

# VANCOUVER POLICE DEPARTMENT

## REGULATIONS & PROCEDURES MANUAL

Effective: December 31, 2023

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



VANCOUVER POLICE DEPARTMENT  
*Beyond the Call*



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## 1.1 Jurisdiction and Authority

### 1.1.1 Jurisdiction

(Enacted: 2000.11.02)  
(Updated: 2022.05.20)

#### POLICY

The Vancouver Police Department (VPD) acknowledges that it proudly serves the public on the unceded traditional territories of the *xʷməθkʷəy̓əm* (Musqueam), *skwxwú7mesh* (Squamish), and *sel̓ilwítulh* (Tsleil-Waututh) nations. The VPD is governed by the Vancouver Police Board under the authority of the *British Columbia Police Act (Police Act)*. The *Police Act* grants members of the VPD the powers of a peace officer throughout British Columbia and establishes the responsibilities of the municipality to provide adequate public safety within the City of Vancouver.

#### DEFINITIONS

**City of Vancouver (CoV)** - Section 6 of the *Vancouver Charter* outlines the municipal boundaries.

**Reserve Lands** - Land that has been set aside for use and benefit of a First Nations Band.

**The Transit System** - Property and vehicles managed or operated by TransLink, including but not limited to: The BC Rapid Transit Company, Coast Mountain Bus Company, and West Coast Express.

#### PROCEDURE

##### Authority within the CoV

1. The *Police Act* empowers the VPD to act as the police of jurisdiction in the CoV, with the responsibility to enforce federal and provincial laws, municipal by-laws, and maintain public safety.

##### Reserve Lands

2. The VPD acknowledges the complex and traumatic history between Indigenous people and the police, and strives to heal the relationship while building trust in the community.
3. The VPD expects members to utilize a trauma informed approach when interacting with members of the public.
4. The VPD expects members take into account cultural considerations while performing their duties.
5. Federal statutes related to Indigenous people grant the VPD the ability to act as peace officers on Reserve Lands.
6. The Musqueam Servicing Agreement signed between the CoV and the Musqueam Council establishes the VPD as the police of jurisdiction on Musqueam territory.

##### The Transit System

7. The Metro Vancouver Transit Police (MVTP) and VPD have entered into a memorandum of understanding (MOU), which outlines jurisdictional procedures related to the transit system.
8. The MOU does not diminish the obligations or authority of VPD members when performing their duties on the transit system.



9. As the police of jurisdiction in the CoV, the VPD may assume responsibility for any investigation related to the transit system.
10. Whenever operationally practicable MVTP may respond to and assume responsibility for the following types of offences directly related to the transit system:
  - a. Offences committed under British Columbia provincial statutes;
  - b. *Criminal Code of Canada (Criminal Code)* summary conviction offences; and
  - c. *Criminal Code* hybrid offences.
11. Members are reminded that as a general rule, VPD should assert jurisdiction on the following:
  - a. High profile public interest matters;
  - b. Large public order incidents;
  - c. Serious investigations;
  - d. Investigations of a serial nature; or
  - e. Any other incident as directed by a VPD supervisor or the Duty Officer.
12. Strictly indictable offences related to the transit system shall be the responsibility of the VPD; however, MVTP may assume responsibility if supervisors from each agency agree to the transfer of responsibility and record the decisions in their respective PRIME general occurrence reports.
13. The VPD is responsible for missing person investigations related to the transit system, while MVTP may assist in the investigation.

### Railways

14. The federal *Railway Safety Act* authorizes the appointment of police constables who are granted jurisdiction on property under the administration of the railway company and in any place within 500 m of property that the railway company owns, possesses, or administers.
15. The *Railway Safety Act* does not diminish the obligations or authority of VPD members when performing their duties on railways.
16. As the police of jurisdiction in the CoV, the VPD may assume responsibility for any investigation related to the railways.
17. When appropriate, the VPD may defer investigations related to railway property in the CoV to the responsible railway police agency if both agencies agree.

### Authority outside of the CoV

18. Section 38 of the *Police Act* grants VPD members the following authority outside of the CoV:
  - a. All of the powers, duties, and immunities of a peace officer and constable at common law or under any Act; and
  - b. Jurisdiction throughout British Columbia while carrying out those duties and exercising those powers.
19. Section 38 of the *Police Act* stipulates if a member performs their duties outside of the CoV, they must:
  - a. If possible, notify the police of jurisdiction in advance; or
  - b. If advanced notice is not possible, they must promptly notify the police of jurisdiction after performing their duties.

### Territorial Division Jurisdiction (including aircraft, bridges, vessels, and waterways)

20. Section 476 of the *Criminal Code* outlines territorial jurisdiction when an offence occurs on the boundary of two or more territorial divisions:
  - a. Where an offence is committed in or on any water or on a bridge between two or more territorial divisions, the offence shall be deemed to have been committed in any of the territorial divisions.



- b. Where an offence is committed on the boundary of two or more territorial divisions or within five hundred meters of any such boundary, or the offence was commenced within one territorial division and completed within another, the offence shall be deemed to have been committed in any of the territorial divisions.
  - c. Where an offence is committed in or on a vehicle employed in a journey, or on board a vessel employed on a navigable river, canal or inland water, the offence shall be deemed to have been committed in any territorial division through which the vehicle or vessel passed in the course of the journey or voyage on which the offence was committed, and where the center or other part of the road, or navigable river, canal or inland water on which the vehicle or vessel passed in the course of the journey or voyage is the boundary of two or more territorial divisions, the offence shall be deemed to have been committed in any of the territorial divisions.
  - d. Where an offence is committed in an aircraft in the course of a flight of that aircraft, it shall be deemed to have been committed:
    - i. in the territorial division in which the flight commenced;
    - ii. in any territorial division over which the aircraft passed in the course of the flight;  
or
    - iii. in the territorial division in which the flight ended.
21. Although waterways may not be federally recognized as Reserve Lands, Indigenous people may have a historic connection to the water:
- a. Members are reminded to take into account cultural considerations while performing their duties.



## 1.1 Jurisdiction and Authority

### 1.1.2 Authority Outside of Municipality

(Enacted: 2000.11.02)  
(Deleted: 2022.05.20)

This policy has been rescinded.



## 1.1 Jurisdiction and Authority

### 1.1.3 Indian Reserves

(Enacted: 2000.11.02)  
(Deleted: 2022.05.20)

This policy has been rescinded.





## 1.1 Jurisdiction and Authority

### 1.1.4 Boundaries of Jurisdiction

(Enacted: 2000.11.02)  
(Deleted: 2022.05.20)

This policy has been rescinded.



## 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

(Enacted: 2008.07.29)  
(Updated: 2022.07.08)

#### POLICY

On occasion, police or enforcement agencies from outside jurisdictions may request the Vancouver Police Department (VPD) to assist with incidents and investigations. The VPD works collaboratively with other agencies and assistance should be granted when practicable. Section 68 of the *Police Act* outlines the requirements of municipal police departments to provide temporary assistance when requested by another police agency or designated policing unit.

#### PROCEDURE

1. When assistance is requested by an external police agency, or by a non-police enforcement agency, such assistance should be assessed by a supervisor and if appropriate, attended to as soon as practicable and/or as responsibilities within the VPD's jurisdiction dictate.
  - a. If the external request is not reasonable in the circumstances, the supervisor should consult with the Duty Officer before taking further action.
2. When the Duty Officer supports and approves the request from an external agency, the required assistance should be completed as soon as practicable and/or as responsibilities within the VPD's jurisdiction dictate.
3. When the Duty Officer does not support and denies the request from an external agency, the Duty Officer or designate should contact the requesting agency and provide an explanation.
4. When assistance is requested through E-Comm with a Computer Aided Dispatch (CAD) call created for attendance in Vancouver, members should note the call type and priority level and respond as required.
5. Where the request for assistance is outside of Vancouver, the decision to provide assistance should be made by the Duty Officer or other senior manager.
  - a. In exigent circumstances, members may provide assistance and the Duty Officer shall be notified as soon as practicable.
6. In all instances where assistance is provided and requires extensive VPD resources, the Duty Officer and the Deputy Chief Constable in charge of the requested section must be notified through the chain of command.



## 1.1 Jurisdiction and Authority

### 1.1.7 Acting as Commissioner for Taking Affidavits

(Enacted: 2014.07.22)  
(Updated: 2021.06.17)

#### POLICY

Section 60.1 of the British Columbia (BC) *Evidence Act*, grants members identified by the *Police Act*, the authority to act as commissioners for taking affidavits. This privilege is granted only 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

**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.

**Affirmation / Solemn Affirmation** - A solemn and formal declaration that something is true or that a person will tell the truth. An affirmation has the same force and effect as if a person had taken an oath.

**Commission for taking affidavits (commissioner)** - A person appointed or designated under the *Evidence Act* to administer oaths and affirmations and to take affidavits and declarations.

**Deponent or Declarant** - The person swearing an oath, making an affirmation, or making a declaration.

**Oath** - A solemn promise, either to do something or that something is true. An individual must swear an oath on a religious book or sacred object that binds their conscience.

**Presiding Officer** - A person having, by law, the authority to administer an oath.

#### PROCEDURE

1. Members acting as a commissioner shall only act in matters connected to the official business of the Vancouver Police Department (VPD). Examples include but are not limited to the following:
  - a. undertakings;
  - b. appearance notices;
  - c. immediate roadside prohibitions;
  - d. swearing in of members;
  - e. taking *KGB* statements; or
  - f. VPD affidavit of service.
2. Members shall not act as their own commissioner.
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. 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.
4. The member acting as a commissioner 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 a commissioner shall:



- a. confirm the identity of the person swearing/solemnly affirming the document and examine the person's picture identification if the member does not know the deponent or declarant and make notes of their observations;
  - b. **in the case of an affidavit being sworn**, the deponent or declarant making the statement shall provide their choice of religious book or sacred object, which they shall hold during the oath. The commissioner will address the deponent or declarant as follows as follows:
    - i. *"Do you swear that the contents of this affidavit are true to the best of your knowledge, information and belief?"*
  - c. **in the case of an affidavit being affirmed**, address the deponent or declarant as follows:
    - i. *"Do you solemnly affirm that the contents of this affidavit are true to the best of your knowledge, information and belief?"*
  - d. witness the signature of the deponent or declarant and legibly print the person's full legal name below their signature;
  - e. legibly print their legal name and VPD personal identification number below their signature; and
  - f. legibly print the words "Police Officer - Commissioner for Taking Affidavits for British Columbia" immediately next to, or below, where they have printed their name.
6. As per section 20(3) of the *Evidence Act*, a commissioner should consider:
- a. if, in the opinion of the presiding officer, it is not reasonably practicable without inconvenience or delay to administer an oath to a person in the form or manner appropriate to the person's religious beliefs, the person must, despite any other enactment or law, make a solemn affirmation in the prescribed form.

## ALTERATIONS

7. 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 initialled by both the deponent or declarant and the commissioner. 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

(Enacted: 2020.02.27)  
(Updated: 2021.07.07)

#### POLICY

Members of the Vancouver Police Department (VPD) may be required to use force in the execution of their duties. Members must endeavour to use a reasonable level of force, in consideration of all the circumstances they are presented with.

When using force in the course of their duties, members shall comply with the provisions of the *Criminal Code* (CC) and the BC Provincial Policing Standards (BCPPS). Members shall also be guided by the National Use of Force Framework (NUFF) which provides the following force options:

- a. Officer presence;
- b. Communication, supplemented to include crisis intervention and de-escalation techniques;
- c. Physical control;
- d. Intermediate weapons; and
- e. Lethal Force.

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 VPD or any officer or supervisor within it to protect the member from 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:

- RPM Section 1.2.2: Use of Force to Provide Medical Aid
- RPM Section 1.2.4: Automated External Defibrillators (AED)
- RPM Section 1.6.17(i): Seizure of an Intermediate Weapon
- RPM Section 1.6.17(ii): Seizure of a Member's Firearm
- RPM Section 1.16.7: *B.C. Police Act* - Reportable Incidents - Injuries or Death
- RPM Section 1.16.8: Subject Behaviour Officer Response Reporting (SBORR)
- RPM Section 2.4.1: Qualifying Standards - General
- RPM Section 2.4.2: Qualifying Standards - Firearms
- RPM Section 4.2.1: *B.C. Police Act* - Independent Investigation Office: General Procedures
- RPM Section 5.5.6: Carrying of Firearms and Intermediate Weapons

#### PROCEDURE

##### Officer Presence

1. The simple presence of an officer can affect both the subject and a situation. Visible signs of authority such as uniforms and marked police cars can change a person's behaviour.

##### Communication

2. An officer can use verbal and non-verbal communication to control and/or resolve a situation. Communication can include crisis intervention and de-escalation techniques.



### Physical Control

3. Physical control is any physical technique used to control the person in custody that does not involve the use of a weapon.
4. Physical control soft techniques 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.
5. Physical control hard techniques are control techniques that are intended to impede a person in custody's behaviour or to allow application of a control technique and have a higher probability of causing injury. They may include strikes such as punches and kicks.

(See RPM Section 1.16.8: Subject Behaviour Officer Response Reporting (SBORR) for SBOR physical control reporting requirements)

### Use of Intermediate Weapons

6. The VPD 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.
7. Upon successful completion of the required training and having been qualified or re-qualified, the following intermediate weapons are authorized for use by members:
  - a. Conducted Energy Weapon (CEW);
  - b. Beanbag Shotgun;
  - c. ARWEN;
  - d. 40 mm launchers;
  - e. Baton; and
  - f. Oleoresin Capsicum (OC) Spray

(See RPM Section 2.4.1: Qualifying Standards - General).

### Procedures for Beanbag Shotgun Deployment

8. In every instance when a member discharges a Beanbag Shotgun at a person the member shall:
  - a. Notify and request the attendance of a supervisor to the scene;
  - b. Ensure that BC Ambulance Service (BCAS) is notified and attends to the person in custody involved;
  - c. Upon consent from the person in custody, request that the Forensic Identification Unit (FIU) attends to photograph the person in custody;
  - d. Attempt to seize the discharged beanbag and tag the beanbag in the Property and Forensic Storage Services building (PFSS);
  - e. Complete a SBORR (See RPM Section 1.16.8: Subject Behaviour Officer Response Reporting (SBORR) for SBOR reporting requirements);
  - f. Complete a General Occurrence (GO) report or Police Statement (PS) page within a GO report; and
  - g. Notify the Duty Officer through a supervisor.

### Procedures for CEW Deployment

9. In every instance when a member deploys a CEW (contact stun or probe discharge) the member shall:
  - a. Request BCAS, prior to the use of the CEW, if feasible;





- b. Have an AED available, if feasible (See RPM Section 1.2.4: Automated External Defibrillators (AED));
- c. Notify and request the attendance of a supervisor to the scene;
- d. Ensure that BCAS attends to the person in custody involved should the CEW be deployed;
- e. Upon consent from the person in custody, request that FIU attends to photograph the person in custody;
- f. Attempt to seize spent cartridges and tag them, specifically:
  - i. During the day, bring the CEW to the Officer Safety Tactics Training Team (OSTTT) office and deliver it to the CEW Coordinator for downloading
  - ii. After hours, take the CEW to the Tactical Training Centre (TTC):
    - 1. Log in the spent CEW and place in a CEW locker
    - 2. Log out a loaner CEW
    - 3. Route the GO to the CEW Coordinator
- g. Complete a SBORR (See RPM Section 1.16.8: Subject Behaviour Officer Response Reporting (SBORR) for SBOR reporting requirements);
- h. Complete a GO or PS page within a GO report; and
- i. Notify the Duty Officer through a supervisor.

### Force Options of Opportunity

- 10. Use of force situations are dynamic and often rapidly evolving. The VPD recognizes that during such events, trained techniques and options may not always be appropriate or available for use. Members may employ force options of opportunity, including improvised weapons, strategies, tactics and techniques that either have not been addressed in formal police training or are not commonly utilized.
- 11. Members are responsible for ensuring that their use of such force options of opportunity is reasonable, necessary and justified. Members must have regard for the injury potential and likelihood of success of the force option(s) employed, relative to the perceived risk faced by the member, and/or the risk to the public or person in custody.

See RPM Section 1.16.8: Subject Behaviour Officer Response Reporting (SBORR) for SBOR for force options of opportunity reporting requirements.

### Use of an Intermediate Weapon Resulting in Death or Reportable Injury

- 12. In every instance when a member uses an intermediate weapon on a person in custody and death or a reportable injury (as defined by the *Police Act*) results, the member shall:
  - a. notify and request the attendance of a supervisor to the scene;
  - b. relinquish the intermediate weapon and any components to their supervisor or investigating member;
  - c. complete a SBORR (See RPM Section 1.16.8: Subject Behaviour Officer Response Reporting (SBORR) for SBOR reporting requirements); and
  - d. submit a GO or PS page within a GO report.
- 13. A supervisor receiving notification that a person died or received a reportable injury following the application of an intermediate weapon shall:
  - a. immediately report the incident to the Duty Officer;
  - b. direct an investigation into the reason for the use of the weapon where the Independent Investigation Office (IIO) has not asserted jurisdiction;
  - c. request that FIU attend the scene;
  - d. seize the weapon (See RPM Section 1.6.17(i): Seizure of an Intermediate Weapon);
  - e. notify the OSTTT Supervisor where the weapon involved is a CEW; and
  - f. notify the Firearms Training Team (FTT) Supervisor where the weapon is not a CEW.



14. A Duty Officer receiving a report that a person died or received a reportable injury following the application of an intermediate weapon shall:
  - a. ensure the requirements of section 12 and 13 have been met;
  - b. notify the IIO and the on call Homicide Sergeant who designate an IIO Liaison member; and
  - c. notify the Inspector in charge of the Professional Standards Section (PSS).

### Vascular Neck Restraint (VNR)

15. A VNR is a technique which applies compression of the vascular tissue along the lateral aspects of the neck, which results in temporary decreased cerebral blood flow, and may result in temporary loss of consciousness.
16. A VNR 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 and is certified to apply the hold correctly.
17. In every instance when a member applies a VNR the member shall:
  - a. notify and request the attendance of a supervisor at the scene;
  - b. ensure that BCAS is notified and attends to the person in custody involved;
  - c. complete a SBORR (See RPM Section 1.16.8: Subject Behaviour Officer Response Reporting (SBORR) for SBOR reporting requirements);
  - d. complete a GO or PS page within a GO report; and
  - e. notify the Duty Officer through a supervisor.
18. A chokehold is a technique that applies pressure to the front of the neck and trachea/windpipe and restricts a person's ability to breathe. Members are prohibited from the intentional use of chokeholds, unless the member has reasonable grounds to believe that lethal force is justified.

### Firearms

19. Members may discharge their firearm 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*.
20. Members shall not discharge a firearm at a vehicle or other motorized craft in an attempt to disable it unless authorized in the outlined exemption in section 21 below. Members are justified in using an appropriate level of force, including lethal force, against the occupants of the vehicle if it is to prevent grievous bodily harm or death to themselves or another person, and it is the most reasonable use of force given the circumstances.
21. Members who have received training in ballistic vehicle interdiction and/or disabling may consider the discharge of a special application firearm at a vehicle or other motorized craft to disable it as per their training when it is to prevent imminent grievous bodily harm or death.
22. The discharge of a firearm as a warning shot is prohibited.

**NOTE:** None of the foregoing 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 subjects, **DRAWING OF THE SIDEARM AND HAVING IT "AT THE READY" IS PROPER AND RECOMMENDED.**

23. In every instance when a member discharges their firearm, the member shall:
  - a. notify and request the attendance of a supervisor at the scene;
  - b. where the IIO has not asserted jurisdiction, relinquish the firearm, casings and live ammunition to a supervisor or investigating officer;
  - c. complete a SBORR (See RPM Section 1.16.8: Subject Behaviour Officer Response Reporting (SBORR) for SBOR reporting requirements);
  - d. submit a GO or a PS page within a GO; and



- e. obtain a replacement pistol, if required from the Firearms Training Team Supervisor, or from a person designated by the Inspector in charge of the Training and Recruiting Section.

**NOTE:** Section 23 does not apply to members discharging a firearm during firearms training where no injury or death has occurred.

- 24. A supervisor receiving notification that a member has discharged their firearm shall:
  - a. immediately report the incident to the Duty Officer;
  - b. direct an investigation into the reason for the discharging of the firearm where the IIO has not asserted jurisdiction (See RPM Section 4.2.1: *B.C. Police Act* - Independent Investigation Office: General Procedures);
  - c. request that FIU attend the scene;
  - d. seize the member's firearm, ammunition and any casings unless already seized by an investigating officer (See RPM Section 1.6.17(ii): Seizure of a Member's Firearm); and
  - e. notify the Firearms Training Team Supervisor.
- 25. A Duty Officer receiving a report that a member has discharged their firearm shall:
  - a. determine if the discharge of the firearm has caused injury or death and notify PSS, IIO and the on call Homicide Sergeant (who will designate an IIO Liaison member) as required (See RPM Section 4.2.1: *B.C. Police Act* - Independent Investigation Office: General Procedures);
  - b. ensure the requirements of section 23 and 24 have been met;
  - c. record the incident in the Duty Officer's log; and
  - d. notify PSS regardless of whether or not the discharge of the firearm caused injury or death.

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

- 26. When a member displays an intermediate weapon or firearm as a compliance tool to gain control of a person, without applying force with or physically using the tool on the person, the member shall complete a SBORR (See RPM Section 1.16.8: Subject Behaviour Officer Response Reporting (SBORR) for SBOR reporting requirements).
- 27. When a member has found it necessary to apply one or more of the following force options to gain control of a person:
  - Any physical force to a person that causes a reportable injury and medical attention is required or requested;
  - Uses a VNR;
  - Discharges/uses an intermediate weapon, force option of opportunity or firearm.

The member shall:

- a. notify and request the attendance of a supervisor at the scene;
- b. report the incident through a supervisor to the Duty Officer in the event of a reportable injury;
- c. offer medical assistance or aid to the subject. A member shall have BCAS attend when the subject requests medical attention or the member believes it is appropriate;
- d. request BCAS attendance, where the member believes that medical attention is required, regardless of whether or not the person in custody initially refuses such aid (See RPM Section 1.2.2: Use of Force to Provide Medical Aid);
- e. document whether medical attention was refused, requested and/or received;
- f. upon consent from the person in custody, request that FIU attends to photograph the person in custody;
- g. complete a SBORR (See RPM Section 1.16.8: Subject Behaviour Officer Response Reporting (SBORR) for SBOR reporting requirements); and
- h. submit a GO or a PS page within a GO report.



## 1.2 Use of Force

### 1.2.2 Use of Force to Provide Medical Aid

(Enacted: 2004.02.18)  
(Updated: 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 them 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 Handcuffs

(Enacted: 2021.10.23)  
(Updated: 2021.10.23)

#### POLICY

The use of handcuffs or other restraints to restrain a person is a use of force. 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 VPD or any officer or supervisor within it to protect the member from legal responsibility. The arrest of a person does not always provide the grounds to handcuff. The use of handcuffs to restrain a person must be:

- objectively reasonable in all circumstances;
- proportionate to the potential risk or harm the member seeks to prevent;
- necessary to fulfill a legitimate policing objective; and
- subjectively believed by the member that the application of the handcuff is necessary in all of the circumstances.

Being placed in handcuffs by a police officer can be a deeply stressful event. Members should, where practicable, seek to maintain the dignity of the arrested, detained, or apprehended person and take such steps as are reasonable in the circumstances. Where safe to do so, such steps may include: advising the person that the member will be placing them in handcuffs; verbally describing each step to the person; escorting the person in custody in a manner that minimizes visibility to the public, and; any other step the member deems appropriate in the circumstances.

#### DEFINITION

Disposable Restraints: Designed to be a back-up to handcuffs and a fast means of securing people in a mass arrest situation. These one-time use handcuffs can be made from various materials and are disposable after one use as they must be cut from the person's wrists using an appropriate cutting tool.

#### PROCEDURE

##### Authorization and Use

1. In order to use handcuffs, the member must have received instructional training approved by the Education & Training Unit. Members must be qualified on the use of handcuffs every three years as required by the BC Provincial Policing Standards (See RPM Section 2.4.1 Qualifying Standards - General).
2. Members must be able to articulate the specific circumstance necessitating the use of handcuffs to restrain a person. Relevant considerations provided by statute and common law are, the objectively reasonable need to:
  - a. protect the member(s), the public, or the person from harm;
  - b. prevent the person from attempting to leave;
  - c. locate and preserve evidence related to the reason for the person's arrest; or
  - d. where the law permits, facilitate the search of a detained or apprehended person.
3. In the absence of 2(a) through (d) above, a member's knowledge of past behavior alone is not sufficient to justify the use of handcuffs.





4. Absent a compelling justification (e.g., a clearly articulable safety concern) members shall not place a person in handcuffs who has been detained solely for an investigative detention.
5. In arriving at a decision to handcuff an arrested, detained or apprehended person, members should consider (in conjunction with (2) above) factors relevant to their lawful exercise of discretion, such as:
  - a. the seriousness of the offence or reason for the detention (e.g., an impaired investigation) or apprehension (e.g., pursuant to the *Mental Health Act*, *RSBC*);
  - b. factors unique to the person, having regard to principals of equity, diversity, inclusion, and dignity, including:
    - i. age (e.g., older adults);
    - ii. disabilities (physical or mental);
    - iii. medical condition (e.g., pregnancy);
    - iv. injury;
    - v. size (e.g., extreme obesity); and
    - vi. Indigenous, racialized, and other equity deserving groups.
  - c. any other consideration the member believes is subjectively relevant and objectively reasonable to their handcuffing decision (e.g., such as a decision to handcuff the person with their hands in front).
6. Members shall not handcuff a child who is apparently under the age of 12 unless:
  - a. all other options have been exhausted or assessed by the member as inappropriate (e.g., verbal communication, de-escalation strategies); and
  - b. the member reasonably believes that the child must be restrained in order to prevent immediate harm to the child or others.
7. Members are responsible for an ongoing assessment of whether it is necessary or appropriate to continue a person's restraint with handcuffs.
8. Where a member has lawfully restrained a person and then determines that it is no longer necessary and/or appropriate to continue to apply the handcuffs, the member shall promptly release the handcuffs and advise a supervisor in the following circumstances:
  - a. instances of an apparent mistaken identity;
  - b. a mistaken belief about the restrained person's involvement in an offence; or
  - c. a mistaken belief as to the commission of an offence (e.g., no offence was committed).
9. Where a supervisor has been notified as per (8) above, the supervisor shall advise the Duty Officer as soon as reasonably practicable.
10. Upon notification as per (9) above, the Duty Officer shall:
  - a. note the circumstances of the event in the Duty Officer Log Book and determine whether any other steps should be undertaken, such as:
    - i. escalate to the Superintendent of North or South Command;
    - ii. notify the Director of Public Affairs;
    - iii. notify the Executive via the Duty Officer Serious Incident Distribution List; or
    - iv. any other steps the Duty Officer deems necessary or appropriate in the circumstances.
11. Unless it is unsafe to do so, the member applying handcuffs to a person shall ensure:
  - a. there is sufficient space between the handcuffs and the person's wrists;
  - b. that the handcuffs are double locked; and
  - c. that they respond promptly to a complaint about the handcuffs with a physical and visual inspection.
12. Members shall only use departmentally approved handcuffs unless exigent circumstances (e.g., an unplanned mass arrest) require alternative restraints such as departmentally approved disposable restraints. When disposable restraints are used, at least one member who is present must have a tool suitable for cutting and removing the disposable restraints.
13. Absent exigent circumstances (e.g., mass arrests) a member shall not handcuff a person to a fixed object or another person.



14. Members are responsible for the person's safety and owe them a duty of care while in police custody. Accordingly, the arresting member shall:
  - a. maintain visual continuity over the person they have handcuffed until they are released or the member has relinquished care of the person to the safekeeping of another member (e.g., to the wagon driver for transport); and
  - b. be aware of the length of time the person remains in handcuffs and be responsive to the potential need to remove the handcuffs when appropriate.
15. Upon taking custody of a person; the wagon driver shall, unless unsafe to do so, ;
  - a. confirm there is sufficient space between the handcuffs and the person's wrists;
  - b. confirm that the handcuffs are double locked; and
  - c. respond promptly to a complaint about the handcuffs with a physical and visual inspection.

### Replacement of Handcuffs

16. The wagon driver will supply the arresting member with a replacement pair of clean and functional handcuffs and shall transport the person in the handcuffs of the arresting member (see Handcuff Cleaning and Functionality below).
17. Wagon drivers will receive one replacement pair of handcuffs from the Jail upon production of the Jail Arrest Report (VPD602) and Jail NCO authorization is required where additional handcuffs are requested.

Wagon drivers should ensure that their wagon has a supply of disposable restraints to manage unforeseen circumstances and/or if they should be required by members.

### Documentation

18. The need to document the use of restraints is important and members must be mindful of this requirement in order to fully understand the framework of this entire procedure. Members shall record the use of handcuffs to restrain a person in a General Occurrence Report (GO), or their issued notebook, or on the Jail Arrest Report (VPD 602).
  - a. Documentation should include;
    - i. the reason for the handcuff use;
    - ii. the manner in which the handcuffs were applied (i.e., behind the person's back or in front of their torso, and if the person was standing, seated, or on the ground at the time of handcuffing);
    - iii. a notation that the handcuffs were checked for tightness;
    - iv. double locked; and
    - v. the response if a complaint was made that the handcuffs were too tight (i.e., a visual and physical inspection), or the reason why such an inspection was unsafe to conduct.
19. Where the handcuffing required a reportable level of force as described in RPM Section 1.16.8 Subject Behaviour Officer Response Reporting (SBORR) members shall complete, within 48 hours, an SBORR template and associated General Occurrence (GO) report (Unless there are exceptional circumstances that warrant an extension of time by the Duty Officer (designated by the Chief Constable). See also: RPM Section 1.16.8 Subject Behaviour Officer Response Reporting (SBORR) and RPM Section 1.16.7 *B.C. Police Act* - Reportable Incidents - Injuries or Death.
20. The wagon driver shall document their actions in 15, above, on the Vancouver Jail Arrest Report (VPD 602).

### Handcuff Cleaning and Functionality

21. Prior to placing handcuffs received by the Vancouver Jail (Jail) into circulation for use by members, the Jail NCO or designate shall ensure that all handcuffs are:
  - a. clean and lubricated as necessary (using department issued supplies only);





- b. inspected visually for damage; and
  - c. functioning properly (in accordance with training provided by the Education & Training Unit).
22. Members are responsible for handcuffs in their possession and absent exigent circumstances (e.g. an urgent officer safety concern) shall ensure that prior to each use, the handcuffs are:
- a. clean and lubricated as necessary (using department issued supplies only);
  - b. inspected visually for damage; and
  - c. functioning properly (in accordance with training provided by the Education & Training Unit).



## 1.2 Use of Force

### 1.2.3(i) Anti-Spit Masks

(Enacted: 2020.07.04)  
(Updated: 2020.07.14)

#### POLICY

The Vancouver Police Department (VPD) recognizes the need to utilize an Anti-Spit mask to protect VPD employees (sworn members and civilian professionals) and members of the public from the inherent risk of aggressive or uncooperative individuals who spit, bite or contaminate others with bodily fluids from their nose and/or mouth.

Human saliva is a known carrier of germs, bacteria and viruses which may cause infection or sickness to any person who is spat on, bitten or otherwise contaminated with bodily fluids from an individual's nose and/or mouth. Through the deployment of the Anti-Spit mask, VPD members can reasonably minimize the potential of injury or contracting a communicable disease.

#### PROCEDURE

##### Authorization and Use

1. Members shall request authorization from a supervisor prior to utilizing an anti-spit mask unless exigent circumstances make prior authorization impracticable.
2. In order to use an anti-spit mask, the member must have received instructional training as approved by the VPD Training Unit.
3. As a general pre-condition for use, members shall only use an anti-spit mask where there is no reason to believe that its use on a person in custody will result in injury.
4. Members shall only use an anti-spit mask authorized by the VPD.
5. Members shall only use an anti-spit mask to cover a person in custody's face and head when a member believes that a person in custody has, is about to, or is threatening to bite or contaminate others with spit or bodily fluids from their nose and/or mouth, or the person in custody is unable to control fluids expelling from their nose and/or mouth. Members must be aware that the use of an anti-spit mask shall not be based solely on the person in custody's history.
6. Members shall ensure that the person in custody is under control and restrained before applying an anti-spit mask.
7. Members should remove the person in custody's eyewear and head/face jewellery, if possible, before using an anti-spit mask.
8. During the use of an anti-spit mask, members shall ensure that the person in custody is kept under constant supervision.
9. Members shall NOT use an anti-spit mask on a child who is apparently under the age of 12 unless:
  - a. all other options have been exhausted or assessed by the member as inappropriate (e.g., verbal communication, de-escalation strategies); and
  - b. the member reasonably believes that the anti-spit mask must be used on the child in order to prevent immediate harm to the child or others.
10. Members shall NOT use an anti-spit mask if the person in custody:
  - a. is vomiting or has recently vomited;
  - b. is showing signs of suffering from a respiratory illness or is having difficulty breathing;
  - c. is apparently having or just had a seizure;
  - d. is bleeding profusely from the mouth, nose or head;
  - e. is drowsy, lethargic or otherwise displaying an altered level of consciousness; or
  - f. was contaminated with a chemical agent such as Oleoresin capsicum (OC) spray or CS gas.



11. Members shall NOT use an anti-spit mask if it does not fit on the person in custody's head or it is too tight.
12. Members should NOT remove items of cultural significance from the person in custody in order to make the anti-spit mask fit.
13. If during a dynamic situation, items of cultural significance are inadvertently removed from a person in custody, members are to refer to the following guide: Cultural Considerations in Searches of a Person.
14. Members shall remove the anti-spit mask and seek medical intervention where the person in custody:
  - a. vomits or exhibits signs of imminent vomiting;
  - b. shows signs of respiratory distress;
  - c. is apparently having or just had a seizure;
  - d. begins bleeding profusely from the mouth, nose or head; or
  - e. appears to be drowsy, lethargic or otherwise displaying an altered level of consciousness.
15. Members shall remove the anti-spit mask from the person in custody when there is no longer an imminent threat of being spat on, bitten or contaminated by bodily fluids from the person in custody's nose and/or mouth.
16. Members shall not use a contaminated or previously used anti-spit mask. If a second anti-spit mask is required for the same person in custody, a new anti-spit mask must be used.

### Transport

17. Members shall only transport a person in custody wearing an anti-spit mask when:
  - a. they are accompanied by a secondary transporting officer or Special Municipal Constable (SMC) member who will continually monitor the person in custody wearing the anti-spit mask via closed circuit television for their safety, including the reasons listed in 14 (a)-(e) above;
  - b. the person in custody is placed alone in a wagon or vehicle compartment; and
  - c. the person in custody is transported directly to the Vancouver Jail.
18. The transporting member should advise the Jail supervisor of the use of the anti-spit mask on the person in custody prior to or upon arrival at the Vancouver Jail.

(See RPM Section 1.12.1(iii): Transportation of Persons in Custody)

### Documentation

19. When an anti-spit mask is utilized, the arresting member and/or secondary member shall, as appropriate:
  - a. record in their notebook the reasons for use and/or its removal (for reasons listed in 14 (a) through (e), above);
  - b. the name or PIN of the authorizing supervisor; and
  - c. record the use of an anti-spit mask on the:
    - i. Vancouver Jail Arrest Form (VPD602), (Use of Force section, tick box: Other, write in anti-spit mask);
    - ii. Subject Behaviour Officer Response Report (SBORR), should the reporting threshold be met; and
    - iii. Police Statement page within the General Occurrence (GO) report.
20. Where the accompanying member is a SMC or is not the member who used or made the decision to use the anti-spit mask, that person shall record in their notebook their visual observations of the subject's transportation, as per 17, above.

### Disposal of Anti-Spit Mask



21. Members shall treat used anti-spit masks as biohazardous material and dispose of them in a hazardous waste material receptacle.



## 1.2 Use of Force

### 1.2.3(ii) Leg Restraint - Hobble

(Enacted: 2021.05.06)  
(Updated: 2021.05.06)

#### POLICY

The Vancouver Police Department (VPD) recognizes the need to utilize a leg restraint (Hobble), when a member believes that person in custody has, is about to, or is threatening to use their legs and/or feet to injure themselves or others, damage property, cause a disturbance, or escape from custody. The member may, where appropriate or reasonable to do so, restrain the person in custody by using a Hobble. Through the deployment of a Hobble, members can reasonably minimize the potential of injury or damage to property.

#### PROCEDURE

##### Authorization and Use

1. Members shall request authorization from a supervisor prior to utilizing a Hobble unless exigent circumstances make prior authorization impracticable.
2. Members shall only use a Hobble that is authorized by the VPD.
3. In order to use a Hobble, the member must have received instructional training as approved by the VPD Training Unit. Members must be qualified on the use of a Hobble every 3 years (See RPM Section 2.4.1 Qualifying Standards - General).
4. As a general pre-condition for use, members shall only use a Hobble where there is no reason to believe its use on a person in custody will result in injury.
5. Members shall only use a Hobble on a person in custody when a member believes that person in custody has, is about to, or is threatening to use their legs and/or feet to injure themselves or others, damage property, cause a disturbance, or escape from custody.
6. Members shall not use a Hobble based solely on a person in custody's history or as a punitive measure.
7. Members shall NOT use a Hobble on a child who is apparently under the age of 12 unless:
  1. all other options have been exhausted or assessed by the member as inappropriate (e.g. verbal communication, de-escalation strategies); and
  2. the member reasonably believes that the Hobble must be used on the child in order to prevent immediate harm to the child or others.
8. Members shall not place the restrained person in custody in a maximal prone position (knees bent and ankles secured to wrists in a hog-tie fashion) as this may place pressure on the diaphragm and inhibit respiration (positional asphyxia).
9. Members are responsible for the well-being of all persons in custody and should be aware of the concepts of positional asphyxia, indicators of excited delirium syndrome, and the potential effects of alcohol or drug intoxication. When a person in custody shows any signs of medical distress, the member shall immediately seek medical attention for the person in custody.
10. In the event a restrained person in custody remains aggressive for an unreasonable amount of time, an emergency medical assessment at the first opportunity should be considered.

