine which, if any, incidents relate to diversity issues.
4. If necessary, a synopsis of the relevant incident will be prepared by the Diversity Relations Unit after the Executive Officer determines what information will be released.
5. In the event of an after office hours incident or an incident that requires immediate attention the Duty Officer at the scene will:
 - a. Evaluate the incident to determine if there is a diversity issue present;
 - b. If necessary, have the Diversity Relations Unit attend the scene;
 - c. If necessary, have the Media Relations Officer attend the scene; and
 - d. If necessary, inform the Chief Constable or designate of the incident.
6. The Chief Constable or designate will activate the CPIRT at their discretion, (with the assistance of the Diversity Relations Unit). The Chief Constable or designate may also contact and disseminate information to any other community member(s) they deem necessary.
7. Dissemination of information to the Diversity Advisory Committee (DAC) will be done by the police component of CPIRT. The method used for disseminating the information will be determined by the need for security.



1.14 Community, Diversity, and Victim Services

1.14.4 Initial Contact with Transgender People

(Effective: 2016.06.21)

POLICY

Part of the core values of the VPD are compassion and respect. Effectively serving diverse communities begins with understanding and respecting the sensitivities of individuals. With these values in mind, persons may identify, or present themselves, as a gender that is different to their perceived appearance or what is stated on their official identification. Although 'gender identity' and 'gender expression' are not included in BC's Human Rights Code, the courts have established that transgender people are protected from discrimination because they are covered by the ground of 'sex'. As such, members should make reasonable attempts to avoid labelling a person during interactions and when recording the name and gender of a person in police documentation and reports.

DEFINITIONS

The following definitions go beyond what is described in procedure but are listed in order to provide relevant, educational information that may be helpful when interacting with a transgender individual. The VPD encourages members to use non-judgmental language that will promote respect and equity towards the transgender community.

Sex: is the current anatomical classification of people as male, female or intersex, usually assigned at birth.

Intersex: people who possess or develop physical sex characteristics that do not fit into conventional medical definitions of male or female. This can include chromosomes, genitals, hormones and other sex attributes. Intersex people have been referred to in the past as "hermaphrodites"; however "Intersex" is the appropriate term.

Transgender or Trans: an umbrella term referring to people with diverse gender identities and expressions that differ from stereotypical gender norms. It includes but is not limited to people who identify as transgender, trans women (male-to-female MTF), trans men (female-to-male FTM), transsexual, or gender non-conforming, gender variant, gender queer, or non-binary. The term "trans" is also appropriate; however, it is noteworthy that some transsexual people do not identify as transgender.

Chosen name: non-birth name that a transgender individual uses in self-reference (this may or may not be the individual's legal name). Many transgender people refer to their birth name as their "dead name" and it is very disrespectful to use their birth name in interactions after you have been informed of their chosen name.

Gender expression: is how a person expresses or presents their gender to others. This can include behavior and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are common ways of expressing gender and a person's gender expression may change from day to day. Others perceive a person's gender through these attributes.

Gender identity: is each person's internal and individual experience of their gender which may be the same as, or different from, their birth assigned sex. It is important to note that a person's gender identity does not have to match their gender expression.

Gender binary: is the concept that there are only two totally distinct, opposite and static genders (feminine and masculine) to identify with and express.



Gender non-binary: is the concept that gender identity and expression are comprised of degrees of femininity and masculinity, or neither as some trans people identify as non-binary, and do not see themselves as either men or women. These people often use ‘they, them, their’ pronouns for themselves.

PROCEDURE

1. Upon being informed that a person identifies as, or is, a gender other than what they may appear, or what their government issued identification indicates, members shall refer to the person’s chosen name and gender descriptive pronoun associated to that gender identity. For example:
 - a. *She, her, hers* for feminine pronouns;
 - b. *He, him, his* for masculine pronouns;
 - c. *They, them, their* for a person who requests gender-neutral pronouns; and
 - d. Or other pronouns requested by the person.

If a member is uncertain of which pronoun to use then they are encouraged to discretely ask the person.

2. When entering the person into a general occurrence report (GO), or other official report as an “entity”, they are to be entered by the name and gender indicated on their official government identification (e.g., Driver’s license, Birth Certificate, BCID, etc.).
3. When completing the synopsis and narrative portions of the GO, members shall use the person’s chosen name and appropriate pronoun. It is recommended that members use language such as “the complainant, John Doe, will be referred to by their chosen name - Jane Doe - in the remainder of this report” when preparing the synopsis and narrative.
4. If the transgender person is to be transported and lodged at the Vancouver Jail, the Jail NCO is to be contacted and informed of the person’s chosen name and gender identity (which may differ from the person’s entered name and gender).



1.15 Communications

1.15.1 CAD Messaging Guidelines

(Effective: 2006.04.05)

Policy

1. The Vancouver Police Department (VPD) recognizes that CAD messages are a useful and necessary service that enhances the ability of employees and volunteers to communicate and provide improved service to the public. CAD messages should not be considered confidential and may be intercepted by non-intended audiences. The purpose of this policy is to set appropriate standards for using CAD resources and to provide a harassment free and secure workplace.

Definitions

2. “CAD”- Any computer assisted dispatch system used by the Vancouver Police Department including the transmissions within that system.

a. “Inappropriate material”- includes but is not limited to, any form of material of a nature that is pornographic, sexual or erotic, obscene, lewd, offensive or harassing, promote violence, hatred, abuse or neglect, or any material which can be considered offensive or contravenes the BC Human Rights Act, Criminal Code or any other Federal or Provincial laws. This includes any material that may bring the reputation of the Vancouver Police Department into disrepute.

b. “Sensitive Information”- personal, confidential or protected information where the release is unauthorized. Any information which is reasonably likely to be accepted or excluded from access under the Freedom of Information and Protection of Privacy Act (FOIPPA).

c. “User”- all persons authorized to access CAD including permanent, temporary, and limited term employees, contract personnel, contractors, consultants, volunteers and other workers at the VPD, and all personnel affiliated with third parties.

d. “Non-Public Data”- data that may be used for gain through unauthorized use or disclosure; endanger the safety of an employee or citizen; cause financial loss to the VPD; cause embarrassment to the VPD or its employees; be protected from disclosure by legislation.

Scope

3. This policy applies to permanent, temporary and limited term employees, contracted personnel, contractors, consultants, volunteers and other workers at the VPD. Employees who hire contractors or volunteers are responsible for ensuring that individuals who are granted access to CAD have read and agreed to this policy. This policy applies to all equipment that is owned or leased by the VPD, or is used for CAD access, regardless of the physical location.

4. VPD CAD resources shall be used in a manner consistent with the Department’s Core Values. CAD communications originating from the VPD can be traced back to the VPD.

5. CAD messages created, received and transmitted are the property of the VPD, regardless of their storage location.

6. The VPD reserves the right to access, audit, monitor, inspect, store and review CAD messages. A member needing access to this information requires approval from the Inspector i/c Professional Standards Section or the Inspector i/c Communications Section.



7. Alleged inappropriate use of CAD will be reviewed by a Supervisor on a case by case basis and may lead to corrective or disciplinary action.

8. When a member is in doubt about the acceptability of any CAD related communication or activity the member shall consult with their supervisor, the Departmental Security Officer (DSO) or the Inspector i/c Communications.

Procedure

9. CAD messaging shall be used in an operational capacity and users shall respond to CAD messages in a timely fashion taking into consideration operational and investigative requirements.

10. Occasional personal use of CAD resources is permitted provided that it does not;

a. Adversely affect the CAD resources available for VPD business purposes;

b. Adversely affect an individual's performance of work duties and responsibilities, regardless of whether they are an employee of the VPD;

c. Adversely impact work time;

d. Include political activity;

e. Include business activities (i.e. profit and not-for-profit) unrelated to Community Service except as permitted under subsection ; or

f. Include accessing information for personal gain or advantage that the average citizen could not obtain from the VPD.

11. The user must not use CAD to:

a. Make derogatory and/or defamatory statements about any person or group (Section 44.14 Workplace Harassment Policy).

b. Support personal business interests (Section 4.1.4: Conflict of Interest).

c. Transmit messages that may bring the VPD into disrepute, such as messages which contain inappropriate material.

d. Transmit messages related to personal community and service-based activities without District or Section Commander/Manager approval. Community and service-based activities include, but are not limited, involvement with charitable, religious, political, community service and professional organizations (section 4.1.4: Conflict of Interest).

12. The user is responsible for ensuring that the CAD message is transmitted to the appropriate recipient.

Access and Security

13. Users must be aware that all CAD messages are permanently recorded and Users may be required to explain the content of any message.

14. The Communication's Inspector may revoke the access to CAD for any employee.



15. Users accessing and disseminating CAD information must ensure that such information is factual and in compliance with Departmental regulations and applicable Federal and Provincial legislation (for example, FOIPPA). (refer to sections 4.1.11: Workplace Harassment ; 2.9.3 Information Requiring Immediate Public Discourse; and 1.6.9 (i) :CPIC Confidentiality).

16. CAD system should not be considered a secure or confidential network. Third parties may be able to gain access to data, records or communications transmitted through CAD through FOI requests, a subpoena in a court of law, internal usage monitoring or interception. As a result, a User must give great consideration to what information they are transmitting by CAD. Users shall not disclose:

- a. User ids, passwords or any other non-public identifiers to anyone, and
- b. Any detail of the VPD's security measures (Sections 2.9.6 (i): News Media; Section 2.9.3: Disclosure; and Section 1.6.9 (i) : CPIC Confidentiality).



1.15 Communications

1.15.2 (i) Radio Procedure

(Effective: 2003.09.02)

POLICY

E-Comm is the Emergency Communications provider for the Vancouver Police Department and is mandated to provide; 24-hour call taking, non-emergency reporting, police radio dispatch, and computer-aided dispatch for the VPD. All members shall follow the E-Comm District and Central Dispatcher's assignment of calls and application of VPD operational policies, unless countermanded by a Supervisor. The ultimate authority controlling any VPD dispatch talkgroup or talkgroup is the on duty VPD Field Supervisor and/or Duty Officer.

PROCEDURE

1. There are strict guidelines governing CPIC queries, and RCMP auditing requirements demand strict adherence to this policy. Therefore, E-Comm will not accept phone calls from on or off duty VPD members requesting CPIC or other queries. Members shall use VPD CPIC for such requests.
2. The E-Comm C.D. is not a switchboard operator and does not have VPD members private phone numbers. Members shall not call the C.D. for other members' home phone numbers or pager numbers.
3. Members who are off duty and require police assistance shall call 911.
4. All field units shall:
 - a. Monitor their radios at all times when in service and report when in and out of service. This will include advising their District Dispatcher of their portable and mobile radio LID numbers in the event of "EMERG" button activation;
 - b. Report their arrival at the scene of a dispatched call by voice or MWS status button;
 - c. Broadcast their location by nearest street intersection when called by radio and when advising radio that they are covering another unit;
 - d. Acknowledge all dispatches;
 - e. Make maximum use of standard response codes (Ten Signals System) and the phonetic alphabet;
 - f. Identify themselves using their full radio call signs;
 - g. Break lengthy broadcasts and attempt to keep their radio broadcasts short and concise. Remembering that only one unit can broadcast at any time, members should attempt to communicate non-emergent messages via MWS; and
 - h. Broadcast all requests for self initiated, unassigned time (10-61's and 10-62's for example), by voice to ensure that their Supervisor is aware of the unit status.
5. Except in exigent circumstances, or in situations where it is not in the member's best interest to do so such as when a member is working alone, all CPIC, CNI, and DL queries shall be made on the INFO talkgroup.
6. Field units travelling into another District shall:
 - a. Advise their District Dispatcher which district they will be changing to; and
 - b. Advise the District Dispatcher on the new district frequency the reason they are on that frequency, and their destination.
7. In the event that a unit must travel outside of the City of Vancouver, members shall:
 - a. Advise their controlling District Dispatcher of their intentions;
 - b. Switch both their portable and mobile radio to the appropriate agency talkgroup; and
 - c. Advise the outside agency Dispatch Centre of their intentions by using their full VPD radio call sign.
8. Operational call-out and non-patrol units shall "log on" to the INFO talkgroup.



9. The booking of VPD talkgroups for special events or projects shall be done through the E-Comm Central Dispatcher. Members should be aware that OP's talkgroups are only recorded on the "A" group, and not on the "B" group.
10. VPD tactical talkgroups TAC 1 - 4 are for the exclusive use of specific "in progress" tactical situations. A Supervisor or Field Commander shall consider switching to them when a protracted Major Incident is occurring on a dispatch talkgroup.
11. In the event that members require a wide-area talkgroup for a special project outside of the City of Vancouver, they will use the +POL talkgroups located at knob position 14 on all VPD radios. These talkgroups must be booked through RCMP 43 dispatch, and members shall inform dispatch if they require an operator at the time of booking.
12. Supervisor's Responsibilities:
 - a. It is the responsibility of the Field Supervisors to manage the call load in their respective districts. E-Comm dispatchers will assist the Field Supervisors by advising them with regards to waiting events.
 - b. When a Supervisor decides there will be no police attendance at a particular event, it is their responsibility to call the complainant back and inform them as such. Depending on the circumstances, E-Comm staff may be directed to assist in the cancellation of calls or notifying complainants of lengthy delays.



1.15 Communications

1.15.2(ii) Standard Radio Procedure and Response Codes

(Effective: 2019.04.17)

POLICY

For the purposes of VPD policy and procedures, the term Code 1, which previously designated a ‘routine’ police response to a given incident, will be referred to as “Routine Response”. ‘Code 1’ will now refer to the response protocols associated to an Active Deadly Threat (ADT) situation.

PROCEDURE

1. Routine Response and Code 3 may be used by the Channel Dispatcher to indicate to the Field Unit the degree of urgency required in his/her response. The Field Unit may use the code to indicate to the Channel Dispatcher how he/she is responding or wishes to respond to a situation encountered in the field.

Codes 4, 5 & 6 shall be used by the transmitting unit to indicate the known or suspected status of situation.

Routine Response (formerly known as Code 1) - All transmissions considered Code 1 unless otherwise classified.

Code 2 - The Vancouver Police Department does not utilize Code 2 responses.

Code 3 - Respond at once using emergency equipment (emergency lights and siren). Members shall only exercise the privileges granted by section 122 (1) of the Motor Vehicle Act and respond without the use of full emergency equipment when an operational need requires such a response and they are in compliance with Section 4(2) of the Emergency Vehicle Driving Regulations. Members must be able to justify the reasons for not using their full emergency equipment.

Code 4 - Emergency operation/situation giving calling unit/base station Air Control.

Code 5 - Use caution - the situation/operation may be dangerous.

Code 6 - Hostage situation.

2. STANDARD 10 - CODES

- | | |
|--|---|
| 10-4 Acknowledgement | 10-6 Busy |
| 10-7 Out of Service | 10-8 In Service |
| 10-9 Repeat | 10-10 Negative |
| 10-11 Roadside Check | 10-14 Prepare to copy |
| 10-20 Location | 10-23 Arrived at Scene |
| 10-27 Driver License Information Required | 10-28 Vehicle Registration Information Required |
| 10-29 Check Records for Vehicle or Subject | 10-30 Danger/Caution |
| 10-33 Officer in Trouble | 10-40 Possible Hit On |



10-41 Possible Hit Now Confirmed by
Originating Agency

10-43 Person in Parole Category

10-45 Person in Elopee Category

10-47 Registered Sex Offender

10-62 Meal Break

10-68 Breathalyzer Operator Required

10-71 Sending Complaint to MWS

10-80 Record of Violence

10-82 Record of Offensive Weapon

10-84 Record of Theft

10-86 Record of Fraud

10-89 Record of Other Criminal Code

10-42 Person/Vehicle in
Observation/SIP Category

10-44 Person in Charged Category

10-46 Person in Prohibited Category

10-61 Coffee Break

10-67 Unauthorized Listeners Present (Code 12)

10-72 Serious Alarm

10-81 Record of Robbery

10-83 Record of B&E

10-85 Record of Drugs

10-87 Record of Sex

Note: All personnel shall make maximum use of the 10 Code Signals System and correct radio procedure:

(Example) "10-20" NOT "What is your 10-20?"

"10-9" NOT "Would you 10-9 please?"



1.15 Communications

1.15.3 Requests for Additional Communication Operators

(Effective: 2005.03.22)

POLICY

E-Comm is the Emergency Communications provider for the Vancouver Police Department and is mandated to provide 24-hour call taking, non-emergency reporting, police radio dispatch, and computer-aided dispatch for the VPD. In Addition, E-Comm can accommodate most emergency situations that require additional communications staff to deal with sudden, high priority incidents. When additional E-Comm personnel are required for planned operational events, or for planned or impromptu training exercises, it is imperative that these requests are made, in writing, to the Inspector i/c Communications Section.

PROCEDURE

Members requesting additional E-Comm staff shall:

1. Planned Training Exercises or other Planned Events:
 - a. Make a request in writing to the Inspector i/c Communications.
2. Impromptu Training Exercises or other Impromptu Events:
 - a. During regular business hours, contact the Inspector i/c Communications to make request;
 - b. After regular business hours, members must first contact and request approval from the Duty Officer, and then contact the E-Comm Team Manager to make the necessary arrangements;
 - c. If E-Comm staffing levels are adequate and approving the impromptu request will not generate any overtime expenditure, the E-Comm Team Manager may approve the request;
 - d. Any impromptu request that cannot be met through existing E-Comm staffing levels and that generate an overtime expenditure, must be approved by the Duty Officer; and
 - e. Members making after hours requests through the Duty Officer and the E-Comm Team Manager must advise the Inspector i/c Communications in writing as soon as practical.



1.15 Communications

1.15.4 Telus Assistance

(Effective: 2017.01.25)

This policy has been rescinded. For telecommunications assistance, please refer to Subscriber/Covert Intercept Unit Services.



1.16 Report Writing

1.16.1 General Occurrence Reports

(Effective: 2014.06.09)

POLICY

Reports written by police officers form an official record of their involvement in events. The timely completion of reports ensures that information is available to follow-up investigators, police in other jurisdictions, and the Information Management Section. The information contained in reports enhances intelligence gathering capabilities, aids in solving crimes, and may mitigate the risks that police officers are faced with in an operational environment. As a result, the importance of timely report completion cannot be overstated.

Every report written by a member of the Vancouver Police Department (VPD) must provide full details of the results of their investigation. It is important to remember that the quality and content of the report will have a significant effect on the users (e.g., follow-up investigators, Crown Counsel, etc.). The accuracy and the detail will determine if further follow-up will be required and what this follow-up will be. Therefore, it is necessary to ensure the highest standard of reporting to accurately reflect all investigations.

The PRIME-BC (Police Records Information Management Environment - British Columbia) system enables the collection of large amounts of information in an electronic environment. This environment has two distinct record keeping subsystems: Computer Aided Dispatch (CAD), and the Records Management System (RMS). The effective utilization of both these information management systems supports operational policy and enables police to access vast amounts of crucial information.

PROCEDURE

Reporting Requirements

1. The VPD utilizes a RMS referred to as PRIME-BC. All reports detailing investigations undertaken by members shall be completed in the RMS and utilize the report writing standards published by the VPD: VPD Report Writing Supplement, "Excellence in Report Writing".

Members Shall:

2. Submit a General Occurrence Report (GO) whenever:
 - a. There is an applicable CCJS reportable UCR Survey Code (e.g. a mandatory reportable crime);
 - b. A charge is requested for a Criminal Code, federal or provincial offence;
 - c. There are reasons to believe a crime has been committed;
 - d. The incident is related to suspicious activity that involves persons of interest to police;
 - e. The incident involves extensive police resources regardless of the outcome (e.g. a police unit is occupied in excess of 1 hour or multiple police units are occupied for an extended period of time);
 - f. It is believed that there is potential value to the information for future investigations;
 - g. Responding to a call that, by virtue of other VPD policy and procedures, requires a report, including, but not limited to:
 - i. Sudden Death (RPM Section 1.6.38: Sudden Deaths);
 - ii. Breach of the Peace (RPM Section 1.4.4: Arrest for Breach of the Peace);



- iii. Domestic Violence Report (RPM Section 1.6.11(i): Domestic Violence Emergency Response System);
 - iv. Hold State of Intoxication in a Public Place (RPM Section 1.4.5: Arrest - Hold State of Intoxication in a Public Place);
 - v. Missing Persons (RPM Section 1.6.25: Missing Person/Child);
 - vi. Motor Vehicle Collision with Injuries (RPM Section 1.10.7: MVA Procedures);
 - vii. Use of Force by Police (RPM Section 1.2.1: Use of Force - Justification);
 - viii. Seized Property (RPM Section 1.9.3: General Property Policy and Procedure); and
 - ix. Mental Health Act Arrests (RPM Section 1.6.24(i): Apprehensions Under the Mental Health Act).
- h. In the opinion of the investigating officer, their NCO or the Duty Officer, it would be of benefit to the VPD or other policing agencies to create a record containing information beyond what is captured in the CAD records subsystem, regardless of the nature of the incident.
3. Ensure when completing a GO that it contains, but is not limited to, the following text pages:
SY - Synopsis
OR - Occurrence Report
CR - Concluding Remarks

The SY shall be clear and concise and limited to five to ten lines. It is a short summary of the entire incident and investigation to assist the reader to quickly assess the nature of the incident without having to read the entire report. The SY should also have a subject heading that reflects the type of incident (e.g., a robbery should have a SY Subject heading of "Robbery".) An example of a proper SY follows:

"On 2012/8/21 @ 2100 hours, the accused JONES entered the Balmoral bar at 159 E. Hastings St and was refused service by a bartender, the victim SMITH. JONES then punched SMITH twice in the face before running from the scene. Police searched the area, located/arrested JONES in the 200 block of Main St. SMITH knows JONES and can ID. Surveillance tape seized. JONES interviewed post Charter/access to counsel and confessed. Photo pack and photos of the victim's injuries to follow."

The OR shall be a comprehensive and chronological document. It shall lay out the background of the event, circumstances surrounding the incident, and actions taken by police. It shall include the final results of the investigation and if further follow-up is required or anticipated.

The CR shall be added only when the investigation is concluded and there is no further police action required. It shall detail the conclusion of the investigation.

For minor investigations where the incident can be detailed in the SY the member may submit an abbreviated GO which contains a SY and CR. Any GO that requires more than five to ten lines in the SY to articulate the nature of the incident and the response by police must also include a detailed OR.

- 4. Members are considered the lead investigator of the file if they are the submitting member of the GO. The lead investigator is responsible for all potential queries that may arise, from Quality Control or specialty units. The submitting member shall remain the lead investigator unless this role is taken over by a specialty unit investigator.
- 5. When mentioning any person, vehicle or business in the text portion of the GO, ensure the entity is added to the file as an entity. Entities added to the file must be included in the text portion of the GO. Members shall accurately record all obtainable fields for person entities. The minimum criteria to index a person in the file / MNI (Master Name Index) is as follows:
 - a. Surname;
 - b. First given name;
 - c. Gender; and
 - d. Date of birth or approximate age.



6. Ensure the final role code of an entity is accurate before a file is concluded. An entity whose role code changes throughout an investigation must be updated (e.g., "Suspect" to "Subject of Complaint") as soon as possible.
7. Ensure that all victims are advised of the services available to them, as required pursuant to the *Victims of Crime Act*, and shall refer victims requiring additional information to the Victim Services Unit.

Incomplete Reports

8. For officer safety, investigative and resource management reasons it is important that members of the VPD and other agencies with access to the Police Information Portal (PIP) have access to as much information as possible about events that have occurred. If a complete GO report cannot be submitted prior to the end of the member's shift, the member shall obtain their Supervisor's approval to:
 - a. Complete only the front page of the GO and a synopsis of the event, before the end of the shift; and
 - b. Complete the entire GO prior to the end of that block or work week.

Report Not Required

9. If dispatched to a call that does not require or otherwise justify the completion of a GO report, make an entry into the narrative portion of the CAD system through the "Add Remarks" command. These remarks shall document the incident, people spoken to or identified, and the final outcome of the incident. The specific address of the call shall also be verified and amended if necessary. This documentation will assist future responding members to determine an appropriate course of action and the correct location. Good judgment and discretion are paramount whenever deciding not to complete a GO report. Events where a CAD entry may take the place of a GO report may include, but are not limited to:
 - a. an audible alarm where the premises are secure;
 - b. a routine State of Intoxication in a Public Place event where the person is moved along or cannot be located;
 - c. a disturbance which is resolved and is not anticipated to recur or cannot be located;
 - d. a barking dog where the owner has been advised of the complaint, has agreed to deal with the noise and no further violations are anticipated;
 - e. a noise complaint where the by-law violation is minor in nature and has been effectively dealt with to both the complainant's and surrounding neighborhood's satisfaction;
 - f. an assistance to Emergency Health Services where the function of police is merely to assist with security and no police action is needed or required; or
 - g. a special attention (SPATT) event where the function of police is merely to keep watch over a location, person or situation.

Workflow and Bring Forward (BF) Dates

10. Follow-ups are tasks that are assigned through Workflow by a Supervisor, Investigator, the Information Management Section or Crown Counsel requesting members to conduct further work in relation to a GO.
11. When receiving a follow-up request, members must comply with the request in the time allotted (i.e., before the assigned "BF" date) unless an extension is requested by the member and granted by the issuer.
12. At least once daily during a tour of duty, members are required to check their Workflow. It is recognized, however, that on occasion this may be impracticable due to operational reasons. Members are reminded that workflow is accessible through the mobile laptops as well as on DRE (Direct Report Entry).



13. Members must submit a response to the follow-up assignment in the approved manner set out by the PRIME Management Unit.
14. When adding additional information to a previously submitted GO that is not in response to a follow-up request, access the GO either via the “Supplement” feature on Mobile Report Entry (MRE) or the “Event Maintenance” feature on Direct Report Entry (DRE) to add the information.



1.16 Report Writing

1.16.2 Signing of Reports

(Effective: 2012.11.21)

Per Police Board meeting on November 21, 2012, this Section has been deleted.



1.16 Report Writing

1.16.3 Addressing Reports

(Effective: 2012.11.21)

Per Police Board meeting on November 21, 2012, this Section has been deleted.



1.16 Report Writing

1.16.4 Police Notes and Notebooks

(Effective: 2016.11.10)

POLICY

Accurate, detailed and comprehensive documentation is the foundation of effective police work. Good note taking is demanded by the courts through case law and is a common requirement of universally accepted police standards. Police notes serve to refresh memory, justify decisions made and record police actions and evidence. Police officers have a duty to prepare accurate, detailed and comprehensive notes as soon as practicable during or shortly after an incident. Well documented notes lend credibility and reliability to police testimony and help to substantiate information years after the original entry was made. Inadequate notes can compromise an investigation and can result in judicial criticism.

Notes, for the purposes of this policy, are defined as hand written notes, electronic notes and/or reports, or a combination thereof. It is recognized that both electronic and hand written notes may form the contemporaneous documentation of an event depending on how and when they are made. However, links and transitions between these two forms of note taking should be recorded. See *Electronic Notes - PRIME Entries (paragraph 14 below)*.

Police notebooks are considered “records” under the Freedom of Information and Protection of Privacy Act (FIPPA), and are subject to disclosure requests. All notes compiled in relation to events become part of the record of that event.

The purpose of this policy is to:

- Define the responsibilities of all members in relation to the use of police notebooks and the taking of notes in the course of duty;
- Provide guidelines to ensure that members take appropriate notes in the course of their duties;
- Establish rules for the form, maintenance and retention of police notebooks; and
- Ensure that the Department and its members are meeting the expectations of the court, and the legal requirements for police note taking.

PROCEDURE

Notes and Notebooks - General

1. All police notebooks, notes, drawings, and all other written or audio and/or video recorded records made during a member’s duties are the property of the Vancouver Police Department (VPD) and as such:
 - a. Must be retained by the member and dealt with in accordance with this policy;
 - b. Are subject to review by a Supervisor at any time; and
 - c. May in some cases be considered evidence and if so, must be handled in accordance with evidence-handling policy and procedures.
2. Notes are official documents and must be carefully prepared, preserved, and properly used.
3. There are four types of notebooks available for use by members depending on their assignment. The following are the required characteristics of each notebook type:
 - a. The *Patrol Notebook* - shall have numbered pages. The front of each notebook shall have a sequential number identifying the notebook, the rank, name, and PIN number of member, as well as the dates within which the notebook was used;



- b. The *Investigator Notebook* - shall be bound with numbered pages and shall follow the business rules of the Investigative section;
 - c. The *Project Notebook* - shall be bound with numbered pages and shall follow the business rules of the project within the Investigative section; and
 - d. The *Informant Notebook* - see RPM Section 1.8.1: Informant Procedure.
4. In circumstances where notes are made on pieces of paper or investigative logs rather than in a notebook, these items shall be preserved even if the information is subsequently transferred into notebooks. If applicable, each piece of paper will have a file number written on it and an indication of which member wrote it. The original notes will then be attached to the original file or submitted to IMS for scanning, similar to the procedure for written statements.
 5. Members shall only use one notebook at a time unless there is a requirement that a second notebook be used for a specific investigation.
 6. Under no circumstances shall anyone remove any page of a notebook.

Note Taking

7. All members carrying out their duties are required to make notes. The information to be included in the notes will depend on the nature of the incident and the involvement of the member.
8. All members shall keep sufficient notes of their activities and observations to assist them in accurately documenting the incident and their daily activities, and in giving evidence in court.
9. When making hand written notes, members shall consider the following guidelines:
 - a. All entries should be completed in black ink;
 - b. There should be no unnecessary blank spaces between entries - If lines are left blank to separate subject matter and to allow for ease of information retrieval, a line should be drawn through the space and initialled;
 - c. When making a correction, a single line is to be drawn through the error and initialled by the member; and
 - d. In situations where notes are added after the original note taking time, members should indicate that the additional notes are a late entry, include the time, date and location at which the notes were made, and comment on the reason for the delay.
10. When members are making notes regarding an incident or police call for service, incident entries should take into account the following principles of good note-taking:
 - a. **Clear:** Notes shall be as neat and as legible as possible for disclosure purposes;
 - b. **Complete:** Where reasonable, notes should include the relevant details of an incident, answering questions such as what? when? where? who? how? and sometimes why? Writing notes that address these questions will provide a good factual foundation to assist in preparing any future reports. In some circumstances, a sketch or measurements of a scene can make notes more complete;
 - c. **Concise:** Without sacrificing accuracy and while recognizing that notes need to be complete, they are not expected to be as detailed as the police report;
 - d. **Accurate:** The notes must be as accurate as possible. Where relevant and practicable, the notes of the investigator should include:
 - i. Time, location, nature of call, file number;
 - ii. The names, birth dates, and contact information of persons present or otherwise involved;
 - iii. Objective, relevant observations and descriptions - crime scene, suspect, etc.;
 - iv. The times of critical events such as statements taken, evidence seized;
 - v. Details regarding any force used by police and any injuries that occurred as a result of that force - by you or another officer;
 - vi. Details regarding any search and seizure;
 - vii. Details regarding the arrest and Charter of a suspect- what was said, the suspect's responses, and the times of both; and



- viii. Where necessary, the words used by an individual should be recorded as accurately as possible. If the conversation is verbatim, it should be indicated as such by quotation marks
- 11. For members working in Patrol, in addition to the incident entries described above, members must also make daily entries in their notebooks. Daily entries should include, but are not limited to, the following:
 - a. Day and Date;
 - b. Shift hours and assignment;
 - c. Vehicle call sign;
 - d. On duty and off duty times;
 - e. Partner name/PIN number;
 - f. Weather conditions ;
 - g. Supervisor name;
 - h. Pertinent information received during parade briefing; and
 - i. Issued equipment numbers.
- 12. Members are required to make their own notes detailing their actions and involvement. At no time will a member adopt the notes of another member as their own except when done through Master Note taking (used by surveillance teams), and Scribing (used within assorted command structures: Major Case Management, Critical Incident Command and other). When either of these approaches are employed, the member must adhere to the business rules of the VPD section or project involved.
- 13. When making notes, members should avoid writing their personal opinions in their notebooks unless it is necessary to explain decision-making by the member.

Electronic Notes - PRIME Entries

- 14. If notes are made electronically (such as via a PRIME report or CAD memo):
 - a. They must be made at the time of the incident or as shortly thereafter as possible (i.e. contemporaneously);
 - b. The member must be the sole author of the portion considered to be their notes;
 - c. The text pages must be “date and time” stamped and locked by the note taker immediately upon completion;
 - d. The member must clearly state in the PRIME entry that they consider the electronic report or memo to form all or part of their notes;
 - i. If electronic notes are taken in relation to an RTCC, this should be indicated in the attachment list of the report (i.e., “Notes of Cst XXXX - see PS Page of Cst XXXX”;
 - e. The member should make a notebook entry that documents the file number and the fact that the member’s notes for the incident were recorded in PRIME.
- 15. Electronic reports that are not made contemporaneously (i.e. that are made several hours after the incident or later) cannot be considered to be part of the member’s notes of the incident. In that case, members are expected to make handwritten notes at the time of the incident or as soon as possible after the incident, as required by this policy.

Review of Notebooks

- 16. It is part of a supervisor’s general responsibility to ensure that members they supervise follow policy, make good notes, and properly document the incidents in which they are involved. Supervisors are encouraged to give timely periodic reminders to members to make detailed notes and to conduct periodic reviews of members’ notes and reports to help ensure that members are meeting their legal obligations.
- 17. The review of police notebooks shall be done at least once annually by the Supervisor. The purpose of this oversight is to:
 - a. Ensure the quality of police notes and consistency with policy;
 - b. Assist a member in developing good note taking practices; and



- c. Address performance issues related to note taking.
- 18. The review should be documented in the member's Performance Appraisal (PA).

Storage, Retention, and Archiving of Notebooks

- 19. Members shall ensure the security of notebooks and safeguard their contents. Members should refrain from keeping their duty notebooks at home except in circumstances where the notebook is needed by the member for investigative reasons, for court, or for some other reason connected to their police duties.
- 20. Members shall report a lost or damaged notebook to a Supervisor as soon as practicable.
- 21. Notebooks shall be retained securely at the members' work location (i.e. locked desk or locker) for a period of three years following completion of the notebook, or longer if the member requires the notebook for investigative reasons, court or some other reasons connected to their police duties.
- 22. Completed notebooks older than three years shall be turned over to the Information Management Section - Archives, located at 2010 Glen Drive at which point the notebook will only be available to the member during regular business hours except in emergent circumstances. VPD Form 1728C – Notebooks Storage Request shall be used for the archiving of police notebooks.
- 23. At the time of the retirement, resignation, or termination of a member, the member or his/her designate shall turn over all outstanding notebooks and any other investigative material and records in their possession to the Information Management Section - Archives located at 2010 Glen Drive. VPD Form 1728C – Notebooks Storage Request shall be used for the archiving of police notebooks. All other materials shall be archived using VPD Form 1728A – Administrative Files Storage Request or VPD Form 1728B – Operational Files Storage Request depending on the nature of the documents being archived.
- 24. Police notebooks are operational material and as such they will not be destroyed or purged, consistent with VPD's current practices in the management of operational material.



1.16 Report Writing

1.16.5 Report to Crown Counsel

(Effective: 2014.06.09)

POLICY

The Report to Crown Counsel (RTCC) is the most important document that an operational police officer will write. It is through the RTCC that the investigator articulates their reasonable and probable grounds (RPG), outlines the details of the incident, and presents the essential elements of the offence(s) to Crown Counsel so they may have all of the evidence available to consider for charge approval.

Both the investigative content and the written quality of the RTCC are paramount and will have significant impact on the final outcome of the file (well-written RTCCs that reflect thorough investigations help generate guilty pleas). Quality work at the front end will result in less duty-time spent on follow-up work and court attendance, thereby resulting in more time for frontline officers to pursue proactive policing strategies.

It is important that all members recognize the value of a quality report and take ownership of their investigations from the initial investigation to final outcome at trial.

PROCEDURE

Members Shall:

1. Where advice or information is required concerning evidence for a charge, initially consult with their immediate Supervisor.
2. Whenever the assistance of Crown Counsel is required, obtain authorization from their Supervisor to contact the Crown Counsel office. After-hours lists of Crown Counsel personnel, who may be used for consultation purposes, are available from the Vancouver Jail NCO. NCOs shall not authorize an after-hours consultation unless it is critical to an investigation.
3. On receiving information from Crown Counsel, members shall indicate on their reports the name of the prosecutor consulted along with the particulars obtained.
4. When an accused is arrested and lodged in the jail, submit an RTCC as soon as possible, or in any event before the member completes their tour of duty. If there is to be any delay in submitting the report, contact the Station NCO and advise of the particulars of the arrest and anticipated delay.
5. Identify an officer as the Lead Investigator for every RTCC. The officer shall remain so for the entire investigation and any necessary follow-up unless the role of Lead Investigator is taken over by an assigned investigative unit. The Lead Investigator will generally be the officer who completes the Occurrence Report (OR) narrative. The Lead Investigator shall identify themselves in the Police Will Say (PW) as the Lead Investigator.

Each RTCC must contain the following PRIME text pages in order for it to be approved by the Station NCO and to pass through the Justice Information System (JUSTIN) interface:

AT - Accused Template
AS - Accused/Suspect Statement
AL - Attachment List
BA - Bail Comments/Recommendations
CR - Concluding Remarks
CP - CPIC information
OR - Occurrence Report



PW - Police Will Say
SY - Synopsis

(The acronym “AAA BC COPS”, can be used to assist in remembering all required text pages.)

6. As the lead investigator ensure: that all required text pages have been completed in the RTCC; that each member mentioned in the report has submitted their Police Will Say (PW), and; a Civilian Will Say (CW) is completed for each civilian witness mentioned in the RTCC.
7. List all supporting documents and police notes in the PRIME attachments list (AL). If no police notes exist, indicate a “0” for the number of pages and “No notes for PC1234 SMITH” in the description. A double sided page will be referred to as one (1) page.
8. Submit three (3) copies of all supporting documents and police notes to the Station NCO in an “Attachments Envelope”.
9. A VPD1701 - Member Conduct Disclosure form (1701) is required for all police officers involved in the investigation resulting in the RTCC. Members shall not reference “1701’s” within the RTCC text or list 1701’s as an attachment, but must include them in the “Attachments Envelope” (See RPM Section 1.16.5(i) - McNeil Disclosure Requirements).
10. Crown Counsel is responsible for vetting documents prior to disclosing them to defense counsel; however, members shall edit or black out any sensitive information from the copy submitted, including:
 - a. Any other case information visible on pages submitted;
 - b. Identification of informants;
 - c. Information that could reasonably put the safety of witnesses or others at risk; and;
 - d. Any information that might impact an ongoing investigation.
11. Submit one (1) copy of all supporting documents and police notes in a “Documents for Scanning” envelope into the Crown Liaison Unit’s (CLU) scanning box outside of the Station NCO’s office.
12. As the lead investigator, be responsible for all Crown Counsel Queries (CCQ) and complete all CCQs in the time period set by Crown unless a request for an extension has been made and granted. When further information is required from other members or witnesses, the lead investigator is responsible to contact these parties and ensure the information is provided.
13. When a CCQ must be redirected to another member, advise CLU through a PRIME follow-up (FU) text page to whom the query needs to be redirected and submit the follow-up. Crown Counsel shall not be asked to redirect queries. Members are responsible for advising CLU who is responsible to respond to the CCQ.
14. Submit responses to a CCQ in the approved manner set out by the PRIME Management Unit.
15. Utilize the report writing standards and guides published or made available by the VPD in preparation of RTCCs. These standards are reflected in documents such as Excellence in Report Writing 2009 (updated version pending), the Vancouver Police Department Report Writing Supplement, and two documents developed by Crown Counsel: the Narrative Drafting Reference Guide and the Guidelines on the Preparation of an RTCC.
16. If you are a member of a specialty investigative unit you are not required to submit RTCCs to the Station NCO for approval but shall follow the direction of the OIC of that specific unit with regard to submission and approval of RTCCs.

Patrol Supervisors Duties:

17. Patrol NCOs shall ensure all RTCCs written by their members are submitted to the Station NCO for approval, and that all in-custody RTCCs are completed by the end of a member’s tour of duty.
18. Although the Patrol NCO is not responsible to approve a member’s RTCCs, it is the Patrol NCO’s responsibility to monitor the quality of the reports through the Workflow system on an ongoing basis. All RTCCs approved by the Station NCO will be submitted to the member’s NCO’s workflow as a Notify.



Station NCO Duties:

19. The Station NCO is responsible for reviewing and approving all RTCCs submitted by Operations Division members.

Crown Liaison Unit Duties:

20. The Crown Liaison Unit is responsible for ensuring that the requested charges are presented to Crown Counsel and the necessary informations are laid.



1.16 Report Writing

1.16.5(i) - McNeil Disclosure Requirements

(Effective: 2009.10.01)

POLICY

“First Party” Disclosure

The 2009 Supreme Court of Canada judgement in *R. v. McNeil* fundamentally changed disclosure requirements demanded of police officers involved in an investigation. Police are now obligated to disclose, as part of the first party disclosure package to Crown Counsel, records relating to serious misconduct by police officers involved in an investigation, where the misconduct is related to the investigation, or where the misconduct, though separate from the investigation, could reasonably impact on the case against the accused.

“First Party” disclosure refers to material that is regarded as being in the possession of, or kept by, the Crown and therefore, presumptively disclosable by the Crown; the party seeking disclosure of this material does not have to approach a third party in order to seek that disclosure.

Bear in mind that the Crown obligation to disclose continues to be guided by the principles enunciated in the *Stinchcombe* case; Crown must disclose all relevant material in the possession of Crown, whether inculpatory or exculpatory, as soon as it becomes available. In terms of defining “relevant”, the Supreme Court of Canada has said that “relevant” includes all information of reasonable possible use to the defence in making full answer and defense.

For the purposes of this policy, records relating to serious misconduct by police officers, where the misconduct is related to the investigation, or where the misconduct could reasonably impact on the case against the accused, will be referred to as “McNeil Disclosure Packages.”

“Third Party” Record Production

The production of disciplinary records and criminal investigation files in the possession of the police that do not fall within the scope of the first party disclosure package referred to above continues to be governed by the O'Connor regime for the production of third party records.

“Third Party” records refer to records that are regarded as being in the possession of, or kept by a third party. Accordingly, the party seeking their disclosure is obligated to approach the record holder to seek production; they cannot argue that the records are to be automatically disclosed, on the basis that the records are already in the possession of the Crown.

In terms of procedure, the party seeking disclosure of third party records must establish the relevance of the records, and the Court then decides if disclosure of the record is appropriate, taking into account the competing interests at stake, including the privacy interests of the party whose records are sought.

Members involved in an investigation shall, either at the time of submission of a Report to Crown Counsel (RCC), or as soon as practicable thereafter, sign and submit a completed VPD form 1701 (VPD 1701) to Crown Liaison, to be forwarded, in appropriate cases, to the Professional Standards Section (PSS). By filling out the VPD1701, the member will alert the PSS to the existence of potentially relevant disciplinary records, and will enable the PSS to carry out the responsibility of disclosing appropriate records to Crown Counsel.

The PSS Disclosure Officer shall review the disciplinary records of members, and shall determine whether or not a particular record will be disclosed to Crown Counsel, based on the guidance provided by the Supreme Court of Canada in the *Stinchcombe* and *McNeil*, cases, and bearing in mind the facts of the particular investigation and the role in the investigation played by the member whose records are under consideration.



Once a determination has been made that a particular record is disclosable to Crown Counsel, the PSS disclosure officer shall forward the record, referred to as a “McNeil Disclosure Package”, to Crown Counsel.

The preparation of McNeil Disclosure Packages for in-custody RCCs shall be given priority over out-of-custody RCCs.

On-going Disclosure Required

The Crown’s obligation to disclose is on-going and, in fact, survives the trial. A member who becomes the subject of proceedings captured by the VPD 1701, referred to below, after he or she has submitted the initial RCC and VPD 1701, shall complete, sign and submit an updated VPD 1701 and submit it to Crown Liaison, for disclosure to Crown. Crown Liaison and the PSS Disclosure Officer shall follow the procedure used for original VPD 1701 and 1702 forms when assessing a member’s record after an updated VPD 1701 is received. Discussion with Crown Counsel will be expected and encouraged to determine status of the cases associated with the original RCC.

Members are reminded that if the member's record changes or his/her involvement in the case changes, the member has to be aware that the disclosure requirements of the disciplinary record may also change.

PROCEDURE

Member Responsibilities

1. Each member involved in an investigation shall complete and sign a separate VPD 1701 and shall submit that form, together with the RCC, to Crown Liaison. This shall be carried out at the time of submission of the RCC, or as soon as practicable thereafter.
 - a. NCOs shall ensure that all necessary VPD 1701 forms are attached with the RCC during approval.
 - b. Lead investigators are responsible for collecting VPD 1701 forms from all police witnesses.
2. By completing the VPD 1701, the member will declare whether or not the member:
 - a. Has been convicted or found guilty of an offence under the Criminal Code of Canada or under the Controlled Drug and Substances Act, [for which a pardon has not been granted], or is unsure of that fact;
 - b. Is currently charged with an offence under the Criminal Code of Canada or under the Controlled Drug and Substances Act, or is unsure of that fact;
 - c. Has been convicted or found guilty of an offence, pursuant to any other federal or provincial statute, or is unsure of that fact;
 - d. Has been found guilty of misconduct after a Prehearing Conference, Discipline Proceeding or Public Hearing under the Police Act, or is unsure of that fact; or
 - e. Is currently facing a charge of misconduct under the Police Act, for which a Notice of Prehearing Conference, Disciplinary Proceeding or Public Hearing has been issued, or is unsure of that fact.
3. Each member involved in the investigation shall complete, sign and submit a new VPD1701 form to Crown Liaison, indicating that the VPD 1701 is an update, if and when their conduct record changes during the trial and appeal period for a case.
4. A member who has a disciplinary record and whose involvement in an investigation changes substantially after the submission of the initial RCC, shall alert the PSS Disclosure Officer to the change in the member’s involvement by providing the supplemental RCC materials, outlining the change in involvement, together with a VPD 1701, to Crown Liaison, who shall forward the same to the PSS Disclosure Officer.

Crown Liaison Responsibilities

5. Crown Liaison shall review the VPD 1701s submitted with each forwarded RCC, and:



- a. If all of the members involved in an investigation with respect to a forwarded RCC indicate “No” to all of the Member Misconduct questions on the VPD 1701, Crown Liaison shall complete, sign, and forward a VPD form 1702 to Crown Counsel along with the RCC. Crown Liaison shall retain all VPD form 1701s in a secure location.
 - b. If any member involved in an investigation with respect to a forwarded RCC indicates “Yes” or “Unsure” to any of the Member Misconduct questions, Crown Liaison shall forward those VPD 1701s together with a VPD 1702 to the PSS Disclosure Officer at the earliest opportunity.
 - i. Crown Liaison shall only forward the RCC to Crown Counsel when a completed VPD 1702 has been received back from the PSS Disclosure Officer.
 - ii. Crown Liaison will only complete the information on the VPD 1702 for members who have indicated “No Record” on the 1701 and will leave the remaining members who have indicated a record on the 1701 blank for PSS to complete.
6. For in-custody RCCs, Crown Liaison shall:
- a. Forward only the RCC to Crown Counsel if any members indicate that they have a conduct record on VPD 1701. Crown Liaison will forward a VPD 1702, once completed by the PSS Disclosure Officer, as soon as practicable thereafter.
 - b. Forward the completed VPD 1702 and the RCC to Crown Counsel if all members indicate that they have no conduct record on their respective VPD 1701.
7. Crown Liaison shall forward all “updated” VPD 1701s submitted (regardless of answers) together with a VPD 1702 to the PSS Disclosure Officer for review.

Disclosure Officer Responsibilities

8. The PSS Disclosure Officer shall review all VPD 1701s, including those provided at the time the RCC is submitted, as well as “updated” VPD 1701s received after the initial submission of the RCC. The PSS Disclosure officer shall locate the records referred to on the VPD 1701, and shall review those records, in addition to the applicable RCCs. The Disclosure Officer shall indicate on a VPD 1702:
- a. “No Record” if the member has no record;
 - b. “No Relevant Record” if the member has a record, however, the record is not relevant to the proceedings, and complete the back of the VPD 1702 form; or
 - c. “Record, McNeil Disclosure Package Attached” if the member has a record of serious misconduct, or an allegation of misconduct, where the misconduct is related to the investigation, or where the misconduct, though separate from the investigation, could reasonably impact on the case against the accused.
9. The PSS Disclosure Officer shall assess the following records for seriousness and relevance, on a case by case basis, and disclose to the Crown, as appropriate:
- a. Any conviction or finding of guilt for an offence under the Criminal Code of Canada or the Controlled Drugs and Substances Act for which a pardon has not been granted;
 - b. Any outstanding charges under the Criminal Code of Canada or the Controlled Drugs and Substances Act;
 - c. Any conviction or finding of guilt under any other federal or provincial statute;
 - d. Any finding of misconduct after a hearing or proceeding under the Police Act where the misconduct is related to the current investigation.
 - e. Any finding of misconduct after a proceeding or hearing under the Police Act which has not been expunged; or
 - f. Any current charge of misconduct under the Police Act for which a Notice of Prehearing Conference, Disciplinary Proceeding or Public Hearing has been issued.
10. The PSS Disclosure Officer shall apply a broad definition of “serious misconduct” and “relevancy” in reaching a determination as to what records are appropriately forwarded to Crown Counsel for potential disclosure.
- a. Discussion with Crown Counsel regarding records that are not disclosed at the outset is expected and encouraged in order to avoid unnecessary third party applications under O’Connor.



- b. The PSS Disclosure Officer shall review privatized (or invisible) records in carrying out his/her assessment of the member's conduct record for potential disclosure.
11. The PSS Disclosure Officer shall keep a record of all decisions made with respect to a determination to disclose or withhold a particular record (or records).
12. The PSS Disclosure Officer shall keep a copy of the records which existed and which were reviewed at the time that each disclosure determination was made, including a copy of the RCC that was reviewed by the officer.
13. The PSS Disclosure Officer shall inform, in writing, each member whose records the PSS Disclosure Officer intends to disclose of that decision.
14. In cases where the PSS Disclosure Officer intends to submit a McNeil Disclosure Package to Crown Counsel, the PSS Disclosure Officer shall provide the member with an opportunity to make submissions with respect to that disclosure within 12 days of the notice having been sent to member. The onus is on the Disclosure Officer to provide notice to the member as soon as practicable after forming the intention to disclose.
 - a. If the PSS Disclosure Officer determines that a particular record will be submitted to Crown, any member submissions regarding that disclosure shall be included with the McNeil Disclosure Package for Crown Counsel to review.
 - b. If the PSS Disclosure Officer accepts a member's submission to withhold a particular record, the PSS Disclosure Officer shall:
 - i. Refrain from disclosing the record(s) in question;
 - ii. Retain the member's submissions and the Disclosure Officer's reasons for accepting the member's submissions on file; and
 - iii. Advise the Crown Counsel of the record which was not disclosed by forwarding to Crown Counsel a completed and signed VPD 1702.
15. When a member has an on-going complaint investigation against him/her at the time of the submission of the RCC, the PSS Disclosure Officer shall assess whether disclosure is warranted once the complaint has been resolved.
 - a. The PSS Disclosure Officer shall follow the procedures in this section if the record is to be disclosed.
 - b. The PSS Disclosure Officer shall notify Crown Counsel in writing via the Crown Liaison Officer, if the record is no longer disclosable or if the complaint was found to be unsubstantiated.
 - c. Members are responsible for ensuring, via the Crown Liaison Officer, that Crown Counsel is provided with up-to-date information regarding the member's conduct record from the time of the submission of the RCC prior to trial, and, if the accused is convicted or pleads guilty, until the expiration of the appeal period after the trial and/or sentencing.
16. The PSS Disclosure Officer shall complete and sign a VPD 1702 and return the form to Crown Liaison. Records deemed not relevant shall be identified on the back of the VPD 1702 form for the purposes of any O'Connor application for production of third party records that may follow.
 - a. Any McNeil Disclosure Packages will be attached to the VPD 1702 in a sealed envelope marked: "Confidential - For Crown Counsel Use Only".
17. Crown Liaison shall forward all completed VPD 1702 forms and accompanying McNeil Disclosure Packages to Crown Counsel.