##### Transport and Escort

11. If the person in custody is still kicking and/or fighting and it is not safe to remove the Hobble, firm control of the Hobble tether should be maintained.
12. Members shall place the person in custody, restrained by a Hobble, with their feet facing the police wagon door.
13. Members shall not transport a person in custody, who is restrained with a Hobble, in the same wagon compartment as other persons in custody.



14. The wagon driver shall transport a person in custody, who is restrained with a Hobble, directly to the Vancouver Jail or a designated correctional or medical facility, unless otherwise authorized by a supervisor.
15. The wagon driver shall be accompanied by another member or Special Municipal Constable (SMC), who will continually monitor the person in custody via closed circuit television.
16. The wagon driver should advise the Vancouver Jail supervisor of the use of the Hobble prior to or upon arrival at the Jail.

(See RPM Section 1.12.1(iii): Transportation of Persons in Custody)

**Documentation**

17. When a Hobble is utilized, the arresting member and/or secondary member:
  - a. record in their notebook the reasons for use and/or its removal;
  - b. record the use of a Hobble on the:
    - i. Jail Arrest Form;
    - ii. Subject Behaviour Officer Response Report (SBORR), should the reporting threshold be met; and
    - iii. Police Statement page within the General Occurrence report.
18. The secondary transporting member or SMC who is observing the person in custody during transport shall record in their notebook their visual observations of the person in custody's transportation.





## 1.2 Use of Force

### 1.2.4 Automated External Defibrillators (AED)

(Enacted: 2013.01.22)  
(Updated: 2020.02.27)

#### POLICY

An automated external defibrillator (AED) is a portable device that delivers an electric shock through the chest to the heart to treat sudden cardiac arrest. This policy provides the list of locations where AEDs are readily available to conducted energy weapon (CEW) operators and trained officers and provides notification and reporting requirements after the use of an AED. When deploying a CEW, Vancouver Police Department (VPD) members must have an AED available, if feasible. Policy information on the justification or use of a CEW can be found in RPM Section 1.2.1: Use of Force - Justification.

#### PROCEDURE

1. An AED shall be available in the following vehicles:
  - a. Beat Enforcement Team (BET) supervisor vehicles;
  - b. Collision Investigation Unit (CIU) supervisor vehicles;
  - c. Patrol supervisor vehicles;
  - d. Canine Unit supervisor vehicles;
  - e. Emergency Response Team (ERT) supervisor vehicles;
  - f. Marine Unit vessels;
  - g. Traffic Enforcement Unit supervisor vehicles;
  - h. Police wagons; and
  - i. Any other VPD vehicle deemed appropriate.
2. Members shall check the status of the AED in their AED equipped vehicle, or Marine Unit 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 Cambie Fleet Services Kiosk.
3. Only trained members shall use an AED.
4. When a member uses an AED on a person, emergency medical assistance, either from BC Ambulance Service (BCAS) or a hospital, shall be sought as soon as possible. The member shall advise emergency medical personnel of the circumstances of the AED use.
5. After the use of an AED, the member shall request the attendance of a supervisor. The attending supervisor shall advise the Duty Officer of the AED use.
6. 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 a Subject Behaviour Officer Response Report (SBORR), that member shall document the use of the AED in a General Occurrence (GO) report. That member shall also note that an AED was used in the narrative box located on the last page of the SBORR template.
7. When an AED is used following the discharge of a CEW, the member shall forward an email to the CEW Coordinator with the following information:
  - a. The incident number of the GO report;
  - b. The AED serial number; and
  - c. A synopsis of the incident.
8. When an AED is used, a Fleet Services Unit supervisor is responsible for the removal of the AED from service until a function and maintenance check is performed and its data is downloaded. If a wall-mounted AED is used from within a police building, the VPD Safety and Health Coordinator will have that responsibility.
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 GO report.





## 1.3 Emergency Services

### 1.3.1 Ambulances

(Enacted: 2000.09.05)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 1.3 Emergency Services

### 1.3.2 Emergency Equipment

(Enacted: 2008.07.28)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 1.3 Emergency Services

### 1.3.3 Fire and Rescue

(Enacted: 2008.07.28)  
(Deleted: 2018.03.09)

This policy has been rescinded.



## 1.3 Emergency Services

### 1.3.4 Fire Extinguishers in Police Vehicles

(Enacted: 2000.08.30)  
(Updated: 2021.06.21)

#### **POLICY**

Vancouver Police Department (VPD) police vehicles are equipped with fire extinguishers that are regularly maintained and replaced by the VPD Fleet Services Unit or City of Vancouver Fleet Operations employees.

#### **PROCEDURE**

1. If a member becomes aware that a fire extinguisher requires immediate replacement, it is incumbent upon the member to ensure the VPD Fleet Services Unit staff is advised immediately. This will ensure the fire extinguisher is replaced as soon as possible.
2. A fire extinguisher that has been discharged may be taken to the Cambie Fleet Services kiosk located at 1850 Spyglass Place, 24 hours a day, or to the City of Vancouver, National Works Yard located at 701 National Ave., 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

(Enacted: 2000.05.16)  
(Updated: 2021.08.10))

#### POLICY

Sections 10(a) and 10(b) of the *Canadian Charter of Rights and Freedoms* 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 they wished to contact legal counsel and then subsequently indicates that they no longer wish 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 detainment*). 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 arrested person. 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 arrested person 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, they 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 of the arrested people 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 - Section 320.27(1)(b) CC

"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 me for the purpose of enabling such samples to be taken. Do you understand?"

##### b. Mandatory Alcohol Screening - Section 320.27(2) CC

"In accordance with the provisions of the *Criminal Code* and 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 of the *Criminal Code*. The investigating member shall use the following words when giving the demand:





a. Breath Demand - Section 320.28(1)(a)(i):

"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, 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 - Section 320.28(1)(a)(ii):

"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 - Section 320.27(1)(c):

"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 - Section 320.28(2)(b):

"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 your 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 samples will not endanger your life or health. Do you understand?"

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

"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) CC**

"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 you 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) CC**

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

"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) CC



"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) CC**

"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 Warrant Arrests

(Enacted: 2000.07.26)  
(Updated: 2022.01.21)

#### POLICY

The Vancouver Police Department (VPD) has a duty to make and document all reasonable efforts to execute arrest warrants, issued as a result of VPD criminal investigations in a timely manner. Failure to discharge this duty may put the public at risk, create civil liability for the VPD, and violate a person's rights under the *Canadian Charter of Rights and Freedoms* to a trial within a reasonable time. Warrants of arrest issued by outside agencies are executed in the regular course of duty or as requested by the issuing agency.

#### TYPES OF WARRANTS

**First Instance Arrest Warrant:** a peace officer, who believes that an offence has been committed by a person not yet apprehended, may seek an arrest warrant in the first instance through a report to Crown Counsel (RTCC). The RTCC must provide reasonable grounds to believe that it is in the public interest that an arrest warrant be issued.

**Bench Warrant:** a warrant to arrest (Form 7 in the *Criminal Code* (CC)) issued by a judge or justice having jurisdiction when a person has failed to attend court when directed by a summons, appearance notice, undertaking, judicial interim release or when directed by the court to return on a subsequent date.

**Warrant of Committal:** a warrant that 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.

**Material Witness Warrant:** a warrant to arrest (Form 17 CC) issued by a judge or justice for the apprehension of a witness who is evading service of a subpoena or has not appeared in court after being served a subpoena as per section 698 and 705 CC.

**Immigration Warrant:** under section A55(1) of the *Immigration and Refugee Protection Act* (IRPA), a Canada Border Services Agency (CBSA) officer may issue a warrant for the arrest and detention of a permanent resident or foreign national whom the officer has reasonable grounds to believe is inadmissible to Canada and is a danger to the public or is unlikely to appear for examination, for an admissibility hearing, or for removal from Canada.

**Extradition Warrant:** an arrest warrant issued pursuant to the federal *Extradition Act*.

**Warrant of Apprehension and Suspension:** a warrant to suspend the parole or statutory release and authorize the apprehension of a person pursuant to the *Corrections and Conditional Release Act*. For more information see RPM Section 1.6.29 Breaching Parolee Conditions.

**Mental Health Act Warrant:** a warrant to apprehend and transport to a designated facility (Form 10 MHA) issued by a judge or justice or a warrant to apprehend and return to a designated facility (Form 21 MHA) issued by a director of a designated facility. For more information see RPM Section 1.6.24 Apprehensions of Persons Under the *Mental Health Act* and Transportation to a Designated Facility.

**DNA Warrant:** a warrant, issued by a judge, authorizing the arrest of a person for the purpose of taking of samples of bodily substances from a person for DNA analysis.



**DNA Order:** issued by a judge at the conclusion of a criminal trial.

**Unendorsed Arrest Warrant:** an arrest warrant which has not been signed by a judge or justice. The person must be held in police custody until they are brought before a judge or justice. A fingerprint warrant is an example of an unendorsed warrant.

**Endorsed Arrest Warrant:** an arrest warrant which has been signed by a judge or justice. An endorsed warrant authorizes a police officer to release the person after arrest and compel them to court on their own accord by way of summons, appearance notice or undertaking.

**Family Warrants:** an arrest warrant issued at the Provincial Court directed to all peace officers in British Columbia to arrest the named person and hold them in police custody until they are brought before a judge or justice. These warrants may be issued under the Family Maintenance Enforcement Program (FMEP), the Child, Family and Community Service Act, a warrant under Provincial Court Family Rules, or under the Adult Guardianship Act. Family warrants are added to CPIC and handled as other criminal warrants of arrest.

## PROCEDURE

### VPD First Instance Arrest Warrants

1. When a VPD arrest warrant is issued in the first instance, the CPIC Management Unit will enter the warrant into PRIME and the General Occurrence (GO) report will be routed to the handle of the original unit/section that requested the warrant.
2. The supervisor in charge of the originating unit/section shall assign a follow up to the member who requested the warrant (lead investigator) or to another member of that section if the lead investigator is not available.
3. Once assigned a follow up, the member must attempt to locate the person named in the warrant. Members should consider using various data bases to assist in locating the person named in the warrant. If it is determined that the person lives outside VPD jurisdiction, the member must request via CPIC message, assistance from the appropriate agency in executing the warrant.
4. Members shall supplement the original General Occurrence (GO) report outlining all the steps taken to locate and arrest the person.

For information on Walk-Through Warrants See RPM Section 1.6.43(v): Walk-Through Warrants.

### Executing Warrants to Arrest - General

5. When a person who is the subject of an arrest warrant comes to their attention, members are required to follow the directive of the issuing judge, justice of the peace or court in executing the warrant. A member may arrest a person who is the subject of a valid warrant of arrest in that territorial jurisdiction, as per section 514 CC.
6. Under section 511 CC, if a person makes arrangements to surrender themselves to the police or the courts, arrangements can be made to execute the warrant in that manner. Members must take into account the reason why the arrest warrant was issued, the person's history of attending court and any other relevant factors in determining whether the person should be allowed to turn themselves in.
7. If the member believes that the person named in the warrant may no longer be subject to arrest because the terms of the warrant have been met, the member is obligated to fully investigate the matter. If unable to resolve the issue, the member shall consult with a supervisor prior to booking the person into the Vancouver Jail.
8. The arresting member shall submit a GO report documenting the following:
  - a. circumstances of the warrant arrest, including where the warrant originated and the associated file number; and
  - b. a description of the arrested person and disposition (e.g., lodged in jail, released).
9. The arresting member shall route the GO to CPIC to ensure it is removed from CPIC once executed.





10. 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 the CPIC Management Unit.

#### Entry into a Dwelling-House to Execute an Arrest Warrant

11. Entry into a dwelling-house to execute an arrest warrant is prohibited unless:
  - a. the arrest warrant is endorsed with an authorization enter under section 529(1) CC; or
  - b. the arrest warrant is accompanied by a separate entry authorization warrant issued under section 529.1 CC; or
  - c. there are reasonable grounds to believe that entry into the dwelling-house is necessary to prevent imminent bodily harm or death to any person; or
  - d. there are reasonable grounds to believe that evidence relating to the commission of an indictable offence is present in the dwelling-house and that entry into the dwelling-house is necessary to prevent the imminent destruction of evidence; or
  - e. in circumstances of fresh pursuit.

#### Executing VPD Arrest Warrants

12. The arresting members shall:
  - a. confirm that the person in their custody is the person named or described in the warrant;
  - b. confirm with the CPIC Management Unit that the warrant is active and valid;
  - c. obtain a copy of the warrant from the CPIC Management Unit, review for details of offence and determine if the warrant is endorsed or unendorsed; and
  - d. arrest the person and provide them with their 10(a) and (b) *Charter* rights for the charges set out in the arrest warrant.
13. If the warrant is endorsed, the arresting members shall:
  - a. review the original file to determine if the warrant was strictly for booking and fingerprinting of the person, and if so then follow the unendorsed warrant procedure and transport to the Vancouver Jail;
  - b. determine suitability for the person's new release on an undertaking (UTA) or appearance notice (AN) with conditions considering the following:
    - i. a review of the original file;
    - ii. a review of recent police reports regarding the person; and
    - iii. a review of circumstances surrounding the current arrest.
  - c. determine if the person can be appropriately released, using the considerations in (b), and if so select appropriate conditions in *Criminal Code* section 501(3) to provide for victim and witness safety;
  - d. prepare and serve a copy of the UTA or AN on the person and complete the certificate of service (see RPM Section 1.5.1: Issuing Appearance Notices (ANs) (Federal & Provincial) and Undertakings). To avoid trial delays provide one week between the date that the UTA is issued and the court appearance;
  - e. if the person is a youth, notify the youth's parents/guardians of their arrest and release including the new court date and any conditions of release;
  - f. supplement the original GO with the circumstances of the arrest, and decision to detain or release. When applicable provide all details of the new court date and any conditions of release;
  - g. print out and sign a copy of the warrant to verify that it has been executed;
  - h. provide a copy of the signed warrant and UTA or AN to the CPIC Management Unit as soon as practicable and no later than the end of shift;
  - i. return the original signed warrant and UTA or AN to the Crown Liaison Unit by end of shift; and
  - j. consult with the Jail NCO should assistance be required.
14. If the warrant is unendorsed, the arresting members shall:



- a. ensure that all warrants and charges are recorded on a Vancouver Jail Arrest Report (VPD602);
  - b. ensure that the person in custody is transported to the Vancouver Jail;
  - c. supplement the original GO with circumstances of the arrest, description of the person in custody and route to CPIC; and
  - d. consult with the Jail NCO should assistance be required.
15. If the person is transported to the Vancouver Jail, the Jail NCO shall:
- a. review the warrant and confirm if the warrant is endorsed or unendorsed;
  - b. follow steps in paragraph 13 if the warrant is endorsed;
  - c. ensure the person is held for court if the warrant is unendorsed.

### Executing Outside Jurisdiction Arrest Warrants

16. The arresting member shall:
- a. confirm that the person in custody is the person named on CPIC ;
  - b. confirm with the CPIC Management Unit that the warrant is valid;
  - c. ensure that all warrants and charges are recorded on a Vancouver Jail Arrest Report (VPD602); and
  - d. transport the person to the Vancouver Jail. Any VPD charges and outstanding warrants shall be entered on the Vancouver Jail Arrest Report (VPD602).
17. The on-duty Jail NCO shall:
- a. if the warrant is unendorsed, hold the person in custody for appearance before an appropriate justice;
  - b. if the warrant is endorsed, determine suitability for the person's release on an UTA or AN by contacting the related outside agency and also considering the following:
    - i. a review of the original file;
    - ii. a review of recent police reports regarding the person; and
    - iii. a review of circumstances surrounding the current arrest.
  - c. in consultation with the outside agency, determine if the person is suitable for release and if conditions are deemed necessary, select appropriate conditions from *Criminal Code* section 501(3) to ensure victim and witness safety;
  - d. obtain any additional recommended conditions of release and proposed court dates and locations from the outside agency;
  - e. prepare and serve a copy of the UTA or AN on the person and complete the certificate of service (see RPM Section 1.5.1: Issuing Appearance Notices (ANs) (Federal & Provincial) and Undertakings). To avoid delays allow one week between the date that the AN or UTA is issued and the initial court appearance;
  - f. if the person is a youth, notify the youth's parents/guardians of their arrest and release including the new court date and any conditions of release;
  - g. create a new GO (UCR Code 8150) and reference the outside agency file include the circumstances of the arrest and the decision to detain or release. When applicable, provide all details of the new court date and any conditions of release;
  - h. print out and sign a copy of the warrant to verify that it has been executed;
  - i. provide a copy of the signed warrant and UTA or AN to the CPIC Management Unit as soon as practicable and no later than the end of shift;
  - j. return the original UTA or AN and warrant to the related outside agency via mail, fax or email; or
  - k. release the person in custody to the related outside agency.

For more information on the BC Fugitive Return Program, see RPM Section 1.4.2(i): Outside Jurisdiction Warrant Arrests (BC Fugitive Return Program).

### Arrest Warrants Originating Outside of Canada





18. A member who encounters a person wanted on a foreign warrant shall:
- not arrest unless satisfied that the foreign warrant has been brought into effect in Canada;
  - if it is believed that the foreign warrant is not valid in Canada, members shall document the incident and contact the originating agency via CPIC message.

### Executing Warrants of Committal

19. People arrested on warrants of committal shall be given the opportunity to pay the outstanding money owed.
20. The person may make payment of fines to the Court Registry during business hours.
21. During the hours that the office is closed, the Vancouver Jail Records Officer shall:
- receive all money paid as a payment of fines (cash is the only acceptable tender);
  - issue a receipt from the Vancouver Jail receipt book to the person;
  - write "US funds" on the receipt, if applicable, and instruct the person to return during regular court hours to receive any exchange amount from the Court Registry;
  - seal all money received, with a copy of the receipt, in an envelope and label the front of the envelope with:
    - the person's name;
    - date of birth;
    - GO number;
    - the amount of money.
  - place the sealed envelope in the safe; and
  - during business hours, call the Court Registry and advise that there is money for pick up.
22. Upon execution of the warrant, the arresting member shall submit a GO report detailing the circumstances of arrest and release, the description of the person and route it to the CPIC Management Unit.

### Executing DNA Warrants

23. The arresting members shall:
- confirm that the person in custody is the person named or described in the warrant;
  - confirm with the CPIC Management Unit that the warrant is valid;
  - arrest the person and provide them with their 10(a) and (b) *Charter* rights for the charges set out in the DNA warrant;
  - transport the person to the Vancouver Jail where employees trained to execute DNA warrants will obtain the sample;
  - ensure that the person is released from custody after the warrant has been executed unless they have an outstanding criminal charge; and
  - submit a GO (or for VPD files, supplement the original GO) with the circumstances of the arrest and release, description of the person and route it to the CPIC Management Unit.

### Executing DNA Orders

24. The arresting members shall:
- confirm that the person in custody is the person named or described in the DNA order;
  - ensure through the CPIC Management Unit that the warrant is valid;
  - detain the person for the outstanding DNA order;
  - transport the person to the Vancouver Jail where employees trained to obtain fingerprints and execute the DNA order will obtain the sample; and
  - submit a GO (or for VPD files, supplement the original GO) with the circumstances of the detention and release, description of the person and route it to the CPIC Management Unit.



## 1.4 Arrest & Detention

### 1.4.2(i) Outside Jurisdiction Warrant Arrests (B.C. Fugitive Return Program)

(Enacted: 2010.10.21)  
(Updated: 2021.07.30)

#### POLICY

People who are the subject of a *Criminal Code* (CC) arrest warrant issued by another city or province (Outside Jurisdiction Warrant) may be subject to arrest and returned to the jurisdiction issuing the warrant under provisions in the CC. The BC Fugitive Return Program (BC FRP) is a provincially funded program that addresses persons who currently reside in BC and have outside jurisdiction warrants for their arrest. The Vancouver Police Department (VPD) Chronic Offender Unit (COU) works with the BC FRP to facilitate the arrest and return of people with outside jurisdiction warrants to the jurisdictions issuing the outstanding warrant.

The BC FRP balances holding people accountable and ensuring public safety with fiscally responsible administration of justice.

This policy will ensure that members are aware of their authority to arrest people who are the subject of outside jurisdiction warrant(s).

**BC FRP Criteria:** This program focuses on three main crime types when identifying people for return to the outside jurisdiction:

1. **Violent Crimes:** Crimes of violence beyond simple assault or simple threats - such as robbery, sexual assault, aggravated assault or assault causing bodily harm;
2. **Serious & Sensitive Crimes:** Where offences involve undermining the administration of justice, e.g., obstructing justice, unlawfully at large, or a significant number of failures to appear and/or breaches of court orders. The particular nature of the breach, such as failure to comply with counseling terms on a probation order for sexual assault, is also relevant. Non-violent offences involving vulnerable or elderly victims may also be considered under this criteria (e.g., fraud theft, harassment); and/or
3. **Organized or Gang Crimes:** Offences that relate to organized or gang crime.

The authority to arrest a person subject to an outside jurisdiction warrant is found under Section 495(1)(a) CC. This provision gives members the authority to arrest anyone who has committed an indictable offence, or whom, on reasonable grounds, the member believes has committed an indictable offence (including all dual offences), or is about to commit an indictable offence. The existence of an arrest warrant on the CPIC database is sufficient to give members reasonable grounds to believe that the person has committed an indictable offence(s), as required under Section 495(1)(a) CC.

#### Categories for Returns:

There are two types of returns:

**Strategic/Planned:** The majority of return requests are pre-planned and strategic, where the person has been flagged as a candidate for return and the administrative and investigative background work has been done in advance of the arrest.

**Unplanned/Roadside:** In the event of an unplanned roadside stop where a person meets the criteria for return and they are a flight risk or pose an immediate risk to the public.

#### PROCEDURE



### Strategic/Planned Return Request

1. When a VPD member encounters a person who has an outside jurisdiction warrant for their arrest on CPIC, the member believes that the warrant meets the BC FRP criteria, and the person has no current charges in BC, the member should not immediately arrest for the outside jurisdiction warrant at the scene unless other circumstances exist (such as the release poses a danger to the public or there is a significant flight risk). Although there are provisions within the CC to allow for such an arrest to take place, the administrative burden placed on the VPD, Crown and out of jurisdiction police agency renders those provisions prohibitive.
2. Members shall confirm the identity of the person, and:
  - a. document the person's name, date of birth, height, weight, hair and eye colour, identifying marks, tattoos, and documentation carried by the suspect;
  - b. identify the person's fixed address, phone number(s), email address, and/or social media accounts; and
  - c. identify places of employment, acquaintances, and/or vehicles associated to the person.

This information will be required to locate the person when it is time to facilitate their return to the outside jurisdiction, and/or at an upcoming Identity Hearing, as per Section 503(3) CC.

3. Once satisfied with the person's identity and contact/address information, if no other circumstances indicate continued detention, members may release the person at the scene for follow up by BC FRP at a future date.
4. When a member is satisfied that a person meets the criteria for a return request by the BC FRP they shall:
  - a. create a General Occurrence (GO) report using UCR code 8900 "Assist Outside Agency". The GO should include:
    - i. a synopsis of the circumstances the person's criminal record and CPIC information/background;
    - ii. the person's PRIME history;
    - iii. the offence for which the person is wanted.
  - b. use the "Out of Province Warrant" study flag on the front page of the GO; and
  - c. route the GO to the COU workflow through PRIME *and* contact the COU by e-mail or telephone during office hours to confirm the COU is aware and to discuss any other details of the file.
5. When the COU is made aware of a return request through a requesting member, they shall review the file to determine if the person meets the criteria and if the case is suitable for a planned return or an immediate return. If the COU determines the person DOES NOT meet the criteria, this may be communicated to the requesting member with reasons. If the COU determines the offender DOES meet the criteria, the COU shall:
  - a. create a CPIC narrative page to the police agency where the outside jurisdiction warrant is held and request that the outside agency review their file to consider extending the radius of their warrant to BC;
  - b. contact the BC FRP Coordinator and provide them with the GO file number to request review and consideration for return. The BC FRP Coordinator will assess and determine if the person meets the criteria for the program. Should the BC FRP Coordinator deem the person to be a good candidate, they will liaise with crown counsel and police in the outside jurisdiction regarding the warrant and funding options for the person's return. Should the outside jurisdiction not wish to extend the warrant, the BC FRP Coordinator may encourage the outside agency to vacate the warrant or stay the charges. Note: The process for warrant extension and fugitive return may take several days or weeks;
  - c. request that the outside agency send the following information:
    - i. a copy of the summary of police report;
    - ii. a copy of the Information; and
    - iii. a copy of the warrant.
  - d. save the documents, when they are received, in the GO as an attachment; and



- e. note the outcome in the GO.

#### **Unplanned (Roadside) Return Requests**

6. If a member encounters a person who:
  - a. has an outside jurisdiction warrant fitting the criteria in section 2; and
  - b. they believe on reasonable grounds that the person poses an imminent risk to the public and/or is a flight risk; and
  - c. they believe the return request must be dealt with immediately and it is not appropriate to release the person at the scene to await future BC FRP follow-up; thenthe member may consult with their supervisor to determine if the person merits consideration for an unplanned/roadside return request.
7. If the supervisor agrees that the person merits consideration for an unplanned/immediate return request, the supervisor may contact the COU supervisor to advise the circumstances and reasons supporting an unplanned return request. If the COU supervisor agrees that the person meets the criteria for the immediate return request, the COU supervisor will direct the COU FRP liaison to contact the FRP Coordinator to request an immediate return.
8. After business hours, the supervisor shall contact the Duty Officer for approval to contact the FRP Coordinator.
9. The FRP Coordinator will approve the return request and/or provide direction to the member on how to proceed in an unplanned/roadside encounter depending on the particular circumstances.



## 1.4 Arrest & Detention

### 1.4.3 Arrest - Hold Pending Investigation (HPI)

(Enacted: 2002.01.16)  
(Effective: 2021.06.30)

#### 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 person is transported to the Vancouver 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 employees as the HPI administrative process entails a deviation from the standard processing procedure (i.e., a person who is held HPI shall not be photographed and fingerprinted nor will the person be transferred into the custody of the BC Sheriff Service (BCSS)).

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 ongoing investigation until either an RTCC is submitted recommending a charge(s) or the person is released. The authority to hold a person in custody is derived from Section 498(1.1) of the *Criminal Code* which stipulates the public interest conditions under which a peace officer shall not release an arrested person. 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 an interview of the person in custody, per *R. v. Viszlai*);
- 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 security; 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 Section 498 of the *Criminal Code*, or without any unreasonable delay in bringing the person before justice pursuant to Section 503 of the *Criminal Code*. However, as long as there were reasonable grounds to arrest, there is an ongoing investigation, and the continued detention of person 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 person is arrested and the arresting member intends to lodge the person 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 person 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 person, (i.e., to "secure or preserve evidence of or relating to the offence" Section 498(1.1) of the *Criminal Code*).
3. Upon receiving authorization for the HPI designation, the arresting member shall print "HPI (offence)" on the Jail Arrest Report (VPD 602).
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 person 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:
    - i. The name of the person in custody;
    - 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 Jail Arrest Report (VPD 602) and the Jail Booking sheet are marked "HPI (offence)";
  - c. ensure all persons designated HPI are allowed access to legal counsel unless otherwise advised for investigative purposes;
  - d. ensure that the person is not fingerprinted/photographed and is not placed on the court roster or transferred into the custody of the BCSS;
  - e. continue to assess the need for continued detention of the person pursuant to Section 498 of the *Criminal Code* and discuss with the lead investigator accordingly;
  - f. if the Jail NCO believes the person 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 Counsel's Legal Advice to the Police policy and RPM Section 1.16.5: Report to Crown Counsel; and
  - g. ensure the person is taken before a justice within the 24 hour period as required under Section 503 of the *Criminal Code*.
8. When charges are not being recommended and the person 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

(Enacted: 2001.04.04)  
(Updated: 2021.07.06)

#### POLICY

Police officers have a duty to maintain peace and security in the community. It is recognized that Vancouver Police Department (VPD) members 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 members 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 section 31(1) of the *Criminal Code* should only be used when all other options, such as an arrest for a substantive offence, have been exhausted and the members have witnessed the breach.
- b. Apprehended Breach of the Peace: Members have a common law power of arrest for an “apprehended breach of the peace”. This occurs when the member has not witnessed a breach of the peace, but the member 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 member does 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 members 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.

Persons displaying symptoms of intoxication that meet the criteria for intoxication in a public place but whose actions have a tenor of violence will be dealt with as an arrest for breach of peace as outlined in this section.

#### PROCEDURE

1. When a breach of the peace arrest is made the member shall obtain authorization from a supervisor prior to arresting the person, or if impracticable, then immediately after the arrest has taken place.
2. When a supervisor authorizes the breach of peace arrest and it is determined that continued detention is necessary, the person shall be transported to the Vancouver Jail where they will be reassessed by the 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 be routed to the arresting member’s assigned team handle and 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 supervisor;
- d. Disposition of the person; and
- e. UCR code 8350-0 (Breach of Peace).

#### **Supervisor's Responsibilities**

- 5. The authorizing supervisor shall attend the scene if practicable and is responsible for ensuring the lawfulness of the arrest.
- 6. The authorizing supervisor shall contact the Vancouver Jail NCO before the person is booked into the jail. The Jail NCO, in consultation with the authorizing supervisor, shall decide how long the person will be held in custody.
- 7. The authorizing supervisor 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 State of Intoxication in a Public Place

(Enacted: 2003.08.14)  
(Updated: 2021.11.30)

#### POLICY

The Vancouver Police Department (VPD) has an obligation to ensure intoxicated people who come into contact with the police are not a danger to themselves or others, and are provided with necessary care. Members will resolve situations involving intoxicated people with actions that are proportional to the risk of harm. When appropriate, a member's first priority should be to arrange for medical treatment and/or safe shelter for an intoxicated person. If necessary, members have the statutory authority to arrest individuals who are intoxicated in a public place and may hold them in custody.

#### Authority

Peace officers in British Columbia have the statutory authority to arrest someone for being intoxicated in a public place. This power to arrest is provided by the following statutes:

- Section 78(1) of the *Cannabis Control and Licensing Act (CCLA)*
- Section 175(1)(a)(ii) of the *Criminal Code of Canada (Criminal Code)*
- Section 74(2) of the *Liquor Control and Licensing Act (LCLA)*
- Section 91(1) of the *Offence Act*

#### Definition of Intoxication

For the purposes of the power to arrest, the British Columbia Court of Appeal has defined "intoxication" as "the condition of being stupefied or drunk from the consumption of alcohol or drugs to such a marked degree that the person is a danger to himself or others or is causing a disturbance."

#### PROCEDURE

1. BC Ambulance Service (BCAS) and/or Vancouver Fire and Rescue Services (VFRS) must be called for any intoxicated person who a member believes requires medical assessment or treatment.
  - a. Members should consider that an individual may be unable, given the nature of their 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).

#### Roadside Release

2. If an intoxicated person does not require further supervision or care, they may be released roadside by the member.
3. An intoxicated person who the member believes requires further supervision, may be released to a friend, family member, or acquaintance that a member believes is capable of safely supervising the intoxicated person.
  - a. If the intoxicated person is under the age of 18, they should be released to a parent or guardian. If a parent or guardian is not available, the young person may be released to another suitable adult. Refer to RPM Section 1.6.47(iii) Intoxicated Youths.

#### Release to Sobering Unit / Other Accommodation



4. When a non-violent intoxicated person requires further care, and there is no appropriate person to care for them, they should be taken to the Vancouver Coastal Health Detox Centre (Sobering Unit) located at 377 East 2nd Avenue, or another accommodation deemed suitable by a member.
  - a. Alternate accommodations should be approved by a supervisor and may include, but are not limited to:
    - i. a shelter; or
    - ii. medical facility; or
    - iii. other place with supervision.

### Held in Custody

5. Where an intoxicated person meets the criteria for arrest under this policy, as well as the VPD policy for breach of the peace, and the behaviour constituting grounds to arrest for breach of the peace started prior to police contact, members shall proceed under RPM Section 1.4.4 Arrest for Breach of the Peace.
6. If an intoxicated person requires supervision and the Sobering Unit is closed, at capacity, is not suitable for the person, or if employees refuse to admit the person, they should be held for being intoxicated in public and transported to jail.

### Transportation

7. Saferide should be considered in the first instance for intoxicated people who agree to be transported to either the Sobering Unit or another accommodation deemed suitable by a member. Saferide should only be considered for people who:
  - a. are non-violent; and
  - b. are eligible for admission to the Sobering Unit; or
  - c. are capable of caring for themselves and a member determines that transporting the person to their residence or another accommodation is an option that is available and/or appropriate; or
  - d. are unable to care for themselves but have alternate accommodation where a member believes they will be safely supervised; or
  - e. are being transported to hospital but there is a delay with BCAS.
8. Saferide may be used to transport outside of the City of Vancouver if approved by a supervisor and agreed to by Saferide employees.
9. Police wagons or vehicles with designated transport compartments may be used to transport an intoxicated person to the Sobering Unit or other suitable accommodation.
10. Members escorting intoxicated people to the Sobering Unit shall attend the north lane of East 2nd Avenue at Scotia Street, and a member shall escort the intoxicated person to the admitting area.
  - a. a member should contact the Sobering Unit prior to transporting the intoxicated person, to determine if the Sobering Unit will accept the person; and
  - b. once on scene, a member shall advise Sobering Unit employees of their arrival prior to escorting the intoxicated person inside; and
  - c. a member shall remain with the intoxicated person for the duration of the admission process; and
  - d. provide Sobering Unit employees with the following information (if known) related to the intoxicated person:
    - i. name;
    - ii. date of birth;
    - iii. location and circumstances of transport;
    - iv. time of transport;
    - v. injuries to the person;
    - vi. whether BCAS attended.



## Supervisor Responsibilities

11. If an intoxicated person is to be held in the jail, a supervisor should advise the Jail NCO of the circumstances, prior to arrival at jail.
12. If an intoxicated person is to be transported to an alternate accommodation, a supervisor should be notified and approve the transportation and accommodation.

## Reporting Requirements

13. When a person is arrested and held in police custody for being intoxicated in public, a member shall submit a General Occurrence (GO) report; and
  - a. when a person is transported to the Vancouver Jail, the arresting member should submit a completed Vancouver Jail Arrest Report VPD 602 to the transporting officer.
14. If a person is arrested for being intoxicated in public and transported to an alternate accommodation, a member shall submit a GO.
15. In every case where a person is refused admission to the Sobering Unit, the basis for the refusal must be fully documented in a GO. The name of the Sobering Unit employee who is refusing admission should be included in the documentation.
16. If the intoxication is due to alcohol or a combination of drugs and alcohol, the UCR code that should be entered is Liquor-Intox in Public Place 7100-3. The intoxicated person should be listed as a "Suspect Chargeable."
17. When a report is submitted and a section 74(1) LCLA violation ticket has been issued, members should enter the ticket information, including type and number, under related events. The intoxicated person should be listed as "Charged" and shall be charged under section 74(1) LCLA.
18. If BCAS transports a person to hospital and members are asked by BCAS to accompany them for safety reasons, a member shall complete a GO documenting the incident as a casualty (RPM Section 1.4.6 Arrests of Injured Persons with Injuries or other Apparent Medical Risks). The UCR code used should be Assist-Casualty/EHS 8900-21.
19. If a person is voluntarily transported by Saferide to the Sobering Unit, or to hospital by BCAS without police escort, the member is not required to complete a GO but must enter the following pertinent information into the Computer Aided Dispatch (CAD) call, if available:
  - a. name and date of birth of intoxicated person(s); and
  - b. time and location of pickup; and
  - c. if BCAS attended.





## 1.4 Arrest & Detention

### 1.4.6 Arrest of Persons with Injuries or Other Apparent Medical Risks

(Enacted: 2002.02.24)  
(Updated: 2021.09.23)

#### POLICY

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

Also refer to:

- Section 1.2.1 (27) Use of Force - Justification
- 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 State of Intoxication in a Public Place
- Section 1.16.7 *BC Police Act* - Reportable Incidents - Injuries or Death

#### PROCEDURE

1. If a member believes a person in custody is in need of medical assessment or treatment, the member must request the attendance of BC Ambulance Service (BCAS), Vancouver Fire and Rescue Services (VFRS), or other medical professionals; and
2. Ensure the person in custody is transported to hospital if they:
  - a. are unconscious; or
  - b. had naloxone administered prior to, or while in custody; or
  - c. are suspected to have ingested anything that may cause a medical emergency and/or overdose; or
  - d. are incapable of making a rational decision with respect to medical treatment due to intoxication, mental health issue, and/or other medical condition such as a head injury (see RPM Section 1.2.2 Use of Force to Provide Medical Aid); or
  - e. wish to be transported to hospital for one of the following reasons:
    1. a police dog bite (see RPM Section 1.13.1 Use of Police Service Dogs); or
    2. police use of force (see RPM Section 1.2.1 Use of Force - Justification paragraph 27(c), (d) and (e)); or
    3. is suffering from any other obvious medical concern requiring emergency medical treatment.
3. Members should be cognisant that a person in custody has the right to refuse medical treatment, and a member may only use force to provide medical aid in circumstances outlined in RPM Section 1.2.2 Use of Force to Provide Medical Aid.
4. Members shall notify a 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. Members shall 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 supervisor of the expected time period involved.





7. Members should attempt to obtain a copy of the hospital discharge report and/or BCAS crew report to accompany the Jail Arrest Report (VPD 602).
8. Members should indicate on the Jail Arrest Report if a person in custody required medical attention prior to arrival at jail.
9. A person arrested for intoxication, who later requires hospitalization, shall be treated as a casualty, and will no longer need to be guarded (see RPM Section 1.4.5 Arrest State of Intoxication in a Public Place).