Seconded Members

18. The PSS Disclosure Officer shall assess all seconded members' conduct records for seriousness and relevance for disclosure to Crown Counsel, on a case by case basis, as requested by the agency to which the member is seconded.
 - a. The Disclosure Officer shall liaise with the agency's representative in charge of disclosure for that case to obtain details from the RCC to assist with the evaluation of the record.
 - b. Member submissions with respect to disclosure shall be provided to the PSS Disclosure Officer at the Vancouver Police Department (VPD), not to the seconded agency.



19. The PSS Disclosure Officer shall follow the same procedure for assessing seconded members' records as with non-seconded members (see subsections 7-16) and ensure their timely arrival to the other agency's Disclosure Officer (or equivalent) for forwarding to Crown Counsel.
 20. Records for members seconded to the VPD shall be assessed by the PSS Disclosure Officer (or equivalent) at the member's home agency. These records will be requested by the VPD PSS Disclosure Officer from the member's home agency to be forwarded to the appropriate Crown Counsel.
 - a. The VPD PSS Disclosure Officer shall provide all relevant details of the RCC to assist the home agency with their evaluation of the member's conduct records for seriousness and relevance.
 - b. Member submissions regarding the disclosure of these records shall be assessed by the home agency.
- Appendix A - VPD 1701 Member Conduct Disclosure Form
 - Appendix B - VPD 1702 Police Witness Disclosure Form



1.16 Report Writing

1.16.6 Text Locking

(Effective: 2012.09.13)

POLICY

In order to ensure the integrity of member and witness statements, it is essential that members lock text pages of PRIME General Occurrence (GO) Reports, including a GO being submitted to Crown (GOTC). If members wish to make amendments to a document, the original document must be retained in order to show when the changes were made and what the amendments were. Members shall not unlock a document once submitted.

PROCEDURE

Mobile Report Entry (MRE)

1. Members shall lock all text pages prior to sending a report from the MRE, **except** when dealing with an in-custody charge or an out-of-custody charge that will be dealt with in Downtown Community Court.
2. When dealing with an in-custody charge, or an out of custody charge that will be dealt with in Downtown Community Court, the member shall not lock the “Narrative” or “Occurrence Report” pages until the report has been reviewed by the Station NCO, which must occur prior to the end of their tour of duty. The member shall ensure all text pages are locked once the Station NCO has approved the report. However, the Accused Template will not be locked as the custody status of the accused will be reviewed by the Jail NCO.
3. In all cases members shall lock their Police Statement pages upon completing them.
4. Members shall not unlock text pages or alter a text document once locked.
5. Members shall record the text page lock codes of their authored Police Statements and other evidentiary text pages in their notebooks.

Desktop Report Entry (DRE)

6. Members working on an incomplete file from their DRE shall lock the Front Page and Synopsis of a report and leave these pages as un-privatized (unless there are extenuating circumstances). See RPM s.2.9.4 (iii): Making Records Private or Invisible .
7. Members shall lock their text pages once completed.
8. Members shall not unlock text pages or alter a text document once locked.
9. Members shall make a record of their text page lock codes for their authored Police Statements and other evidentiary text pages.
10. Follow-up investigators may privatize text pages that are compiled over the course of the investigation (e.g., narratives, statements, Occurrence Reports, and Case Logs) to ensure that other members do not access and act upon incomplete reports. Members shall allow their Unit Handle and investigative team members access to privatized pages to ensure that follow-up work can be completed.
11. If a follow-up investigator decides not to privatize their Case Log during an ongoing investigation, the investigator shall use an MN (Miscellaneous Notes) text page for the Case Log and title it "Ongoing Investigative Log". The member shall review the document prior to locking it when concluding the file.
12. Upon completion of a GO or GOTC, members shall un-privatize their text pages, where appropriate, and ensure all text pages are locked.



13. When Operational members are submitting a report via DRE, they shall adhere to the text locking policy as listed in sub - sections 1 through 5 of this section.

Editing and Amending Locked Text Pages

14. A member who is required to add information to, or amend, a locked text page shall:
 - a. place their VA number into the author box of a new text page;
 - b. change the subject box of the original text page by adding the word “Original” prior to the subject;
 - c. place the word "Amended" prior to the subject in the new text page;
 - d. copy the original page in its entirety to the new text page;
 - e. source the copied text to the original author (if applicable);
 - f. document the reason for adding to, or clarifying, the information in the original text page;
 - g. add the new information; and
 - h. lock the text page;

For instructions and screen shots, please go to the VPD [PRIME](#) site by using hyperlink.



1.16 Report Writing

1.16.7 B.C. Police Act - Reportable Incidents - Injuries or Death

(Effective: 2019.10.01)

POLICY

The *B.C. Police Act* contains a legislated requirement for all municipal police agencies to report incidents involving death, serious harm or Reportable Injuries which meet certain criteria to the Office of the Police Complaint Commissioner (OPCC). Vancouver Police Department members will report these incidents through the chain of command to the Professional Standards Section (PSS). PSS will report the incident to the OPCC.

A "Reportable Injury", as defined by the *B.C. Police Act*, means any of the following:

- a. Any contact made on a member of the public caused by the deployment of a firearm including;
 - i. All long guns and hand guns;
 - ii. Arwen; and
 - iii. Beanbag Shotguns;

regardless of whether or not the person required medical attention or was transported to the hospital for treatment;

- b. An injury requiring emergency care by a medical practitioner or nurse practitioner and transfer to a hospital.

An injury is deemed to be a Reportable Incident when:

- a. A person dies or suffers serious harm or a Reportable Injury while in the custody or care of a member of the VPD, or as a result of the operations of the VPD; or
- b. A person dies or suffers serious harm or a Reportable Injury and the death, serious harm or reportable injury could be seen to be the result of the conduct of any member of the VPD or its operations; or
- c. There is any contact made on a member of the public caused by the deployment of a firearm regardless of whether or not the person required medical attention or was transported to the hospital for treatment.

Reportable Incidents are not limited to events involving police use of force, but can include circumstances where injury or death has occurred as result of police actions. (e.g. Police involved motor vehicle incidents, as well injuries sustained by a suspect fleeing from the police).

Requirement for Notifying the Independent Investigations Office (IIO)

A Reportable Injury may also require IIO notification through the Duty Officer, as per RPM Section 4.2.1: Independent Investigation Office, if the event is a "Critical Incident". For the purposes of these related policies a Critical Incident is defined as:

- a. Any incident, including an in-custody death, where there is a reasonable belief that the presence, action, or decision of an on-duty member may have been a contributing factor in the death of any person;
- b. Any discharge of a firearm by an on-duty member where there is a reasonable belief that any person (including a member) may have been injured as a result;



- c. Any incident where there is a reasonable belief that the presence, action, or decision of an on-duty member has resulted in injury requiring emergency care by a medical practitioner or nurse practitioner and transfer to a hospital; and
- d. Any incident where there is a reasonable belief that the action of an off-duty member may have been a contributing factor in the death of any person, or has resulted in injury requiring emergency care by a medical practitioner or nurse practitioner and transfer to a hospital and attendance by the police of jurisdiction.

See RPM Section 4.2.1: Independent Investigation Office

PROCEDURE

1. An incident must be reported to the OPCC if the injury meets the following criteria:
 - a. A person dies or suffers serious harm or a Reportable Injury:
 - i. While in the custody or care of a member of the Vancouver Police Department; or
 - ii. As a result of the operations of the Vancouver Police Department; or
 - b. A person dies or suffers serious harm or a reportable injury and the death, serious harm or reportable injury could be seen to be the result of:
 - i. The conduct of any member of the Vancouver Police Department; or
 - ii. The operations of the Vancouver Police Department. (In this instance, the injury or death could occur due to the actions of a member of another police department, but the involvement of the Vancouver Police Department in the incident still requires that it be reported in accordance with this policy.); or
 - iii. Any contact made on a member of the public caused by the deployment of a firearm regardless of whether or not the person required medical attention or was transported to the hospital for treatment.

This section does not apply when only a police member is injured. The term “person”, as interpreted for use in this section, does not include a police member.

2. When an incident involving death, serious harm, or a Reportable Injury occurs:
 - a. The member shall notify their supervisor of the incident immediately. The member will inform the supervisor of:
 - i. The incident number;
 - ii. A brief synopsis of the event; and
 - iii. The nature of the injury;
 - b. The supervisor shall notify the Duty Officer and their respective Inspector of the incident immediately;
 - c. The Duty Officer shall:
 - i. Notify PSS of the Reportable Injury as soon as practicable, or, when the injury or incident is of a serious nature, immediately. An e-mail message to the Inspector and Staff Sergeants of PSS is an acceptable form of notification, except when an immediate notification is required. The Duty Officer will copy the notification to the member’s Inspector; and
 - ii. Complete a Reportable Injury Template;
 - d. The Professional Standards Section shall:
 - i. Notify the OPCC of the Reportable Injury; and
 - ii. Maintain a record of Reportable Injury notifications made to the OPCC.
3. It is recognized that off-duty members will occasionally encounter incidents that require them to take law enforcement action, beyond that which would normally be expected of a citizen. In these cases the member is normally deemed to have been put “on-duty” due to the incident, and



therefore, any death or injury meeting the criteria of a Reportable Injury that occurs during the incident must be reported to the OPCC.

- a. When involved in an off-duty incident that results in a death, serious injury, or a Reportable Injury the member shall notify:
 - i. The Duty Officer immediately; and
 - ii. Their supervisor upon return to work;
- b. The Duty Officer will notify PSS of the incident as soon as practicable, or, when the injury or incident is of a serious nature, immediately; and
- c. The supervisor will notify their Inspector as soon as practicable.



1.16 Report Writing

1.16.8 Subject Behaviour Officer Response Reporting (SBORR)

(Effective: 2016.08.31)

POLICY

SBORR is mandated by Police Services Division (PSD) for use of force which meets the minimum reportable threshold. The SBORR will capture an accurate description of subject behaviour, which results in use of force by police members, as well as an accurate description of what force was used by police members and the outcome of the incident. The collection of data on the frequency and degree of force used by police throughout the province is an important component to open and transparent policing.

DEFINITIONS

Physical Control-soft technique - are control techniques that, when employed, are control oriented and have a lower probability of causing injury. They may include restraining techniques, joint locks and non-resistant handcuffing.

Physical Control-hard technique - are control techniques that are intended to impede a subject's behaviour or to allow application of a control technique and have a higher probability of causing injury. They may include empty hand strikes such as punches and kicks

PROCEDURE

Reporting Threshold

Members shall complete a SBORR template in PRIME in any incident where:

1. A member uses physical control-soft techniques to control a subject and the subject or the officer is injured or requires medical attention; or
2. A member uses physical control-hard techniques to control a subject; or
3. A member uses or displays an "intermediate weapon" or their issue firearm as a compliance tool, whether at the 'low ready' or directed at the subject; or
4. A member uses a Vascular Neck Restraint (VNR), discharges or uses an "intermediate weapon" such as OC spray, baton, beanbag shotgun (BBSG), Conducted Energy Weapon (CEW), Arwen or their issue firearm; including the use of an improvised weapon (e.g., rock, stick); or
5. A dog handler's police service dog (PSD) bites one or multiple subjects, or accidentally bites a non-subject when in operational deployment (e.g. member of the public, police officer other than handler). Accidental bites to the handler or K9 training personnel do not have to be reported; or
6. A police vehicle, (including marine squad vessel, bicycle or horse) is used to apprehend a subject where contact is made with the subject, vehicle, vessel or bike operated by the subject (intentional or non-intentional).

SBORR Requirements

Where any of the above thresholds have been met, members shall comply with SBORR requirements in the following manner:

7. Members shall complete one SBORR for each subject to whom force was applied to. In an instance where one officer uses multiple levels of force on one subject, only one SBORR is required.



8. Where multiple officers have displayed a weapon as a compliance tool or applied reportable force to a subject, each officer must complete their own SBORR reporting their own use of force or display of weapon in relation to that subject.
9. Where the *display of a weapon* is used to gain compliance of multiple subjects, the member shall complete one SBORR for one of those subjects and the additional subjects shall be listed in the narrative box by age and gender.
10. Each ERT member must complete their own SBORR when they use force responses that meet the reporting threshold with one exception: for a display of weapons only, one ERT member can fill out a single SBORR for the team.

Reporting Requirements

11. When an SBORR template is completed by a member, they shall ensure that the SBORR 'study flag' has been checked on the front page of the General Occurrence Report (GO).
12. The Force Options Training Unit (FOTU) shall be responsible for the submitting of SBORR data to PSD as required.



1.17 Extreme Weather Assistance

1.17.1 Extreme Weather Assistance

(Effective: 2009.12.09)

POLICY

The VPD is committed to safeguarding the safety and security of all people its members deal with while respecting their fundamental human rights. This includes incidents where extreme weather places people at risk who have no shelter or access to shelter.

The *Assistance to Shelter Act* (“the Act”) provides police the option of using reasonable physical force to compel a person who has been deemed at risk of suffering physical harm or is suffering physical harm to be transported to an emergency shelter. This option is only applicable when an extreme weather alert, within the definition of the Act, is in effect. The Act is not intended to supplant or limit the enforcement of any other provincial or federal acts. The Act does not provide any powers of arrest, nor does it provide any powers to compel persons at risk to remain in an emergency shelter if the police have transported them there.

Existing legislation such as the *Mental Health Act*, the *Child, Family and Community Service Act*, the *Liquor Control and Licensing Act*, and the *Offence Act* have provisions for the police that may be applicable and of assistance in ensuring the safety of persons at risk during extreme weather. Such legislation should be utilized during extreme weather if appropriate in a particular situation.

PROCEDURE

Upon the activation of an extreme weather alert, as defined in the Act, the following shall apply:

1. The Central Dispatcher (CD) at E-COMM shall notify Car 10 and all VPD uniform members of the extreme weather alert, and ensure that as new members come on duty, they are also notified of the extreme weather alert.
2. The CD shall create a Special Attention (SA) call, covering all four VPD districts, and shall leave the SA on the Dispatch Board until the end of the extreme weather alert. Any incidents related to the extreme weather alert shall be cross-referenced to the SA call.
3. Car 10 shall notify VPD Public Affairs Section and the Homeless Outreach Coordinator.
4. Where a member encounters persons without shelter during extreme weather, the following options should be considered to assist them:
 - a. If the person is under 19 years of age, the member shall consider utilizing the provisions of Section 27(1) of the *Child, Family and Community Service Act* to protect a child at risk;
 - b. If the person meets the criteria under s. 28 of the *Mental Health Act*, then apprehend as set out in RPM Section 1.6.24 (i);
 - c. If the person meets the criteria to arrest for being in a State of Intoxication in a Public Place (H/SIPP) then arrest as described in s. 1.4.5 of the RPM, “Arrest - Hold Intoxication in a Public Place”; or
 - d. If the person is in need of medical attention but refuses and is believed to be unable to make a competent decision to do so, call EHS and apprehend as described in s. 1.2.2 “Use of Force to Provide Medical Aid” if sufficient grounds exist.



5. If the member determines that there are no grounds for an apprehension or arrest as described in section 4 of this policy, and in the member's opinion the person may suffer imminent serious injury or death due to the extreme weather, the member shall:
 - a. State their authority under the *Assistance to Shelter Act*;
 - b. Offer transportation² to an emergency shelter or other appropriate shelter;
 - c. Permit the person to go unaccompanied to an emergency shelter or other appropriate shelter; and,
 - d. Provide a list of emergency shelters for that person's future reference and use³.
6. If the person refuses to utilize an emergency shelter, the following procedure shall apply:
 - a. The member shall offer other reasonable assistance to the person. Reasonable assistance may include:
 - i. Reinforcing the authority under the *Assistance to Shelter Act* in an attempt to convince the person to cooperate for their own safety;
 - ii. Providing blankets or other weather appropriate items (e.g.: blankets or water, if available);
 - iii. Contacting available outreach workers to assist;
 - iv. Requesting a SA that on-duty members periodically check on the welfare of the person (where operationally feasible);
 - v. Taking other steps that will satisfy our duty of care to the person at risk (e.g., obtaining the person's agreement to move to a more protected location where they are not at risk of imminent serious injury or death).
 - b. If the member determines the above alternatives are insufficient, then the member may attempt to provide further assistance to the person in order to assist them to shelter, as provided for in the Act. "Further assistance" in this policy means minimal, non-forceful touching with the sole goal of persuading the person to seek shelter; and,
 - c. If met with more than passive resistance, the member shall not escalate to a higher level use of force but instead shall disengage and release the person.
7. In all cases members shall submit a detailed General Occurrence Report, cross referenced to the SA generated for the extreme weather alert.
8. If it is determined that there are no available emergency shelter spaces within Vancouver, the CD shall notify the BC Housing emergency contact..
9. Upon notification by the party responsible for issuing the extreme weather alert that the alert has been cancelled, the CD shall notify Car 10, all on duty members, the VPD Homeless Outreach Coordinator and close the appropriate SA call with the details of the alert cancellation.



1.18 Operations Division Projects

1.18.1 Patrol-Based Undercover Operations Level I & Level II

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



1.19 Proactive Patrol-Based Projects

1.19.1 Patrol-Based Projects - No Undercover Component

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



2.1 Department Management

2.1.1(i) Authorized Strength

(Effective: 2012.04.16)

1. A member of the Department shall submit a report to their Section Manager when requesting:
 - a. Revision of the Department's organizational structure; or
 - b. Revision of the authorized strength of police and civilian members; or
 - c. Temporary or permanent re-assignment of a police or civilian position; or
 - d. Temporary or permanent re-allocation of office space or equipment.
2. The Section Manager shall review the application, and if approval is given to proceed, shall direct the member to complete a [VPD1332 - Resource Request Form](#), detailing the resources required and estimated cost of fulfilling the request.
3. The Section Manager shall forward the original report and VPD1332 with accompanying comments and recommendations to the Division Commander, with copies to:
 - a. The Director i/c Planning and Research Section; and
 - b. Manager i/c Financial Services Section.
4. The Division Commander may:
 - a. Reject the proposal;
 - b. Place it on the agenda of the next Executive Committee meeting; or
 - c. Forward it to the Chief Constable for study by the Planning and Research Section.
5. If approved by the Executive, the Planning and Research Section shall notify the Human Resources Section, the Financial Services Section and the Information Section of any change, make the appropriate amendments to the Regulations and Procedures Manual, and publish the change in the Operational Bulletins. If the proposed changes need approval from the Police Board and/or the City (e.g. an increase in the authorized strength), the Planning and Research Section shall submit a report to the Vancouver Police Board and/or the City Council, as appropriate.
6. Should the proposal be rejected at any stage, the member who submitted the proposal shall be notified in writing by their Section Manager.
7. The Human Resources Section shall maintain manual and computerized records of authorized strength, assigned location of positions and the names of those assigned to each position.
8. The Planning and Research Section shall maintain records of authorized positions allocated to each rank and distributed to each division, section, squad, and unit. (See also s. 2.1.8: Planning, Research and Audit Section)
9. Please refer to the SPAC Guidelines for more information in submitting a Request to Change Existing Resources/Structure.



2.1 Department Management

2.1.2 (i) Chief Constable - Responsibilities

(Effective:)

The Department operates under the direction and guidance of the Chief Constable who is responsible to the Vancouver Police Board. The Chief Constable may delegate authority to the extent that is considered proper. However, the Chief Constable never relinquishes control in any respect, and does not cease to be personally responsible for all activities of the Department.

The Chief Constable decides all matters affecting the Department, other than those dealt with by the Vancouver Police Board. It is consistent with the foregoing that the Chief Constable should at times personally direct police operations or control administrative projects



2.1 Department Management

2.1.2 (ii) Audit Function

(Effective: 95.05.31)

This section is currently under review. For further information contact the Planning & Research Section.

1. The Audit function is performed under the authority of the Chief Constable. A member, seconded to conduct an audit, provides an independent appraisal and review of operations within the Department as a service to management.
2. The objective of the audit process is to assist all members of management in the effective discharge of their responsibilities by furnishing them with analyses, appraisals, recommendations and pertinent comments concerning the activities reviewed. The criteria of effectiveness, efficiency and economy will be the standards against which the adequacy of all process, systems and procedures will be measured.
3. Any manager or management team of the Department wishing to obtain detailed assistance through the audit process should direct their request to the Audit Review Committee through the Division commander.
4. The Audit Review Committee is composed of the Chief Constable and Deputy Chief Constables. The committee shall meet quarterly to assign and review recommendations.
5. The Executive Assistant shall schedule the quarterly meetings and distribute the agenda items to Division Commanders and Section Managers currently involved with outstanding audit recommendations.
6. The Audit recommendations are assigned to the Division commander. The Division commander shall report compliance with the audit recommendations to the Audit Review Committee. The Division commander may delegate the responsibility for the implementation of audit recommendations to Section Managers.
7. The Division commander, or the delegated Section Manager, shall strike an implementation committee. The Implementation Committee writes policy based upon the Audit recommendations. The Implementation Committee shall report recommended policy and the status of recommendations to the quarterly Audit Review Committee meeting.



2.1 Department Management

2.1.3 (i) Deputy Chief Constable - Investigation Division

(Effective: 2010.06.02)

The Deputy Chief Constable commanding the Investigation Division is responsible to the Chief Constable for the direction of Investigative Services, Criminal Intelligence Section, Gangs and Drugs Section, Tactical Support Section, Youth Services Section, as well as the operational and financial control of the Investigation Division.



2.1 Department Management

2.1.3 (ii) Deputy Chief Constable - Operations Division

(Effective: 2010.06.02)

The Deputy Chief Constable commanding the Operations Division is responsible to the Chief Constable for the direction of the Traffic Section, Emergency and Operational Planning Section, Emergency Response Section, Patrol Support Section and the four Patrol Districts, as well as the operational and financial control of the Operations Division.



2.1 Department Management

2.1.3 (iii) Deputy Chief Constable - Support Services Division

(Effective: 2007.01.30)

The Deputy Chief Constable commanding the Support Services Division is responsible to the Chief Constable for the direction and control of the Human Resources Section, the Information Management Section, the Information Technology Section, the Financial Services Section, the Facilities Section, the Communications Section, the Planning, Research & Audit Section and the Training and Recruiting Section, as well as the operational and financial control of the Support Services Division.



2.1 Department Management

2.1.4 Rank Responsibility

(Effective: 2000.10.05)

Chief Constable
Deputy Chief Constable
Superintendent
Inspector
Staff Sergeant
Sergeant
Corporal/Detective
Police Constable 1st Class
Police Constable 2nd Class
Police Constable 3rd Class
Police Constable Probationer

Responsibility for command within the ranks is established by the current Seniority roll that is based on the date of assignment to the rank held.



2.1 Department Management

2.1.5 Duty Officer

(Effective: 2000.11.01)

During the absence of the Chief Constable and the Deputy Chief Constable's, the Duty Officer will assume the responsibility of the Chief Constable for all operations of the Department until relieved of this responsibility by a senior officer. The Duty Officer is accountable directly to the Deputy Chief Constable commanding the Operations Division.

In the absence of a Duty Officer, the senior ranking member on duty shall accept responsibility for command of all personnel on duty.



2.1 Department Management

2.1.6 Forensic Identification Services

(Effective: 2005.01.05)

1. The mandate of the Forensic Identification Squad is to offer an investigative support service to the Department in forensic investigation and crime scene examination. This includes fingerprint examination and identification, photography, trace evidence collection and examination, DNA evidence collection and the presentation of expert testimony in court.
2. Members requesting the Forensic Identification Squad shall:
 - a. Assess the crime scene to determine the need to collect forensic identification evidence. In all instances involving homicides, suspicious sudden deaths or major crime scenes, the Forensic Identification Squad must be notified and if required,
 - b. Request the attendance of Forensic Identification Squad through the Communications Operator
3. Members requesting warrants to collect DNA evidence shall contact the Supervisor i/c Forensic Identification Squad who will assist in the process.



2.1 Department Management

2.1.7 Human Resources Officer

(Effective: 2004.01.08)

1. The Human Resources Officer is responsible to the Deputy Chief Constable commanding Support Services Division, and shall advise the Deputy Chief Constable on all matters affecting personnel and conditions pertaining to efficiency, morale and training.
2. The Human Resources Officer shall:
 - a. maintain the security of all personnel records, and such pertinent documents as may be required;
 - b. on instructions of the Chief Constable or a referral by any Officer, study individual problem cases and make recommendations as to treatment;
 - c. on referral from any level, or on his/her own initiative, examine and report on any issues affecting or likely to affect the morale of the Department in general, as distinct from individual cases;
 - d. be available for an interview on a confidential basis with any member of the Department upon any matter excepting a point of discipline. (Nothing disclosed may be known to anyone other than the Chief Constable except with the agreement of the individual member);
 - e. interview and assess all candidates for employment and make recommendations to the Chief Constable as to their suitability for recruit training;
 - f. become conversant with all members' Performance Ratings and be prepared to discuss them with the rater and/or the member rated;
 - g. periodically review and assess all members and make recommendations to the Deputy Chief Constable, commanding Support Services Division, as to their suitability or need for further training;
 - h. coordinate and administer all Departmental training course development and presentation;
 - i. attend, in a confidential and advisory capacity only, any examinations or interviews conducted in the Department in which the contents of the personnel files may be a factor;
 - j. examine the possibilities of employment for all members no longer capable of full employment in the field. The Human Resources Officer will maintain an active file on each member who may be either permanently or temporarily, physically or otherwise, unfit for active duty. When a member is placed in the permanently unfit for active duty category, the Human Resources Officer shall inform the Deputy Chief Constable, commanding Support Services Division, as to their condition, proposed assignment and other pertinent information.



2.1 Department Management

2.1.8 Planning, Research and Audit Section

(Effective: 2010.04.26)

POLICY

The Planning and Research Section, reporting to the Office of the Chief Constable, provides a support service to all sections of the Department. The section conducts research and analysis to develop policies and procedures and to support short and long-term planning. The section also performs evaluations of programs, procedures and equipment, and conducts research into a wide range of issues.

PROCEDURE

1. The Planning and Research Section has a variety of responsibilities, including:
 - workload analysis;
 - requests for changes to authorized strength;
 - Development and review of Memorandums of Understanding;
 - maintenance and amendment of the Regulations and Procedures Manual;
 - compilation and preparation of quarterly and annual statistical reports;
 - design and control of Departmental forms;
 - preparation and/or review of reports to the Police Board and City Council; and
 - approval, coordination and dissemination of all surveys.
2. Any member or section of the Department wishing to obtain assistance from the Planning and Research & Audit Section should direct their request through the chain of command to through their Deputy Chief Constable to the Director of the Planning, Research & Audit Section. Requests for short-term assistance or consultation may be made directly to the Director i/c Planning, Research & Audit Section. (See also Section 2.1.1 (i)- Authorized Strength)
3. Any employee wishing to conduct a survey must:
 - a. Complete a draft of the survey and submit it for approval through their Inspector/Manager to the Inspector i/c Planning & Research Section;
 - b. Planning, Research & Audit personnel will review the survey and work with the employee to edit and distribute the survey to the target group; and
 - c. Once the survey has run its course, P,R&A personnel will tabulate results and return findings to the originating employee for their analysis and final report.



2.1 Department Management

2.1.9 Polygraph Unit

(Effective: 1995.10.25)

1. The mandate of the Polygraph Unit is to offer investigative support to the Department by providing polygraph examinations, statement analysis, interviewing and interrogation skills and forensic hypnosis.
2. Members may request the services of the Polygraph Unit by:
 - a. Contacting the Polygraph Examiner directly
 - b. Submitting a VPD 68 and a copy of the Investigation Report through the chain of command to the Inspector i/c Special Investigation Section.



2.1 Department Management

2.1.10 Professional Standards Section

(Effective: 2007.01.30)

The Professional Standards Section, reporting to the Deputy Chief Constable, Investigation Division, is responsible for the:

- investigation of all complaints of an alleged criminal nature against employees of the Department;
and
- collation of all alleged non-criminal (misconduct) complaints against employees of the Department, investigating complaints where possible or assigning them to the appropriate Division for follow-up.

The Chief Constable is the Discipline Authority for the Vancouver Police Department and will exercise his responsibilities as required.



2.1 Department Management

2.1.11 Staffing Responsibilities

(Effective:)

1. It is the responsibility of each District Inspector to ensure an adequate level of staffing. It is incumbent on District Inspector that foreseeable staffing shortages are addressed.
2. In the event that the level of on-duty personnel is insufficient, given all the circumstances, to effectively and safely provide acceptable police service, the Duty Officer shall take appropriate steps to resolve the staffing shortage. The Duty Officer shall consider the re-deployment of staff and limiting of lower priority calls. In circumstances where the steps taken by the Duty Officer fail to resolve the staffing shortage, the Duty Officer is authorized to call-out the number of members necessary to remedy the shortage.



2.1 Department Management

2.1.12 Traffic Authority

(Effective: 2004.07.15)

The Traffic Authority is under the command of the Inspector i/c Emergency & Operational Planning Section. Members are appointed as Special Municipal Constables pursuant to Section 35 of the Police Act.



2.1 Department Management

2.1.13 Departmental Sergeant Major

(Effective: 2009.09.24)

POLICY

The Departmental Sergeant Major (DSM) is an appointment that is open to all sworn members who have achieved, at minimum, the rank of first class police constable. The DSM is a voluntary and honorary appointment which serves at the absolute discretion of the Chief Constable or designate.

The DSM embodies the VPD's values and is responsible for working with VPD personnel, within the chain of command, to effectively organize and coordinate parades, events and special occasions as directed. The DSM shall also maintain effective and reasonable liaisons with the Ceremonial Unit, the Pipe Band, the Drill Team as well as all other units, sections, and outside agencies as necessary to effectively represent the VPD's interests and to ensure adequate preparation for events, including but not limited to, the Peace Officer Memorial, Remembrance Day services, large parades, significant special events, and VIP events/visits.

PROCEDURE

1. Candidates for the DSM should possess skills and attributes including but not limited to:
 - a. Demonstrated proficiency in parade drill;
 - b. Knowledge of related etiquette and protocol;
 - c. Effective communication and interpersonal skills;
 - d. A member in good standing of the Ceremonial Unit; and
 - e. Willingness to attend an in-service 2-week Drill Instructor Course and to apply those skills regularly through monthly drill practice with the Ceremonial Unit.

DSM Uniform

2. The DSM uniform includes:
 - a. The ceremonial Unit uniform (tunic, pants);
 - b. Red sash; and
 - c. Sam Browne (when deemed appropriate by DSM).

Insignia

3. The DSM insignia, honorary rank, is as per the current insignia, worn on the lower right sleeve, predominantly silver, and is comprised of (from top to bottom):
 - a. Crown;
 - b. Crossed sabres; and
 - c. Four successive inverted chevrons.

Medals and Accoutrements

4. These will change with each individual DSM. However, the following will apply and it shall be the responsibility of the Executive Officer to ensure compliance:
 - a. Medals earned through service as a member of Canada's military or as a police officer serving with Canada's military, whether those medals are Canadian or foreign, shall be worn in compliance with applicable Canadian military regulations; and
 - b. Accoutrements (badges, trappings, qualifications), whether military or police, shall only be worn/used with the expressed permission of the Chief Constable.

Chain of Command



5. The DSM's chain of command includes the incumbent member's regular chain of command through to the Office of the Chief Constable and a secondary chain of command to the Executive Officer, Office of the Chief Constable.
6. The supervision and performance of the DSM is the responsibility of the DSM's regular supervisor. The Executive Officer may provide the supervisor with appropriate input relevant the DSM's performance and responsibilities.



2.2 Promotions and Transfers

2.2.1 Performance Development Process

(Effective: 2008.10.09)

The Performance Development Process is designed to define and clarify work role expectations and performance standards while creating a link between individual and organizational goals, and our Strategic Plan. It is also meant to establish a developmental partnership encouraging open and frank communication between members, their supervisors, and managers, and to promote on-going employee development.

Summary of Responsibilities:

1. Manager/DCC:
 - a. Ensure managers/supervisors are complying with the requirements of the process;
 - b. Conduct random audits of the documentation to ensure maximum benefit is being derived from the system and users are engaging in the process.
2. Supervisor/Manager:
 - a. Schedule an initial performance development interview with the member by March 31st or within 60 days of the start of the appraisal period -- allowing ample time for the member to prepare;
 - b. Explain expectations regarding the position profile;
 - c. Assist the member in creating their developmental plan and document in SAP;
 - d. Monitor member's performance and conduct formal and/or informal interviews on an ongoing basis to support the attainment of the member's personal goals as well as to ensure the organization's goals and objectives are being addressed;
 - e. Document observed behaviour throughout the year in SAP;
 - f. Encourage members to maintain an electronic record of their achievements for the forwarding to supervisor/manager;
 - g. Inform members in a timely fashion of any developmental concerns. Document the concerns and the constructive follow-up taken;
 - h. Conduct a mid-year review meeting and document this meeting in the "Annual Development Plan";
 - i. At year-end, conduct a Performance Development Interview with the member reviewing the information in the appraisal document. Provide a copy of the appraisal to the member for their review;
 - j. Amend and/or change comments as appropriate and enter the member's comments, if any;
 - k. Complete the appraisal.
3. Member:
 - a. Prepare for the interview with the supervisor to initiate the Performance Development Process;
 - b. Work with the Supervisor at the interview to create a developmental plan and agree on the expectations, goals and objectives of the review period;
 - c. Throughout the year, maintain an electronic record of your performance. Document your achievements and specify areas you would like additional support or direction from your supervisor;
 - d. Forward performance entries electronically to supervisor/manager at regular intervals or as requested by supervisor/manager; and
 - e. Engage in the Performance Development process.



2.2 Promotions and Transfers

2.2.2 Rank Confirmation

(Effective: 2000.09.07)

All promotions are subject to confirmation, on the basis of suitability, after a one-year probation period.



2.2 Promotions and Transfers

2.2.3 Sergeant Selection Process

(Effective: 2011.02.09)

PROCESS OVERVIEW

Principles

The Sergeant Selection Process is based on the following principles:

- The goal of the Sergeant Selection Process is to promote the Candidate who has the greatest likelihood of providing the highest quality of service for the Community and the Department.
- The Process is designed to be fair, transparent and accountable to both the members participating and the Department.
- The Process is competitive and intended to recognize Candidates with superior knowledge, skills and abilities, and consistent performance.
- While considerable care has been taken to provide for objective measurement wherever possible, Candidates must understand that there is an unavoidable element of subjectivity inherent in various stages of the process.

The Sergeant Selection Committee

The Chair of the Sergeant Selection Committee is a Deputy Chief Constable appointed by the Chief Constable.

The Committee is made up of the Chair, a management appointee and a member appointed by the Vancouver Police Union. The Committee will make decisions on the basis of consensus. The Committee may make any decision it considers reasonable that is not inconsistent with the Process. If no consensus is reached, the Chair of the Committee will make any decisions that the Committee could have made. Decisions of the Committee, or the Chair of the Committee where the Chair decides, must be in writing.

The Inspector i/c Human Resources Section sits on the Committee as a resource to the Committee and is responsible for administering the Process and carrying out the directions of the Committee.

The Committee is responsible for overseeing the administration of the Process. The Inspector i/c Human Resources Section, or their designate, will provide Candidates with direction as to how to proceed through the Process.

The Committee is responsible for the selection of the Resume Panel and the Interview Panel.

The Resume Panel will consist of an Inspector (Chair person), an additional Inspector, and two Sergeants. All four will be selected from different Divisions. In addition, the Resume Panel will include a representative from the Human Resources Section.

The Interview Panel will consist of a DCC or designate (Chair person), one Inspector, and one Sergeant, selected from different Divisions.

Eligibility

A Constable with eight or more years of approved police experience, but not less than three years experience with the Vancouver Police Department, or a Corporal/Detective, may apply to enter the Process, after the approximate anticipated vacancies have been published in the bulletins. The Candidate must have achieved a



passing score from the Assessment Centre and a passing score from the Sergeants Exam (Q&A and Written Report) prior to submitting an application.

The Chief Constable, or designate, may reject an application for cause, or may remove a Candidate from the Process at any time, for cause. The Chief Constable, or designate, must make the decision to reject or remove the Candidate for cause as soon as practicable after the facts supporting rejection or removal for cause come to their attention. The Chief Constable, or designate, must communicate this decision, in writing, to the Candidate forthwith.

When a Candidate completes an application to enter the Process, the Candidate's Supervisor, Manager, the Inspector i/c Human Resources Section, and the Inspector i/c Professional Standards Section will each provide any relevant information, in writing, that could form the basis for cause to remove a Candidate from the Process to the Chief Constable.

If, at any time, the Candidate's Supervisor or Manager or one of the above Inspectors become aware of information that may form the basis for cause, this information will be forwarded to the Chief Constable or designate for consideration .

Promotional Competition

The promotional competition will normally be held once every calendar year, but may be varied if operational needs require deviation. It will start with the Human Resources Section, with input from the Vancouver Police Union, publishing the approximate anticipated vacancies in the Sergeant rank for the year. Later, before the "Resume" stage of the process, the Human Resources Section will take into account any new information and publish the final anticipated vacancies for the year prior to the Interview Stage.

Before a Candidate can proceed through the Sergeant Selection Process in its entirety, the Candidate must have submitted an Application Form and two approved Candidate Endorsement forms from the current Supervisor and previous Supervisor. (In a case where there were more than two Supervisors over the past three years, a Candidate Endorsement form is required from every Supervisor to a maximum of three during that period.) Candidates must have also successfully completed the Qualifying Exam (Q), the Assessment Centre, Promotional Exam and Modules 1, 2, and 3 as explained below.

The Sergeant Selection Process - **Application Form and Candidate Endorsement Forms** must be submitted by the Candidate for each new promotional competition prior to the *Resume and Interview* stage. The Candidate Endorsement Forms must be filled out and submitted by the Candidate's current and previous Supervisor. (In a case where there were more than two Supervisors over the past three years, a Candidate Endorsement form is required from every Supervisor to a maximum of three during that period.) It is the responsibility of the Candidate to explain and supply the Candidate Endorsement form to the Supervisors and to advise them of the deadline for submission. **The Candidate Endorsement Forms (confidential) will be submitted to the Human Resources Section, Career Development Unit by the Supervisors and not the Candidate.**

The Human Resources, Career Development Unit may contact the Supervisors for clarification of details. The purpose of the Candidate Endorsement Form is to assess the level of support and to provide greater involvement and accountability from the Supervisors. The Application and Candidate Endorsement Forms must be approved by the Career Development Unit prior to continuing in the process. The application may not be accepted on issues relating to, but not limited to the following:

1. Performance
2. Experience
3. Judgement
4. Integrity
5. Discipline



The process itself is broken up into four steps. Each step is weighted for a total of 100%. The breakdown is listed below:

1. Assessment Centre	15%
2. Promotion Exam	25%
3. Resume and Appraisal	30%
4. Interview	30%
TOTAL	100%

1. Assessment Centre:

The Assessment Centre is considered a developmental process. To be eligible to attend the Assessment Centre, Candidates must have a valid passing score in the Qualification (Q) Exam. Candidates may attend the Assessment Centre as early as one year prior to becoming eligible for promotion.

A sign-up period will occur after the dates for the Assessment Centre are published in the bulletins. Once the sign-up period closes, seats will be allocated based on seniority. Anyone placed on the waiting list who does not receive a seat at the upcoming Assessment Centre will be given priority for the next available Assessment Centre.

To participate in the promotion competition, Candidates must achieve a minimum score of 3 in **each** component of the Assessment Centre (In-Basket and Role-Play exercises). Candidates who do not achieve the required score in one or both components of the Assessment Centre will need to create a development plan after obtaining feedback from the Assessment Centre.

The development plan will be created from the input of the Assessment Centre's Administrator. The Candidate, Candidate's direct supervisor and the Career Development Unit in the Human Resources Section will meet, formalize and approve a written development plan. The Candidate is then required to undertake the specific training. When the Candidate **has demonstrated the skills developed** and fulfilled the requirements of the development plan, the Candidate along with the Supervisor will forward all related documents to the Career Development Unit for evaluation.

The Career Development Unit will ensure that the developmental concerns have been addressed. At that time, if the concerns have been addressed, the Candidate, Supervisor and Career Development Unit will meet to sign off on the development plan and the Candidate will be considered to have obtained a passing score of 3 in the Assessment Centre. If the Career Development Unit considers that the Candidate's development is incomplete, the Candidate will be deferred for further development after approval from the Sergeant Selection Committee. Reasons for the deferment will be provided to the Candidate.

Candidates who wish to improve their Assessment Centre score may re-attend three years from the date of their last attendance. The new score obtained, even if it is lower, will then become the score used in the promotion process.

Q Exam (Q), Modules 1, 2, & 3:

The Qualifying (Q) Exam, Modules 1, 2, and 3 are considered a pre-requisite to taking part in the promotion competition. The Q Exam must be successfully completed before a Candidate can attend the Assessment Centre. Modules 1 & 2 must be completed before the Candidates can submit resumes to the Resume Panel. **Module 3 has to be successfully completed by the Candidate prior to the Interview stage.**



Since the Q Exam and the Modules are run by the Education and Training Unit at different times of the year, it is the members' responsibility to ensure that they have successfully met the requirements in time for the competition.

***Important Note**

Each Candidate must ensure that their "Q" status is maintained throughout the entire promotional process.

A Candidates' "Q" status and expiry date is maintained and available for review on the Human Resources, Intranet Home Page "Qualified List".

2. Promotion Exam

The Promotion Exam is different from the Qualification (Q) Exam. Candidates wanting to take part in the promotion competition will have to write and pass the Promotion Exam. Although no study packages will be provided for the Promotion Exam, Candidates will be provided some direction to focus preparation on.

The Promotion Exam consists of two parts and will be written on two separate days.

Part 1 consists of short answer questions (from a few sentences to a few paragraphs), testing Candidates in legal and investigative knowledge, supervisory skills, departmental regulations, labour issues, etc.

Part 2 consists of a writing exercise. The Candidate will be given a set of facts/information and will be required to write a report to their manager of approximately 1500 words using Microsoft Word Pad. The intention is to test the Candidates' writing skills, composition, spelling, grammar and punctuation.

Part 1 will be weighted as 70% of the total exam mark while Part 2 will be weighted as 30% of the total exam mark. Candidates must attain a minimum score of 50% on Part 2.

Candidates must achieve a minimum 60% combined (Part 1 and Part 2) overall score to proceed to the next step in the process.

Scores obtained in the Promotion Exam are valid for four years. Candidates may choose to re-write the Exam before the four year period in order to obtain a better score. The new score obtained will then become the valid score (even if it is lower) for the purposes of the competition and the old score may not be used.

3. Resume and Appraisal

To enter this stage of the competition, Candidates must have done the following:

- Have a current application that has been accepted
- Have an approved Candidate Endorsement form from the Candidates' current and previous Supervisor. (In a case where there were more than two Supervisors over the past three years, a Candidate Endorsement form is required from every Supervisor to a maximum of three during that period.)
- Have a valid passing score from the Promotion Exam
- Have maintained their 'Q' status
- Have completed Modules 1 & 2
- Have a minimum score of 3 in each component of the Assessment Centre

Candidates will submit a package of documents to the Career Development Unit.



In order for each Candidate's package to be consistent an outline is listed in order for your reference:

(Note: The document package must be submitted as described below or it will be returned to the Candidate.):

- Tab 1 - Title Page
- Tab 2 - Table of Contents
- Tab 3 - Cover Letter. A 500 word (maximum) letter addressed to the Resume Panel explaining why the Candidate would make a good Sergeant.
- Tab 4 - Resume. A 2500 word (maximum) business format résumé. The résumé should highlight the Candidate's major accomplishments over their career. This may include accomplishments outside of the police environment, if the Candidate considers the information relevant, as well as volunteer work whether directly related to policing or not.
- Tab 5 - References. This page will contain a list of references with contact information in chronological order for each example provided in the resume. The Resume Panel will consult with the reference if required.
- Tab 6 - Assignment History and Education. This page is not to be used to augment the résumé. It should only contain a chronological list of the Candidate's assignment history and education. (It is quite acceptable and appropriate to also use or summarize this information in the résumé, but any such material in the résumé will be included in the word count. Many excellent résumés summarize education and are organized in order of assignment, for example.)
- Tab 7 - Commendations, letters of appreciation or similar material (not reference/solicited letters.)
- Tab 8 - Previous Year Performance Appraisal
- Tab 9 - The Candidate **may also submit** supporting documentation limited to one administrative report (*Warrants or Operational Plans are not acceptable to satisfy the requirement for an "administrative report"*) and one GO report (or other operational report, such as an Operational Plan).

The Resume Panel will evaluate and score the resumes and accompanying documentation by comparing the Candidates' accomplishments, work history, skills, work performance, and suitability against each other (Resumes are evaluated by comparing those that are submitted by Candidates in each competition as such, scoring can vary from competition to competition). *For a detailed explanation of what the Panel will be looking for, see the document "Resume and Appraisal Stage".*

The Panel will short list suitable Candidates for proceeding to the Interview stage. The Panel will strive to identify a maximum of two candidates for each of the projected vacancies that were published earlier.

For example, if there are 10 projected vacancies, the Panel will attempt to short list 20 Candidates to be put forward to the Interview Stage. However, if there are less than 20 suitable Candidates, the number of declared vacancies will not be reduced to satisfy a 2:1 ratio.

4. Interview

To proceed to the Interview stage, Candidates must have:

- Completed Module 3.
- Been added to the short list at the end of the Resume and Appraisal stage.

Candidates will be interviewed by the Interview Panel. The interview will consist of seven questions which includes one "wrap up" question. The six core questions will be BDI (Behaviour Descriptive Indicator.) The Questions will not be provided prior to the interview and Candidates will not be permitted to bring any notes into the interview (Candidates may make brief notes during the interview.) Follow-up questions may be asked by the Panel regarding any of the questions. The Interview will last one hour.



Each question will be scored out of 10. The total score is then converted to a percentage, to two decimal places. All scores will be forwarded to the Human Resources Section for compilation of the promotion list.

Final Selection

At the end of the interviews, the Career Development Unit will generate a list of Candidates based on the sum of:

- Score obtained at the Assessment Centre, converted to a percentage, to two decimal places;
- Score obtained in the Promotion Exam, to two decimal places;
- Score obtained in the Resume and Appraisal to two decimal places;
- Score obtained in the Interview, to two decimal places.

The list will contain only as many Candidates as the number of final anticipated vacancies published earlier. The list will be generated by placing the Candidate with the highest overall score first on the list. In the event of a tie, first consideration will be given to Vancouver Police sworn constable seniority. The Candidate with the most VPD sworn constable seniority will be placed highest on this portion of the list. If the Candidates are still tied, PIN #s will be used to break the tie. Candidates will continue to be placed according to their final overall score to generate the entire list. No Candidate will be disadvantaged due to a tie score. In other words, all Candidates who are tied at the upper limit of the list will be placed on the list. The “tie breaking” process will only be used to determine the order of the list.

Promotions

Promotions will occur as vacancies arise in order of the score obtained unless an operational need requires an exception. Reasons for the deviation will be provided to the affected Candidates. Any Candidates who have successfully completed the process and remain on the agreed upon list at the end of the year will be promoted in the following year when vacancies arise prior to any new successful Candidates being promoted. The vacancy projection for that following year will be adjusted accordingly.

Any vacancies that occur after the agreed upon list of “anticipated vacancies” has been published will be carried forward to the following year and will only be staffed after a new promotion process.

Unsuccessful Candidates

Candidates who are unsuccessful at any stage of the competition (Resume or Interview), may request feedback from the appropriate Panel. They may then submit a fresh application and Candidate Endorsement Forms for a new competition the following year. Provided the application is accepted and they are otherwise qualified (Modules and Promotion Exam), every “new” competition will entail the submission of an updated resume and accompanying documents to the Resume Panel.

Process Design

The Sergeant Selection process is designed to be a fair and transparent process. It is also competitive in nature to ensure that Candidates who are promoted have the greatest likelihood of providing the highest quality of service to the community and the Department. As such, in a competitive process, some Candidates will not be successful in a given year. Candidates who are not successful are encouraged to solicit feedback from the promotion panels so that they are better able to re-assess their suitability for promotion and undertake developmental steps to improve their potential for promotion in subsequent competitions.

Note to Candidate

*****Nothing in this process precludes a Candidate from consulting with the VPU regarding any concerns they may have about the process or their experience in the Sergeant’s Selection Process.***



2.2 Promotions and Transfers

2.2.4 Transfers

(Effective: 2006.07.25)

1. Police members wishing to apply for a transfer or assignment to another Section shall:
 - a. complete one copy of an application form (VPD 451) and attach a resume and their most recent Performance Appraisal to the application form. Members shall forward the package directly to the Inspector in charge of Human Resources Section; and
 - b. Complete a second copy of the application form, attach a resume and their most recent Performance Appraisal to it, and give the package to their immediate supervisor.
2. The supervisor shall complete the "Supervisor's Remarks" section of the second copy and forward it to the Division Commander for signature.
3. The Division Commander shall then forward the signed second copy to the Inspector, in charge of Employee Development Section.



2.3 Rank

2.3.1 Reclassification of Rank

(Effective: 2000.09.29)

1. Requests for reclassification of a rank or position may be initiated by:
 - a. The Chief Constable
 - b. A union representing a member of the Department
2. Requests for reclassification will be submitted to the Deputy Chief Constable commanding Operational Support Division, who will review the classification and make recommendations. These recommendations will be presented to either the Police Board or the Director of Personnel Services at City Hall by the Chief Constable. Requests may be made at any time during the year.

Civilian members should refer to their Collective Agreements regarding individual requests for reclassification.



2.3 Rank

2.3.2 Seniority

(Effective:)

1. Seniority is defined as the length of continuous service from enlistment date.
2. Members taking a leave of absence or resigning and re-enlisting within one year will have their enlistment date set back by the length of the absence. After an absence of longer than one year, all accumulated seniority is lost and the new enlistment date shall determine seniority.
3. In the event that two or more members have the same enlistment date, seniority will be determined by alphabetical order using the name under which the member joined the Department.



2.3 Rank

2.3.3 Acting Ranks

(Effective: 2006.12.05)

POLICY

When temporary vacancies occur in the NCO or Officer Ranks, the Chief Constable or the Chief Constable's designate has the authority to appoint temporary replacements. The goal of this policy is to assist in selecting the most appropriate member to assume temporary command when a vacancy exists in a unit or section. Where special skills are required, first consideration will be given to those members possessing the necessary skills. All such assignments are subject to the approval of the Chief Constable.

Authority

A member authorized to undertake the duties of a rank senior to their own, shall exercise all of the authority vested in that rank.

General

Officer Rank

1. In selecting a Sergeant to assume the rank of Acting Inspector (A/Inspector), priority shall be given to those members, in order of seniority in rank, in the following order:

- a. Currently in the Section where the vacancy exists, who are on the Inspectors' Promotional List;
- b. Currently in the Section where the vacancy exists, who are in the Inspectors' Promotional Process;
or
- c. The most senior Sergeant in the Section where the vacancy exists, who possesses the necessary skills to perform the tasks required.

2. The member's willingness and ability to perform the necessary administrative tasks may also be taken into consideration. Furthermore, all acting appointments are voluntary and as such it is not intended that the provisions contained within Section 11.1 of the Collective Agreement should apply. Where a suitable volunteer cannot be found within a Section, then the aforementioned criteria will be applied first in the Division where the vacancy exists, and then throughout the Department.

Officer Work Schedule

3. Given the administrative duties required of an Officer, it is preferable that all supervisors's filling temporary management vacancies will work an 8 hour 5 day week.

4. In recognition of the impact of changing from a rotating shift that includes working weekends to a standard 5 day work week, those supervisors moving from such a work schedule will be permitted to work a 10 or 11 hour 4 day week as the case may be depending on the supervisor's current assignment.

5. If the acting assignment is for a period beyond two weeks, the supervisor filling the vacancy shall revert to an 8 hour 5 day week, irrespective of a rotating shift assignment.

6. Supervisors assigned to duties that do not require rotating shifts including weekends will be required to work an 8 hour 5 day week any time the acting time exceeds one calendar week.



Sergeant Rank

7. The primary consideration for selecting an A/Sergeant (A/Sgt.) in operational (patrol) teams shall be the ability of the member to perform the duties of Sergeant in the given assignment in an operationally safe and effective manner.
8. The member's willingness and ability to perform the necessary administrative tasks may also be taken into consideration.
9. In the event that a member is deemed not suitable to perform the role of A/Sgt. in a prescribed assignment, that member will be provided with the reason(s) and justification to support that decision.