Supervisors shall:

10. Consult RPM Section 1.12.9 Hospital Guards, should the use of hospital guards be necessary.



## 1.4 Arrest & Detention

### 1.4.7 Arrest of a Shoplifter

(Enacted: 2000.09.05)  
(Updated: 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

(Enacted: 2002.07.29)  
(Updated: 2022.09.20)

#### POLICY

Vancouver Police Department (VPD) members may exercise any of their arrest powers on private property, including a dwelling house, if members are lawfully present on the property. VPD members must be cognizant of their authority to enter private property, especially if relying on the occupier's consent.

While VPD members can arrest a person for breach of the peace (BOP) (sections 30 and 31 of the *Criminal Code*) while on private property, this power should only be used when legal grounds to arrest for BOP have been established and all other options have been exhausted. If members determine that criminal or provincial offences have occurred, they should arrest for those offences, rather than BOP (see also RPM Section 1.4.4 Arrest For Breach of the Peace).

Specific arrest powers relating to private property are set out in provincial statutes, including:

- *Cannabis Control and Licensing Act*
- *Liquor Control and Licensing Act*
- *Trespass Act*

#### Legislative Authority

##### *Cannabis Control and Licensing Act (CCLA)*

"establishment" means

- all or part of a building or structure designated in a licence under the act to be the establishment, and
- any land adjacent to the building or structure referred to in paragraph (a) designated in a licence to be part of the establishment.

#### Section 49

1. Section 49(6) authorizes a peace officer to arrest without warrant, any person whom the peace officer believes on reasonable grounds is contravening section 49(4).
2. Section 49(4) stipulates a person must not:
  - a. without lawful excuse, the proof of which lies on the person, have personal possession of a weapon in an establishment;
  - b. remain in an establishment after the person is requested to leave in accordance with 49(3); or
  - c. enter an establishment within 24 hours after the time the person was requested to leave the establishment in accordance with section 49(3).
3. Section 49(3) provides licensees or employees of a licensee the right to request a person leave an establishment or forbid the person from entering.

##### *Liquor Control and Licensing Act (LCLA)*



## Section 61

1. Section 61(6) authorizes a peace officer to arrest, without warrant, any person whom the peace officer believes on reasonable grounds is contravening section 61(4).
2. Section 61(4) stipulates a person must not:
  - a. remain in a service area, in a licensed establishment (including a liquor store), or at an event site after the person is requested to leave in accordance with subsection 61(3);
  - b. enter a service area, a licensed 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); or
  - c. without lawful excuse, the proof of which lies on the person, possess a knife or weapon in a service area, in a licensed establishment, or at an event site.
3. Section 61(3) provides a licensee, permittee or employee of either, the right to request a person to leave or forbid them from entering a service area, establishment or event site in prescribed circumstances.

### Trespass Act

#### Definitions

"owner" in relation to land, means a person registered in the land title office as the owner of the land

"occupier" among other things means a person who has responsibility for and control over persons allowed to enter the premises and the activities carried out on or in the premises

"authorized person" means a person authorized by an occupier of premises to exercise a power or perform a duty of the occupier

"premises" means:

- a. land, including
    - i. enclosed land, and
    - ii. foreshore and land covered by water, and
  - b. anything on the land, including
    - i. a building or other permanent structure, including a building or permanent structure designed or used for shelter for livestock,
    - ii. a ship or vessel, train, railway car, vehicle or aircraft, except while in operation,
    - iii. a trailer or a portable structure designed or used as a residence, for shelter, including shelter for livestock, or to house a business, and
    - iv. water.
1. Pursuant to Section 2 it is an offence for a person to:
    - a. enter premises that are enclosed land;
    - b. enter premises after the person has had notice from an occupier of the premises or an authorized person that the entry is prohibited (such as by a "No Trespassing" sign);
    - c. engage in activity on or in premises after the person has had notice from an occupier of the premises or an authorized person that the activity is prohibited; or
    - d. not leave premises or stop the activity as soon as practicable after receiving the direction or re-enters the premises or resumes the activity on the premises when directed, either orally or in writing, by an occupier of premises or an authorized person.
  2. Section 7(3) authorizes a peace officer to arrest a person without warrant if the peace officer believes on reasonable and probable grounds that a person has committed an offence under section 2 and has recently departed from the premises and:
    - a. the person refuses to give the person's name and address to the peace officer on demand; or



- b. the peace officer believes on reasonable and probable grounds that the name or address given by the person to the peace officer is false.

## PROCEDURE

1. Members attending an incident where the above provisions of the *CCLA* or *LCLA* are applicable and where grounds to arrest for a substantive offence under the *Criminal Code* are not present shall:
  - a. obtain details from the person entitled under the statute to make the request to leave regarding requests made to the person to leave the establishment, service area or event as the case may be;
  - b. allow a reasonable period of time for the person to leave;
  - c. instruct the person of the consequences of remaining;
  - d. stand by to keep the peace;
  - e. if the person fails or refuses to leave and the member has reasonable grounds to believe the person is committing an offence under the *CCLA* or the *LCLA*, the member may arrest the person; and
  - f. document the incident in a General Occurrence (GO) report.
2. Members attending an incident where the provisions of the *Trespass Act* are applicable and where grounds to arrest for a substantive offence under the *Criminal Code* are not present shall:
  - a. obtain details from the occupier of the premises or their authorized designate regarding why the person 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 person to leave or, alternatively, obtain a written statement authorizing the member to direct the person to leave, signed by the occupier or their authorized designate;
  - c. if the occupier/designate has chosen to provide a written authorization, tell the person to leave;
  - d. allow a reasonable period of time for the person to leave;
  - e. instruct the person of the consequences of remaining;
  - f. stand by to keep the peace;
  - g. if the person fails or refuses to leave and the member has reasonable grounds to believe the person has committed an offence under the *Trespass Act*, the member may arrest the person; and
  - h. document the incident in a General Occurrence (GO) report.
3. Members arresting under the *CCLA*, *LCLA* or *Trespass Act* may release the person without charge, or may release them with a provincial violation ticket or on a provincial appearance notice.
4. Despite any request from a licensee (under the *CCLA* or *LCLA*) or from the occupier of the premises (under the *Trespass Act*), VPD members can choose to disregard the request if they believe that the request is made in bad faith, based on protected grounds under the *BC Human Rights Code*, or is an otherwise arbitrary request driven by systemic bias or profiling.

## Restaurant Watch, Barwatch, and Trespass Prevention Programs

5. Pursuant to Restaurant Watch and Barwatch agreements, VPD members are authorized persons under the *Trespass Act* for purposes of dealing with any person determined to be an Inadmissible Patron.
  - a. Refer to the Restaurant Watch & Barwatch - Operational Reference Guide for further details.
6. Pursuant to the Trespass Prevention Program agreement, VPD members are authorized persons under the *Trespass Act* for purposes of dealing with any person determined to be an 'unwanted person'.
  - a. Refer to the Trespass Prevention Program - Procedure & Reference Guide for further details.



## 1.4 Arrest & Detention

### 1.4.9 Arrest of a Peace Officer

(Enacted: 2000.07.28)  
(Updated: 2022.06.08)

#### POLICY

The Vancouver Police Department (VPD) recognizes that there may be circumstances that arise where members must arrest a peace officer from another agency or from the VPD. To ensure transparency, these incidents must be thoroughly documented and the proper notifications must be given.

#### DEFINITIONS

**Peace officer:** as defined in the *Criminal Code* under section (c) of the Definitions, includes a peace officer, police constable, bailiff, constable, or other person employed for the preservation and maintenance of the public peace or for the service or execution of civil process.

**Special municipal constable:** according to section 35 of the *BC Police Act*, this is someone that has been appointed as a special municipal constable and as such must assist the municipal police department in the performance of its duties. A special municipal constable has, while carrying out the duties of their appointment, the powers, duties and immunities of a municipal constable. A special municipal constable is described as a “constable” under the *BC Police Act*. The *Criminal Code* includes “constable” in its definition of a peace officer.

#### PROCEDURE

##### Reporting

1. Once a member’s report is complete regarding the arrest of a peace officer, in consultation with a supervisor, the report must be privatized. Refer to RPM Section 2.9.4(iii) Making Records Private or Invisible for more information.

##### Notifications

2. When a peace officer of any police department or other agency is arrested or issued an appearance notice, or a charge is contemplated; the arresting member or lead investigator in charge of the case file shall notify a supervisor when practicable. That supervisor shall then notify the Jail NCO and the Duty Officer.

##### Duty Officer responsibilities

3. The Duty Officer shall notify the commanding officer of the police department or other agency concerned, of the incident.
4. The Duty Officer shall immediately notify the Inspector or designate of the VPD Professional Standards Section (PSS) if the arrested person is a VPD member or special municipal constable.
5. The Duty Officer shall also notify the Chief Constable or designate of the VPD





## 1.4 Arrest & Detention

### 1.4.10 Arrest of Armed Forces Personnel

(Enacted: 2000.09.05)  
(Updated: 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

(Enacted: 2000.10.03)  
(Updated: 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 - Bylaw

(Enacted: 2001.05.22)  
(Updated: 2022.07.05)

#### POLICY

As the police of jurisdiction in the City of Vancouver (CoV), the Vancouver Police Department (VPD) is empowered to enforce and act under the authority of CoV by-laws. Although many CoV by-laws do not specifically grant the authority to arrest without warrant, this does not diminish a member's powers of arrest under common law or federal and provincial statutes.

#### Authority

The *CoV Street and Traffic By-law 2849* only grants the power to arrest, without warrant, for a by-law offence, when a pedestrian, bicyclist or person riding or coasting on skates, skateboard or push-scooter is found committing a by-law offence and fails to stop and state correctly their name and address when requested by a police officer.

- a. section 16(2) - specific to pedestrians;
- b. section 60F - specific to bicyclists;
- c. section 77A(4) - persons riding or coasting on skates, skateboard, or push-scooter.

#### PROCEDURE

1. As in most situations, members are granted the power of discretion when enforcing CoV by-laws. As CoV by-laws may disproportionally affect certain individuals, such as, but not limited to, those individuals who use substances or are experiencing homelessness, members are encouraged to use discretion and education when appropriate.
2. A person may only be arrested without warrant for by-law infractions under the *CoV Street and Traffic By-law 2849*, when they are:
  - a. found committing; and
  - b. fail to stop and correctly state their name and address when requested to do so by a member.
    - i. Section 77A(4) also requires an individual who is riding or coasting on skates, skateboard, or push-scooter, to state their date of birth.
3. If an individual is arrested solely for a by-law offence, they may only be held in custody until the member is satisfied with their identity. Once the individual's identity is confirmed, the member should:
  - a. serve a notice of by-law violation ticket; or
  - b. serve a municipal ticket information (MTI), see RPM Section 1.6.26 Municipal Ticket Information; or
  - c. not detain them further.

If the individual refuses to identify themselves, or the member is not satisfied with their identity, the member should contact a supervisor prior to transporting the individual to jail to hold the person in custody.

4. If a member wishes to apply for probation conditions or an increased fine, they should serve a notice of by-law violation ticket, rather than a MTI. See RPM Section 1.6.26 Municipal Ticket Information.
5. If a member arrests a young person under the authority of By-law 2849, the member shall be bound by RPM Section 1.6.47(ii) Charges and Arrests-Young Persons (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

(Enacted: 2001.05.22)  
(Updated: 2023.03.22)

#### **POLICY**

The police may compel a person's attendance in court through various means. For most offences, when a person is arrested without a warrant, the arresting member is obliged to release the person 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 person 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 person to comply with (*Criminal Code* section 493.1). This section illustrates the correct procedures to follow when federal or provincial appearance notices (AN) or undertakings are issued for adult or community court.

For young persons, refer to RPM Section 1.6.47(ii) Charges and Arrests - Young Persons. For judicial hearings, refer to RPM Section 1.6.49 Failure to Comply with (Breach of) Undertaking, Release Order, Conditional Sentence Order, or Probation.

See also: RPM Section 1.4.2 Warrant Arrests.

#### **Release Documents**

##### **Federal Appearance Notice**

Sections 497, 498(1)(b), 499(a), and 503(1.1)(a) of the *Criminal Code* cover the types of offences for which a Federal Appearance Notice (FAN) may be issued. A FAN may be issued pursuant to a lawful detention (e.g., 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 when there are no court appearance or public interest concerns.

##### **Provincial Appearance Notice**

A Provincial Appearance Notice (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 *Violation Ticket Administration and Fines Regulation* (e.g., *Motor Vehicle Act* "Driving while prohibited" and *Safe Streets Act* offences).

##### **Undertaking**

A police officer's power to release a lawfully arrested person on an undertaking can be found under section 498(1)(c), 499(b) and 503(1.1)(b) of the *Criminal Code*.

An undertaking may be issued at various stages throughout the investigation. For example, it can be completed at the scene when public interest and court appearance criteria are satisfied. In other instances, the person may have to be transported to jail until the public interest concerns are addressed; after which time the person may be released on an undertaking.

An undertaking is used to impose specific conditions on the person pursuant to section 501 of the *Criminal Code* to satisfy public interest or court appearance concerns.

#### **Additional Release Considerations**



When considering the release of a person, section 493.2 of the *Criminal Code* requires members give particular attention to the circumstances of:

- Indigenous people; and
- vulnerable populations that are overrepresented in the criminal justice system and that are disadvantaged in obtaining release.

## PROCEDURE

### Adult Court

1. Based on the requirements of the investigation and to meet court administrative needs, members shall allow a minimum of eight calendar weeks, or as soon as practicable, but no longer than ten 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. eight weeks would be a reasonable time frame for most routine investigations;
  - c. on more complex files, a lengthier return date may be required (ten 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 them in the bail comments. The available parameters for release conditions that can be issued by the police are listed in sections 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 requesting 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) has provided guidelines seeking to minimize or eliminate the use of certain bail conditions for individuals who use drugs. Among those conditions are broad area restrictions. Members should consider this checklist when considering requesting area restrictions for drug arrests; and
  - g. if imposing conditions via an undertaking, a timely investigation is required and Crown counsel must receive the completed report to Crown counsel (RTCC) at the earliest opportunity.
2. The RTCC must be submitted to Crown counsel at least three weeks in advance of the court date.

### Court Appearance: Location and Times

3. For 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 person'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 hours	A - F	Monday	Courtroom 307, 0900 hours
G - L	Tuesday	Courtroom 307, 1400 hours	G - L	Tuesday	Courtroom 307, 0900 hours



M - R	Wednesday	Courtroom 307, 1400 hours	M - R	Wednesday	Courtroom 307, 0900 hours
S - Z	Thursday	Courtroom 307, 1400 hours	S - Z	Thursday	Courtroom 307, 0900 hours

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 people charged jointly with the same offence or charged with offences arising from the same incident, each person shall be given the same court date based on the first letter of the last name of the person who appears first when the last names are placed in the alphabetical order.

### Downtown Community Court

6. The Downtown Community Court (DCC) is the court of first appearance for people 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:
  - a. Provincial offences heard by a Provincial Court Judge (e.g., *Motor Vehicle Act* “Driving while prohibited” and *Safe Streets Act* offences);
  - b. *Criminal Code* offences that fall under the Provincial Court’s absolute jurisdiction (e.g., Theft under \$5000);
  - c. All strictly summary conviction offences;
  - d. Hybrid offences where the Crown counsel proceeds summarily except for intimate partner violence investigations which must be returned to 222 Main Street;
  - e. “Simple” drug possession charges under the *Controlled Drugs and Substance Act* (Section 4(1) CDSA); and
  - f. Breach of DCC orders.

### Court Appearance: Location and Time

7. For DCC matters, members shall allow a minimum five 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 weeks for the person to appear in court. The time and location details on all ANs and undertakings shall be 0900 hours, in Courtroom 1, 211 Gore Avenue, Vancouver, BC.

### All Courts: Fingerprinting and Photographs

8. Section 2 of the *Identification of Criminals Act* provides authority to collect fingerprints and take photographs of individuals charged with or convicted of an indictable or hybrid offence. Consequently, members should impose a condition on to the person who had been arrested or detained for an indictable or hybrid offence to attend a designated location for the purpose of fingerprinting and photographs.
9. Fingerprinting/photographs and the court date are to be scheduled **one full business day apart** (e.g., if court date is Thursday, then fingerprints and photographs should be scheduled on Tuesday).
10. Fingerprinting takes place **Monday to Friday, except holidays**, between 0900 and 1400 hours at the Vancouver Police Department, xxx, Vancouver, BC.
11. If the person 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 initialling; and
  - b. write “PRINTED AT JAIL” across the top of the top/white copy of the AN or undertaking.





12. If exceptional reasons exist and the fingerprinting/photograph process could not be completed, members can apply to a judge or justice for a summons requiring the person to attend at a specific time and place for the purpose of the *Identification of Criminals Act* (Section 485.2 of the *Criminal Code*). The application must be completed on an Application for a Summons (Form 6.1) or Application for a Summons Under by Telecommunication (Form 6.1).
13. If a person is not fingerprinted for an offence and is convicted of that offence, that conviction will not form part of their official criminal record.

#### Information Required on ANs and Undertakings

14. A full description of the person shall be noted on the back of the police copy (undertaking and AN) including:
  - a. height;
  - b. weight;
  - c. scars, marks and tattoos, if any;
  - d. hair style and colour;
  - e. facial hair, if any; and
  - f. any other prominent feature to assist with identification of the person.
15. The person shall be given a copy marked for "Accused."
16. The member who issued the AN shall swear or affirm 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.
17. The AN (white and yellow copy) shall be submitted as an attachment. The General Occurrence (GO) report number must be clearly marked at the top of the AN.
18. 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 three copies of the undertaking, and disseminate as follows:
    - i. one copy for the person being released;
    - 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 to ensure that the release conditions are placed on CPIC in a timely manner.
    - v. the RTCC attachment package shall be left with the Jail NCO, so that the arresting member may have access to it at any time to support a breach arrest. This will also allow the Jail NCO to be cognizant of any incomplete RTCCs with upcoming court dates; and
    - vi. the original undertaking shall either:
      - be submitted to Crown Liaison Unit (CLU) within the file; or
      - in the case of an outside agency investigation, be mailed directly to the outside agency via post mail at the time of service (instead of being submitted to CLU).

#### Reports

19. The RTCC should be completed and submitted on the day that the person 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).



20. 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.
21. Crown counsel requires a minimum of three weeks before the person's first appearance to review RTCC for charge approval (except in DCC cases).



## 1.5 Compelling an Accused's Attendance at Court

### 1.5.2 Releasing on an Appearance Notice

(Enacted: 2000.08.08)  
(Updated: 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

(Enacted: 2000.09.29)  
(Updated: 2019.12.19)

#### **POLICY**

Defective processes regarding federal or provincial appearance notices (AN) or undertakings will be dealt with in the following manner when the person 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 on an AN or undertaking 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 person, advise them that the AN or undertaking is defective and to ignore the instructions on it. Where possible, the person's copy will be reclaimed. The person shall be informed 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 person, and the new court process being requested (e.g. summons or warrant). Cancelled processes are to be forwarded to the Crown Liaison Unit (CLU) and the Accused Template (AT) within the Report to Crown Counsel must be amended to show the application for the new process.
5. A cancelled AN or undertaking shall be forwarded to the CLU as part of the attachment package.



## 1.5 Compelling an Accused's Attendance at Court

### 1.5.4 Failure to Appear for Fingerprints & Photographs

(Enacted: 2004.08.17)  
(Deleted: 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)

(Enacted: 2009.06.18)  
(Deleted: 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 Summons or Warrant Requests

(Enacted: 2014.10.28)  
(Effective: 2022.07.08)

#### **POLICY**

Circumstances may dictate that members should compel a person's attendance at court by way of summons or warrant. This policy provides guidance to members on how and when to request a summons or warrant.

#### **Compelling Court Attendance**

##### **Summons**

There can be a significant delay by Crown counsel to approve a charge and forward the summons to be served by police. The Vancouver Police Department (VPD) Document Services Unit (DSU) then attempts to serve the person of interest, which results in further delay. During this process, the person of interest is neither entered on the Canadian Police Information Centre (CPIC) nor are conditions imposed on the person. Only after the person has been found guilty can the person possibly receive probation conditions. Therefore, a summons should only be used for very minor or first-time offences when no public interest or court appearance concerns are present.

##### **Warrants**

Where there are public interest concerns, a warrant instead of a summons must be requested. A warrant compels a person to court and they may be released on conditions. In cases where there are threats of violence, or when a violent crime has occurred and the person of interest cannot be located; members shall use the walk-through warrant process as per RPM Section 1.6.43(v) Walk-Through Warrants.

#### **PROCEDURE**

1. In the text of the General Occurrence (GO) report, it must be stated whether the member is requesting a summons or warrant and an explanation as to why.
2. If requesting a warrant and conditions upon the person's arrest and release, the necessity for the warrant and conditions must be articulated within the text of the GO report.
3. In the "Accused template" page of the GO report, select either "Summons Request" or "Warrant Request" within the "Court Processes" drop down menu. This alerts Crown counsel that the person of interest is out of custody and that a summons or warrant is being requested.
4. Members must submit their report to the Station NCO for approval of a summons or warrant request.
5. When a VPD arrest warrant is issued in the first instance or when a person who is the subject of an arrest warrant comes to the attention of a member, additional procedures to follow exist in RPM Section 1.4.2 Warrant Arrests.

For further details in regards to arrest, release and detention refer to:

"Arrest, Release and Continued Detention. Summary of Key Points" by the VPD Education and Training Unit.



## 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

(Enacted: 2002.07.29)  
(Updated: 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 themselves 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

(Enacted: 2006.04.24)  
(Updated: 2022.06.08)

#### POLICY

Investigation of animal complaints will normally be the responsibility of the City of Vancouver Animal Services, the Conservation Officer Services, 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; or
- 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 Services 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 Services is unavailable (outside their business hours) or requests police assistance.

When members attend for an animal complaint in the first instance, the City of Vancouver Animal 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 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 Services email address: [animal.services@vancouver.ca](mailto:animal.services@vancouver.ca). Members shall ensure that the synopsis does not contain any personal information for any witness, victim, or other persons.
- NOTE:** City of Vancouver Animal Services may request a copy of the report under the *Freedom of Information and Protection of Privacy Act* to further their investigation, see RPM Section 2.9.1(i) General Disclosure of Information.
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 Services (phone number 311) 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 members.

### **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 Officer Services.
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 & Referral Centre located at xxx, Vancouver, BC. When possible, the centre should be notified before arriving with the animal.
8. Members shall request that the City of Vancouver Animal Services be notified to remove the carcasses of all dead domestic and wild animals (e.g. cats, dogs, coyotes). In the event that a wild animal carcass is too large to be moved by City of Vancouver Animal Services, a conservation officer shall attend and remove the carcass.

### **ANIMAL NOISE COMPLAINTS - BARKING DOGS**

9. When members are required to attend to a complaint regarding a barking dog on private property to assist City of Vancouver Animal Services or on their behalf, enforcement may be conducted as per RPM Section 1.6.4(ii) Animal Control By-Law No. 9150.

### **ANIMALS FOR SAFEKEEPING**

10. The City of Vancouver Animal Services 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 person to identify a person who can take charge of the animal within a reasonable amount of time.

### **VPD AFTER-HOURS ACCESS**

12. The CoV has after-hours access for dogs and other animals that are stray, seized, or for safe keeping. The animal can be taken to xxx, approach the front gate (chain-link), and look for the sign "VPD After Hours Entrance - Call Security". Please click here for the full procedure.



## 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

(Enacted: 2000.11.07)  
(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

(Enacted: 2015.04.21)  
(Updated: 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

(Enacted: 2002.10.31)  
(Deleted: 2022.07.12)

This policy has been rescinded.





## 1.6 Incident Investigations

### 1.6.7(i) Civil Court Order - Protection Order Enforcement

(Enacted: 2000.09.06)  
(Deleted: 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 they have 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



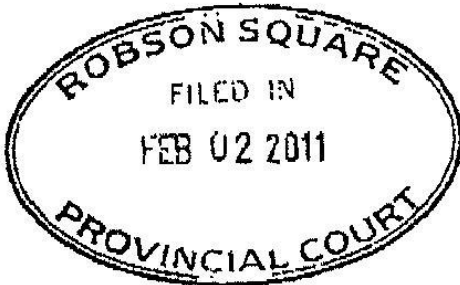
- b. Establish whether reasonable and probable grounds exist to believe that the order is valid and enforceable.
2. If the order is from BC Supreme Court, the order will have the following markings:
  - a. A stamp bearing the BC Coat of Arms, the wording “Supreme Court of British Columbia”, the name 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 they have 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

(Enacted: 2001.10.09)  
(Deleted: 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

(Enacted: 2001.11.27)  
(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

(Enacted: 2003.01.22)  
(Updated: 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

(Enacted: 2000.10.05)  
(Deleted: 2022.07.12)

This policy has been rescinded.



## 1.6 Incident Investigations

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

(Enacted: 2000.10.03)  
(Deleted: 2022.07.12)

This policy has been rescinded.



## 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)

(Enacted: 2004.09.27)  
(Deleted: 2022.07.12)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.10 (i) Defectors and Refugees

(Enacted: 2001.05.23)  
(Updated: 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.







For advice on immunities of accredited foreign representatives, members may contact the Royal Canadian Mounted Police (RCMP) Security and Safety Liaison Officer, Diplomatic Corps Services, Office of Protocol during business hours (08:30-16:30 EST) at xxx-xxx-xxxx or email xxxxxxxxxx.

In some cases diplomatic immunity may offer protection from prosecution, but it never prevents a member from investigating an offence. GAC Office of Protocol will assist in obtaining permission from the country of origin (through the appropriate diplomatic mission) to allow a person with immunity to appear in court.

Members should note that different types of consular employees and/or their families have different degrees of immunity, and the immunity may only apply in specific circumstances relating to their job function. It is quite complex to determine when immunity applies and to what extent, and therefore members should contact GAC for clarification and direction.

For more detail, refer to “Handling Diplomatic Incidents from a Law Enforcement Perspective”.

### DEFINITIONS

For the purposes of this policy the following definitions apply:

**Archive** - any file or diplomatic/consular correspondence, record or document associated to or possessed by a person with diplomatic or consular immunity. This also include any ciphers and codes, the card-indexes and any article of furniture intended for their protection or safe keeping. Diplomatic and consular archives must not be searched or seized under any circumstances.

**Consular Employee** - any person employed in the administrative or technical service of a consular post. These employees enjoy immunities limited to their official functions in civil and administrative matters only, and not outside these duties.

**Consular Post** - any consulate-general, consulate, vice-consulate or consular agency.

**Consular Premises** - the buildings or offices and the land ancillary (irrespective of ownership) used exclusively for the purposes of the consular post or a diplomatic mission from a foreign state to Canada.

**Career Consular Officer** - the senior staff at a consular post. People who hold this status have immunity for their official consular functions only, and not outside these duties. This category includes the Consul General or other heads of a consular post.

**Consul General** - a consular officer of the highest rank, who is the head of a consular post.

**Diplomatic Agent** - the senior staff at diplomatic missions in Ottawa. Diplomatic agents and their accredited family members enjoy full immunity in all Canadian jurisdictions.

**Grave Crime** - this is a term used in the *Vienna Convention on Consular Relations*, which the *Foreign Missions and International Organizations Act* defines as any offence that carries a sentence of 5 years or more imprisonment.

**Foreign Representative** - any person sent to Canada by their government to take an official position at a diplomatic mission or consular post, or who has been appointed to an official position at an international organization in Canada. Their degree of immunity (if any) can be ascertained via their GAC identification card or by contacting the GAC via telephone.

**Honorary Consular Officer** - a citizen or permanent resident of Canada, including the head of a foreign consular post, entrusted with the exercise of consular functions in certain jurisdictions of Canada. These



officers have no privileges or immunities. Honorary consular officers are not career diplomats; they are often volunteer representatives of a foreign State in Canada.

### PROCEDURE

1. Should a member encounter an incident in the course of their duties where they would normally apprehend, arrest, detain or otherwise investigate but the person involved claims diplomatic immunity, the following procedures apply:
  - a. Request that the person produce their GAC identity card issued by the Office of Protocol. This identity card will indicate the bearer's personal information and their employment designation, which will assist in confirming or refuting the claim to immunity.
    - i. If a person is unable to produce their GAC identity card, members may verify the person's identity by other means (such as alternate identification cards, via CPIC or PRIME, etc.). Contact GAC 24/7 at xxxxxxxx and provide the person's name and date of birth to ascertain if they possess a GAC identity card and diplomatic status.
  - b. Examine and record the details of the identity card. Members should verify the diplomatic status of the person claiming immunity by calling GAC 24/7 at xxxxxxxx.
  - c. Generally, members shall not arrest persons with immunity (e.g., diplomatic agents or their accredited family members), however, there are exceptions - such as if a career consular officer commits what is defined as a "grave crime" and if a judicial warrant has been issued for that person's arrest. Members shall consult with their supervisor to seek advice from the RCMP "E" Division Diplomatic Liaison Unit as described below. Although there is no authority to arrest as normal, members may continue to investigate the incident.
  - d. Members may take persons with immunity into "temporary protective custody" if it is necessary to ensure the safety of any person or to prevent the commission of a criminal offence. The person remains in temporary protective custody only until such a time as they no longer pose a risk to anyone's safety (including themselves), or they are no longer at risk of continuing the offence, or when an official from the person's consul arrives to relieve the member of this responsibility. Where any persons with immunity is detained, members shall read the person section 10(a) and (b) of the *Charter of Rights and Freedoms*.
  - e. In some cases, immunity may apply to a person **only** when they are conducting official functions of their post. If the person is not actively performing their official function at the time of the incident or alleged criminal offence, they may be subject to arrest and prosecution for the offence. Members shall refer to the table below to determine what measures apply, and in all cases, contact GAC to confirm diplomatic status and degree of immunity.
  - f. Members shall advise their supervisor of any incident involving a person claiming diplomatic immunity or consular premises as soon as is practicable.
  - g. Members shall notify GAC upon the arrest or criminal investigation of a person claiming diplomatic immunity by calling xxxxxxxx.
  - h. Members shall notify the RCMP "E" Division - Diplomatic Liaison Unit following any and all incidents involving a person claiming diplomatic immunity or consulate premises. The phone numbers for the Diplomatic Liaison Officer are xxxxxxxx or xxxxxxxx.
  - i. Refer to the powers to search table (below) prior to conducting any search of the person, their vehicle or possessions, as their immunity may include protection from search and seizure.
  - j. Members may only conduct searches of persons with diplomatic immunity when they have reasonable grounds to believe a search is necessary for police or public safety. Archives shall not be searched.
  - k. Career consular officers cannot be arrested or detained pending trial unless a judicial warrant has been obtained in advance and the charges are for a "grave crime", and/or issues of public safety are involved.
  - l. Members shall document all incidents involving consular employees, consular premises or persons claiming diplomatic immunity in a General Occurrence (GO) report, and route the report to the Emergency Operational Planning Section (HEOPS), the Criminal Intelligence



- Unit (HCTU), and any other relevant investigative unit, as applicable. Members may consider flagging the GO with the “8” study flag for National Security/Terrorism, and/or with the “PF” study flag for Priority File Notification when appropriate.
2. Members shall contact the embassy or consulate when a person with diplomatic immunity is unable to do so due to being injured, intoxicated, incapacitated or deceased and there are no next-of-kin available at the scene.
    - a. Members shall make efforts to contact a family member or consular officer of the same consulate, who is capable of assuming responsibility for the care and custody of the person in their incapacitated state, and any associated vehicles if appropriate. Alternatively, members may arrange for a vehicle to be towed if it is parked unsafely or obstructing traffic, or if it must be impounded pursuant to a *Motor Vehicle Act* (MVA) infraction.
    - b. Contact the RCMP “E” Division Diplomatic Liaison Unit 24/7 to inform them of the incident, or to seek assistance if required. The phone numbers for the Diplomatic Liaison Unit are xxxxxxxx or xxxxxxxx.
    - c. GAC Office of Protocol (xxxxxxx) may also be of assistance in contacting a consular officer at the nearest consular post or diplomatic mission.
    - d. Members may facilitate the consular official in communicating with and having access to the person with diplomatic immunity.
  3. Supervisors shall:
    - a. attend the scene if possible and speak with the member to determine the circumstances of the incident and facilitate members in verifying the immunity status of the person;
    - b. notify the Duty Officer of any incident that involves a person with diplomatic immunity or that occurs at a consular office;
    - c. obtain authorization from the Duty Officer prior to authorizing the apprehension, detention, arrest or transport of a person claiming diplomatic immunity; and,
    - d. ensure that members complete a GO report and relevant notifications to specialty units before the end of the shift.
  4. The Duty Officer shall:
    - a. provide authorization prior to any official with diplomatic status being lodged in the Vancouver jail;
    - b. ensure the GAC, RCMP Diplomatic Liaison Unit and RCMP Divisional Duty Officer have been notified; and
    - c. notify the Chief Constable and Deputy Chief Constables of the Operations, Investigation and Support Services Divisions, as well as the on-duty or on-call Criminal Intelligence Unit supervisor and the Public Affairs Section.
  5. Should a person claiming diplomatic immunity be transported to the Vancouver jail, the Jail NCO shall ensure the Duty Officer has been notified that a person in custody is claiming diplomatic immunity.
  6. The Chief Constable or designate shall authorize the release of information about an arrest, detention, or investigation to any person or agency, other than Crown Counsel.

### Traffic Violations, Driving Offences and Vehicles with Consular Licence Plates

7. Members may initiate vehicle stops with vehicles bearing consular licence plates as they would with other vehicles, such as if they observe a traffic violation or unsafe driving behaviour. Consular licence plates do not necessarily mean the driver has diplomatic immunity. Regardless of their level of immunity, the driver must produce their driver’s licence and proof of insurance upon the member’s request. If the driver states they have diplomatic immunity, the member may request their Office of Protocol Identity Card to verify the level of immunity, as per 1.b of this policy.
  - a. Consular licence plates give an indication as to the post held by the vehicle’s registrant:
    - i. CC-XXXX - for Career Consular Officer-level foreign representatives and their dependents;
    - ii. CS-XXXX - for administrative, technical and service level foreign representatives and their dependents;



- iii. DL-XXXX - for diplomatic-level foreign representatives and their dependents or an International Organization;
- iv. HC-XXXX - for Honorary Consular Officer-level foreign representatives or a Consular Post headed by an Honorary Officer; and,
- v. SR-XXXX - for foreign officials and their dependents from Offices of Political Subdivisions of Foreign States.

A consular licence plate - this example depicting a career consular officer



- 8. Members may issue the driver a violation ticket for MVA or other provincial offences as they would with any other person committing a similar violation, regardless of their level of immunity.
- 9. For major driving offences (such as Impaired Driving, Dangerous Operation of a Motor Vehicle, or other offences in the *Criminal Code*), members should conduct a thorough investigation of the incident. In the case of an impaired driving investigation, members should proceed with the investigation as they would any other impaired driving investigation, including demanding a breath sample or other field sobriety test as justified by law. If a driver with diplomatic immunity is found to be driving while affected or impaired by alcohol or drug, or if they refuse to provide a breath sample upon a member's lawful demand, members may:
  - a. issue the driver an Immediate Roadside Prohibition (IRP) and impound the vehicle using a Notice of Impoundment, issue a 24-hour Driving Prohibition under section 215 MVA, or other citation as deemed appropriate and justified following their investigation, regardless of the driver's level of immunity; or
  - b. issue an Administrative Driving Prohibition (ADP) and complete a report to Crown Counsel (RTCC) requesting the appropriate criminal charge(s). Members shall complete their investigation and contact GAC Office of Protocol. Members must clearly indicate in the RTCC narrative the accused person claims diplomatic immunity, and the level and scope of immunity as per GAC.

After being notified of the incident by members, GAC will seek to immediately revoke the diplomat's driving privileges (in most cases the driving suspension is for 1 year) on the basis of a police report substantiating that a diplomat was driving while impaired, even in cases where charges are not laid. The GAC will work with Crown Counsel to request a waiver of immunity from the Head of the Mission or Consulate and proceed with laying appropriate charges. See Global Affairs Canada Revised Impaired Driving Policy.

See also entire subsection under RPM 1.10.6 Impaired Driving.

### Powers to Search Table

**NOTE:** Consular premises are inviolable. Members shall not enter a consular premises without the invitation of the consular head, unless exigent circumstances exist such as the immediate need to protect life or property. Members shall not search a consular premises. See RPM 1.6.10(v) Incident Investigations at Consular Premises.

TITLE	PERSON	TYPE OF SEARCH			
		Personal	Private Residence	Private Vehicle	Personal Baggage





		YES	NO	YES	NO	YES	NO	YES	NO
<b>Diplomatic Mission (1&amp;3)</b>	Head of Mission		X		X		X		X <sup>B</sup>
	Diplomatic Agent (4)		X		X		X		X <sup>B</sup>
	Administrative and Technical Staff		X		X		X	X	
	Service Staff		X <sup>C</sup>	X		X		X	
	Family Members of Diplomatic Staff		X <sup>A</sup>		X		X <sup>A</sup>		X <sup>ABB</sup>
<b>Consular Post (2)</b>	Head of Post		X <sup>D</sup>	X		X			X <sup>B</sup>
	Career Consular Officer		X <sup>D</sup>	X		X			X <sup>B</sup>
	Honorary Consular Officer	X		X		X		X	
	Family of Consular Office (Other than Honorary)	X		X		X			X <sup>B</sup>
	Consular Employee (Administrative or Technical Staff)	X		X		X		X	
<b>Diplomatic and Consular Courier Bags</b>		Diplomatic and Consular couriers must carry documentation indicating their status and the number of packages constituting the diplomatic/consular bag, and each bag must bear visible external marks of their contents. Neither the courier nor bags may be detained, searched or seized. If Canadian police or government authorities have serious reason to believe the bag contains something other than official correspondence or articles they may request it opened in their presence by an authorized diplomatic or consular representative. If the request is refused the bag is to be returned to the point of origin.							
<b>Representatives of the United Nations and Designated International Organizations (contact GAC to determine which organizations apply)</b>		<p>Certain immunities similar to those accorded diplomatic and consular personnel also apply to representatives of member countries of the United Nations and designated international organizations (e.g., the International Civil Aviation Organization and the International Atomic Energy Agency).</p> <p>The premises of such organizations located in Canada are immune from search and seizure.</p> <p>Representatives are immune from legal process of any kind while engaged in the function of their organization.</p> <p>GAC issues identity cards to those persons who qualify.</p>							

The numbers in brackets refer to additional rules regarding powers to search. There are instances when the table above does not apply; follow these rules and exceptions:

### Search Limitations

1. Premises of the mission, furnishings, and other property therein are immune from search.
2. Consular premises, archives and documents and official correspondence are immune from search.
3. The means of transportation of the mission are immune from search.
4. The papers, correspondence and property of a diplomatic agent are immune from search.