Policy for Teams other than General Patrol Teams

10. All other things being equal, when selecting from members on a team who meet the criteria in section 3 above, the following guidelines shall apply:
 - a. First priority shall be given to members, in seniority order, on the team who are in the Sergeants Promotional Pool;
 - b. If no member meets the criteria in section 12(a), the most senior member of the team currently active in the Sergeant's selection process who has successfully completed the assessment centre;
 - c. If no member on the team meets the criteria in 12(a) or 12(b), the most senior member who is currently qualified is selected next: and
 - d. If no member on the team is qualified, the most senior member on the team is selected.

Policy for General Patrol Teams

11. The minimum staffing standard for substantive Sergeants, city wide, is one per :
 - a. Dayshift (alpha or bravo);
 - b. Afternoon shift (Charlie or Delta); and
 - c. Night shift.
12. When selecting a member to assume an A/Sgt. role, priority shall be given to those members, in seniority order, who:
 - a. Are currently in the Sergeants Promotional Pool, and have:
 - i. Successfully completed NCO Training Modules I, II & III; and
 - ii. Completed PRIME workflow training.
 - b. If no members meet the criteria in section 12(a), the most senior member currently active in the Sergeant's selection process and has:
 - i. Successfully completed the assessment centre;
 - ii. Successfully completed NCO Training Modules I, II & III; and



iii. Completed PRIME workflow training.

c. If no member on the Team meets the criteria in 12(a) or 12(b) above, then the most senior Constable who:

i. Is a 1st Class Constable;

ii. Is Qualified; and has

iii. Successfully completed NCO Training Modules I, II & III; and

iv. Completed PRIME workflow training, will be selected.

13. If no candidates are available using the above criteria, attempts will be made to call-out a substantive Sergeant from the District in which the vacancy exists.

14. In the event that a substantive Sergeant cannot be identified, a 1st Class Constable from the patrol district shall be selected, using the criteria described in Section 12.

15. In the event that no qualified personnel are identified in the district, a candidate shall be selected from the Division, using the criteria described in Section 12.



2.4 Training and Qualifying Standards

2.4.1 Qualifying Standards - General

(Effective: 2019.01.17)

THIS PROCEDURE IS CURRENTLY UNDER REVIEW. MEMBERS ARE DIRECTED TO FOLLOW THEIR SBOR TRAINING INSTRUCTIONS REGARDING THE USE OF FORCE.

1. The Training Board will establish minimum qualifying standards in firearm marksmanship, vascular neck restraint, oleoresin capsicum spray and the use of the baton. Members are required to attain the minimum standards annually for firearm marksmanship and every three years for vascular neck restraint, oleoresin capsicum spray, and the baton.
2. The Education and Training Unit shall publish a schedule of firearm, baton, vascular neck restraint and oleoresin capsicum spray qualification dates. The Department shall afford each member the necessary training and qualification sessions. However, it is ultimately the responsibility of all members to ensure that they attend the required qualification sessions. Members who are unable to attend the scheduled qualification sessions shall arrange alternate dates with the Education and Training Unit.
3. Members who fail to qualify on a particular piece of equipment shall surrender that equipment (firearm, baton and/or oleoresin capsicum spray) to the Range, Police Stores or their Supervisor. In circumstances where the member is unable to surrender the equipment or it has not been returned, the Department shall ensure the equipment is seized.



2.4 Training and Qualifying Standards

2.4.2 Qualifying Standards - Firearms

(Effective: 2017.08.18)

POLICY

All members shall qualify on their issue pistol annually by passing the qualification standard. Members assigned to uniform units are required to complete their firearms qualification wearing uniform attire and members assigned to plain clothes units are required to complete their firearms qualification wearing plain clothes attire. The qualification year ends on November 30th of each calendar year.

DEFINITIONS

Uniform Attire - must include a departmentally issued ballistic vest, issue duty belt and issue holster.

Plain Clothes Attire - must include a departmentally issued ballistic vest and issue holster

PROCEDURE

1. The member must pass the qualification standard on the Provincial Qualification Course of Fire.
2. If a member does not pass the qualification standard after two attempts, the member will immediately receive a minimum of thirty (30) minutes of mandatory remedial training.
3. After receiving this training the member will be given a third attempt to pass the qualification standard.
4. If the member fails to pass the qualification standard after three attempts, the member will be non-qualified and will not be authorized to carry or use their firearm and must return on a subsequent day and re-test on the entire qualification course of fire.

Pass not obtained or expired

5. The Firearms Training Team Supervisor or designate shall:
 - a. Inform the member that they are not authorized to deploy operationally;
 - b. Advise the Inspector i/c Training and Recruiting Section accordingly; and
 - c. Provide members with sufficient training until they achieve the qualification standard.
6. The Inspector i/c Training and Recruiting Section shall:
 - a. Advise the member's manager that the member has failed to qualify on their issue pistol and is not operationally deployable; and
 - a. Refer members who repeatedly fail to meet the qualification standard to the Human Resources Section for case review.

Long term absences

7. When a member is absent due to illness or injury for a period exceeding thirty (30) days, the Human Resources Section will conduct a case review and, if appropriate, request the member's supervisor recover the member's firearm for security reasons. The firearm will be surrendered to the Firearms Training Supervisor until the member returns to duty. When the member returns to duty the firearm will be returned provided that:
 - a. The member is qualified; and
 - b. Approval has been received from the Human Resources Section.



2.4 Training and Qualifying Standards

2.4.3 Request to Attend In-Service Training

(Effective: 2010.06.17)

POLICY

The Education and Training Unit is responsible for receiving applications for training and identifying members for courses from the applications received. One of the criteria is whether it is required training as identified by the Mandatory Training Catalogue.

E-learning is an efficient training method which allows the Education and Training Unit to train members without adversely affecting operational resources.

PROCEDURE

The following procedures apply for applicants to in-service training and E-learning courses.

1. Members who wish to apply for training courses (e.g.: Justice Institute of British Columbia, Royal Canadian Mounted Police, Canadian Police College or City of Vancouver, or E-learning) shall submit a Training Course Application (VPD 449) to the Education and Training Unit.
2. Once a member is registered for a course they cannot withdraw, except;
 - a. with the permission of their Inspector; or,
 - b. for illness or personal/family emergencies

E-Learning Courses

3. Members shall notify the Education and Training Unit upon successful completion of E-learning courses.
4. Members must complete E-Learning within the time stipulated by the course provider. Exceptions may be made in some cases as approved by the Sergeant i/c Education and Training Unit.
5. Members who fail to complete the course within the time allotted will not be allowed to apply for future optional training until the course has been successfully completed.



2.4 Training and Qualifying Standards

2.4.4 Courses and Conferences

(Effective: 2001.03.20)

The following procedures will apply when a member of the Department wishes to attend a seminar, conference or course not covered by the Police Educational Fund or one that is not part of the regular training program of the Department.

1. The member will forward an Expense Authorization (VPD 118) and a covering memo to the member's Division Commander.
2. The VPD 118, covering memo and recommendations of the Section Inspector will be forwarded to the Division Commander for consideration.
3. When required, Police Board approval will be requested.
4. If approval is granted, a copy of the approved VPD 118 will be forwarded to the Human Resources Section by the member attending the conference or seminar for inclusion on the member's personnel file.
5. Where a member attends a local seminar or conference and no expenses are incurred, approval may be granted by the member's Supervisor or Section Inspector. In these cases, the member attending the seminar or conference will advise the Human Resources Section, in writing, that they have attended.



2.4 Training and Qualifying Standards

2.4.5 Hosting a Conference or Course

(Effective: 2013.09.17)

POLICY

The Vancouver Police Department (VPD) supports the concept of units hosting conferences or courses to further learning and the exchange of best practices information.

For the general purposes of this policy:

- a. A conference is defined as an event where members of the greater policing community, often with other related professions, are invited for the purpose of discussing and sharing information on a general topic; and
- b. A course is a program of instruction, smaller in scope, aimed at training on a specific topic for a specialized target group.

Conferences must be organized in compliance with Departmental regulations and the use of the VPD Event Coordinator is mandatory to ensure that all aspects are conducted in an open and transparent manner, and that tax and liability issues are properly addressed. As well, the inclusion of the Event Coordinator is intended to ensure a professional result, consistent VPD messaging, and reduce the amount of on-duty time spent by members organizing conferences. The Event Coordinator and Conference Committee will discuss and delegate tasks as appropriate, keeping in mind the objective of minimizing the time that members, sworn and non-sworn, spend organizing the conference.

Surplus funds derived from the hosting of a conference may be eligible for carry-forward (making funds available for the next fiscal year) under the City of Vancouver (COV) provisions. If the carry-forward is approved by the COV, the funds will be earmarked as such, and attributable to the conference by the VPD Financial Services Section (FSS). The host unit must apply to the Executive Committee for consideration to use those funds for a specific training purpose.

Courses must be approved through the Inspector i/c Training & Recruiting, and do not require the formation of a Conference Committee. Courses held 'in house' at a VPD facility do not require the use of the Event Coordinator. However, a unit or group of members wishing to host a course 'off-site' (not in a VPD facility) shall consult the Event Coordinator for assistance. Any surplus funds derived from hosting a course will be credited to the mandatory training budget; consideration for the use of those particular funds may be given to the hosting unit for a specific training purpose in that fiscal year.

PROCEDURE - CONFERENCES

1. A Unit, or group of members, who want to host a conference must form a Conference Committee. This committee must be composed of, at a minimum, a chairperson, a treasurer, and a recording secretary. Other positions can be added as necessary. Minutes will be kept of all Conference Committee meetings.
2. The Conference Committee must consult with the Insp. i/c Training & Recruiting regarding the proposed conference dates to avoid conflict with other planned conferences or courses.
3. Permission to host a conference must be obtained at least 6 months in advance from the VPD Executive Committee. The Conference Committee must work with the Event Coordinator, and then



submit a report which contains the following information, via the chain of command, to the Executive Committee:

- a. Intent of the conference;
 - b. Format of the conference;
 - c. Partner agencies, if any, and their specific responsibilities;
 - d. Social programs/activities, including spousal programs;
 - e. A proposed budget using a VPD1717(10);
 - i. Anticipated attendance numbers;
 - ii. Registration cost;
 - iii. Estimated costs for venue, catering, a/v, security, speakers expenses, socials, gifts/door prizes and all other event costs; and
 - iv. The balance of any approved carry-forward funds derived from previous conferences held for the Unit.
 - f. Plans for obtaining donations/sponsors, ensuring that Departmental policy regarding donations and sponsorships is adhered to (RPM Section 2.6.3: Donations and Sponsorships);
 - g. Plans for the use of a surplus or funding of a deficit. It is recognized that specific information regarding future training may not be available at this time, but the intended use of the funds must be listed;
 - h. Any other information unique to the conference; and
 - i. Estimate of the number of members (sworn and civilian) involved and the amount of on-duty hours utilized.
4. Upon receiving approval from the Executive Committee, the Conference Committee must notify the:
- a. VPD Event Coordinator, Community & Public Affairs Section; and
 - b. Controller, VPD Financial Services Section (FSS).
5. The Conference Committee must ensure that:
- a. A member is identified to liaise with the Event Coordinator;
 - b. The treasurer acts as the liaison with the FSS;
 - c. All finances are handled by the FSS. The use of an outside bank account, VPCU or otherwise, is prohibited;
 - d. All donors/sponsors, if applicable, must be informed what the surplus funds, if any, will be used for;
 - e. If the VPD is sharing host duties with another agency, there must be a signed agreement in place, outlining the obligations of each host agency;
 - f. The conference content and speakers are identified;
 - g. The Conference Committee works collaboratively with the Event Coordinator to ensure tasks are completed;
 - h. Sufficient members are available during the conference to act as hosts and complete tasks as necessary;
 - i. All receipts and invoices are submitted to the FSS within 30 days of the completion of the event;
 - j. The treasurer, in consultation with the FSS, reconciles the event finances;
 - k. If the intent is to classify the conference as a VPD increment course, the Inspector i/c Training & Recruiting is consulted to determine if the event meets the necessary requirements (RPM Section 2.6.2(iv): Educational Fund and Increment Approval);
 - l. A concluding report, including the financial reconciliation, is submitted within 90 days of the conclusion of the event to the VPD Executive; and
 - m. The concluding report, once approved and signed by the VPD Executive, is forwarded to the FSS for retention.
6. Responsibilities of the Event Coordinator:
- a. Meet with the host unit Conference Committee;
 - b. Assist with the report to the Executive Committee, if requested, by providing expertise and advice;



- c. Contact the FSS to ensure that an order number/project fund has been set up for the conference;
 - d. Contact COV Risk Management to ensure that liability insurance is in place;
 - e. Venue, procurement and setup;
 - f. Registration for the event;
 - g. Travel and accommodation arrangements for speakers;
 - h. Catering needs; and
 - i. Audio/visual equipment arrangements.
7. Responsibilities of the VPD Financial Services Section:
- a. Handle all finances and accounts;
 - b. Assist the Conference Committee Treasurer with the reconciliation of the event expenses;
 - c. Maintain records for the order number/project fund in which any surplus funds will be kept;
 - d. If eligible under the COV carry-forward provisions, ensure any surplus funds are carried forward to the next budget year; and
 - e. Retain and file the concluding report once it has been approved and signed by the VPD Executive.
8. Use of approved carry-forward surplus funds:
- a. The Conference Committee must apply in writing to the Executive Committee for consideration to use the funds once they have identified a specific conference or course, and venue.

PROCEDURE - COURSES

9. A Unit, or group of members, who want to host a training course must:
- a. Seek approval from the Inspector i/c Training & Recruiting;
 - b. Contact the FSS and ensure that an order number, if needed, is set up for the course; and
 - c. If the course is to be held 'off-site' (not in a VPD facility), consult the Event Coordinator for assistance.
10. Any surplus funds generated from the training course (e.g., from charging out to other agencies to attend) are placed into the mandatory training budget. Consideration for the use of those particular funds may be given to the hosting unit for a specific training purpose in that fiscal year. With the approval of their Inspector, members of the hosting unit must apply in writing to the Inspector i/c Training & Recruiting for consideration to use the funds for training.



2.5 Directives, Bulletins and Orders

2.5.1 Amendments to Regulations and Procedures Manual

(Effective: 2017.02.28)

1. To request an amendment to the Regulations and Procedures Manual (RPM) members shall complete a VPD 1303 RPM Amendment Request Form and submit the recommended change or amendment to their Section Manager. This form can be found under the Forms link on the home page of the Intranet or on the PR&A Website.
2. If the proposed amendment is considered appropriate, the Section Manager shall forward the original report with all-accompanying comments and recommendations, to the Director of the Planning, Research & Audit Section for review.
3. The Planning, Research & Audit Section is responsible for amending and maintaining the Regulations and Procedures Manual. The Section will examine the amendment to determine if the recommended alterations are compatible with the overall operations of the Department and if further amendments will be required to other sections of the manual due to the recommended change.
4. The Planning, Research & Audit Section will place a draft copy of the amendment on the Executive Committee meeting agenda.
5. If approved by the Executive Committee, the amendment will be submitted to the Police Board for approval (assuming the amendment meets the criteria set by the Police Board).
6. If the amendment is approved, the Planning, Research & Audit Section will publish it in bulletins as a Part I Order and the amendment will be prepared and distributed.
7. All approved amendments to the Regulations and Procedures Manual are then filed with Police Services.
8. If the proposed amendment is rejected the submitting member will be notified by memo by their Section Manager.



2.5 Directives, Bulletins and Orders

2.5.2 Publication of Bulletins and Other Articles (Part I and II)

(Effective: 2018.09.04)

POLICY

It is essential that members be provided with accurate and timely information that is crucial to their duties. Further, members are encouraged and required to use the Bulletin process to ensure that they are aware of these published operational changes in their duties. Also, information that relates to social events and other departmental activities shall also be accommodated.

PROCEDURE

VPD Bulletins and Submission Process

Overview

1. Information shall be published on the Intranet Home Page in **one** of three venues:
 - Operational Items - contains all information related to amendments of the Regulations and Procedures Manual (Part I Orders), and any other Operational Issues that are necessary.
 - Training Items - contains all information related to training issues.
 - General Announcements - contains all information that is related to the social events, activities, or interests found within the department.
2. In order to have a Bulletin or Announcement published, members shall follow the Bulletin/Announcement Notice Process and use their email to submit requests. Authors of a submission shall include their name and a contact number with their submission.
3. Members shall then submit via email their Bulletin/Announcement Notice request to their Inspector or Manager for approval. Notices that are approved will then be emailed by the Inspector/Manager to the VPD Bulletin Publisher as applicable.
4. Information related to operational issues, training bulletins, or changes to the Regulations and Procedures Manual, will be submitted via email to the VPD Bulletin Publisher. Further information can be obtained by referring to the information page on the Intranet "How to Submit a Bulletin"

Members and Supervisor's Responsibilities

5. In order to ensure that members are provided with essential operations information, Supervisors shall access the Operations Bulletins and review any new information with their members during patrol briefings.
6. Members shall also review and examine the Operations Bulletin on a regular (weekly) basis to ensure they are conversant with the information and changes that may have occurred.

Global Email Submission to provide High Importance Information

7. Important information, which is not suitable for dissemination via PowerDMS, will be sent to employees as a global email submission with a "high-importance" flag attached. Members are required to open these email submissions and review the materials. Employees wishing to send a global email shall follow the procedure in Section 2.9.2: Email and Internet Security.

General Bulletin Requirements

8. Notices must be sent at least 5 working days prior to the requested publishing date.



9. All approved information Notices will be sent to the VPD Bulletin Publisher by email.
10. All bulletins shall be relevant to the operations, business and activities of the Vancouver Police Department.

RCMP Bulletins

11. Members wishing to distribute urgent bulletins or information (e.g. criminal activities intelligence, suspect reports articles, essays to other police departments) through the RCMP Monitoring Information Unit shall submit their materials to their immediate Supervisor for review. Members shall then contact the RCMP Monitoring Information Unit and submit their information by mail or fax.

NOTE: The RCMP's Monitoring Information Unit electronically distributes information to numerous agencies. They have access to CABS (Computerized Arrest and Booking System) and can assist members in putting together a photo line-up for suspects who have pictures retained by distant police departments.

Other Publications

12. Members writing an article for a newspaper, journal, police magazine or other publication shall forward the article through the Chain of Command to the Executive Officer. This only applies to a member writing an article in their capacity as a member of the Vancouver Police Department.



2.5 Directives, Bulletins and Orders

2.5.3 Orders - Part I & II

(Effective: 2003.02.19)

ORDERS - PART I AND II

Orders fall into two general categories:

Part I and Part II.

PART I ORDERS

All approved amendments to the Regulations and Procedures Manual are considered as PART I Orders. All such amendments can be found in the Operational Bulletin under RPM Amendments on the VPD Intranet Home Page and in the permanent Intranet Regulations and Procedures Manual.

PART II ORDERS

All changes concerning personnel and changes in pay or status are described and reported on in PART II Orders. All Part II Orders can be found in the Personnel Changes link on the VPD Intranet Home Page.



2.5 Directives, Bulletins and Orders

2.5.4 PowerDMS Messages

(Effective: 2010.06.17)

POLICY

PowerDMS must be only used to deliver significant policy notices electronically to members. PowerDMS records when members have reviewed and electronically signed the messages which allows the Department to maintain records that detail when members have received significant policy updates. Follow up to ensure that all members have signed the PowerDMS messages is essential.

PROCEDURE

Criteria for PowerDMS Dissemination

1. The following criteria must be met before a message can be sent out via PowerDMS :
 - a. The information in the message is of significant importance,
 - b. The information is relevant to the majority of the Department,
 - c. The Sergeant i/c Training Section has been consulted to determine if further training efforts are required to ensure that the message is delivered in a meaningful way, and
 - d. The Director in charge of the Planning, Research and Audit Section has approved the message for dissemination via PowerDMS.

Responsibility of Members

2. Members must review a PowerDMS message as soon as practicable after becoming aware that there is a message for their review.
3. It is the responsibility of the member to seek clarification of the information in the message, if so required.
4. The member must review the message and electronically sign it once it has been understood.

PowerDMS Compliance - Audit Unit

5. The Audit Unit will complete the initial audit of Department-wide PowerDMS sign-off compliance within 21 days of the dissemination of a message via PowerDMS.
6. The results of the initial audit will be sent to Section Inspector or Director.
7. The Audit Unit will initiate a follow up audit of Department-wide PowerDMS sign-off compliance within 30 days of the initial audit being completed.
8. The results of the follow up audit will be sent to the Superintendent or Senior Director in charge of the work area. For those Sections that are not commanded by a Superintendent or Senior Director, the results of the follow up audit will be sent to the Section Inspector or Director.
9. The Audit Unit will conduct an audit of the PowerDMS distribution list annually, or as deemed necessary by the Audit Manager.
10. Sections or Units will be responsible for completing any additional PowerDMS sign off compliance audits that they wish conducted.



2.6 Financial Management

2.6.1(i) Fingerprinting Fees

(Effective: 2017.06.13)

Fees collected for fingerprint based searches (eg. Immigration Certificates, job security checks, etc.) will be forwarded to the Senior Director i/c Financial Services Section.



2.6 Financial Management

2.6.1(ii) Member Witness Fees

(Effective: 2017.06.13)

1. Any witness fees received by members attending Criminal or Civil Courts where the member will either be appearing on duty or claiming pay or credit, must be turned over to the Senior Director of the Financial Services Section, who will issue a receipt to the member.
2. If the member was on duty during the court appearance, they will retain the receipt.
3. If the member was off duty during the court appearance and is claiming pay or credit, the receipt will be attached to the Court Notification form.



2.6 Financial Management

2.6.1(iii) Motor Vehicle Report Fees

(Effective: 2017.06.13)

Charges levied for supplying copies of motor vehicle accident reports to insurance adjusters and lawyers are collected by Traffic Records and forwarded to the Senior Director i/c Financial Services Section for processing.



2.6 Financial Management

2.6.1(iv) Motor Vehicle Accident Scene Photograph Fees

(Effective: 2017.06.13)

Copies of photographs will be supplied on approval of the Inspector i/c of the Traffic Section. Charges will be collected by the Senior Director i/c of the Financial Services Section.



2.6 Financial Management

2.6.1(v) Towing and Storage Fees

(Effective: 2017.06.13)

Towing and Storage Fees collected by the Property Office will be forwarded to the Senior Director i/c Financial Services Section.



2.6 Financial Management

2.6.2(i) Chief Constable's Contingency Fund

(Effective: 2000.09.07)

The Chief Constable's Contingency Fund is available, upon prior approval, for entertainment of visiting officials. The Chief Constable disburses the fund.



2.6 Financial Management

2.6.2 (ii) Informant and Investigation Fund

(Effective: 2007.02.26)

1. Police members of the Department may obtain funds from the Information and Investigation Fund for securing evidence and for obtaining information.
2. Application for funds (other than Informant Source Funds) will be made on an Investigative Expense Form (VPD 863A) to the Inspector in charge of the Criminal Intelligence Section.
3. The member receiving the funds will submit an Account Form (VPD 548) to the Inspector in charge of the Criminal Intelligence Section.
4. Application for Informant Funds will be made on a VPD 863B to the Inspector in charge of the Criminal Intelligence Section, and payments shall be authorized as follows:
 - a. no payment shall be made to any unregistered Informant;
 - b. payments up to \$200.00 may be authorized by the Source Coordinator;
 - c. payments between \$200.00 and \$500.00 may be authorized by the Inspector i/c of the Criminal Intelligence Section; and
 - d. requests for payment of funds in excess of \$500 will be referred to the Deputy Chief Constable Commanding Operations Support Division for authorization.
5. Payments may be made in due course after the assessment of Source Debrief information.
6. An Informant Receipt Form (VPD 905) must be completed and forwarded to the Source Coordinator as soon as possible after payment of the funds; and
7. A second member must witness any payment of funds to an Informant. The second member must also sign the VPD 905.
8. Members who are offered public or private funds to aid in an investigation (for example: Informant payment) shall submit a VPD 68 report through the chain of command to the Deputy Chief Constable, Operations Support Division for authorization, prior to accepting any funds.



2.6 Financial Management

2.6.2 (iii) Travel Expense Fund

(Effective: 2007.01.30)

1. The Travel Expense Fund is available for members authorized to travel on duty outside of the Greater Vancouver Regional District (GVRD). All members requesting funds for travel (other than for training purposes) must obtain pre-approval from the Chief Constable or the Deputy Chief Constable of their Division. Funds for pre-approved travel shall be disbursed by the Managing Director, Finance.
2. Members requesting funds must first complete an Expense Claim Voucher - Travel Related (pre-travel) VPD 1328A prior to traveling. Upon completion of the travel, members must complete and submit an Expense Claim Voucher - Travel Related (post-travel) VPD 1328B.
3. Members requesting travel expense funds for training purposes must follow the procedure outlined above after obtaining pre-approval from the Inspector i/c of the Training and Recruiting Section.
4. On occasions that members of the department are authorized to travel on duty out of the GVRD and they choose to stay with friends or relatives, they may claim an allowance of \$30.00 a day. This allowance is for payment of an honorarium to the members' host. The member shall submit an Expense Claim Voucher - Travel Related (post-travel) VPD 1328B. This payment will only be made when there is no hotel cost.



2.6 Financial Management

2.6.2(iv) Educational Fund and Increment Approval

(Effective: 2018.01.04)

I. Police Educational Fund

1. A Police Educational Fund has been established to recognize, motivate and financially assist police members of the Department who are interested in furthering their education by enrolling in approved courses. The fund is available exclusively to members of the Vancouver Police Union, as it is a negotiated benefit. The Educational Fund is administered by the Training Board.
2. Distribution of Funds:
 - a. The Training Board has established a maximum dollar amount (\$325.00) for tuition reimbursement on a per course basis. If sufficient funding is available for additional reimbursement, applications will be processed as outlined in the following sections.
 - b. The Police Educational Fund is distributed on an equal share basis until the fund is depleted relative to the number of applicants in the given year.
 - c. Depending on the number of reimbursement applications received, the reimbursements will be distributed from the Police Educational Fund's budget. It is possible that the Police Educational Fund may be exhausted in the first round of reimbursements if a large number of applications are received, and members are not guaranteed to get their full application claim.
 - d. Applications for tuition reimbursement must be submitted by September 30 of each year. One submission, relating to reimbursement for one course, will be accepted from each applicant, once each year ending September 30. The one year period in which the request for reimbursement is received will be considered the operative factor, rather than the calendar year in which the course was completed.
 - e. Once all applications for tuition reimbursement have been processed and reimbursed, if there is remaining money in the Police Educational Fund, members may apply for additional tuition reimbursements.
3. Course Reimbursement:
 - a. Members applying for course reimbursement through the Police Educational Fund must have achieved First Class Constable rank or higher.
 - b. Members may apply for Police Educational Fund reimbursement for approved courses by submitting the following to the Education and Training Unit:
 - i. VPD 452B Course Notification and Police Education Fund Request;
 - ii. Original course transcript or certificate; and
 - iii. Original receipt indicating the course tuition.
 - c. The deadline for submission is September 30 each year for courses completed prior to September 30. Courses completed after September 30 or late applications will be processed for reimbursement in the following calendar year.
 - d. Upon issuance, Police Educational Fund reimbursement funds will be issued to qualifying applicants. Members who qualify for reimbursement will receive notification by VPD Intranet Bulletin posting.
4. Approved Courses:
 - a. When seeking Police Educational Fund reimbursement, or credit for increment approval, it is the member's responsibility to ensure that the course they propose to take is an approved course prior to enrolling. To confirm or request that a course qualifies for increment and/or reimbursement, the member shall submit a VPD 68 to the manager of the Learning and Development Unit requesting approval.



- b. Members who wish to request that a course is approved for Police Educational Fund reimbursement, or to receive credit for full or partial increment shall submit their requests in writing to the manager of the Learning and Development Unit prior to taking the course.
- c. If a member wishes to dispute the results of their application in 4.a. or 4.b., they may submit a VPD68 to the Inspector of the Education and Training Section outlining the reasons for why a particular course should be approved for increment credit or reimbursement.
- d. To qualify as an approved course for either the Police Educational Fund or for incremental credit, a course must meet the following criteria:
 - i. the course has at least 35 hours of instruction/content or equivalent for correspondence courses;
 - ii. has an exam or testing;
 - iii. is taken and completed on a member's personal off-duty time;
 - iv. is provided or instructed through a recognized institution and/or be a benefit to the member and the Department; and
 - v. is granted approval by the Education and Training Unit.

Examples of recognized institutions:

BCIT	Douglas College	Columbia College
JIBC	City University	UBC
Capilano College	Kwantlen College	VCC
Langara	Open Learning Institute	SFU

II. Incremental Credit and Advancement

5. Increments for Voluntary VPD Team/Unit Participation - Effective January 1, 2018:
 - a. The VPD recognizes the value and time commitment that members volunteer to certain VPD teams and units with strong ties and benefits to the community and the VPD as a whole. Members who donate their personal time in participating on a team or unit with a strong nexus to the VPD may receive recognition through increment approval.
 - b. Examples of the VPD teams where a member may earn increment credit include, but are not limited to:
 - i. VPD Pipe Band
 - ii. VPD Ceremonial Unit
 - iii. VPD Lion Dance Team
 - iv. VPD Women's Personal Safety Team
 - v. VPD Police Athletic League (PAL)
 - c. A member wishing to have their VPD team/unit considered for increment credit may submit a VPD68 to apply to the Training Board for consideration. Criteria for approval include demonstrating a strong benefit to the VPD and the Vancouver community through engaging and enhancing community relations, advancing the strategic goals of the VPD, and promoting the culture and positive reputation of the VPD, as well as fostering employee wellness through improved connection with the VPD on both a professional and personal development scale.
 - d. The criteria for earning an increment are as follows:
 - i. The member must hold the minimum rank of First Class Constable to apply for one increment;
 - ii. A member must participate in 35 hours of off-duty, uncompensated (through both receiving time off work or monetary payment) voluntary time on VPD team events or organized meetings/practices;
 - iii. The member must log the voluntary participation time to account for the hours being applied to increment on a Volunteer Hours for Increment Credit Form VPD



Form 452D with signature from their team/unit leader and their section manager/inspector;

- iv. Members may apply for maximum 1 increment per calendar year for participation on a VPD team/unit, but should they not accrue 35 hours of volunteer time in 1 calendar year they may apply volunteer hours from multiple years to add up to 35 hours of volunteer time;
 - v. In a calendar year where members must apply hours from previous years to add up to the 35 required hours, they must accrue a minimum of 10 hours of volunteer time in that calendar year for which they submit the increment application (the reasoning being that they must be an active member of that team and not simply applying unused hours from previous years when they were active);
 - vi. Once a member has applied volunteer hours to increment credit application, those hours may not be applied to future increment credit applications; and
 - vii. Members shall submit their VPD Form 452B Course Notification and Police Education Fund Request with their Volunteer Hours for Increment Credit Form 452D to the Education and Training Unit for Increment Approval.
6. Increment for Field Training Officers
- a. Field Trainers are eligible for increment credit upon completing the following criteria:
 - i. The member must successfully complete the Field Trainer's Course;
 - ii. The member must complete 24 full shifts of field training, which are logged in WMS and trackable by the Payroll Unit;
 - iii. To apply for increment, the member must attend the Payroll Unit and request the "ZHTMEN10" report showing the required number of field training shifts have been completed;
 - iv. The member must complete a VPD 452B Course Notification and Police Education Fund Request and attach the Payroll report, and submit this to the Education and Training Unit.
7. Increment Eligibility:
- a. Sworn members who have achieved the rank of First Class Constable or greater are eligible for incremental pay increases based on their seniority and rank.
8. Prior to applying for incremental pay increases members must:
- a. complete the required number of approved incremental courses;
 - b. pass an incremental or supervisor qualification exam within the 5 year period; and
 - c. have attained the required length of service at their specific rank.
 - d. submit a VPD 452A Incremental Pay Application form to the Education and Training Unit.



2.6 Financial Management

2.6.3 Donations and Sponsorships

(Effective: 2010.12.08)

POLICY

The Vancouver Police Department (VPD) recognizes that sponsorship and donations can be legitimate sources of funding for equipment and initiatives that benefit the police department and the community. It is imperative that the VPD maintains the highest ethical standards and this policy establishes a process by which the VPD may effectively and ethically accept donations and participate in sponsorship arrangements.

DEFINITIONS

For the purposes of this policy, the following definitions apply:

1. Donation: occurs when the VPD receives money, goods or services without any obligation being created (with the exception where the donation has been provided and accepted for a specific project or initiative).
2. Sponsorship: occurs when the VPD forms a relationship with another party whereby both sides have specific obligations (for example, a company provides new computers, and in turn, the VPD allows the company to advertise itself as a supplier to the VPD). Sponsorship often involves a quid pro quo relationship.
3. Member: refers to civilian staff and sworn police officers of the VPD.

PROCEDURE

Donations

1. The acceptance of donations by the VPD must in all cases be conducted in a transparent, ethical manner. A police foundation or society, which has established itself to raise funds from philanthropically intentioned citizens, businesses, societies or other organizations to assist the VPD and the community, provides a transparent and “arms length” source of funding.
2. If a citizen or corporation approaches the VPD to make a donation, the citizen or corporation may be directed to one of the recognized VPD charities. (see 2.6.4 Police Foundations and Organizations)
3. Donors to a recognized VPD police foundation or society of goods or cash with a value of \$500 or more must fill out a Donor Information and Application Form. The Executive Officer to the Chief Constable is responsible for ensuring that the Department Security Office (DSO) completes the required background check of the donor. If the background check reveals information that accepting the funds would put the VPD into a real or perceived conflict of interest, or reveals concerns of integrity or ethics related to the donor, the Executive Officer shall advise the applicable police foundation or society that the donation is respectfully declined and returned to the donor. No explanation will be provided for declining a donation.
4. When a citizen or corporation delivers an unsolicited donation to the “Vancouver Police Department”, the Executive Officer to the Chief Constable shall contact the donor when the amount or value of goods donated exceeds \$500, and request that the donor complete the Donor Information and Application Form (VPD Form 1320(09)). The Executive Officer shall ensure the DSO completes the background check of the donor prior to accepting the donation. If the background check reveals information that accepting the funds would put the VPD into a real or perceived conflict of interest, or reveals serious concerns of integrity or ethics related to the donor, the Executive Officer shall advise the donor in writing that the donation is respectfully declined and return it. No explanation will be provided for declining a donation.



5. The VPD may accept donations from donors who wish to remain anonymous and these will be administered by the Executive Officer in a manner consistent with section 4.
6. In the case of a donation where the identity of the donor cannot be determined, the Chief Constable shall report the donation to the VPB and in consultation with the VPB determine the appropriate use of the funds.
7. Members shall not solicit donations or engage in fundraising activities as members of the VPD without prior approval of the Chief Constable (see RPM Section 3.1.3 (vi): Department Approved Activities, Groups and Sports, RPM Section 4.1.4: Conflict of Interest, and RPM Section 2.4.5: Conferences.)
8. Members seeking funding for equipment must first adhere to the procedure outlined in the Equipment Policy (ipar.vpd.bc.ca/SupportServ/Finance/policies).
9. Members seeking funding from a recognized police foundation or society as listed in S. 2.6.4 of the RPM may apply, through the chain of command, to the Chief Constable by submitting a VPD 68 detailing the nature of the request. The VPD 68 should include the following:
 - a. the foundation or society from which the funds are being requested;
 - b. a description of the equipment to be purchased or initiative to be implemented;
 - c. the cost of the equipment or initiative;
 - d. any requirement for specialized training;
 - e. any other costs associated with implementation;
 - f. what the impact of the equipment or initiative will be to the community; and
 - g. any other pertinent information such as any ongoing costs, financial impacts or staffing implications as a result of the equipment or initiative.
10. A request for funding will only be approved if the equipment to be purchased, or initiative to be implemented, meets the following criteria:
 - a. it supports the objectives of the VPD;
 - b. it will not compromise police impartiality or objectivity;
 - c. it is consistent with the principle that core policing functions should be publicly funded, and the impact, if any, on operational funding is understood;
 - d. it does not erode the City of Vancouver's responsibility for funding core police services.
 - e. it can be accounted for through audits; and
 - f. it will benefit the VPD or the community without preference to the donor.
11. Approved funding requests shall be forwarded by the Chief Constable or his designate to the appropriate recognized foundation or society.

Sponsorship

12. A proposal for sponsorship will only be approved if it:
 - a. supports the objectives of the VPD;
 - b. does not compromise police impartiality or objectivity;
 - c. is consistent with the principle that core policing functions should be publicly funded, and the impact, if any, on operational funding is understood;
 - d. does not erode the City of Vancouver's responsibility for funding core police services.
 - e. is accounted for through audits; and
 - f. benefits the VPD or the community without preference to the sponsor.
13. A potential sponsor is required to complete the relevant portions of the Sponsor Information and Application Form (VPD Form 1321).
14. The member submitting the proposal for sponsorship shall complete the remaining portions of VPD Form 1321, along with a VPD 68, and submit these through the chain of command to the Executive Officer for consideration. The Executive Officer shall ensure the DSO completes the background check of the sponsor prior to accepting the sponsorship. If the background check reveals information that accepting the sponsorship would put the VPD into a real or perceived conflict of interest, or reveals serious concerns of integrity or ethics related to the sponsor, the Executive Officer shall advise the sponsor in writing that the sponsorship is respectfully declined and any items will be returned. No explanation will be provided for declining a sponsorship.



15. The VPD 68 shall include the following:
 - a. a description of goods and/or services to be involved in the sponsorship arrangement and an explanation of where or how these goods and/or services will be used;
 - b. if there is a requirement for specialized training;
 - c. if there are other associated costs;
 - d. the market value of goods and/or service offered;
 - e. the impact of the sponsorship on an identified community need or initiative;
 - f. the relationship between the parties involved in the sponsorship arrangement; and
 - g. all other pertinent details and materials.
16. All sponsorships will be assessed on an individual basis. Potential sponsors must meet the following specific criteria in order to be considered by the VPD. These criteria include, but are not limited to, the following:
 - a. an endorsement of products and/or services is not required;
 - b. the public image of the sponsor must be positive and have a reputation of integrity and ethical standing that would reflect in a positive manner on the VPD. The public image and reputation of the sponsor's business values must reflect the core values of the VPD;
 - c. present and past activities of the sponsor must not be in a real or perceived conflict with, nor compromise, the VPD;
 - d. there can be no direct benefit to the sponsor other than formal recognition for the sponsorship and/or a tax receipt may be issued to a sponsor where circumstances are appropriate;
 - e. principles of fairness and competition must be considered when assessing a sponsorship proposal;
 - f. the allocation of all goods and services resulting from a sponsorship is at the sole discretion of the Chief Constable; and
 - g. the use and scope of any advertisement related to a sponsorship agreement is at the sole discretion of the Chief Constable.
17. Any loans of equipment to the Department from a private company/corporation or individual, shall, for the purposes of this section, be considered a sponsorship and shall be subject to the sponsorship procedure.
18. Equipment/items loaned from a government or law enforcement agency shall be authorized through a Memorandum of Understanding that clearly defines the purpose, all terms of the loan, use of the equipment and liability issues. Refer to Section 2.9.4 (i) Memorandums of Understanding.
19. All parties involved in a sponsorship application that is not approved will be advised in writing by the Executive Officer.

Donations and Sponsorships - General Information

20. All donation or sponsorship requests must be approved by the Chief Constable, or designate, following a review of all submitted materials
21. In circumstances where there is a perception of conflict of interest, or other concerns related to the donation or sponsorship, the Chief Constable may consult with outside sources for an independent review or opinion or with the Department's Ethics Advisor.
22. All donation or sponsorship applications will be submitted by the Executive Officer to the Financial Services Section for their review to identify the budgetary impact, if any, of the submission.
23. Additional resources shall not be allocated to support a donation/sponsorship or its implementation without the prior approval of the Chief Constable.
24. Members shall not manage or open accounts with respect to any donation or sponsorship. All funds disbursed in relation to a donation or sponsorship shall be administered through the Financial Services Section.
25. The Chief Constable or his designate, will report receipt of all donations (including anonymous donations) and sponsorships greater than \$5,000 in a timely manner to the Police Board.



26. The Chief Constable or designate shall ensure that individuals, organization or corporations submitting a Donation/Sponsorship Application Form are advised in writing as to the results of their application.
27. The Executive Officer to the Chief Constable will develop and maintain a Donation/Sponsorship Registry comprised of all donation and sponsorship submissions, reviews and pertinent information, and will act as a liaison to an approved foundation or society as listed in S 2.6.4 of the RPM .
28. The Executive Officer to the Chief Constable will develop a list of all donations and sponsorships that have occurred in a calendar year. This list will provide the donation/sponsorship file number, a brief outline of the donation or sponsorship and its monetary value. This report will be forwarded to the Vancouver Police Board on an annual basis.



2.6 Financial Management

2.6.4 Police Foundations and Organizations

(Effective: 2010.12.08)

POLICY

The mission of a police foundation or organization is to improve public safety by providing resources and support to municipal police departments that are not readily available through existing budgets, and are not encompassed within those services and projects which are considered the core responsibilities of a police department.

This policy will assist police foundations and organizations to partner with philanthropically intentioned citizens in raising funds for policing programs and projects within the city of Vancouver while ensuring that the integrity of the Vancouver Police Department (VPD) is not compromised by the activities of those foundations or organizations.

The Chief Constable or his designate shall ensure any recognized police foundation or organization affiliated with the Vancouver Police Department is provided a copy of the “Police Foundation Guidelines” provided by the Police Services Division, Ministry of Public Safety and Solicitor General, and adheres to the standards.

Any foundations or organizations wishing to begin or continue a relationship with the Vancouver Police Board (VPB) and the VPD shall exist and operate within the following guidelines:

1. The foundation or organization must be incorporated under the Society Act of British Columbia.
2. A foundation or organization must be established as a registered charity within the meaning of the Income Tax Act.
3. All fundraising in support of the VPD should be targeted towards individuals and or businesses operating within the municipality of Vancouver, British Columbia.
4. A foundation or organization must act with the utmost discretion ensuring that the integrity of the VPD is not compromised or seen to be compromised, and must itself act in a manner which avoids any implication or allegation of impropriety.
5. A foundation or organization should not engage in advocacy on behalf of the police, nor should it engage in political activity of any type.
6. Each recognized foundation or fundraising organization should report annually to the VPB on its mission, vision, fundraising strategies and activities. Fundraising strategies must be approved by the VPB.
7. The VPB, may undertake periodic reviews of the activities of a recognized foundation or fundraising organization.
8. A member of the VPB or their designate, should act as a liaison with the foundation or organization and shall be invited to attend all Board meetings.
9. The VPD shall appoint a representative to the foundation or organization board and shall be invited to all Board meetings.
10. The foundation or organization must ensure that:
 - a. Each individual member of the foundation or organization not use or appear to use the foundation or organization as a means to promote themselves or their business interests;
 - b. All foundation or organization Trustees must submit to a yearly police criminal records check;
 - c. No member of a foundation or organization should receive or be perceived to receive any benefit, compensation or consideration for their affiliation with the foundation or organization.



11. The purposes of the foundation or organization must be limited to fundraising for purposes and priorities that are determined by the VPD and shall not become involved in policing procedures, practices or standards.
12. The VPD shall review all donations over \$500.00 received by the foundation or organization to determine that the source of the donation is a legitimate business, corporate interest or individual, and ensure that acceptance of the donation will not negatively affect the integrity and professional reputation of the VPD. See 2.6.3 Donations and Sponsorships

The VPB currently recognizes a formal relationship with the following police foundations and organizations:

- a. The Vancouver Police Crime Prevention Society (VPCPS)

Telephone: xxx

Fax: xxx

Email: VanPoliceCrimePrevSoc@vpd.ca

Website: <http://vancouver.ca/police/vpcps/index.html/>

- b. The Vancouver Police Foundation (VPF)

Telephone: xxx

Fax: xxx

Email: info@vancouverpolicefoundation.org

Website: <http://www.vancouverpolicefoundation.org/>



2.6 Financial Management

2.6.5 Workplace Charitable Fundraising Policy

(Effective: 2014.11.25)

POLICY

The Vancouver Police Department (VPD) recognizes the important role that charitable fundraising has in contributing to the social fabric of Vancouver. Historically, the VPD has supported several charitable causes and many people and organizations have benefited from the benevolence of VPD staff. The Charitable Fundraising Committee is created to ensure that an orderly fundraising environment exists in the VPD. Charitable fundraisers proposals will be considered for societal good created against the strain created on VPD resources. Proposals for charitable fundraising must be aligned with VPD strategic objectives. Special consideration will be given to established charitable fundraisers that have special meaning to the VPD. The VPD recognizes that it is ultimately accountable to the citizens of Vancouver who fund its budget to provide safety to the public. As such, it must be demonstrated that allocation of VPD staff time and resources are beneficial to the citizens of Vancouver.

This policy does not apply to volunteering where fundraising is not an issue, such as coaching, working with youth, or volunteer activities in the community at large.

DEFINITIONS

For the purposes of this policy, the following definitions apply:

Fundraising: occurs when members of the VPD solicit money, goods or services by requesting donations from individuals and businesses.

Charitable organization: a charity registered in compliance with the Income Tax Act.

Workplace Charitable Fundraising

- All workplace charitable fundraising proposals must be submitted for review through the chain of command to the proposing member's Deputy Chief Constable. After review the proposal will be forwarded to the Charitable Fundraising Committee for approval.
- Fundraising activities must not include any appearance of coercion or reprisal. Direct person to person solicitation of staff members by managers or supervisors is prohibited. This policy does not prohibit individual managers or supervisors from encouraging participation in a general sense, such as by electronic bulletin or group presentations.
- Informational fundraising campaign posters shall be neutral in tone. Charitable organizations, other than those traditionally supported by the VPD, must obtain approval from the Charitable Fundraising Committee before displaying fundraising campaign posters. Once approved, posters may be displayed in areas designated for bulletins.
- Membership drives are prohibited inside VPD facilities.
- The solicitation of staff members by global e-mails is not permitted.
- The Charitable Fundraising Committee will not consider new charitable fundraisers for countries stricken by emergencies or disaster but will direct interested staff to contribute to the Canadian Red Cross or other reputable organizations that provide aid to these countries.
- Staff members' contributions to charitable fundraisers or the choice not to contribute shall be kept confidential. This does not, however, preclude a manager from knowing overall organizational participation.



Non-Workplace Charitable Fundraising

- When members of the VPD conduct fundraising activities outside of the workplace while identified as members of the VPD they shall seek approval of the Charitable Fundraising Committee to ensure that the events are in good taste and do not reflect negatively on the VPD.
- Charitable fundraising activities that involve casino style games are prohibited. This does not prevent the Charitable Fundraising Committee from approving fundraisers based on traditional raffles or similar type events.
- Fundraising events where there is an undue focus on the sale of liquor are also prohibited.
- Members shall not use their official capacity for the soliciting of donations without first submitting the proposal through the chain of command to the proposing member's Deputy Chief for approval by the Charitable Fundraising Committee.



2.7 Court Processes Management

2.7.1 (i) Court Functions - Civil Suits

(Effective: 2000.09.06)

Members shall not institute civil suits arising out of their police duties without first notifying the Chief Constable.



2.7 Court Processes Management

2.7.1 (ii) Court Functions - Civil Suits, Restrictions

(Effective: 2000.09.05)

Members shall not:

- a. secure or furnish any information with respect to divorce or other civil suits or locate persons involved;
- b. serve civil processes;
- c. recommend lawyers;
- d. become involved in civil suits or disputes other than to prevent breaches of the peace;
- e. adjudicate or give legal advice;
- f. testify, or produce records, in civil suits unless legally subpoenaed. It is recognised that, on occasion, legal counsel requests to meet with members for the purpose of securing information in their possession, or determining what testimony they are able to give in relation to pending civil suits that have resulted from incidents that have been the subject of police investigation. Such meetings with defence counsel will take place at headquarters or other police buildings during "on duty" hours. In any case before the Criminal Courts, the matter of disclosure shall be with the advice of Crown Counsel (See Section 2.7.1 (iii): On-Duty Interviews for Civil Cases);
- g. use their position as a means of coercing persons with whom they are engaged in civil matters;
- h. assume the duties of counsellor or public administrator in adjusting claims or collecting debts;
- i. make arrests without warrants in cases of desertion;
- j. compel the return of deserting husbands or wives;
- k. furnish information regarding the reputation, standing, character or commercial rating of any individual or firm;
- l. furnish information regarding the residence or mode of living of any person; or
- m. furnish information regarding the merits of any merchandise form or individual.



2.7 Court Processes Management

2.7.1 (iii) Civil Cases - On Duty Interviews

(Effective: 2006.01.24)

1. From time to time, members may be requested to meet with legal counsel, insurance adjusters or private investigators for the purpose of determining what information they are able to give in relation to police investigations that have resulted in civil suits. When such a request is received, the following procedures shall be used:
 - a. A member receiving such a request shall advise the requesting party to contact the Correspondence Unit, Information Management Section of the Vancouver Police Department, in writing; members shall also inform the requesting party that they will be billed by the Correspondence Unit for the time spent on the interview;
 - b. A member receiving such a request for an interview, either directly from the requesting party or through the Correspondence Unit, has the option to decline the interview;
 - c. The interview shall take place at Headquarters or another police building during "on-duty" hours; at the member's discretion, the matter may be handled by telephone, also during "on-duty" hours; the release of information shall be limited to the facts of the case and the member's participation;
 - d. in all interviews of this nature, no written statements or copies of documents from file are to be given out; copies of documents may only be obtained by way of a written application by the requesting party to the Information Management Section; see Section 2.9.3 for guidance on release of information;
 - e. Prior to the "on-duty" interview, the member shall obtain a VPD 1033 "On-Duty Interview Billing Form" from the Correspondence Unit. This form is to be completed by the member and the interviewer at the conclusion of the interview. Copies of the VPD 1033 are to be distributed as per the instructions on the form.
2. This procedure is not meant to affect the daily routine telephone conversations that members engage in. If a short telephone conversation will negate the necessity for an on-duty interview, members are encouraged to use this method.
3. Where the Department is a party to civil litigation the Co-ordinator i/c Information and Privacy Unit shall act as the Department Liaison with the City Law Department. Members concerned about the release of information to the City Law Department shall take direction from the Co-ordinator i/c Information and Privacy Unit.



2.7 Court Processes Management

2.7.2 (i) Court Attendance During Scheduled Training

(Effective: 2003.10.01)

1. Any member who receives a Court Notification that conflicts with a scheduled training course shall immediately notify their Supervisor.
2. The Supervisor shall examine the situation and make recommendations to the member's Inspector, who will be responsible for making representation, if appropriate, to the trial prosecutor.
3. Under no circumstances shall the member personally approach a trial prosecutor to make these arrangements.



2.7 Court Processes Management

2.7.2 (ii) Court Attendance While Sick/WCB

(Effective: 2003.10.01)

1. Members are not compelled, by Court Notification form, to attend court while on sick or WCB leave. Members are however, encouraged to attend court if able and if the injury or illness will not be aggravated.
2. A member who is able to attend court while on sick or WCB leave shall:
 - a. ensure that the VPD 460 Sickness and Injury Report indicates that they are able to attend court;
 - b. when notified for court by the Document Services Unit, attend at DSU prior to court and pick up the Court Notification form; and
 - c. following the court appearance while on sick leave, submit a VPD 68 with the completed Court Notification to their immediate supervisor.
3. The supervisor shall not register a sick day on the member's Salary Attendance Profile sheet when the member attends court on that day, while on sick leave. No additional compensation will be paid for members attending court while on WCB leave.
4. Compensation will not be paid for Crown Counsel interviews or for appearances in Traffic Hearing Rooms while a member is on sick leave or WCB leave.



2.7 Court Processes Management

2.7.2 (iii) Court Attendance While on Annual / CTO

(Effective: 2003.10.02)

1. Any member who receives a Court Notification which falls during their Annual Leave or Cumulative Time Off Leave shall immediately notify, through the chain of command the Sergeant i/c Document Services Unit by submitting the original notification (all Court copies) with the member's Annual Leave clearly indicated on the notification.
2. In those cases where Annual Leave and CTO are approved after a Court Notification has been signed and returned, members shall immediately return all copies of the conflicting Court Notification in their possession along with the VPD 4 showing that the leave is approved, to the Court Conflict Clerk in the DSU. Members are not to attend court unless advised by the Sergeant i/c DSU.
3. Annual Leave court compensation will NOT be paid unless prior approval is received from the Sergeant i/c DSU.
4. Every effort will be made by the Sergeant i/c Document Services Unit to secure a re-scheduling of the member's attendance to a date outside of the member's period of Annual Leave.
5. In the event of failure to secure such re-scheduling of a member's attendance, the Sergeant i/c DSU shall endeavour to re-schedule the member's Annual Leave, provided that any such re-scheduling of Annual Leave shall be affected only by mutual consent of the member and the appropriate Divisional Commander.
6. Members shall not attend court while on Annual Leave until such attendance is confirmed with the Sergeant i/c DSU.
7. Under no circumstances must a member personally approach a trial prosecutor to make these arrangements.