### Exceptions in Search Limitations

- A. When the subject is a Canadian citizen or permanent resident of Canada.
- B. When there are reasonable grounds to believe it contains prohibited goods (e.g., illicit drugs or weapons).
- C. Do not inspect the area or documents or other areas unless a diplomatic agent or their designate is present.
- D. Subjects are immune only in the execution of their duties/functions.





## 1.6 Incident Investigations

### 1.6.10(iii) Foreign Nationals

(Enacted: 2003.01.22)  
(Updated: 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

(Enacted: 2000.07.28)  
(Updated: 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

### 1.6.10(v) Incident Investigations at Consular Premises and Diplomatic Missions

(Enacted: 2022.03.31)  
(Updated: 2022.03.31)

#### POLICY

The *Vienna Convention on Diplomatic Relations* and the *Vienna Convention on Consular Relations* are international treaties (of which Canada is a signatory State party) that define a framework for diplomatic and consular relations. In Canada, the *Foreign Missions and International Organizations Act* (1991) creates provisions that define the privileges and immunities granted to accredited missions and persons, and how Canadian authorities must act when dealing with matters related to consular officials or the consular premises of a sending State.

As an authority body in Canada, the Vancouver Police Department (VPD) must observe and comply with the Articles of this treaty and the *Act*.

Article 22 of the *Vienna Convention on Diplomatic Relations*: “1. the premises of the mission are inviolable. The agents of the receiving State may not enter them, except with the consent of the head of the mission; 2. The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.”

Article 30 of the *Vienna Convention on Diplomatic Relations*: “1. the private residence of a diplomatic agent shall enjoy the same inviolability and protection as the premises of the mission.”

Article 31 of the *Vienna Convention on Consular Relations*: “The authorities of the receiving state shall not enter that part of the consular premises which is used exclusively for the purpose of the work of the consular post except with the consent of the head of the consular post or of his designee or of the head of the diplomatic mission of the sending State. The consent of the head of the consular post may, however, be assumed in case of fire or other disaster requiring prompt protective action.”

**The Duty Officer shall be notified as soon as possible of all incidents occurring at consular premises.**

**The Royal Canadian Mounted Police (RCMP) Protective Services Section, Diplomatic Liaison Unit should be consulted early in any investigation involving members of a consular post to provide assistance and guidance.** The *Security Offences Act* states that the RCMP has primary jurisdiction for certain offences committed within the normal jurisdiction of municipal police departments, including the City of Vancouver.

#### DEFINITIONS

For the purposes of this policy the following definitions apply:

**Consular Premises** - the buildings or offices and the land ancillary (irrespective of ownership) used exclusively for the purposes of the consular post from a foreign state to Canada. Consular premises does not include the residence of a consular officer.

**Consular Residence** - the private residence of the head of a consular post or mission.

**Premises of the mission** - the building or offices and the land ancillary (irrespective of ownership) used for the purposes of the mission including the residence of the head of mission.



**Archives** - any file or diplomatic/consular correspondence, record or document associated to or possessed by a person with diplomatic or consular immunity. This also include any ciphers and codes, the card-indexes and any article of furniture intended for their protection or safe keeping. Diplomatic and consular archives must not be searched or seized under any circumstances.

### PROCEDURE

1. The *Vienna Conventions* state that consular premises and premises of the mission are inviolable (secure from search or trespass); as authorities of the receiving State (Canada), VPD members are obligated to observe the statutes of this international agreement.
2. Members shall not enter the premises of the mission except with the consent of the head of mission. Consent may not be implied even where there is an emergency on the premises.
3. Members shall take steps to protect a consular premises or residence against intrusion or damage, and prevent any unreasonable disturbance of the peace.
4. Members shall not enter a consular premises which is used exclusively for the purpose of work of the consular post except with consent of the head of the consular post or their designate. Consent may be assumed in exigent circumstances such as the immediate, urgent need to enter for protection of life or property.
5. Members shall take steps to protect a consular premises or residence against intrusion or damage, and prevent any unreasonable disturbance of the peace.
6. The consular premises, its furnishings, property and means of transport are immune from any form of search or seizure.
7. Consular archives are secure from search or seizure at all times, wherever they may be. Members shall not search consular archives.
  - a. A consular bag bears visible external markings indicating its purpose. Members shall not open or detain a consular bag unless there are reasonable grounds to believe that the consular bag contains something other than official correspondence or documents, and they receive consent of the consular official.
  - b. If the consular official declines the search, members shall not detain, open or search the bag unless there are exigent circumstances that indicating it is necessary to protect life or ensure public safety.

#### *Incidents at Consular Premises*

8. When members are dispatched to any incident at a consular premises, they shall notify a supervisor, and request the supervisor attend the scene if possible.
9. The supervisor shall notify the Duty Officer of any incident occurring at a consular premises. Depending on the circumstances, the Duty Officer may consider notifying the Emergency and Operational Planning Section (EOPS).
10. If members are required to enter a consular premises prior to obtaining permission from the head of the consul, they shall notify the Duty Officer via their supervisor as soon as practicable.
11. If a non-emergent incident occurs after business hours at a consular premises or diplomatic mission, and no official from that consul is present, members shall contact an official of that consular premises to attend the location. Members shall not enter the premises unless given permission to do so by the consular head. The contact information for the consular premises can be found in the Computer Assisted Dispatch (CAD) Hazard associated to that address, and this is maintained and updated by the Aide to the Deputy Chief Constable of the Operations Division.
12. For assistance with any incident involving a consular premises or a consular employee, or to obtain contact information or other information, members may call the RCMP "E" Division Diplomatic Liaison Unit, 24/7. The phone numbers are xxxxxxxx or xxxxxxxx. The RCMP are the police of jurisdiction for any investigation where an internationally protected person (as defined in Section 2 of the *Criminal Code*) is the victim of an offence.
13. If members are unable to contact the consular head or their designate, or the information cannot be obtained via the RCMP Diplomatic Liaison Unit, they may contact Global Affairs Canada police-only line for 24/7 assistance at xxxxxxxx.



14. Should members not be able to locate the information from any of the previously mentioned sources, they may request through their supervisor that the Duty Officer contacts the RCMP Regional Duty Officer to assist.
15. Members shall submit a General Occurrence (GO) report and route it to EOPS (HEOPS), the Criminal Intelligence Unit (HCTU), the “8” flag as well as other investigative sections relevant to the circumstances of the incident.
16. Members shall ensure the details of the incident are logged in the electronic overnights.
17. The Duty Officer shall notify the Deputy Chief Constable of the Operations Division of any incident at a consular premises.
18. The Duty Officer shall notify the Chief Constable of serious or significant incidents at consular premises.
19. Should any damage to the consular premises occur as a result of police action, members shall ensure the consular head is notified as soon as possible, and refer to RPM Section 5.2.3 Damage as a Result of Police Action.

### Scope of Immunities and Powers of Search

Designation	Diplomatic Agent*	Admin & Tech Staff	Service Staff	Career Consular Officer	Honorary Consular Officer	Consular Employee
Legal Process & Criminal/Civil Proceedings: Can be arrested and detained	No (see note 1)1	No (see note 1)	Yes	Yes (see notes 1 and 2)2	Yes (see note 3)3	Yes
Immune from legal process, whether criminal or civil	Yes	Yes, subject to limitations (contact Crown Counsel)	Yes, in respect of acts performed in the course of official duties only	Yes, in respect of acts performed in the exercise of consular functions only	Yes, in respect of acts performed in the exercise of consular functions only	Yes, in respect of acts performed in the exercise of consular functions only
Can be compelled to give evidence as witness	No	No	Yes, unless related to official duties	No	Yes, unless related to consular duties	Yes, unless related to consular duties
Subject to residential entry and search	No	No	Yes, unless part of the diplomatic mission or official residence	Yes	Yes	Yes
Subject to private motor vehicle search	No	No	Yes	Yes	Yes	Yes

\* Includes Members of the Administrative and Technical Staff of the United States of America, in accordance with the Administrative and Technical Staff of the Embassy of the United States and Families Privileges and Immunities Order.



Note 1. However, a person enjoying personal inviolability such as a diplomatic agent, career consular officer or member of the administrative and technical staff, may be temporarily taken into protective custody in order to prevent the repetition or continuation of an offence, and until such time as a responsible member of the mission or post arrives to relieve the police of this responsibility.

Note 2. Career consular officers cannot be arrested or detained pending trial unless a judicial warrant has been obtained in advance and the charges is for a "grave crime" (one for which the maximum penalty is five years or more), and issues of public safety are involved.

Note 3. Honorary consular officers should be treated as ordinary Canadian citizens or Permanent Residents of Canada, except when clearly acting in their consular capacity. The Government of Canada's view is that most instances of driving, including the journey to and from work, are not considered as "official acts" or "consular acts". It follows that honorary consular officers will most likely be treated as ordinary Canadian citizens or permanent residents on matters of traffic laws.





## 1.6 Incident Investigations

### 1.6.11(i) Intimate Partner Violence - General Policy and Procedure

(Enacted: 2003.01.22)  
(Updated: 2023.10.12)

#### POLICY

Intimate partner violence (IPV) 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 IPV shall be investigated thoroughly from an evidence-based, risk-focused perspective.

The Vancouver Police Department (VPD) is guided by the VAWIR policy and requires members to arrest when an investigation (with an emphasis on victim safety) supports a criminal charge. There are exceptions in rare circumstances which require a supervisor's approval. Members should seek further guidance/clarification from the Intimate Partner Violence and Risk Assessment Unit (IPVRAU) when required.

A thorough report for all IPV incidents is required to effectively provide safety to the community and families. It is recognized that a trauma-informed police response including the provision of community resources is the best way to create victim safety. Trauma informed police response promotes awareness of the complex impact of trauma. This will enable members to effectively investigate IPV incidents and decrease the potential for further harm to the victim(s).

#### DEFINITIONS

##### Intimate Partner Violence (IPV)

For the purpose of this section, the VPD adopts the following definition as outlined in the provincial VAWIR Policy:

Any physical or sexual assault, or the threat of physical or sexual assault against a current or former intimate partner whether or not they are dating, legally married or living together at the time of the assault or threat. IPV also includes offences other than physical or sexual assault, such as criminal harassment, threatening, or mischief, where there is a reasonable basis to conclude that the act was done to cause, or did in fact cause, fear, trauma, suffering or loss to the intimate partner.

##### Intimate Partner (IP)

For the purpose of this section, the VPD adopts the following definition as outlined in the *Criminal Code* (CC): An intimate partner includes a person's current or former spouse, common-law partner and dating partner. VPD has expanded the definition to include - a partner within any intimate (heterosexual, same-sex, and/or 2SLGBTQ+) relationship.

##### Highest Risk

For the purpose of this section, "*highest risk*" is an IPV investigation where the police believe there is significant potential for serious bodily harm or death. Members should refer to the BC Summary of Intimate Partner Violence Risk Factors when assessing level of risk.

##### Primary Aggressor



The primary aggressor is the party who is the *most dominant*.

Factors to be considered when identifying the primary aggressor include the following:

- What is the history and pattern of abuse in the relationship?
- Who has suffered the most extensive physical and/or emotional damage?
- Who has superior physical strength and skills to effect an assault?

An allegation of mutual aggression (commonly referred to as consensual fight) is often raised by the primary aggressor as a defence with respect to an assault against their partner. Members are cautioned against accepting this argument and should, instead, determine who is the primary aggressor through a thorough investigation of all evidence.

### Trauma-Informed Investigative Response

The ability to recognize and acknowledge the impact of trauma and the need for awareness and sensitivity to its dynamics. Members have received training on this approach which allows them to respond by putting this knowledge into practice.

## PROCEDURE

### Investigation

Members shall:

1. Complete a thorough investigation in all instances with a primary focus on victim safety. This includes consideration of the following:
  - a. Be cognizant that the most dangerous time for the victim is when they are leaving an abusive relationship and when the abuser is arrested;
  - b. Check PRIME for any IPVRAU flagged record to determine if this is a relationship/situation being monitored or assessed at elevated risk. If so, seek further direction from the IPVRAU supervisor during office hours. After hours, contact the on-call IPVRAU supervisor via the Duty Officer;
  - c. Determine if the victim has a protection order in effect by querying CPIC, PRIME, and the Protection Order Registry (POR);
  - d. Consult with Car 86 when a child is present and their immediate safety has been compromised. When Car 86 is not available, members shall contact the Ministry of Children and Family Development (MCFD) and refer to RPM Section 1.6.47(iv) Protection of Children;
  - e. A member who believes they are investigating an IPV incident defined as “highest risk” shall notify their supervisor immediately.
2. Be sensitive to vulnerable communities, cultural differences or specific communication needs of the victim. Where necessary, utilize the Victim Services Unit (VSU) and/or interpreters. Members should be aware of the following impediments to a victim trying to cope with IPV:
  - a. Many cultures stress the paramount value of family togetherness;
  - b. Within extended families, a victim may feel pressure from several individuals other than the spouse or partner to not report abuse;
  - c. Victims may be unaware of how to access support services, especially those victims coping with language barriers; 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 legal counsel for advice regarding divorce and child custody issues.
3. Obtain an audio/video or signed statement from the victim. Although a charge is not necessarily dependent on the ability or willingness of the victim to provide a statement, an attempt to obtain a statement should always be made and documented in the first instance. Members should be cognizant that trauma may impact or inhibit the ability to provide a statement. If an oral statement is given the member shall detail a summary of this statement within the written report.



4. Witnesses, including family members, should be identified as soon as possible and be formally interviewed. Statements should be 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 related incidents.
5. Recommend charges when there is reasonable grounds to believe 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 and/or affected by mental health; 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 directs members to recommend charges where insufficient evidence exists to support a charge. 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 any statement from the suspect.

6. Members must be aware that when sufficient evidence exists for a charge, there is very narrow discretion for not recommending charges. A supervisor is required to be informed of any IPV situation or investigation where charges are not being recommended. A supervisor is required to be informed if there are indicators of violence and insufficient evidence to support charges. The name of the supervisor consulted is to be included in the written report. **Authorization from the Supervisor is required if charges are not being recommended.**
7. Where apparent injury has occurred to both parties - identify, arrest, and **recommend charges against only the primary aggressor where grounds exist**. Members must be prepared to support their identification of the primary aggressor with observations and evidence. If determination of the primary aggressor is unclear, the IPVRAU Supervisor is available for consultation. Arresting the victim may cause further trauma.
8. If the investigation involves strangulation, the victim should be assessed by a medical professional. Members should consult with Emergency Health Services (EHS). There is significant medical concern due to brain injuries associated to strangulation.
9. The Forensic Identification Unit (FIU) shall be contacted to photograph the injuries of **all** injured persons. When FIU is unavailable or it is impracticable for them to photograph the injuries, a supervisor or member, with a VPD issued device capable of taking photographs, may photograph the injuries. Investigating members need to document observed and reported injuries.
10. Members are responsible to plan to have injury photographs taken when appropriate and as required in the days following the initial incident. This may require placing the call into the FIU "F" cue via ECOMM staff. Timely capturing of injury photographs is crucial to a thorough investigation. The collection of all evidence is the responsibility of the primary investigators.
11. The need for the FIU to attend for crime scene examination and documentation should be assessed. Members should be aware of considerations for the possible requirement of search warrants. When necessary, members should consult with FIU members, as well as Patrol and/or IPVRAU Supervisors, in regards to the crime scene.
12. 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 firearms or weapons. If grounds exist, proceed with appropriate criminal charges for any firearms or weapons. 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).
13. When recommending charges, members should 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 Section 111 CC if the circumstances of the incident would justify the application of an order (See RPM Section 1.6.17(iii) Seizure of a Firearm).



14. IPV investigations can often involve investigations including elder abuse and/or criminal harassment. Members need to be cognizant of the dynamics of these investigations and may seek out assistance from members of the IPVRAU or Elder Abuse Team. Members should also refer to any relevant RPM sections.

### Reports

15. Complete a thorough General Occurrence (GO) report for all IPV incidents, regardless if charges are being recommended. This GO should document the circumstances of the police investigation and include the investigative outcome. A safety plan and victim services resources should be reviewed with all persons involved in all IPV incidents.
16. 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 Report to Crown Counsel (RTCC). Ensure appropriate priority notification flags are completed.
17. A comprehensive safety plan must be documented on a Miscellaneous Notes (MN) page in the GO (not for disclosure).
18. For shelter/transition house assistance, contact E-Comm and/or VPD Victim Services for a shelter that is currently taking clients. Document on MN page (not for disclosure).
19. Whenever a child normally resides in the residence where an IPV incident occurred, ensure that the child has been added as a Child At Risk entity and that the "Car 86 - Youth At Risk" PRIME handle has been marked "notify" when submitting the GO report.
20. Obtain detailed contact information for the victim (e-mail, cell phone), as well as information for an alternate contact person (relative or close friend) who could reliably and quickly pass on information to the victim. Make note of the relationship of the alternate contact person to the victim and ensure they are not directly linked to the investigation. Document on MN page (not for disclosure).
21. Include the criminal record of the accused and details of any previous incidents 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. DV Bail Background Template is mandatory.
22. The DV Risk Summary template is an integral part of an IPV investigation and must be included in all RTCCs.
23. When criminal charges are being recommended, complete the K-File 911 Audio Request Template. Crown Liaison Unit will forward the audio tape to Crown Counsel. Providing a copy of the 911 call to Crown Counsel is a requirement under the VAWIR policy and is evidence required for disclosure.
24. Photographic evidence needs to be attached to the RTCC and GO. Printed out copies of the photographs may be signed by investigating members and accompany the RTCC to assist Crown Counsel in the charge approval and bail process.
25. Complete medical release forms and have victim sign them. These forms need to be attachments to the original report.

### Charges

26. Be aware that intimate partner 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).
27. 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 IPVRAU.
28. 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 shall pass the report to the next on-duty supervisor with the appropriate instructions to ensure that the report is immediately processed by Crown Counsel. Efforts to locate the suspect and/or execute the walk-through warrant should be documented, in detail, in any appropriate report.
  29. Be cognizant in IPV incidents where 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. Members are to remember that the victim (and public) safety is paramount.

### Breach of Conditions

30. Both criminal court orders and other court orders may exist that impose conditions on one or more parties in a relationship.
  - a. Court orders may be imposed under the *Child, Family and Community Service Act (CFCSA)* or the *Family Law Act (FLA)* (Family Court). See RPM Section 1.6.7(i) Civil Court Order - Protection Order Enforcement.
  - b. In cases where both a civil and criminal court order are in effect with conflicting conditions, the criminal court order takes precedence. Those civil order terms not superseded by the criminal court order will continue to be in effect, e.g., the CFCSA order may contain no contact provisions regarding the children while the criminal order is silent on that issue.
  - c. In cases where there are overlapping conditions, it is intended that the most restrictive safety related conditions apply.
31. Fully investigate any allegation of a breach of conditions related to IPV 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. Review DV Bail Template from original IPV file and update risk assessment. Ensure the victim is advised of the safety plan and has been given access to Victim Services. This information needs to be documented within a MN page of the report.

### Patrol Supervisors

32. Supervisors must be cognizant that members have narrow discretion for not recommending charges where reasonable and probable grounds exist to arrest. IPV investigations where there is any evidence to suggest violence or threats must be reviewed by a supervisor prior to a member not recommending charges. Supervisors must attend the scene where injuries are present but no charges are being pursued. A supervisor shall document the reasons why an arrest was not made on a MN page of the GO report.
33. BC DV Supervisor checklist shall be completed by patrol supervisor if it is not completed by Jail/Station NCO.

### Highest Risk

34. A member who believes they are investigating an IPV incident defined as “highest risk” shall notify their supervisor.
35. If deemed a “highest risk” investigation, the supervisor shall notify the IPVRAU supervisor or, after-hours, the Duty Officer.

### IPVRAU Supervisors

36. Regarding a “highest risk” investigation, once notified, the IPVRAU supervisor shall recommend one of the following:
  - a. The primary investigator completes the investigation and takes the case to conclusion; or



- b. The primary investigator completes the investigation and GO report. The GO report will then be routed for review by a IPVRAU supervisor when on duty; or
  - c. The primary investigator will conduct the investigation to a specified point at which point the IPVRAU investigators would assess and review the level of risk. IPVRAU investigators would assume control over the course of the investigation.
37. Upon receipt of a “highest risk” file routed to IPVRAU, the IPVRAU supervisor shall:
- a. Review the file and determine if a complete threat assessment is required;
  - b. Assign the file to a IPVRAU investigator for follow-up; or
  - c. Route the file back to the patrol supervisor for follow-up and/or conclusion.

#### **Follow- up Investigators**

38. The assigned follow-up investigator shall provide Crown Counsel, Probation, Corrections, the Victim Service worker, and the MCFD (if necessary) with the following information upon completion of the Bail Hearing in accordance with VAWIR policy:
- 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;
  - g. Complete designation form; and
  - h. Any new offences or significant updates to the investigation.
39. If there is a breach of condition or additional charges related to a “highest risk” IPV incident, the assigned follow-up investigator shall notify Crown Counsel, Probation, Corrections, the Victim Service worker, and the MCFD (if applicable).

#### **Station NCO or Jail NCO**

40. The Station/Jail NCO shall complete BC DV Supervisor checklist if not completed by patrol supervisor.
41. The Station/Jail NCO shall ensure the Priority Notification template is completed in all IPV arrests.

#### **Notification**

42. Whenever a suspect is released from VPD custody, members shall comply with RPM Section 1.12.15 Victim Notification Upon Release - K Files and Personal Violence Files. Ensure the victim has received a copy of release conditions.

#### **Victim Services**

43. A victim of IP 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 and assist in dealing with the trauma of the event.
44. Members shall notify the Victim Services Unit when appropriate. 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

(Enacted: 2000.08.01)  
(Deleted: 2018.08.02)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.12(i) Drug Laboratories & Grow Operations

*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

(Enacted: 2003.06.05)  
(Updated: 2021.08.05)

#### POLICY

All drugs coming into the possession of a Vancouver Police Department (VPD) employee for evidentiary purposes or for destruction shall be handled in a safe, professional, ethical manner that maintains the requirements of continuity of evidence. The only VPD location where drugs should be handled, processed, and stored is inside one of the two designated Forensic Processing Facilities located in the Property and Forensic Storage Services (PFSS) building.

#### DEFINITIONS

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

**Drug Exhibit:** any seized controlled drug or substance or prescription drug, 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:** a clear non-perforated plastic 6”X9” envelope with a red adhesive seal.

**Health Canada Analysis Label:** exhibit label with serial number; affixes to the outside of the Drug Exhibit Envelope.

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

**Personal Protection Equipment (PPE):** includes, but is not limited to nasal naloxone, nitrile gloves, eye protection, issued air purifying respirator, long sleeves or disposable arm covers, disposable coveralls and booties.

#### PROCEDURE

[Click here for the training video - VPD Safe Drug Handling 2019 \(9:03 mins\)](#)

##### 1. Seizure of Drug Exhibits

- a. Drug exhibits are to be processed by members working in partnerships within the Forensic Processing Facility.
- b. The work space shall be prepared with new paper, and scales shall be cleaned with alcohol prior to use.
- c. If processing powders or suspicious drug exhibits the fume hood shall be used. The fume hood should be cleaned and turned on for five minutes prior to use.
- d. The appropriate PPE shall be utilized while in the Forensic Processing Facility.
- e. Keep independent drug exhibits separated for analysis to prevent cross-contamination. Sealable non-perforated plastic bags are available at the Forensic Processing Facility.
- f. Liquid drug exhibits shall be in sealed containers to prevent leakage or contamination. Sealed containers are available at the Forensic Processing Facility.
- g. Contaminated syringes shall be placed in plastic needle tubes. For additional information, refer to subsections 2(e)(iii) and 3(f).



- h. All known or suspected fentanyl or carfentanil exhibits shall be sealed within two plastic bags and labelled with a fluorescent pink or yellow sticker to indicate fentanyl or carfentanil.
  - i. When illicit or prescription drugs are found at the scene of a sudden death, members shall:
    - i. remove all drugs and ensure the drugs are lodged in the Forensic Processing Facility;
    - ii. if the cause of death is a suspected drug overdose, lodge the drug exhibit(s) as per procedures within section 2 “Drug Exhibits for Analysis” 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
- j. Drug exhibits shall be weighed in metric (g or kg) and the weight entered into the appropriate fields of the Property Module Page of the GO report.

## **2. Drug Exhibits for Analysis**

- a. Mark exhibit with date, initials, and PIN.
- 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. cannabis (plant material or resin) 1-2 grams
  - ii. powders, solids, and small objects: up to 1 gram
  - iii. tablets or capsules: 1-5 identical units
  - iv. liquids and wet material: 1-5 ml
  - v. dried psilocybin: 5 grams
- d. The following are the weight allowances for drug exhibits to be analyzed for quantification (purity):
  - i. powders, solids, and small objects: 0.5-2 grams
- e. All drug exhibits shall be placed in a sealable plastic bag with prior additional procedures for:
  - i. liquids where these exhibits shall have two samples removed using a new pipette for each sample and placing each sample into a glass jar available at the Forensic Processing Facility. Of the two samples, one will go to Health Canada for analysis; the other will be lodged as an exhibit. The leftover liquid exhibit(s) (bulk amounts) and container(s) shall be placed into the “C” container (C-CAN) for disposal. If required, see section 4(c) below, for C-CAN access procedures;
  - ii. wet or fresh psilocybin or cannabis shall be wrapped in paper towel; and
  - iii. contaminated syringes shall be placed in a plastic needle tube.
- f. If a container is seized where there are different types of capsules, tablets, or pieces, they shall be forwarded separately for analysis.
- g. The drug exhibit contained in the sealed plastic bag shall then be placed in a drug exhibit envelope and sealed using the red adhesive seal.
- h. Affix a Health Canada analysis label to the exterior of the drug exhibit envelope over the red adhesive seal.
- i. Affix a VPD property label onto the Health Canada analysis label.
- j. The drug exhibit envelope shall be deposited in the Drugs for Analysis depository box in the Forensic Processing Facility. 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 Health Canada Analysis Label and VPD property label;
  - ii. 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 Forensic Processing Facility.
- k. After a suitable sample has been taken for each drug exhibit, a separate drug exhibit shall be submitted for the excess (bulk) amount. The excess (bulk) amount shall:
  - i. be measured;



- ii. be placed in a tamper proof plastic heat sealed bag;
- iii. have a VPD property label(s) affixed indicating the contents of the exhibit;
- iv. be entered in the Drugs Not for Analysis Book; and
- v. deposited in the Drugs Not for Analysis depository box. For bulk quantities, refer to section 4.

### **3. Drug Exhibits for Destruction - No Charges**

- a. Place exhibits in a tamper proof plastic heat sealed bag.
- b. Affix VPD property label(s) indicating the contents of the bag. For syringes, refer to subsection (f).
- c. Ensure that the deposit is properly recorded in the Drugs Not for Analysis Book.
- d. Deposit the bag in the Drugs Not for Analysis depository box.
- e. If the exhibit is too large for the depository box, the exhibit shall be secured in a pass-through locker in the Forensic Processing Facility.
- f. When contaminated syringes are seized as drug exhibits for destruction, members shall:
  - i. place each syringe in a plastic needle tube and into a sealable plastic bag;
  - ii. adhere a VPD property label to the bag;
  - iii. enter the exhibit in the Drugs Not for Analysis Book; and
  - iv. deposit the bag containing the needle tube in the Drugs Not for Analysis depository box.
- g. For bulk quantities, refer to section 4.

### **4. Bulk Quantities of Drug Exhibits**

- a. Bulk quantities of powders, tablets, and pieces that are too large to be placed in the Drugs Not for Analysis depository box shall be lodged in a pass-through locker at the Forensic Processing Facility. The exhibit shall be recorded in the Drugs Not for Analysis Book.
- b. Due to health reasons, bulk quantities of liquids, wet or fresh psilocybin and cannabis shall be lodged in the C-CAN.
- c. When accessing the C-CAN, the following procedures apply:
  - i. the appropriate PPE shall be utilized;
  - ii. enter the south side parking lot of the PFSS building and proceed to the C-CAN;
  - iii. use a proximity access card and its associated number code to unlock the left side door of the C-CAN;
  - iv. place the exhibits, with the VPD property label(s) affixed, inside the C-CAN;
  - v. enter the exhibit in the Drugs Not for Analysis Book in the Forensic Processing Facility.
- 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 Evidence and Property Management.
- b. Exhibits that are believed to be contaminated shall be treated as drug exhibits as outlined in procedures section 1(a-i) of this policy.

### **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 Health Canada Analysis Label 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. Destruction of Drug Exhibits**

A PFSS Unit 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

(Enacted: 2000.10.04)  
(Deleted: 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

(Enacted: 2000.10.04)  
(Deleted: 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

(Enacted: 2000.10.17)  
(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

(Enacted: 2001.05.22)  
(Effective: 2021.08.31)

#### 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. Members responding to fire calls shall:
  - a. Ensure that police vehicles do not obstruct Vancouver Fire and Rescue Services (VFRS) or their equipment;
  - b. Remain on the scene and assist VFRS until no longer required;
  - c. Provide vehicular and pedestrian traffic control where appropriate; and
  - d. Assist in maintaining the security of VFRS equipment, if call-load and staffing levels permit.
2. 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. Request the attendance of a supervisor;
  - b. Request the attendance of the Forensic Identification Unit (FIU) where appropriate or required by the VFRS;
  - c. Ensure that any human remains are undisturbed;
  - d. Prevent access to the scene by non-essential personnel;
  - e. Identify and document the involvement of all emergency services members present;
  - f. Remain at the scene to assist the VFRS Investigator and report the findings of the VFRS investigation;
  - g. Seize any property exhibits required for the investigation;
  - h. Submit a comprehensive General Occurrence (GO) report that includes all pertinent information from the VFRS Investigator; and
  - i. Route a copy of the report to the Robbery, Assault, and Arson Unit (RAAU).
3. A 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) supervisor where:
    - i. The fire is deemed an arson or is suspicious in nature;
    - ii. There are serious injuries and/or death; and/or
    - iii. The damage caused by a fire is of significant value, or there are circumstances that warrant notifying the MCS supervisor, 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 Responsibility





## 1.6 Incident Investigations

### 1.6.16 Food and Drug Tampering

(Enacted: 2000.07.27)  
(Updated: 2022.02.04)

#### POLICY

Food and drugs may be tampered with for a variety of reasons including trying to draw attention to a “cause” by getting free publicity, extortion for personal gain, mischief or prank, terrorism, revenge; by causing financial loss or ruining a company’s reputation, and reasons known only to the perpetrator. The tampering or sabotage of food/drugs is very serious in nature as it is a threat to public safety. The incidents should be investigated thoroughly and in a timely manner to ensure food and drug safety.

#### DEFINITIONS

Food or Drug Tampering: is the intentional contamination of a food or drug product, with the intent to cause harm to the consumer or to a private company. Food or drug tampering may affect any part of the food or drug product, such as the product itself, or it can affect the packaging and the label.

#### PROCEDURE

1. A member receiving a report of the tampering or sabotage of food/drugs shall immediately notify their supervisor.
2. The supervisor 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 victimized premises;
  - d. notify the Duty Officer as soon as practical; and
  - e. ensure that the assigned unit routes the report to the Robbery, Assault and Arson Unit (RAAU).
3. Unless the report appears unsubstantiated or is extremely minor, the Duty Officer shall notify the Inspector in charge of RAAU.
4. The RAAU investigator shall:
  - a. take charge of the investigation;
  - b. determine the need for a public alert;
  - c. in regards to food tampering or sabotage, liaise with the Canadian Food Inspection Agency Health (CFIA) if necessary. The CFIA has emergency response procedures designed to protect food, plants, and animals from accidental or intentional events.  
<https://inspection.canada.ca/food-safety-for-consumers/fact-sheets/food-handling/food-tampering/eng/1331585126472/1331585217459>; and/or
  - d. in regards to drug tampering or sabotage, liaise with the Regional Regulatory and Enforcement Officer from the Health Product Compliance West, Regulatory Operations and Enforcement Branch, Health Canada.

Team email:

General phone number:



## 1.6 Incident Investigations

### 1.6.17(i) Seizure of an Intermediate Weapon

(Enacted: 2008.01.03)  
(Updated: 2020.02.27)

#### POLICY

The discharge or use of an intermediate weapon by members could occur in many different circumstances. Some of these events may require the seizure of the member's intermediate weapon by a supervisor or investigating member.

#### PROCEDURE

1. The following applies when a supervisor or investigating member seizes a member's intermediate weapon.
2. If a reportable injury or death has occurred following the application of a weapon, and the Independent Investigation Office (IIO) directs that the weapon be seized, then the seizing member shall comply with the direction provided by the IIO.
3. If a reportable injury or death has not occurred following the application of a weapon, the seizing member shall comply with the requirements of paragraphs 8 or 9 of RPM Section 1.2.1: Use of Force - Justification and:
  - a. Not unload the weapon unless its condition is unsafe, in which case ammunition removed from the weapon must be kept separate from other ammunition seized;
  - b. If the intermediate weapon is a shotgun, ARWEN or 40 mm launcher, forward the weapon (casings and beanbags to be seized by the Forensic Identification Unit (FIU)) to the Firearms Training Team (FTT) Supervisor;
  - c. If the FTT office is closed, unload the weapon, tag the weapon at the Property Office and notify the FTT Supervisor of the disposition of the weapon;
  - d. If the intermediate weapon is a baton or Oleoresin Capsicum (OC) spray, forward the weapon to the Officer Safety Tactics Team (OSTTT) Supervisor;
  - e. If the OSTTT office is closed, tag the baton or OC spray at the Property Office and notify the OSTTT Supervisor.
4. In all cases involving the discharge of an intermediate weapon, the seizing member shall submit a Police Statement (PS) page within a GO detailing the seizure of the weapon.
5. Where a weapon has not been used and is seized for safekeeping (e.g. an on-duty member is injured), the seizing member must:
  - a. Unload the weapon;
  - b. Store the weapon, ammunition, and magazines in a secure locker; and
  - c. Document all relevant details of the seizure (where appropriate) such as the continuity and disposition of the weapon, ammunition, and magazines.



## 1.6 Incident Investigations

### 1.6.17(ii) Seizure of a Member's Firearm

(Enacted: 2000.10.05)  
(Updated: 2020.02.27)

#### POLICY

The discharge of a firearm by members could occur in many different circumstances. These events require the seizure of the member's firearm by a supervisor or investigating member.

#### PROCEDURE

1. If a reportable injury or death has occurred following the discharge the firearm and Independent Investigation Office (IIO) directs that the firearm be seized, then the seizing member shall comply with the direction provided by the IIO.
2. If a reportable injury or death has not occurred following the discharge of the firearm, the seizing member shall comply with the requirements of paragraph 23 of RPM Section 1.2.1: Use of Force - Justification, and:
  - a. Not unload the firearm unless it's condition is unsafe in which case, ammunition removed from the firearm must be kept separated from other ammunition seized; and
  - b. Forward the firearm (casings and ammunition to be seized by FIU) to the FTT Supervisor; and
  - c. If the FTT office is closed, unload the firearm, tag the firearm at the Property Office and notify the FTT Supervisor of the disposition of the firearm.
3. In all cases, involving the discharge of a firearm, the seizing member shall submit a Police Statement (PS) page within a GO detailing the seizure of the weapon.
4. Where a firearm has not been used and is seized for safekeeping (e.g. on-duty member is injured), the seizing member must:
  - a. Unload the firearm;
  - b. Store the firearm, ammunition, and magazines in a secure locker; and
  - c. Document all relevant details of the seizure, such as the continuity and disposition of the weapon, 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

(Enacted: 2000.03.22)  
(Updated: 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 1.9.3 Evidence and Property Management 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

(Enacted: 2000.08.30)  
(Updated: 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

(Enacted: 2001.01.16)  
(Updated: 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

(Enacted: 2007.11.26)  
(Deleted: 2021.06.22)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.18 Graffiti

(Enacted: 2003.04.17)  
(Updated: 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

(Enacted: 2000.09.29)  
(Updated: 2022.04.11)

#### **POLICY**

Members are required to investigate certain types of incidents at hospitals and/or to provide assistance at such facilities on specific occasions. Within the city of Vancouver there are five hospitals. These hospitals may receive persons who have been injured as a result of a criminal or other type of incident before these occurrences have even been reported to the police.

#### **PROCEDURE**

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

- a. Active deadly threat;
- b. Gunshot and knife wounds;
- c. Administration of noxious substances;
- d. Sexual assaults;
- e. Industrial accidents of a serious nature;
- f. Serious injuries as a result of an assault;
- g. Any injuries resulting in death where there are suspicious circumstances;
- h. Injuries received as a result of a motor vehicle incident when police were not in attendance at the scene; and
- i. Any admission of a patient, or other circumstances, in which the hospital authorities require the assistance of the police to keep the peace RPM Section 1.2.2 Use of Force to Provide Medical Aid and RPM Section 1.6.24 Apprehensions of Persons Under the *Mental Health Act* and Transportation to a Designated Facility.





## 1.6 Incident Investigations

### 1.6.20 Suspect Identification

(Enacted: 2000.07.26)  
(Updated: 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 Evidence and Property Management).

#### **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 1.9.20 Digital Recordings (Images) on Issued Electronic Devices when considering taking photographs of persons.



## 1.6 Incident Investigations

### 1.6.20(i) Police Authority to Take and Use Photographs

(Enacted: 2009.09.25)  
(Deleted: 2021.09.03)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.21 Insecure Premises

(Enacted: 2001.05.22)  
(Updated: 2022.04.11)

#### **POLICY**

Insecure premises must be secured properly to prevent persons from illegally entering and occupying such buildings and to protect the building and its contents from theft and/or damage.

#### **PROCEDURE**

1. Members attending insecure premises shall request that the District dispatcher to locate a reference for the premises.
2. If E-Comm is unable to locate a reference, the member shall, whenever possible, conduct a search of the premises for any information relating to a reference.
3. If all attempts to locate a reference have been exhausted, members shall request that E-Comm contact a private contractor to secure the premises. E-Comm retains a current contact list for the private contractor.
4. Once a reference or private contractor has been contacted to secure the premises, members may request the attendance of a Special Municipal Constable (SMC) to oversee the securing of the premises unless there is a reasonable belief that an unwanted individual might return.
5. If an SMC attends, members must provide the SMC with a business card with their police identification number (PIN) and the file number.
6. Members or SMCs must remain on scene until the reference or private contractor attends.
7. Member and SMCs must provide the private contractor with their business card with the GO number and their PIN, prior to departing the scene.
8. Members and SMCs shall include the name of the private contractor that attends and the time of attendance in the GO report.
9. Attending members shall also include in their GO report, the circumstances regarding the request of the private contractor.



## 1.6 Incident Investigations

### 1.6.22 Labour Disputes and Incidents

(Enacted: 2022.02.04)  
(Updated: 2022.02.04)

#### **POLICY**

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.

Members shall be governed by the following:

1. maintain an independent position;
2. maintain or restore the peace. Prevent injury to persons and property; and
3. arrest only if all other available remedies have failed.

#### **PROCEDURE**

1. Members shall:
  - 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 (e.g. 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.
2. In the case of other reported criminal acts, a normal police investigation should be considered.
3. A supervisor shall attend all labour management disputes.





## 1.6 Incident Investigations

### 1.6.23(i) Special Event Permits

(Enacted: 2000.07.28)  
(Updated: 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

(Enacted: 2006.07.25)  
(Updated: 2022.07.05)

#### POLICY

The Liquor and Cannabis Regulation Branch (LCRB) is a Government of British Columbia (BC) agency within the Ministry of the Attorney General. The LCRB is responsible for issuing liquor licenses in the province and for enforcing the provisions of the *Liquor Control and Licensing Act* (LCLA). The Ministry must appoint a 'General Manager' to administer the LCLA and Regulations, and they are responsible for:

- issuing licences and permits;
- supervising licensees, permittees and the operation of establishments and event sites; and
- enforcing the LCLA and the Regulations.

#### Delegation of Authority:

The LCRB General Manager has delegated the powers and duties of specific sections of the LCLA to peace officers in BC:

**Section 42** - Authority to request records and conduct inspections. This section authorizes the General Manager or peace officer to request records relating to liquor transported or received, or to inspect an establishment or event site, and require the licensee to provide information relating to the inspection.

**Sections 48(1) & (3)** - Authority to temporarily suspend all or part of a liquor licence, authorization or permit for a period not exceeding 24 hours at a licensed establishment or at an event site 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; and,
- authority to take action for the immediate removal of patrons or the licensee's employees from the establishment and closure of all or part of the establishment or event site for a period not exceeding the suspension. The licensee must take all reasonable steps to ensure the establishment or event site is immediately vacated.

**Section 50** - Authority to cancel a permit or authorization if in the peace officer's opinion:

- a circumstance exists that would prevent the issue of a permit or an authorization;
- the circumstances on the basis of which the permit or authorization was issued have changed so that the circumstances no longer meet the requirements under the LCLA for issue of a permit or authorization;
- the licensee fails to disclose a material fact required by the application for the permit or authorization or makes a false or misleading statement in the application;
- the permit or authorization was issued in error; or
- the event authorized by the permit or authorization could pose a threat to public safety;

Or cancel a Permit, if in their opinion:

- the permittee has contravened the LCLA, the regulations, or any other laws related to liquor in Canada;
- the permittee failed to comply with a term and condition of the permit; or



- a licence, permit, registration or certificate required to operate an event site is not issued, is suspended or cancelled..

### PROCEDURE

In the course of their duties, VPD members may attend licensed establishments or special events where they observe activities, behaviours, or circumstances that may be cause to cancel or suspend all or part of a licence, authorization, or permit. Within the VPD, the Duty Officer or a supervisor designated by the Duty Officer will make the decision to suspend or cancel a licence, authorization, or permit and determine the length of suspension, (not exceeding 24 hours).

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 LCLA are present;
  - c. notify the Duty Officer;
  - d. assign members to document their observations in a detailed General Occurrence (GO) report and select the study flag "L" for Liquor Coordinator; and
  - e. contact the VPD Liquor Coordinator and advise them of the circumstances and GO report number. The Liquor Coordinator may forward the GO report to the LCRB General Manager.
3. The Duty Officer, or a supervisor designated by the Duty Officer, will determine if circumstances exist that require suspension or cancelation of the permit, license or authorization pursuant to Sections 48(1) or 50 LCLA where the LCRB General Manager has delegated authority to peace officers in BC. Depending on the circumstances, the Duty Officer or designate may determine the length of suspension required (not exceeding 24 hours) to ensure public safety or prevent continued riotous, violent, drunken or disorderly behaviour.
4. The Duty Officer or designate will advise the licensee or permit holder of the duration (not exceeding 24 hours) of the suspension and closure of the establishment or event site.
5. The Duty Officer or designate will ensure a member seizes the license, authorization, or permit and will arrange its returned to the licensee or permittee upon completion of the suspension or immediately turned over the VPD Liquor Coordinator or LCRB.



## 1.6 Incident Investigations

### 1.6.23(iii) Liquor Seizure

(Enacted: 2001.05.23)  
(Updated: 2022.06.08)

#### POLICY

Liquor seized for safekeeping, as evidence, or under the *Liquor Control and Licensing Act* (LCLA), will be tagged at the Property and Forensic Storage Services building (PFSS) at 2010 Glen Drive. Partial bottles or packages of liquor and/or related items may be tagged as long as they can be sealed.

#### PROCEDURE

1. When seizures are made for safekeeping, as evidence, or under the LCLA, members shall:
  - a. Remove any individual bottles or packages of liquor and/or other related items from any bag, backpack, etc.;
  - b. Tag individual bottles or packages of liquor and/or other related items;
  - c. Complete a General Occurrence (GO) report explaining the seizure;
  - d. During the hours that the PFSS is open, turn in the seized liquor and/or other items;
  - e. If the PFSS is closed, the seized liquor and/or related items shall be tagged and placed in a locker in the PFSS report writing room. Indicate the locker number in the report; and
  - f. If the liquor is seized as evidence, complete a Report to a Justice, Form 5.2 as required.
2. Members are advised that liquor seized under the LCLA may not be returned to the owner until they have applied to the General Manager of the Liquor and Cannabis Regulation Branch for permission to have the liquor returned. This application must be made in writing within 30 days of the seizure otherwise the liquor is subject to destruction.
3. In cases where arrested persons are involved, members will advise the Vancouver Jail who will notify the person, upon release, to go to the PFSS to claim their liquor.
4. When impounding a vehicle, members shall remove and tag any liquor in accordance with these procedures.



## 1.6 Incident Investigations

### 1.6.24 Apprehensions of Persons Under the *Mental Health Act* and Transportation to a Designated Facility

(Enacted: 2023.12.27)  
(Updated: 2023.12.27)

#### POLICY

A Vancouver Police Department (VPD) member has the authority to apprehend and transport persons to a designated facility in certain circumstances under the British Columbia *Mental Health Act* (*MHA*).

Apprehensions under the *MHA* should occur primarily when a member interacts with a person who meets the criteria for apprehension and the person has not committed a criminal offence. The criteria for *MHA* apprehensions are outlined in the [MHA](#), specifically Sections 22 (involuntary admissions; Form 4), 28 (emergency procedures), 39(3) (recall from leave - Form 21), and 41(6) (unauthorized absences (AWOL)).

There may, however, be occasions where a member uses their discretion to apprehend a person under the *MHA* who has committed a non-violent offence (e.g., summary offence) and/or is suitable for release on conditions where continued detention is not required.

It is not appropriate to apprehend a person under the *MHA*, when the person has committed a serious or violent offence (e.g., indictable offence) and/or is not suitable to be released on conditions where continued detention is required. There are specific “Not Criminally Responsible by Reason of Mental Disorder” (NCRMD) provisions under the *Criminal Code* that address this type of situation.

#### Transport

It is preferable to transport an apprehended person via the British Columbia Ambulance Service (BCAS) as mental health is foremost a medical concern. However, there are instances where it is appropriate for a member to apply their discretion and transport the person to a designated facility in a police vehicle when the wait time for BCAS is not reasonable in the circumstances.

Before choosing the option to transport a person apprehended under the *MHA* in a police vehicle, the member must weigh officer safety considerations, the needs of the apprehended person, and police resourcing considerations. The behaviour of a person apprehended under the *MHA* may vary significantly and officer safety assessments should be conducted throughout the interaction.

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

1. the person is not suffering from any apparent physical, non-mental health related medical conditions and/or distress that would require that they be seen by BCAS prior to admission;
2. there are no presenting hygiene, contagion or biohazard concerns; and
3. there are no apparent officer safety concerns.

A patrol member’s decision to transport a person apprehended under the *MHA* in a police vehicle must be approved by the supervisor and documented (including how the person met the above criteria) in the accompanying report.

There may be instances where a person does not meet the criteria for apprehension under the *MHA*, but are reporting either mental or physical symptoms that they feel require medical attention and are seeking assistance from police for voluntary transport to hospital. “Voluntary” police transport and escort of a person



to the hospital is NOT permitted. If a person does not meet the criteria for a *MHA* apprehension, the member may suggest alternate transportation methods for the person (e.g., BCAS, relative, public transit, etc.).

### DEFINITION

**Designated Facility** - a Provincial mental health facility, psychiatric unit or observation unit; a specific hospital (e.g., St. Paul's Hospital), or part of it, or other facilities (e.g., Red Fish Healing Centre) where a person may be admitted under the authority of the *MHA*.

### PROCEDURE

#### *MHA* Section 28 Apprehensions

4. When a member interacts with a person who meets the criteria for an apprehension under Section 28 of the *MHA*, the member shall apprehend the person and ensure that the person is taken to a physician or nurse practitioner for examination.
5. If the apprehended person is 16 years of age or younger, the member will ensure the person is taken to BC Children's Hospital.

#### Persons on Unauthorized Leave from a Designated Facility

6. In the case of persons who have eloped from a designated facility the following applies:
  - a. if a person is suspected of having eloped, a query will be made through the Canadian Police Information Centre (CPIC). If there is no information on file, further inquiries may be made directly to the designated facility from where the person is believed to be on unauthorized leave. If no authority to apprehend can be located, consideration should be given to apprehending under Section 28 of the *MHA*;
  - b. if information is received from a designated facility that a person detained under the *MHA* has eloped, then the member may:
    - i. if a Form 21 Director's Warrant has been issued, apprehend and return the person to the originating facility;
      1. if the issuing designated facility identified in the warrant is not within close proximity of the City of Vancouver the member may take the person to the closest designated facility whereby inter-facility transport will occur; or
    - ii. where no warrant exists, the person may be apprehended under Section 41(6) of the *MHA*, providing the apprehension takes place within 48 hours of the time the person was reported to have eloped from the facility.
  - c. when the member assists in the transport of a person on unauthorized leave to a designated facility, they shall advise staff of the circumstances so that they are aware that a Medical Certificate is in effect for the person. A Medical Certificate provides the facility with authority to prevent the person from leaving the facility. The facility then assumes responsibility for the person.
7. When health care authorities require police assistance to keep the peace, the member shall provide assistance as appropriate (RPM Section 1.6.19 Hospital Emergency Calls).

### TRANSPORTATION METHODS

#### British Columbia Ambulance Service (BCAS)

8. BCAS will normally transport persons apprehended under the *MHA*. The apprehending member shall:
  - a. consult with the paramedic to determine the most appropriate designated facility for the person;
  - b. accompany the person to the designated facility;





- c. maintain control of the person until the designated facility has assumed control of the person and admitted them into their care;
  - d. immediately prepare a report after the person has been admitted into the designated facility;
  - e. after completing the report, contact the Transcription and CPIC Support Unit (TCSU) at xxx. Provide TCSU with the incident number and the name of the designated facility so they can fax the report to the appropriate place. TCSU will process the electronic report and fax a redacted version to the designated facility; and
  - f. notify the designated facility staff if further police action is required.
9. If BCAS refuses or is unable to transport a person who has been apprehended under the *MHA*, the member shall notify a VPD supervisor. The supervisor shall:
- a. contact a BCAS supervisor;
  - b. advise the BCAS supervisor that the person is apprehended under the *MHA* and therefore transportation by BCAS is more appropriate and is in the best medical interests of the person; and
  - c. in the event BCAS continues to refuse or is unable to transport, consider the transportation alternatives below, and follow up with the VPD Mental Health Unit for further assistance in resolving the matter.

### Transport by Police Vehicle

10. If the member determines that it would be appropriate to transport a person apprehended under the *MHA* in a police vehicle, consideration should be given to using a police vehicle equipped with a partition (e.g., a cage vehicle). However, if it is determined that the use of a police vehicle not equipped with a partition is most appropriate, the following will apply:
- a. the member must notify a supervisor of the intended transport;
  - b. the apprehended person may be handcuffed (RPM Section 1.2.3 Use of Handcuffs) and must be searched (RPM Section 1.12.1(v) Searches of a Person) prior to being placed in the police vehicle. The police vehicle must be searched by a member before and after the transport;
  - c. the person must be placed in the rear passenger-side seat of the police vehicle, with the seatbelt securely fastened. An accompanying member must sit in the rear driver-side seat;
    - i. in exceptional circumstances, and where there are no officer or public safety concerns, the transporting member may be accompanied by an appropriate VPD community partner (e.g., health care professional, social worker). The decision to have a VPD community partner assist in the transport must be assessed on a case by case basis and be approved by a VPD supervisor;
  - d. the transport start time and location, and transport end time and location must be provided by the transporting member to dispatch for inclusion in Computer Assisted Dispatch (CAD) remarks;
  - e. the destination designated facility should be contacted via phone to advise that the apprehended person is en route; and
  - f. when police vehicles fitted with interior gun racks are used for transport of apprehend persons, any firearms in the gun rack (e.g., carbine or beanbag) must be removed and safely stored in the trunk, prior to transporting the person. Alternatively, the person may be transported by BCAS, or in a different police vehicle that is not equipped with an interior gun rack.
11. The transporting member(s) is responsible for ongoing assessment of the situation. If, at any time during the transport, the member's original assessment changes whereby the transport in a police vehicle is no longer appropriate (e.g., emergent medical issues, a significant change in the person's behaviour), they may discontinue the transport and request BCAS.

### Transport by Police Cage Vehicle or Wagon



12. If a cage vehicle is available for transport, the member will consider this mode of transport before considering the use of a police wagon.
13. Police wagons should only be used for transporting persons apprehended under the *MHA* in exceptional circumstances (e.g., where the person presents a biohazard concern).
14. Children and youth under 19 years of age apprehended under the *MHA* shall not be transported in a police wagon.
15. Supervisory approval must be granted prior to transporting a person via wagon.
16. The assigned member should contact the destination designated facility by phone prior to transport, accompany the wagon while en route, and assume custody of the person upon arrival.
17. The person shall be placed alone in the compartment of the wagon and must be transported directly to the destination designated facility.
18. Additional procedures for transport by police wagon may be reviewed within RPM Section 1.12.1(iii) Transportation of Persons in Custody.



## 1.6 Incident Investigations

### 1.6.24(i) Apprehensions Under the *Mental Health Act*

(Enacted: 2001.07.30)  
(Deleted: 2023.12.27)

This policy has been amalgamated into RPM Section 1.6.24 Apprehensions of Persons Under the Mental Health Act and Transportation to a Designated Facility.



## 1.6 Incident Investigations

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

(Enacted: 2001.04.04)  
(Deleted: 2023.12.27)

This policy has been amalgamated into RPM Section 1.6.24 Apprehensions of Persons Under the Mental Health Act and Transportation to a Designated Facility.



## 1.6 Incident Investigations

### 1.6.25 Missing Person/Child

(Enacted: 2001.06.01)  
(Updated: 2022.07.15)

#### 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 equity deserving 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.

#### DEFINITIONS

**Missing person:** 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 investigation falls under one of two categories and may change based on information gathered during the investigation:

1. high risk people or situations.
2. non-high risk people or situations.

**High risk missing person investigation:** as defined by the *BC Provincial Policing Standards* is an investigation in which the missing person's health or well-being may be in immediate danger due to:

- their own vulnerability (e.g., 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;
- 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 MPU 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 a supervisor and assign a member. The Police Records Information Management Environment - British Columbia (PRIME) *Missing Person Details Page* (i.e., Provincial Missing Person Intake Form) must be completed upon file intake, along with all relevant Canadian Police Information Centre (CPIC) fields within. This details page is normally completed by E-Comm but the assigned member must ensure its inclusion in the General Occurrence (GO) report and complete the details page themselves should a missing person call be initiated by patrol.

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

### Member responsibilities

Members assigned to investigate a missing person incident shall complete the following:

1. Conduct an initial risk assessment as soon as practicable. This risk assessment includes:
  - a. Beginning a GO report and completing the Missing Person Risk Assessment Template found in PRIME. A Missing Person Investigative Checklist (Form VPD 1751) is available on the VPD Intranet if needed; and
  - b. Determining 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 report 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. Search the premises where the person was last seen, including the residence or other applicable locations;
  - c. Obtain a description of the person and a photograph if possible. If a photograph is obtained, attach it to the PRIME file ensuring that the photograph is recent and is a true likeness of the person;
  - d. Check for the missing person on CPIC and PRIME and ensure a CPIC message is sent to all relevant jurisdictions;
  - e. Ensure all area hospitals are checked;
  - f. Ensure the missing person is not presently in police custody;
  - g. If the missing person has access to a vehicle, consider the following:





- 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” (available through E-Comm) 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;
- h. Provide the family and/or reportee of the missing person with information about support services available; and
- i. 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 police immediately should the missing person return home.

### Reporting procedures

- 4. Complete the GO report and Synopsis (SY) text pages as soon as practicable and before the end of shift. The GO report must include:
  - a. The PRIME Missing Persons Details Page and all relevant CPIC fields within (usually completed by E-Comm but member must ensure);
  - b. The completed Risk Assessment Investigator 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. Email digital photograph(s) of the missing person to xxx or attach it to the PRIME file.
- 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. This can be ascertained via an approved verifier:
    - i. a parent or caregiver;
    - ii. a social worker, youth/child protection work, or group home worker;
    - iii. a transition house worker or anti-violence worker;
    - iv. a doctor, psychiatrist, counsellor, or other health care provider;
    - v. a victim services worker;
    - vi. a shelter or outreach worker;
    - vii. a lawyer or legal advocate; or
    - viii. an Indigenous support worker;
  - b. If the found person is under the age of 19, an extra standard of care is required to determine:
    - i. whether the person 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 person’s safety or prevent them from going missing again.
    - iii. if required, consult the MPU.

**Note: a person under the age of 19 has the right to refuse to cooperate or answer questions and should not be pressured to provide information.**

- c. Ensure that the missing person and their vehicle (if applicable) are removed from CPIC;
- d. If it is a VPD missing person file, submit a supplemental text page to the original GO report as soon as practicable and before the end of shift;
- e. If it is 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 via CPIC.



### **Supervisor responsibilities**

Supervisors advised of a missing person incident shall complete the following:

8. Consult with the investigating member, review the file, and complete the Risk Assessment - Supervisor Review Template;
9. Consider the specifics of the incident, including factors that may make the case high risk, including whether the missing person's status as an Indigenous or equity deserving person may alone warrant treating the investigation as high risk.
10. If a determination is made that the incident is high risk, the supervisor shall:
  - a. Ensure a priority one response and that appropriate resources are immediately assigned;
  - b. Notify the Duty Officer;
  - c. Notify the supervisor in charge of the MPU. After hours, the Duty Officer will provide authorization for the call; and
  - d. Ensure a GO report has been completed.

### **Duty Officer responsibilities**

The Duty Officer advised of a missing person incident shall complete the following:

11. Consider if additional resources are required (e.g. Search and Canvass Team, Public Affairs Section in consultation with the MPU supervisor);
12. 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;
13. Consider if the incident at hand is in fact an abduction or kidnapping and refer to RPM Section 1.7.24 Child Abduction and Attempted Abduction; and
14. Set up a command post if necessary.



## 1.6 Incident Investigations

### 1.6.26 Municipal Ticket Information

(Enacted: 2006.12.15)

(Updated: 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

(Enacted: 2007.04.26)

(Updated: 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

(Enacted: 2003.12.10)  
(Updated: 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 Breaching Parolee Conditions

(Enacted: 2001.05.23)  
(Updated: 2023.05.26)

#### 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 in a timely manner as this is a serious offence. When investigating a breach of parole, the Correctional Service of Canada (CSC) through the National Monitoring Centre shall be notified.

#### Persons on parole 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 years or more are federal offenders and fall under the jurisdiction of the CSC. Those with sentences of less than two 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 persons on parole 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 (CCRA) under Section 137.1 gives peace officers the power of arrest of offenders breaching the conditions of their parole, statutory release or unescorted temporary absence.

Section 137.1 CCRA:

“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.”

#### DEFINITIONS



**Day parole:** When persons are on day parole, they are allowed to participate in community-based activities but usually must return nightly to a halfway house, which is an extension of a correctional facility. Besides having to abide by standard conditions of day parole, special conditions may also be imposed.

**Halfway houses:** Are community-based residential facilities (CBRFs) but are commonly referred to as “halfway houses”. These provide a bridge between the institution and the community. They work on a system of gradual, supervised release. Many offer programming for their residents. Privately operated CBRFs can be, for example, community residential facilities, hostels, treatment centers, private home placements, etc.)

**Community residential facilities (CRFs):** Are facilities in the community that are contracted to a private operator by the CSC. They are the same as a halfway house only a different name is used as they are privately operated versus CSC operated.

**Full parole:** When persons are on full parole, they can live with family or on their own. Parole may be granted to those who apply for it, who have served one-third of their sentence or seven years. The offender will serve part of their sentence under supervision in the community under specific conditions. Full parole usually comes after successful completion of day parole.

**Statutory release:** In most cases, offenders will automatically be released on statutory release after serving two-thirds of their sentence and will serve the last one-third of their sentence in the community. The offender will be supervised, is required to follow standard conditions, and may also be given additional conditions when released.

**Long term supervision order (LTSO):** An order imposed by the court on an offender who is to be supervised. The order commences when the offender has finished serving all sentences for offences for which they have been convicted of. The period of supervision must not total more than 10 years.

## PROCEDURE

Members upon any contact with a person suspected of breaching a condition of their parole, statutory release or unescorted temporary absence, will use the following procedures.

1. All persons on federal and provincial parole are entered on the Canadian Police Information Centre (CPIC) system for police information purposes. When a member investigates a person on parole 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) and/or contact the National Monitoring Centre at 1-866-400-3765 for further direction;
  - c. if the person is arrested (see RPM Section 1.4.1 Police Warnings for information if needed), ensure that the VPD Jail Arrest Report (VPD 602) (also referred to as a Jail 8) is clearly marked indicating the person is on parole and subject to certain conditions; and
  - d. submit a detailed General Occurrence (GO) report.
2. The CSC (which also includes halfway houses and community residential facilities for example) may request assistance from police in executing a **Warrant of Apprehension and Suspension**. CSC parole officers have powers of arrest and are peace officers but lack the resources to regularly execute warrants of arrest.
3. Upon execution of a **Warrant of Apprehension and Suspension**, members shall:
  - a. confirm the warrant with CSC; and
  - b. submit a GO report which must include the circumstances of when, where, who, why, what and how the arrested person was found.

## Reference Material



- Police Officer's Reference Guide for Federal Offenders
- For persons on probation, refer to RPM Section 1.6.49 Failure to Comply with (Breach of) Undertaking, Release Order, Conditional Sentence Order, or Probation



## 1.6 Incident Investigations

### 1.6.30 Parking Meters

(Enacted: 2000.08.30)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.31 Sub Post Offices

(Enacted: 2001.05.22)  
(Deleted: 2021.11.30)

This policy has been rescinded.





## 1.6 Incident Investigations

### 1.6.32 Late Night Dance Events

(Enacted: 2000.10.13)  
(Updated: 2022.03.03)

#### POLICY

Members attending “Late Night Dance Events” should know that “Late Night Dance Events” are governed by By-law No. 8138, which is part of the Licensing By-law. Key elements of this By-law are:

- a. a permit is required for the event;
- b. the event involves dance or music;
- c. applies only to events between the hours of 0200 and 0600 on any day;
- d. applies to events held in any place other than a private residence; and
- e. all sound amplification equipment and musical instruments used must be contained completely within the building or structure described in the permit.

#### PROCEDURE

A member attending a party shall determine whether or not the party is in fact a “Late Night Dance Event”. If a Vancouver Fire and Rescue Service (VFRS) investigator is required to gain entry to any premises suspected of holding an illegal “Late Night Dance Event”, a supervisor shall be requested to attend the scene. The supervisor will determine if VFRS dispatch is to be notified in order to call a VFRS investigator to attend the scene.

Once the party is confirmed a “Late Night Dance Event”, a supervisor must be on scene and at that time the following must be determined:

1. Does the promoter have a permit? If so, take appropriate action and submit a General Occurrence (GO) report. Route a copy of report to the Emergency and Operational Planning Section (EOPS). The report shall contain:
  - a. the circumstances of the call (i.e., complaint or walk-through);
  - b. the name of the promoter;
  - c. name and information of the security company, if any;
  - d. name and information of the building owner and address; and
  - e. any information on problems observed or charges contemplated.
2. If there is no permit, charges under one or more of the following Acts may apply:
  1. *Criminal Code*;
  2. provincial statutes;
  3. *Liquor Control and Licensing Act*;
  4. *Controlled Drugs and Substances Act*;
  5. By-laws;
  6. *Fire Services Act*; and
  7. permits and licences
3. Unless the “Late Night Dance Event” is authorized by a permit pursuant to By-law No. 8138, members may consider charges under any of the aforementioned sections. Also refer to RPM Section 1.6.46 Party Out of Control.



## 1.6 Incident Investigations

### 1.6.33 Reward for Information

(Enacted: 2000.10.24)  
(Updated: 2022.03.03)

#### 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 Form 68 via the Superintendent of 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 of 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 person responsible; 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 in the Vancouver Police Department's Financial Services Section (VPD-FSS).
6. The Superintendent of 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 of Investigative Services to investigate the claim including a recommendation of payment or non-payment of the reward;
  - b. Direct the Superintendent of Investigative Services to recommend a course of action to the Chief Constable based on the results of the investigation, and if approved, to the VPB; and
  - c. Provide notice as soon as practicable of the VPB's decision to the Senior Director of Finance in the VPD-FSS.
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 of Investigative Services shall review the case file and via the Deputy Chief Constable, Investigation Division, report to the Chief Constable in writing with:
  - 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 Finance in the VPD-FSS.



## 1.6 Incident Investigations

### 1.6.34(i) Investigations on School Property

(Enacted: 1993.09.30)  
(Updated: 2022.02.22)

#### POLICY

The Vancouver Police Department (VPD) is committed to working collaboratively with schools, caregivers, service providers and other community partners, to establish safe learning environments for children and youth. The purpose of this policy is to provide guidelines to members conducting investigations on Vancouver School Board (VSB) or Independent school property (elementary or secondary schools) and the circumstances in which they should provide notice to a school administrator.

#### DEFINITION

School administrator: a school's principal, or the principal's designate (e.g. vice principal).

#### PROCEDURE

1. Members intending to conduct an investigation on VSB or Independent school property during school hours should notify a school administrator prior to:
  - a. arresting a student or school employee on school property;
  - b. searching a student, school employee or place on school property; or
  - c. interviewing a student or school employee on school property.
2. In exigent and/or on-view situations when it is not practical to notify the school administrator prior to contact with a student, a school employee, or the search of any place on school property the member should notify the school administrator as soon as practicable after the incident.
3. Members should attempt to work collaboratively with school administrators as much as possible. In the event that the member and the school administrator are unable to agree on the course of action to be taken, the member should consult with a VPD supervisor.
4. If the investigation involves a student, additional procedures may be referred to within RPM Sections 1.6.47 Young Persons and/or RPM Sections 1.7.24 Offences Against Children and Youth.
5. For investigations linked to youth suspects or incidents involving adults that directly affect the school environment, any associated reports should be forwarded to the Youth Investigative Unit for review by specifying "2" in the "study flag" on the front page of the report.



## 1.6 Incident Investigations

### 1.6.34(ii) Maintenance of Order on School Property

(Enacted: 2001.05.22)  
(Updated: 2022.02.22)

#### POLICY

The Vancouver Police Department (VPD) is committed to working collaboratively with schools, caregivers, service providers and other community partners, to establish safe learning environments for children and youth. Section 177 of the British Columbia (BC) *School Act* addresses the maintenance of order on school premises, including directing a person to leave, and calling for police assistance if necessary.

The purpose of this policy is to provide information about the BC *School Act* and procedures available to members if a Vancouver School Board or Independent elementary or secondary school requests police assistance related to the *School Act*.

Section 177 of the BC *School Act* states:

- (1) A person must not disturb or interrupt the proceedings of a school or an official school function.
- (2) A person who is directed to leave the land or premises of a school by a principal, vice principal, director of instruction 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 principal, vice principal, director of instruction or a person who is authorized by the board to give that approval.
- (3) A person who contravenes subsection (1) or (2) commits an offence.
- (4) A principal, vice principal, or director of instruction 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.

#### PROCEDURE

1. Members attending a school in response to an assistance request to maintain order on school property can take a number of steps to resolve the situation including:
  - a. meet with the principal or the principal's designate to gather information;
  - b. accompany the principal or designate to the location of the person who is the subject of complaint;
  - c. stand by while the principal or designate requests the person to leave. The member must give the person the opportunity to leave voluntarily;
  - d. if the person does not leave voluntarily, instruct the person of the consequences of remaining (e.g. being charged under Section 177 of the *School Act*); and
  - e. allow the person a reasonable period of time to leave.

Note: A person does not have an obligation to provide their identification unless they are being arrested for an offence (e.g. disturbing or interrupting the proceedings of a school). The offence occurs when a person does not leave after being directed to leave by an authorized person. If the person leaves after being requested to do so, there is no offence.

2. If the member determines that the person is committing an offence and the person refuses to identify themselves, or will continue the offence (e.g. refuses to leave), or the member has reason to believe the person will not attend court, the member may:





- a. place the person under arrest for contravening Section 177 of the *School Act* (under authority of the *BC Offence Act*) and escort the person off school property, using no more force than is necessary;
  - b. after making the arrest, a member may determine that it is appropriate, in all of the circumstances, to release the person without charge;
  - c. alternatively, if after making the arrest a member determines that a charge is warranted, a member must release the person once all the elements of public interest and court appearance have been met (public interest includes: security of evidence, need to identify the person, the repetition or continuation of the offence and ensuring the safety and security of any victim of or witness of the offence), as per section 498(1.1) of the *Criminal Code*;
  - d. if public interest is still not met after the arrest, the person may be transported to the Vancouver Jail; and
  - e. submit a Report to Crown Counsel (RTCC) outlining the circumstances of the offence and include “2” for the Youth Investigative Unit (YIU) in the “study flag” field on the front page of the report regardless whether the accused is a youth or an adult.
3. If the member finds the person committing an offence and the public interest is satisfied and there is no reason to believe the person will not attend court, the member may:
  - a. escort the person off school property, using no more force than is necessary;
  - b. release the person on a Provincial Appearance Notice (PAN) indicating a charge under section 177 of the *School Act* (see also RPM section 1.5.1 Issuing Appearance Notices (ANs) (Federal & Provincial) and Undertakings);
  - c. submit a RTCC outlining the circumstances of the offence and include “2” for the YIU in the “study flag” field on the front page of the report regardless whether the accused is a youth or an adult; and
  - d. a summons may be requested if a PAN has not been issued or the offender is a youth.

Note: If the person is a youth, please also refer to RPM section 1.6.47(ii) Charges and Arrests - Young Persons.
4. When the person leaves upon request (no charge), submit a General Occurrence report and specify the “study flag” as “2” to ensure the report is forwarded to the YIU.
5. The YIU will initiate a follow-up investigation if the person is deemed to be a repeat offender and, if warranted, submit a RTCC.





## 1.6 Incident Investigations

### 1.6.34(iii) School Board Property

(Deleted: 2022.02.22)

This policy has been rescinded.



## 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

(Enacted: 2000.09.05)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 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

(Enacted: 2000.09.06)  
(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

(Enacted: 2001.07.11)  
(Updated: 2022.03.03)

#### POLICY

The Vancouver Police Department (VPD) acknowledges the diversity of our communities and the need to use translators/interpreters to ensure that all citizens have access to police services.

A best practices protocol for translation and transcription of victim, witness and accused person's statements has been developed between police and Crown counsel in British Columbia (BC). This protocol includes an appendix of resources and is set out in Schedule IV of the Memorandum of Understanding on Disclosure Between Police and BC's Prosecution Service (October 2012). All police agencies in BC have committed to the standards set out in this document for cases submitted to Crown counsel.

The VPD also acknowledges the need to ensure that persons who are deaf or hard of hearing receive the services of a sign language interpreter 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 Wavefront Centre for Communication Accessibility (WCCA) (which is now the operating name for the Western Institute for the Deaf and Hard of Hearing [WIDHH]) to provide interpreters who are qualified to interpret in police/legal situations.

#### DEFINITIONS

**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.

**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.

#### 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 sworn members or civilian professionals including:
    - a person on the VPD second language list; or
    - a sworn member, civilian professional, or volunteer from the VPD Chinese Community Policing Centre located at #106-268 Keefer Street, Vancouver, BC.
  - b. During regular business hours, the investigating member may contact the Intercept Coordinator of the Covert Intercept Unit 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 (Monday-Friday, 0800-1730 hrs), call xxx-xxx-xxxx, and after hours call 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 sworn members and civilian professionals including:
    - a person on the VPD second language list; or
    - a sworn member, civilian professional, or volunteer from the VPD Chinese Community Policing Centre.
  - b. During regular business hours, investigators may contact the Intercept Coordinator of the Covert Intercept Unit 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 out the statement (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;
  - a. When members require the use of 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.

### 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 Wavefront Centre for Communication Accessibility (WCCA) 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. Members 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. This can be arranged by phone or through E-Comm.
  - b. Scheduled Callouts - the police member will contact the WCCA Community Interpretation Services telephone line during their normal business hours (Monday-Friday, 0800-1600 hours) to arrange a scheduled callout. The scheduled callout may take place during an evening or on the weekend, but it must be booked during normal WCCA business hours. The name of the deaf or hard of hearing person who requires the interpreter must be provided.
  - c. Non-Scheduled (Emergency) Callouts - Members will contact the WCCA Community Interpretation Services telephone line to arrange for an interpreter to attend the incident. This can be arranged by phone or through E-Comm. 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. The name of the deaf or hard of hearing person who requires the interpreter must be provided.
  - d. To contact WCCA Community Interpretation Services during business hours (Monday-Friday, 0800-1600 hours), call xxx-xxx-xxxx. If there is no answer, email: [cis@wavefrontcentre.ca](mailto:cis@wavefrontcentre.ca). After hours, (1600-0800 hours), call xxx-xxx-xxxx.

### Documentation and follow-up



5. In all cases where an interpreter or translator is used, the General Occurrence (GO) or Report to Crown Counsel (RTCC) must contain the following information:
  - a. Where the person's name was obtained from;
  - b. Why this person was used (e.g. 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

(Enacted: 2000.08.01))  
(Updated: 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

(Enacted: 2000.10.03))  
(Updated: 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

(Enacted: 2000.09.06))  
(Updated: 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

(Enacted: 2005.12.02)  
(Updated: 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 themselves 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 their 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

(Enacted: 2001.05.22))

(Updated: 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 them 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. 15(1) of the Freedom of Information and Protection of Privacy 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

(Enacted: Undated)

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

(Enacted: 2001.07.11)  
(Updated: 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

(Enacted: Undated)

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

(Enacted: 2006.10.20)  
(Deleted: 2022.07.12)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.43(i) General Procedure - Warrants

(Enacted: 2005.09.27)  
(Deleted: 2021.08.31)

This policy has been rescinded.





## 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

(Enacted: 2000.09.05)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 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

(Enacted: 2005.09.27)  
(Updated: 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

(Enacted: 2000.07.28)  
(Deleted: 2021.08.31)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.43(vii) Warrants Originating Outside of Canada

(Enacted: 2001.05.23)  
(Deleted: 2021.08.31)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.43(viii) Traffic Bench Warrants

(Enacted: 2000.09.05)  
(Deleted: 2021.08.31)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.44 Theft Of Income Assistance Cheques or Funds

(Enacted: 2001.05.22)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.45 Workplace or Industrial Accidents

(Enacted: 2006.04.24)  
(Updated: 2023.06.30)

#### POLICY

The Vancouver Police Department (VPD) is committed to investigating all sudden deaths, serious injuries, significant property damage, and contentious liability issues relating to industrial or workplace accidents. Members shall liaise with investigators from WorkSafeBC and/or the BC Coroners Service when conducting an industrial or workplace accident investigation related to a sudden death, serious injury, significant property damage, or contentious liability issues. There is an MOU in place between the VPD and WorkSafeBC.