See also: Information Bulletin - LENS Policy



2.7 Court Processes Management

2.7.2 (iv) Court Attendance While on OTL

(Effective: 2003.10.02)

1. Any member who receives a Court Notification which conflicts with overtime leave shall immediately notify their NCO.
2. The Supervisor shall examine the situation and consider:
 - a. Canceling or adjusting the overtime leave
 - b. Making recommendations to the member's Inspector who will be responsible for making representation, if appropriate, to the trial prosecutor.
3. Where a member attends court on a day on which overtime leave is scheduled, the following will apply:
 - a. Dayshift: There will be no payment for attendance during the member's regular shift hours. Members shall advise their NCO of the time spent in court. The NCO will make the appropriate adjustment to the Miscellaneous Overtime Form (VPD 314). In cases where members are making a claim for attending court or an interview outside of their regular shift, they will clearly mark on the Court Notification form, their regular shift hours followed by "OTL."
 - b. Afternoon and Night Shift: Payment for attendance will be according to the rates in the current Collective Agreement for the shift to which the member was assigned.
 - c. Under no circumstances will an appearance in court on a day approved for overtime leave be considered an appearance on weekly or Annual Leave.



2.7 Court Processes Management

2.7.2 (v) Court Attendance While on Gratuity, Parental/Maternal, or Leave of Absence

(Effective: 2003.10.02)

Gratuity Leave

Any member who receives a Court Notification which conflicts with Gratuity Leave shall, where applicable, follow the same guidelines as outlined in Section: 2.7.2 (iv): Court Notification on Overtime Leave.

Maternity/Parental Leave or Leave of Absence

1. Members anticipating commencement of Maternity/Parental Leave, or a Leave of Absence, shall forward a VPD 4 noting the anticipated/inclusive dates of leave to the Sergeant i/c Document Services Unit (DSU) as soon as is practicable, or not less than four weeks prior to the commencement of the leave.
2. Any member who receives a Court Notification which falls during Maternity/Parental Leave or a Leave of Absence shall immediately notify, through the chain of command, the Sergeant i/c DSU by submitting the original notification (all Court copies) with the member's Leave clearly indicated on the notification.
3. The Sergeant i/c DSU and the Employee Services Sergeant will, in consultation with the member, determine the member's availability for Court. Every effort will be made to secure a re-scheduling of the member's attendance, however, this does NOT preclude a member from being required to attend Court on leave.
4. Members on Maternity/Parental Leave, or Leave of Absences when notified for court by the DSU, will attend at DSU prior to court and pick up the Court Notification form. Members are expected to attend Court unless notified otherwise by the Sergeant i/c DSU.



2.7 Court Processes Management

2.7.3 Court Notification Form

(Effective: 2003.10.01)

The Document Services Unit (DSU) is responsible for processing all British Columbia Courts Law Enforcement Notifications (LENS) and for resolving court conflicts when members are on approved leave.

1. A Supervisor shall personally serve the Court Notification upon the witness member (three (3) copies).
 - a. The witness member shall sign the Court Notification after ensuring that they have evidence to give in that case. All Court Notifications must be acknowledged and returned to DSU regardless of the fact that a member has yet to sign up for annual leave.
 - b. If the member has NO evidence to give they will sign the form and write "No Evidence" in the area marked "Remarks from Law Enforcement Member."
 - c. The member will then immediately return the form to their Supervisor who will verify the reason for no evidence, if applicable.
 - d. In TRAFFIC HEARING ROOM CASES ONLY the member will not attend court if they have marked the notification "No Evidence." In all other cases, the member WILL attend Court unless de-notified by Crown Counsel or their designate.
2. The Supervisor will initial and date two copies of the Court Notification.
3. The witness member will retain one copy of the Court Notification.
4. The serving Supervisor shall forward a signed copy in an inter-departmental envelope to the LENS Clerk in DSU. All Court Notifications must be returned to the DSU within 14 days.
5. When a Court Notification is received for a member who is unfit for duty, the Court Notification shall be returned to the DSU. The DSU shall:
 - a. contact the member if the sick list indicates the member is available to attend court and confirm whether the member will or will not be attending the court case;
 - b. make the appropriate notations on the form; and
 - c. return one copy to the Court Witness Notifiers and hold a copy for pick up by the member if they will be attending court.
6. When a Supervisor receives a Court notification for a member already on Annual Leave, the Supervisor shall:
 - a. NOT attempt to contact the member;
 - b. initial and date the Notification, recording the Annual Leave of the member in the remarks section; then
 - c. Immediately forward the Notification (all three (3) copies) to the DSU.
7. In all other instances, when the witness member is not available to be personally served prior to the court date, the Supervisor shall make a reasonable effort to notify the member. If the member cannot be contacted, the Supervisor shall make the appropriate notation and return all copies of the Court Notification to the DSU.
8. Members attending court, other than Traffic Hearing Rooms, are not to complete the boxes on the Court notification marked "time excused" and "evidence given". These boxes are to be filled in by the Court Administration staff.
9. Members attending Traffic Hearing Rooms to give evidence will not present their Notification to the Hearing Room Judicial Justice of the Peace (JJP) for signature. Members shall complete the "time excused" and "evidence given" portions of the Notifications and place them in the trays provided at the Traffic Court Clerk's counter. It is recommended that members photocopy and retain one copy of any Notification forms submitted in the tray at the Traffic Court Clerk's counter.
10. Members requiring an additional Court Notification due to continuation of a trial, or for any other reason, will ask the Court Administration staff to complete a new form. In the event that Court Administration staff are unable or unwilling to complete a new form, the member shall:
 - a. Complete a new form, transcribing the information from the existing LENS to the new form;



- b. Amend the date and time on the new form to reflect the new court date;
 - c. Have Crown Counsel or Court Administration staff sign the new form in the space provided;
 - d. Make a copy of the existing LENS and attach it to the new form; and
 - e. Forward both copies through their Supervisor to the Supervisor i/c DSU.
11. Members receiving two (2) or more Court Notifications for the same trial date and with conflicting times shall:
- a. immediately notify each trial prosecutor of the conflicting court location; and
 - b. attend the court of higher jurisdiction; or
 - c. attend as directed by trial prosecutors. If it appears that a trial may continue into another court commitment, the trial prosecutors involved in the conflict shall be notified immediately by the involved member. The trial prosecutor of the superior court will then be responsible for co-ordinating the location of attendance.
12. Members served a Subpoena for civil court shall immediately notify their Supervisor and the LENS Control Clerk. If a conflict with Annual Leave exists, the Sergeant i/c DSU shall be notified and assist in resolving any court conflicts.



2.7 Court Processes Management

2.7.4 Court Denotifications Form

(Effective: 2003.10.01)

The following procedures will apply to all areas of the Department:

1. A Supervisor shall personally serve the Court Denotification form upon the witness member and:
 - a. The witness member will immediately sign the Court Denotification form;
 - b. The Supervisor will initial and date the Court Denotification form and will request from the witness member the corresponding original slip; and
 - c. The Supervisor shall return the Court Denotification form and attached original slips in an inter-departmental envelope to the LENS Control Clerk in the Document Services Unit (DSU) for pick-up by the Court Notifier's Office.
2. Short-term denotification of fourteen days or less will be handled as follows:
 - a. During the hours 0700 to 1500 the Court Notifier will contact Document Service Unit.
 - b. If the DSU staff are unable to contact the member to be denotified they will advise the member's Supervisor to make the denotification.
 - c. Notifications will be made either personally or by telephone, with reasonable effort, as soon as possible. The DSU will keep a record of all denotifications made by them or the Supervisor's or the reason for not being able to denotify a member. For the purpose of this record, the member's Supervisor is required to communicate the details of any denotification request and action taken to the Document Services Unit. Any member making a denotification shall include in this record, the name, relationship and age of the person notified if the denotification is communicated to a person other than the member.
 - d. An off duty member shall not be telephoned for such purpose between the hours of 2200 and 0700.
 - e. Denotification shall be communicated by a Vancouver Police Department member whose identity is known to the member being denotified, or whose identity may be immediately verified with the denotification by the member being denotified.
 - f. For the purposes of this subsection a denotification may be communicated to:
 - a. An adult residing in the residence of the member;
 - b. A baby-sitter employed by the member;
 - c. A child of the member if such child is of sufficient age as to be unattended by an adult;
 - d. The employee's telephone answering machine; or
 - e. The member's voice mail box, including a date and time of call feature. Members shall be required to access their Departmental Voice Mail once, anytime within four (4) hours of their scheduled court appearance and/or interview.



2.7 Court Processes Management

2.7.5 Court Outside Lower Mainland

(Effective: 2006.04.27)

1. Members receiving Court Notifications or Subpoenas to attend court outside of the Lower Mainland area (Vancouver to Hope) will report to their divisional Deputy Chief Constable, where the necessary travel arrangements will be approved. The member's supervisor must also be advised of the receipt of such notice.

The member will complete a Travel/Training Reimbursement - Pre Travel Form (VPD 1328A) and obtain any required advance for expenses from the Manager i/c Financial Services Section.



2.7 Court Processes Management

2.7.6 Withdrawal or Reduction of Charges

(Effective: 2006.08.01)

When evidence is received which may result in withdrawal or reduction of a charge, the member shall ensure that the evidence is brought to the attention of Crown counsel by submitting a report to the Manager i/c Information Management Section, Court Liaison Unit and a copy to the member's Divisional Commander. The Manager i/c Information Management Section will submit the report to Crown Counsel for review.



2.7 Court Processes Management

2.7.7 Appeal of a Crown Charge Assessment Decision

(Effective: 2016.09.02)

POLICY

There are periods of time during weekends and on holidays that Crown Counsel is unavailable for charge assessment. During this time the police lay their own Information for arrested persons who need to be taken before a Justice within twenty four hours pursuant to the *Criminal Code*. Outside of these circumstances, Crown Counsel decides whether or not a charge shall be laid.

When Crown Counsel makes a “no charge” assessment and the investigating or arresting member disagrees with the decision, the member should discuss their concerns directly with the Crown Counsel who made the decision and request a reconsideration. If dissatisfied with the outcome of that discussion, the member may follow the appeal procedure outlined below (developed from the appeal procedure from Ministry of Justice Guidelines).

If the member requires assistance identifying the Crown Counsel involved or communicating with Crown Counsel, they should obtain the assistance of VPD’s Court Liaison Sergeant in the Court & Detention Services Section. In all cases, the member shall notify the Court Liaison Sergeant via email of any intent to appeal so that such data can be tracked accordingly.

PROCEDURE

Requests for Reconsideration - NO URGENCY i.e., an Accused is not in custody or a warrant is not urgently required. (Provincial Matters)

1. The member’s Sergeant will consider the issues and, if in agreement with the member, shall further discuss the request for reconsideration with the same Crown Counsel or request that the Court Liaison Sergeant do so on his/her behalf.
2. If the Sergeant disagrees with the resulting Crown Counsel decision, the unit’s Staff Sergeant will consider the issues and, if in agreement, shall discuss the request with the Crown Counsel’s Team Leader (Administrative Crown Counsel).
3. If the Staff Sergeant disagrees with the resulting Team Leader decision, the section Inspector will consider the issues, and if in agreement, shall request that the Deputy Regional Crown Counsel further review the charge assessment decision.
4. If the section Inspector disagrees with the decision by the Deputy Regional Crown Counsel, the matter will be referred to the Superintendent for discussion with Regional Crown Counsel.
5. If the Superintendent disagrees with the resulting decision of Regional Crown Counsel, the matter will be referred to the Deputy Chief Constable for discussion with the Assistant Deputy Attorney General.
6. If, upon exhaustion of the appeal process, it is determined that an Information will be laid to bring the case before a Justice, it shall only be sworn with the approval of the Chief Constable with advance notification being given to the Assistant Deputy Attorney General.

URGENT Requests for Reconsideration i.e., an Accused is in custody or an urgent warrant is required. (Provincial Matters)

7. The Duty Officer should be notified when, outside of regular business hours:



- a. A member and the member's Sergeant (or the Jail NCO), has concerns over a "no charge" decision made by Crown Counsel, and
 - b. The accused is in custody due to public interest concerns pursuant to the Criminal Code, or an urgent Warrant is required.
8. If, after analysis of the evidence and upon appropriate internal consultation, the Duty Officer or appropriate Inspector believes a charge should be laid, he/she shall call the Deputy Regional Crown Counsel to discuss the matter.
 9. If, following that discussion, the matter is still unresolved, the Duty Officer will notify the appropriate Superintendent who would then contact Regional Crown Counsel to notify and discuss the matter further.
 10. If the Superintendent is dissatisfied with the outcome of that discussion, the matter will be referred to the Deputy Chief Constable for notification and discussion with the Assistant Deputy Attorney General.
 11. The Chief Constable shall be notified accordingly.

Federal Matters and Special Prosecutions

12. If concerns arise regarding a charge assessment decision made by the *Public Prosecution Service of Canada*, an appeal can be made from the Inspector rank directly to the Deputy Chief Federal Prosecutor - Public Prosecution Service of Canada.
13. For concerns regarding a charge assessment decision made by the Crown Law Division (Special Prosecutions), follow the procedures laid out in steps 7 and 8 and if appropriate steps 9 and 10.



2.8 Forms and Resource Requests

2.8.1 Form Design and Control

(Effective: 2004.01.27)

The Planning, Research and Audit Section is responsible for the design and control of all Departmental forms. Any alterations to existing forms or suggestions for new forms must be processed through the Planning and Research Section.

(See also s. 2.1.8: Planning, Research and Audit Section)



2.8 Forms and Resource Requests

2.8.2 Reports to City Council

(Effective: 2006.05.24)

1. All Reports to Council must be submitted on the form required by City Council. This format can be found here.
2. All Reports to Council must be submitted to the Planning, Research & Audit Section and the Financial Services Section for review and concurrence prior to being submitted to the Executive Committee.
3. All Reports to Council must be approved by the Executive Committee.
4. All Reports to Council shall be submitted to the Vancouver Police Board for review, once they have been approved by the Executive Committee.
5. The Report to Council shall be submitted to the City Clerks Office following approval by the Executive Committee and, if required, the Vancouver Police Board.



2.8 Forms and Resource Requests

2.8.3 Vehicle and Equipment Replacement

(Effective: 2005.09.27)

POLICY

The City of Vancouver Equipment Services (EQS) determines vehicle replacement based on the Vancouver Police Department's (VPD) Master Schedule. The VPD's Planning and Research Section is responsible for maintaining the Master Schedule.

Operational vehicles are usually replaced every five years, unless exceptional circumstances occur where maintenance or motor vehicle incidents necessitate earlier replacement.

There are two types of vehicle replacements:

- a. Like for Like Replacement - When the old vehicle is replaced with the same type of vehicle (e.g. new Crown Victoria for old Crown Victoria). This is the normal replacement program and no special documentation is required as EQS will determine the replacement vehicle schedule.
- b. Like for Not Like Replacement - When the old vehicle needs to be replaced with a different type of vehicle because of increased or changed operational requirements of the user (e.g. new Ford SUV for old Crown Victoria).

Note:

The Master Schedule is based upon the current organizational structure and authorized strength of the VPD. Additional vehicles cannot be purchased unless a staffing increase has been approved by Vancouver City Council. When the VPD receives an increase in staff, the Master Schedule will determine the number of additional vehicles that will be received.

Commanders and Inspectors must be aware that when VPD Sections are increased through a transfer of staff within the Department, this does NOT allow for an increase in vehicles. Essentially, when staff members are transferred, the corresponding vehicles must also be transferred to the new Section. (See also Section 2.1.1 (i) – Authorized Strength)

PROCEDURE

1. Vehicle and Equipment Replacement (EQS Flow Chart diagram)

- a. The member shall submit a VPD68 outlining the type of vehicle or equipment requirements to their Section Inspector/Manager.
- b. The Section Inspector/Manager, if appropriate, shall approve the request and forward it to their Divisional Commander for approval and return to the submitting Inspector/Manager.
- c. The Inspector shall then forward the request and develop a business case, as per the business case requirements set forth by EQS, to the Fleet Manager.
- d. The Fleet Manager shall liaise with EQS to confirm requirements and justification of the request. Upon approval, EQS will forward the request to the City of Vancouver (COV) Finance for approval.



e. If approved by COV Finance, EQS shall purchase the appropriate vehicle and, in consultation with the Fleet Manager, determine outfitting specifications.

2. Timelines

The VPD Vehicle Replacement Program is submitted to COV Finance by EQS each year, approximately 6-8 months before the order dates.

a. Requests should be made when the Vehicle Replacement Program is prepared. COV Finance will consider Like for Not Like requests before a vehicle is due for replacement but approval is unlikely.

b. Generally it takes a minimum of 27-33 weeks to have a Like for Not Like request completed (if the vehicle is not due for replacement in the Replacement Program).

3. New Vehicle and Equipment Capital Additions (EQS flow chart)

Section Inspectors/Managers who are creating new units or task forces to deal with topical crime suppression issues must be aware that their operational plan will need to include funding for leases. Otherwise, they are restricted to using Operational vehicles from Patrol. (See also Section 2.1.1 (i) –Authorized Strength)

a. The Section Inspector/Manager shall consult the Planning and Research Section and use the Master Schedule to input any new staffing increase approved by Council. The appropriate number of corresponding vehicles will then be calculated.

b. The Section Inspector/Manager will liaise with the Fleet Manager to determine vehicle specifications.

c. The Fleet Manager shall forward the requirements to EQS.

4. Vehicle and Equipment Modifications (EQS flow chart diagram)

When members determine the operational need to modify or add equipment to existing police vehicles, beyond regular outfitting, the following procedures must be followed:

a. The member shall complete the COV EQS Vehicle Outfitting Modification sheet.

b. The Section Inspector/Manager shall approve the modifications if appropriate.

c. The member shall forward the outfitting modification sheet to the Fleet Manager.

d. The Fleet Manager shall approve the funding source for the modifications and forward the request to EQS for costing. If the request is over \$10,000, the Fleet Manager shall consult with the Manager i/c VPD's Financial Services Section prior to forwarding to EQS.

e. Members are not permitted to request National Yards or Manitoba Yards to perform modifications.

5. Lease Vehicles

When a short term lease vehicle is required, members shall:

a. Obtain their Section Inspector/Manager's approval.

b. Determine funding source and advise the Manger i/c Financial Services (e.g. Ops Plan, outside source).



- c. Submit vehicle specifications to the Fleet Manager.
- d. The Fleet Manager shall contact EQS and request quotes for the requested vehicle.
- e. EQS shall negotiate with vehicle suppliers on behalf of the VPD. VPD members shall not deal directly with leasing companies.
- f. EQS shall submit to the Fleet Manager a list of quotes and the Fleet Manager will liaise with the requesting member to identify an appropriate vehicle.
- g. EQS shall locate the vehicle, assign a COV shop number, coordinate insurance and deliver the vehicle to VPD Fleet Services.



2.8 Forms and Resource Requests

2.8.4 (i) Technology Related Requests

(Effective: 2001.04.04)

When a VPD employee requires additional or new application software or computer hardware to fulfil the responsibilities of their position, the following procedures shall apply:

1. The member shall make the request to their supervisor by submitting a Form VPD 1350 that includes the following information:
 - the reason for the required hardware/software;
 - the name of the requesting member;
 - the requesting member's Section name and Division;
 - the requesting member's office location; and
 - the COV decal identification of the existing computer CPU.
2. The member's supervisor shall approve or deny the request based on the business strategy of the section/team/unit and the requesting member's responsibilities. Approved requests are to be forwarded to the Executive Officer of the respective Division.
3. The Executive Officer shall determine if the request is aligned with the objectives of the unit and Division, and will forward authorized requests to the Information Technology Manager.
4. The Information Technology Manager will determine if the request can be fulfilled within existing budgetary funding and will advise both the Executive Officer and requesting member of what action will be taken next.

Members are not to submit requests directly to the Information Technology Section.



2.8 Forms and Resource Requests

2.8.4 (ii) Requests for Supplies

(Effective: 2003.04.22)

1. To request supplies and/or services members shall:
 1. complete a VPD 317 - Request for Supplies or Services;
 2. forwarded the completed form through the chain of command to the Manager i/c Financial Services Section.



2.9 Information Management

2.9.1 (i) General Disclosure of Information

(Effective: 2006.01.23)

POLICY

Members shall only use or disclose police or personal information in the custody or care of the Department if it is for a legitimate investigative or administrative purpose and authorized by law. This includes any personal information that the Department has a record of either in the form of a report, information written in a member's notebook, any file system kept in a Department section and any information a member has obtained orally. "Personal information" means information about an identifiable individual, including their name, address, telephone number, race, age, sex or other personal identifiers, including their photograph or driver's licence number, and any information about their criminal history or about a matter for which the individual was investigated.

Members shall refer to the Administrative Legal Advisor, if uncertain as to the authorization for release of personal information to other agencies, groups or individuals.

PROCEDURE

Restrictions for Disclosure

1. Members shall:

- a. Only access, use or disclose information in the Department's records when it is necessary to perform their duties. Members may supply information as requested by Crown Counsel or other police agencies in the normal course of official business;
- b. Complete an Information Query Form (VPD 64) stating their reason for requesting a copy of a report from the Information Section. Examples are for court purposes or for an ongoing investigation; and
- c. Refer any requests by victims or witnesses, for either copies of statements or reports to the Manager i/c Information Management Section.

2. Members shall not:

- a. Testify or produce records in civil suits unless legally subpoenaed. In the event members are subpoenaed to produce a record or copy thereof, or excerpts from their personal notebooks, the Manager i/c of the Information Management Section must be consulted so as to ensure departmental policy and guidelines currently established by the City Law Department are adhered to;
- b. Provide names, addresses or telephone numbers of witnesses, victims or others, unless consent has been obtained or unless legally subpoenaed;
- c. Disseminate CPIC information except to agencies legislatively responsible for law enforcement for a legitimate law enforcement purpose;
- d. Secure or furnish any information with respect to divorce or other civil suits, or locate persons involved, except as permitted in subsection 5 (a) and Section 2.7.1 (iii): Civil Cases/On-Duty Interviews, of this manual;



- e. Serve civil processes, except under the direction of a Supervisor who will contact an Officer if necessary;
- f. Recommend lawyers;
- g. Become involved in civil suits or disputes other than to prevent breaches of the peace, unless there is a court order in effect that specifically directs a Police Officer to enforce a specific Act;
- h. Adjudicate or give legal advice;
- i. Use their position as a means of coercing persons with whom they are engaged in civil matters;
- j. Assume the duties of counselor or public administrator in adjusting claims or collecting debts;
- k. Furnish information regarding the reputation, standing, character or commercial rating of any individual or firm;
- l. Furnish information regarding the residence or mode of living of any person, except as permitted under subsection (a) and Section 2.9.4 (ii): Control and Security of Files and Records, of this manual; and
- m. Furnish information regarding the merits of any specific brand of merchandise.



2.9 Information Management

2.9.1 (ii) Disclosure to Foreign Law Enforcement Agencies

(Effective: 2006.01.23)

POLICY

The disclosure of police information about an individual, to a foreign law enforcement agency, must comply with the requirements of the Freedom of Information & Protection of Privacy Act.

PROCEDURE

1. Whenever a member discloses police information about an individual to a foreign law enforcement agency the member must create and maintain a detailed General Occurrence report.
 - a. If the disclosure is in furtherance of the member's own investigation, or to assist in an investigation or law enforcement proceeding undertaken by a foreign agency, the member shall create a General Occurrence using the UCR code 8900-6 "assist foreign agency" and record the following details in the report:
 - i. The agency file number;
 - ii. The name, position and contact information of the foreign agency member who requested the disclosure of information and/or to whom information was disclosed;
 - iii. The purpose for which the information was requested and/or disclosed; and
 - iv. The nature of the information disclosed. Where information is requested and/or disclosed in accordance with a formal written agreement, a treaty or legislative authority, the member must ensure compliance with the terms of the same.
2. Members shall refer to the Information & Privacy Co-ordinator, if uncertain as to the authorization for release of personal information to foreign agencies.



2.9 Information Management

2.9.1 (iii) Disclosure During Criminal Prosecution

(Effective: 2006.01.23)

Whenever a case is before the Criminal Courts members shall not disclose information about the case. Members shall refer the person making the request to Crown Counsel.



2.9 Information Management

2.9.1 (iv) Disclosure of Information of a Motor Vehicle Incident

(Effective: 2006.01.23)

1. Information relating to motor vehicle incidents in which persons are injured and where a police report has been submitted may be obtained by submitting a written request to the Traffic Records Unit.
2. Information to be released to Counsel, ICBC, and Insurance Adjusters must be in written form. Any information released must meet with the current procedures and criteria set out by the Information Management Section-Traffic Records Unit.



2.9 Information Management

2.9.1 (v) Disclosure of Criminal Records Information

(Effective: 2006.01.23)

All requests for criminal records from individuals and agencies outside the Department shall be directed to the Manager i/c of the Information Management Section.



2.9 Information Management

2.9.2 Email and Internet Security

(Effective: 2017.10.26)

POLICY

The Vancouver Police Department (VPD) recognizes that e-mail and Internet access are useful and necessary services that enhance our employees' and volunteers' ability to communicate with others and provides improved service to the public. The purpose of this policy is to set appropriate standards for using VPD Information Technology (IT) resources such as e-mail and the Internet.

The Internet is openly accessible to the public. Information transmitted on the Internet or stored on servers accessible via the Internet is generally an insecure environment and content may be viewed by non-intended audiences. Users must not knowingly access sites that may bring the VPD into disrepute.

While there is often a sense of confidentiality attached to e-mail, it is important to remember that e-mail may be intercepted by non-intended audiences and/or forwarded beyond the control of the sender. Further, within the workplace, e-mail is the property of the VPD and, as such, the Department has a responsibility to ensure the appropriate use of this technology.

In the event that information is received by the VPD regarding inappropriate e-mail or Internet access, the Department may determine there is cause to review e-mail and/or Internet use.

In addition, members should be mindful that *content security software* is installed on VPD servers. This software searches, monitors, and/or identifies potential violations of the e-mail and Internet security policy, thereby protecting the Department's network from such things as viruses, offensive and libelous material, and breaches of confidentiality and security.

DEFINITIONS

"Inappropriate material": Materials including, but is not limited to, any material that is pornographic, sexual or erotic, obscene, lewd, offensive or harassing, threatening, defamatory, racially offensive, promotes violence, hatred, abuse or neglect, or any material which can be reasonably interpreted as offensive or contravenes the BC Human Rights Code, Criminal Code or any other Federal or Provincial laws. This includes any material that may bring the reputation of the VPD into disrepute. When determining what constitutes inappropriate material, Personnel Services staff shall be guided by our organizational values of integrity, compassion, accountability, respect, and excellence.

"Sensitive Information": Personal, confidential, or protected information where the release is unauthorized, including any information which is reasonably likely to be excluded from access under the Freedom of Information and Protection of Privacy Act (FOIPPA).

"User": Any person authorized to access VPD e-mail or the Internet, including permanent, temporary, and limited term employees, contract personnel, contractors, consultants, volunteers, other personnel at the VPD, and all personnel affiliated with these third parties.

"Non-Public Data": Data that may be used for gain through unauthorized use or disclosure to endanger the safety of an employee or citizen; cause financial loss to the VPD, bring the VPD or its employees into disrepute, or is protected from disclosure by legislation.



“Internet” (World Wide Web or www): A series of interconnected worldwide computer networks, which are in turn, connected to conforming www sites that offer website information/services or offer e-mail services.

Scope

1. This policy applies to permanent, temporary and limited term employees, contract personnel, contractors, consultants, volunteers, and other personnel at the VPD. VPD employees who hire contractors or volunteers are responsible for ensuring that individuals who are granted access to VPD computing resources have read and agreed to abide by this policy. This policy applies to all equipment that is owned or leased by the VPD, and to personal computing equipment that is used, with authorization, for Departmental purposes, regardless of physical location.

General

2. VPD Information Technology (IT) facilities, systems, and resources shall be used in a manner consistent with the Department’s core values. Electronic communications originating from the VPD can be traced back to the VPD.
3. A member who believes that a breach of this policy has occurred shall report the breach to their Supervisor. The Supervisor shall review the breach and report the breach through their chain of command to the Officer i/c Human Resources Section.
4. In the event that a member inadvertently breaches this policy, they should immediately disclose the inadvertent access to their Supervisor. The Supervisor shall review the inadvertent access and report the breach through their chain of command to the Officer i/c Human Resources Section.
5. When members are in doubt about the acceptability of any proposed action related to e-mail or the Internet, members are advised to consult with their Supervisor, the Department Security Office (DSO), or the IT Director.
6. The VPD IT Section will routinely conduct analysis of VPD network traffic for trends or anomalies. Breaches of policy and/or evidence of misconduct may be found during these searches intended to protect the Department’s network.
7. Alleged breaches of policy or misuse of VPD e-mail or the Internet may result in a labour process investigation or an investigation under the Police Act and/or Criminal Code.
8. The VPD reserves the right to access, audit, monitor, inspect, copy, store and review VPD IT resources, without prior notice, upon receiving a complaint of misconduct regarding inappropriate e-mail content, text or attachments, Internet usage, or the inappropriate release of confidential information.
9. Depending on the circumstances behind the e-mail and Internet Security policy breach, the Superintendent i/c of Personnel Services, in collaboration with the Officer i/c of the Human Resources Section and/or Professional Standards Section, will determine the intent and scope of the audit. When such an audit occurs, a log detailing all access will be maintained by the investigator conducting the audit.
10. During the course of an audit or an investigation, if there is uncertainty about the appropriateness of the content in an e-mail or on the network, consultation shall occur with internal stakeholders and experts in this field. This may include:
 - The Officer i/c Special Investigation Section;
 - Investigators from the Counter Exploitation Unit;
 - The Officer i/c the Human Resources Section;
 - The Superintendent i/c Personnel Services;
 - A union representative; or
 - Any other police expert who can provide clarity around the appropriateness of such material.

PROCEDURE



11. Members shall check their e-mail at least once daily during their tour of duty and respond appropriately. It is recognized, that on occasion this may be impracticable due to operational reasons.
12. When absent in excess of their weekly leave, Users shall place an “Out of Office” message that includes their expected return date.
13. Users shall respond to messages in a timely fashion, taking into consideration operational and investigative requirements, as well as the need to be responsive to inquiries from the public.
14. Occasional personal use of VPD IT resources, including access to the e-mail system or the Internet, is permitted provided such use does not:
 - a. Adversely affect the availability of IT resources for VPD business purposes;
 - b. Adversely affect an individual’s performance of work duties and responsibilities;
 - c. Adversely impact work time;
 - d. Include political activity;
 - e. Include business activities (i.e. profit and not-for-profit) unrelated to Community Services, except as permitted in subsection 15(e); or
 - f. Include accessing information for personal gain or advantage that the average citizen could not obtain from VPD.
15. The user must not use e-mail or the Internet:
 - a. To make derogatory and/or defamatory statements about any person or group (RPM Section 4.1.11 - Workplace Harassment);
 - b. To support personal business interests (RPM Section 4.1.4 - Conflict of Interest);
 - c. To transmit e-mail that may bring the police department into disrepute, such as messages or files which contain inappropriate material;
 - d. To implement rules within e-mail to automatically forward his or her e-mail to any outside e-mail address (e.g. Home E-mail address or outside agency);
 - e. To transmit messages related to personal community and service-based activities without District or Section Commander/Manager approval. Community and service-based activities include, but are not limited to, involvement with charitable, religious, political, community service and professional organizations (RPM Section 4.1.4 - Conflict of Interest); or
 - f. When such use would place VPD operations or administrative sections at risk.
16. Users are not to compose and send, forward, or distribute e-mail and/or attachments, unless they serve an operational purpose, such as chain letters (including virus warnings), games or “novelty” items like pictures, cards, animations, videos and screen savers.
17. The IT Section may restrict the transmission of large files or attachments in order to preserve network bandwidth or network storage space. Users should avoid transmitting large files via e-mail as this can have a severe performance impact on the mail servers and Internet connection.
18. Users are responsible for ensuring that e-mail is not transmitted to unnecessary or unintended recipients. Each user should be aware of who is on the address list when using the “Reply to All” function of e-mail. Each user should also be aware of the content of all previous e-mails which are attached to their reply and ensure that they are only included when necessary and appropriate.

Access and Security - Internet & E-mail

19. Users must be aware that access to Internet sites is recorded and users may be required to explain why they have accessed a particular site.
20. The IT Director may revoke or restrict Internet access to any or all staff for valid technical reasons. (e.g. bandwidth restrictions, virus/worm attack, disaster or emergency response, or other technical requirements).
21. Users accessing or disseminating information on the Internet shall ensure that such information is factual and in compliance with Departmental regulations and the applicable Federal and Provincial legislation (e.g. FOIPPA). (refer to RPM Section 2.9.6(i) - News Media; RPM Section 4.1.1 - Workplace Harassment Policy; RPM Section 2.9.3 - Information Requiring Immediate Public Disclosure; RPM Section 2.9.6(iii) - Social Media; and RPM Section 1.6.9(i) - CPIC Confidentiality).



22. Users shall comply with all applicable laws and regulations and respect the legal protection provided by copyright and licenses with respect to programs, software applications and data.
23. Third parties may be able to gain access to data, records or communications transmitted by e-mail, through an FOI request, a subpoena in a court of law, internal usage monitoring, or interception on the Internet. As a result, a user must give great consideration to what information they are transmitting by e-mail. In addition, Internet and e-mail users shall not disclose:
 - a. User identifications, passwords, or any other non-public identifiers of anyone, including IT staff; or
 - b. Any detail of the VPD's security measures (RPM Section 2.9.6(i) - News Media; RPM Section 2.9.3 - Information Requiring Immediate Public Disclosure; and RPM Section 1.6.9(i) - CPIC Confidentiality).
24. The nature of a member's duties may require them to download files. When a user wishes to download a file for some other reason, the user shall obtain approval from their Section Manager/ Officer, or, shall contact the IT Director for written approval.
25. Users shall not attempt to obscure the origin or destination of any transmission, or download material under an assumed Internet address, except for investigative purposes and with the written approval of the IT Director.

Information Storage - Security

26. The VPD recognizes that members will, on occasion, be working at home and are advised that prior to any VPD Information being accessed via a home computer, VPD approved anti-virus software must be installed, regularly updated, and running at all times while in operation (Contact Help Desk for information).
27. Users wishing to employ personal computing equipment or access Departmental computing resources remotely must receive prior approval from the IT Director. Users working at home or remotely are responsible for the security of Departmental computing resources and data.
28. Members who have the ability to access information remotely shall not store work related information on a non VPD computer.
29. Members shall not connect VPD laptops to the Internet directly. Doing so seriously jeopardizes the security of the VPD's network and the integrity of our data. Security devices must be in place before connecting a laptop to the Internet. The IT Section must be contacted to arrange for proper network security prior to VPD laptops being used off site.

Signature Block, Confidentiality Disclaimer, and E-mail Features

30. E-mail messages shall not be composed or sent using backgrounds or other stationary applications that are solely intended to add color or effects to the content.
31. Given the sensitive nature of many VPD e-mails, a confidentiality disclaimer shall be included, informing inadvertent recipients of an e-mail of requirements placed upon them. It is recommended that outgoing emails include a confidentiality disclaimer in the signature block, while e-mail replies and forwards should contain pertinent contact information. Adjustments to signature blocks settings can be made in Microsoft Outlook using New Email > Signature > Signatures > New (to create "Signatures for new messages" and "Signature for replies/forwards").
32. The use of a signature block is recommended and the following standard signature block shall be used on e-mail messages:

Name
Title
Section
Vancouver Police Department | Beyond the Call

T xxx-xxx-xxxx
C xxx-xxx-xxxx (Optional)
E john.doe@vpd.ca



“This e-mail message is confidential and may contain privileged, law enforcement or personal information. If you are not the intended recipient and have received this message in error, please delete it and notify the Vancouver Police Department immediately.”

Please consider the environment before printing this e-mail.

Global E-mail Submissions to Provide High Importance Information

33. Global e-mails are an important tool for disseminating critical information to all staff in a timely manner. Global e-mails shall only be utilized under the following circumstances:
 - a. Serious injury or death of a staff member while employed with the VPD (status updates shall be posted in the Daily Bulletin);
 - b. Emergent situation, involving a possible security breach or safety concern that may affect the well being of the membership;
 - c. Immediate change in legislation, VPD policy and/or procedure;
 - d. Media briefs of a controversial nature that affect the VPD;
 - e. Information that is deemed appropriate by the Chief Constable or designate; or
 - f. IT resource issues which may affect any of the Department’s computing equipment.
34. Information not meeting the criteria in subsection 33 may be submitted to the VPD Daily Bulletin Publisher for posting on the Bulletins (RPM Section 2.5.2 - Publication of Bulletins and Other Articles) or submitted through approved channels for posting on the Departmental Intranet web site.
35. All VPD staff requests for global e-mails shall be forwarded to their Officer/Manager for approval. Once approved, the request will then be sent to one of the following areas for distribution:
 - a. Executive Assistants, all three Divisions; or,
 - b. Human Resource Assistants, Human Resources Section; or
 - c. Executive Assistant, Office of the Chief Constable.



2.9 Information Management

2.9.3 Information Requiring Immediate Public Disclosure

(Effective: 2006.01.23)

PROCEDURE

1. A member who believes that it is in the public interest to publicize information that a person poses a risk of significant harm to the public or a group of people, shall forward a copy of the report to their Supervisor and to the Information & Privacy Co-ordinator prior to the end of shift for immediate attention.
2. The Supervisor shall:
 - a. ensure all members involved in the investigation complete all reports prior to the end of shift; and
 - b. forward the reports with comments and recommendations to the Deputy Chief Constable Commanding Investigations Division, to ensure the release of information does not jeopardize or hinder an ongoing investigation or operation.
3. The Deputy Chief Constable Commanding Investigation Division shall determine:
 - a. the information that is to be disclosed; and
 - b. how the information shall be disclosed, i.e.: a general press release or a local bulletin release.
4. In cases of extreme urgency, the Supervisor shall consult with the Duty Officer to determine if immediate action is required. The Duty Officer shall consider immediate protection measures and the need for a direct response, which may include, but is not limited to, the release of:
 - a. sketches;
 - b. names and photographs of people involved; and
 - c. surveillance photos to assist in identifying suspects.



2.9 Information Management

2.9.4 (i) Access to Incident Files and Records

(Effective: 2006.07.18)

1. Case file originals will not be removed from Information Management without the permission of the Director i/c of the Information Management Section. Copies of these case files shall be obtained from Information Management. Copies will be issued according to Information Management Section procedures.
2. Copies of case files will not be released to non-members of the Department unless the authority of the Director i/c of the Information Management Section has first been obtained. This authority can be requested by filling out a VPD 64 Request for Information Log.



2.9 Information Management

2.9.4 (ii) Control and Security of Files and Records

(Effective: 2006.01.24)

1. When a file, record system or database is established or revised, a Section Manager shall:
 - a. Advise the Information Manager of its existence or revision
 - b. Ensure that a control system is established limiting or controlling access to the information for police purpose only
 - c. Take the necessary steps to implement appropriate physical and procedural safeguards. The level of security measures taken will depend on the sensitivity level of the information. Physical security includes, using locked filing cabinets or rooms for storing sensitive personal information, not leaving personal information unattended in unsecured areas, and using numbers or other methods to label file drawers that contain personal information. Procedural security includes secret computer access codes and limiting access to records containing personal information to personnel who need the information to perform a law enforcement function.



2.9 Information Management

2.9.4(iii) Making Records Private or Invisible

(Effective: 2016.05.29)

POLICY

Versadex allows users with the appropriate security profile to make an entire General Occurrence (GO) report, Street Check, or Flag Record "private" or "invisible". Select portions of a report such as text pages, detail pages and entities can also be made private or invisible. Property Records may be made private, but not invisible. Privatization and the making of GOs invisible are powerful tools to control access to sensitive information or to protect the privacy of the individuals involved. However, inappropriate use of private and invisible files can hamper information sharing, investigative work and the collection of statistics.

NOTE: Tickets, Known Offender records, and information recorded in the Computer-Aided Dispatch (CAD) system in RMS cannot be made private or invisible. Scanned attachments accessible through the "images" menu in Versadex cannot be protected either, unless the entire GO report is made private or invisible.

When privatizing CAD information the PRIME Coordinator will facilitate the scanning of CAD information into the GO and delete this information from CAD.

Any Versadex user may become aware of the existence of information marked private and the identity of the responsible user, but only authorized users (on the access list) can view the particulars of private information. Information marked invisible is completely hidden from all users, except for those on the access list.

To reduce the risks associated with private and invisible records, members making a GO report, Street Check, or Flag Record private or invisible shall meet the requirements stipulated in this section.

PROCEDURE

Criteria

1. When making a record private or invisible, members shall follow the instructions outlined in the training document *Private and Invisible Files in Versadex*.
2. Anyone with police supervisory or police investigative status (or higher) in PRIME is authorized to make a record private. Any other user shall request the approval of a Supervisor to make a record private.
3. A record shall be made private only when it meets one or more of the following criteria:
 - The record can not be disclosed under the Criminal Records Act or the Youth Criminal Justice Act;
 - The record relates to a police-involved motor vehicle incident;
 - The record contains sensitive third party information;
 - The record contains hold back evidence;
 - The record describes sensitive investigative techniques;
 - The record contains non-specific informant or tipster information;
 - The record contains skeletal counter-terrorism intelligence (with no national security implications);
 - The record contains other information that could jeopardize an ongoing investigation; or
 - The record contains other information that could jeopardize the safety of a person.



4. a. Members and follow-up investigators shall privatize text pages that are compiled over the course of the investigation (e.g., narratives statements, Occurrence Reports, and Case Logs) to ensure that other members do not access and act upon incomplete reports. Members shall allow their Unit Handle and investigative team members within their section access to privatized pages to ensure that follow-up work can be completed.
b. Upon completion of a GO or RCC, members shall un-privatize their text pages, where appropriate, and ensure all text pages are locked.
5. Records that do not meet the criteria above can be made private only with the authorization of a Supervisor.
6. The authorization of a Manager or Inspector is required to make a record invisible.
7. A record should be made invisible only when it relates to an internal investigation or a public complaint involving a VPD employee, or it contains extremely sensitive information.

NOTE: Sensitive source information, protected witness information and specific counter-terrorism intelligence should not be added to any PRIME record. Specific information obtained from a confidential source or informant must not be added to any PRIME record. Members shall document the information they acquire from an informant on a VPD907 Source Debriefing Report, as specified in RPM Section 1.8.1: Informant Procedure.

Members are reminded to familiarize themselves with Protected A, Protected B and Protected C security classifications.

Documentation

8. When a record is made private or invisible, the member shall document, using the appropriate Private/Invisible text template, the reasons the record needs to be made private or invisible and who authorized the privatization of the record (when applicable).
9. When a private or invisible record is released into the general PRIME environment or its status is otherwise changed, the member shall document in a new text page the reasons the record does not need to be made private or invisible any longer.
10. Each member making a record invisible or changing the status of an invisible record shall notify the appropriate form or text template to the PRIME Systems Liaison Specialist.
11. The PRIME Systems Liaison Specialist shall maintain an up-to-date log of all private and invisible records and the member responsible for each record.
12. The Criminal Records Unit shall maintain a list of all records made private to meet the non-disclosure requirements of the Criminal Records Act or the Youth Criminal Justice Act.

Access

13. Supervisors are responsible for ensuring that the list of members authorized to use each relevant PRIME handle is up-to-date. Supervisors shall notify the PRIME Systems Liaison Specialist when the list of members associated with a PRIME handle needs to be updated.
14. The list of members authorized to use each PRIME handle should reflect the current position or actual assignment of each individual member. Members should only be granted access to PRIME handles related to their position. Any discrepancy must be endorsed by a Supervisor or a Manager, supported by operational or investigative needs, and documented appropriately by the Section Manager and the sponsoring supervisor or manager.
15. Records made private in accordance with the non-disclosure requirements of the Criminal Records Act or the Youth Criminal Justice Act shall be accessible only to users assigned to the Criminal Records Unit and the Information & Privacy Coordinator (i.e. MNONDI handle).
16. Members shall ensure that all other private records are accessible, at a minimum, by the following users:
 - a. The member who privatized or requested the privatization of the report.
 - b. The member's Supervisor.



- c. A default MADMIN handle consisting of PRIME Systems Liaison Specialist, Quality Control Supervisor, Transcription/CPIC Support Supervisors, the Information & Privacy Coordinator and the Source Handling Coordinator (i.e. MADMIN handle).
 - d. The Property Office, by adding the handle HPROP, so that the Property Office may maintain the property.
17. Before criminal charges can be forwarded electronically to Crown Counsel, the private record must also be accessible by the users assigned to the Crown Liaison Unit and Criminal Records Unit (i.e. HCROWN and HCR handle).
18. Members shall ensure that all invisible records are accessible, at a minimum, by the following users:
- a. The requesting member.
 - b. The member's Supervisor.
 - c. The approving Manager or Inspector.
 - d. The members of the Information & Privacy Unit (i.e. HIPU handle).

NOTE: Information marked invisible is completely hidden from all users, except for those on the access list. To unauthorized users, it is as though invisible records do not exist.

Review

19. a. One year after the creation of a private or invisible record and every subsequent year, the member who created the private or invisible record will be responsible for reviewing the record for continued adherence to criteria for continuing to keep an event private/invisible. Members are reminded of the potential implications associated with un-privatizing records and shall do so with strict adherence to the process.
- b. As part of the annual review, the member who created the private or invisible record shall ensure that:
- i. The members identified on the access list still require access to the record. If not they are to be removed.
 - ii. Consideration is given to what other members require access to the record, and if yes, access to the record is provided.
 - iii. The private or invisible status associated with the record continues to be justified by the sensitivity of the information.
- c. As part of this annual review the member shall document in a new text page when the record was reviewed. If there are changes resulting from the review, a new text template is required that specifies the changes.
- d. Members shall notify the PRIME Systems Liaison Specialist if the responsibility for a private or invisible report needs to be transferred to a different user.
- e. Sub-Sections 19(a-d) inclusive, shall not apply to members of the Professional Standards Section.
- f. When a member is no longer employed by the VPD, the Administrative Assistant of that member's section shall provide a list of relevant private and invisible reports to the member's last supervisor. The supervisor shall determine which member should take responsibility for each private and invisible report, and notify the Administrative Assistant accordingly. The private list should be maintained by the section.
20. The IMS Manager shall ensure that an annual audit is completed. This audit will involve private and invisible GO reports, Street Checks, and Flag Records, except records made private to meet the non-disclosure requirements of the Criminal Records Act or the Youth Criminal Justice Act.
21. The PRIME Systems Liaison Specialist shall annually request, to the member who created the private or invisible record, that any inactive or closed file be reviewed to determine the need to maintain the file's private or invisible. This annual request shall be made through PRIME.

Summary of Responsibilities



Position	Responsibility
Responsible User	<ul style="list-style-type: none"> Follow the instructions outlined in the training document when making a record private or invisible.
	<ul style="list-style-type: none"> When a record is made private or invisible, document in a new private/invisible text page why the record needs to be made private or invisible, which users or handles should be added to the access list, and who authorized the privatization of the record (when applicable).
	<ul style="list-style-type: none"> When a private or invisible record is released into the general PRIME environment or its status is otherwise changed, document in a new text page why the record does not need to be made private or invisible anymore.
	<ul style="list-style-type: none"> Review private and invisible records annually and document in a new text page when the record was reviewed and what changes (if any) resulted from the review.
	<ul style="list-style-type: none"> Notify the PRIME Systems Liaison Specialist when a record is made invisible or the status of an invisible record is changed.
	<ul style="list-style-type: none"> Notify the Section Administrative Assistant when the responsibility for a private record needs to be transferred to a different user.
PRIME Systems Liaison Specialist	<ul style="list-style-type: none"> Maintain an up-to-date log of all private and invisible records and the responsible user for each file.
	<ul style="list-style-type: none"> Send annual follow-up requests asking responsible users to review each private or invisible report they are responsible for. Audit private files for compliance with the addition of the Private/Invisible template and annual review of text pages.
	<ul style="list-style-type: none"> When a responsible user is no longer employed by the VPD, send the list of relevant private and invisible reports to the responsible user's last supervisor.
Section Manager	<ul style="list-style-type: none"> Authorize making records private when they do not meet the specific criteria laid out in the RPM policy.
	<ul style="list-style-type: none"> Authorize making records invisible.
	<ul style="list-style-type: none"> Notify the PRIME Systems Liaison Specialist when the list of users associated with a PRIME handle needs to be updated.
Supervisor	<ul style="list-style-type: none"> When a responsible user is no longer employed by the VPD or transferred, determine which user should take responsibility for the private and invisible records.
Criminal Records Unit	<ul style="list-style-type: none"> Maintain a list of all files made private under the Youth Criminal Justice Act or the Criminal Records Act.



2.9 Information Management

2.9.5 Memorandums of Understanding

(Effective: 2010.04.26)

POLICY

The Department recognizes that a unit, section, or division of the Vancouver Police Department may desire to enter into a Memorandum of Understanding (MOU) with another agency or agencies. MOUs may subject the VPD to significant operational, business and legal impacts and it is imperative that these aspects are adequately considered when drafting a MOU. A MOU must pertain to a significant departmental issue and facilitate the relationship between the Department and the other agency or agencies.

PROCEDURE

1. Where there is an identified organizational need that involves the development of a significant relationship with another agency or agencies, members may consider the use of a MOU.
2. All MOUs shall be completed in draft form by the requesting section, endorsed by the section Inspector, and then submitted to the Planning, Research & Audit Section (PR&A) for review. PR&A may also be consulted for examples of existing MOUs to provide reference and guidance to the drafting member or section.
3. PR&A shall review submitted MOUs to ensure that operational practices being recommended are appropriate and consistent, and that organizational impacts are considered. PR&A shall also ensure that the draft follows consistent format and is grammatically and stylistically proper.
4. Upon completion and review of the draft to PR&A standards, PR&A shall be forward the draft to the Senior Director i/c Financial Services for a review from a financial perspective. If, in the opinion of the Senior Director i/c Financial Services, there is a requirement for a legal review the draft shall be forwarded to the City of Vancouver Legal Services Department, or external counsel, if appropriate.
5. Revision requirements identified by any of the reviewing sections are the responsibility of the submitting member or section.
6. Upon adequate completion of sections 3 and 4 above, PR&A shall submit the proposed MOU to the Chief Constable's Office for consideration and approval, or return the MOU with comments to the submitting member.
7. Only the Chief Constable or the Deputy Chief Constable i/c Support Services may sign a recommended Memorandum of Understanding.
8. PR&A shall maintain the original paper copy and an electronic copy of the signed Memorandum of Understanding, and will act as a central repository to maintain a record of all MOUs for the Department.
9. Members shall ensure that copies of any existing Memorandums of Understanding are provided to the Planning, Research & Audit Section for record keeping purposes. (See also s. 2.1.8: Planning, Research & Audit Section)



2.9 Information Management

2.9.6 (i) News Media

(Effective 2009.07.07)

POLICY

1. The public has a right to know about the services the Department performs on their behalf, but this right is not absolute. The public's right to information about individuals, who come into contact with police, is curtailed by the *Freedom of Information and Protection of Privacy Act*. Furthermore, many operations and tactics must remain confidential, in order to maintain their effectiveness. Subject to such restrictions, the Department's philosophy is to be as open and cooperative with the news media as possible, both in a reactive and proactive mode.

Release of Information

2. The release of crime information and other information of interest to the news media is the responsibility of the Community and Public Affairs Section; however:
 - a. members from other Sections of the Department may also release information, when asked to lend their expertise by the Community and Public Affairs Section or permitted in accordance with this policy;
 - b. when no one from the Community and Public Affairs Section is available, a supervisor at a scene may release crime information; and
 - c. Section Managers may approve interviews of their members and may delegate this approval as appropriate, and must, whenever possible, notify Community and Public Affairs prior to the interview.
3. All media queries shall be referred to the Community and Public Affairs Section, and if a member of this Section is not available, the queries shall be referred to the Duty Officer.