#### DEFINITION

**Team commander** - is part of the MCM Command Triangle and is responsible for the effective governance of the investigation. The Team Commander should be accredited as such in British Columbia, and otherwise should be referred to as a Team Leader. The Team Commander has the overall authority, responsibility and accountability for the investigation.

#### PROCEDURE

1. Members attending a serious injury or sudden death that is the result of an industrial or workplace accident, or where there is significant property damage or contentious liability issues that are the result of an industrial or workplace accident, shall secure the scene for evidence and separate any potential witnesses.
2. Members shall notify a supervisor about the serious injury or sudden death, or where there is significant property damage or contentious liability issues.
3. The Forensic Identification Unit (FIU) shall be notified of all industrial or workplace accidents:
  - a. in incidents of serious bodily harm, significant property damage or contentious liability issues, the FIU may attend based on the circumstances of the incident and take photographs. Consultations may occur with WorkSafeBC investigators; or
  - b. in incidents of death, the FIU will attend and take photographs. Consultations may occur with WorkSafeBC and/or the BC Coroners Service.
4. The supervisor will ensure that WorkSafeBC and the BC Coroners Service (in incidents of death) are notified as soon as possible. See RPM Section 1.6.38 Sudden Deaths.
5. The supervisor shall notify the Duty Officer about any sudden death, serious injury, significant property damage or any contentious liability issues.
6. The Duty Officer shall then notify the Superintendent of Investigative Services or their designate of the events that occurred.
7. Upon being notified, the Superintendent of Investigative Services or their designate:
  - a. shall assign a Team Commander (TC) in all cases where there is serious injury or death as required by the BC Provincial Policing Standards 5.2 Major Case Management; or
  - b. may assign a TC in cases where there is significant property damage or contentious liability issues.
8. The VPD and other agencies (e.g., WorkSafeBC, BC Coroners Service) may conduct joint or concurrent investigations into non-compliance and potential offences. For example, if death or injury appears to be the result of criminal behaviour, the VPD's criminal investigation will run concurrent to the WorkSafeBC's investigation.



9. If the VPD initiates a criminal investigation of the incident, the VPD will assume control of the investigation at the scene and may request assistance from WorkSafeBC.
10. In the absence of a criminal investigation by the VPD, WorkSafeBC will assume control of the investigation at the scene and may request assistance from the VPD. In such cases, members shall obtain the name of the WorkSafeBC investigator and their file number, and include that information in the General Occurrence report.
11. The TC will coordinate information sharing efforts with other agencies (e.g., WorkSafeBC). If there is no TC assigned, a Staff Sergeant or higher rank will coordinate the information sharing.
12. Members should consider contacting the Victim Services Unit for any person associated to the event who is in need of assistance or support as WorkSafeBC does not have a Victim Services Unit. See RPM Section 1.14.2 Victim Services Unit.





## 1.6 Incident Investigations

### 1.6.46 Party Out of Control

(Enacted: 2000.07.28)  
(Updated: 2022.04.11)

#### POLICY

The Vancouver Police Department (VPD) recognizes that most parties are peaceful and lawful. However, when a party becomes out of control, police intervention may be needed to restore peace to the neighbourhood. This policy is meant to provide members with guidance if called to assist with a party out of control.

Section 529.3 (2) of the *Criminal Code (CC)* gives peace officers the **authority to enter a dwelling-house under exigent circumstances and without warrant** provided that the peace officer:

- a. Has reasonable grounds to suspect that entry into the dwelling-house is necessary to prevent imminent bodily harm or death to any person; or
- b. Has reasonable grounds to believe that evidence relating to the commission of an indictable offence is present in the dwelling-house and that entry into the dwelling-house is necessary to prevent the imminent loss or imminent destruction of the evidence.

#### DEFINITIONS

**Party Out of Control:** is a gathering that requires police intervention to restore peace to the community and lessen public safety concerns. These occurrences are characterized by, but not restricted to:

- a. Persons trespassing or causing damage to property;
- b. Participants outside a dwelling house causing a disturbance as defined in the *Criminal Code (CC)* or persons involved in violent acts; and
- c. Participants committing other federal, provincial or municipal offences.

**Unlawful assembly:** Section 63(1) of the CC defines an unlawful assembly as an assembly of three or more persons who, with intent to carry out any common purpose, assemble in such a manner or so conduct themselves when they are assembled as to cause persons in the neighbourhood of the assembly to fear, on reasonable grounds, that they:

- a. Will disturb the peace tumultuously; or
- b. Will by that assembly needlessly and without reasonable cause provoke other persons to disturb the peace tumultuously.

**Riot:** Section 64 of the CC defines a riot as an unlawful assembly that has begun to disturb the peace tumultuously.

#### PROCEDURE

1. 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 supervisor.
2. The supervisor 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 consulting with the Forensic Identification Unit (FIU) to request photographs of criminal activity or of arrested persons, if a large number of arrests are made, to assist in identification at trial. After consultation with FIU, it may be determined that a member outside of the FIU may take evidentiary photographs with an issued electronic device. See RPM Section 1.9.20 Digital Recording (Images) on Issued Electronic Devices.
3. Generally, members shall first deal with those persons not inside the premises. Consideration may be given to use of breach of the peace, the *Liquor Control and Licensing Act* (LCLA) and other powers to remove persons from the scene.
4. 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 (e.g., for breach of the peace or obstructing a police officer) if the member is of the opinion, formed on reasonable grounds, that the continued presence of that person will result in the commission of further offences or a breach of the peace. See RPM Section 1.4.4 Arrest for Breach of the Peace.
5. If a young person is arrested at a party out of control, refer to RPM Section 1.6.47(ii) Charges and Arrests - Young Persons. Also, if there are intoxicated youth present, refer to RPM Section 1.6.47(iii) Intoxicated Youths.
6. The supervisor shall not authorize 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 supervisor 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 supervisor determines that the party has become an unlawful assembly or a riot, the supervisor 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 procedures are used, the supervisor shall submit a full report through the chain of command to the Deputy Chief Constable of Operations Division.



## 1.6 Incident Investigations

### 1.6.47(i) Child Under 12 Acting Contrary to Law

(Enacted: 2001.05.23)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.47(ii) Charges and Arrests - Young Persons

(Enacted: 2000.09.29)  
(Updated: 2022.03.03)

#### POLICY

When there is sufficient evidence to charge a young person with an offence, the investigating member 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 offences, 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, members may be called upon to justify their discretionary decisions.

#### Additional Release Considerations

When considering the release of a person, section 493.2 of the *Criminal Code* requires members give particular attention to the circumstances of:

- Indigenous people; and
- vulnerable populations that are overrepresented in the criminal justice system and that are disadvantaged in obtaining release.

#### Related Policies

For information on young persons arrested for being intoxicated in a public place 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 Location

Youth court is located at 800 Hornby Street and the telephone number is xxxxxxxx. 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, members shall:
  - a. Submit a General Occurrence (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, members 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 member 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;
  - 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 member 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 member 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. Bail officers prepare 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 eight (8) calendar weeks, but no longer than ten (10) 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 YCJA 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 and the court date are to be scheduled one clear business day apart (e.g. court date is Thursday, fingerprints and photographs should be scheduled on Tuesday).
  - b. Fingerprinting takes place Monday to Friday, except holidays, between 0900 and 1400 hrs at the Vancouver Police Department, 236 East Cordova Street, Vancouver, BC.

#### **Notifications**

13. The investigating member 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 member 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. Members 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 AN, 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 member 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. Members 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 a building pass. Place the documents to be mailed in an addressed envelope, and leave the envelope on the mail room desk. Clearly indicate that it is to be sent via registered mail, along with member'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 member 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 member'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. Members should not tell young persons or their parents that they will receive a summons or that extrajudicial measures will be implemented. Members 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 member shall obtain approval by a supervisor to have the young person(s) transported to the Vancouver Jail. The arresting member 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 supervisor shall be included at the top of the form;
  - b. The supervisor who approved the transport of the young person(s) to the Vancouver Jail shall contact the Jail NCO at xxxxxxxx to inform the Vancouver Jail of the incoming young person(s);
  - c. The young person shall be transported to the Vancouver Jail following the procedures referred to in RPM Section 1.12.1(iii) Transportation of Persons in Custody;
  - d. The transporting member 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 member 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 members. The VPD 602 and prisoner property shall be turned over to jail members;
  - f. The Vancouver Jail will only accept one young person at a time. If the wagon has multiple young persons 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 members 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 xxxxxx during regular business hours; or
    - Be transported to the Burnaby Youth Secure Custody Centre (BYSCC), 7900 Fraser Park Drive, Burnaby, BC 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 members 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 members, 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 xxxxxx during regular business hours; or
    - Be transported to the BYSCC outside of youth court hours, until 2200 hrs. After 2200 hrs the young person will be held for youth court until 0730 hrs.
21. Members 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 BYSCC.
22. The Jail NCO shall ensure that the BYSCC is contacted (phone xxxxxx) and advised that a young person is enroute. The escorting member shall fill out the admission form at the BYSCC.

### 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

(Enacted: 2001.11.26)  
(Deleted: 2021.11.30)

#### POLICY

The Vancouver Police Department (VPD) has an obligation to ensure intoxicated people who come into contact with the police are not a danger to themselves or others, and are provided with necessary care. Members will resolve situations involving intoxicated people with actions that are proportional to the risk of harm. When appropriate, a member's first priority should be to arrange for medical treatment and/or safe shelter for an intoxicated person. If necessary, members have the statutory authority to arrest individuals who are intoxicated in a public place and may hold them in custody.

#### Authority

Peace officers in British Columbia have the statutory authority to arrest someone for being intoxicated in a public place. This power to arrest is provided by the following statutes:

- Section 78(1) of the *Cannabis Control and Licensing Act (CCLA)*
- Section 175(1)(a)(ii) of the *Criminal Code of Canada (Criminal Code)*
- Section 74(2) of the *Liquor Control and Licensing Act (LCLA)*
- Section 91(1) of the *Offence Act*

#### Definition of Intoxication

For the purposes of the power to arrest, the British Columbia Court of Appeal has defined "intoxication" as "the condition of being stupefied or drunk from the consumption of alcohol or drugs to such a marked degree that the person is a danger to himself or others or is causing a disturbance."

#### PROCEDURE

1. BC Ambulance Service (BCAS) and/or Vancouver Fire and Rescue Services (VFRS) must be called for any intoxicated person who a member believes requires medical assessment or treatment.
  - a. Members should consider that an individual may be unable, given the nature of their 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).

#### Roadside Release

2. If an intoxicated person does not require further supervision or care, they may be released roadside by the member.
3. An intoxicated person who the member believes requires further supervision, may be released to a friend, family member, or acquaintance that a member believes is capable of safely supervising the intoxicated person.
  - a. If the intoxicated person is under the age of 18, they should be released to a parent or guardian. If a parent or guardian is not available, the young person may be released to another suitable adult.

#### Release to Sobering Unit / Other Accommodation



4. When a non-violent intoxicated person requires further care, and there is no appropriate person to care for them, they should be taken to the Vancouver Coastal Health Detox Centre (Sobering Unit) located at 377 East 2nd Avenue, or another accommodation deemed suitable by a member.
  - a. Alternate accommodations should be approved by a supervisor and may include, but are not limited to:
    - i. a shelter; or
    - ii. medical facility; or
    - iii. other place with supervision.

### Held in Custody

5. Where an intoxicated person meets the criteria for arrest under this policy, as well as the VPD policy for breach of the peace, and the behaviour constituting grounds to arrest for breach of the peace started prior to police contact, members shall proceed under RPM Section 1.4.4 Arrest for Breach of the Peace.
6. If an intoxicated person requires supervision and the Sobering Unit is closed, at capacity, is not suitable for the person, or if employees refuse to admit the person, they should be held for being intoxicated in public and transported to jail.

### Transportation

7. Saferide should be considered in the first instance for intoxicated people who agree to be transported to either the Sobering Unit or another accommodation deemed suitable by a member. Saferide should only be considered for people who:
  - a. are non-violent; and
  - b. are eligible for admission to the Sobering Unit; or
  - c. are capable of caring for themselves and a member determines that transporting the person to their residence or another accommodation is an option that is available and/or appropriate; or
  - d. are unable to care for themselves but have alternate accommodation where a member believes they will be safely supervised; or
  - e. are being transported to hospital but there is a delay with BCAS.
8. Saferide may be used to transport outside of the City of Vancouver if approved by a supervisor and agreed to by Saferide employees.
9. Police wagons or vehicles with designated transport compartments may be used to transport an intoxicated person to the Sobering Unit or other suitable accommodation.
10. Members escorting intoxicated people to the Sobering Unit shall attend the north lane of East 2nd Avenue at Scotia Street, and a member shall escort the intoxicated person to the admitting area.
  - a. a member should contact the Sobering Unit prior to transporting the intoxicated person, to determine if the Sobering Unit will accept the person; and
  - b. once on scene, a member shall advise Sobering Unit employees of their arrival prior to escorting the intoxicated person inside; and
  - c. a member shall remain with the intoxicated person for the duration of the admission process; and
  - d. provide Sobering Unit employees with the following information (if known) related to the intoxicated person:
    - i. name;
    - ii. date of birth;
    - iii. location and circumstances of transport;
    - iv. time of transport;
    - v. injuries to the person;
    - vi. whether BCAS attended.





## Supervisor Responsibilities

11. If an intoxicated person is to be held in the jail, a supervisor should advise the Jail NCO of the circumstances, prior to arrival at jail.
12. If an intoxicated person is to be transported to an alternate accommodation, a supervisor should be notified and approve the transportation and accommodation.

## Reporting Requirements

13. When a person is arrested and held in police custody for being intoxicated in public, a member shall submit a General Occurrence (GO) report; and
  - a. when a person is transported to the Vancouver Jail, the arresting member should submit a completed Vancouver Jail Arrest Report VPD 602 to the transporting officer.
14. If a person is arrested for being intoxicated in public and transported to an alternate accommodation, a member shall submit a GO.
15. In every case where a person is refused admission to the Sobering Unit, the basis for the refusal must be fully documented in a GO. The name of the Sobering Unit employee who is refusing admission should be included in the documentation.
16. If the intoxication is due to alcohol or a combination of drugs and alcohol, the UCR code that should be entered is Liquor-Intox in Public Place 7100-3. The intoxicated person should be listed as a "Suspect Chargeable."
17. When a report is submitted and a section 74(1) LCLA violation ticket has been issued, members should enter the ticket information, including type and number, under related events. The intoxicated person should be listed as "Charged" and shall be charged under section 74(1) LCLA.
18. If BCAS transports a person to hospital and members are asked by BCAS to accompany them for safety reasons, a member shall complete a GO documenting the incident as a casualty (RPM Section 1.4.6 Arrests of Injured Persons with Injuries or other Apparent Medical Risks). The UCR code used should be Assist-Casualty/EHS 8900-21.
19. If a person is voluntarily transported by Saferide to the Sobering Unit, or to hospital by BCAS without police escort, the member is not required to complete a GO but must enter the following pertinent information into the Computer Aided Dispatch (CAD) call, if available:
  - a. name and date of birth of intoxicated person(s); and
  - b. time and location of pickup; and
  - c. if BCAS attended.





## 1.6 Incident Investigations

### 1.6.47(iv) Protection of Children

(Enacted: 2001.05.23)

(Updated: 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

(Enacted: 2000.08.01)

(Updated: 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 THEIR 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 they make 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

(Enacted: 2000.08.01)  
(Updated: 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](mailto: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

(Enacted: 2000.08.01)

(Deleted: 2020.02.11)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.47(viii) Young Persons as Witnesses or Complainants

(Enacted: 2000.11.10))  
(Updated: 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

(Enacted: 2006.01.24)  
(Updated: 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

(Enacted: 2000.06.06)

(Deleted: 2019.12.19)

This policy has been rescinded.



## 1.6 Incident Investigations

### 1.6.48 Criminal Investigation Fund

(Enacted: 2004.06.28)  
(Updated: 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

(Enacted: 2002.11.05)

(Updated: 2023.11.15)

#### 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. Members should arrest any individual who has breached a no contact order or when public interest criteria has not been satisfied, as the use of discretion is not appropriate in these situations.

As per section 496 of the *Criminal Code*, if a member has reasonable grounds to believe that a person has failed to comply with summons, appearance notice, undertaking, or release order, and the failure did not cause a victim:

- physical or emotional harm;
- property damage; or
- economic loss

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

#### PROCEDURE

##### Failure to Comply with Undertaking or Release Order

When an individual has been released on an Appearance Notice (AN) to a JRH for failure to comply with an undertaking or release order, members should:

1. Allow 10-14 straight days (not business days) between the day that an AN is served and the court appearance.
2. Document the court location on the AN for provincial adult court matters. The location and time for the JRH can be found here: **Court Dates / Release Dates**
3. Document the offence committed in the space provided on the AN.
4. Check the JRH box immediately below the offence area on the AN.
5. Void the "PRINT" section of the AN by drawing a line through the section and initialling as photographs and fingerprints are not required.
6. Provide the individual a copy of the AN marked for "Accused".
7. Swear or affirm the affidavit of service on the back of the AN.
8. 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.
9. 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.



10. When an individual has been arrested and held in custody for breach of undertaking or release order, members should:
- Complete a VPD 602 Jail Arrest Report including the incident number of the substantive charge;
  - Lodge the individual at the Vancouver Jail; and
  - Submit a RTCC including:
    - 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
    - An event-to-event link to the original RTCC.

### Breach of CSO

11. When an individual has been arrested for breach of CSO, members should:
- Complete a VPD Form 602 Jail Arrest Report including the incident number of the original offence;
  - Arrange for the individual to be lodged at the Vancouver Jail; and
  - Submit a RTCC including:
    - 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;
    - A signed copy of the Occurrence Report (OR) page as an attachment; and
    - An event-to-event link to the original RTCC.

### Failure to Comply with Probation Order

When an individual has been arrested for failing to comply with a probation order, members shall determine if it is in the public interest to hold the individual in custody or release on an undertaking or appearance notice. When considering the release of a person, section 493.2 of the *Criminal Code* requires members give particular attention to the circumstances of:

- Indigenous people; and
  - vulnerable populations that are overrepresented in the criminal justice system and that are disadvantaged in obtaining release.
12. If holding the individual in custody, members should:
- Complete a VPD Form 602 Jail Arrest Report including the incident number of the original offence;
  - Arrange to have the person lodged at the Vancouver Jail; and
  - Submit a RTCC including:
    - 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
    - an event-to-event link to the original RTCC.

### Multiple Charges

13. 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

14. A supervisor should review any investigations where there is any evidence to suggest a breach of a court order has occurred in relation to an intimate partner violence or serious incident that involves no contact orders, prior to a member not recommending charges. A supervisor should document the reasons why an arrest was not made and/or charges are not recommended in the general occurrence report.



15. When breach charges are being recommended in relation to an intimate partner violence incident, members should request a copy of the 911 call through the Crown Liaison Unit (CLU):
  - a. Mobile Report Entry (MRE) users: Complete the K-File 911 Audio Request Template; or
  - b. Direct Report Entry (DRE) users: Complete a VPD Form 96 Audio Recording Request requesting a copy of the 911 Call only and submit it to the CLU.



## 1.6 Incident Investigations

### 1.6.50 Recognizance to Keep the Peace

(Enacted: 2002.01.16)  
(Updated: 2022.03.31)

#### POLICY

Police officers have common law duties to preserve the peace, protect life and property, prevent crime, enforce the law and apprehend offenders. The Vancouver Police Department (VPD) recognizes members will encounter situations where individuals or a group act in a manner that does not meet the threshold for a criminal charge, but does require judicial intervention.

If the elements to support a criminal charge are not satisfied, but there is a reasonable belief that a lack of intervention may lead to an individual fearing violence, damage to property, or the distribution of intimate images, members should consider pursuing a section 810 *Criminal Code* peace bond.

#### Authority

Section 810 of the *Criminal Code* outlines the following criteria to apply for a peace bond:

810 (1) An information may be laid before a justice by or on behalf of any person who fears on reasonable grounds that another person

- (a) will cause personal injury to them or to their intimate partner or child or will damage their property; or
- (b) will commit an offence under section 162.1.

#### Crown Counsel Policy

If a person submits a direct request to Crown counsel for a peace bond without a police report to Crown counsel (RTCC), Crown counsel will either direct a stay of proceedings or will take conduct of the investigation. When Crown counsel decides to take conduct of the investigation, Crown counsel policy dictates redirection of the file to police for investigation and completion of a RTCC. Crown counsel policy is in effect despite the existence of a legal mechanism for private prosecution. BC Prosecution Service does not permit private peace bond prosecutions.

To avoid unnecessary delays and redundancies, members should assume conduct of the investigation and completion of the RTCC in the first instance, and should not direct persons to Crown counsel for private prosecution.

#### PROCEDURE

##### Obtaining a Peace Bond

1. If the grounds for a section 810 *Criminal Code* peace bond are met, the investigating member should submit a RTCC requesting a peace bond by means of an arrest warrant.
2. Members should submit a RTCC using the “walk-through warrant” process when an apparent risk of harm to the complainant exists and immediate efforts to locate the subject of complaint (SOC) have failed (See RPM Section 1.6.43(v) Walk-Through Warrants). If required, a supervisor or a designated member should pass the report to the next on-duty supervisor with the appropriate instructions to



ensure that the report is immediately processed by Crown counsel. Efforts to locate the SOC and/or execute the walk-through warrant should be documented, in detail, in any appropriate report.

### **Concluding Investigation Without Charge / Peace Bond**

3. In the event an investigating member does not believe there are grounds to request a peace bond, they should articulate the reasons in a general occurrence (GO) report and advise the complainant of the decision.
4. If the complainant does not agree with the member's decision, the member should consult with a supervisor.
5. Members should not refer the complainant to the Crown counsel office to request a private prosecution.

### **Supervisor Responsibilities**

6. If a complainant is not satisfied with a member's decision to conclude an investigation without requesting a peace bond, the supervisor should determine if the action taken was appropriate.
7. If the supervisor supports the investigating member's decision to conclude the file without a peace bond, the supervisor should document their assessment in the GO.
8. The supervisor may provide direction to the member to conduct follow up investigative steps.
9. If the supervisor believes the investigating member requires further guidance, the supervisor should contact the Duty Officer to facilitate consultation with the appropriate speciality section.
10. If the on-call supervisor for the appropriate speciality section supports the investigating member's decision to conclude the file without a peace bond, the on-call supervisor should document their assessment in the GO.
11. The on-call supervisor may provide direction to the member to conduct follow up investigative steps.



## 1.6 Incident Investigations

### 1.6.51 Bias, Prejudice and Hate Incidents

(Enacted: 2008.09.16)  
(Updated: 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 Remotely Piloted Aircraft System (RPAS)

(Enacted: 2015.12.31)  
(Updated: 2023.01.18)

#### Interim Direction to Members:

This policy is currently under amendment. Interim protocols are in place. Contact the OCC Support Unit - RPAS Team, or the OCC for further direction regarding these protocols.

#### POLICY

The operation of a Remotely Piloted Aircraft System (RPAS), also known as a drone or Unmanned Aerial Vehicle (UAV) among other names, 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 RPASs.

The RPAS pilot must fly in a safe manner that does not endanger people, interfere with manned aircraft, damage structures and property, or commit other offences, and unless the pilot possesses a Special Flight Operations Certificate that allows for Beyond Visual Line of Sight, they must maintain a visual line of sight of the RPAS at all times. An RPAS pilot must observe requirements set out in the CAR and produce proper certificates in order to fly in Canadian airspace. Transport Canada is the enforcement body of the CAR, and will investigate and issue fines when there is evidence that a RPAS pilot knowingly violated the CAR.

The Vancouver Police Department (VPD) may be called to ensure that people and property are not at risk, and investigate if an RPAS was involved in a criminal offence or contains evidence in respect to the commission of an offence.

#### PROCEDURE

1. When responding to RPAS incidents, members should consider:
  - a. If the RPAS is posing a danger to persons, interfering with manned aircraft, or at risk of damaging property;
  - b. If the RPAS 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 RPAS is being operated in accordance with City of Vancouver bylaws and the CAR.

#### Lawful operation of an RPAS

2. RPAS pilots must adhere to the CAR when flying a commercial or recreational RPAS. RPAS pilots must carry a valid RPAS pilot certificate (Basic or Advanced) that is issued by Transport Canada and be able to produce this certificate in printed or digital form.
3. If the RPAS weighs between 250g and 25kg (including payloads, propeller guards, etc.), it must be registered with Transport Canada and that registration number must be clearly displayed on the aircraft in a colour contrast to the aircraft body.
4. All RPAS weighing over 25kg do not need to be registered, but do require a Special Flight Operations Certificate (SFOC) instead.
5. If the RPAS weighs less than 250g (including the weight of anything attached or carried), it is referred to as a micro Remotely Piloted Aircraft System (mRPAS). An mRPAS pilot does not need to register



their mRPAS or have a license to fly it. MRPAS pilots are not bound by the same requirements as other RPAS pilots; however, they must not operate their mRPAS in a reckless or negligent matter.

6. There are two main categories of RPAS operations for RPAS between 250g and 25kg:

	Basic Operations	Advanced Operations
Altitude	maximum 400ft (122m)	maximum 400ft (122m)
Proximity to Bystanders	no less than 30m (100ft) horizontally never over bystanders	within 30m but not less than 5m except if part of crew <u>*RPAS must have Safety Assurance Declaration approved by Transport Canada</u>
Proximity to Airport or Aerodrome	more than 5.6km (3 Nm)	at or near airport/aerodrome with permission from NAV Canada
Proximity to Heliport	more than 1.9km (1 Nm)	at or near heliport with permission from NAV Canada
Night Flying	position lights turned on where RPAS is visible to flight crew.	position lights turned on where RPAS is visible to flight crew.
Age	14 years old. *under 14 years, permitted to fly under direct supervision from certified Basic pilot	16 years old. *under 16 years, permitted to fly under direct supervision from certified Advanced pilot

7. Both Basic and Advanced Operations pilots must comply with following:
- RPAS is within visual line of sight (VLOS) at all times;
  - No RPAS will fly at an altitude greater than 100 feet (30m) above any building or structure even if it is above 400 feet (122m) above ground level or if less than 200 feet (61m) horizontally, from the building or other structure;
  - Not act as pilot or crew if suffering from fatigue, or under the influence of alcohol and/or drugs;
  - Not act as pilot or crew if consumed alcohol within previous 12 hours;
  - Not act as pilot or crew if cannabis consumed within previous 28 days;
  - RPAS flying at night will have its navigation lights turned on where visible to flight crew;
  - Stay outside area where public authority established a security perimeter around emergency area (e.g. police incident, fire, natural disaster) unless they have expressed permission from the authority responsible for the security parameter;
  - Stay away from an advertised event (e.g. outdoor concert, parades, fireworks) unless pilot has a Special Flight Operating Certificate (SFOC); and
  - All RPAS pilots will give the right of way to all other aircraft.

### Criminal investigations involving RPAS

8. Members may encounter situations where an RPAS was involved in the commission of a criminal offence or contains evidence pertaining to a criminal offence. Examples of criminal charges under the *Criminal Code* that may be considered include:
- Endangering safety of aircraft or airport (section 77)
  - Voyeurism (section 162)
  - Common nuisance (section 180)
  - Criminal harassment (section 264)
  - Operation of a conveyance in a manner that is dangerous to the public (section 320.13)
  - Operation of a conveyance while under the influence of alcohol and/or drugs (section 320.14)
  - Mischief (section 430)



### Seizing RPAS and related equipment

9. A person's cellular phone and/or digital device may have digital evidence linking the person to the RPAS. If grounds exist, members should consider seizing the person's cellular phone and/or digital device and including it in any judicial authorization.
10. If exhibits have been seized, for which a judicial authorization is being sought, and they have the potential of being accessed remotely (e.g. RPAS, cell phone and camera), members should consider storing this type of exhibit in the Digital Forensics Unit (DFU) Faraday Room. This will prevent the potential of any remote loss of digital evidence. Any on-duty DFU or Forensic Identification Unit (FIU) member can be contacted for access to this room. Do not take apart any components of the RPAS.
11. Members must be aware that cameras on a RPAS may be accessed remotely by a person who could then record and transmit live video of police activities and police facilities. In addition, digital evidence can be remotely destroyed by a person if the RPAS is powered on and connected to a cellular network.
12. If members have exhibits that are not being considered for DFU analysis, they shall tag these exhibits at the Property and Forensic Storage Services building (PFSS) at 2010 Glen Drive.
13. Members shall follow procedures regarding seizing property and evidence as per RPM Section 1.9.19 Seizing Digital Media, Cryptocurrency, and Electronic Devices and submit a VPD1369 Digital Forensics Unit Exhibit Submission Form. A *Criminal Code* section 487 search warrant will be required to search or recover any recorded videos, images, or other digital evidence from the device when pursuing criminal charges.
14. Members may also refer to the DFU website on the VPD Intranet or contact an on-duty DFU investigator for advice and assistance.
15. Members should complete a General Occurrence (GO) report with the following information:
  - a. Contact details of pilot including business name, if applicable;
  - b. Date, time, and location of the offence;
  - c. Detailed description of the allegation;
  - d. Description of the RPAS including make, model, registration number, serial number, and attached payloads;
  - e. Photograph or video evidence of the RPAS; and
  - f. Obtain any witness statements.

### Transport Canada RPAS incident reporting

16. If members identify a RPAS operator that is flying contrary to the CAR, they may complete Transport Canada's online drone incident report form. Transport Canada may issue fines to the RPAS pilot found in contravention of the CAR.

### Enquiries and questions

17. Enquiries or questions can be forwarded to the Emergency Response Section - Technical Support Unit via email at: [rpas@vpd.ca](mailto:rpas@vpd.ca).



## 1.6 Incident Investigations

### 1.6.53 Conducting and Documenting Street Checks (and Police Stops)

(Enacted: 2020.01.15)  
(Updated: 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.



## 1.6 Incident Investigations

### 1.6.54 Online Investigations

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



## 1.6 Incident Investigations

### 1.6.55 Criminal Harassment

(Enacted: 2021.03.30)  
(Updated: 2023.10.12)

#### POLICY

All incidents related to a criminal harassment complaint must be thoroughly investigated and properly documented. Although the individual incidents may appear to be minor, the cumulative effect of the incidents can be devastating to the victim and the community. There is often a very real risk of serious harm to the victim. In all cases, the safety of the victim will be the primary consideration when deciding how to proceed. Members have the option of giving a verbal warning to the suspect, issuing the VPD criminal harassment warning letter to the suspect, or proceeding with criminal charges. Members who require further assistance with criminal harassment investigations are encouraged to consult with their NCO and/or the Intimate Partner Violence and Risk Assessment Unit (IPVRAU).

#### DEFINITIONS

For the purposes of this policy, the following terms are defined as:

Criminal Harassment (as per the *Criminal Code*)

264(1) No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them.

(2) The conduct mentioned in subsection (1) consists of

- (a) repeatedly following from place to place the other person or anyone known to them;
- (b) repeatedly communicating with, either directly or indirectly, the other person or anyone known to the them;
- (c) besetting or watching the dwelling-house, or place where the other person works, or anyone known to them, resides, works, carries on business or happens to be; or
- (d) engaging in threatening conduct directed at the other person or any member of their family.

This behaviour causes a person to fear for their safety or that of anyone known to them. When the behaviour of the suspect forms a deliberate pattern, it may aggravate the severity of the situation and the degree of risk to the person.

#### Stalking

Pursuing another person in a persistent, harassing or obsessive way.

#### Intimate Partner



An intimate partner includes a person's current or former spouse, common-law partner and dating partner. A partner within any intimate (heterosexual, same-sex, and/or 2SLGBTQ+) relationship. There are no time restrictions in defining a former intimate partner.

## PROCEDURE

### Investigation

1. Members shall complete a thorough investigation in all instances with a primary focus on victim safety.
2. Members shall be aware that many criminal harassment incidents involve a current or former intimate partner.
3. Members shall determine if the victim has a protection order in effect by querying CPIC, PRIME, and the Protection Order Registry (POR). If there is an existing protection order and a suspect is knowingly breaching an order, members may consider a charge *Disobeying Order of Court* under Section 127 of the *Criminal Code (CC)*.
4. Consult with Car 86 when a child is present and their immediate safety has been compromised. When Car 86 is not available, members shall contact the Ministry of Children and Family Development (MCFD) and refer to RPM Section 1.6.47(iv) Protection of Children.
5. Whenever possible, members shall obtain an audio/video or signed statement from the victim. Although a charge is not necessarily dependent on the ability or willingness of the victim to provide a statement, an attempt to obtain a statement should always be made. An oral statement taken in a police notebook is considered a written statement if it is confirmed as accurate by the victim and the victim signs the notebook.
6. Members shall consider conducting a neighbourhood and video canvass and whenever possible obtain signed statements from any witnesses including, where appropriate, family members.
7. When the suspect is harassing the victim with phone calls, text messages, emails, or other social media platforms, members shall consider applying for a Production Order for the relevant records. The victim's response to the suspect's communication, or engagement with the suspect on social media platforms, should not be a determinative factor in the decision to apply for the Production Order.
8. Members can email [subscriberinfo@vpd.ca](mailto:subscriberinfo@vpd.ca) to obtain the service provider information related to a cell phone number.
9. Where the suspect has harassed the victim by the use of email(s), members shall take the following steps:
  - a. Ensure that the victim preserves the original email(s) and copy the email(s) onto a disc or USB drive.
  - b. Obtain copies of the email(s), submit the email(s) for scanning into the General Occurrence (GO) report or copy and paste the email(s) into the GO.
  - c. Refer to the following bulletin for information on how to identify the suspect's IP address (Email headers bulletin).
10. Members shall liaise with the Digital Forensics Unit when evidence needs to be downloaded from the victim's phone.
11. Members shall determine whether the suspect has access to a firearm or other 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 other weapons and take appropriate action to revoke any firearms-related certificates, licenses, permits, or authorization (See RPM Section 1.6.17(iii) Seizure of a Firearm and RPM Section 1.6.17(iv) Seizure of Weapons without Warrant). When there is insufficient evidence to support a charge or where charges were not approved by Crown Counsel, members may consider applying for a Preventative Prohibition Order under Section 111 CC, if applicable for such an order.



12. The risk posed to a victim, or the risk perceived by a victim, must be evaluated by considering factors including, but not limited to, the following:
  - a. Is the suspect a current or former intimate partner?
  - b. What is the background of the suspect? (eg. Does the suspect have previous charges for similar behaviour, does the suspect have a history of violence and/or intimate partner violence).
  - c. What types of behaviour is the suspect engaging in? (eg. Harassing phone calls versus following a victim or besetting their residence).
  - d. The length of time the suspect has engaged in the harassing behavior.
  - e. Previous or current mental health issues.
13. Members shall consult with Forensic Identification Unit (FIU) members, as well as patrol and/or IPVRAU supervisors, in regards to the crime scene and/or evidence processing. The need for the FIU to attend for crime scene examination and documentation should be assessed. Members should be aware of considerations for the possible requirement of search warrants.
14. Members shall consult with their supervisor to determine if a IPVRAU supervisor should be contacted in the following situations:
  - a. an in-progress incident where the suspect is on scene following or besetting the victim and has been arrested;
  - b. a chronic or repeat DV or CH offender;
  - c. the harassing communications include threats of violence; and/or
  - d. where the victim is a youth and suspect is an adult.
15. In all situations in 14 above, if the IPVRAU supervisor has not been notified, members shall send an email to the IPVRAU supervisor or call the IPVRAU supervisor at the desk line to ensure they are aware of the investigation.

### Reports

16. Members shall complete a thorough GO report for all criminal harassment incidents, regardless of whether or not charges are being recommended. This GO should document the circumstances of the police investigation and include the investigative outcome.
17. Members shall mark "K- Domestic Violence and Criminal Harass" in the Special Study Field when completing the GO report
18. Members shall ensure, if there is the potential for a child being at risk, that the child has been added as a Child At Risk entity and the "Car 86 - Youth At Risk" PRIME handle has been marked "notify" when submitting the GO report or RTCC.
19. Members shall ensure all alternate contact numbers for the victim, including an email address where applicable, have been entered on a Miscellaneous Notes (MN) page of the RTCC. It shall also be noted on the MN page if there are no other alternate contact numbers. (Members are reminded to exercise caution in ensuring that victim contact information is not entered in any portion of the GO report or RTCC that may subsequently be disclosed).

### Verbal and Written Warnings

20. Members shall consider the totality of the evidence, the circumstances, and the risk to the victim, in determining whether to proceed by way of a criminal charge, verbal warning, or a written warning using the VPD criminal harassment warning letter (see Criminal Harassment Warning Letter Instructions and Criminal Harassment Warning Letter) and then proceed with the most appropriate course of action based upon a thorough evidence-based investigation with priority on victim safety.
21. Where members consider that a verbal or written warning may be appropriate, they shall not issue a verbal or written warning without prior approval from a supervisor.
22. Where a verbal warning has been approved by a supervisor, the best practice is to deliver the verbal warning to the suspect in person by uniformed members and ensure the suspect's identity is confirmed. The verbal warning must be recorded verbatim via a recording device or in the delivering member's notebook and in the accompanying GO.





23. After a complete investigation, and where a written warning has been approved by a supervisor, it is best practice to issue the VPD Criminal Harassment Warning Letter (CHWL) in person. When giving a suspect the CHWL, members shall sign the original letter and make a copy for the suspect. There is no requirement for the suspect to sign the copy of the CHWL that was given to them.
24. Multiple verbal warnings and/or Criminal Harassment Warning Letters shall **not** be given.
25. When a suspect resides in another Metro Vancouver jurisdiction, members can request permission from their supervisor to attend to the suspect's residence to issue the appropriate warning. Members can send a CPIC to the jurisdictional police department/detachment requesting that the suspect be warned (verbal or written) by the police members in that jurisdiction.
26. If a warning letter is issued to the suspect, members shall submit the original letter they signed (preferably in blue ink) for scanning. A copy of the letter needs to be attached to the report.
27. Written documentation, in all applicable reports, is required when a verbal warning or warning letter has been given to the suspect.

### Charges

28. Members shall ensure that public interest and victim/witness safety issues are met prior to the release of the suspect. This is critical when choosing whether to arrest a suspect, or to arrest and release using an undertaking.

*Note: An Appearance Notice or Summons is normally not appropriate for criminal harassment charges as immediate conditions, which are often required to ensure victim/witness safety, cannot be placed upon the accused.*

### Release Conditions

29. Members shall be cognizant that in criminal harassment incidents there are concerns surrounding repetition, continuation, or commission of another offence. Upon arrest, members shall ensure that public interest has been met prior to release and must be able to justify the conditions sought.
30. Where appropriate, members shall request bail conditions tailored to the circumstances of the alleged offence pursuant to Section 501(3) of the *Criminal Code* such as a firearm or weapon prohibition or a reporting requirement to a bail supervisor. Please refer to Suggested Bail Conditions for Intimate Partner Violence for other suggested bail conditions (members are reminded that bail conditions should focus on both the circumstances of the victim and/or witness(es) and relate to the suspect's behaviour).
31. 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. In consultation with the member's supervisor, identify a member coming on-duty to conduct the required follow up, or contact the on-call IPVRAU NCO via Car 10.

### Suspect is not in custody

32. The "walk-through warrant" process should be used when the suspect has left prior to police attendance and immediate efforts to locate the suspect have failed and there is an immediate concern for the victim's safety (See RPM Section 1.6.43(v) Walk-Through Warrants). A supervisor or a member who is ending their shift shall pass the report to an on-duty supervisor with the appropriate instructions to ensure that Crown Counsel immediately processes the report.
33. 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.

### Victim Safety Planning





34. Whether a criminal harassment investigation results in charges or not, members shall take victim safety planning into consideration. Please refer to Safety Planning for suggested victim safety planning measures. Members shall ensure the safety plan is documented in a MN page within the GO/RTCC.

#### **Breach of Conditions**

35. Any allegation of a breach of conditions related to criminal harassment must be fully investigated and charges recommended 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**

36. Supervisors must be cognizant that criminal harassment investigations can be complex and that members may require further direction. Supervisors can direct their members to the on-call IPVRAU supervisor or Crown Counsel for further advice.

#### **Notification**

37. Due to the unique nature of criminal harassment investigations, whenever a suspect is released from VPD custody, members shall comply with RPM Section 1.12.15 Victim Notification Upon Release - K Files and Personal Violence Files to ensure the safety of the victim.

#### **Victim Services**

38. A victim of criminal harassment may have been subjected to severe emotional and/or physical intimidation to not co-operate with the criminal charge process, or to not testify in court, or both. Providing the victim access to victim assistance programs can mitigate the effects of intimidation and/or fear.



## 1.7 Major Incidents

### 1.7.1 Major Emergencies

(Enacted: 2000.07.28)  
(Updated: 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

### 1.7.1(i) Active Deadly Threat and Mass Casualty Events

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



## 1.7 Major Incidents

### 1.7.2(i) AMBER Alert

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



## 1.7 Major Incidents

### 1.7.2(ii) Police Emergency Alerts

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





## 1.7 Major Incidents

### 1.7.3 Code 5

(Enacted: 2001.05.23)  
(Updated: 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

(Enacted: 2009.07.07)  
(Updated: 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 1.9.3 Evidence and Property Management, 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

(Enacted: 2000.09.29  
(Updated: 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

### 1.7.8 Disaster Procedure

(Enacted: 2000.07.27)  
(Deleted: 2009.06.16)

This policy has been rescinded. See RPM Section 1.7.1 Major Emergencies.



## 1.7 Major Incidents

### 1.7.9 Major Disasters

(Enacted: 2004.12.16)  
(Deleted: 2009.06.16)

This policy has been rescinded. See RPM Section 1.7.1 Major Emergencies.



## 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

(Enacted: 2001.05.22)  
(Deleted: 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 E-COMM

*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

(Enacted: 2000.09.05)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 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

### 1.7.16(i) Sexual Offences - Third Party Reporting

(Enacted: 2021.09.21)  
(Updated: 2021.09.21)

#### POLICY

A Third Party Report (TPR) is part of a process that provides an avenue for an adult victim of a sexual assault/offence to anonymously report an incident to police. The TPR process is provided as an opportunity for reluctant sexual offence victims, who are not prepared to interact with the police or justice system, to provide information that may otherwise never be reported.

A TPR requires that the victim is an adult (19 years or older). There are some exceptions that may allow an older youth victim to engage in the process, but the decision to allow a youth to be involved will be at the discretion of the Sex Crimes Unit (SCU) supervisor.

A TPR is not a replacement for a call to 911, nor is it, in and of itself, a police investigation; however, it does provide an opportunity for a victim of a sexual offence to provide potentially crucial information and/or intelligence to the police for investigative follow-up.

If an adult victim of a sexual offence attends or contacts a police-based victim services program and requests to make a TPR, the victim should be referred to a trained Community Based Victim Services (CBVS) program. To find a CBVS program in their area, a victim can also contact VictimLinkBC by calling or texting or sending an email to xxx. Trained CBVS staff members are able to support victims of sexual offences, and gather information needed to complete a TPR and forward it to the VPD's SCU for processing.

#### PROCEDURE

##### Sex Crimes Unit

1. The SCU is responsible for the intake and processing of all TPRs where the alleged sexual offence occurred in Vancouver. [Click here for the link to the VPD SCU Sexual Assault - Third Party Reporting Guidelines.](#)
2. The SCU is responsible for ensuring that the appropriate information is entered into PRIME.

##### Members

3. If a member becomes aware of information that is relevant to a TPR, the member shall note the relevant information on a 'Miscellaneous Notes' (MN) page within the General Occurrence (GO) report and then "route" the GO to SCU for review. Should the information in any way relate to the identification of the victim, the member shall not document in PRIME and shall consult directly with SCU.
4. Members should be mindful that the safety of the victim and the protection of their identity is paramount, and therefore members shall not divulge the existence or content of a TPR to anyone, including the subject of complaint (SOC).
5. Members shall not use the '8285-Third Party Reporting' PRIME UCR Code for any reason; use of this code is at the discretion of the SCU supervisor.
6. Routing the report to SCU is an acceptable form of notification by a member, unless the circumstances are urgent, in which case the member shall notify their supervisor. Once notified, either the member or their supervisor shall contact the SCU supervisor directly. During non-business



hours, the member's supervisor must contact the Duty Officer prior to contacting an on-call SCU supervisor.



## 1.7 Major Incidents

### 1.7.17 Train Derailments

(Enacted: 2000.08.01)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 1.7 Major Incidents

### 1.7.18 Fan-Outs and Self-Deployment

(Enacted: 2000.11.10)  
(Updated: 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

(Enacted: 2005.12.22)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 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

(Enacted: 2004.06.03)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 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

(Enacted: 2009.04.01)  
(Deleted: 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(i) Child Abduction and Attempted Abduction

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



## 1.7 Major Incidents

### 1.7.24(ii) Child Abuse Investigations

(Enacted: 2021.07.06)  
(Updated: 2021.07.06)

#### POLICY

The Vancouver Police Department (VPD) is responsible for investigating all reported incidents of potential child abuse. The VPD will assess the need for child protection and when appropriate involve the Ministry of Children and Family Development (MCFD) or the Vancouver Aboriginal Child and Family Services Society (VACFSS) who support Indigenous children in Vancouver.

Child protection services in British Columbia, such as MCFD or VACFSS, are intended to safeguard children from harm. Where there is reason to believe a child has been abused or neglected, or is otherwise in need of protection, child protection social workers have the delegated authority to investigate and take appropriate action to ensure that child's safety. The MCFD and VACFSS do not enter into criminal investigations as this responsibility belongs with police.

#### DEFINITIONS

For the purposes of this policy, the following terms are defined as:

**Child:** As per the *Child, Family and Community Services Act (CFCSA)*, a child is anyone under the age of 19.

**Child Abuse:** Can include physical abuse, sexual abuse, sexual exploitation or neglect by another person who is in a position of trust or authority towards a child or by a person a child is in a relationship of dependency. The following are some applicable sections from the *Criminal Code*:

Section 151 Sexual Interference  
Section 152 Invitation to Sexual Touching  
Section 153 Sexual Exploitation  
Section 172.1 Luring a Child  
Sections 266, 267, & 268 Assault  
Sections 271, 272, & 273 Sexual Assault  
Sections 282 & 283 Parental Abduction

**Parent:** The parent of a child; a person to whom guardianship or custody of the child has been granted by a court order or agreement; or a person with who the child resides and stands in place of the child's parent.

**Youth:** As per the *CFCSA*, a youth is anyone who is 16 years of age or over, but under 19 years of age.

#### PROCEDURE

##### Member's Responsibilities

1. Upon notification of a suspected child abuse incident, the assigned member shall be responsible for the safety planning and wellbeing of the victim, offender management, and the preservation of any evidence or potential crime scene.
2. When a child abuse investigation begins, the member shall ensure the MCFD is notified when required as per RPM Section 1.6.47(iv) Protection of Children. The criminal investigation will take precedence



over other agency (e.g. MCFD) investigations and will be led by the police. Decisions related to safety planning, when applicable, will be made in consultation with MCFD or VACFSS.

- a. There should be consideration to the safety of siblings or other children who may be at risk based on information received during the investigation, such as whether the suspect may have access to other children through employment and/or volunteer activities.
3. The member shall notify a supervisor, as soon as practicable, to advise them of the circumstances and safety plan.
4. If a child abduction or attempted abduction is alleged, refer to RPM Section 1.7.24(i) Child Abduction and Attempted Abduction.
5. The member shall submit a General Occurrence (GO) report prior to the end of shift for all child abuse investigations.

### Child Interviews

6. Children 12 years of age or under should only be interviewed by a member who has been trained as a forensic child interviewer and should not be interviewed by a member outside of the Sex Crimes Unit (SCU) without first consulting with an SCU supervisor. SCU supervisors can provide necessary guidance and/or facilitate the assistance of a forensic child interviewer.
7. An interview with a child victim should be video and audio recorded.
8. Where a child or youth is the victim in a criminal investigation and a parent is both unaware of the investigation and not a suspect, refer to RPM Section 1.6.47(ix) Youth Victims - Parental Notification.

### Medical Evidence

9. Medical evidence can be vital to an investigation of sexual, physical and neglect abuse of children. Except where medical injuries warrant immediate transfer to hospital, members should consider seeking a full medical examination of the child by staff at the BC Children's Hospital Child Protection Service Unit (CPSU) early in the investigation. Police, physicians, and child protection social workers can refer to the CPSU.
  - a. Immediate transfer to hospital is recommended in sexual assault investigations where there may be forensic evidence present. See RPM Section 1.7.16: Sexual Offences regarding procedures related to medical examinations for child sexual assault victims.

### Supervisor

10. When a supervisor is notified of a child abuse investigation they shall consult with the on call SCU supervisor for guidance (after hours through the Duty Officer), **except** in historical incidents where there are no concerns in relation to:
  - a. immediate safety planning;
  - b. risk to the public; or
  - c. the presence of perishable evidence such as biological, technological or video evidence.
11. The supervisor shall ensure the following:
  - a. allegations of child abuse are investigated thoroughly and on a priority basis;
  - b. the health and safety of the victim and any other children at risk has been addressed;
  - c. the member has properly assessed and secured any potential evidence or crime scene;
  - d. the Duty Officer has been advised; and
  - e. where required, ensure the MCFD have been notified as per RPM Section 1.6.47(iv) Protection of Children.
12. The supervisor will continue to supervise any child abuse investigations until relieved by an SCU supervisor.
13. In the event that the SCU supervisor re-routes the file back to the initial supervisor, the initial supervisor shall be responsible to review the file and either assign the file for further follow-up



within their unit, or conclude the file and ensure the victim and/or victim's parent and assigned agency (MCFD or VACFSS) are notified of the status of the investigation.

### Duty Officer

14. The Duty Officer shall determine if a phone call from the supervisor to the SCU supervisor is appropriate after hours. If deemed appropriate, the Duty Officer will provide approval for that call.
15. In the case of a disagreement between the Duty Officer and the on-call SCU supervisor regarding the need for an investigator callout, the Inspector i/c Special Investigation Section will be called to review the circumstances with the Duty Officer to assist.



## 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

(Enacted: 2011.10.19)

(Updated: 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.



## 1.7 Major Incidents

### 1.7.28 Extreme Weather - Assistance to Shelter Act

(Enacted: 2009.12.09)  
(Updated: 2022.06.01)

#### POLICY

The Vancouver Police Department (VPD) is committed to safeguarding the safety and security of all members of the community while respecting their fundamental human rights. This includes incidents where extreme weather places individuals who are experiencing homelessness at risk.

To provide assistance to a person at risk, members should consider actions such as, but not limited to, liaising with the VPD Homeless Outreach Coordinator and/or outreach workers, providing the person with weather appropriate items, or taking other steps that would satisfy the duty of care for the person at risk. 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.

#### Activation / Cancellation of an extreme weather alert

When an extreme weather alert is activated or cancelled, the Emergency Communications for British Columbia Incorporated (E-Comm) Central Dispatcher (CD) will notify the Duty Officer and all VPD patrol members. Upon activation, the CD ensures that as new members come on duty, they are also notified of the extreme weather alert. If there are no available emergency shelter spaces within Vancouver, the CD will contact neighbouring jurisdictions in an attempt to find available emergency shelter spaces. Also, the CD will create a Special Attention (SA) call, covering all four VPD districts, and will leave the SA active on the dispatch board until the end of the extreme weather alert. Upon cancellation of the SA, the CD will also notify the VPD Homeless Outreach Coordinator.

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, as defined in 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.

#### PROCEDURE

Upon the activation of an extreme weather alert, as defined in the *Act*, the following procedures shall apply.

1. If in the member's opinion the person may suffer imminent serious injury or death due to the extreme weather, the member shall:
  - a. Contact E-Comm to find out where the nearest shelter is located that the person can go to;
  - b. Offer transportation to an emergency shelter or other appropriate shelter; and
  - c. Permit the person to go unaccompanied to an emergency shelter or other appropriate shelter.
2. If the person refuses to utilize an emergency shelter, the following procedure shall apply:
  - a. A member shall offer other reasonable assistance to the person. Reasonable assistance may include:
    - i. contacting available outreach workers to assist;



- ii. providing blankets or other weather appropriate items (e.g., toques or water, if available);
  - iii. requesting an SA that on-duty members periodically check on the welfare of the person (where operationally feasible);
  - iv. taking other steps that will satisfy the duty of care to the person at risk (e.g., the person agrees to move to a more protected location where they are not at risk of imminent serious injury or death); and
  - v. reinforcing the authority under the *Assistance to Shelter Act* in an attempt to convince the person to cooperate for their own safety.
- b. If a 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*. Using reasonable force is permitted if necessary, 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.
- 3. Any incidents related to the extreme weather alert shall be documented in a detailed General Occurrence (GO) report and cross-referenced to the SA call generated for the extreme weather alert.

#### **Duty Officer responsibilities**

- 4. The Duty Officer shall notify the VPD Public Affairs Section and the VPD Homeless Outreach Coordinator when an extreme weather alert is activated or cancelled.



## 1.8 Confidential Informants and Agents

### 1.8.1 Developing and Handling Confidential informants

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



## 1.8 Confidential Informants and Agents

### 1.8.2 Confidential Informant Communication and Documentation

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



## 1.8 Confidential Informants and Agents

### 1.8.3 Special Categories of Confidential Informants and Agents

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



## 1.8 Confidential Informants and Agents

### 1.8.4 Police Agents

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





## 1.8 Confidential Informants and Agents

### 1.8.5 Youth Confidential Informants and Agents

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



## 1.8 Confidential Informants and Agents

### 1.8.6 Confidential Informant/Agent Review and Audit

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



## 1.8 Confidential Informants and Agents

### 1.8.7 Use of Confidential Informant Information in Legal Applications

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



## 1.8 Confidential Informants and Agents

### 1.8.8 Disclosure of Confidential Informants

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



## 1.8 Confidential Informants and Agents

### 1.8.9 Confidential Informant and Agent Payments

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



## 1.8 Confidential Informants and Agents

### 1.8.10 Request for Crown Intercession

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



## 1.8 Confidential Informants and Agents

### 1.8.11 Relocation of Confidential Informants/Agents

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





## 1.8 Confidential Informants and Agents

### 1.8.12 Crime Stoppers Tips

(Enacted: 2017.03.14)  
(Updated: 2021.02.23)

#### POLICY

##### 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. 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. 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 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](http://www.solvecrime.ca)
2. Telephone **1-800-222-8477** (TIPS)
3. Texting "BCTIP" and the information to **274637** (CRIMES)
4. Mobile application "P3 Tips"

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: Developing and Handling Confidential Informants and 1.8.2: Confidential Informant Communication and Documentation, 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 shall:
  - a. provide the tip to the relevant VPD investigative section via an emailed tip form; or
  - b. provide the tip to the Operations Support Unit (OSU) via an emailed tip form, if the tip is applicable to Patrol district investigations (such as Problem Premises or street level crime) for preliminary investigation.
2. Members shall advise a Patrol supervisor of any Crime Stoppers tip in which there is an immediate concern for public safety. The supervisor shall notify the Duty Officer.
3. 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 Bring Forward (BF) date, or request an extension if required.



4. For tips sent to OSU, OSU 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, OSU shall create a General Occurrence (GO) report.
5. OSU shall 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.
6. For all GOs that include Crime Stoppers tips members shall:
  - a. index only the relevant entities;
  - b. create a brief and simple summary of information (see example below) along with the tip report number in the GO synopsis **but will not include any specific details as doing so could potentially disclose the identity of the tipster**; and
  - c. not use the same wording or cut and paste from the tip sheet into the GO nor attach the tip sheet to the GO, to avoid inadvertent disclosure.

Synopsis example:  
Correct (provides a start point for the investigation, but nothing to identify the tipster):  
“Crime Stoppers tip regarding CDSA activity and weapons at property. (MVCS Report # 407-M47555).”  
Incorrect (provides information which may identify the tipster):  
“Crime Stoppers tip of marihuana grow op and AK47 rifles in the barn at the property - tipster saw the plants and heard that they will be harvested on May 22nd by members of the Hell’s Angels”.
7. If further information about the investigation is required by outside agencies, the agency should be directed to contact the GO author or lead investigator.
8. The assigned 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***

9. Members may request the assistance from MVCS program to progress an investigation through “Wanted” or “Info Requested” bulletins on the Crime Stoppers website or by making public pleas for information via short videos or media releases. For more information, members may contact MVCS at [mvcs@solvecrime.ca](mailto:mvcs@solvecrime.ca).
10. For use of Crime Stoppers tips in investigations, use these guidelines or contact HSHU or Crown for further information.



## 1.9 Property & Evidence

### 1.9.1 Audio Recording Evidence

(Enacted: 2003.01.20)  
(Updated: 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

(Enacted: 2000.05.16)  
(Updated: 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 1.9.3 Evidence and Property Management 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 Evidence and Property Management

(Enacted: 2000.03.22)  
(Updated: 2023.11.10)

#### POLICY

The Vancouver Police Department (VPD) is accountable for all property that comes into its custody. Whenever property comes into the custody of the VPD, members shall document it in a General Occurrence (GO) report and, where appropriate, make reasonable efforts to return property to its rightful owner.

Members may seize property with lawful authority for investigative purposes. Statutes authorizing seizure of property to support investigations, including the *Criminal Code* (CC) and the *British Columbia Offence Act*, require police to account for the seizure, detention, return, and forfeiture of seized property.

A VPD employee shall not keep, buy, barter, or accept as a gift any property that is found, seized by, surrendered to, or intended to be relinquished to the VPD (See RPM Section 4.1.4 Conflict of Interest).

#### DEFINITIONS

**Found property:** Any property the VPD finds where the lawful owner is unknown, that is not in the possession of the lawful owner, or a person who claims to be the owner, and is not relevant to an investigation or required for a future investigation.

**Persons in vulnerable circumstances:** Any person interacting with police who is in a vulnerable circumstance, including, but not limited to:

- a. Persons who may be vulnerable due to age (e.g., children or older adults);
- b. Persons with a disability or who may have communication barriers (e.g., language, hearing or speech);
- c. Persons with apparent mental health and/or substance use problems; and
- d. Persons living in public spaces (e.g., persons relying on, or sleeping in public spaces).

**PFSS:** The Property and Forensic Storage Services facility at 2010 Glen Drive.

**Property held for safekeeping:** Any property that is secured at the PFSS facility for retrieval by the lawful owner where the lawful owner is known but is unable to retain their property due to a condition beyond their control (e.g., persons in vulnerable circumstances, hospitalization, incarceration). This includes any property the VPD takes custody of in the absence of the lawful owner to protect that property from loss (e.g., sudden death investigation) or property that is voluntarily turned over to the VPD during an interaction.

**Record of property relinquishment label:** A label approved by the VPD to be completed and affixed to a member's notebook to document relinquishment of property.

**Relinquished property:** Property voluntarily turned over to the VPD with the knowledge that the property will not be returned and will be disposed of.

**Seized property:** Property seized pursuant to the CC, the *British Columbia Offence Act* or other lawful authorities.

#### PROCEDURE





### Documentation

1. Whenever property comes into the custody of the VPD, members shall document it in a General Occurrence (GO) report.
2. All seized property shall be entered in the Versadex Property Module in the GO.
3. When entering property with 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.

Members are encouraged to refer to the Evidence & Property Management resource website for information, guidance and instruction on property and Form 5.2 Report to a Justice.

### Continuity of Evidence

4. Members are reminded that the appropriate report must include the names, position and address of all non-VPD personnel who handled or seized any items that have evidentiary value. Members must also clearly advise the required disposition (e.g. for evidence and/or analysis or for forfeiture) to all non-VPD personnel seizing the items.

### Found property

5. Members shall take all reasonable steps in the circumstances to identify and notify the owner of found property. All investigative steps taken to identify the lawful owner of the found property should be documented in the GO.
6. Found property not returned to the lawful owner shall be lodged at the PFSS facility.

### Relinquished property

7. Where ownership of property is not in dispute and the owner voluntarily relinquishes the property to the VPD, a signed Record of Property Relinquishment form, a signed Record of Property Relinquishment label **OR** a signed notebook entry documenting the relinquishment shall be completed, scanned and uploaded to the GO.
8. A relinquishment of property is **ONLY** satisfied if the owner of the property signs a Record of Property Relinquishment form, a Record of Property Relinquishment label or the notebook entry. Members **CANNOT** tag an item for disposal without a relinquishment signature from the owner.
9. If a signed notebook entry documenting the relinquishment of property is completed, members should consider recording the additional information below in their notebook:
  - Date;
  - Location;
  - “I, (name of owner) do hereby voluntarily relinquish my property to the police to be disposed of in accordance with departmental policy.”;
  - (List of property being relinquished);
  - “I understand that by signing the record of property relinquishment, I will not be able to reclaim my property in the future.”;
  - Name of owner;
  - Name & PIN of member; and
  - Signature of member.
10. Property for relinquishment shall be lodged at the PFSS facility where it will be disposed of or destroyed.

### Property held for safekeeping



11. Property held for safekeeping will be secured at the PFSS facility for its return to the lawful owner, or owner's designate, to collect within a reasonable and specified time. After the specified time has expired, PFSS staff will dispose of all property. The member must communicate this timeframe with the lawful owner and add their name as an entity in the GO.
12. Members receiving the property should document the specified time to hold the property in the GO. Members can consider the following suggested timeframes for property held for safekeeping:
  - a. Property held for persons in vulnerable circumstances or hospitalization - up to 90 days;
  - b. Property held for incarcerated persons - up to 15 days upon release from custody and acknowledgement on VPD1691 - Property Pick Up Notification;
  - c. Property voluntarily turned over - up to 90 days; and
  - d. Property held in absence of lawful owner to prevent loss - up to 180 days.
13. Members need to make reasonable efforts to return property to its rightful owner.
14. The lawful owner is required to confirm their identity with the PFSS property custodian in order to collect any property held for safekeeping.
15. If the lawful owner sends a designate, they are required to produce identification and written authorization to the PFSS property custodian in order to collect any property held for safekeeping.
16. If any decriminalized illegal substances meeting the scope and conditions of the exemptions under subsection 56(1) of the *Controlled Drugs and Substances Act* are being held for safekeeping at the PFSS facility, they will only be released to the lawful owner.

### Seized property

17. All seized property shall be lodged at the PFSS facility or other appropriate secure location (e.g. Forensic Identification Unit).
18. Members seizing any property must report the seizure on a Form 5.2 Report to a Justice. If the property is returned to the lawful owner on scene, ensure the Form 5.2 Report to a Justice reflects the following:
  - a. Disposition should be marked as 'A' (it was returned to the person lawfully entitled to its possession);
  - b. The name of the person the property is being returned to should be recorded in the 'STATE LOCATION WHERE DETAINED OR NAME OF PERSON RETURNED TO'; and
  - c. Do not complete the 'Application for Detention' section of the Form 5.2 Report to a Justice as the property has been returned at the scene to the lawful owner.

### Form 5.2 Report to a Justice

19. Under the provisions of section 489.1 of the *Criminal Code*, a Form 5.2 Report to a Justice must be submitted to a Justice of the Peace for all seized property as soon as is practicable.
20. There are five different types of Form 5.2 Report to a Justice:
  - a. Form 5.2 Report to a Justice (Following Seizure of Property And / Or Warrant to Search) - Form PCR087 for seizures conducted under Federal statutes. This is the standard form used to report a seizure of property;
  - b. Form 5.2 Report to a Justice (Following Seizure of Property And / Or Warrant to Search) - Offence Act or Other Provincial Statute - Form PCR815 for seizures conducted under Provincial statutes;
  - c. Attachment to Report to a Justice - Form PCR094. This is a continuation of the Form 5.2 Report to a Justice, used to list additional property when the space for listing property on the bottom of the Form 5.2 Report to a Justice is insufficient;
  - d. Form 5.2 Report to a Justice (Following Warrant or Demand to Take Blood Samples) - Form PCR088B. This form is used whenever a blood sample is taken pursuant to a warrant or demand for an impaired investigation; and
  - e. Report to a Provincial Court Judge or the Court - Form 5.07 - PCR141. This report is required any time an officer obtains a DNA sample following a DNA warrant.



Members are encouraged to scan and upload the completed Form 5.2 Report to a Justice (and any accompanying attachment pages) into the GO.

### **Seized Property - Action Required Notification**

21. PFSS staff will perform intake and quality control functions for all Form 5.2 Report to a Justice documents delivered to the PFSS facility.
22. If a member has seized property for an investigation and charges have been laid by Crown Counsel, no further action is required by the member to manage the seized property (e.g., further detention order).
23. As seized property reported on a Form 5.2 Report to a Justice approaches the end of the initial detention period (three months from the date of seizure) AND no charges have been laid by Crown Counsel, PFSS staff will send out a notification to members at the 60 day mark from the date of seizure (VPD157A - Seized Property - Action Required Notification).
24. Upon being notified, members are required to begin a Section 490 process on the seized property (further detention, forfeiture and/or return to owner).

### **Section 490 CC - Further Detention Order, Return Order and Forfeiture Order**

Members are encouraged to refer to the Evidence & Property Management resource website for information, guidance and instruction on the section 490 process.

25. Where no charges have been laid during the initial detention period (three months), or subsequent detention periods, and an investigation is ongoing, members should continually assess each seized item individually to see if it should be detained further, can be returned to the lawful owner or should be forfeited.
26. Members should consider these issues at least 30 days before the initial detention order expiry to allow sufficient time to prepare and serve the required materials, consult with legal counsel through the Aide to the Deputy Chief Constable Investigation Division if necessary, and arrange a hearing date.

### **Drug seizures**

Members are encouraged to refer to the Evidence & Property Management resource website for information, guidance and instruction on drug handling procedures. (See also RPM Section 1.6.12(ii) Drug Handling Procedures).

### **PFSS facility cash and valuable handling**

27. When handling cash and valuables at the PFSS facility, members should:
  - a. Place cash and valuables in an envelope and list the contents on the face of the envelope (including the total amount of cash 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 cash and valuables in the PFSS facility cash drop box in the presence of the witnessing officer and register the cash and/or valuables in the PFSS facility log book; and
  - e. Enter cash as a security in the GO property module. Ensure that the "Cash Breakdown" tab is completed, this will automatically compute the total value of the currency for the property tag.

Members are encouraged to refer to Bulletin: General Guidelines Large Cash Seizures and Bulletin: Cash and Valuables Handling for information and guidance on large cash seizures and handling procedures.



### Non-compliance and 'Right of Refusal'

28. Any property to be stored at the PFSS facility 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 Report to a Justice, shall be refused by the PFSS property custodian.
29. The PFSS property custodian will send a message to the seizing member's supervisor and request that the member return to the PFSS facility and complete the tagging procedure before the property will be logged into the PFSS facility.

### Oversize Drop-Off

30. The Oversize Drop-Off is a facility designed for storing larger seized or recovered property at the PFSS facility.
31. Members placing property in the Oversize Drop-Off shall:
  - a. Tag each item with a property tag and include the appropriate report(s) detailing both the circumstances of seizure and the requested disposition of the property;
  - b. Deposit the completed Form 5.2 Report to a Justice to the designated tray in the PFSS facility; and
  - c. Record submission of property in the PFSS facility Log Book.

### Dangerous Goods

32. 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 *Nuclear Safety and 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**

33. In the first instance, members should consult with an Emergency Response Team (ERT) Police Explosive Technician (PET) regarding any suspected explosive substance (See RPM Section 1.7.12 Explosive Devices).
34. An on-call or on-duty VPD Organized Crime Section (OCS) supervisor and/or Vancouver Fire and Rescue Services (VFRS) Hazmat specialist should be consulted regarding the handling of any hazardous material (See RPM 1.6.12(ii) Drug Handling Procedures).
35. 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 can be photographed without danger, e.g. flash photography may cause an explosion; if in doubt, VFRS Hazmat specialist and/or ERT PET must be consulted.)
36. Under no circumstances should a member attempt to enter a dangerous, biologically contaminated or explosive substance(s) as a court exhibit. If the substance requires laboratory analysis the VFRS Hazmat specialist and/or the ERT PET must be contacted to ensure proper handling of the substance. The VFRS Hazmat specialist and/or VPD PET are trained and equipped to identify and deal with dangerous, biologically contaminated, and explosive substances and their services must be utilized.
37. If the owner of the substance cannot be identified or located and the substance is not required for any police purpose, the VFRS Hazmat specialist and other engaged services should be contacted for disposal of the substance.
38. If a member decides to safely dispose of items on scene, those items must be documented on a Form 5.2 Report to a Justice and noted "disposed of on scene due to public/member safety concerns related to transport and storage". The disposal of items on scene must be documented in the GO, which outlines who provided the direction to dispose of the items and why those items were unsafe to transport and/or store.
39. The PFSS facility is not equipped to deal with dangerous, biologically contaminated or explosive substances. Designated areas may be used for the storage of these substances if the VFRS Hazmat specialist, other environmental contractors and/or ERT PET is contacted prior to their storage. A specialist, as named above, must advise if these substances can be stored without risk, and in compliance with Provincial and Federal Regulations, prior to storage at a VPD facility.
40. Members storing any dangerous goods must advise PFSS staff by emailing [propertyoffice@vpd.ca](mailto:propertyoffice@vpd.ca).

### **Dangerous Goods - Seizure**

41. 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 Property Tag shall indicate what type of dangerous goods the property is, or is suspected to be.
42. 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.
43. A Form 5.2 Report to a Justice shall be completed for the seized property and deposited in the designated tray in the PFSS facility.

### **Seizure of Compressed Gas Cylinders**

44. Members shall not transport a compressed gas cylinder in any police vehicle or store a compressed gas cylinder in any police building without prior consultation with VFRS or VPD PET.
45. Members requiring a gas cylinder as 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 Property Tag to each item;





- b. Deposit the completed Form 5.2 Report to a Justice to the designated tray in the PFSS facility;
- c. Any compressed gas cylinders required as evidence shall be placed in designated areas outside the PFSS facility; and
- d. Members storing any compressed gas cylinders must advise PFSS staff by emailing [propertyoffice@vpd.ca](mailto:propertyoffice@vpd.ca).

### Flammable Materials

- 46. Members shall make every effort to locate the owner of the property, have it photographed for court purposes, and return it to the owner.
- 47. If the owner cannot be located, photograph the item and contact the VFRS for disposal instructions.
- 48. If a member decides to safely dispose of items on scene, those items must be documented on a Form 5.2 Report to a Justice and noted “disposed of on scene due to public/member safety concerns related to transport and storage”. The disposal of items on scene must be documented in the GO which outlines who provided the direction to dispose of the items and why those items were unsafe to transport and/or store.
- 49. Flammable liquid containers, whether empty or full, shall not be stored inside any police building. These containers should be placed in designated areas outside the PFSS facility.
- 50. If flammable materials are exhibits from a crime scene:
  - a. Contact and liaise with the appropriate investigative section;
  - b. Contact the VFRS regarding proper handling of the exhibit for laboratory analysis;
  - c. Seized containers should be emptied (contact the VFRS for disposal instructions);
  - d. Store the exhibit in an air tight metal container supplied by the VFRS;
  - e. Place the exhibit in the Oversize Drop-Off;
  - f. Attach a property tag to each item; and
  - g. Deposit the completed Form 5.2 Report to a Justice to the designated tray in the PFSS facility.



## 1.9 Property & Evidence

### 1.9.4 Seized Property

(Enacted: 2001.05.23)  
(Deleted: 2023.11.10)

This policy has been rescinded. See RPM Section 1.9.3 Evidence and Property Management.





## 1.9 Property & Evidence

### 1.9.5 Counterfeit Money, Currency, and Travel Documents

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



## 1.9 Property & Evidence

### 1.9.6 Credit Cards

(Enacted: 2000.08.01 )  
(Updated: 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

(Enacted: 2002.085.28)  
(Updated: 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

(Enacted: 2000.09.06)  
(Deleted: 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

(Enacted: 2000.08.02 )  
(Updated: 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

(Enacted: 2000.08.02)  
(Updated: 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 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. Monday-Friday, 0800-1600; or
  - b. 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 Evidence and Property Management. 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

(Enacted: 2000.09.05)  
(Updated: 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

(Enacted: 2000.08.02)  
(Updated: 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

(Enacted: 2000.08.02)  
(Updated: 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

(Enacted: 2000.08.02 )  
(Updated: 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

(Enacted: 2000.08.02)  
(Updated: 2023.11.10)

This policy has been rescinded. See RPM Section 1.9.3 Evidence and Property Management.





## 1.9 Property & Evidence

### 1.9.16 Taxicab Camera Evidence

(Enacted: 2006.04.24)  
(Updated: 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 Evidence and Property Management).

### 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

(Enacted: 2000.03.22)  
(Updated: 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:

For all urgent requests, call FVU at xxx 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 xxx. 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 xxx.
  - 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

(Enacted: 2008.10.15)  
(Updated: 2023.02.02)

#### **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 Digital Forensics Unit (DFU) 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 DFU investigator whenever possible prior to manipulating or accessing digital devices, and follow the procedures below.

Members are encouraged to refer to the DFU 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 "487 Search Warrant ITO for Computer Systems" on the DFU 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 DFU 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 DFU, members shall contact DFU for guidance on how to properly disconnect or seize the electronic device, to ensure digital data or evidence is not lost or compromised;
3. For each exhibit, the member shall complete a:
  - a. Property tag with barcode;
  - b. VPD 1369 DFU Digital Forensics Lab Exhibit Submission Form and e-mail this to xxx;
  - c. DFU Consent to Search Form or the warrant authorizing the search, including parameters of the search, and submit this with the exhibit;
  - d. Form 5.2 Report to a Justice (refer to guide: Need to File a Report to a Justice for Digital Data);
  - e. Miscellaneous Notes “MN” text page in the General Occurrence report routed to the DFU handle, with the heading “DFU Examination Requested” and outline the examination required; and
  - f. An entry in the property log book for each exhibit being tagged at the Property and Forensic Storage Services (PFSS) building.
4. In urgent circumstances, the member shall tag devices that require urgent DFU examination in the DFU overnight lockers located outside the DFU office and notify DFU by email: xxx.
5. If the device operates on a cellular network:
  - a. Document the device’s on/off status, obvious markings, brand and model, general state and description;
  - b. If the device is off at the time of seizure, do not turn it on;
  - c. 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 device); and
  - d. As soon as possible, place the device within a radio frequency (RF) proof container for exhibit integrity
6. When a digital or electronic device is no longer required for an examination by DFU, refer to RPM Section 1.9.3 Evidence and Property Management. DFU should be consulted prior to returning any digital or electronic device to the owner.
7. When a member believes it is necessary to call out a DFU member during non-business hours, they shall consult with their supervisor to obtain Duty Officer authorization to call the DFU supervisor. The Duty Officer shall consult with the DFU supervisor to decide if a DFU member will be called-out after hours.
8. The DFU member 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 investigating member;
  - c. Assist the lead investigating member in determining the appropriate charge(s);
  - d. Submit detailed report(s) outlining the forensic examination to the lead investigating member; and
  - e. Return all exhibits to the PFSS or lead investigating member.
9. The lead investigating member shall:
  - a. When practicable, contact a DFU member 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 DFU.



## 1.9 Property & Evidence

### 1.9.20 Digital Recordings (Images) on Issued Electronic Devices

(Enacted: 2021.09.03)  
(Updated: 2021.09.03)

#### POLICY

The Vancouver Police Department (VPD) provides certain electronic devices capable of digitally recording still images (photos) or motion captured images (video) and associated audio recordings, to designated employees in order to allow them to fulfil business, operational, and investigative requirements of the VPD. The purpose of this policy is to:

- ensure the integrity and security of digital recordings and the information they contain;
- ensure compliance with legal requirements specific to the collection, use and disclosure of digital recordings and the information they contain; and
- facilitate the effective use of digital recordings as evidence in support of investigations.