Information not to be released

4. Members may not release crime information to the media when release of the information could:
 - a. jeopardize or hinder an investigation or operation (e.g. the amount of money obtained in a holdup, the release of details of a crime which could be known only to the perpetrator, or the release of confidential investigative techniques or operational tactics which could reduce their effectiveness);
 - b. endanger human life (e.g. a ransom kidnapping or the use of an informant);
 - c. interfere with the sensitivity of reporting a suicide;
 - d. prejudice court proceedings or violate the rights of an accused (e.g. disclosing any confession or statement made by the accused, or commenting on cases before the courts); and
 - e. violate the law (e.g. releasing the name of a Young Offender or the names of family members which may tend to identify the youth).
5. In order to protect people from unreasonable invasions of privacy, members shall not release the following information about individuals, unless the person involved consents or the Community and Public Affairs Section authorizes its release after consultation with the Information and Privacy Coordinator:
 - a. names of deceased persons unless next-of-kin consent to the release of the name;
 - b. names of suspects, unless confirmed criminal charges have been laid;
 - c. names of victims and witnesses;
 - d. address of a victim, witness, suspect or accused;



- e. the street address of crimes where the location is a residence; and
 - f. racial origin of accused (except as provided in paragraph 6).
6. The *Freedom of Information and Protection of Privacy* restricts media access to investigation reports. Members shall not give or show anyone in the media investigative reports, except in accordance with this policy or Departmental information sharing policies.
7. The media shall be informed of the reason why information is withheld whenever possible.

Information that may be released

8. When a member provides information to the media about an incident, the following types of information can generally be provided:
- a. nature and time of the incident - including a general description of what appears to have taken place;
 - b. location of the incident; however, if the location is a residence, only the hundred block where it occurred may be released;
 - c. description of suspect(s) involved - adult suspects may be named once charged with a criminal offence relating to the incident; and
 - d. except as provided in section 9, no reference is to be made to the race, colour, ethnicity or sexual orientation of the suspect or accused; and
 - e. the victim's age and gender.

Release of Suspect Information to the News Media

9. If a suspect is still at large and it is considered necessary to assist in identifying and apprehending the suspect, in order to protect the public, members may release information related to the suspect, including name, aliases, race, colour, ethnicity or sexual orientation. **Extreme caution must be exercised when releasing this information so as not to unduly focus on race, colour, ethnic background or sexual orientation. This information should only be released when it is relevant and essential to the investigation.**
10. Police photographs of suspects, accused or convicted persons may be released to the news media for the purpose of locating the same when wanted by the police. Members shall ensure the release of the photograph will not affect any ongoing investigations. The request shall be directed through the Director of Community and Public Affairs. Once the suspect is captured or the case is otherwise concluded, the requesting member must notify the Community and Public Affairs Section, who will notify the news media of that result.

Public Interest Health and Safety Warnings

11. Information about a risk of significant harm to the safety of the public or a group of people, or information which is for any other reason clearly in the public interest, must be disclosed without delay to the public or the affected group. **If the information to be released pertains to an individual, he or she must be notified prior to the public disclosure** (where impracticable, notification shall be made by mail to their last known address).
12. The Community and Public Affairs Section shall liaise with the Superintendent, Investigative Services, to seek authorization for the disclosure of public warnings and the requisite notification. Notwithstanding the provisions of sections 4 and 5, the public interest is paramount in determining what information to release.

Release of Information about Members



13. Pursuant to *Freedom of Information & Protection of Privacy Act*, the name of a member of the Vancouver Police Department who has been suspended shall not be released to the media; only confirmation of the suspension will be given to the media.
14. If criminal charges against a member are approved, name of the member may be released to the media. Further information may be disclosed, as required by the processes outlined in the Police Act, and to the extent necessary to prosecute a violation of law.

Media Filming in a Public Place

15. The news media can be restricted from entering a crime scene, as with any other citizen; however, members must be aware that news media, and any other citizen, have the right to film or photograph anyone or any event in a public place, including police officers and their actions.
16. Where a concern exists about the identity of a suspect, their face should be obscured before being brought into a public place. In the case of a young offender arrest, members should, if practical, advise the media prior to the young offender being brought into a public place.

Media Filming with the Consent of the Department

17. Where members of the Department have media personnel on a ride-a-long or are working with the media, members shall not allow the media to accompany them into commercial or residential premises without the member first obtaining the consent of the occupants. Members shall advise the occupants that they may refuse entry to members of the media.

Written Media Releases

18. All written media releases and media advisories are to be produced solely by the Community and Public Affairs Section, and if practicable, they will be approved by the Director before distribution to the media. Releases may be sent to involved members for their information and verification, if appropriate.

Feature Stories

19. A request by the media for a feature story or in-depth interview with members must be submitted in writing to the Community and Public Affairs Section. The request will be forwarded to the Director, who will liaise with the appropriate Division Commander. Interview and feature story requests are subject to the member's willingness to participate. The Director, shall advise the interviewer of subsections (2), (3), (4), and (6).

Pre-Planned Events

20. A member responsible for a pre-planned major event/ceremony, involving the public or a large number of VPD members, or where the media is to be in attendance, shall inform the Ceremonies and Events Coordinator, Community and Public Affairs Section. Any request for the attendance of a member of the Community and Public Affairs Section shall be submitted to the Director of the Section. The member responsible for the event and the Ceremonies and Events Coordinator will ensure the accurate and timely release of information to the media.

Requests for appearances

21. All requests for public appearances by specialty squads or units (e.g. Dog Squad, Mounted Squad, Ceremonial Unit, Pipe Band) shall be referred to the Community and Public Affairs Section.

Statements made on behalf of the Department



22. A member who intends to speak to the media on behalf of the Department must provide advance notice to the Community and Public Affairs Section.

Corrections

23. All due diligence will be applied to ensure the accuracy of every statement, written or verbal, issued by the members or the Community and Public Affairs Section. If a substantive error is made, for any reason, every effort will be made to correct the error and inform the media and any member of the public or the department who may be affected, of that correction.



2.9 Information Management

2.9.6(ii) Marketing and Communications Policy

(Effective 2007.07.26)

POLICY

1. In order to ensure strategic and unified internal and external communications, and remove responsibility for these matters from sworn members, allowing more effective deployment of limited police resources, the Office of the Chief Constable - Public Affairs and Marketing is responsible for producing, or supervising the production of, all communication and marketing materials in support of public relations, media relations, staff communications, and government relations.
2. All communication and marketing material shall be approved by Public Affairs and Marketing before being internally or externally made public.

DEFINITION

In this policy, the following terms mean:

“communication and marketing material” - anything in a physical, electronic or other medium, designed specifically to promote the VPD, or a program or initiative of the VPD, to internal or external audiences, including, but not limited to: brochures, posters, booklets, broadcast spots, videos, films, internet postings, broadcast emails, speeches, PowerPoint presentations, stickers, cards, newsletters and publications.

Standards and Production of Communication and Marketing Material

2. Public Affairs and Marketing shall be consulted at the concept stage of communication and marketing material development, in order to ensure the strategic need for, and alignment of, the material.
3. Communication and marketing material shall:
 - a. adhere to departmental graphic standards established, and made available, by Public Affairs and Marketing (e.g. standards for the use of any crests, logos, colours and positioning statements);
 - b. not contain information conflicting with departmental policy or key messages; and
 - c. convey high standards of professionalism.

Production and Posting of Content the VPD Internet Site (www.vpd.ca)

4. Postings to the VPD internet site must have the approval of the Web Content Manager, Public Affairs and Marketing.
5. Public Affairs and Marketing has final creative control over all requested postings, and is available to provide assistance with design and content.
6. The Information Technology Section shall post approved content, and remove posted content, from the VPD internet site, as directed by Public Affairs and Marketing.

Advertising

7. Public Affairs and Marketing has primary responsibility for the design, purchase or placement of any and all VPD advertising.

Recruiting Campaigns for Police Officers and Civilian Employees

8. Developing and producing strategies and supporting communication and marketing material, for recruiting police officers and civilian employees, is the primary responsibility of, or shall otherwise be approved by, Public Affairs and Marketing.

Crime Prevention



9. Designing and implementing public communication for Crime Prevention campaigns, in support of VPD global, and section specific, crime reduction goals, is the primary responsibility of, or shall otherwise be approved by, Public Affairs and Marketing.

Printing

10. Public Affairs and Marketing shall be consulted prior to retaining external printing services, to ensure production consistency and best pricing.



2.9 Information Management

2.9.6(iii) Social Media

(Effective: 2012.03.21)

POLICY

Social media provides a valuable means of assisting the VPD and its employees with community outreach, problem solving, investigations, crime prevention, recruiting, and public affairs. Like all forms of communication, social media must be utilized in a clear and responsible manner to ensure that the clarity of the messaging is maintained and to prevent misinterpretation and erroneous messaging from occurring.

The VPD also recognizes the role that social media may play in the personal lives of its employees. The personal use of social media may have a bearing on VPD employees in their official capacity and upon the image of the VPD. As such, this policy addresses specific personal social media uses that are prohibited by all VPD employees and provides guidelines to assist employees in protecting their personal and professional images.

DEFINITIONS

In this policy, the following terms are defined as:

“blog” - A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments.

“employee” - Any VPD employee, civilian or sworn.

“page” - The specific portion of a social media website that displays content, and is managed by an individual or individuals with administrator rights.

“post” - Content a user shares on a social media site or the act of publishing content on a site.

“profile” - Information that a user provides about himself or herself on a social networking site.

“social media” - A category of Internet-based resources that integrates user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace), professional networking sites (LinkedIn), micro-blogging sites (twitter, Nixie), photo and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

“social networks” - Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

“speech” - Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

“Wiki” - A Web site that is developed collaboratively by a community of users, allowing any user to add and edit content.

PROCEDURE



Non-Investigative Use of Social Media by the VPD

1. All VPD use of social media sites or pages for non-investigative purposes must be approved in advance by the Senior Director i/c Community and Public Affairs.
2. The VPD shall endeavour to only use any likeness or reference to any employee, on any social media site, with the employee's consent. Should an employee find their likeness has been used, or they have been referenced on any VPD social media site without their consent, they may request the removal of same by submitting a VPD68 containing the particulars to the Executive Officer.
3. For all non-investigative use of social media:
 - a. VPD social media pages shall clearly indicate they are the property of and maintained by the VPD. VPD contact information shall be prominently displayed.
 - b. Social media content shall adhere to all applicable laws, regulations, and policies, including all media, information technology, and records management policies.
 - c. Social media content is subject to public records laws and all relevant records retention schedules apply to this content.
 - d. Social media content, where the public can add comment, shall state that the opinions expressed by visitors to the page(s) do not necessarily reflect the opinions of the VPD.
 - i. Pages shall clearly indicate that posted comments will be monitored, and that the VPD reserves the right to remove obscenities, off-topic comments, and other inappropriate material.
 - ii. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
 - iii. Each page shall contain a link to Crime Stoppers, the VPD's on-line reporting webpage and/or a link to a regularly monitored e-mail address to ensure prompt follow up is initiated on any submitted information or intelligence.
 - e. No employee of the VPD shall represent the VPD in any social media format without the written authorization of the Senior Director i/c Community and Public Affairs.
 - f. Any VPD authorized social media use shall include notification that users requiring emergency assistance must contact 9-1-1.
 - g. Any intelligence received through the use of social media shall be forwarded to the appropriate investigative section for follow up as soon as possible.
 - h. Where a VPD employee is authorized to represent the VPD on any social media outlet(s), they shall:
 - i. Conduct themselves at all times as representatives of the VPD and adhere to all VPD standards of conduct and professional behaviour;
 - ii. Observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media;
 - iii. Identify themselves as an employee of the VPD; and
 - iv. Not make statements about the guilt or innocence of any suspect or arrestee, or comment concerning pending investigations or prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to VPD training, activities, or work-related assignments.
4. The following also constitute non-investigative uses of social media:
 - a. Community outreach and engagement including, but not limited to:
 - providing crime prevention tips; and;
 - offering online reporting opportunities.
 - b. Time-sensitive notifications including but not limited to, information on:
 - road closures;
 - special events;
 - weather emergencies; and,
 - policing events affecting the community.



Investigative Use of Social Media

5. Social media can be a valuable tool for criminal investigations, community outreach and engagement, time-sensitive notifications, and recruiting background investigations.
6. Where social media is used for investigative purposes, such use shall be recorded in the relevant General Occurrence (GO) report and information gathered shall be recorded and retained in conjunction with the retention dates applicable to the investigation.
7. When “covert accounts” are established for investigative purposes, all account information, user names, and passwords shall be recorded in the GO report for the future use of other investigators and to prevent the loss of critical investigative information. The information shall be privatized or made invisible as per policy. (RPM Section 2.9.4(iii) Making Records Private or Invisible).
8. The use of “covert accounts” must be conducted from a covert computer to prevent the discovery of the police investigation by tracking the account to a VPD computer. The Technological Crime Unit (TCU) shall be consulted to provide guidance and advice to employees seeking use of this resource.
9. Where a “covert account” is developed with the intention that it will be used to facilitate an in-person UC Operation, the creation and use of that account shall only be undertaken in consultation with the BC Municipal Undercover Program.
10. Section 9 above is not intended to limit the use of any social media site or resource to gather information or intelligence where the employee is not required to create a profile or account, such as browsing twitter feeds, open Facebook pages, or any other open source information.
11. Employees shall obtain the authorization of the Inspector i/c of the responsible investigative unit before creating profiles or accounts on any social media site(s) for investigative purposes. This includes, but is not limited, to:
 - a. Missing persons;
 - b. Wanted persons;
 - c. Criminal intelligence;
 - d. Covert accounts/personas;
 - e. Crimes perpetrated online (e.g. cyber-bullying, cyber-stalking, sexual predators); and,
 - f. Photographs or videos of a crime, posted by a suspect or witness.
12. Any use of social media for recruiting outreach purposes requires the authorization of the Inspector i/c the Training and Recruiting Section in consultation with the Senior Director of Community and Public Affairs.
13. When using social media for recruiting background investigations, the following procedures apply:
 - a. The VPD may include Internet-based content searches when conducting background investigations of potential employment candidates; and,
 - b. Searching methods and vetting techniques shall be applied uniformly to all candidates.
14. Employees must ensure that information gathered from Internet-based sources be confirmed through secondary sources. If it cannot be confirmed, it must be sourced as such.

Personal Use of Social Media by VPD Employees

15. All employees are free to express themselves as private citizens on social media sites. Employees however, do owe a duty of fidelity to their employer and should guide their actions accordingly. Their expression must not: impair working relationships of the VPD; compromise confidentiality; impede the performance of their or another member’s duties; impair discipline; reduce workplace harmony amongst co-workers, RPM Section 4.1.11 Workplace Harassment; ridicule, malign, disparage, or otherwise express bias against any race, religion; or, be likely to negatively affect the public perception or reputation of the VPD.
16. Employees shall not post any photographs, video, audio or other media that was captured or related to on-duty activities.



17. Employees shall not post, transmit, or otherwise disseminate any information to which they have access, as a result of their employment, without obtaining through the chain of command, written permission from the Senior Director i/c Community and Public Affairs.
18. To ensure safety and security, all employees are cautioned against disclosure of their employment with the VPD. Employees shall not post information pertaining to any other employee of the VPD without that employee's permission. For these reasons, employees are cautioned against:
 - a. Posting personal photographs or providing similar means of personal recognition which would be prejudicial to the maintenance of discipline or likely to discredit the reputation of the VPD or its members. If in doubt, the member should consult their Supervisor;
 - b. Posting any form of visual or personal identification if the member works, or may reasonably be expected to work, in undercover operations, or any area where such identification may compromise their personal safety, the safety of other members or the integrity of any investigation;
 - c. The VPD reserves the right to request the removal of any photograph or representation containing the VPD crest or logo which the VPD deems to be inappropriate.
19. When using social media, VPD employees should be mindful that their speech becomes a permanent part of the worldwide electronic domain, and commentary offered off-duty may be mistakenly associated to them professionally. In particular, while off duty, VPD employees are prohibited from the following:
 - a. Speech involving themselves or other VPD employees which reflects behaviour that would reasonably be considered reckless or irresponsible;
 - b. Engaging in speech that may provide or be utilized as grounds to undermine or impeach an employee's court testimony or credibility;
 - c. Divulging information gained as a result of their authority or employment; make any statements, speeches, appearances, or endorsements; and,
 - d. Or publishing materials that may reasonably be considered to represent the views or positions of the VPD without the express authorization of the Senior Director i/c Community and Public Affairs.
20. VPD employees should be aware that privacy settings and social media sites are constantly in flux, and they should assume that all information posted on such sites may be subject to public viewing. Employees must be aware that any material they post on social media sites becomes the property of the individual site, and may be used for a purpose unintended by the employee (e.g., advertising).
21. VPD employees should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by any person or organization including defence counsel, Crown Counsel or the VPD at any time without prior notice.



2.9 Information Management

2.9.7 Research Requests

(Effective: 2006.01.30)

1. The Department seeks to maintain mutually beneficial relationships with the academic community conducting research. However, the Freedom of Information and Protection of Privacy Act restricts what access to personal information the Department may legally provide to academic researchers. The purpose of this section is to establish the approval process for research initiatives.
2. All requests for access to Departmental records must be made in writing and addressed to the Office of the Chief Constable.
3. The Chief Constable's office will, upon receipt of a research request, forward the request to the Deputy Chief Constable Commanding the Division holding the requested records, the Deputy Chief Constable Commanding the Support Services Division and the Planning, Research and Audit Section for their consideration and recommendations to be forwarded to the Chief Constable.
4. The Deputy Chief Constable Commanding the Support Services Division will consult with the Information and Privacy Co-ordinator with respect to any Freedom of Information and Protection of Privacy Act or legal issues arising from the research request.
5. The Planning, Research and Audit Section will be consulted by the parties involved and provided with a general description of the research project including the research methodology.
6. All of the above commentaries will be forwarded to the Chief Constable through the chain of command.
7. The ultimate and final decision as to whether the Department will approve the research request rests with the Chief Constable. The Chief Constable's decision in this regard will be communicated to the researcher in writing, with a copy to the Planning, Research and Audit Section.
8. Upon the Chief Constable's approval of the research request, the researcher, in consultation with the Information and Privacy Co-ordinator, must complete a Research Agreement and a confidentiality agreement.
9. The Information and Privacy Co-ordinator is responsible for maintaining the Research Agreement in a form which best protects the legal interests of the Department.
10. The researcher must agree, as part of the Research Agreement, to treat all information received from the Department during the research in a confidential manner. Any breach of the confidentiality provisions of the Research Agreement by the researcher or anyone else will result in the immediate withdrawal of research privileges from the researcher. Further legal action may be pursued against the researcher at the discretion of the Chief Constable.
11. Any and all costs associated with a particular research request must be borne by the researcher. In no circumstances will the Department be responsible for any costs associated with a research request unless the Chief Constable specifically directs otherwise.



2.9 Information Management

2.9.8 Voice Mail Communication

(Effective: 2004.11.09)

POLICY

The Department recognizes that voice mail and e-mail are useful and necessary services that enhance members' ability to communicate with others, and provide improved service to the public.

DEFINITION

For the purpose of the section "Member" means both sworn and civilian members

PROCEDURE

1. All members shall, at least once during the duration of their shift, check their voice mail and e-mail service for messages.
2. When absent in excess of their weekly leave, members shall place an extended absence message on their voice mail and e-mail, and advise of their return date.
3. Members shall respond to messages in a timely fashion, taking into consideration operational and investigative requirements, as well as the need to be responsive to inquiries from the public.



2.9 Information Management

2.9.9 Mail, Correspondence and Document Services

(Effective: 2006.07.21)

POLICY

All mail and correspondence delivered by Couriers involving Subpoenas, Summonses, and related documents shall be directed to the Document Services Section.

PROCEDURE

1. Members shall not use the Department address for personal mail unless prior authorization is received.
2. Documents of a personal nature that do not involve the Department shall remain confidential.
3. All incoming correspondence referred for attention shall be answered. If a delay is likely, due to the nature of the reply, an immediate acknowledgement shall be made advising that the matter is receiving attention.

Fees

4. The Document Services Section shall check all Subpoenas, Summonses or related documents for witness fees. Where witness fees are found, whether in the form of cash or cheque, the fees shall be removed, recorded and forwarded to Financial Services Section. In instances where the witness fee cheque is issued in the member's name, the member shall attend the Financial Services Section to endorse the cheque.
5. All inquiries by police members or other personnel regarding reimbursement for Subpoena directed court appearances arising from police related incidents shall be directed to the Document Services Section (See Section 2.7.3: Handling of Court Notification Forms).
6. At times, members may be served documents by Process Servers. Where this occurs and witness fees are attached, members are directed to Section 2.6.1 (ii): Witness Fees, of this manual.

Document Service to Members

7. The Document Services Section shall endeavour to personally serve all Subpoenas, Summonses or related documents on the members to whom they are directed. Where Document Services is unable to serve the member, the document shall be delivered in person to the member's NCO.
8. An NCO receiving a document for service on a member shall:
 - a. Serve the document on the member
 - b. Complete the Affidavit of Service
 - c. Return the Affidavit of Service to Document Services through the Department mail system by placing it in a clearly addressed envelope and;
 - d. Retain a copy of the Affidavit of Service as a record of service.
9. Leave conflicts arising as the result of scheduled witness court appearances shall be referred to the Court Conflict Clerk (See Section 2.7.3: Handling of Court Notification Form).



10. Any member approached by a Process Server wishing to serve another member shall direct the Process Server to the Document Services Section during normal business hours.
11. If a Process Server attends the PSC during normal business hours, they can be referred to the Document Services staff. If it is outside of normal business hours, the PSC staff should advise the Server to re-attend. If the server is insistent on personally serving a member, the PSC or the Document Services staff shall be responsible for:
 - a. Providing the time and date of the member's next scheduled duty day;
 - b. Providing the phone number where the member can be contacted when reporting for the next scheduled duty day; and
 - c. Advise that the Process Server should contact the member by phone at the time and date provided, and arrange a mutually agreeable time for the service.
12. Where the information listed in Subsection (11) is readily available to a member approached by a Process Server wishing to serve another member, that member should advise the Process Server accordingly.
13. If the Process involves a "Notice of Claim" (where the Chief, a member of the department, the department, or the Police Board is being sued), the server is to be referred to the City Clerks office at City Hall.



2.9 Information Management

2.9.10 Use of Police Databases

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



2.10 Boards and Committees

2.10.1 Board of Officers

(Effective: 2000.10.05)

Boards of Officers, Committees and Sub-Committees fall into two categories, Permanent and Temporary. Temporary Boards are established to consider specific problems and are dissolved upon completion of their task. The functions of Permanent Boards are described in the following sections.

Officers are appointed to Permanent Boards as required by the Chief Constable or the Chief Constable's designate. The Chair of a Board will ordinarily be the senior Officer. Officers appointed to Boards may designate substitutes, subject to the approval of the Chief Constable.

Members of the Department may be called upon for evidence or assistance. The findings of all Boards (which are not required to be unanimous) will be forwarded to the Chief Constable.



2.10 Boards and Committees

2.10.2 Commendation Board

(Effective: 2019.04.03)

POLICY

It is the intent of the Vancouver Police Department (VPD) to recognize outstanding service and/or meritorious conduct by its employees and citizens. All VPD staff, members of the public, and external agencies working in partnership with VPD members are eligible for this recognition. Employees may recommend any person for a commendation by following the Commendation Submission Guidelines.

PROCEDURE

All VPD members (sworn and civilian) and employees of external agencies (e.g., RCMP, etc.), who work in partnership with VPD members on a project or incident, are eligible for departmental commendation based on the following criteria:

1. Inspector/Manager's Commendation

- i. For demonstrating over the course of a single investigation, operation or incident significant skill, judgment, dedication or integrity in the performance of duty; or
- ii. For demonstrating the highest standards of police conduct or humanitarianism in a single operation, incident or investigation where there was minimal or no risk or exposure to actual or anticipated danger; or
- iii. For diligent and sustained effort in the performance of duties well above that which is normally expected; or
- iv. For developing a method or program that has a positive effect on the operation of the Department.

Significant - a noteworthy, important or consequential effort in the completion of an assignment or task.

2. Deputy Chief Constable's Commendation

- i. For demonstrating over the course of a single investigation, operation or incident exceptional skill, judgment, dedication or integrity in the performance of duty; or
- ii. For demonstrating the highest standards of Police conduct or humanitarianism in a single operation, incident or investigation where there was some risk but limited or no exposure to danger; or
- iii. For diligent and sustained effort in the performance of duties which significantly exceeds that which is normally expected; or
- iv. For developing a method or program that has a significant effect on the operation of the Department.

Exceptional - a remarkable and extraordinary effort in the completion of an assignment or task which exceeds normal expectations.

3. Chief Constable's Commendation

- i. For demonstrating over the course of a single investigation, operation or incident outstanding skill, judgment, dedication or integrity in the performance of duty; or
- ii. For demonstrating the highest standards of Police conduct or humanitarianism in a single operation, incident or investigation where there was a high risk or exposure to danger; or



- iii. For demonstrating over a period of time exceptional skill, judgment, dedication or integrity in the performance of duty; or
- iv. For developing a method or program that has a substantial effect on the operation of the Department.

Outstanding - an exceptional and prominent performance in the completion of an assignment that is innovative, unique and outside what is expected from an experienced person doing the same task.

4. Chief Constable's Award of Valour

- i. For demonstrating the most conspicuous act of bravery in extremely hazardous circumstances;
- ii. For a daring or pre-eminent act of valour, self-sacrifice or exceptional devotion to duty in the presence of grave danger;
- iii. For purposely taking action for the benefit of others while knowing that, in doing so, they placed themselves at substantial risk of death or serious injury.

5. Letter of Recognition

- i. If the Commendation Board feels that a submission does not meet the criteria for a commendation, but agrees that the performance is deserving of some formal recognition, a letter will be sent to the respective Inspector or Manager along with the original submitted materials. The letter will state the submission did not meet the criteria for a commendation and recommend the Inspector or Manager send a letter to the individual on behalf of the District/Section, recognizing their performance;
- ii. Subsection (i) does not preclude an Inspector or Manager from writing a Letter of Recognition to a member on their own initiative.

6. Citations

Citations are available at the Inspector/Manager, Deputy Chief Constable and Chief Constable level based on the same criteria for commendations as outlined above. A Citation is awarded to two or more members, police and/or civilian, working together on an incident or project (regardless if the members work in the same organizational Unit, Squad, Team, District, Section or Division).

No member shall receive both a Commendation and a Citation for actions arising out of the same circumstances.

7. "Other" Commendations for VPD Employees

- i. Generated by outside agencies:
 - Periodically the commendation board will receive requests from outside organizations to recognize various contributions by members of the VPD for outstanding community service. The criteria for submissions will be determined by the relevant agency, however, nominations must be sent to the Sergeant i/c Career Development - HR for review, editing, and coordination. The Sergeant i/c Career Development - HR will submit vetted nominations for consideration by relevant outside agencies and follow up with candidates as appropriate.
- ii. Generated internally:
 - 1. Police Officer of the Year
 - The individual selected will exemplify:
 - a. Excellence at work,
 - b. Outstanding service to the community, and
 - c. Demonstrated leadership.
 - 2. Civilian Employee of the Year
 - The individual selected will exemplify:



- a. Excellence at work,
- b. Respect, inclusiveness and collaboration, and
- c. Demonstrated leadership

All nominations should be detailed and contain supporting documentation that speaks to the criteria noted above. A Commendation Request Form 1341 must accompany all nominations. All submissions must be approved through the proper chain of command and be forwarded to the Chair of the Commendation Board.

8. Commendations for Citizens

Members of the Vancouver Police Department can nominate a citizen using the Commendation Submission form (VPD1341), with supporting documentation. Submissions must be endorsed up the chain of command and forwarded to the Commendation Board Chair.

Citizens are eligible for commendation in three categories based on the following criteria:

- i. Letter of Appreciation

To be sent to citizens, signed by the Chief Constable, when:

- a. On their own initiative in the absence of any danger, they have assisted the police in preventing a crime, apprehending or attempting to apprehend an offender, or made a life-saving attempt; or
- b. They have provided facilities or personal assistance during a police investigation or incident.

- ii. Award of Merit

To be awarded to citizens, by the Vancouver Police Board or Chief Constable, when on their own initiative and in the face of actual or anticipated danger, they have assisted the police in preventing a crime, apprehending or attempting to apprehend an offender or made a life-saving attempt.

- iii. Jim and Vicki Chu Community Safety Leader Award

This award recognizes a citizen who has made an outstanding contribution towards crime prevention and improving safety in the community. Nominees will have demonstrated exemplary leadership in their community and a passion for making Vancouver a safe place to live.

Letters of Appreciation will be considered and approved by the Commendation Board. Nominations for Awards of Merit and the Jim and Vicki Chu Community Safety Leader Award will be reviewed by the Commendation Board, who will make recommendations to the Chief Constable and Vancouver Police Board. Subject to approval from the Chief Constable and Vancouver Police Board, Awards of Merit and the Jim and Vicki Chu Community Safety Leader Award will be presented to citizens at the Chief Constable's Commendation and Award of Merit Ceremony.

9. Commendation Submission Guidelines

The following are guidelines for anyone wishing to make a submission for a commendation. Completed submissions will be thorough, detailed and accurately reflect the actions of each nominee. This will assist the Commendation Board in responding to submissions in a timely manner.

- i. Commendation submissions shall be forwarded to the Commendation Board on a VPD 68, outlining details of the event(s) recommended for a commendation along with a Commendation Request Submission Control Form 1341;



- ii. Details of the event shall be fully explained in the submission, including the names of all persons having significant involvement in the event. Ensure the submission includes the full names of those being recommended for a commendation as well as their PIN numbers and current assignments;
- iii. A copy of the submission and the original submission control form will be forwarded, through the chain of command, to the Chair of the Commendation Board. The Chair shall ensure that all submissions are distributed to all other members of the Commendation Board for review and consideration.
- iv. Members of the Commendation Board will determine if the criteria for commendation have been met and decide on the appropriate level of award based on the submitted documentation. The decision to award a commendation remains with the Commendation Board, except in cases where Chief Constable and Vancouver Police Board approval is required (as in Awards of Merit; Jim and Vicki Chu Community Safety Leader Award).
- v. The member making the submission to the Commendation Board shall advise the nominee(s) that a commendation request has been made on their behalf;
- vi. The submission may be returned to the person making the nomination for the following reasons:
 - a. Submission was not approved and/or signed through the chain of command;
 - b. The details of the submission are incomplete; and/or
 - c. The criteria for commendation was not met.

If approved, an email will be forwarded to all recipients advising that the Commendation Board has approved their commendations and it will be awarded to them in the near future. A copy of the email will also be sent to the member who made the submission and the member's Inspector or Manager.

A copy of the commendation shall be forwarded to Human Resources where it will be attached to the recipient's personnel file.

10. Presentation of Awards

- i. Letters of Recognition shall be presented to the member(s) in the presence of their peers at a location designated by the member's Inspector/Manager;
- ii. Other than those listed under point v below, commendations shall be presented in the presence of the member(s) peers or at another designated location as determined by the recipient's Inspector/Manager, Deputy Chief Constable, Chief Constable or designate;
- iii. Upon presentation of Letters of Recognition or commendations, the Inspector/Manager, Deputy Chief Constable, Chief Constable or designate shall advise the Chair of the Commendation Board that service has been completed, for tracking purposes;
- iv. Letters of Appreciation (for citizens) will be drafted and delivered by the Chair of the Commendation Board; or routed to an appropriate Inspector or Manager for drafting and delivery;
- v. The following awards will be presented at the "Chief Constable's Commendation and Award of Merit Ceremony":
 - Chief Constable's Commendations
 - Chief Constable's Citations
 - Awards of Merit
 - Jim and Vicki Chu Community Safety Leader Award
 - Police Officer of the Year
 - VPD Civilian Employee of the Year

11. Appeal Procedure

- i. Upon request, the Commendation Board may reconsider a previous decision in those instances where the original documentation may not have been complete in all respects;
- ii. The Commendation Board should not reconsider a decision on the basis of the original documentation alone;



- iii. Any appeal must be supplemented by additional documentation, to present the Commendation Board with a broader perspective of the incident;
- iv. The employee requesting the appeal may appear in person before the Commendation Board for the purpose of speaking to the appeal;
- v. The appeal will be considered by the Commendation Board on the basis of original documentation, any additional documentation submitted and information offered at the appeal;
- vi. Appeal decisions made by the Commendation Board are final.

12. Commendation Bars

The Executive Committee has approved the wearing of a Commendation Bar. The bar is described as a raised maple leaf motif on a dark blue colour background as below:

- i. Gold maple leaf - Chief Constable's commendation;
- ii. Silver maple leaf - Deputy Chief Constable's commendation;
- iii. Bronze maple leaf - Inspector or Manager's level commendation.

Police Officer of the Year Bar - The Executive Committee has approved a special bar for the Police Officer of the Year. It is a gold, raised VPD crest on a split silver and dark blue background.

Chief's Award of Valour - The Executive Committee has approved a special bar for the Chief's Award of Valour. It is a blue maple leaf on a gold background.

Commendation Bars are available to members who are currently employed by the Vancouver Police Department and are not retroactive to retired members. Members must provide documentation indicating the level of their commendation to receive a bar (a photocopy of the commendation will suffice). Members, who have received more than one commendation, will be issued a Commendation Bar for the highest level commendation only. Bars can be obtained through the desk of the Commendation Board Secretary (See RPM Section 5.4.4: Dress and Department).



2.10 Boards and Committees

2.10.3 Loss and Damage Board

(Effective: 2017.05.09)

The function of the Loss and Damage Board is to investigate all incidents of loss or damage to Departmental property (excluding automotive) and to examine claims by members for reimbursement and replacement of personally owned property lost or damaged during the course of duty. The Board will then report to the Senior Director, Financial Services Section, with recommendations on each incident.



2.10 Boards and Committees

2.10.4 Accident Review Board

(Effective: 2007.04.12)

1. The Collision Review Board will convene on direction from the Inspector i/c Traffic Section.
2. The Board will consist of:
 - a. the Inspector in charge of the Traffic Section (Chair);
 - b. the Sergeant in charge of the Accident Investigation Squad; and
 - c. the Inspector in charge of the member involved in the collision.



2.10 Boards and Committees

2.10.5 Shots Fired Review Board

(Effective: 2010.12.08)

POLICY

The Shots Fired Review Board shall investigate every incident where a member of the Vancouver Police Department discharges a firearm in the course of duty. Shots fired at the Range shall not be referred to the Shots Fired Review Board, unless injury occurs at the Range.

The mandate of the Shots Fired Review Board will be to make recommendations to the Chief Constable in relation to training, policy or procedural issues that result from the investigation.

The Shots Fired Review Board shall be composed of:

- a. a Deputy Chief Constable, selected by the Chief Constable for a minimum two year term;
- b. the Inspector i/c Recruiting and Training Section;
- c. the Inspector i/c Emergency Response Section; and
- d. the Sergeant i/c Force Options Training Unit.

PROCEDURE

1. The investigation of incidents involving the discharge of a firearm by a member of the Vancouver Police Department falls under the responsibility of either:
 - a. The Major Crime Section, if the discharge was intentional or if the discharge caused injury or death; or
 - b. The Professional Standards Section if the discharge was unintentional (see Section 1.2.1 Use of Force - Justification).
2. The Inspector i/c Major Crime Section shall:
 - a. Forward copies of the investigation report to the Chair of the Shots Fired Review Board and the Inspector i/c Professional Standards Section, and;
 - b. Provide a covering report to the Chief Constable outlining the investigative findings pursuant to the discharge of the weapon.
3. The Inspector i/c Professional Standards Section shall:
 - a. Review investigations conducted by the Major Crime Section and those conducted by the Professional Standards Section;
 - b. Attend the meeting of the Shots Fired Review Board to provide input relative to the investigation and any possible disciplinary consequences; and
 - c. Provide a covering report to the Chief Constable outlining the investigative findings regarding the discharge of the weapon.
4. The Chair of the Shots Fired Review Board shall:
 - a. Distribute the investigation to members of the Shots Fired Review Board;
 - b. Convene a meeting of the Shots Fired Review Board, to ensure a timely review of the incident; and
 - c. Report the findings of the Shots Fired Review Board to the Chief Constable.
5. The Chief Constable, or designate, upon receipt of a full report concerning a member discharging a firearm shall:
 - a. conclude the matter forthwith; or
 - b. cause disciplinary proceedings and/or corrective action to be taken.



2.10 Boards and Committees

2.10.6 Training Board

(Effective: 1999.11.04)

1. The composition of the Training Board shall be:
 - Deputy Chief Constable Support Services Division,
 - Deputy Chief Constable Operations Division,
 - Deputy Chief Constable Investigation Division,
 - Two Vancouver Police Union members, and
 - In a non-voting capacity, representation from other groups that may be required to assist the Board in fulfilling its mandate, including; Vancouver Police Officers Association, Teamsters and the Human Resource Section.
2. The mandate of the Training Board is to review, assess, prioritize, plan and establish guidelines, policies, procedures and programs related to any training goals of the Department.
3. The responsibilities of the Training Board shall include:
 - a. establishing a career development plan, based on core competencies, for each job function in the Department, identifying:
 - i. pre-assignment knowledge and skills, and
 - ii. post-assignment development;
 - b. approving Department wide training initiatives including subject material and delivery technique (e.g. bulletin or classroom delivery);
 - c. approving training curricula including in-service and cycle training;
 - d. establishing course standards for increment, Police Education Fund, and *promotional, courses and approval of variances;
 - e. establishing general policy guidelines for the distribution of training funds including the education fund, increment fund and departmental budgets; and
 - f. reporting to the Chief Constable both the directions and actions of the Board.

***Note:** During promotional competitions the Sergeant's Selection Process Committee is responsible for considering courses that do not meet approved standards related to promotional scoring.



2.10 Boards and Committees

2.10.7 Scholarship Program Committee

(Effective: 2012.02.02)

The scholarship program is dependent upon donors from the community and therefore the awards dispensed may vary from year to year. The Scholarship Committee shall consist of:

1. The President of the Police Mutual Benevolent Association, or designate;
2. The President of the Vancouver Police Union, or designate;
3. The President of the Vancouver Police Credit Union, or designate;
4. A representative of the Sergeant Larry Young Memorial Scholarship Fund Committee;
5. A representative of the Superintendent Douglas W. McRae Memorial Scholarship or designate;
6. The President of the Vancouver Police Superannuated Police Officers' Association, or designate;
7. A representative of the Vancouver Police Foundation / Alton Stuart Hann Memorial Scholarship, or designate;
8. A representative of the Vancouver Police Revolver Club (VPRC), or designate;
9. A representative of the Vancouver Police Sergeants' Association Scholarship, or designate



2.10 Boards and Committees

2.10.8 Diversity Advisory Committee

(Effective: 2000.05.17)

The Chief Constables Diversity Advisory Committee (DAC) represents the diverse viewpoints of the citizens of Vancouver and deals with serious issues that directly impact diversity concerns within our communities. The appointed citizens to the committee sit as a consultative and advisory body to the Office of the Chief Constable.



2.10 Boards and Committees

2.10.9 Police Exemplary Service Medal

(Effective: 2008.02.11)

POLICY

The Police Exemplary Service Medal (“PESM”) is a national award recognizing long and meritorious municipal police service. The award has been established by the federal government, and is administered by the Canadian Association of Chiefs of Police, in accordance with the Regulations Governing the Award of the Police Exemplary Service Medal (“Regulations”). Municipal police officers may be eligible for the PESM following 20 years of exemplary service, and may be eligible for a Bar to the PESM after an additional 10 years of exemplary service.

DEFINITIONS

Exemplary Service - means service characterized by good conduct, industry and efficiency that serves as a model to others.

Serious disciplinary action - means a conviction of a criminal offence, or one or more disciplinary actions greater than a verbal reprimand, relating to a single major incident or an accumulation of incidents, and imposed as a result of a Police Act public trust or internal discipline complaint, where either the conviction or the disciplinary action are as a result of conduct that would not serve as exemplary service or as a good model for others.

Police Act - means the Police Act, RSBC. 1997, chapter 367, as amended.

Eligibility Criteria

1. A member of the Vancouver Police Department (“VPD”) is eligible to receive the PESM or Bar if:
 - a. in the case of the PESM, the member has completed 20 years of exemplary service, and in the case of the Bar, the member has completed an additional 10 years of exemplary service, with one or more recognized Canadian police services;
 - b. during the required period of service, the member has not experienced a break in police service employment for more than two years;
 - c. the member has not been the subject of serious disciplinary action;
 - d. in the event the member has been the subject of disciplinary action greater than a verbal reprimand, the Chief Constable has determined that the conduct did not preclude the member from demonstrating exemplary service;
 - e. upon reaching the relevant length of service, the member is not the subject of an open investigation into a criminal or Police Act complaint; and
 - f. the Chief Constable has nominated the member for the PESM or Bar.
2. The Chief Constable may recommend to the Governor General a posthumous award of the PESM to a police officer who died in the performance of duties, where the police officer is not entitled to any other official award.



3. The following do not act to decrease or interrupt members' accumulation of years of service leading to award eligibility:

- a. job sharing,
- b. working a half-time position, or
- c. statutory maternity or parental leave absences.

4. Any action taken by the Department in respect of non-culpable conduct does not constitute disciplinary action and should not be considered for determining whether a member has demonstrated exemplary service.

Nomination Procedure

5. The VPD will form a PESM Committee comprised of the Inspector, or designate, i/c the Professional Standards Section ("PSS"), the Inspector, or designate, i/c Human Resources Section ("HRS"), and the President, or designate, of the Vancouver Police Union.

6. The HRS will identify members eligible for the PESM or Bar based upon length of service.

7. The PESM Committee will review the list of members provided by the HRS and determine which members meet the standard for exemplary service.

8. The PESM Committee will forward to the Chief Constable the names of all members considered for the PESM or Bar and a recommendation as to whether each member should be nominated. The PESM Committee will provide documentation to support their recommendations both for and against nomination for the PESM or Bar.

9. The Chief Constable will determine which members shall be nominated for the PESM or Bar based upon the recommendations of the Committee and the eligibility criteria.

10. The Chief Constable will make the final determination as to whether any serious disciplinary action taken against a member constitutes conduct that precludes the member from the PESM or Bar.

11. The Chief Constable will submit to the Director, Honours, the Chancellery in the Office of the Secretary to the Governor General the names of the nominees, together with a written recommendation in respect of each nominee. This recommendation shall:

- a. set out the date on which the required period of service for the PESM or Bar was completed by the nominee;
- b. confirm that, during the period of service, no serious disciplinary action has been taken or is pending in respect of the nominee;
- c. affirm that the conduct and performance of the nominee have been judged as being exemplary and deserving of recognition by the award of the PESM or Bar; and
- d. be signed by the Chief Constable.

12. The Chief Constable will provide the Inspector i/c HRS a list of members nominated and not nominated for the PESM or Bar.



Notification and Appeal Process

13. The Inspector i/c HRS will advise members not nominated for the PESM or bar of the reasons for which they were not nominated.

14. Members who are notified that they were not nominated for the PESM or Bar may seek reconsideration by submitting a VPD 68 to the Chief Constable, outlining the reasons for reconsideration.

15. The Chief Constable will review the request for reconsideration and determine whether to nominate the member. In reviewing a request, the Chief Constable will follow this policy's criteria as though the member was being considered for the PESM or Bar for the first time.

16. The Governor General may, on the advice of the Chief Constable:

- a. Cancel and annul the award of the PESM or Bar to any person or;
- b. Restore the award of the PESM or Bar which has been cancelled and annulled to any person as stated in (a).

17. Members having received a medal honouring exemplary or good conduct, e.g., the CACP Medal, may retain the same as souvenirs but shall not wear such a medal if they have subsequently received the PESM.

18. To see illustrations for the placement of the PESM or Bar, See Section 5.4.4 - Dress Standards, Subsections 24 and 29.



2.10 Boards and Committees

2.10.10 Charitable Fundraising Committee

(Effective: 2014.11.25)

1. The composition of the Charitable Fundraising Committee shall be:
 - a. Executive Officer,
 - b. VPD Sergeant Major,
 - c. Vancouver Police Union member,
 - d. Finance Services Section member, and
 - e. Information Management Section member; .and
 - f. Any other stakeholder deemed appropriate by the Executive Officer to assess the charitable fundraising proposals.
2. The mandate of the Charitable Fundraising Committee is to ensure that the VPD is held in high regard and beyond reproach in relation to charitable fundraising, supporting societal good and minimizing disruption in the workplace.
3. The responsibilities of the Charitable Fundraising Committee shall include:
 - a. Approving, not approving or requesting more information for any workplace charitable fundraising request;
 - b. Ensure that there is no overlap with already existing fundraisers;
 - c. Ensure new proposals do not create an unreasonable strain on VPD resources;
 - d. Ensure that any new proposal is aligned with the strategic objectives and values of the VPD; and
 - e. Report to the Chief Constable the workplace charitable fundraising requests approved by the Committee



3.1 Personnel Management

3.1.1 Call-Outs - Voluntary

(Effective: 2006.04.05)

POLICY

The administration of special event call-outs is managed through the Call-Out Notification System (CONS). CONS was developed and is used to ensure equity of call-outs among all members. Adherence to the procedure ensures fairness in the assignment of call-outs.

The assignment of call-outs can come from several sources. The ability of a member to work extended periods of time varies for each individual. Members must take responsibility to ensure they are not working beyond their personal level of comfort when accepting a call-out as the health of members and officer safety is paramount.

PROCEDURE

1. The Emergency and Operational Planning Section (EOPS) shall:
 - a. check CONS for available members;
 - b. through CONS, assign a member, who has indicated their availability; and
 - c. forward the CONS form to the assigned member via the Departmental E-mail system.
2. In short notice situations, EOPS may notify a member via telephone.
3. In circumstances where a member is notified of a call-out via telephone, EOPS will forward a CONS form to that member via Departmental E-mail for confirmation.
4. The assigned members shall:
 - a. ensure that CONS reflects their actual availability;
 - b. acknowledge or decline attendance to the call-out as outlined on the notification with acknowledgement that attendance of the call-out then becomes a tour of duty;
 - c. attend in Patrol uniform at the location, time and date identified by EOPS, unless otherwise notified (Section 5.4.4 - Dress and Department and Section 5.4.7 - Personal Grooming & Appearance).
 - d. not draw equipment for use at a call-out unless otherwise authorized by the NCO in charge of the event; and
 - e. be responsible for supplying private transportation to and from call-outs.
5. Members who have accepted a call-out and are subsequently unable to attend shall:
 - a. Contact EOPS, between 06:30 and 16:30 hours, Monday to Friday;
 - b. After EOPS duty hours, notify the NCO in charge of the call-out, an on-duty NCO or the Duty Officer in this order;
 - c. Follow procedures as outlined in Human Resources Manual (In Review) - Regulations and Procedures Manual - Absence Due to Illness or Accident.
6. Under no circumstances shall a member transfer the call-out to another member.
7. The NCO in charge of the call-out, the contacted on-duty NCO or the Duty Officer shall:
 - a. Through the Patrol Division call-out system, find a replacement for the assigned member;
 - b. Notify EOPS Planning Staff of the change in personnel at the call-out in order that CONS can be amended to reflect that change.
8. The NCO in charge of the call-out shall:
 - a. be responsible for drawing and returning all necessary equipment as detailed in the deployment plan;
 - b. ensure that all positions assigned to the call-out are filled unless otherwise directed by EOPS;
 - c. brief and deploy personnel as outlined by EOPS; and



- d. submit a VPD 554 EOPS Event Report detailing any irregularities at the conclusion of the event to the EOPS Planning Staff;
 - e. certify that assigned personnel were deployed and that any discrepancies are noted for EOPS information on the VPD 554 Event Report.
9. Members that fall into any of the following categories are prohibited from accepting call-outs:
- a. Leave of absence;
 - b. Maternal or paternal leave;
 - c. Sick or WCB leave; or
 - d. Modified or restricted duties, as determined by the Human Resources Section and/or Professional Standards Section.
10. Job share members shall not be awarded overtime rates when working a callout. Overtime premiums shall not be triggered unless a member's weekly hours of work exceed forty (40) hours.
11. Regular duty members shall not attend public events where uniformed members have been assigned unless they are:
- a. Dispatched by a communications operator;
 - b. Directed by an NCO; or
 - c. Required by an on-view situation.

On those occasions when regular duty members attend an event, they shall advise the Call-out NCO and E-comm of their presence.



3.1 Personnel Management

3.1.2 Change of Name or Contact Information

(Effective: 2009.04.28)

POLICY

Employees are required to provide their supervisor and the Human Resources Section with their current residential address. All employees must also provide their supervisor with their telecommunication contact numbers, including: home telephone number, cellular telephone number and pager number where they can be contacted during off duty hours, in case of a Departmental or Divisional fan out.

PROCEDURE

Changes to Employee information

1. Employees shall notify their Payroll Clerk of all births, deaths or changes in marital status affecting personnel records.
2. Employees who change their name, residential address or telephone number shall:
 - a. Advise their supervisor of their new name, address or telephone number as soon as practicable; and
 - b. Within seven days of the change, complete and forward a Notice of Change (VPD 63A) to their Payroll Clerk.

Fan Out Contact Information

3. To facilitate a Departmental fan out, telephone numbers shall be maintained in the following manner:
 - a. All members holding the rank of Staff Sergeant and above shall maintain a list of telecommunication contact numbers for all members two ranks below their own within their span of control. Current copies of this list shall be retained at home and at work.
 - b. Sergeants and civilian supervisors shall maintain a list of telecommunication contact numbers for all employees within their team or unit, and distribute the list to all team/unit personnel. Current copies of this list shall be retained at home and at work.
 - c. Sworn and civilian members shall maintain a list of telecommunication contact numbers for members of their team or unit. This list shall be retained at home and at work.
4. The telecommunication contact numbers for all teams or units shall be verified by the Supervisor of each unit or team on a quarterly basis to ensure that all members have provided updated contact numbers for the purpose of a fan out.

Department Wide telecommunication Lists

5. A Department-wide telecommunication list shall be maintained by the Inspector i/c Human Resources Section.
6. The Inspector i/c Human Resources Section shall ensure that:
 - a. The telecommunication list is updated on a monthly basis; and
 - b. A copy of the updated list is distributed each month to the parties listed below.
7. Copies of the current Departmental telecommunication list will be retained by:
 - a. The Officer in Charge at the Vancouver Jail;



- b. The Inspector i/c Communications; and
- c. The Duty Officer.



3.1 Personnel Management

3.1.3(i) Ceremonial Unit

(Effective: 2000.10.24)

This is a voluntary group of members of the Department. The purpose of the Unit is to foster a high standard of dress and deportment and to represent the Department when approved by the Chief Constable.

Full particulars of the Unit and its duties and responsibilities are contained in the Vancouver Police Ceremonial Unit Constitution.



3.1 Personnel Management

3.1.3 (ii) Motorcycle Drill Team

(Effective: 2006.09.27)

This voluntary group consists of one NCO and ten members of the Traffic Section. The NCO acts as a liaison member and reports directly to the Inspector i/c Traffic Section. The purpose of the team is to enable the members to acquire a high degree of riding skills



3.1 Personnel Management

3.1.3 (iii) Pipe Band

(Effective: 2000.10.31)

This is a voluntary police sponsored group of members who have the necessary skill in piping or drumming and who wish to represent the Department by using such skills.

Full particulars regarding the organization, duties and responsibilities of members of the Vancouver Police Pipe Band are contained in the Vancouver Police Pipe Band Regulations Manual.



3.1 Personnel Management

3.1.3 (iv) Revolver Club

(Effective: 2000.10.31)

1. The purpose of the Club is to foster a high standard in the safe handling and shooting of firearms. The Club will also promote competitive and practice shooting events, provide assistance with entrance applications for shooting competitions, and act as a resource for to all members who may have shooting related questions. The Club seeks to undertake these goals in a social atmosphere that emphasizes safety, fun, participation and education.
2. All members are eligible to join the Club.



3.1 Personnel Management

3.1.3 (v) Police Mutual Benevolent Association (PMBA)

(Effective: 2000.10.05)

1. The Police Mutual Benevolent Association was incorporated under the Benefit Societies Act, July 15, 1911. The purposes of the Association are as follows:
 - a. Benevolent, provident, mutual or charitable purposes
 - b. Provision, by means of contributions, subscriptions, donations or otherwise, against sickness, unavoidable misfortune or death
 - c. Provisions of means for recreation, exercise and amusement
2. The Association is composed of regular and probationary members of the Department up to and including the Chief Constable. A duly qualified member of the Department who wishes to become a member of the Police Mutual Benevolent Association must complete an application form, which can be obtained from the Secretary. This application must be presented to the Secretary-Treasurer, with the required initiation fee. A check-off card, covering a payroll deduction for monthly dues, will be completed at this time.



3.1 Personnel Management

3.1.3 (vi) Department Approved Activities, Groups and Sports

(Effective: 2005.06.24)

1. The Sports Liaison Officer must approve all members, groups, or sport teams that represent the Department in an event or activity. All approved activities will follow policies and guidelines set by the Sports Liaison Officer. A VPD 68 application for approval shall be submitted through the Sports Liaison Officer.
2. Sports Liaison Officer
 - a. The Sports Liaison Officer is appointed by the Senior Management Team and must hold the rank of Inspector. The mandate of the Sports Liaison Officer is to facilitate the participation by members in various events or activities. The Sports Liaison Officer shall consider the potential benefits to the Department, individual, group or team, and the community.
 - b. Through the process of approving Departmental activities, special leave and/or funding requests, the Sports Liaison Officer shall also be responsible to ensure that the actions of the approved Departmental activities shall not bring discredit to the Department.
 - c. The Sports Liaison Officer will submit a written report to the Senior Management Team by February 27th of each year. The report will include the following:
 - i. A synopsis of the past year's events.
 - ii. The amount of money raised for charities for the current year and the past four years.
 - iii. The number of volunteer hours donated for the current year and the past four years.
 - iv. Other benefits accrued to the Department as the direct result of the activities of the group or team .
 - v. The amount of funding received by the group or team from the Department .
 - vi. The amount of money or contributions of any kind received through sponsorship, fund raising, or any other activity.
 - vii. The anticipated total number of special leave hours that will be requested for the current year .
3. Members, Teams or Groups Reporting Requirement
 - a. Sanctioned members, groups, or teams shall submit a VPD 68 annual report to the Sports Liaison Officer. The report shall include a synopsis of the past year's events and any information requested by the Sports Liaison Officer. This report shall be submitted to the Sports Liaison Officer by January 31 of the following year or event at the conclusion of a single the event.
 - b. Failure to submit a written annual report may affect whether the members, groups, or teams continue to be sanctioned
4. Special Leave and/or Funding Requests
 - a. Any member, group or sports team requesting special leave and/or funding shall submit a VPD 68 application to the Sports Liaison Officer and include the following:
 - i. Dates, times and details of the event.
 - ii. The benefits that may be derived by the Department from participation in the event.
 - iii. A list of members attending and their respective details of duty, including participants who are not employed by the Department.
 - iv. The amount of special leave and/or funding requested (include the purpose of the funding).
 - v. Weekly leave changes requested by the member(s) involved (These changes shall be mutually agreed upon by the member and their supervisor and shall not be subject to the penalty provided in the Collective Agreement).
5. Fund Raising and Donations



- a. Under no circumstances shall any member, group or sports team initiate any fund raising (charitable or otherwise) without the authorization of the Sports Liaison Officer or their designate.
 - b. Prior to any member, group or sports team accepting any donation or sponsorship they shall obtain approval from either the Sports Liaison Officer or designate. An explanation of how the donation will be used must be given to the Sports Liaison Officer.
 - c. Prior to approving the request the Sports Liaison Officer or designate will ensure that the donor(s) and/or sponsor has been checked through all available police indices (i.e. CPIC/CNI, RMS, PIRS, OCA).
6. The Pipe Band, Ceremonial Marching Unit, and the Motorcycle Drill Team or any other such group(s) represented by a patron as designated by the Chief Constable, are exempt from the reporting provisions of this section.
 7. All volunteers who are not sworn police officers, and who participate in a Police Athletic/Activities League (PAL) club, must be recorded on the City of Vancouver Accidental Death and Dismemberment Policy for Volunteers Form by the Sports Liaison Officer. The form will be submitted by the Sports Liaison Officer to the City of Vancouver.
 8. In the event that PAL activities are held on school property and have not been authorised by the school Principal , the PAL club will complete and submit a Vancouver Police Athletic/Activities League Liability Waiver Form to the Sports Liaison Officer.



3.1 Personnel Management

3.1.4 Identification of Employees

(Effective: 2013.02.25)

Security

1. All employees of the Vancouver Police Department are required to wear the issued building ID tags in a visible manner while in any of the Vancouver Police facilities. This applies to all employees, even when in uniform. All visitors must sign-in at the Public Service Counter and wear the issued identification in a visible manner.

Identification

2. Police members shall carry their badge and identification cards at all times while on or off duty.
3. Police members are responsible for renewing their police identification cards every five years or upon any relevant change in their status, such as promotion or name change.
4. Police members shall not conceal their identity or hesitate to state their PIN (Personal Identification Number), rank, and/or surname when requested to do so.
5. Uniformed police members shall wear a Department issued PIN and/or name tag on their shirt, jacket, or other issue garment such as a sweater. The tag must be visible and is to be worn as prescribed in (RPM Section 5.4.4: Dress Standards).

Business Cards

6. Departmental business cards shall be issued only to Vancouver Police Department employees and volunteers of the Victim Services Unit.
7. Business cards shall reflect the holder's name and rank/title so that a person receiving the card clearly understands whom they are dealing with and there is no risk of misrepresentation.
8. In order to promote a consistent professional image of the Department, the Public Affairs Section has standardized the design of VPD business cards.

There are three styles of cards:

- Managers will have personal embossed business cards (provided by Public Affairs)
- Staff Sergeants will have personal digital printed business cards (provided by Public Affairs)
- All other staff will have personal business cards printed on regular stock shells (provided by their Section Assistants)

Exceptions must be approved by the member's DCC.



3.1 Personnel Management

3.1.5 Occupational Health Plan

(Effective: 2000.09.06)

1. Objectives:

- a. To ensure and facilitate the placement of individuals according to their individual capacities, and their emotional make-up, in work which they can reasonably perform with an acceptable degree of efficiency without endangering the public, their own health and safety, and that of their fellow workers.
- b. To protect individuals against health hazards in their working environment.
- c. To encourage personal health maintenance.
- d. To make use of proven preventive medical procedures for the prevention of death and the promotion of good health.



3.1 Personnel Management

3.1.6 Information in Relation to Employees - Reference Checks

(Effective: 2007.09.25)

POLICY

1. Except as authorized by the Inspector i/c Human Resource Section, no sworn or civilian employee may provide employment reference information in relation to any current or former VPD employee.
2. All requests for employment reference checks should be referred to the Human Resources Section Staff Sergeant, for sworn members, and the Civilian Services Manager, for civilian members.

NOTE: The VPD Reference Check policy is designed to safeguard the interests of the Employee, the Employer, and the prospective Employer. The VPD Reference Check policy does not apply to internal VPD applicants. Current employees of the VPD applying for new positions within the department, are not subject to this policy as they are considered internal candidates.



3.1 Personnel Management

3.1.7 Meals - Time Allowance

(Effective: 2004.06.29)

POLICY

The Vancouver Police Department recognizes that breaks are important to refresh members during a shift, and breaks are encouraged for the health and well being of members. In the event breaks cannot be granted, Supervisors have the discretion and flexibility to deviate from this procedure.

PROCEDURE

1. Police members assigned to an eight-hour shift may be permitted, during their shift, ONE forty-five minute meal break and two fifteen minute coffee breaks.
2. Police members assigned to a ten-hour shift may be permitted, during their shift, ONE sixty-minute meal break and two fifteen minute coffee breaks.
3. Police members assigned to an eleven-hour shift may be permitted, during their shift, ONE sixty-minute meal break and two fifteen minute coffee breaks.
4. Police members assigned to a twelve-hour shift may be permitted, during their shift, ONE sixty-minute meal break and two fifteen minute coffee breaks.
5. Members shall, when permitted, leave the air or beat for these refreshment periods, after notifying the Radio Dispatcher of their location (address or phone number).
6. Patrol and Traffic members will not take a meal or refreshment break during the last hour of duty unless permission of their Supervisor has first been obtained. Members being utilized to cover patrol areas during main shift changes will not take breaks while performing this function.
7. All requests for a break shall be made by radio over the air. When the radio operator has concerns about granting a break, the radio operator shall consult with a Field Supervisor. The authority to grant or deny the request shall lay with a Field Supervisor.
8. In the absence of exigent circumstances a Supervisor will grant the request. Routine call load should not be the sole reason members are denied a break.
9. Where it can be clearly demonstrated that members have made every reasonable effort to request a meal or refreshment break in accordance with this policy, and in the absence of exigent circumstances a Supervisor has denied the request, in these circumstances only, Supervisor's will have the flexibility to compensate members by adjusting a subsequent tour of duty.



3.1 Personnel Management

3.1.8 Conclusion of Service

(Effective: 2003.04.22)

POLICY

At the conclusion of a member's service with the Department, the following procedures are necessary to ensure Departmental property is returned and that any unfinished assignments/investigations are re-assigned.

PROCEDURE

1. Police members shall contact the Employee Services Sergeant - Human Resources Section to schedule an Exit Interview. Civilian members shall contact the Human Resources Advisor - Human Resources Section to schedule an Exit Interview. All members shall pick up their respective sign-off form from the Human Resources Section. This form shall be completed prior to the member's departure from the Department and scheduled Exit Interview.
2. Prior to their resignation, retirement, or termination date, members shall do the following (where applicable):
 - a. return all issue equipment/property and building keys to the Financial Services Section;
 - b. clean out their lockers and return their locker key to the appropriate member (i.e., generally from whom they were issued the key and locker initially) in which building the exiting member works or return the key to Police Stores;
 - c. turn in all notebooks, original statements, Departmental records/forms, and materials to the Information Management Section - Archives;
 - d. forward all computer information contained in individual files/e-mail messages to their immediate Supervisor; and
 - e. return their identification/building access card and section office keys (if applicable) to their immediate Supervisor.
3. An Exit Interview Report shall be completed by the Employee Services Sergeant (Police members) or HR Advisor (Civilian members) - Human Resources Section. The Human Resources Section shall inform the Information Technology and Information Management Sections to de-activate the members' computer, building, and CPIC access.
4. The Employee Services Sergeant (Police members) or HR Advisor (Civilian members) - Human Resources Section shall also notify the Financial Services Section - attention: Payroll.
5. In the event that a member is unable to complete the above procedures due to unforeseeable circumstance such as severe illness or death, the member's Supervisor shall complete the above procedures.



3.1 Personnel Management

3.1.9 Salary Attendance Profile Form (SAP)

(Effective: 2001.03.20)

1. Supervisors shall:
 - a. complete SAP forms for all members under their supervision;
 - b. place their Police Identification Number (PIN) on the Salary Attendance Control Form; and
 - c. ensure the SAP forms reach the person designated for time entry for processing.
2. The Section or District Inspector shall ensure all supervisors under their command correctly complete SAP forms.



3.1 Personnel Management

3.1.10 Assistance to Other Departments

(Effective:)

1. Where assistance is requested by the police department of another municipality, or by a non-police enforcement agency, such assistance shall be given immediately and shall only be limited insofar as responsibilities within our own jurisdiction require or dictate.
2. When assistance is requested of a member, other than an Officer, the request is to be filled at once within the limits of authority granted such member and his/her immediate supervisor notified as soon as possible.
3. Where the request for assistance is such that the decision must be made by an Officer, every effort shall be made to expedite the request.
4. In all instances where assistance is provided to outside police departments, or enforcement agencies, the Duty Officer shall be notified and a report submitted to the member's Divisional Commander. For further reference on assisting other police departments see Section 68 of the BC Police Act.



3.1 Personnel Management

3.1.11 Form Of Oath

(Effective: 2000.09.07)

"I, _____, do solemnly swear that I will well and truly serve our Sovereign Lady the Queen, her heirs and successors according to law, in the office of _____ for the _____ of _____ without favour, affection or malice, or ill will; and that I will to the best of my power, cause the peace to be kept and preserved and will prevent all offences against the persons and properties of Her Majesty's subjects; and that while I continue to hold the office I will, to the best of my judgement, skill, knowledge and ability, carry out, discharge and perform all the duties of my office faithfully according to law, so help me God." (BC Police Act - Regulations)



3.2 Overtime

3.2.1 Overtime - General Policy and Definitions

(Effective: 2006.04.06)

POLICY

The Vancouver Police Department is required to effectively manage overtime in a responsible and judicious manner. However, in a policing environment, overtime frequently results from exigent and/or emerging events and the use of overtime is an unavoidable part of police work. However, it is important to ensure that overtime is used only to meet operational necessities and where no other options are available. While public and officer safety remain a paramount consideration, all personnel of the Vancouver Police Department must exercise fiscal responsibility in the use of our limited overtime funding.

Types of Overtime

Extended Tour of Duty: When a member is required to continue to work beyond the end of their regular duty hours. Extended tours of duty are usually associated to a GO# and require the authorization of a Supervisor. Any other situation involving an extended tour will require details to be written in the synopsis of the overtime slip.

Call-out: When a member is required to report to work other than during the member's regular duty hours. The three types of call-outs are:

- a. To cover minimums: There are various reasons for call-outs to cover minimums. The reason for the call-out must be recorded on the rear side of the Overtime slip. All call-outs to cover minimums on Patrol must be approved by the member's District Inspector or the Duty Officer after all districts have been canvassed for available personnel. The Supervisor requesting the call-out is responsible for ensuring the reason for the call-out is captured on the Overtime slip.
- b. Criminal Investigation: All of these call-outs will be associated to a criminal investigation and require a GO# or Project #.
- c. Other Call-outs: All other call-outs, (e.g. unplanned special events, demonstrations or public disorder issues) fall into this category. All members submitting a VPD 314(05) Overtime slip with this type of overtime shall keep notes or other documentation of the function or task performed for auditing purposes.

Standby: Occasions where a member is directed or scheduled by an Inspector or Manager to be personally available for consultation and/or to report to work during "off hours", which thereby limits or restricts the member's off-duty activities.

Members requesting standby pay shall ensure that they also capture whether they were or were not consulted and/or called out on the rear of the Overtime slip. **Note:** If a member was also called out, the member must fill out an overtime slip claiming the standby and a separate overtime slip for the call-out worked.

Planned Overtime: Overtime that is associated to an Order number or a Project number. Most special events or pre-planned events such as the Symphony of Fire or Liquor call-outs fall into this category.

Investigative Phone Calls: Calls made to members at home regarding on-going investigations. Example: If an off-duty member receives a telephone call from the Department relating to an investigation that involves a simple request or question, members are entitled to claim 1.5 hours compensation. In some cases, where members are required to become active participants in an investigation, the member may be entitled to an alternative overtime claim. This is **not** to be confused with telephone calls that are administrative in nature (such as a call to advise about annual leave sign-up), and for which there is no compensation.



3.2 Overtime

3.2.2 General Overtime Policy and Procedure

(Effective: 2013.08.14)

PROCEDURE

Members Responsibilities

1. All members requesting overtime pay or credit will complete a VPD 314(05) Overtime slip.
2. All overtime submissions should be associated with a General Occurrence (GO) # or Project #, and a short summary of why the overtime is required in the summary field. When a GO # or Project # is not provided, the synopsis portion of the VPD 314(05) Overtime slip must be completed in detail.
3. All Overtime slips shall be submitted immediately upon the conclusion of the overtime shift. Where this is not possible, members shall submit the Overtime slip as soon as possible, but no later than 2 weeks after the overtime occurred.
4. All Overtime slips must be submitted to the member's Supervisor or another available Supervisor (i.e., a member of higher rank, or Acting in a higher rank, than the submitting member) for review, approval, and signature.
5. All members working extended tours of duty are required to obtain approval from their own Supervisor prior to the end of their regular duty shift. In addition, should the investigation continue 4 hours past the end of their regular shift, the member must contact the Supervisor from the next on-duty shift, inform them of the investigation, and receive authorization to continue.

Payroll Responsibilities

6. Members receive payment for overtime after a completed VPD 314 (05) Overtime slip is entered by Payroll.
7. When Payroll receives a slip that is incomplete, the slip will be returned to the submitting member through the authorizing Inspector, who will ensure that the slip is completed and resubmitted in a timely fashion.
8. When Payroll receives a slip that does not comply with the provisions of the Collective Agreement, the Payroll Supervisor shall return the slip through the Deputy Chief i/c Support Services Division, who will return it to the authorizing Inspector. However, Payroll shall also ensure that the overtime amount that is not in dispute is paid out in the regular fashion.

Supervisors Responsibilities

9. Supervisors shall take reasonable measures to reduce or limit overtime. This includes but is not limited to the following:
 - a. Manage and co-ordinate annual leave, other leave requests, and other circumstances to minimize manpower deficiencies.
 - b. A member's level of fatigue must be strongly considered when approving lengthy overtime work or several overtime shifts in a short period of time.
 - c. Assign non-emergency service requests received near the end of a shift to on-coming personnel.
 - d. When officers undertake an extended tour of duty to complete an investigation, the Supervisor shall consider assigning remaining tasks to oncoming personnel where appropriate. However, members are encouraged to continue with investigations requiring



- immediate follow-up to maintain investigative continuity, to build valuable investigative skills and experience, and to decrease the number of cases forwarded to follow-up squads.
- e. Ensure that the number of investigators is limited to the appropriate number required for the investigation and, thereby, eliminate unnecessary court attendance.
 - f. Ensure that VPD personnel consistently adhere to the overtime policy and procedures, and the requirements set out in the Collective Agreement.
10. The Supervisor is responsible for reviewing the submitted slip, ensuring that the overtime claim is in accordance with the Collective Agreement, and that the slip is complete. The Supervisor will then complete the back of the slip, checking the appropriate overtime category related to the incident or activity. The Supervisor will sign the slip, and submit it to the Manager responsible for the cost centre to which the overtime is being charged.

Call-out Requirements

11. Patrol Supervisors must receive authorization from a District Inspector or the Duty Officer before calling out additional staff to meet minimum patrol staffing requirements. Prior to requesting a call-out, the Supervisor shall ensure that all other districts have been canvassed for resources. The Supervisor shall also ensure that the authorizing Inspector's PIN is recorded on the overtime slip.
12. Supervisors are responsible for ensuring that a member's regular hours are entered into SAP in a timely fashion, as Payroll cannot enter overtime until the member's regular hours have been entered.

Cost Recovery and Audit Process

13. All cost recovery overtime requires information identifying the third party who will be paying for the service. The VPD 314(05) Overtime slip must contain a contact name and an address. It is the responsibility of the Supervisor to ensure this information is entered on the overtime slip.
14. The Finance Section will coordinate periodic audits of overtime expenditures and submit a detailed report to the Deputy Chief commanding the Support Services Division.

Note: In the event of any conflict between relevant Collective Bargaining Agreements and the conditions of service listed in the Regulations and Procedures Manual, the provisions of the Collective Agreement shall apply.



3.2 Overtime

3.2.3 Management of Overtime

(Effective: 2006.01.30)

Management Policy

It is the responsibility of all managers to limit overtime expenditures to the minimum required to meet operational requirements. Managers are accountable for all overtime costs in their Section and shall ensure that all overtime information is entered into the Overtime Database in compliance with the following guidelines:

1. No task or function shall be performed on overtime that could otherwise be performed during regular work hours.
2. Only overtime required to meet vital service demands of the Department shall be authorized.
3. All tasks and functions that require the use of overtime shall be evaluated by the Inspector/Manager to assess cost-effectiveness, the necessity of the overtime, and to identify alternatives.
4. Overtime shall be authorized in advance of its occurrence, except when resulting from an exigent circumstance.

Inspector/Manager's Responsibilities

5. An Inspector/Manager who receives overtime slips must review them to ensure that they are accurate and complete, signed by a Supervisor, and that the overtime is an appropriate expenditure of their overtime budget.
6. The approved Overtime slip must be signed by the Inspector/Manager in charge of the cost centre to which the overtime will be charged. The authorizing Inspector/Manager shall ensure the Overtime information is entered into the Overtime Database.
7. The person responsible for entering the data into the Overtime Database will enter the slip information and initial the Overtime slip next to the slip number.
8. When one Section provides a member to another Section (e.g. Strike Force working a Homicide file), the Inspector/Manager responsible for the cost centre being billed may e-mail authorization to the Inspector/Manager of the members who worked the overtime. The Inspector/Manager of the member(s) who worked the overtime may sign the OT slip(s) on behalf of the Inspector/Manager of the Section whose budget will pay for the overtime.
9. When Overtime is required in order to staff Patrol minimums, the District Inspector must be advised. The District Inspector will then be responsible to review the request and authorize the use of overtime when necessary to meet Patrol staffing minimums or other operational requirements. If the District Inspector is unavailable, the Duty Officer will be advised. The Duty Officer may authorize the request and will ensure that the overtime approval is recorded in the Duty Officer Log Book.
10. The Duty Officer shall record phone calls made to Stand-by or Specialty Squad personnel in their logbook.

Overtime Database



11. Only an Inspector or Manager may authorize changes to information in the Overtime Database that are related to their Section.
12. Slips that are returned from Payroll may require that the overtime slip be altered or rejected. In these circumstances, the original slip entry into the Overtime Database must also be altered or deleted.
13. Anyone entering information into the Database shall ensure that they enter their name into the “**entered by**” field of the database.



3.2 Overtime

3.2.4 Overtime Eligibility

(Effective: 2006.01.30)

POLICY

It is important to ensure that overtime is used only to meet operational necessities and where no other options are available. Procedures in this section provide clarification for common circumstances where overtime may or may not be used.

PROCEDURE

1. No member shall take leave on a duty day in order to work a call-out at double time. For example - A member takes a day or portion of a day off from regular duties (by using overtime leave hours previously earned) in order to accept an EOPS call-out.
2. Members working a regular, non-rotating, schedule and who take OTL during their work week, will not be permitted to work on what would be regularly scheduled leave from their normal duties at overtime rates. Any exception to this requires authorization from the Section Inspector/Manager. For example - A member takes Tuesday off for personal reasons but comes in on Friday, a regular weekly leave day, and works at double time in order to “catch up” on work that was not completed.
3. For the health and well-being of our members, the following guidelines will apply unless there are extenuating circumstances or recognized operational needs:
 - a. That members have at least 8 consecutive hours free from duty between shifts;
 - b. That members have at least 1 day off (no overtime call-out) per weekly leave cycle; and,
 - c. That members do not accept overtime while on Annual Leave to fill shifts they would normally work within their Division.
4. Members on Annual Leave who accept a voluntary call-out will be reimbursed at double time in accordance with the Collective Agreement, and are not entitled to 20 hours of pay. For example - A member is on Annual Leave and accepts a 3 hour call-out. That member will be compensated for 6 hours pay, not 20.
5. When members self-initiate an adjustment to their shifts in order to accommodate a work requirement, they are not entitled to a “call-out” or “shift adjustment penalty”. Any such adjustment must be approved by a Supervisor. Should a member, after adjusting the start/end hours of a shift, work beyond their regular duty hours, those hours will be deemed as an extended tour of duty.
6. When members adjust their shifts to accommodate an investigative requirement and claim penalty, the adjustment must be approved by the Section Inspector/Manager to ensure it is an investigative necessity. Should a member, after adjusting the start/end hours of a shift, work beyond their regular duty hours, those hours will be deemed as an extended tour of duty. For example - Members who have duty hours from 0700-1700 come in at 0500 to catch a ferry for an interview they have scheduled on Vancouver Island. If the members work until 1700 the members would only claim an extended tour for the additional two hours worked.



3.2 Overtime

3.2.5 Requesting Overtime Leave (OTL)

(Effective: 2006.01.30)

POLICY

Members may request Overtime Leave (OTL) through their supervisor. This leave may be granted, at the discretion of the Supervisor, giving consideration to operational needs and organizational requirements.

In the Operations Division, all OTL requests are subject to minimum staffing levels, and no OTL will be granted where it might foreseeably cause a Patrol squad to fall below those levels.

Requesting Overtime Leave

1. In order to take Overtime Leave members shall complete the VPD 314(05) Overtime slip and submit it to their Supervisor. Supervisors will review the request based on their operational needs and the requirement to maintain minimum staffing levels. The Supervisor may then approve the request, sign it, and submit it to Payroll.
2. The slip does not require the signature of the Inspector/Manager.
3. All Supervisors requesting Overtime Leave shall ensure that their request does not cause their Patrol squad to fall below staffing minimums for the date(s) of the request. The Supervisor shall then complete the VPD 314(05) Overtime slip and forward it to their Inspector/Manager.



3.2 Overtime

3.2.6 Charging-Out Overtime Procedures

(Effective: 2006.04.13)

POLICY

The Department recognizes that the Investigation Division will often use the services of members and specialty squads in other Divisions. Therefore, it is necessary to ensure that Inspectors/Managers have input into the overtime being incurred by a Unit that is assisting their Section.

PROCEDURE

Crime Scene Preservation and Guard Duty

1. When guard duty is required at a major crime scene, it is the responsibility of the Operations Division to provide patrol officers for the first 12 hours of that duty.
2. After 12 hours, the investigative squad responsible for the scene will either use their resources to guard the scene, or will continue to use Patrol resources and will assume any subsequent overtime cost. However, where the guard duty can be accommodated by the Operations Division without going below minimums, then the Operations Division will continue to provide the staff necessary. Therefore, for the first 12 hours a Patrol cost centre will be charged the overtime cost if necessary. After 12 hours, an investigative cost centre will be charged subsequent overtime cost that may be incurred. In cases of a long-term guarding assignment, consideration shall be given to the impact on the Operations Division.

Charging-Out Overtime and the Use of Specialty Squads

3. When an investigative squad calls out a specialty squad, the specialty squad is responsible for maintaining a sufficient operational staffing complement to undertake the investigation or assignment. If overtime is required to bring a specialty squad up to staffing levels required to undertake its duties (i.e. - Strike Force), then that overtime shall be billed to the specialty squad's cost centre.
4. When an investigative squad requires assistance from another squad (Strike Force, ERT, etc.) for a specific investigation or assignment, the investigative squad cost centre will be charged the related overtime cost.
5. Generally, overtime of this nature will be billed to the Criminal Investigation Fund (CIF) and requires prior authorization in addition to the completion of an Operational Plan and Application for Criminal Investigation Fund (Form VPD1318). In exigent circumstances, and when it is not practicable to submit a CIF Request Form, overtime costs will be billed to the appropriate investigative section's cost centre.
6. Whenever a specialty squad requires Patrol officers to work as Undercover Operators, the specialty squad will provide as much advance notice to the Operations Division as possible. This will allow the Operations Division to make staffing decisions to ensure that Patrol staffing can be provided without going below minimums. The Operations Division Manager or Supervisor will take whatever reasonable steps are available to avoid requiring call-out staff. However, when there is no alternative to calling out staff to meet Operations minimums, the overtime incurred will be charged to the specialty squad.

For further information see [Proposed Guidelines for Charging out Overtime](#)



3.2 Overtime

3.2.7 Overtime - Travel and Training

(Effective: 2006.01.30)

Training or Other Courses

1. Overtime shall not be used as a means to facilitate any Training without the pre-authorized confirmation of the Section Inspector/Manager, and then only in exceptional circumstances.
2. Members traveling for authorized courses shall have their weekly leave adjusted. At no time should overtime pay be claimed for travel related to courses or training. Any exception requires the prior authorization of the Section Inspector/Manager.

Travel Policy for Investigative Purposes

3. All investigative travel requiring the use of overtime must be pre-authorized by the Inspector/Manager in charge of the budget to which the overtime expense will be charged.
4. When members are traveling for investigative purposes, Supervisors will make every attempt to ensure that this travel occurs during designated duty hours.
5. While traveling, if members are required to continue investigative work outside of their regular scheduled work, then overtime rates shall apply. However, members must receive prior authorization for this overtime from their Supervisor.



3.3 Annual Leave

3.3.1 Annual Leave Sign-Up

(Effective: 2009.04.16)

POLICY

1. Requests for Early Annual Leave, including Deferred and Supplementary Leave, shall be submitted by September 30 (for leave sought from January to April 30th of the following year).
2. Annual Leave requests, including Deferred and Supplementary Leave, shall be submitted by January 15 of the current year.
3. Cumulative time off (CTO) requests shall be submitted by January 31 of the current year.
4. Members shall include their weekly leave on the VPD 4 when requesting scheduled leave. Weekly leave in conjunction with Annual Leave is considered annual leave and members are entitled to the same compensation as Annual Leave for court appearances.
5. Members shall check all LENS Notifications issued to them for court dates that are in conflict with their leave request and attach a copy of any LENS which is in conflict with their leave request to the VPD 4 Police Member Leave Form and forward a copy to the Court Conflict Clerk.
6. Members who have signed up for annual leave and subsequently receive a LENS that conflicts with the members leave shall immediately send a copy of the original VPD 4 and a copy of the LENS to the Court Conflict Clerk.
7. Supervisors receiving a VPD 4 leave request shall immediately forward the request to the Conflict Clerk, Document Services Unit.
8. Prior to the sign-up conclusion dates as above, members may sign up for any week in accordance with the provisions of the Collective Agreement with respect to seniority and section provisions, regardless of court conflicts.
9. The Conflict Clerk, Document Services Unit shall seek adjournments in all cases where court conflicts arise from court dates being assigned prior to leave sign-up.
10. Where court conflicts remain, as the result of unsuccessful adjournment requests, the member shall be compensated as per the Collective Agreement or, upon mutual consent, the leave may be rescheduled.
11. Where a leave request or change of leave request occurs after the specified sign-up date and a court conflict results, the Conflict Clerk, Document Services Unit shall seek adjournments subject to the member not having in excess of any combination of two of the following appearances scheduled in a block of requested leave:
 - a. One Supreme Court trial;
 - b. One Provincial Court trial;
 - c. One Provincial Traffic Court trial;
 - d. One Youth or Family Court trial;
 - e. One Federal Court (Drug) trial; and
 - f. Three Traffic Hearing Room trials.
12. In circumstances where a leave request or change of leave request occurs after the specified sign-up date and results in court conflicts which exceed the limit set out in Subsection 10, the Conflict Clerk, Document Services Unit shall return the leave request to the requesting member's Inspector. The Inspector shall decide if there are extenuating circumstances in which case they should be documented and that documentation returned with the leave request to the Conflict Clerk, Document Services Unit. The Conflict Clerk, Document Services Unit shall then seek adjournments for all the cases involved.
13. In instances where the Conflict Clerk, Document Services Unit is unable to reschedule court appearances that conflict with a member's request for leave that occur after the sign-up period, the leave shall be denied. However, in extraordinary circumstances, the leave may be arranged by the member's Inspector, with agreement by the member, where no costs are incurred as the result of court attendance on Annual Leave.



14. Members wishing to facilitate a future leave request should forward the VPD 4 request to the Conflict Clerk, Document Services Unit. This action allows the Conflict Clerk, Document Services Unit to block the leave period for court appearances. Members are still required to resubmit the leave request as set out in Subsections 1 and 2 and approval is subject to the regular criteria. Annual Leave for Recruits
15. Recruits in training at the Justice Institute of British Columbia Police Academy (JIBC) are generally not entitled to take Annual Leave during Blocks 1, 2, and 3. Exceptions may be made under special circumstances, provided the training regimen of the member is not jeopardized. The affected member may make application to the Sergeant i/c Training and Education Unit, who shall consult with the Program Director of Police Training Services at the Police Academy prior to making a decision. Requests of this nature shall be considered only for Block 2 (Practical Field Training). Annual Leave for Blocks 1 and 3 (formal study periods at the Police Academy) shall not be granted under any circumstances.
16. Recruits shall generally sign-up for Annual Leave the first time they arrive in a Patrol Team (Block 2). Sign-up shall be based on the provisions of the Collective Agreement with respect to seniority and the maximum number of Constables on leave at any time. Since Recruit Classes at the Police Academy start at various times of the year, the following procedure shall be followed:
 - a. Recruit Classes that start in January, February or March shall sign up for Annual Leave during Block 2. If the member is unable to use their entitlement before the end of the year, the Annual Leave may be deferred with permission from the member's District Commander;
 - b. Recruit Classes that start in April, May, June or July shall not sign-up for Annual Leave in Block 2, since the remaining time in the year will be taken up by training. These members shall sign-up for Annual Leave when placed in a permanent field assignment following graduation from the Police Academy. Annual Leave for the year hired shall be deferred as authorized by the Sergeant i/c Training and Education Unit;
 - c. Recruit Classes that start in August or September shall sign-up for Annual Leave during Block 2. Annual Leave for the year hired shall be deferred as authorized by the member's District Commander; and

Recruit Classes that start in October, November or December shall sign-up for Annual Leave during Block 2. Annual Leave for the year hired shall be deferred as authorized by the Sergeant i/c Training and Education Unit.



4.1 Professional Standards

4.1.1 Breach of Law By Members

(Effective: 2006.04.05)

1. Members receiving complaints alleging a breach of the law regarding a member's operation of a motor vehicle, vessel, or bicycle in the course of their duties shall report the allegation to a supervisor.
2. The Supervisor shall:
 - a. Immediately investigate the allegation
 - b. Report to the Inspector i/c Professional Standards Section with the results of their investigation as soon as practicable, except for:
 - i. Motor vehicle accident in Section 1.10.8 (ii): Motor Vehicle Accident- Vancouver Police Vehicles, of this manual
 - ii. Photo radar and red light camera allegations investigated as directed by the Inspector i/c Traffic Section.
3. In all other instances the allegation shall be reported immediately to the Inspector i/c Professional Standards Section or, in their absence, the Duty Officer, who shall direct an investigation regarding the allegation.

Note: Where the Duty Officer initiated an investigation, they shall report to the Inspector i/c Professional Standards Section the actions that were taken as soon as practicable.
4. No disciplinary action shall be taken without the authorization of the Chief Constable.



4.1 Professional Standards

4.1.2 Code Of Ethics

(Effective: 2000.09.07)

As a member of the community and as a police officer I recognize that my fundamental duty is to protect lives and property, preserve peace and good order, prevent crime, detect offenders and enforce the law.

I will faithfully discharge my duties in a just, impartial and reasonable manner, preserving the equality, rights, and privileges of all persons as guaranteed by the Canadian Charter of Rights and Freedoms.

I will keep my private life unsullied as an example to all, maintain courageous calm in the face of danger, scorn or ridicule and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of the Vancouver Police Department.

I will preserve the dignity of all persons. I will be faithful in my allegiance to Her Majesty the Queen and my country. I will honour the obligations of my office and strive to attain excellence in the performance of my duties.



4.1 Professional Standards

4.1.3 Complaints Against Members of the Department

(Effective: 2006.04.05)

1. Citizen complaints against police members of the Department and internal discipline will be dealt with under the BC Police Act (1998) and Discipline Regulations made under the Act. See also: Duty Report Policy
2. A member of the Department receiving a complaint from a citizen regarding conduct of another member of the Department shall:
 - a. Refer the citizen to the Professional Standards Section
 - b. Outside of the normal working hours of the Professional Standards Section, refer the citizen to a NCO
3. The foregoing does not prevent a police member or NCO from attempting to informally resolve the complaint with the citizen at the time it is received.
4. Complaints - Against Members by Members (See Section 4.1.11 Workplace Harassment, of this manual, if the complaint results from any form of harassment.)

Any member of the Department having reason to complain about another member regarding words or actions shall submit a report to their Inspector who shall bring the complaint to the attention of the Division Commander.
5. Members Unfit for Duty

Any member or NCO who finds, or has reason to believe, that another member is incapable of exercising good judgement as a result of liquor, drugs or some other cause, shall immediately remove the member's side arm (Refer to Section 1.6.17 (ii): Seizing of a Member's Firearm, of this manual). The member shall be relieved of duty, offered the use of the Breath Testing Apparatus and referred to the Duty Officer for further disposition. The Chief Constable shall be notified forthwith.



4.1 Professional Standards

4.1.4 Conflict of Interest

(Effective: 2016.06.03)

POLICY

"Conflict of Interest" means a conflict between duties and responsibilities as an employee of the Vancouver Police Department, and an employee's personal and/or business interests, and includes actual or perceived conflicts and those situations which have the potential to be actual or perceived conflicts. Examples of conflicts of interest include, but are not limited to, employment, business interests or volunteer activity in: private security, licensed establishments, bodyguard services, private investigation, armored car services and insurance adjusting.

A conflict of interest may exist whether or not a remunerative advantage has been or may be conferred on the employee. In order to ensure that honesty and impartiality are beyond doubt, employees shall not place themselves in a position where they are under obligation to any person who then might benefit from special consideration or favour, or seek in any way to gain special treatment from them.

PROCEDURE

Secondary Activity

Definition: In this section, "secondary activity" means employment outside the Department, any private business activities or interests, and those volunteer activities in which the employee uses unique policing skills, knowledge or abilities that may also be used in the course of their employment with the Department.

1. An employee's primary occupational responsibility is to the Vancouver Police Department. An employee's secondary activity shall not negatively impact their fulfillment of the duties and responsibilities of employment with the Department.
2. VPD employees shall seek written approval from the Superintendent of Personnel Services, by going through the chain of command to their manager and upon approval to the Inspector of the Human Resources Section, prior to engaging in a secondary activity, and may only engage in the secondary activity once it is approved by the Superintendent of Personnel Services.
3. VPD employees shall not engage in secondary activity that:
 - a. interferes with or adversely impacts, or is likely to interfere with or adversely impact, the performance of duties and responsibilities as an employee of the Department; or
 - b. places, or is likely to place, the employee in a position of conflict of interest.
4. When the issue of a potential conflict of interest arises, as the result of an employee's secondary activity, the matter shall be submitted through the chain of command to the Inspector of Human Resources Section and referred to the Superintendent of Personnel Services for review and resolution.

Political Activity by VPD Employees

5. The Department supports its employees' individual and democratic rights to engage in political activity. However, employees' activities must not infringe on the public's right to an impartial police service.
6. In order to ensure an impartial police service members shall, while on duty or in uniform, refrain from any public expression of political opinion.
7. A member may, while off duty and not in uniform, attend, participate and express views on any issue not directly related to the member's responsibilities as a police officer as long as:
 - a. The member does not associate their position as a police officer with the issue;



- b. Represent their views as those of the Department.
- 8. Other than at a Departmentally sanctioned event, members shall not appear in uniform, either on or off duty, at any:
 - a. rally;
 - b. march;
 - c. political or religious event;without first obtaining approval in writing from the Chief Constable or his designate. Members wishing to obtain permission shall submit a request in writing, through the appropriate chain of command, to the Chief Constable outlining:
 - a. the nature of the event;
 - b. the identity of the organization sponsoring the event;
 - c. the member's affiliation to the organization; and
 - d. the reason the member feels it would be beneficial to appear in uniform.
- 9. A employee's participation in political activity, whether an appointment to a Board or candidacy in an election, is regulated by Federal, Provincial and Municipal legislation. Appointment, candidacy or service by an employee is prohibited if it interferes with the member's duties as a police officer or places or is likely to place the employee in a position of conflict of interest.

Confidentiality

- 10. All employees of the Department, through the nature of their duties and course of employment, have degrees of access to confidential material and information. No employee shall disclose any confidential information unless authorized. Use of confidential information for personal benefit is prohibited.

Gifts and Gratuities

- 11. Employees of the Department shall not solicit, either directly or indirectly, gifts, gratuities or compensation, either in cash or in kind, for services performed in the line of duty. The acceptance of a gift or gratuity is permissible where the gift or gratuity is:
 - a. offered as the result of a customary or hospitable practice;
 - b. of insignificant economic value;
 - c. not viewed as placing any obligation on the member of impact their impartiality; and
 - d. would not compromise the integrity of the Department.
- 12. All other gifts must be directed to the Chief Constable for disposition.
- 13. Employees of the Department shall not use their official capacity for the soliciting of funds for any cause without first obtaining the approval of the Chief Constable. (See RPM Section 2.6.3: Donations and Sponsorships).



4.1 Professional Standards

4.1.5 Debts of Members

(Effective:)

Members shall discharge their financial obligations to the point where the good name of the Department may not be affected. Failure to discharge debts without acceptable cause may therefore be regarded as a breach of discipline. No financial obligation may be assumed which might have the effect of influencing members in the impartial discharge of their duties.



4.1 Professional Standards

4.1.6 Disciplinary Code - Police Act

(Effective: 2006.04.05)

The disciplinary code of the Department shall be that stipulated in the Regulations of the BC Police Act.

Any member who commits any offence included in these Regulations may be subject to disciplinary action as provided for in the Regulations pursuant to the BC Police Act.

It is essential that a high standard of discipline be consistently maintained throughout the Department. All officers and other supervisory ranks are therefore, expected to set an example to others in carrying out their assignments and by displaying a strict sense of duty and impartiality in dealing with subordinates



4.1 Professional Standards

4.1.7 Impairment at the Workplace

(Effective: 2018.10.12)

POLICY

It is expected that employees will show up to work fit for duty and will remain so for the entirety of their shift. The Vancouver Police Department (VPD), and those who perform services on its behalf, have a shared responsibility to maintain a safe and healthy work environment. The use of alcohol, controlled drugs and medications can have a serious adverse effect on the health, safety, and effectiveness of VPD employees, their work environment, and the public. This policy:

- a. Sets expectations regarding the use of alcohol, medication or controlled drugs that may render an employee unfit for work, impair performance or cause risk of harm to health and safety; and
- b. Ensures employees are aware of the VPD's commitment to a safe workplace, understand their role in achieving a safe workplace, and understand the potential consequences which may result from breaches of this policy.

Considering the foregoing, the VPD is committed to:

- a. Promoting a safe, healthy, and effective working environment for all of its employees, contractors, volunteers, and members of the public who interact with the VPD.
- b. Providing encouragement and opportunities for individuals affected by substance use or addiction illnesses to seek early assistance and pursue recovery.
- c. Effectively managing substance use issues which:
 - i. Impact the workplace, or
 - ii. Affect an individual's ability to safely, reliably and efficiently perform their duties.
- d. Working with all parties to accommodate individuals affected by a substance use or addiction illness and managing the associated risks, particularly in safety sensitive positions.

This policy applies to all VPD employees as well as volunteers and contractors performing work on behalf of the VPD.

DEFINITIONS

Alcohol: includes wine, beer, distilled spirits and any liquid containing ethyl alcohol, whether or not intended as a beverage. It is not intended to include other products containing alcohol which are not intended for consumption, provided these products are being used as intended.

Controlled Drug: includes any drug or substance defined in the *Controlled Drugs and Substances Act* and the *Cannabis Act*.

Medication: means a drug that is intended by the manufacturer or a physician for the treatment of a physical or mental condition, whether or not the drug is prescribed or authorized (such as in the case of medicinal cannabis) by a physician.

PROCEDURE

POSSESSION



1. The possession of alcohol and controlled drugs while working or on a break is allowed provided that:
 - a. It is being temporarily stored for the purposes of transportation away from the workplace and that the alcohol or controlled drug is contained in its original, sealed, and unopened packaging (e.g. locked in an employee's personal vehicle), **OR**
 - b. The possession of the alcohol or controlled drug is part of an employee's job function (e.g. handling seized drugs or alcohol).

CONSUMPTION

2. Prior to commencing work, employees, contractors, and volunteers shall abstain from using alcohol, medication, or controlled drugs in a manner that could render them unfit to perform their duties safely and efficiently.
3. Employees, contractors, and volunteers shall abstain from using alcohol and controlled drugs while working or on break.
 - a. Police members who perform covert duties may be given prior approval by their supervisor to consume alcohol or controlled drugs when operationally necessary. In such circumstances, the supervisor shall weigh the concerns regarding the consumption of alcohol or controlled drugs against the specific needs of the police operation.
 - b. Members who have the prior authorization from the Chief Constable are authorized to consume alcohol for official business or protocol functions.
4. Employees, contractors, and volunteers are to act responsibly with regard to the use of medication, whether over-the-counter or prescribed by a physician, to prevent adverse effects on work performance. Employees, contractors, and volunteers are responsible to consult a physician or pharmacist when the potential effects of a medication or combination of medications on work performance are unknown to the individual. Any potential mental or physical impairment or other adverse effect associated with the use of a medication which affects work performance must be brought to the attention of their supervisor so that accommodations to the employee's work can be considered.

PERFORMANCE

5. Employees, contractors, and volunteers are to report fit for duty whenever attending work, and remain fit for duty while on VPD business and premises.
6. When being called in to work, employees, contractors, and volunteers are to notify their supervisor if they are not fit for duty.
7. Employees, contractors, and volunteers are to notify their supervisor if they observe another employee, volunteer or contractor whose ability to work appears to be affected by alcohol, a controlled drug, or other substance.
8. When a supervisor becomes aware that one of their employees, contractors, or volunteers is not fit for duty, after making reasonable enquiries to confirm fitness, they must take appropriate steps to ensure the safety of the employee and others. Once any safety considerations are addressed, they are to immediately notify their manager and the HR manager.

SUBSTANCE USE AND ADDICTION

9. The VPD recognizes its duty to accommodate employees with disabilities, including substance use and addiction illnesses.

CONFIDENTIALITY

10. Medical information is the property of the employee; however, in some cases failure to provide this information may impact an employee's Return to Work, Stay at Work, entitlement to benefits, or the accommodation process. The employer recognizes that denial and lack of self-awareness may be a symptom of substance abuse disability.



11. Unless the employee otherwise provides consent, the VPD will:
 - a. Maintain the confidentiality of information obtained under this policy. The VPD will use obtained information only for the purposes of administering this policy, where limited disclosure is necessary for related health and safety concerns (e.g. where there is deemed to be a potential for risk to self, others or the VPD), or as required by law.
 - b. Only disclose to the employee's supervisor and manager information related to the employee's fitness for work and any applicable restrictions; and further, such disclosure will only be undertaken where necessary for a legitimate work purpose.

TESTING

12. Random or blanket drug or alcohol testing of current or prospective employees is not permitted, except as part of an individual testing protocol recommended by an employee's treating physician as part of a treatment program. Prior to any such testing protocol being implemented, the employee will have an opportunity to consult with their union and the protocol must be agreed to by the employee.
13. If there are reasonable grounds to suspect that an employee, contractor, or volunteer is impaired at work by drugs or alcohol, and the employee, contractor, or volunteer has denied impairment:
 - a. A supervisor or manager will enquire if there is any underlying medical condition or disability and advise the employee to seek medical attention and advice from the union.
 - b. A supervisor or manager may conduct drug and alcohol testing. Prior to the test being conducted, if it involves a VPD employee, the employee will be provided with an opportunity to consult with their union. Where such testing confirms impairment at the workplace, the employee will be given an opportunity to seek medical attention.
 - c. The employee will not return to the workplace until it is confirmed there is no impairment.
14. Accommodation and treatment will be the preferred course of action of the Employer for employees. Discipline could result where there has been failure to disclose a disability resulting in impairment at work so as to endanger the employee or anyone else.



4.1 Professional Standards

4.1.8 Personal Relationships

(Effective: 2003.05.07)

POLICY

Personal Relationships

Employees of the Vancouver Police Department shall maintain a high standard of conduct in professional relationships with all fellow employees and colleagues. It is inappropriate for a person in a position of authority to enter into a personal relationship with a subordinate where there may be a conflict of interest. In the event a relationship does occur as defined by this policy, the intention of this policy is that one or both parties involved to be transferred and/or reassigned.

Conflict of Interest

No employee shall allow personal, financial or business interests to conflict with professional responsibilities or job performance. Managers and supervisors must ensure decisions are made devoid of any favouritism based on personal, financial, or business interests and shall maintain a professional work environment free from actual or potential conflicts of interest. All members shall abide by the Regulations & Procedures Manual, Personnel, section 4.1.2 "Code of Ethics". Failure to do so may disrupt the work environment, cause a decline in morale and reduce productivity.

DEFINITIONS

Supervisor/Person of Authority

An employee shall be considered the direct supervisor/person of authority of another when the responsibilities of the employee include disciplining, evaluating, assigning work, directing, or instructing the other employee. It also includes an employee who is responsible for approving reports of the other employee, or is required to investigate the other employee.

Personal Relationship

Personal relationship between employees is defined as a family relationship (e.g. spouse, sibling, parent), or a romantic and/or intimate relationship.

Conflict of Interest

A reasonable concern that the member may take action or make a decision, or fail to take action or make a decision, based in whole or in part on the member's personal relationship rather than on the member's professional duties and responsibilities. Also see Regulations & Procedures Manual Section 4.1.4 - "Conflict of Interest".

PROCEDURE

1. This procedure will provide a broad guideline for assessing personal relationships between members that give rise to an actual, potential or perceived conflict of interest between professional responsibilities and personal relationships. However, situations shall be evaluated on a case by case basis where there may be an actual or potential conflict of interest between professional responsibilities and personal relationships.



2. If a supervisor/person in authority commences a romantic and/or intimate relationship with a subordinate under their supervision, as defined by this policy, or as a result of a transfer is placed in a position whereby they are supervising a family member, the employee shall disclose in confidence the relationship to their immediate manager. If the personal relationship is found to be a conflict of interest, the manager shall seek advice from the Inspector i/c Human Resources regarding the need to transfer and/or reassign one or both employees.
3. The appointment or placement of an individual to a position of authority over someone, with whom he/she is having a romantic and/or intimate personal relationship or where a family relationship exists, is prohibited. Upon written application, the Deputy Chief Constable commanding the Division involved may authorize an exception to this subsection if the actual or potential conflict of interest can be eliminated or minimized.
4. An employee who has a romantic and /or intimate personal relationship or is related by family with another employee, but is not directly supervising that employee, shall not participate in any disciplinary or evaluation procedure involving the employee. Nor shall the employee process any complaints on behalf of the member. Such matters shall be forwarded up the chain of command without comment or endorsement.
5. Members involved in a romantic and/or intimate personal relationships or related by family shall not be placed in a partnership or an assignment where they will work directly with each other, except as set out in subsection 6 below. Further, whenever practicable, members involved in a personal relationship shall not be assigned to the same Patrol District, or to the same "operational" unit (e.g. ERT, Traffic, Strike Force) when there is an overlap of shifts. The intent of this sub-section is to reduce potential conflict of interest issues arising in work settings where there may be contact with the public.
6. The following exceptions may require members involved in a personal relationship to be assigned to the same duty:
 - a. call out;
 - b. additional staffing needs required over a minimal period of time; and
 - c. special events or unique circumstances.
7. Employees should be mindful that initiating or pursuing a personal relationship that may be defined as romantic and/or intimate while on duty (which may include official functions, such as dinners and conferences) may, depending on the circumstances, be sexual harassment or otherwise unethical, especially when one is in a position of supervision or authority over another.



4.1 Professional Standards

4.1.9 Posting Bail - Members

(Effective: 2000.09.07)

Members shall not post bail for any person under arrest other than members of their immediate family.



4.1 Professional Standards

4.1.10 Property Dealings - By Members

(Effective: 2000.09.07)

Members of the Department shall not deal in any way with any property owned by the City of Vancouver or in the custody of the Department, or act as an agent for a person dealing in any way with property owned by the City of Vancouver or in the custody of the Department, without express permission from the Chief Constable or his/her delegate.

The foregoing does not prohibit members from attending public auctions.



4.1 Professional Standards

4.1.11 Respectful Workplace Policy

(Effective: 2016.08.31)

POLICY

It is the right of every employee, volunteer, or contractor of the Vancouver Police Department (VPD) to be treated fairly and respectfully in the workplace.

Every person within the VPD has the responsibility to maintain a respectful workplace that is supportive, equitable, productive, and fosters the well-being of professional workplace relationships of all persons who are employed, volunteer, or contracted with the VPD.

On occasion, there will be disagreement or conflict in the workplace and every person within the VPD should strive to resolve these interpersonal issues and foster an understanding of individual opinions, views, and sensitivities.

When a disagreement or conflict is more significant, or a person feels that it is not possible or appropriate to resolve an issue on an individual basis, an immediate supervisor, manager, a union representative, or the Human Resources Section (HR) may be a resource to assist in the resolution process.

One of the roles of HR is to provide guidance and support for workplace related issues.

No person shall be penalized, reprimanded, or criticized, when acting in good faith, for bringing forward a complaint, providing information related to workplace issues, or for when attempting to establish or ensure a respectful workplace environment.

DEFINITIONS

For the purposes of this policy and these procedures the following definitions apply:

“Bullying” is any inappropriate conduct, comment, or communication, including interaction over email or social media/social networks, by a person, towards a “worker”, which includes all employees, volunteers or contractors with the VPD, that the person knew, or reasonably ought to have known, may cause that worker to be offended, degraded, humiliated, intimidated, ostracized, or emotionally hurt in the workplace. RPM Section 2.9.6(iii): Social Media.

“Complainant” is an employee, volunteer, or contractor with the VPD who has submitted a complaint alleging they have been subject to harassment or bullying, or is a witness to an incident of harassment or bullying and has submitted a complaint.

“Prohibited grounds” of discrimination as identified by the *B.C. Human Rights Code* are:

- a. race;
- b. colour;
- c. ancestry;
- d. country or place of origin;
- e. political belief;
- f. religion;
- g. marital status;



- h. family status;
- i. physical or mental disability;
- j. sex;
- k. sexual orientation, gender identity, or gender expression;
- l. age of person; or,
- m. the fact a person has been convicted of a criminal offence that is unrelated to the employment or to the intended employment of that person.

“Respondent” is the employee, volunteer or contractor with the VPD against whom a complaint is made.

“Workplace” is:

- a. any location where an employee, volunteer, or contractor carries out the duties of performing their job;
- b. any event or gathering related to work, whether sponsored by the employer or not; or
- c. any location travelled to for a work related reason.

“Workplace Harassment” is any conduct, comment gesture or contact that can be interpreted as being contrary to characteristics listed as prohibited grounds found in the *B.C. Human Rights Code*. It is behaviour or communication, including interaction over email or social media/social networks, of such a nature that is, or it would be reasonable to assume it is, unwelcome and detrimentally affects the work environment for any individual, or leads to adverse job related consequences for that person. RPM Section 2.9.6(iii): Social Media.

Workplace Harassment may include, but is not limited to, the following:

- a. racial or ethnic slurs or slang;
- b. stereotypical comments about other groups;
- c. vulgar humour or language;
- d. unwelcome remarks or jokes about a person’s body, attire, age, marital status, ethnic origin, religion, sexual orientation etc.;
- e. ridiculing persons with disabilities;
- f. unwelcome questioning about someone’s social or sexual life;
- g. derogatory comments based upon sexual orientation;
- h. unwelcome sexual remarks, invitations or requests;
- i. suggestive staring, leering or other offensive gestures;
- j. displays of pornographic, sexist, racist or other offensive or derogatory material;_
- k. unwanted touching of a person’s hair, clothing or body; or
- l. methods of coercion such as manipulation, including ignoring and/or isolating a person.

Examples of behaviour that would *not* be considered Workplace Harassment or Bullying may include;

- a. relationships between employees based upon mutual consent;
- b. normal social contact between employees;
- c. reasonable and appropriate performance management development, and management through evaluations and mentoring;
- d. employee supervision;
- e. imposition of appropriate discipline; or
- f. lack of friendliness.

Resolution Models and Strategies to Maintain a Respectful Workplace



Early resolution of workplace harassment or bullying is the most desirable outcome to maintain a respectful workplace. If you believe you are the subject of workplace harassment or bullying, you are encouraged to advise the offending party in a reasonable and appropriate manner that the behaviour is unwelcome and should stop; however, if you are faced with circumstances where interpersonal resolution is not possible or appropriate, one of the following models should be employed.

This policy provides two models to resolve workplace harassment or bullying complaints: Informal Resolution and Formal Investigation. Some factors to consider when deciding to proceed informally or formally are the seriousness of the complaint, any aggravating or mitigating circumstances, and/or the Complainant's wishes regarding the complaint.

It is recommended that the appropriate union and/or HR be consulted as a resource, or for guidance, prior to attempting a resolution of serious, complex or sensitive issues.

Informal Resolution Model

In this model Complainant and Respondent move to address the situation and find a mutually agreeable resolution. The Informal Resolution model includes, but is not limited to, the following strategies:

- a. **Generic approach** - A Supervisor or Manager, who becomes aware of workplace harassment or bullying, either by way of a complaint or by personal observation, must implement steps to address the behaviour. These steps may include discussions at routine staff meetings or a briefing wherein it is emphasized that certain behaviours are unacceptable. If there is an indication of workplace harassment or bullying, a resolution plan may be developed and implemented with the assistance of the appropriate union and/or HR;
- b. **Direct approach** - With this strategy, the interaction is person to person. The direct approach may be between a Complainant to Respondent, or a bystander to Respondent, and can be done in person or by letter. If done in person, a colleague may be present during the meeting;
- c. **Third party facilitation** - This is an informal intervention by a third party to find a mutually agreeable resolution. This may be accomplished with the assistance of the following, but not limited to:
 - i. the Inspector or Manager i/c a section;
 - ii. a union representative;
 - iii. the Manager of Employee Relations and Advisory Services in HR;
 - iv. the Manager i/c Civilian Services in HR; or,
 - v. the Inspector i/c HR
- d. **Mediation** - An impartial third party is appointed to assist the Complainant and Respondent in a structured process to find a mutually agreeable resolution. Mediation involves keeping the channels of communication open, helping the parties express their needs, identifying the issues, and if requested, offering remedies to resolve the dispute. The Mediator can make recommendations for resolution;
- e. **Alternate Dispute Resolution (ADR)** - A resolution process which may include negotiation, mediation and arbitration (optional). It is an alternative method to a formal or structured scheme to arrive at a private and confidential resolution to a dispute between parties.

The Superintendent i/c Personnel Services will oversee the selection of a mediator or arbitrator, if such resolution is requested by both the Complainant and Respondent. The appropriate union may be consulted during this process.

Formal Investigation Model

Any employee, volunteer, or contractor with the VPD, who believes that he or she is being harassed or bullied, may file a formal complaint in writing against the alleged harasser or bully with the Inspector i/c HR.



The Inspector i/c HR will appoint a suitable investigator to conduct an investigation into the complaint.

A Complainant may, at any time, withdraw their formal complaint, allowing the complaint to be informally resolved.

Notwithstanding anything in this policy, the employer retains the right to, or may have a legal obligation to, initiate or continue any investigation into an incident of harassment or bullying, where the employer believes it is in everyone's best interests to maintain a respectful workplace and to ensure the wellbeing of employees.

Mediation within the Formal Investigation Model

With the consent of the Complainant and Respondent, as well as the Inspector i/c HR, an assigned investigator may mediate the complaint. If the complaint is resolved, the investigator shall prepare a settlement agreement in writing describing the terms of the resolution. All parties involved in the dispute shall sign the resolution, a copy of which will be provided to the Complainant, the Respondent and the Inspector i/c HR. A copy will be placed in the personnel files of both the Complainant and the Respondent. The Inspector i/c HR shall monitor and oversee the implementation of the resolution.

PROCEDURE

The Rights and Responsibilities of Persons with the VPD.

1. Every employee, volunteer, and contractor with the VPD:
 - a. has the right to be treated fairly and respectfully in the workplace;
 - b. has the responsibility to ensure they treat others fairly and respectfully in the workplace; and,
 - c. is expected to address behaviour, where feasible, that is inconsistent with this policy by taking appropriate action.

The Rights and Responsibilities of a Complainant in a Workplace Harassment or Bullying Investigation..

2. A Complainant, depending on the circumstances, may choose to:
 - a. make known their disapproval to the alleged harasser or bully directly; or
 - b. ask for the assistance of another person to make their disapproval known to the alleged harasser or bully; or
 - c. choose another informal strategy to resolve the harassment or bullying; or
 - d. report the circumstances to a supervisor or manager and submit, in writing, details of the incident including:
 - date and time of the incident(s);
 - any Witness(es) to the incident(s); and
 - any response by a person(s) including the Complainant(s) or Witness(s) made at the time of the incident(s); or,
 - e. submit a confidential report to HR. Respectful Workplace - Confidential Report
3. A Complainant has the right to:
 - a. receive fair treatment;
 - b. have their complaint dealt with in a timely fashion;
 - c. obtain a review of their complaint without fear of embarrassment or reprisal;
 - d. be informed of the progress of the complaint;
 - e. request that no record of the complaint is placed on their personnel file if the complaint is made in good faith;
 - f. be represented throughout the investigation process by:
 - i. a union representative if they are a union member, or



- ii. counsel, paid for by the party represented, if they are an exempt staff member;
- g. be accompanied by a person of their choice for support during any proceedings relating to the complaint, providing no costs are incurred by the VPD;
- h. be provided, in writing, with a report outlining the findings at the conclusion of the investigation; and,
- i. at any time, withdraw their formal complaint, allowing the complaint to be informally resolved.

The Rights of a Respondent in a Workplace Harassment or Bullying Investigation.

- 4. A Respondent has the right to:
 - a. receive fair treatment;
 - b. be informed as soon as practicable that a complaint has been filed;
 - c. be provided with a written statement of the allegations and be afforded an opportunity to respond to them;
 - d. be informed of the progress of the complaint;
 - e. be represented throughout the investigation process by:
 - i. a Union representative if they are a union member; or
 - ii. counsel, paid for by the party represented, if they are an exempt staff member; and
 - f. be accompanied by a person of their choice for support during any proceedings relating to the investigation of the complaint, providing no costs are incurred by the VPD;
 - g. be provided, in writing, with a report outlining the findings at the conclusion of the investigation.

Considerations for a Formal Workplace Harassment or Bullying Investigation

- 5. Prior to engaging in a workplace harassment or bullying investigation, supervisors or managers shall consult with HR to develop an approach tailored to the unique circumstances of the allegations and a process that ensures fairness and transparency to those involved. The appropriate union may be consulted in this process.
- 6. The Inspector i/c HR shall appoint a suitable investigator to conduct an investigation into the complaint.
- 7. Investigations of workplace harassment or bullying are different from criminal investigations. There may be incidents that also involve criminal acts and/or violations of the Police Act for peace officers; thus it is important to utilize an investigator who is familiar with the labour process, the Police Act, workplace harassment, bullying, and the issues and laws relative to the workplace.
- 8. All complaints and investigations related to harassment or bullying shall be treated in a sensitive manner that strives to protect the privacy of the persons involved while complying with the provisions of law.
- 9. All formal written complaints shall:
 - a. identify the name and position of the Complainant;
 - b. identify the name and position of the Respondent;
 - c. provide a brief and clear description of the key incident(s) that may include one or all of the following, and which constitutes the substance of the complaint:
 - discrimination on prohibited grounds as defined by *B.C. Human Rights Code*;
 - harassment; or
 - bullying.
- 10. The Investigator shall interview the Complainant in a private setting and include:
 - a. the Complainant's evidence;
 - b. the review of all relevant documents;
 - c. the identification of witness(es); and
 - d. the outcome sought by the Complainant.



11. Prior to interviewing the Respondent, the Investigator shall:
 - a. provide the Respondent with a written statement of the allegations;
 - b. provide the Respondent with a summary of any other relevant incidents identified that are not included in the written complaint; and
 - c. advise the Respondent that they are entitled to have a union representative if they are a union member, or have counsel present at the interview, paid for by the Respondent, if they are an exempt staff member.
12. The Investigator shall conduct an interview with the Respondent in a private setting and include:
 - a. careful documentation of all the Respondent's evidence;
 - b. production and review of all relevant documents;
 - c. identification of witness(es); and
 - d. the outcome the Respondent believes would be fair.
13. If information is obtained from a witness that is substantially different or conflicting, the investigator shall provide the Complainant and the Respondent with an opportunity to respond to the new information.
14. The Investigator shall prepare a report detailing:
 - a. the evidence of the Complainant, the Respondent and any witness(es);
 - b. the Investigator's assessment of credibility if necessary;
 - c. the Investigator's findings of fact with supporting analysis; and
 - d. the Investigator's conclusion as to whether the findings of fact constitute a violation of the Respectful Workplace Policy.
15. The Chief Constable has the decision-making authority provided in this policy, but may delegate this authority to the Deputy Chief Constable Commanding Support Services or the Superintendent, Personnel Services.
16. A copy of the report shall be forwarded through the Inspector i/c HR to the Chief Constable, or Designate, who after review shall:
 - a. conclude the matter ; or
 - b. recommend that disciplinary and/or corrective action be taken.
17. Any disciplinary action shall be carried out in accordance with labour process guidelines Workplace Harassment Issues – Legal Principles and shall be recorded in writing, with a copy placed in the personnel file of the employee being disciplined.

Violation of This Policy

18. Any employee who violates this policy is subject to disciplinary and/or corrective action.
19. Any volunteer or contractor who violates this policy may have their services or contract terminated.
20. In the event that it is found that a complaint was clearly made in bad faith or for vexatious motives, disciplinary action may be taken against the Complainant.

Retaliation as a Result of Filing a Complaint

21. Retaliation is considered a serious disciplinary breach. No person shall be subject to retaliation, threat of retaliation, harassment, bullying, or discipline as the result of filing a complaint made in good faith.



4.1 Professional Standards

4.1.12 Speeches by Members

(Effective:)

No member of the Department may make a speech pertaining in any manner to police matters and activities to any gathering or group without first obtaining the permission of the Chief Constable.



4.2 Independent Investigation Office

4.2.1 B.C. Police Act - Independent Investigation Office: General Procedures

(Effective: 2017.01.06)

POLICY

In the course of their duties, members are subject to many levels of accountability. Under the *B.C. Police Act*, members' actions are subject to possible criminal investigation as well as disciplinary investigation. The *Police Act* provides authority to the Independent Investigation Office (IIO) to conduct investigations into the conduct of members that may lead to charges against the member under the *Criminal Code*, or other federal or provincial statutes. The IIO jurisdiction is different and supplemental to that of the Office of the Police Complaint Commissioner (OPCC) which oversees the citizen complaint and disciplinary processes.

According to the *B.C. Police Act*, the IIO has jurisdiction to investigate the following:

1. Any incident where it appears that:
 - a. A person may have died or suffered serious harm as a result of the actions of a member, whether on or off duty, or
 - b. A member, whether on or off duty, may have contravened a prescribed provision of the *Criminal Code* or of another federal or provincial enactment,

Whether that incident is reported to the IIO by the Vancouver Police Department (VPD), another police agency or the OPCC; and

2. Any other alleged act, or alleged omission of an act, by a member where the B.C. Minister of Justice or Director of Police Services orders that an investigation be conducted by the IIO.

The IIO has entered into a Memorandum of Understanding (IIO MOU) with all policing agencies within British Columbia, which establishes procedures for the IIO investigation process. As a result, the VPD will no longer investigate such incidents, unless the IIO declines jurisdiction over the incident.

DEFINITIONS

For the purpose of this section of the Regulations and Procedures Manual, the following definitions shall apply:

“Chief Civilian Director”: the Chief Civilian Director of the IIO, who is the person in charge of the IIO.

“In-custody death”: A death of a person who was detained by or in the custody of a member, or was in the custody of a police service.

“Involved Officer”: A member involved in or present during an incident that is within the jurisdiction of the IIO and includes subject officers and witness officers.

“Subject Officer”:

- a. An on-duty member whose presence, action, or decision is reasonably believed to have been a contributing factor in the death of any person, including in-custody deaths;
- b. An on-duty member who has discharged a firearm, where there is a reasonable belief that any person (including a member) may have been injured by that discharge;



- c. An on-duty member whose presence, action, or decision is reasonably believed to have resulted in injury requiring emergency care by a medical practitioner or nurse practitioner and also requiring transfer to a hospital or community medical facility, or
- d. An off-duty member whose action is reasonably believed to have been a contributing factor in the death of any person, or is reasonably believed to have resulted in injury requiring emergency care by a medical practitioner or nurse practitioner and also requiring transfer to a hospital or community medical facility.

“Witness Officer”: A member involved in or present during the incident who is not a Subject Officer.

PROCEDURE

Critical Incidents Requiring Notification of the IIO

1. The IIO shall be immediately notified of any **“Critical Incident”** which includes:
 - a. Any incident, including an in-custody death, where there is a reasonable belief that the presence, action, or decision of an on-duty member may have been a contributing factor in the death of any person;
 - b. Any discharge of a firearm by an on-duty member where there is a reasonable belief that any person (including a member) may have been injured as a result;
 - c. Any incident where there is a reasonable belief that the presence, action, or decision of an on-duty member has resulted in injury requiring emergency care by a medical practitioner or nurse practitioner and transfer to a hospital; and
 - d. Any incident where there is a reasonable belief that the action of an off-duty member may have been a contributing factor in the death of any person, or has resulted in injury requiring emergency care by a medical practitioner or nurse practitioner and transfer to a hospital and attendance by the police of jurisdiction.

These criteria for notification of the IIO have been made intentionally broader than the statutory mandate of the IIO so that the IIO will be notified whenever an incident could potentially fit within the IIO mandate. The Chief Civilian Director or designate shall determine whether an incident is within the statutory mandate of the IIO and whether the IIO will assume jurisdiction over the investigation into the members’ actions.

2. The IIO does not need to be notified of an incident involving serious harm or death where a member provides immediate medical care to a person such as the administration of CPR, naloxone, or other life-saving measures.

Examples of other life-saving measures include (but are not limited to) the administration of general first-aid, attempting to stop a bleed, or rescue attempts from a burning premise, a body of water, or trapped inside a vehicle. The basic principle is that the IIO does not have to be contacted if a member is trying to save the life of a person, except in the following circumstances:

- a. where there has been any use of force by police prior to or after the administration of CPR, naloxone or other life-saving measures;
- b. where a person dies or suffers serious harm while detained or in custody of the police;
- c. where a person dies or suffers serious harm as a result of a motor-vehicle incident involving police or a police pursuit

Notification of the IIO

3. The Duty Officer shall be responsible for the immediate notification of the IIO (1-855-490-9900) upon recognition that any on-duty or off-duty incident that is within the criteria of a Critical Incident as described in sub-section 1. This is separate and apart from the requirement to notify the OPCC



whenever there has been a “reportable injury” as defined in the *B.C. Police Act*. See RPM Section 1.16.7: B.C. Police Act - Reportable Incidents - Injuries or Death.

4. Should the IIO decline to investigate any incident of which they have been notified by the VPD, the Duty Officer shall notify, via e-mail, the Superintendent i/c Investigative Services of the details of the incident (e.g., general occurrence number and date and time of notification to the IIO) and the contact information of the IIO member contacted.

In the event that the Professional Standards Section (PSS) becomes aware of an incident that meets the definition of a Critical Incident and PSS is not aware of the IIO having been notified, then the Inspector i/c of PSS shall immediately advise the Duty Officer about the incident. The Duty Officer shall immediately notify the IIO of the incident.

Designation of a Liaison Officer

5. The Liaison Officer shall not be an Involved Officer.
6. When the IIO determines that an incident is within their mandate and will be attending to the incident scene, the Duty Officer shall notify the designated Liaison Officer.
7. When the IIO determines that an incident is within their mandate and will not be attending to the incident scene but elects to investigate the incident, the Duty Officer shall notify the Superintendent i/c Investigative Services. This notification shall include details of the incident (e.g., general occurrence number and date and time of notification to the IIO) and the contact information of the IIO member contacted. The Superintendent i/c Investigative Services shall then assign a Liaison Officer.
8. Prior to being designated a Liaison Officer, the member shall receive relevant training that upholds the obligations within the IIO MOU and the *B.C. Police Act*.

Responsibilities of the Liaison Officer

9. The Liaison Officer shall be responsible for the following:
 - a. Ensuring that the VPD is providing the resources and assistance reasonably required by the IIO Investigator;
 - b. As soon as practicable, canvassing the Involved Members and the members attending to secure the scene and assist with the preservation and seizure of evidence
 - c. Determining whether any conflicts of interest exist between them and provide a written summary of this information to the IIO Investigator upon their attendance at the scene;
 - d. Working with the IIO Investigator to resolve any issues regarding who is responsible for the costs of specialized scene examination or specialized follow-up investigations;
 - e. Ensuring that the following information is compiled for the scene and safety report and that this report is provided to the IIO Investigator upon their attendance:
 - i. Injuries to anyone;
 - ii. Status, location and identity of any subjects involved in the incident (police and civilian);
 - iii. Details of any un-located subjects and other dangers;
 - iv. Parameters and boundaries of the scene;
 - v. Location of any evidence relevant to the incident;
 - vi. Status, location and identity of any potential witnesses to the incident; and
 - vii. The names of any person an Involved Officer has spoken to.
 - f. Ensuring that Involved Members are aware of their designation as either Subject Officers or Witness Officers and that any disagreement or dispute regarding this designation are resolved; and
 - g. Ensuring that the VPD is complying with the terms of the IIO MOU and its statutory obligations under the *B.C. Police Act*.
10. In the event of a disagreement or dispute between the Liaison Officer and the IIO Investigator over control of the scene of an Incident, or the amount or type of assistance or resources to be provided



to the IIO by the VPD, or any other matter, the Liaison Officer shall consult with the Duty Officer. If the disagreement or dispute cannot be resolved by the Duty Officer, the matter shall be referred to Chief Constable or their designate for resolution.

11. Notifying the Superintendent i/c Investigative Services as soon as practicable of an incident attended by the IIO. This notification shall include details of the incident (e.g., general occurrence number and date and time of notification to the IIO) and the contact information of the IIO member contacted.

Scene Security

12. The VPD shall be responsible for the containment and preservation of any scene of a Critical Incident where the IIO becomes involved in the investigation. The VPD is required to take any lawful measures that appear to be necessary and expedient for the purpose of obtaining and preserving evidence related to that Critical Incident.
13. The Duty Officer or the Liaison Officer, if so delegated by the Duty Officer or the Superintendent i/c Investigative Services shall take responsibility for scene security and evidence preservation and where required, may assign a member to coordinate the securing of the incident scene and evidence preservation.
14. The assigned member i/c scene security and evidence preservation shall, in consultation with the Duty Officer or the Liaison Officer if so delegated by the Duty Officer or the Superintendent i/c Investigative Services, ensure that the scene(s) is secured with police barrier tape and that the scene is secured at a reasonable distance to protect the complete scene and any physical evidence that may be present. The assigned member i/c scene security and evidence preservation shall ensure that the scene remains secured until the IIO Investigator attends the scene and thereafter turn control of the scene over to the IIO Investigator subject to sub-section 23.
15. In the event that the IIO is delayed in arriving at the scene of the Critical Incident, the IIO Investigator may delegate control of the scene to the VPD for an extended period of time and may provide direction to the Liaison Officer via telephone regarding crime scene security and preservation of evidence.

Preservation and Seizure of Evidence

16. Prior to the arrival of the IIO Investigator, the assigned member i/c scene security and evidence preservation shall, in consultation with the Liaison Officer, ensure that evidence at the scene is properly secured until it can be turned over to the IIO Investigator, including, but not limited to:
 - a. Seizing a member's uniform or other clothing, with due regard for the member's safety, dignity and privacy, if it is considered to have evidentiary value;
 - b. Seizing any firearm that was discharged and any intermediate weapon, restraint or related equipment that was used, deployed or otherwise appears to be relevant to the investigation;
 - c. Securing any police vehicle if it is considered to have evidentiary value;
 - d. Obtaining breath or blood samples if impaired driving by a member is suspected; and
 - e. Seizing any other perishable evidence.
17. Any evidence secured or seized at the scene shall be processed in the same manner as required in RPM Section 1.7.6: Major Crime Scene Responsibility and RPM Section 1.9.3: General Property Policy and Procedure. The Liaison Officer shall ensure that such evidence is turned over to the IIO as directed by the IIO Investigator.
18. The Liaison Officer or the assigned member i/c scene security and evidence preservation if requested by the Liaison Officer, shall direct all Involved Members not to communicate their recollections or accounts of the incident directly or indirectly to anyone other than an IIO Investigator until they are interviewed by the IIO, other than for the purposes listed in sub-section 31. The Liaison Officer shall take other reasonable steps as are considered necessary to ensure that the Involved Members do not discuss the incident prior to being interviewed by the IIO and shall document all steps taken to do so.



Canvassing for Witnesses and Videotape Evidence

19. The IIO Investigator may, prior to arriving at the scene, request that the VPD canvass the area around the scene of the Critical Incident for witnesses and/or videotape evidence. The Liaison Officer shall direct the assigned member i/c scene security and evidence preservation at the scene to carry out those requests, if reasonable. If the Liaison Officer concludes that weather, lack of resources or extraordinary costs will prevent the VPD from complying with the IIO's request, the Liaison Officer shall advise the IIO as soon as practicable.
20. Any disagreements or disputes regarding what resources the VPD may provide in order to comply with such requests shall be resolved by the Liaison Officer.
21. In the event that a witness(es) to the Critical Incident is located by members, then members shall only obtain the name and contact information of the witness. The witness shall not be interviewed unless requested to do so by an IIO Investigator.

Continued Assistance After IIO Arrival at the Scene

22. Once the IIO Investigator arrives on the scene, the assigned member i/c scene security and evidence preservation shall, in consultation with the Liaison Officer, provide such assistance and resources as the IIO requires to process the scene and conduct the initial investigation. If the Liaison Officer concludes that because of weather, delayed IIO arrival, lack of resources, or extraordinary costs, the VPD is unable to fulfil a request from the IIO, the Liaison Officer shall advise the IIO Investigator as soon as practicable.
23. The VPD shall be responsible for examining and processing the scene(s) of the Critical Incident subject to monitoring by the IIO Investigator. The Liaison Officer shall liaise with the IIO Investigator if the IIO Investigator has directions to provide regarding the work of VPD members and be responsible for providing direction to facilitate requests from the IIO Investigator.
24. The VPD shall provide interview rooms, recording equipment, exhibit storage facilities and other facilities to the IIO upon request, provided such rooms and equipment are available.

Concurrent Investigations by the VPD

25. In the event that the VPD is conducting its own investigation (hereinafter referred to as a "Concurrent Investigation") after a Critical Incident (e.g., criminal investigation into the actions of a suspect arising out of the Critical Incident, internal disciplinary investigation, PSS investigation or any other internal review of members' actions) the following procedures shall apply:
 - a. The Liaison Officer shall notify the IIO Investigator immediately of any Concurrent Investigation and provide the IIO Investigator with the contact information of the Lead Investigator and/or Team Commander conducting the Concurrent Investigation; and
 - b. The Liaison Officer, in consultation with the Lead Investigator of the VPD Concurrent Investigation, shall liaise with the IIO Investigator to determine which investigation will be given priority and which agency will control the scene and the evidence seized.
26. If the IIO Investigator in consultation with the Liaison Officer, determines that the VPD's Concurrent Investigation should have priority the IIO Investigator may delegate control over the scene and evidence to the VPD. The Liaison Officer shall ensure that such delegation is received in writing. In such an event, the member(s) conducting the VPD Concurrent Investigation shall take over control of the scene and the evidence however, they shall also preserve evidence that may be relevant to the IIO investigation in addition to the VPD Concurrent Investigation and shall liaise with the IIO Investigator for this purpose.
27. Where there is a Concurrent Investigation, the Liaison Officer, in consultation with the Lead Investigator and/or Team Commander of the VPD Concurrent Investigation shall consult with the IIO to determine the process with respect to the interview of witnesses. Where a person is a suspect in one investigation and a witness in another, there shall be advance consultation between the Liaison Officer and the IIO before that person is interviewed by either. The general principle that will apply



in determining which interview should occur first is that the interview of a person in jeopardy shall proceed before any interview of the same person as a witness takes place.

Next-of-Kin and Coroner Notification

28. In an IIO investigation where a death has occurred, the IIO is responsible for notifying the Next-of-Kin (NOK) of the deceased. However, when an IIO Investigator is unable to perform an NOK notification, the IIO may request the VPD to complete the notification. When a request has been made, members shall refer to subsections 18-28 in RPM Section 1.6.38: Sudden Deaths.
29. The VPD shall be responsible for notifying the Coroner when a death has occurred.

Media Relations regarding IIO Investigations

30. Where the IIO is conducting an investigation into an incident involving VPD members, the VPD may advise the media that the incident has occurred and that the IIO has been notified of the incident, but the VPD shall not issue any other media statements regarding the actual IIO investigation.
31. In the event that the VPD is conducting a Concurrent Investigation, the VPD shall consult with the IIO prior to making any media statements concerning the concurrent investigation in order to ensure that the VPD's media statement will not inadvertently jeopardize the IIO investigation.
32. The Liaison Officer shall advise the IIO of any key fact (holdback) evidence relating to a Concurrent Investigation, if relevant to the investigation being conducted by the IIO, and document the name and contact information of the notified IIO member.

Involved Members

33. Involved Members are prohibited from discussing the incident with anyone until such time as they have been interviewed by the IIO, except for the purpose of:
 - a. Protecting public safety and obtaining medical care for any injured persons;
 - b. Ensuring that evidence is identified and secured;
 - c. To further a Concurrent Investigation;
 - d. To obtain advice from the Vancouver Police Union (VPU), Vancouver Police Officers' Association (VPOA) or legal counsel;
 - e. To enable the member to obtain appropriate health care, including mental health; and
 - f. Any other purpose agreed upon by the IIO Investigator and the Liaison Officer.
34. If requested, Involved Members are required to assist the Liaison Officer to compile relevant information for a scene and safety report as described in sub-section 7(d).
35. Involved Members will be notified as soon as practicable by the IIO Investigator whether they are a Witness Officer or a Subject Officer. This notification will be verbal followed by written confirmation. Members shall comply with the procedures that pertain to the designation assigned to them.
36. If the member does not agree with the designation, the member shall advise the Liaison Officer. The Liaison Officer shall work with the VPU or the VPOA and the IIO Investigator to resolve any issues with the designation. Any disagreements or disputes regarding this designation shall be referred by the Liaison Officer to the Chief Constable or a designate if the Liaison Officer is unable to resolve them.

Witness Officers

37. A member who has been identified as a Witness Officer has an obligation under the *B.C. Police Act* to fully cooperate with the IIO investigation. A Witness Officer also has the right to obtain advice from the VPU.
38. Witness Officers shall submit a copy of their notes and reports related to the incident under investigation to the IIO Investigator prior to the end of the member's shift unless there are



exceptional circumstances, in which case the Liaison Officer shall consult with the IIO Investigator and arrange an alternate timeframe for submitting the notes and reports.

39. If the IIO Investigator requests an interview with a Witness Officer, that Witness Officer shall participate in an interview on the date, time and location set by the IIO Investigator. The Liaison Officer shall consult with the VPU or VPOA and the IIO Investigator to resolve any hardships that result from the interview date, time, and location.
40. If the IIO Investigator requests a written statement from a Witness Officer, that Witness Officer shall comply within a timeframe agreed upon by the IIO Investigator and the Liaison Officer.

Subject Officers

41. A member who has been identified as a Subject Officer has an obligation under the *B.C. Police Act* to fully cooperate with the IIO investigation, subject to their rights under the *Charter*.
42. Subject Officers shall submit to the IIO Investigator copies of any notes, reports or any other relevant information that records statements made to the Subject Officer by any witness to the incident prior to the end of their shift. In exceptional circumstances, the Liaison Officer shall consult with the IIO Investigator and arrange an alternate timeframe for submitting the notes and reports.

Off-Duty Incidents

43. When a member becomes involved in an off-duty incident where there is a reasonable belief that their actions may have been a contributing factor in the death of any person, or have resulted in injury to any person requiring emergency care by a medical or nurse practitioner and transfer to a hospital, that member shall identify themselves as a police officer to the on-duty members who respond to the incident.
44. Members who are complying with sub-section 40 are deemed to not be in violation of section 77(3)(c)(iii) of the *B.C. Police Act* where a corrupt practice includes using or attempting to use one's position as a member for personal gain or other purposes unrelated to the proper performance of duties as a member.
45. When an off-duty member from any police agency is involved in an incident as described in sub-section 1(d) in the city of Vancouver, the attending on-duty members shall notify the Duty Officer through a Supervisor. The Duty Officer shall notify the IIO as per sub-section 2. If the off-duty member is employed by a police agency other than the VPD, then the Duty Officer shall notify the OIC, their designate, or in the case of the RCMP, the Regional Duty Officer, of that police agency.

Providing the IIO with Access to VPD Records

46. If the IIO requires any records from the VPD, the request for those records must be in writing and shall be directed to the Liaison Officer.
47. Upon receipt of a request for records from the VPD regarding any of the VPD's employees, the Liaison Officer shall consult with the Human Resources Section and the Information & Privacy Unit to ensure that they comply with any collective agreement and the *Freedom of Information and Protection of Privacy Act* before releasing any employee records.
48. If the Liaison Officer concludes that providing the employee records to the IIO as requested would violate the terms of the collective agreement or any law, then the Liaison Officer shall decline to provide those records and shall advise the IIO of the reasons therefore.
49. If the IIO obtains a production order or other judicial order for VPD records, the Liaison Officer shall ensure that the records listed in that order are collected and provided to the IIO according to the terms of the order.

General



When the IIO becomes involved in an investigation, members are still required to comply with RPM Section 1.16.7: B.C. Police Act - Reportable Incidents - Injuries or Death and RPM Section 1.16.8: Subject Officer Response Reporting.

References

B.C. Police Act

Memorandum of Understanding Respecting Investigations



5.1 Communications Equipment

5.1.1 Cell Phones

(Effective: 2017.05.09)

POLICY

1. Departmental cellular telephones are provided to staff to enhance work-related communications. Members should use cellular phones for tactical communications when the use of radio communication would be inappropriate or would monopolize airtime and interfere with other users, or if conventional telephone use would be impractical. The use of a cellular phone for other types of calls should be considered only if a "hard line" telephone is not readily available and other options, such as paging, are unsuitable.
 - a. The Department recognizes that the use of cell phones or similar hand-held electronic devices provide efficiencies for members conducting their duties. Regardless of any legislated exemptions, members shall not use any cell phone or similar hand-held electronic devices for communicating or accessing electronic data, mail or text messages, while operating any police vehicle unless all three of the following criteria are met:
 - i. The communication is duty related;
 - ii. It is a priority;
 - iii. There are no other reasonable alternatives available.In the absence of the aforementioned circumstances, members shall park their police vehicles prior to using a cell phone or hand-held electronic device.
 - b. Members with cell phones or hand-held electronic devices that utilize hands free technology are exempt from parking their police vehicles prior to using the device.
 - c. This policy does not apply to members utilizing mobile / portable police radios or the Mobile Data Terminals (MDT), but members shall exercise caution when using such devices.
2. Members shall use Department voice mail or their pager for return messaging involving external sources, and shall restrict publication of their cellular telephone number. Departmental cellular phone numbers should not be listed on business cards.
3. Members are cautioned against relaying sensitive information over cellular phones, which are less secure than "hard line" telephones.
4. The use of Departmental cellular telephones for personal calls shall be restricted to situations where operational demands make it impractical to utilize a "hard line" telephone.
5. The Deputy Chief Constable shall approve requests for new or replacement issue of Department owned cellular telephones and pagers within their division. Once approved, the request shall be forwarded to the Director, Information and Communications Technology Section, who shall ensure that funds are available to meet the cost of the new equipment.
6. The Vancouver Police Department is committed to balancing fiscal realities with operational requirements. As such, assignment of cellular telephones will be considered for the following positions:
 - a. Senior Management Team members, Inspectors and Civilian Managers who must be accessible both during and after work hours;
 - b. Investigative positions which require field personnel to be away from land-line telephone access for extended periods and accessible during various stages of an investigation;
 - c. Supervisory positions, where personnel are responsible for direct oversight of sworn or civilian members and access is important for either administrative or operational needs; and
 - d. Any other position where a business case can be justified, and is approved by the Director, Information and Communications Technology Section.

Categories b, c and d will be subject to ongoing review to ensure that there is a continued requirement for dedicated cellular telephones. The sharing of resources will be considered when appropriate.



7. The Telecommunications Coordinator shall be responsible for securing and maintaining all Departmental cellular phones.
8. The Telecommunications Coordinator shall forward all cellular bills of excessive cost to the manager in charge of the section where the phone is utilized for follow-up.
9. Inspectors and Managers shall:
 - a. Ensure that staff who use Departmental cellular telephones are made aware of this policy.
 - b. Conduct an annual review of Departmental cellular telephone use by their staff.
 - c. Establish procedures for control of shared cellular telephones allocated to their Section.
 - d. Inform the VPD Telecommunications Coordinator of any changes in cellular telephone assignments.
 - e. Ensure that staff returns their cellular phones and accessories to their supervisor prior to leaving the section. If the equipment is not to be reissued, it shall be returned to the Telecommunications Coordinator. If the manager determines that it is necessary for the staff member to retain the cellular phone, the manager shall advise the Telecommunications Coordinator and make appropriate arrangements for paying for the equipment.
 - f. Inform the VPD Telecommunications Coordinator of any changes in account codes for billing purposes.



5.1 Communications Equipment

5.1.2 Fax Machine

(Effective: 2000.09.29)

1. When using a fax machine to disseminate information, members shall:
 - a. Use a VPD 521 (Fax Cover Sheet);
 - b. Ensure you have the correct fax number for the recipient; and
 - c. If the material is of a sensitive nature, ensure that the recipient acknowledges receiving the fax.



5.1 Communications Equipment

5.1.3 Long Distance Calling

(Effective: 2000.07.26)

A member of the Department may place long distance calls solely for Investigative or Operational purposes.



5.1 Communications Equipment

5.1.4 Pagers

(Effective: 2017.10.11)

1. Departmental pagers are provided to staff where appropriate in order to enhance work-related communications.
2. A manager must approve requests for new issue of Departmental pagers. Once approved, the request shall be forwarded to the Director of ICT (Information & Communications Technology Section), who shall ensure that funds are available to meet the cost of the new equipment.
3. The Telecommunications Services Coordinator shall be responsible for securing and maintaining all pagers leased by the Department.
4. Inspectors and Managers shall:
 - a. Ensure that staff who use Departmental pagers are made aware of this policy.
 - b. Conduct an annual review of Departmental pager use by their staff.
 - c. Inform the Telecommunications Services Coordinator of any changes in pager assignments.
 - d. Ensure that staff returns their pagers prior to leaving the section. If the manager determines that it is necessary for the member to retain the pager for operational purposes, the manager shall advise the Telecommunications Services Coordinator.
5. Members shall ensure that they are in a position that entitles them to the issue of a Departmental pager. Members who currently possess a Departmental pager that they no longer require and/or use shall advise the Telecommunications Services Coordinator.



5.1 Communications Equipment

5.1.5 Telephone Calling Cards

(Effective: 2017.05.09)

1. Members who are on assignment or training outside of Metro Vancouver and are staying overnight are entitled to use a Department Telephone Calling Card. While absent, members are allotted five (5) minutes of long distance time per day. This time is cumulative and members may use their total time entitlement at their discretion.
2. Members must attend the Financial Services office to receive a Calling Card.
3. All excess time used by members will be billed to members at a rate based on the averaging of the cost per minute of your phone calls. However, unused time is extinguished and can not be carried over to another absence.



5.2 Damage, Loss or Theft of Property

5.2.1 Damage to Department or Private Property

(Effective: 2005.08.29)

When police equipment or a members private property is destroyed, damaged, lost, or stolen, the following procedures shall apply:

1. When police equipment, other than automotive, is destroyed, damaged, lost or stolen, the member having custody shall:
 - a. immediately notify his/her supervisor and shall submit a report on form VPD 68 on the same date the damage or loss was noted. The member's supervisor shall attach a confirmation report, which shall include the equipment date of issue. These reports are to be forwarded to the Managing Director, Financial Services Section. Articles of clothing or personal equipment that are damaged should accompany these reports.
 - b. Members shall bring a copy of the supervisor's VPD 68 to Police Stores to have lost, stolen or damaged Departmental equipment replaced.
 - c. Previously issued uniforms, shoes, ties, shirts, gloves, et cetera, shall be considered expendable on receipt of the current issue.
2. When a member's private property is destroyed, damaged, lost or stolen, the member having custody may:
 - a. Report the loss or damage of a member's private property as long as it is caused by a police duty. The report will contain a written estimate of the cost of repairs or replacement and statements of witnesses and the member's supervisor. All reports are to be submitted to the Managing Director, Financial Services Section. See also 2.10.3 Loss and Damage Board.
 - b. Eyeglasses, dentures or hearing aids damaged while in the course of duty may be covered by the Workers' Compensation Board. If a member is not injured, and the Workers' Compensation Board will not honour the claim, damage claims may be handled as described above in 2(a).

If eyeglasses, dentures or hearing aids are damaged and the member suffers physical injury, albeit superficial, then the member shall:

 - i. notify a supervisor as soon as possible;
 - ii. have a departmental First Aid Attendant examine the injury (if minor) and/or attend the hospital and have a doctor examine the injury. (This examination is required by the Workers' Compensation Board to obtain compensation.);
 - iii. forward a VPD 68 to the Managing Director, Financial Services Section, outlining the circumstances of the damage. This report will also include names of any witnesses;
 - iv. complete a VPD1353 and forward it to his or her immediate supervisor; and
 - v. the investigating supervisor shall write a confirmation VPD 68 to the Managing Director, Financial Services Section. This report shall contain any witness statements relating to the circumstances of the damage to the eyeglasses, dentures or hearing aids. The supervisor shall then complete the supervisor's portion of the HR 501 Report and forward it to the Inspector i/c Employee Services Section attaching copies of all reports. (See also Section 1.11.2: Injuries to Department Personnel.)
 - c. The Department recognizes the risk inherent in police duties and that member's personal property will sometimes be damaged during the execution of these duties. Members will be reimbursed in those circumstances for damaged or lost property through the Loss and Damage Board process. However, members should be aware that the Department does not



accept responsibility for excessive claims as the result of members bringing to work property of a value that exceeds a functional use. Any inquires regarding the limits on reimbursement should be directed to the Loss and Damage Board.



5.2 Damage, Loss or Theft of Property

5.2.2 Damage to City Property

(Effective: 2000.05.22)

Members attending incidents involving City property, in which injury, damage, obstruction or other defects are evident, shall notify the City Department concerned. If necessary, the member shall remain until the situation is corrected. A copy of the GO report shall be submitted to the City Law Department, and to Risk Management, City Hall, if the circumstances warrant.



5.2 Damage, Loss or Theft of Property

5.2.3 Damage as a Result of Police Action

(Effective: 2006.07.06)

POLICY

Communication after incidents resulting in damage to private property is often difficult, both for the members involved and the citizens whose property has been damaged. Members shall ensure that the procedure for seeking compensation for damage is explained in a professional manner.

An explanation should be given that balances the owner, landlord or tenant's need for reassurance, with the Department's requirement to guard against unwarranted expenses being incurred.

PROCEDURE

1. When members attend a scene where damage to property has occurred or is alleged to have occurred as the result of police action they shall:
 - a. Provide the owner, landlord, tenant or representative, of the damaged property, with the relevant GO report number, the PIN and assignment area of the member(s) involved, and any other appropriate information;
 - b. Not assume liability on the part of the Vancouver Police Department or the City of Vancouver;
 - c. Direct inquiries about compensation to City Hall Risk Management at 873-7700; and
 - d. Notify their Supervisor as soon as practicable after the damage has occurred or is noted.
2. In all cases where loss or damage to property results from police action, members shall submit a GO report. Prior to the end of shift, members shall route a copy of the report to their Supervisor.
3. The UCR code of " Financial Claim Against Agency" (8600-0) will be used as either the primary or secondary UCR code where applicable.
4. The GO report shall contain a Miscellaneous Notes Text Page with the subject heading of "Property Loss or Damage by Police" to detail the actual or alleged property loss or damage by police action. The text page shall include the following information:
 - a. the full particulars of the circumstances under which the loss or damage occurred;
 - b. a full description of the actual or alleged loss or damage;
 - c. the name, rank and PIN of VPD members or other witnesses present when the actual or alleged loss or damage occurred;
 - d. name, rank and assignment of the reporting member; and
 - e. what communication efforts have been made with the owner of the property.
5. Prior to the end of shift, the reporting member shall:
 - a. Ensure a copy of the entire report is sent to the Supervisor responsible for the event, either in hardcopy form or electronically to the handle of the Supervisor;
 - b. print a hardcopy of the entire report and deliver to their Section Manager; and
 - c. forward a copy of the Miscellaneous Notes Text Page describing the loss or damage, to the Manager i/c Financial Services Section and to the Risk Management Office at City Hall.
6. The Manager i/c Financial Services Section shall:
 - a. Complete a "Report For Loss or Damage To City Owned or Leased Property" form when the value of the property lost or damaged exceeds \$1000.00; and
 - b. Forward this Report to City Hall Risk & Emergency Management.
7. If communication efforts with the owner, landlord, tenant or representative are thought to have been unsuccessful, this shall be noted in the report for follow up as required by the investigating member's Supervisor.





5.2 Damage, Loss or Theft of Property

5.2.4 Damage Due to Tear Gas or Firearm Use

(Effective: 2003.04.22)

1. Where damage occurs as a result of the use of tear gas or firearms, and the owner, landlord or tenant is an innocent party in the incident, the officer in charge of the scene shall initiate the following action:
 - a. Determine whether or not the victim is an innocent owner, landlord or tenant;
 - b. Determine whether or not the victim is insured;
 - c. In the case of tear gas, members are advised to liase with City Hall Risk Management, or after hours through the Central Dispatcher's list of Engineering Department staff home telephone numbers;
 - d. Advise the victim that the City does not contract directly for clean up and they are responsible to contact their insurance agent or contract with a restoration firm to mitigate the damage;
 - e. If the victim wishes to make a claim against the City, advise the victim, or their insurance company, to contact Risk Management during business hours;
 - f. Contact the Force Options Training NCO or a Force Options Training Unit member, who will be available to liase with the restoration service and provide expertise about the properties of the chemical agents deployed;
 - g. Request the Victim Services Unit to attend the scene and assist the victim with arranging clean-up through the victim's insurance company; or through a restoration service, to help minimise the victim's expense;

IN ALL CIRCUMSTANCES IT MUST BE CLEARLY UNDERSTOOD THAT THE CONTRACT IS BETWEEN THE VICTIM AND THE INSURANCE COMPANY AND/OR RESTORATION SERVICE. MEMBERS WILL NOT ASSUME LIABILITY ON THE PART OF THE VANCOUVER POLICE DEPARTMENT OR THE CITY OF VANCOUVER.

- h. In the case of firearms, assign personnel to locate property damage and to ensure those innocent owners, landlords or tenants are advised to contact Risk Management.
- i. Submit a GO report detailing the damage, with copies directed to the member's Inspector and the Manager i/c Financial Services Section.



5.2 Damage, Loss or Theft of Property

5.2.5 Damage to Department Vehicles

(Effective: 2015.10.09)

The member having custody shall report damage to police vehicles not resulting from a motor vehicle collision. (For damage resulting from a motor vehicle collision see RPM Section 1.10.8(ii): Police Vehicles Involved in MVA).

1. Members shall submit a VPD 68 that includes a description of the damage, how the damage occurred, and the shop number to their Supervisor.
2. The member's Supervisor shall:
 - a. Complete a City of Vancouver Vehicle Accident Report (VAR);
 - b. Forward the VAR to the Fleet Kiosk Staff prior to the end of their shift and a copy of the VAR to Risk Management within 48 hours; and
 - c. Forward the member's VPD 68 with comments to the Fleet Manager.



5.2 Damage, Loss or Theft of Property

5.2.6 Lost or Stolen Radio

(Effective: 2006.06.29)

POLICY

All sensitive Departmental equipment must be cared for in a manner that will prevent its damage, loss or theft. Members shall remove such property from parked police vehicles whenever possible and store it in a secure location. If the equipment cannot be secured outside the vehicle, then it shall be locked in the trunk.

PROCEDURE

1. When police radio or Mobile Workstation (MWS) equipment is lost, damaged or stolen, in addition to the duties stated in Section: 5.2.1: Damage to Department or Private Property, the member shall include in their report the radio's Logical Identification Number (LID) or Mobile Work Station (MWS) asset number.
2. Where the police radio or mobile workstation equipment has been lost or stolen, the member shall immediately:
 - a. Contact ECOMM through 911 and make a loss of property or theft report
 - b. Provide the operator with the police radio's Logical Identification Number (LID) or MWS asset number; and
 - c. Include the ECOMM generated incident number in the VPD 68 report
3. An ECOMM member receiving a report of lost or stolen police radio or Mobile Workstation equipment shall:
 - a. Initiate a lost property or theft report
 - b. Obtain the radio's Logical Identification Number (LID) or MWS asset number; and
 - c. Include this information in the report; and
 - d. Immediately forward the report to CPIC; and
 - e. Immediately advise the Network Administrator to ensure the radio is removed from the radio system.



5.3 Police Facilities

5.3.1 Parking

(Effective: 2017.05.09)

The following regulations have been adopted for safety and to ensure the availability of vehicles. Members shall adhere to the following regulations:

1. Patrol vehicles may not be reserved in advance.
2. When attending the Annex at 236 E Cordova Street or Provincial Court, police vehicles must be parked in the underground compound.
3. When attending 2120 Cambie Street, police vehicles must be parked in the surface parking area or in the underground compound.
4. Vehicles must not be signed out until they are required.
5. Vehicles must be parked in designated stalls only. Vehicles at the Annex at 236 E Cordova Street shall be backed into the parking stalls. Vehicles at 2120 Cambie Street shall not be backed into the underground parking stalls.
6. Members shall return vehicle keys to the Fleet Attendant at the end of their tour of duty.
7. Members shall turn off vehicle radios when parking a police vehicle at either the Annex at 236 E Cordova Street or 2120 Cambie Street.
8. Headlights must be on at all times when driving in the parking compound.
9. Members shall observe vehicle height restrictions at both 2120 Cambie Street and the Annex at 236 E Cordova Street.
10. Speed limit in parking areas is 5 km/h.



5.3 Police Facilities

5.3.2 Bicycle Storage

(Effective: 2000.09.07)

1. Police bicycles shall be stored in the area designated for police bicycles only, whether at 2120 Cambie Street or 312 Main Street.
2. Secure parking areas for members' private bicycles are located at the rear of the Annex at 312 Main Street and in the parking garage at 2120 Cambie Street. Long term storage is prohibited.



5.4 Uniform and Dress

5.4.1 Badges

(Effective 2018.03.14)

This policy has been rescinded.



5.4 Uniform and Dress

5.4.2 Purchase of Badges

(Effective: 2000.10.05)

1. Members may request permission to purchase their hat or pocket badges under the following conditions:
 - a. The request must be made in writing and directed to the Deputy Chief Constable, Commanding the Support Services Division
 - b. The requesting person must agree to permanently attach the badge to a plaque or other such fixture
 - c. Consideration shall only be given to requests from:
 - Retired members
 - Members who have been promoted
 - Members resigning to join another police department
 - The family of deceased members



5.4 Uniform and Dress

5.4.3 Court Appearances

(Effective:)

1. Members appearing as witnesses in courts of civil or criminal jurisdiction (including Traffic Hearing Rooms) shall wear uniform (without hat) or business attire.
2. Members appearing in court as defendants shall wear business attire.



5.4 Uniform and Dress

5.4.4 Dress and Department

(Effective: 2019.06.11)

POLICY

The Vancouver Police Department entrusts its members (ie. police officers, Community Safety Personnel, Jail Guards, Traffic Authority, and Special Constables) with the responsibility for maintaining a high standard of dress and deportment. Uniformity is desirable and conformity to Department standards is required. The BC Police Act (Uniforms) Regulations provides the uniform standard adhered to by the Department.

ORDER OF DRESS

The following Order of Dress has been established to ensure a consistent and uniform appearance throughout the Vancouver Police Department.

1. Standard Dress Uniform

- a. Long tunic with issue collar badges on the lapel;
- b. Dress navy trousers with maple leaf braid;
- c. Cloth belt and silver buckle (gold for Executive) with departmental badge;
- d. White issue shirt with standard black tie;
- e. Black dress boots or oxford shoes with black socks;
- f. Full size medals; (see sub-section 25);
- g. Black uniform forage hat with departmental badge; with the following exceptions (see RPM Section 5.4.10: Religious or Cultural Clothing - Headdress):
 - i. Where a member is a baptized practicing member of the Sikh religion, the forage hat may be replaced by a black turban. The departmental badge shall be worn centered on the front of the turban;
 - ii. When a member of the Islamic faith wears a hijab, the forage hat shall be worn over top of the hijab;The authorized baseball cap shall not be worn with the dress uniform.
- h. Metal name tag bearing their name, centered above the top seam of the right breast pocket flap (silver with crest / gold with crest for the Executive);
- i. Badges or Crests denoting current assignment to a specialty squad, such as the Traffic Enforcement Unit, Emergency Response Unit, or Canine Unit may be worn on the standard dress uniform; and
- j. Lanyards are not worn with this uniform (see sub-section 23).

This order of dress would be suitable for:

- Funerals;
- Interview for promotion or transfer; or
- Recruit graduation ceremonies.

For the procedures for wearing a firearm with a dress uniform please refer to RPM Section 5.4.4(i): Wearing Firearms with the Dress Uniform at Sanctioned Public Events.

2. Formal Dress Uniform

Members may, at their option, wear in conjunction with the standard dress uniform, a white tuxedo dress shirt with a full collar and a plain or pleated front, and a black bow tie when attending such functions as:



- The Police Ball;
- Regimental Dinner;
- Police Wedding;
- Sergeant's Christmas Dance; or
- Any other formal occasion where a uniform may be appropriate.

The forage hat is not mandatory at these events, unless outdoors where the forage hat shall be worn; with the following exceptions (see RPM Section 5.4.10: Religious or Cultural Clothing - Headdress):

- i. Where a member is a baptized practicing member of the Sikh religion, the forage hat may be replaced by a black turban. The departmental badge shall be worn centered on the front of the turban;
- ii. When a member of the Islamic faith wears a hijab, the forage hat shall be worn over top of the hijab.

3. Officer's Mess Kit

- a. Blue mess kit jacket;
- b. Blue mess kit pants or full length skirt (optional for female officers), with red stripe;
- c. White tuxedo dress shirt with full collar and plain or pleated front;
- d. Black bow tie;
- e. Red vest;
- f. Black suspenders;
- g. Black studs and cuff links;
- h. Shoulder boards with rank insignia;
- i. Black dress boots (female officers may wear black leather or patent pumps); and
- j. Miniature medals.

This order of dress is for members holding the rank of Inspector and above and would be suitable for officers to wear at:

- The Police Ball;
- Police Wedding;
- Mess Functions; or
- Any other formal occasion where a dress uniform may be appropriate.

4. Standard Operational Duty Uniform

- a. Dark navy shirt, long or short sleeve;
- b. Dark navy pants, 4 or 6 pocket;
- c. Black crew neck T-shirt;
- d. Black boots or oxford shoes with black socks;
- e. Duty belt and equipment;
- f. Black uniform forage hat with departmental badge or authorized baseball cap with the following exceptions (see RPM Section 5.4.10: Religious or Cultural Clothing - Headdress):
 - i. Where a member is a baptized practicing member of the Sikh religion, the forage hat may be replaced by a black turban. The departmental badge shall be worn centered on the front of the turban;
 - ii. When a member of the Islamic faith wears a hijab, the forage hat shall be worn over top of the hijab;
- g. Undress ribbons and Authorized bars; (see sub-section 28); and
- h. Issue fleece jacket, Gore-Tex shell, sweater and gloves may be worn at the member's discretion.



5. Standard Officer's Uniform

- a. White issued long or short sleeved shirt with standard black tie and tie clip (silver for Inspectors, gold for Executive);
- b. Dress navy trousers with maple leaf braid;
- c. Black shoes or black dress boots with black socks;
- d. Metal name tag bearing their name, centered above the top seam of the right breast pocket flap (silver with crest for Inspectors, gold with crest for Executive);
- e. Black uniform forage hat with departmental badge and silver bar embroidery for Inspectors and gold bar embroidery for Executive; with the following exceptions (see RPM Section 5.4.10: Religious or Cultural Clothing - Headdress):
 - i. Where a member is a baptized practicing member of the Sikh religion, the forage hat may be replaced by a black turban. The departmental badge shall be worn centered on the front of the turban;
 - ii. When a member of the Islamic faith wears a hijab, the forage hat shall be worn over top of the hijab;
- f. Undress ribbons and Authorized bars; (see sub-sections 28-34);
- g. Department shoulder flashes shall be silver for Inspectors and gold for Executive; and
- h. Issue jacket and Gore-Tex shell may be worn at the officer's discretion.

Officers may wear the tunic of the Standard Dress Uniform, without the belt, for non-formal events, at their discretion.

For Inspectors fulfilling operational duties such as the Duty Officer, the Standard Officer's Uniform shall be replaced by the Standard Operational Duty Uniform with approved rank insignia.

GENERAL PROCEDURES

6. Members on duty shall be clean and neat in appearance.
7. Members shall not make any modification to their issue uniform or accessories unless otherwise authorized.
8. Members shall only wear their uniform, authorized headgear and equipment while on duty. If a member wishes to attend a non-police function in uniform, they shall first obtain authorization from their Inspector (See RPM Section 4.1.4: Conflict of Interest).
9. Duty uniform shirts shall be worn with a black crew neck T-shirt. No other colour or style is permitted. Short sleeve undershirt sleeves shall not extend beyond the end of the short sleeve uniform shirt. Long sleeve undershirts shall not be worn under short sleeve uniform shirts.
10. Duty uniform shirts shall be worn buttoned to the second button from the neckline.
11. Members shall not wear visible civilian clothing while in uniform. Wearing of part civilian clothing/part uniform is not permitted.
12. If it is necessary to wear a neck scarf, it shall be dark navy blue or black in colour.
13. Uniforms must be kept clean and in good repair. Members shall ensure that articles of clothing are kept fastened. Uniformed members shall avoid the practice of loading pockets with articles that detract from their smart appearance.
14. Members shall wear their body armour in accordance with RPM Section 5.5.4: Body Armour.

NAME TAGS

15. While wearing the Standard Operational Uniform, name tags shall be made of cloth, bearing an identification number and/or name and shall be sewn or printed onto the uniform in the following manner:
 - a. Uniform shirt - above right breast pocket and even with the left side flap;
 - b. Uniform jacket - above right breast pocket and even with the left side flap;



- c. Fleece - positioned over the right breast;
- d. Sweater - positioned over the right breast; and
- e. Reflective vest - positioned over the right breast.

HATS & HEADGEAR

16. The wearing of the forage hat or authorized baseball cap is not mandatory for regular duties, but members (other than practicing members of the Sikh religion, see RPM Section 5.4.10: Religious or Cultural Clothing - Headdress) shall ensure that they are available for use when deemed necessary by a supervisor for incidents including:
- a. The presence of the media;
 - b. High profile assignments;
 - c. Instances where substantial police presence is necessary for the effective resolution of a conflict; or
 - d. Situations where is necessary to immediately identify a member as a police officer.
17. Members shall wear:
- a. The forage hat for official occasions and functions including: parades, funerals, ceremonies or inspections; or
 - b. The forage hat or authorized baseball cap when requested while working a call-out requiring the Standard Operational Uniform.
 - c. The requirement to wear the forage hat has the following exceptions (see RPM Section 5.4.10: Religious or Cultural Clothing - Headdress):
 - i. Where a member is a baptized practicing member of the Sikh religion, the forage hat may be replaced by a black turban. The departmental badge shall be worn centered on the front of the turban;
 - ii. When a member of the Islamic faith wears a hijab, the forage hat shall be worn over top of the hijab.

No authorized head covering may be altered, worn in a state of disrepair or backwards unless required during a tactical situation.

The authorized VPD baseball cap is available as optional wear by uniformed members to assist with protection from inclement weather, including sun and rain. The only authorized baseball cap to be worn by members is that approved by the Uniform Committee and issued by VPD Stores. Plainclothes members may also wear the approved baseball cap, when worn in conjunction with a plainclothes 'takedown' jacket".

18. The only authorized toque to be worn by members is the "VPD Embroidered Toque" which has been approved by the uniform committee unless assigned to a plain clothes assignment.
19. Unauthorized baseball caps, other hats or caps, and toques other than the issue uniform cap or toque, shall not be worn with the Standard Operational Duty Uniform or by other sections or units.

SPECIALTY UNIFORMS

20. Specialty uniforms must be approved by the Uniform Committee and are provided to members assigned to the following units or sections:
- a. Recruits attending the Police Academy;
 - b. Marine Unit, while on duty, on or around the police boat;
 - c. Forensic Identification Unit, while engaged in duties relating to scenes of crime;
 - d. Canine Unit;
 - e. Mounted Unit;
 - f. Traffic Enforcement Unit;
 - g. Bike Patrol;



- h. Emergency Response Team;
 - i. Public Safety Unit;
 - j. Ceremonial Unit;
 - k. Collision Investigation Unit;
 - l. Commercial Vehicle Unit;
 - m. Gang Crime Unit; and
 - n. Patrol members assigned to District 1 & 4 may wear VPD issued shorts only when performing duties on or near the beach.
21. Members shall only wear specialty uniforms when fulfilling duties related to that assignment. When members are transferred or re-assigned, on a permanent or temporary basis, they shall no longer wear the specialty uniform or parts thereof.
22. Members assigned to call-out duty shall wear the Standard Operational Duty Uniform unless their call-out duties require otherwise.
23. Members of the Ceremonial Unit, Mounted Unit, and the Motorcycle Drill Team are the only authorized units to wear a lanyard, and shall only do so when they are in the performance of those specific duties.

PLAINCLOTHES DRESS STANDARDS

24. Members assigned to non-uniform duties shall conform to the dress standards set by their respective Inspectors.

WEARING OF MEDALS AND COMMENDATIONS

Standard Dress Uniform

25. Full-sized medals shall be worn for funerals, weddings, parades, or for other events as directed by the Executive Officer. Full sized medals shall be centered above the left breast pocket with the bottom edge of the medal(s) covering the bottom edge of the pocket button. Medals shall be mounted in order of precedence, with the senior medal on the right or furthest from the left shoulder (Federal, Provincial, Municipal, then Foreign Orders and Decorations). The bottom edge of the medal(s) should be mounted in such a manner as to form a straight line.



26. A member shall wear only one Vancouver Police Department commendation bar (highest commendation received), and in the absence of other medals, it shall be centered below the top seam of the left breast pocket flap.





27. When worn in conjunction with full sized medals, the commendation bar shall be worn centered on the left breast pocket with the top edge 1.5cm below the bottom flap.

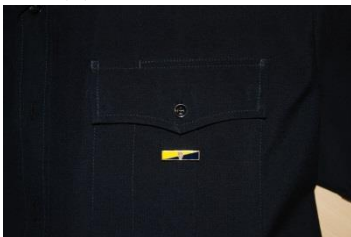


Standard Operational Duty Uniform: Undress Ribbons and Authorized Bar(s)

28. The following list of bars is provided in order of precedence. Members can only wear a maximum of three of these bars:
RCMP Commissioners and Deputy Commissioner Bar(s)
Police Officer of the Year
Chief's Award of Valour
BC Police Services Award of Valour
BC Police Services Meritorious Service Award
Chief Constable's Commendation (Gold)
Deputy Chief Constable's Commendation (Silver)
Inspector's Commendation (Bronze)
2010 Olympic Bar
Outside Agencies Commendation Bars
29. Ribbons and bars are worn, top to bottom, in a descending order (Federal, Provincial and Municipal).
30. Undress Ribbons are worn in the same order as medals, centred directly above the left breast pocket flap.



31. A member shall wear only one VPD commendation bar (highest commendation received), centered below the top seam of the left breast pocket flap.
32. Commendation bars from other agencies are authorized to be worn. Outside agency commendation bars shall be centred 1.5 cm below the bottom of the pocket flap. Members shall not wear more than one (1) commendation bar from outside agencies.





33. The Pistol Merit pin may be worn from when it was issued to the next issue date, which is one year. The pin shall be worn on the right breast pocket between the button and the inside edge of the pocket.

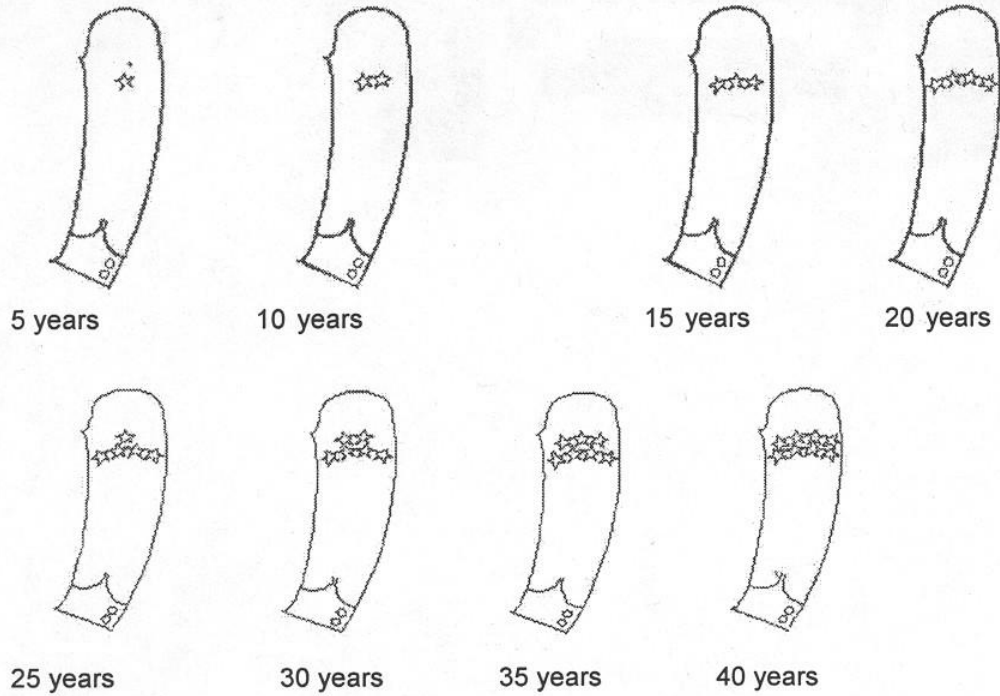


34. Previously awarded Lieutenant Governor's bars (see photos) have been discontinued and are no longer authorized to be worn on any VPD uniform.



SERVICE STARS

35. Service Stars are to be worn only on the Standard Dress Uniform and only by those members NOT of the Officer Rank.
36. Service stars shall be sewn on the uniform in the manner depicted below, with the highest point of the top star positioned 3.5cm below the left shoulder flash.



RANK INSIGNIA

37. The following ranks shall wear on their epaulettes the insignia described as follows:

a. Chief Constable - a single crown above 3 pips, in gold;



b. Deputy Chief Constable - a single crown above 2 pips, in gold;



c. Superintendent - a single crown above a single pip, in gold;



d. Inspector - 3 pips, in silver.



38. The following ranks shall wear the following cloth insignia on the upper part of each sleeve with the Standard Operational Uniform and on the right sleeve only with the Standard Dress Uniform:

e. Staff Sergeant - a single crown above 3 chevrons, in silver;



f. Sergeant - 3 chevrons, in silver;



39. Members acting in a rank above their normal rank shall wear the rank insignia of the higher rank as epaulettes on the shoulder straps of their outer garment.

40. The member appointed as Departmental Sergeant Major shall wear the Canadian Coat of Arms on the right sleeve of the Ceremonial Dress Uniform tunic, or the shoulder epaulettes of a uniform shirt, when operating in the capacity of a Departmental Sergeant Major.





5.4 Uniform and Dress

5.4.4(i) Wearing Firearms with the Standard Dress Uniform at Sanctioned Public Events

(Effective: 2017.02.17)

POLICY

There is an expectation that police officers will at times attend public events such as Remembrance Day, the B.C. Law Enforcement Memorial, Police Funerals, Civic Parades and any other events sanctioned by the Chief Constable. The VPD encourages that its members attend these events while working on-duty or while on leave, as priorities dictate within their professional and personal lives, in order to represent the Department and support the community through the profession of policing.

Members are authorized to be armed when representing the VPD at these public events in dress uniform and will therefore be supplied a separate dress uniform duty belt to be worn on these occasions. It is not a mandatory requirement to be armed while wearing a dress uniform at public events.

This policy only applies to public events held within the province of British Columbia.

The provisions for the safe storage and transport of firearms are within RPM Section 1.6.17(vi): Safe Storage of Firearms.

PROCEDURE

Equipment and Dress

1. Whenever a member represents the VPD at a public event wearing a dress uniform, and they choose to be armed, they must wear the complete dress uniform duty belt set-up which includes the high gloss Sam Browne belt with cross strap, holster containing their issue firearm, magazine pouch containing two loaded magazines and handcuff pouch containing their issue handcuffs.
2. The dress uniform duty belt shall be worn in the following fashion:
 - a. Firearm on strong side, supported by Sam Browne cross strap;
 - b. Magazine pouch worn vertical on the opposite side from the firearm containing two loaded magazines; and
 - c. Handcuff pouch in the rear containing issue handcuffs. (Note it is acceptable to slide the handcuff pouch to the side if seated for an extended period of time).
3. Members shall comply with existing policies, procedures, and other firearms safety rules including not consuming alcohol when in uniform and carrying a firearm unless the firearm has been properly secured.
4. Secure firearms storage will be facilitated for certain events at the Chief Constable's discretion.



5.4 Uniform and Dress

5.4.5 Sworn Members

(Effective: 2000.09.07)

Maintaining Uniform - Plain Clothes Assignments

Police members, who have been issued current style uniforms and are then assigned to plainclothes duties, are required to maintain their uniform and equipment in good condition at all times and to wear it as required. All deficiencies will be reported for replacement or repair as soon as noted. Members working in plain clothes who have never been issued the latest style of uniform are not required to maintain one.

Uniform - Size Adjustment

When a member's uniform or accoutrements no longer fit satisfactorily due to weight change, application may be made to alter the uniform at Departmental expense. Applications shall be subject to approval of the member's Inspector.

Discarded Uniform Clothing

Members are instructed that all insignia, uniform buttons and all means of personal identification must be removed from any article of the uniform that is to be discarded.



5.4 Uniform and Dress

5.4.6 Civilian Members

(Effective: 2017.09.06)

POLICY

In maintaining the high standards and professionalism of the Vancouver Police Department, our appearance must encourage and maintain public respect and confidence. Police buildings are public buildings and, as such, civilian employees are expected to attire themselves in a business-like manner. This policy provides civilian members with guidelines for appropriate work clothing that projects an orderly, clean and professional image and stipulates protocol for the wearing of medals and commendations.

PROCEDURE

GENERAL

1. Civilian members should wear accepted business or business-casual attire that is orderly and clean in appearance. Footwear should be clean, appropriate to the work area, and should comply with any job safety requirements.
2. The following items are not acceptable: athletic or beach wear; cut-offs; dirty or torn pants, shirts or jackets; or any item of clothing containing offensive letters, pictures, numbers, or logos; or any other article of clothing that does not meet the intent of this policy.
3. Exceptions to this standard may be permitted at the discretion of a Section Manager, based on access to the public, shift work, and/or the nature of the work to be performed. Exceptions may also be permitted for sanctioned charitable events or internal traditions such as the BC Children's Hospital Foundation Jeans Day, Pink Shirt Day, or Halloween Dress-up Day.
4. Supervisors shall ensure that dress code guidelines are followed. Employees will be advised by their Supervisor if their clothing does not meet the expectations of this policy.
5. Differences of opinion, regarding suitable attire, should be resolved between the employee and the Supervisor in the first instance. Unresolved conflicts shall be forwarded through the chain of command if necessary.

WEARING OF MEDALS AND COMMENDATIONS

Full-sized Medals

6. Full-size medals shall be worn for funerals, parades, weddings, or for other events as directed by the Executive Officer. Full-sized medals shall be centered above the left breast pocket with the bottom edge of the medal(s) covering the bottom edge of the pocket button. Medals shall be mounted in order of precedence, with the senior medal on the right or furthest from the left shoulder (Federal, Provincial, Municipal, then Foreign Orders and Decorations). The bottom edge of the medal(s) should be mounted in such a manner as to form a straight line. Examples of full-size medals include, but are not limited to: military medals, Order of Merit Medal, VPD 125 Anniversary Medal, etc.



Full-size Medals

Commendation Pin and Bars

7. The VPD Civilian Employee Service (CES) lapel pin is awarded to civilian members who have completed five, ten, fifteen, twenty, twenty-five, and thirty years of service with the VPD. CES lapel pins are awarded in recognition of this achievement and are colour coded to mark the distinction between anniversary dates. The CES lapel pin may be worn on formal, business, or business-casual attire and only the most senior CES lapel pin should be worn. When worn on a formal dress jacket or business-style blazer it shall be affixed to the center of the left lapel, above the pocket square and next to the buttonhole. When worn on a garment without a lapel the CES lapel pin shall be affixed in the same area as a garment with a lapel or as approved by a Supervisor.



CES Lapel Pin

8. Each year a civilian member of the VPD shall be recognized as the Civilian Employee of the Year (CEY). In recognition of their achievement the member will receive an Employee of the Year (EY) pin with VPD crest as well as an EY commendation bar with VPD crest.



EY Pin & EY Commendation Bar

9. The EY pin is less formal than the EY commendation bar and may be worn as either a lapel pin or tie pin.
 - a. When worn as a lapel pin, it may be worn on formal, business, or business-casual attire. When worn on a formal dress jacket or business-style blazer it shall be affixed to the center of the left lapel, above the pocket square and next to the buttonhole. When worn on a garment without a lapel the EY pin shall be affixed in the same area as a garment with a



lapel or as approved by a Supervisor. When worn as a lapel pin, it shall not be worn in conjunction with the CES lapel pin, full size medals or a VPD commendation bar.



EY Lapel Pin

- b. When worn as a tie pin, it shall be centered on the tie between the third and fourth dress shirt buttons and may be worn in conjunction with the CES lapel pin, full size medals, or commendation bars.
10. The EY commendation bar and/or VPD commendation bar may be worn for funerals, parades, weddings, other formal events, or as directed by the Executive Officer. A civilian member may wear the EY commendation bar in conjunction with the highest VPD commendation bar received. In the absence of other medals, all bars shall be centered below the top seam of the left breast pocket flap. Commendation bars shall not be worn in conjunction with the CES pin or EY pin if either pin is being worn on the lapel.



EY Bar & EY Bar and VPD Commendation Bar

11. The following list of bars is provided in order of precedence. Civilian members shall only wear a maximum of three bars:
- a. Employee of the Year Bar;
 - b. VPD Commendation Bar; and
 - c. 2010 Olympic Bar.
12. When worn in conjunction with full-sized medals, all commendation bar(s) shall be worn centered on the left breast pocket with the top edge 1.5cm below the bottom of the medal.



Full-size Medal and Commendation Bar



5.4 Uniform and Dress

5.4.7 Personal Grooming and Appearance

(Effective: 2005.04.13)

POLICY

It is important that each member of this Department project a professional image. To this end, the Department has adopted the following standards in accordance with current social attitudes. These standards have been developed to enhance employee safety and project a uniform image while recognizing gender differences.

PROCEDURE

UNIFORM DUTIES

Male Members

1. The hair of male members shall be contoured to the general shape of the head, exposing the major portion of the ear, and shall not extend beyond the collar. Hair shall be trimmed at the back, sides, and above the ears to blend with the hairstyle. Hair dyes if used shall be conservative in colour.
2. Sideburns are not to extend below a line horizontal with the bottom of the ear lobe.
3. Members shall be clean shaven except when a beard/goatee is grown according to the following requirements:
 - a. The beard/goatee is to be grown during an absence from duty or while assigned to plainclothes duty for a period sufficiently long enough to grow a beard/goatee;
 - b. The beard/goatee shall be worn with a moustache;
 - c. The beard/goatee shall not be thicker than 2.5 cm;
 - d. The member, upon return to duty or upon reassignment from plainclothes duty, shall present himself to his supervisor for approval. The supervisor will ensure that the beard/goatee is not unsightly and that it is neat, well trimmed and a credit to the member and the Department;
 - e. Members who are required to use a respirator/mask in the course of their duties shall be clean shaven where the respirator seals the face as per Workers Compensation Board regulations; and
 - f. The beard/goatee shall be modified to accommodate Departmental equipment when operationally required.
4. Moustaches may be worn, providing they are neat and trimmed and do not extend more than 2 cm beyond the corners of the mouth.
5. Male members are permitted only the following visible jewellery:
 - a. A wrist watch;
 - b. Wedding/engagement or other rings, to a maximum of two. The rings must not have protrusions that may cause injury;
 - c. A maximum of two plain stud type gold or silver ear rings, one stud per ear; and
 - d. A Medical Alert bracelet

Female Members

6. The hair of female members shall be contoured to the general shape of the head and shall not extend below the bottom of the back of the shirt collar. Hair longer than the stipulated length shall be secured in a safe manner. Bobby pins, combs or other items used to secure hair shall be black or navy blue in colour. Hair dyes if used shall be conservative in colour.



7. Female members may secure their hair in a ponytail if the hair is longer than the bottom of the back of the shirt collar. The ponytail, however, shall not extend past the top of the shoulders and shall be tied on the lower half of the head. Ponytails longer than this stipulated length are not permitted and members shall secure their hair in a safe manner conforming to the standard as outlined in section 6.
8. Members' hairstyles must not present a hazard in the execution of duties or prevent or interfere with the proper wearing of any police head dress or equipment. Pony tails, pig tails or similar styles are not permitted.
9. When worn, bangs shall not extend lower than the top of the eyebrows and shall not be visible when wearing headgear.
10. Cosmetics, if used, will be applied conservatively so as not to detract from the uniform.
11. Female members are permitted only the following visible jewellery:
 - a. A wrist watch;
 - b. Wedding/engagement or other rings, to a maximum of two. The rings must not have protrusions that may cause injury;
 - c. A maximum of two plain stud type gold or silver ear rings, one stud per ear; and
 - d. A Medical Alert bracelet.

PLAINCLOTHES DUTY

12. Grooming standards for plainclothes duties will vary. Members assigned to these duties shall conform to the standards set by their respective Inspectors.
13. Regardless of grooming standards pursuant to subsection (11), members wishing to work a uniform call-out shall conform to the "PROCEDURES - UNIFORM DUTY" during their call-out. Members shall wear the standard patrol uniform when assigned to work a call-out, unless a specific call-out requires special clothing.

EXCEPTIONS

14. Exceptions to the provisions of "Personal Grooming and Appearance" as specified in this section may occur with permission of the Chief Constable or designate for valid reasons (for example medical or religious grounds).



5.4 Uniform and Dress

5.4.8 Smoking / Chewing

(Effective: 2006.04.27)

1. Members shall not smoke inside any building under control of the Vancouver Police Board.
2. Smoking in police vehicles is prohibited.
3. Police members shall not smoke or chew:
 - a. While on foot patrol
 - b. While in direct contact with the public

The intention of this regulation is to assist in maintaining the general high standard of appearance of the Department while not unreasonably restricting the comfort of the individual.



5.4 Uniform and Dress

5.4.9 Tattoos

(Effective: 2018.06.29)

POLICY

Appearance and deportment are factors that influence the community's confidence in the Vancouver Police Department (VPD). Therefore, it is important that each member of the Department (ie. police officers, Jail Guards, Traffic Authority, and Community Safety Personnel and Special Constables) project a professional image. To this end, the VPD has limited the display of visible tattoos and prohibits the display of unauthorized tattoos.

DEFINITIONS

Unauthorized Tattoos

- Any tattoo depicting violence, sexually explicit imagery, vulgar content including words, phrases, symbols, profane language or implied meaning, offensive content, or that which would undermine any person's dignity;
- Any tattoo that discredits the member or diminishes the public's trust in the VPD;
- Any tattoo visible on the face, front of the neck, or scalp, unless it is directly related to a medical condition (e.g., tattoo of an eyebrow after hair loss); or
- Any non-discreet tattoo on the side of the neck.

Example:



Permitted



Not Permitted

PROCEDURE

1. Members wishing to obtain a tattoo shall ensure that it would not be considered an unauthorized tattoo by the definition in this policy.
2. Uniformed members shall not display unauthorized tattoos while on duty or representing the Department in any official capacity. Unauthorized tattoos must be covered with a Department approved uniform.
3. Plainclothes members shall not display unauthorized tattoos while on duty or representing the Department in any official capacity. Unauthorized tattoos must be covered with approved clothing.



4. When a visible tattoo on a member in uniform is identified as potentially unauthorized as defined by the policy, that member's supervisor and the rank above shall review the tattoo. The two supervisors shall then make a recommendation to their Inspector/Director of the District/Section, who will make the final determination as to whether the tattoo is authorized or unauthorized.
5. Tattoos in dispute shall remain covered until the tattoo is deemed authorized. Tattoos deemed to be unauthorized shall remain covered.



5.4 Uniform and Dress

5.4.10 Religious or Cultural Clothing - Headdress

(Effective: 2018.08.08)

POLICY

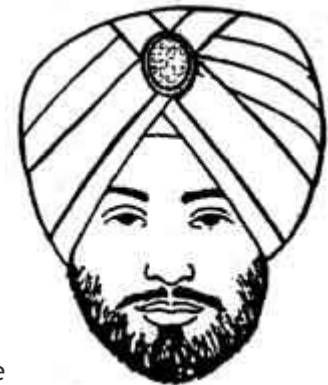
The Vancouver Police Department (VPD) values its diverse work force and recognizes that wearing a religious headdress may be an integral part of the belief system of many religions, such as practicing baptized Sikhs and females of the Islamic faith. The following procedures are intended to provide direction to VPD members (ie. police officers, Community Safety Personnel, Jail Guards, Traffic Authority, and Special Constables) to ensure uniformity of dress while in uniform.

PROCEDURE

The following procedures are not intended to detail the method of styling or winding of the turban but does have some styling implications for the hijab.

Turbans

1. VPD members who are practicing baptized Sikhs may wear a turban in place of a forage hat.
2. If worn, the turban shall be black and worn in a low Sikh conventional manner, tightly wrapped with the final winding right over left on the forehead so that it is tidy.
3. The patka shall be the same colour as the turban.
4. While wearing the Standard Dress Uniform, the departmental badge shall be worn centered on the front of the turban.
5. The departmental badge is not required with the turban while wearing the Standard Operational Duty Uniform (see RPM Section 5.4.4: Dress and Department).



Hijabs

6. VPD members who are of the Islamic faith, may wear a hijab while in uniform.
7. To ensure safety and consistency, members of the Islamic faith who wear a hijab in uniform must only wear an approved style while on duty. The hijab shall be:
 - a. black in colour;
 - b. close-fitting to the head to ensure there is no loose fabric that may pose a safety risk to the member; and
 - c. tucked into the uniform shirt collar to ensure it does not cover or conceal the uniform, to ensure the member is clearly identifiable.
8. While wearing the Standard Dress Uniform, the VPD forage hat shall be worn over top of the hijab.





5.4 Uniform and Dress

5.4.11 Funeral Protocol

(Effective: 2008.09.16)

POLICY

The Vancouver Police Department shall ensure that final respects to a deceased member are paid in an appropriate, orderly and dignified manner. The circumstances of death, as well as the wishes of a deceased member's next of kin, shall govern the degree of formal involvement by the Department in a funeral or memorial service. A member who is killed in the line of duty shall be accorded the highest honours, including a Ceremonial Unit Honour Guard, Pipe Band, full motorcycle escort, and uniformed parade contingent. A retired member, or a serving member who dies off duty, shall be accorded a Ceremonial Unit Honour Guard, a Piper and a two-member motorcycle escort if requested by the next of kin.

PROCEDURE

1. The Employee Assistance Sergeant shall :
 - be responsible for liaising with the family (or with the family's representative) of a deceased member of the Department, and for accommodating the family's wishes with respect to Departmental involvement in funeral arrangements.
 - be responsible for co-ordinating any involved units such as the Emergency and Operational Planning Section, the Traffic Section, the Ceremonial Unit, the Pipe Band, and the Motorcycle Drill Team.
 - liaise with the Vancouver Police Union, the Vancouver Police Officer's Association and outside agencies when appropriate.
2. A Police Funeral Planning Guide has been developed to assist in this task. Copies of the guide will be available from the Employee Services Sergeant, the Inspector i/c Emergency and Operational Planning Section, and the Ceremonial Unit.
3. The Deputy Chief Constable Commanding Support Services Division must authorize a request to have units called out for funeral arrangements.

HONOUR GUARD

4. An Honour Guard will be provided at the funerals of deceased members of the Department (both active and retired) at the request of the family. An Honour Guard will only be provided when the service is conducted in the Lower Mainland.
5. There may be other occasions where an Honour Guard may be provided on request, such as at the funeral services of leading citizens, political leaders and other dignitaries. The Chief Constable must authorize requests of this nature.
6. The Vancouver Police Ceremonial Unit shall be responsible for providing the Honour Guard.

ORDER OF DRESS

7. The Employee Services Sergeant shall post a bulletin notice, advising members of funeral arrangements, which shall include appropriate order of dress and instructions for muster when a Departmental presence is indicated. Notice shall be posted on all Patrol Briefing Boards and shall also be sent to E-COMM, the Vancouver Police Union Office, and the Public Service Counters at 3585 Graveley Street and 2120 Cambie Street.
8. Appropriate order of dress shall be specified in the Daily Bulletin as either:
 - Dress uniform that includes long tunic with cloth belt and silver buckle; white long sleeve shirt with black tie; navy dress trousers with maple leaf braid; black Oxford shoes. Full size



- medals and service hat shall be worn. (See RPM Section 5.4.4: Dress and Department-Police Member).
- Modified Duty uniform, which includes dark navy short sleeve shirt; black crew neck T-shirt; dark navy pants, 4 or 6 pocket; black leather boots/Oxford shoes with black socks; stripped duty belt with sidearm ONLY and service hat (forage cap). Issue Gore-Tex shell or Gore-Tex jacket, and black gloves shall only be worn during inclement weather.
9. The Parade Commander shall be a Sergeant Major and or their designate. The Parade Commander shall be responsible for deployment of Department personnel. Members of the Ceremonial Unit shall be delegated by the Parade Commander to direct Department personnel into parade formation.

PEACE OFFICERS' MEMORIAL RIBBON

10. The Peace Officers' Memorial Ribbon may be worn over the centre of the left breast pocket flap of a tunic or uniform shirt, or on the left lapel of a Gore-Tex jacket or shell. The ribbon may be worn from the day of death until and including the day of the funeral.
11. The last Sunday of September is designated as Police and Peace Officers' Memorial Day. The Peace Officers' Memorial Ribbon may be worn from the preceding Monday until and including that day.

FLAG ETIQUETTE

12. The Department's flags shall be lowered to the half-mast position from the date of death until sunset on the day of the funeral or burial, on the death of:
- a. A serving member of the VPD who has died on or off duty;
 - b. A serving Canadian police member killed in the line of duty;
 - c. The Sovereign; or
 - A member of the Royal Family related in the first degree to the Sovereign
 - The current or a former Governor General
 - The current or a former Prime Minister of Canada
 - A federal Cabinet Minister
 - The Lieutenant-Governor of British Columbia
 - The Premier of British Columbia
 - The Mayor of Vancouver
13. The flag may be lowered to the half-mast position at any time, at the discretion of the Chief Constable.
14. The Executive Officer shall be responsible for ensuring that the flag is placed in the half-mast position when required.
15. Where practicable, flags shall be flown daily from sunrise to sunset, or illuminated after sunset. Flags flown together shall be approximately the same size and flown from separate staffs, at the same height. The VPD ensign may be flown with the Canadian flag, in which case the Canadian flag shall be on the left of the observer facing the flags. When three flags are flown, the Canadian flag shall be in the center.



5.4 Uniform and Dress

5.4.12 Identification Jackets

(Effective: 2006.07.25)

Identification Jackets are issued to clearly identify plain clothes members as police officers and through this identification, enhance the safety of members, the public and suspects.

1. Subject to duty assignment requirements and where practical, plain-clothes members shall wear Identification Jackets when their duties change from covert to overt operations. These duties may include:
 - a. Warrant entry of premises
 - b. Code 5 vehicle stops
 - c. Suspect arrests
 - d. Attending major crime scenes



5.4 Uniform and Dress

5.4.13 Insignia of Rank

(Effective: 2000.10.05)

The insignia of rank for all police members shall be as stipulated in the BC Police Act and Regulations.



5.4 Uniform and Dress

5.4.14 Insignia Rank - Temporary

(Effective: 2000.10.05)

Constables of the uniformed divisions of the Department assigned to the position of Acting Sergeant shall wear appropriate insignia to indicate their assignment. This insignia is to be worn on both epaulettes of the uniform jacket, sweater or the uniform shirt, whichever is worn as the outer garment. Other members assigned to an acting rank position shall not wear acting rank insignia.



5.4 Uniform and Dress

5.4.15 Insignia of Rank - Traffic Authority

(Effective: 2018.06.19)

1. All Traffic Authority members shall wear a uniform that clearly displays the wording “TRAFFIC AUTHORITY”.
2. The Traffic Authority shoulder flash, bearing the Vancouver City crest and designating the Traffic Authority members as Special Constables, shall be affixed to all issue uniforms where appropriate.
3. Traffic Authority members shall comply with the same standards of Dress/Department and Personal Grooming/Appearance as sworn members. (See RPM Section 5.4.4: Dress and Department and RPM Section 5.4.7: Personal Grooming and Appearance)



5.4 Uniform and Dress

5.4.16 Paying of Compliments

(Effective:)

Other ranks shall pay the proper compliments to Officers of the Department.

Compliments shall be paid in the military manner, whether in uniform or plainclothes.

Other ranks on duty in police buildings shall accord the proper compliments to an Officer on the first occasion of encountering him/her during normal daily routine. Officers shall salute their seniors and shall return all salutes accorded them. The senior Officer only of a group shall return the salute.

Compliments shall not be paid to NCO's temporarily performing the duties of an Officer. Members shall salute or pay compliments to:

- Her Majesty, The Queen
- Members of the Royal Family
- The Governor-General of Canada and the Lieutenant
- Governor of British Columbia
- The Prime Minister of Canada
- The Premier of British Columbia
- The Mayor and Members of the Vancouver Police Board
- Judges
- Uncased colours and standards when borne by troops
- The body, when passing Canadian Armed Forces funerals
- As an act of courtesy, all Officers in the uniform of Her Majesty's Armed Forces and the Royal Canadian Mounted Police.
- When "God Save the Queen," "O Canada and/or "The Last Post" is played at any function attended by members in uniform, they will stand at attention and:
 - a. Officers will salute;
 - b. NCO's shall salute unless they are on a Parade commanded by an Officer. When on Parade, the Officer or NCO in charge will salute.



5.5 Issue Equipment

5.5.1 Responsibility for Issue Equipment

(Effective: 2000.09.07)

1. Members taking over departmental equipment shall be responsible for the safe custody of that equipment. An examination will be made before taking over such equipment and if not previously reported, any damage, poor performance or shortage will immediately be reported.
2. Loss of, theft of, or damage to Departmental equipment shall be reported as outlined in Section 5.2.1: Damage to Departmental or Private Property, of this manual.



5.5 Issue Equipment

5.5.2 Loan of Issue Equipment

(Effective: 2000.09.07)

Departmental equipment shall not usually be loaned to members or others for private purposes. However, when such a loan is made, it must be authorized by an Officer who shall, when necessary, be satisfied that the recipient is competent and/or qualified to handle or operate the equipment.



5.5 Issue Equipment

5.5.3 (i) General Inspection of Issue Equipment

(Effective: 2006.07.25)

1. Divisional Commanders shall conduct regular inspections of their personnel. Divisional Commanders shall regularly, but not less than twice each year, inspect all Sections under their command. All buildings and furnishings will be inspected as to condition, cleanliness and suitability.
2. Section Managers shall conduct regular inspections of squads, teams and units under their authority including equipment and will submit a report to their Division Commander.
3. NCO's shall conduct regular inspections of all members under their supervision and, if required, submit a report to their Section Manager.



5.5 Issue Equipment

5.5.3(ii) Inspection of Issue Equipment - Pistol Inspection

(Effective: 2019.06.11)

This policy has been rescinded.



5.5 Issue Equipment

5.5.4 Body Armour

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



5.5 Issue Equipment

5.5.5 Clothing - Footwear

(Effective: 1993.06.01)

1. Uniform members shall only wear authorized footwear.
2. Recruit members shall be provided with one pair of Traditional Police Shoes or Boots when hired and on completion of Block III Training be entitled to an additional pair of authorized footwear.
3. Footwear shall be replaced on an "as required basis" according to the Collective Agreement.
4. A member requiring replacement footwear shall make an application on a Form 68 through her or his supervisor to the Section Inspector for authorization.
5. Police Stores shall maintain a current list of approved footwear and the maximum footwear allowance.
6. Requests for reimbursement for approved footwear shall be submitted to Police Stores.
7. Members assigned to the Marine, Mounted and Traffic Enforcement Squads, and Police Nurses shall direct footwear requests to their supervisors.



5.5 Issue Equipment

5.5.6 Carrying of Firearms, Batons & Oleoresin Capsicum Spray

Withheld under s. 15(1) of the Freedom of Information and Protection of Privacy Act.



5.5 Issue Equipment

5.5.7 Handcuffs

(Effective: 2015.01.27)

POLICY

Each member shall be issued with two sets of handcuffs at the start of their employment with the Vancouver Police Department.

PROCEDURE

1. Members assigned to drive the wagon will ensure that the handcuff box in the wagon has five (5) pairs of handcuffs in it at the beginning of their shift. If not, the wagon driver will attend the Jail and obtain, and sign for, handcuffs to replenish the missing pairs. Drivers should also ensure that their wagon has a supply of Temporary Restraint Devices, i.e. plastic straps, in case of unforeseen circumstances.
2. Where the lawful authority exists to apply handcuffs, members shall handcuff prisoners that are being transported to jail (Section 1.12.1 (iii) - Transportation of Persons in Custody), unless the member believes that it is impractical to handcuff the prisoner(s) due to pregnancy, infirmity, disability or other circumstance.
3. The wagon driver will supply the arresting member with a replacement pair of handcuffs and shall transport prisoners in the handcuffs of the arresting member.
4. Wagon drivers will receive replacement cuffs from the Jail Staff upon production of the Jail Arrest Report. Jail Staff will provide only one pair of cuffs per Jail Arrest report.
5. For special events where there is a likelihood of the need for more handcuffs, the wagon drivers can pick-up and sign for extra handcuffs at the Jail which are to be returned at the conclusion of the event.
6. As outlined in the Jail Manual, the Jail Staff Sergeant will ensure that the Jail has an adequate number of handcuffs to replenish the wagons as required.
7. Members who do not yet have a second set of handcuffs are encouraged to obtain a second set from Police Stores to avoid working without handcuffs. Members who do not yet have a second set of handcuffs may obtain temporary restraint devices, i.e. plastic straps, from the wagon driver; each wagon shall keep a supply of temporary restraint devices for this purpose.
8. Members may obtain a replacement pair of handcuffs from the Jail or Police Stores should their handcuffs become lost, inoperable, or damaged. The inoperable or damaged handcuffs must be handed in at that time.



5.5 Issue Equipment

5.5.8 Helmets

(Effective: 2000.09.07)

Motorcycle Helmets

1. Members shall wear motorcycle helmets with the chinstrap fastened when riding motorcycles.

Crowd Control Helmets

2. Helmets shall be worn complete with nape protectors and face shields when members are required to wear crowd control helmets.



5.5 Issue Equipment

5.5.9 Reflective Vests, Reflective Helmets, and Reflective Wrist and Ankle Bands

(Effective: 2013.10.22)

POLICY

The VPD is committed to the safety of its members, recognizes the danger posed by exposure to traffic, and the necessity to comply with WorkSafeBC regulations. Nothing in the following procedure prevents members from wearing their reflective equipment when they feel it advantageous or necessary to do so.

PROCEDURE

1. To comply with WorkSafeBC Occupational Health and Safety Regulations, requiring the wearing of reflective vests, reflective helmets, and reflective wrist and ankle bands, members shall wear reflective vests, reflective helmets, and reflective wrist and ankle bands when their duties require exposure to moving vehicles. These duties include:
 - a. Planned traffic stops including radar set-ups, roadblocks and roadside checks
 - b. Planned events where members are required to direct traffic, such as parades, major events, street closures and call outs involving traffic control
 - c. Motor vehicle accident scenes. Members are further advised to position the police vehicle to provide protection while conducting the investigation
 - d. Other duties which require members to be on or near the roadway and exposed to traffic provided that other dangers do not exist, such as maintaining visual contact of the driver during a traffic stop, or a tactical or operational situation where the reflective quality of the reflective equipment may endanger the member's safety.
2. All members assigned to duties where they might be exposed to traffic shall be issued a reflective vest, reflective helmets, and reflective wrist and ankle bands. Other members may be issued with a reflective vest, reflective helmets, and reflective wrist and ankle bands upon request or if their duties expose them to traffic as described in (1).
3. Members found in contravention of the WorkSafeBC Occupational Health and Safety Regulations may be liable for any penalty assessed by WorkSafeBC.



5.6 Vehicles

5.6.1 Use of Department Vehicles

(Effective: 2000.09.29)

1. Members of the Department using police vehicles for regularly scheduled duty shall:
 - a. Sign out the vehicle through the Department kiosks, or;
 - b. Sign out the vehicle through their Section or Unit NCO.
2. Members requesting to use a police vehicle for regularly scheduled duty outside the City of Vancouver shall:
 - a. For use throughout the Lower Mainland/Fraser Valley, obtain approval from a NCO.
 - b. For use outside of the Lower Mainland/Fraser Valley, obtain approval from the member's Section Inspector or Section Manager.
 - c. If the required vehicle needs to be assigned from the kiosk, forward written approval to the Fleet Manager, who will assign a vehicle.

Where authorization to use a police vehicle is obtained and the vehicle is to be used outside of the Lower Mainland/ Fraser Valley a memorandum will be forwarded to the Deputy Chief Constable Commanding the Division in which the use was authorized.

3. Groups, teams, or organizations from within the Department requesting to use police vehicles for periods other than regularly scheduled duties, shall make a written request for authorization from the Inspector i/c Emergency and Operational Planning Section. The request shall include:
 - a. The members and civilians involved with the group, team or organization
 - b. The reason and time frame the vehicle will be needed
 - c. The intended destinations
 - d. The member specifically responsible for the vehicle
 - e. Forward the written approval to the Fleet Manager who will assign a vehicle
4. Members shall not use police vehicles as private transportation without the authorization of the Deputy Chief Constable Commanding Support Services Division.
5. Members shall be directed by the following general guidelines when using police vehicles:
 - a. Police vehicles shall not be used for transportation of citizens except with the authorization of an Officer, NCO or the Fleet Manager. In cases of emergency, when authorization cannot readily be secured, the member will proceed with the action deemed necessary and advise their supervisor of the action taken.
 - b. Any person using a police or City vehicle shall only operate that vehicle if they hold the proper class of License for the vehicle.
 - c. Sections or Units with assigned vehicles shall maintain a log of each vehicles use indicating who was assigned the vehicle and for what period of time. Logs shall be retained for six months.
 - d. Members of groups, teams or organizations using police or City vehicles shall maintain a record of who was driving the vehicle while it is assigned to them.



5.6 Vehicles

5.6.2 Private Vehicles for Department Use

(Effective: 2004.06.28)

POLICY

The purpose of this section is to inform sworn and civilian members about options related to parking exemptions. There is a risk that private vehicles bearing the parking pass “Police On Duty” may be vandalized or, by displaying such a pass, imply that the person operating the vehicle is a police officer. It is inappropriate for non-sworn employees to use police parking passes as they do not have the duties or authorities of a police officer. Civilian and sworn members may be better served by obtaining a City of Vancouver three-hour parking exemption decal as necessary.

PROCEDURE

Use of Personal Vehicles

1. Employees shall use a VPD vehicle to conduct their duties. When a VPD vehicle cannot be used, then employees may request to use their private vehicle.
2. Employees shall not regularly use their private vehicles for police department purposes unless they receive written authorization from the Divisional Commander. For occasional use of private vehicles for police department purposes, employees shall receive authorization from their Inspector/Manager or in their absence, the Duty Officer. Employees must note that there is NO provision in the City insurance policy to cover an employee’s private vehicle when used on police department business.
3. Authorization to use a private vehicle shall NOT be granted unless the employee owning the vehicle has the necessary insurance coverage. Employees should refer to their own insurance agent for information relating to the use of their private vehicle for business purposes. Employees may contact COV Risk Management for information regarding the use of their vehicle for work purposes.

Parking

4. Off Duty employees are not authorized to use any parking passes.
5. Employees who use their vehicle more than 6 times a month for work duties, may submit a written request for a COV parking exemption. This request will be submitted through the chain of command, to their Divisional Commander who on approval, will forward it to the Fleet Supervisor.
6. Employees may obtain from the Kiosk a temporary “Police Auxiliary” three hour parking pass when using their personal vehicles for work duties and where appropriate. The parking pass has a 3-hour time limit and shall be returned to the Kiosk at the end of their shift.
7. Non-sworn employees shall not use the “Police on Duty” parking passes, unless authorized by the Chief Constable or designate.
8. All employee vehicles displaying exempt permits shall obey the restrictions imposed on the permit including, but not limited to, insurance, classification of vehicle, and parking restrictions. All vehicles must be parked legally.



5.6 Vehicles

5.6.3 Private Vehicles Parking and Servicing

(Effective: 2000.03.07)

Members shall not service, wash or park private vehicles in the police garage.



5.6 Vehicles

5.6.4 Seat Belts

(Effective: 2011.07.20)

POLICY

The Vancouver Police Department (VPD) strives to provide a safe work environment for all employees; however, employees have a role to play in ensuring a safe work place as well.

Motor Vehicle Incidents (MVI) are consistently among the leading causes of death and injury for police members on a yearly basis. Choosing to properly wear a seat belt is a proven way to reduce the likelihood of death or serious injury in an MVI. Therefore, the VPD requires the use of seat belts by members at all times and allows the use of the Motor Vehicle Act exemptions only in very specific, imminent tactical situations. Even in these tactical situations the VPD requires that members wear their seat belt, unless the risk of wearing it outweighs the risk of not wearing it (ie: ERT member with a long barreled weapon about to exit the vehicle during a TVT).

Motor Vehicle Act Regulations -Section 32.04: Seat Belt Exemption for Peace Officers

(3) A peace officer who, in the lawful performance of his duty, is transporting a person in his custody or care is exempt from section 220 (3), (4) and (6) of the Act.

(4) When a peace officer has reasonable and probable grounds to believe the use of a seat belt assembly would obstruct the performance of his duties, the peace officer and any passenger is exempt from section 220 (3), (4) and (6) of the Act.

PROCEDURE

1. Members shall wear seat belts at **all** times when operating or riding in a police vehicle, unless involved in an imminent tactical or other extraordinary situation, and in which the risk presented by wearing the seat belt is greater than the risk of not wearing it.
2. Members shall wear a seat belt at all times when transporting a person in the member's custody or care, unless the risk presented by wearing the seat belt outweighs the risk of not wearing the seat belt.
3. Members shall ensure that "ride-alongs" wear seat belts when in a police vehicle.



5.6 Vehicles

5.6.5 Claims Involving Use of Police Vehicles

(Effective: 2015.10.09)

POLICY

The Vancouver Police Department uses the services of City of Vancouver Risk Management to handle all insurance claims for Department owned, leased or rented vehicles. Members who are involved in an incident involving a Department owned, leased or rented vehicle must report the circumstances to Risk Management within 48 hours of the incident.

PROCEDURE

1. Members renting vehicles on behalf of the Department in Canada and the United States shall decline any Third Party, Collision and Comprehensive coverage through the rental agency since the Department has existing rental vehicle coverage through ICBC.

Incidents Requiring Reporting

2. The insurer for the City of Vancouver requires the completion and submission of a City of Vancouver Vehicle Accident Report (VAR). A VAR shall be submitted whenever a Department vehicle (owned, leased, or rented) is directly involved in an incident (eg: collisions, damage to a Department vehicle, damage to other property).
3. Members shall comply with the following reporting guidelines where applicable:
 - a. RPM Section 1.10.8(ii): Police Vehicles Involved in Motor Vehicle Accidents;
 - b. RPM Section 1.10.8(iii): Outside of Jurisdiction Motor Vehicle Accident; and
 - c. RPM Section 5.2.5: Damage to Departmental Vehicles.
4. A Supervisor completing a VAR on behalf of a member(s) shall make the notation "Short Term Rental" on the form.



5.6 Vehicles

5.6.6 Testing of Sirens

(Effective: 2000.09.07)

It is imperative that the Department is a good neighbour to both commercial and residential tenants in the area of 2120 Cambie Street and the adjacent parking facility. Therefore, members are encouraged to be mindful of any action in these areas that would disturb the residents. Sirens shall not be tested in close proximity to the surface parking area.