#### DEFINITIONS

**Electronic Devices:** a device equipped with a camera capable of producing a digital recording, including but not limited to digital cameras, camcorders, computers, Mobile Data Terminals (MDT), tablets, and mobile devices RPM Section. 5.1.1 Mobile Devices.

**Digital Recording:** means, for the purpose of this policy any digital recording of contemporaneous events recorded on an electronic device (i.e. still images (photos) or motion-captured images (video) and associated audio recordings in various digital formats).

**Issued:** means, for the purpose of this policy something supplied or provided by the VPD to designated employees that allows those employees to perform tasks required by their employment.

#### PROCEDURE

##### General

1. Digital recordings made in the course of an employee's duties form a record that is in the custody and control of the VPD and therefore subject to the B.C. *Freedom of Information & Protection of Privacy Act (FOIPPA)*. The digital recordings may only be accessed, used and disclosed in accordance with that Act, procedures pursuant to this and other VPD policy or as otherwise required or authorized by law.
2. Employees must not access digital recordings for a non-work related purpose.
3. Employees should refer to specific procedures provided by the VPD for the use of issued electronic devices, and the making, handling, storage and use of digital recordings by employees.
4. Employees should not use a VPD issued electronic devices to make digital recordings outside the scope of VPD standard operating procedures and/or training received.

##### Members Digitally Recording a Person

5. Members should use a VPD issued electronic device when making a digital recording of another person for operational or investigative purposes.
6. Members may only make a digital recording of another person:



- a. to record a statement given by a person, in relation to an investigation;
  - b. to record evidence;
  - c. to record a member's interaction with a person whose behaviour is cause for concern regarding the member's physical safety;
  - d. to record an interaction between a member and a person, if member has reason to believe that there may be future disagreement as to the details of the interaction;
  - e. as authorized under the *Criminal Code (CC)*;
  - f. as authorized under the *Identification of Criminals Act (ICA)*;
  - g. to aid in establishing identity; or
  - h. for an authorized warrantless investigative purpose, which should be justified on a case-by-case basis.
7. Before beginning a digital recording, the member must inform the person with whom they are interacting that they are going to be recorded, unless it is not reasonably practicable or unsafe to do so, or would compromise the investigative purpose for which the recording is to be made (e.g. one-party consent authorization).
  8. Procedures related to recorded interviews of witnesses, victims, and suspects can be located under RPM Section 1.9.17 Video Evidence with additional information contained under sections within RPM Section 1.6.37 Statements & Interviews.
  9. If a digital recording relates to photographing an injury, the injured person must provide consent to have their injury photographed. If the person does not consent, the member must not take the photograph. The member shall document the refusal in the General Occurrence report. This policy is not meant to prevent photographs of injuries that may be taken as an investigative tool, if the person is arrested or under investigative detention for a criminal offence (*paragraphs 13 and 14 below*).
    - a. If there are exigent circumstances to photograph an injured person who is alive but unable to provide consent, if practicable, the member shall obtain consent from the next of kin or person responsible for the person's medical care. There shall be consideration as to whether or not the next of kin is a suspect in the cause of the person's injury.

### Photographs of Persons in Custody, Under Detention or of Interest

10. A member's authority to take photographs is established through statute (e.g. *ICA* and *CC*) and case law. The authority to photograph for identification or investigative purposes is mainly derived from case law, and, while the taking of photographs 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 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.

### Use of Force & Photographs

11. Photographs shall be taken pursuant to the procedure set out in the *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.
12. Photographs may be taken if the person is arrested for a criminal offence to establish identity. Reasonable force can be used in this circumstance.
13. 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.
14. Photographs may be taken as an investigative tool where the person is not arrested, but held under investigative detention. No force can be used in this circumstance.
15. Photographs may be taken anywhere, anytime, with consent. No force can be used in this circumstance.
16. Photographs for intelligence purposes may be taken in public places (e.g. surveillance). No force can be used in this circumstance.



### Distribution of Photographs to other Police Agencies

17. Only photographs obtained pursuant to the procedure set out in the *ICA* can be distributed and used for an evidentiary purpose in other investigations.
18. Digital recordings, 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 may only hold evidentiary value specific to the file for which the digital recording was originally taken.
19. Surveillance digital recordings, where identity is either known or not known, can be distributed, but cannot be placed into data banks such as IntelliBook (IBook).
20. All digital recordings must be properly sourced prior to distribution. Sourcing requires the name of the employee who made the digital recording, the subject of the digital recording, when the digital recording was taken, and the authority by which the digital recording was obtained.

### **Digital Recordings and Investigative Notes**

21. Employees should only record investigative notes on a VPD issued electronic device using software on the device approved for that purpose.
22. Transmission of digital recordings and/or communication between employees shall be professional, adhering to RPM Section 4.3.1 Respectful Workplace Policy, and retained for disclosure purposes.
23. Employees are not to make digital recordings in the place of or to decrease the scope of their note taking. Procedures for note taking exist under RPM Section 1.16.4 Police Notes and Notebooks.

### **Digital Recordings as Evidence**

24. Employees should comply with VPD requirements for the taking and handling of evidence, including the file format for providing digital recordings as part of Crown disclosure.
25. In order to assist in the integrity of their continuity for use in court or any other required proceeding, digital recordings should be **preserved** in their original file format.
26. If an employee makes digital recordings for an investigative purpose, they must be retained as part of the file (this includes associated digital recordings that the investigator does not intend to use). Deletion of a digital recording from an electronic device without saving the recording as an exhibit may be considered destruction of evidence.
27. By the end of the employee's shift, or as soon as reasonably practicable, the employee will save all investigative digital recordings as exhibits by following the applicable VPD procedure(s) specific to the electronic device and/or the training provided to the employee within the section they are operating.

### **Altering Digital Recordings**

28. Alterations to a digital recording required for investigative or court purposes may only be applied to copies and not the original digital recording.
29. Employees wishing to have a digital recording subjected to digital manipulation must have any such manipulation performed by the Digital Forensics Unit (DFU), Forensic Video Unit (FVU), or Forensic Identification Unit (FIU) Photo Lab.

### **Digital Recordings - Social Media and Online Investigations**

30. Additional procedures for digital recordings related to both Social Media and Online Investigations can be located within the following policies:
  - a. RPM Section 2.9.6(iii) Social Media
  - b. Mobile Device Acceptable Use Policy within RPM Section 5.1.1 Mobile Devices
  - c. RPM Section 1.6.54 Online Investigations





### Personal Electronic Devices

31. For operational or investigative purposes, employees should not use personal electronic devices, hardware, software, online accounts or networks to make, store, or transfer evidentiary digital recordings.
32. Employees are cautioned that their personal electronic devices, hardware, stored information, and account details/information may be subject to disclosure, and possible seizure if utilized as an investigative aid or tool. In such cases, the VPD will not be responsible for any costs, loss of use of the electronic device, or data lost through disclosure retrieval processes.
33. Using personal electronic devices, hardware, software, online accounts or networks to make, store, or transfer evidentiary digital recordings may breach the *FOIPPA* or may constitute a disciplinary default under the *Police Act* (e.g. insufficient security measures on a personal electronic device to guard against unauthorized access, collection, use, disclosure or disposal of personal information contained within evidentiary digital recordings).



## 1.10 Motor Vehicle Incidents (MVI)

### 1.10.1 Alternative Fuel Vehicles

(Enacted: 2000.07.28)  
(Updated: 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

(Enacted: 2001.05.23)  
(Updated: 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

(Enacted: 2000.09.05)  
(Updated: 2020.07.28)

#### POLICY

The Collision Investigation Unit (CIU) is part of the Vancouver Police Department (VPD) Traffic Section. The VPD's CIU investigates all serious injury, fatal and police involved motor vehicle collisions. The CIU is responsible for gathering all evidence and information by photographing, measuring and marking the collision scene. In depth follow up includes, but is not limited to, re-interviewing individuals involved, producing scale diagrams, completing collision reports, submitting a detailed Report to Crown Counsel (when appropriate) and giving expert testimony at trial. In addition, CIU is relied upon to help identify high collision sites and/or collision causal factors within the City of Vancouver and utilize enforcement as part of an integrated strategy to reduce motor vehicle incidents.

#### DEFINITIONS

Emergency vehicle: as defined in the *Motor Vehicle Act*

Serious injuries: Injuries which are potentially life threatening or result in severe trauma.

#### PROCEDURE

The Collision Investigation Unit (CIU) shall investigate the following Motor Vehicle Collisions involving:

- a. Fatal injuries or serious and possible fatal injuries;
- b. Police vehicles from any jurisdiction;
- c. Private vehicles being driven by members or civilian members in connection with their duties;
- d. Civilian members operating any City of Vancouver vehicle;
- e. Any motor vehicle incident, involving an emergency vehicle, that occurs when the operator of that emergency vehicle is exercising the privileges granted under Section 122 of the *Motor Vehicle Act* and/or the *Emergency Vehicle Driving Regulations* when the collision occurred;
- f. Rail cars causing injuries or death; and
- g. Cyclists that result in serious injury, fatality or possible fatality.

Patrol units shall investigate the following:

- a. Any motor vehicle collisions that meet the criteria for police investigation (see RPM Section 1.10.7: Motor Vehicle Collision Procedures), that are not the responsibility of the Collision Investigation Unit; and
- b. Collisions listed in subsection (1) when the Collision Investigation Unit is unavailable.

When Collision Investigation Unit members are not engaged in current or follow-up investigations or other assigned duties, they will investigate injury collisions not listed in Section 1.

When investigating a fatal collision, Collision Investigation Unit members will contact the Coroner. However, when there is a significant delay in the attendance of a Collision Investigation 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

(Enacted: 2000.08.31)  
(Updated: 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

(Enacted: 2000.08.31)  
(Updated: 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

(Enacted: 2000.06.12)  
(Updated: 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)

(Enacted: 2001.05.22)  
(Updated: 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

(Enacted: 2000.11.10)  
(Updated: 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 they 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 1.9.3 Evidence and Property Management) 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

(Enacted: 2003.04.22)  
(Updated: 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)

(Enacted: 2003.04.22)

(Updated: 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

(Enacted: 2000.08.01)  
(Updated: 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

(Enacted: 2000.08.01)  
(Updated: 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

(Enacted: 2003.04.22)  
(Updated: 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

(Enacted: 2000.11.10)  
(Updated: 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

(Enacted: 2011.10.19)  
(Updated: 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" of "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

(Enacted: 2001.05.23)  
(Updated: 2020.07.28)

#### DEFINITIONS

Emergency vehicle: as defined in the *Motor Vehicle Act*

Serious injuries: Injuries which are potentially life threatening or result in severe trauma.

#### PROCEDURE

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; or
  - 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; and
  - d. A photocopy of the ticket(s) issued to the accused.
5. A Collision Investigation Unit Supervisor or any Supervisor if the Collision Investigation Unit Supervisor unavailable, shall be requested to attend the scene when the motor vehicle collision involves the following:
  - a. Fatal injuries or serious and possible fatal injuries;
  - b. Police vehicles from any jurisdiction;
  - c. Private vehicles being driven by members or civilian members in connection with their duties;
  - d. Civilian members operating any City of Vancouver vehicle;



- e. Any motor vehicle incident, involving an emergency vehicle, that occurs when the operator of that emergency vehicle is exercising the privileges granted under Section 122 of the *Motor Vehicle Act* and/or the *Emergency Vehicle Driving Regulations* when the collision occurred;
  - f. Rail cars causing injuries or death; and
  - g. Cyclists that result in serious injury, fatality, or possible fatality.
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

(Enacted: 2000.06.06)  
(Updated: 2023.05.03)

#### 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* (MVA). 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 MVA. Even so, members shall engage in emergency vehicle operations only when in compliance with the MVA, 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 MVA if the member:
  - a. 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. 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 dispatcher broadcasts a call and the member(s) recognizes that the incident is an emergency;
  - b. the member encounters an emergency situation requiring a Code 3 response in the field and advises the dispatcher of the circumstances, or





- c. the supervisor recognizes that an emergency exists and directs a member or members to respond Code 3.
- 4. Members responding Code 3 to an emergency situation shall only exercise the privileges found in section 122 of the MVA without operating emergency lights and siren or by operating emergency lights alone:
  - a. 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;
  - b. as long as they stop at red lights and proceed only when it is safe and they do not disregard a stop sign or speed limits in school and playground zones; 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 members are responding Code 3, or have been instructed to respond Code 3, members 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 other members that have already arrived on scene.
- 7. Police vehicles not equipped with emergency equipment must not be utilized in a Code 3 response.
- 8. It is recognized that specially trained surveillance members may, at times, be required to operate covert police vehicles (vehicles not equipped with emergency equipment, flashing lights and sirens) in Code 3 provisions. Covert police vehicles operating within surveillance and other similar specialized units may exercise privileges outlined in section 122 MVA when:
  - a. the risk to the public of losing the subject person or vehicle outweighs the risk posed by the Code 3 driving;
  - b. no other reasonable alternatives exist;
  - c. the members have received specialized training;
  - d. the members are operating within a specialized unit; and
  - e. the members are operating in accordance with the procedures outlined for surveillance driving.

Note: For the purposes of this policy, *specialized units* include Strike Force, Canine Unit, and ERT.



## 1.10 Motor Vehicle Incidents (MVI)

### 1.10.8(ii) Police Vehicles Involved in Motor Vehicle Collisions

(Enacted: 2001.05.23)  
(Updated: 2020.07.28)

#### POLICY

The Vancouver Police Department (VPD) recognizes that, in the course of their duties, members may become involved in a motor vehicle collision. The collision could be accidental on the part of the civilian and/or member or part of planned operational tactics (such as a box and pin technique). See RPM Section 1.10.9 Vehicle Intervention Tactics: Pursuit Driving, Boxing, Pinning, or Ramming. The actions of investigating members will depend on the circumstances of the collision and the extent of damage and injuries.

#### PROCEDURE

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.
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 collisions 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. 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 Unit.
9. The Supervisor i/c Collision Investigation Unit will gather all reports relating to the collision and review the file. If the collision was a planned operational tactic resulting in no injury and damage of less than \$10,000, the Supervisor i/c Collision Investigation Unit will pass oversight of the file to the Supervisor i/c of Officer Safety Tactics Training Team (OSTTT). The Supervisor i/c Collision Investigation Unit will classify all other incidents 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 Collisions**

11. A request for a VAR in response to an allegation of a police involved motor vehicle collision 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 Collision

(Enacted: 2000.08.31)  
(Updated: 2020.07.28)

#### **POLICY**

Vancouver Police Department vehicles and private vehicles being driven by members in connection with their duties may become involved in motor vehicle collisions outside of the City of Vancouver. Responsibility for the investigation of these collisions lies with the police agency serving the particular jurisdiction.

#### **PROCEDURE**

1. Members involved in such a collision 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. Liaise 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 Collisions).



## 1.10 Motor Vehicle Incidents (MVI)

### 1.10.8(iv) Outside Agencies - Motor Vehicle Collisions

(Enacted: 2000.10.03)  
(Updated: 2020.07.28)

#### **POLICY**

Outside agency vehicles and private vehicles being driven by outside agency members in connection with their duties may become involved in motor vehicle collisions inside the City of Vancouver. Responsibility for the investigation of these collisions lies with the Vancouver Police Department.

#### **PROCEDURE**

Collisions involving police vehicles from outside jurisdictions shall be handled as follows:

- a. A Collision Investigation Unit will be dispatched to the scene to investigate the collision. If a Collision Investigation Unit is not available, a patrol unit will be assigned. In addition, a Supervisor will be dispatched to the scene.
- b. The attending Supervisor shall notify a Supervisor from the outside jurisdiction.
- c. If the member is injured, where necessary, the Supervisor will arrange for any firearms to be turned over to a Supervisor in the jurisdiction concerned.
- d. The investigating member shall submit the reports listed in RPM Section 1.10.7: Motor Vehicle Collision Procedures.
- e. The attending Supervisor shall submit a VPD 68 containing details of the collision and a statement of the Supervisor's findings and recommendations, directed to the Supervisor i/c Collision Investigation Unit.



## 1.10 Motor Vehicle Incidents (MVI)

### 1.10.9 Vehicle Intervention Tactics: Pursuit Driving, Boxing, Pinning, or Ramming

(Enacted: 2000.06.14)  
(Updated: 2023.05.03)

#### 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 intervention tactics can be inherently dangerous and must be recognized as such by all members. Protecting the public must always be of primary concern. Therefore, members involved in any vehicle intervention tactic must continuously assess whether there are reasonable grounds to continue such action when weighed against the risk of harm to the public. All vehicle intervention tactics undertaken must be in compliance with the *Motor Vehicle Act* (MVA), *Emergency Vehicle Driving Regulations* (EVDR) and Guidelines published by the Policing and Security Branch of the Ministry of the Solicitor General. Further, all members are accountable for, and must justify, their actions during any vehicle intervention tactic.

Vehicle intervention tactics may include:

- i. pursuit
- ii. boxing or pinning
- iii. ramming

#### DEFINITIONS

**Pursuit:** as defined in the EDVR, "the driving of an emergency vehicle by a peace officer while exercising the privileges granted by section 122(1) of the *Motor Vehicle Act* (MVA) for the purpose of apprehending another person who refuses to stop as directed by a peace officer and attempts to evade apprehension."

For the purposes of this policy, 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 a-c, above - without their lights and siren activated - are in violation of the EVDR.

**Boxing:** the safe positioning of police vehicles around a stationary subject vehicle to prevent the movement of the subject vehicle. Boxing should result in minimal or no contact between the police vehicle and the subject vehicle. Boxing should only occur when the subject vehicle is stopped.

**Pinning:** use of a police vehicle to safely make physical contact with, and contain, the subject vehicle. Pinning only occurs at very low speeds or when a subject vehicle is stopped.

**Ramming:** the use of a police vehicle to physically contact a subject vehicle for the purposes of disabling it. Ramming is a high-level force option. As with any force option, members are required to justify their actions. Members are advised that ramming should not occur at high speeds, and is to be used only in the most exigent circumstances.

#### PROCEDURE





### Engaging in a Vehicular Pursuit

1. 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 attempt to evade apprehension in determining the seriousness of the offence or the need for immediate apprehension.
2. Members may only engage in a pursuit when they have reasonable grounds to believe that:
  - a. the driver or passenger of the subject vehicle has committed, is committing, or is about to commit an indictable 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).
3. Members shall NOT engage in a pursuit when the suspected offence is solely:
  - i. a MVA infraction; or
  - ii. a property crime, including the possession of a stolen vehicle.
4. Members shall NOT engage in a pursuit unless:
  - i. they have a plan to safely stop the vehicle (having regard to all the circumstances); and
  - ii. they, or the supervisor, have verbalized such a plan via radio broadcast as soon as is practicable.

Note: For the purposes of this policy a “plan” refers to any intervention tactic which can be readily enacted in a relatively safe and expedient manner (e.g., boxing or pinning, use of Police Aerial Support (PAS)).

Members shall comply with the requirements as outlined in the EVDR and Guidelines.

5. Unless authorized by a supervisor, only the members in the initial pursuing vehicle (the “primary unit”) and the assigned cover unit (the “secondary unit”) shall pursue a subject fleeing in a vehicle. Other members shall stay clear of the pursuit and off the pursuit route. Members not assigned to the pursuit should remain alert to its progress and location.
6. The member(s) of the primary unit, or the supervisor, should immediately request appropriate resources to facilitate the safe termination of the pursuit and apprehension of subject(s). If necessary, the supervisor may request additional members if it appears the primary and secondary units involved may not have sufficient resources to safely effect the arrest of the subject(s).
7. Members shall not participate or engage in a pursuit in any vehicle not equipped with fully operating emergency equipment.
8. Members shall not engage in a pursuit if a person other than an on-duty police officer or a VPD associate is in the police vehicle. For the purpose of this policy, a VPD associate is defined as a person working with the VPD in a professional capacity (e.g. a nurse working in Car 87).
9. In the event that members on police motorcycles begin a pursuit, these motorcycles shall relinquish their position when a *standard police vehicle* with full emergency equipment has joined the pursuit. The member operating the police motorcycle shall then proceed to the termination point.





Note: For the purposes of this policy, a *standard police vehicle* is any police vehicle equipped with full emergency equipment (lights and siren package) and does not require a specialized license or training to operate.

10. Members operating an unmarked police vehicle (other than Emergency Response Team (ERT) or Canine Unit members) in a pursuit shall relinquish their position in the pursuit to a marked police vehicle as soon as it is safe and practical to do so.
11. Members shall not parallel a pursuit without authorization from a supervisor. Any members that are close to a pursuit in an adjacent district must obtain authorization from a supervisor prior to responding.
12. A member engaged in a pursuit shall not pass other police vehicles or the subject vehicle unless requested to do so by the primary unit, or unless exigent circumstances exist.

### Canine Unit Responsibilities

13. When a Canine Unit member becomes aware of a pursuit, the member shall:
  - a. first consider the nature of the pursuit, the proximity to the pursuit, and any additional risks associated with joining the pursuit; and
  - b. request authorization of a supervisor to join the pursuit.

### Use of Police Aerial Support (PAS)

14. Where practicable and appropriate, PAS will be employed as the primary unit during a pursuit. Members and supervisors shall request the use of PAS through the central dispatcher (CD).
15. Once PAS is in position to observe a pursuit, PAS will assume the responsibilities of the primary and secondary units. Members involved in the pursuit of the subject vehicle shall then disengage from the pursuit, take direction from PAS and the supervisor, who shall remain in command of the incident, and follow the pursuit termination procedures as outlined in subsections 38 and 39.
16. PAS will monitor the subject vehicle, unless this appears to be exacerbating the driving behaviour of the subject vehicle.
17. Members involved in the pursuit will remain alert as to the location of the subject target vehicle and be prepared to assist in the apprehension of the driver and passenger(s) if the vehicle is abandoned. PAS will inform members on the ground when the subject vehicle is slowing or stopping and provide direction to facilitate the safe apprehension of the driver and passenger(s).

### Use of Firearms

18. Members shall not discharge a firearm, while mobile, at a vehicle during a pursuit.
19. The use of firearms is not permitted as a method of stopping or disabling a vehicle. See RPM Section 1.2.1 Use of Force Justification sections 20-21.

Note: This section does not apply to ERT members who are properly equipped and trained for such an intervention.

## Communications

### General Pursuit Communications Requirements

20. When a pursuit occurs, regardless of location, the district dispatcher or the CD will immediately initiate a patch to talkgroup 15/16. Permission from a 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.

21. 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 members of that jurisdiction.
22. Members must be cognizant that the primary unit, secondary unit and 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 MDT or switch their radio to another talkgroup to communicate with E-Comm.

### Primary Unit pursuit and broadcast responsibilities

23. The first responsibility of the member(s) engaged in a pursuit as the primary unit is the apprehension of the driver and passenger(s) without unnecessarily endangering themselves or other persons. Unless relieved by a supervisor, the member(s) in the primary unit shall:
  - a. request radio air control by broadcasting "Code 4", which informs the district dispatcher that they are "Code 3" with emergency equipment activated, in pursuit of a vehicle;
  - b. advise the district dispatcher 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 subject 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. if practicable, verbalize a *plan* to safely apprehend the driver and passenger(s); continuously assess whether there are reasonable grounds to continue a pursuit when weighed against the risk of harm to members of the public; and
  - e. decide whether the pursuit should be terminated.
24. If the primary unit cannot continue in its capacity, the secondary unit shall become the primary unit. In this case, another unit will be assigned by the supervisor as the secondary unit.

### Secondary Unit (Communications Unit)

25. The member(s) in the secondary unit shall immediately notify the district dispatcher when they are in position behind the primary unit. Once a secondary unit has joined the pursuit, it becomes the communications unit in the pursuit, and assumes the broadcast responsibilities of the primary unit.
26. A two-member unit will be assigned as the secondary unit whenever possible to facilitate broadcasting.

### Supervisor responsibilities

27. Radio priority is crucial for the supervisor controlling the pursuit as well as the primary and secondary units; therefore, members monitoring a pursuit must exercise strict radio discipline at all times.
28. Supervisors must have "radio" priority to properly provide direction to members and control the pursuit. When a vehicle pursuit occurs, the following procedure shall be followed:
  - a. 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 supervisor in the accepting jurisdiction;
  - b. ensure correct pursuit procedures are followed;
  - c. the supervisor assuming control of the pursuit shall immediately inform the radio dispatcher that they are "taking control";
  - d. the radio dispatcher will acknowledge when a supervisor assumes control of a pursuit and take direction from the supervisor;



- e. dispatchers and other members should keep radio traffic to an absolute minimum, only broadcasting information essential to the pursuit;
  - f. the supervisor shall elicit information from the primary unit (including information of pursuit driving conditions) and direct other units as they see fit. The supervisor will “copy back” information from the pursuing unit to ensure all units are aware of the status and circumstances of the pursuit;
  - g. the supervisor shall enquire as to the availability of PAS, additional units to the pursuit if required, an apprehension plan, including members equipped with vehicle disabling devices;
  - h. when the pursuit is either terminated or concluded, the supervisor shall advise the dispatcher to resume radio control and normal radio operations;
  - i. respond immediately to the termination point of the pursuit, and on arrival, inform the CD;
  - j. review and approve the member's Police Vehicle Action Template and General Occurrence (GO) report and add any applicable comments, concerns, or recommendations to the report; and
  - k. notify the Duty Officer of all pursuits resulting in injury or serious property damage.
29. The supervisor is responsible for ensuring that members engaging in a pursuit are in compliance with this policy. In exceptional circumstances, the supervisor may override these directives. The supervisor must be able to articulate that the need to apprehend the driver or passenger(s) of the subject vehicle was greater than the risk to the public.

Note: Whenever a 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 CD, and request a supervisor to assume command and monitor the pursuit.
31. The CD 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 CD will also notify neighboring jurisdictions of the relevant information;
  - d. assist the supervisor when possible, particularly with respect to obtaining relevant information from the pursuing members when communication difficulties occur, and ensure the 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, the following should occur:
- a. the CD 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 CD 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 supervisor shall direct all VPD members, except the primary unit, to immediately terminate the pursuit and return to Vancouver;
- d. the primary 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, the following should occur:
- a. the CD shall confirm whether the vehicle is being pursued or merely being followed, and broadcast this information on the receiving district talkgroup;
  - b. the CD 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 will broadcast the pursuit as soon as practicable, and advise units to monitor talkgroup 15/16;
  - e. the CD will 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 CD will immediately provide this information to the appropriate supervisor and, as soon as practicable, the Duty Officer;
  - g. responding members shall advise their location and attempt to intercept the pursuit as directed by the supervisor. VPD members shall take control of the pursuit when practicable and in compliance with this policy. 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 subject vehicle**

34. When the subject vehicle is lost, or the driver/passenger(s) flee on foot, the primary unit will immediately broadcast all pertinent information to the district dispatcher. After receiving the district dispatcher's broadcast that the subject vehicle was lost, all involved members shall resume normal non-pursuit operation of their police vehicles. The attending supervisor will co-ordinate the search as required.

### **Terminating a pursuit**

35. A pursuit can be discontinued by the:
- a. pursuing members (primary or secondary units);
  - b. 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. All members involved in a pursuit will be required to account for the reasons for continuing the 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 VPD. Although the police have a duty to apprehend offenders, there are times when the risk of harm to the public may not be justified when weighed against the reasons for the pursuit.

### **Pursuing Units' responsibilities upon pursuit termination**

38. Unless otherwise directed by either a supervisor or PAS 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:
  - a. acknowledge the termination of the pursuit to dispatch;
  - b. immediately pull over, turn off all emergency equipment and not continue to follow the subject vehicle; and
  - c. advise dispatch of their location and the last known location and direction of the subject vehicle.

### **Members' responsibilities upon pursuit termination**

39. All members directly or indirectly involved in a pursuit shall:
  - a. not renew the pursuit without authorization of the supervisor handling the call;
  - b. respond to the area of the termination and set up containment as determined by the assigned supervisor or as directed by PAS;
  - c. advise the dispatcher if the subject vehicle is spotted, but do not follow or parallel the vehicle, unless authorized by a supervisor; and
  - d. follow specific instructions from the supervisor handling the call, including leaving the area if the risk to the public has become too great in attempting to apprehend the subject vehicle.

### **Supervisors' responsibilities upon termination**

40. The supervisor monitoring a pursuit that has been terminated shall:
  - a. if practicable, direct members, other than the primary or secondary unit, to drive the last known route that the subject vehicle may have taken after termination, once it has been determined that the subject vehicle is no longer in the area, to ensure that the subject vehicle was not involved in a collision;
  - b. 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;
  - c. coordinate members to contain the last known area of the subject vehicle in the event that the vehicle has been abandoned; and
  - d. 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 Duty Officer 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 complete a Police Vehicle Action Template and ensure that it is linked to the applicable GO report. Members must include all relevant information requested in the pursuit template.

### General Procedure - Boxing, Pinning, and Ramming

43. 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 maneuvers that primarily occur when a subject vehicle is stopped or moving at low speeds and should not be confused with ramming. If damage occurs to any vehicles involved in a boxing or pinning maneuver, members shall comply with the procedures found in RPM Section 1.10.8(ii) Police Vehicles Involved in Motor Vehicle Collisions.
44. Members shall not attempt to box and/or pin a subject vehicle unless they are trained and qualified to do so.
45. Members should avoid attempting a second box or pin if the first box or pin is unsuccessful. Members shall only attempt a second box or pin, or engage in a pursuit of the subject vehicle, if an attempt to box or pin is unsuccessful in the first instance, and if there is a reasonable opportunity to quickly and safely regain the box or pin, or if authorized by the supervisor.
46. The supervisor shall not authorize a second box or pin attempt, or pursuit of the subject vehicle, unless it is reasonable in response to a new offence or extenuating circumstances that alter the original risk assessment.

Note: The ‘*reasonableness*’ of any second attempt at a box or pin will be assessed against such factors as distance from the first attempt (i.e., in the same block), vehicle and pedestrian traffic, and the immediate need to apprehend the driver. All members will be required to account for any injuries or damage resulting from a second attempt at a box or pin.

### Ramming

47. Ramming is a high-level force option. The VPD recognizes that in rare circumstances, and out of operational necessity, members may be required to ram a subject vehicle. The following conditions must exist for a member to ram a subject vehicle:
  - a. there are compelling and exigent circumstances to justify using this vehicle intervention tactic; and
  - b. there are no other reasonable means of stopping the subject vehicle; and
  - c. the member(s) have reasonable grounds to believe that the driver or passenger(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.
48. Having rammed a vehicle, the member(s) shall request a supervisor to attend the scene.

### Report Requirements

49. When damage occurs to any vehicles involved in any vehicle intervention tactic, members shall comply with the procedures found in RPM Section 1.10.8(ii) Police Vehicles Involved in Motor Vehicle Collisions.
50. Members must submit a Subject Behaviour Officer Response Report (SBORR) whenever pinning or higher levels of force are used to disable an occupied vehicle. (See RPM Section 1.16.8 Subject Behaviour Officer Response Reporting (SBORR)) Having rammed a vehicle, the member(s) shall request a supervisor to attend the scene. The members shall submit a Subject Officer Response Report (SBORR) and document the use of force in the GO including:
  - 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.



51. Members shall complete a Police Vehicle Action Template and ensure that it is linked to the applicable pursuit blanket GO report for the current year whenever:
  - a. they are the primary unit in a pursuit;
  - b. involved in any force related vehicle intervention beyond the use of mere officer presence (i.e. Pinning or ramming); and
  - c. as directed by the Inspector in charge of the VPD Traffic Section.
52. Members should include all relevant information requested in the VPD Police Vehicle Action Template.
53. The supervisor will notify, through the chain of command, the Inspector in charge of the Traffic Section (in their capacity as Chair of the Police Vehicle Action Review Board) of any incidents meeting the following criteria:
  - a. pursuits of a protracted nature;
  - b. pursuits involving obvious violations of this policy or the EVDR;
  - c. any police-involved collision resulting from intentional vehicle intervention tactics;
  - d. any intentional vehicle intervention tactics resulting in damage to property, and/or injury or death; and
  - e. as directed by the Duty Officer or Inspector in charge of the Traffic Section.
54. In the above circumstances the supervisor shall review the member's completed Vehicle Action Template and complete a Vehicle Action - Supervisor Template under the appropriate pursuit blanket GO number.
55. In the event of injury, death or serious property damage, the supervisor will advise the Duty Officer.

See:

RPM Section 1.10.8(ii) Police Vehicles Involved in Motor Vehicle Collisions

RPM Section 1.16.8 Subject Behaviour Officer Response Reporting (SBORR)

RPM Section 2.10.11 Police Vehicle Action Review Board





## 1.10 Motor Vehicle Incidents (MVI)

### 1.10.10 Boxing, Pinning, Ramming, and Other Methods of Stopping a Vehicle

(Enacted: 2001.05.24)  
(Deleted: 2023.05.03)

This policy has been rescinded. See RPM Section 1.10.9 Vehicle Intervention Tactics: Pursuit Driving, Boxing, Pinning, or Ramming.



## 1.10 Motor Vehicle Incidents (MVI)

### 1.10.11 Stalled Vehicles - Pushing

(Enacted: 2000.03.07)  
(Updated: 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

(Enacted: 2000.11.10)  
(Updated: 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.

\*BN - By-law Notice

\*\*NOBV - Notice of By-law Violation



## 1.10 Motor Vehicle Incidents (MVI)

### 1.10.12(ii) Vehicle Impounds

(Enacted: 2004.04.21)  
(Updated: 2021.03.26)

#### 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 455 Industrial Ave;
- “CIU” - Collision Investigation Unit;
- “CVU” - Commercial Vehicle Unit;
- “FSS” - Forensic Services Section
- “Police Impound” - AKA “PG” or Police Garage, located at the Property & Forensic Storage Services Unit at 2010 Glen Dr;
- “GLENOUT” - Outside lot area of 2010 Glen Dr
- “TTC” - Overflow lot of 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 & Forensic Storage Services Unit at 2010 Glen Dr.
- “Vehicle” includes all vehicles as defined under the Motor Vehicle Act including motorcycles.
- “PFSF” - Property & Forensic Storage Services Unit

#### 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 FSS. Vehicles seized pursuant to a serious/major crime investigation for forensic examination shall be placed in a secure bay (1-5) in the PFSF Police Impound. Bay 3 may accommodate oversized vehicles if required.
3. Arson vehicles or other vehicles which may be hazardous should not be placed into the inside impound bays/stalls but should be placed in the GLENOUT outdoor area of the impound lot.
4. The seizing member(s) shall complete a VPD 111 and place the original copy in the tray in the PG by the work desk stations, place the yellow copy on the windshield of the vehicle.



5. If the seizing member is having a CSP escort the vehicle to the Police Impound, the member shall send a completed copy of the VPD 111 with the CSP for processing.
6. 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 PFSF staff for direction. If the PFSF is closed; the escorting member shall advise a supervisor or contact a member of FSS for advice and direction. The vehicle may be left in the inside area of the PG parked down the middle row.
7. 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**

8. 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 - 5)**. FSS will provide a lock to secure the bay until examination can begin.
9. 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. 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 FSS member. If no lock is available, a numbered zap strap can be used to secure the bay until a lock is obtained from FSS. Straps are located on the PG Desk work station area; and
  - c. Members shall complete a Form 5.2 and a VPD111 and place them on the Secure Bay door a magnetic clip prior to the end of shift.

### **OTHER INVESTIGATIONS**

#### ***Vehicles held as evidence - Police Impound***

10. All vehicles being held for evidentiary purposes shall be towed to the Police Impound. This will include:
  - a. Arson vehicles (to the GLENOUT area of 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 GLENOUT area of the Police Impound).
11. 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 PFSF (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***

12. Members wishing to tow vehicles for mechanical inspection shall seek authorization from the field supervisor or a CIU member prior to towing the vehicle.
13. 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.
14. 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.

15. 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.
16. 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 PFSF 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 PFSF.

### ***Other vehicles and vehicles of undetermined status - City Impound Lot***

17. The following vehicles shall be towed to the City Impound Lot at 455 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 Immediate Roadside Prohibition (IRP).
18. 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 GLENOUT area of the Police Impound, unless impounded for fingerprinting or other forensic examination. If the vehicle is insecure (I.E. broken windows) and outdoors the members shall cover the broken window with a tarp available from the PG.

### **RECOVERED STOLEN VEHICLES**

19. 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 1.6.42(i): Unoccupied Stolen Vehicles.)
20. When members 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.
21. 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 GLENOUT area of the Police Impound.

### **OUTSIDE JURISDICTIONS**

22. 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.
23. 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**

24. 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. When the vehicle is being held for investigation the member shall complete a form 5.2 Report to a Justice and submit a copy to the PFSF.
  - 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.
25. 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. Complete the ‘seized vehicles’ page on the GO; and
  - c. Clearly note the location towed to in the text portion of the GO report.
26. 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**

27. Members impounding a vehicle at the Police Impound shall be responsible for tagging valuable property and evidence within the vehicle.
28. In cases where the vehicle is impounded as evidence, requires forensic examination, or a warrant to search is required, members shall contact the FSS for forensic examination and assistance.
29. Should any property located within the vehicle require forensic examination, the property shall be tagged in the science lockers in the Kootenay Building.
30. Property seized from a vehicle that does not require forensic examination shall be tagged in the PFSF lockers. No pets or animals will be left in the vehicle. See RPM Section 1.6.4(i)(10) Animals for Safekeeping.

## **RELEASE OF IMPOUNDED VEHICLES**

31. Releasing impounded vehicles is the responsibility of the PFSF staff. If a member does release a vehicle on their own they must notify PFSF staff and document the release in their report prior to the end of their shift. Vehicles are released from the Police Impound at 2010 Glen Dr. The PFSF staff will contact the registered owner or designate and that person will attend the Police Impound to take custody of their vehicle.
32. If a member has concerns regarding the safety and security of the PFSF 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 PFSF staff of these concerns. PFSF staff will arrange to have a member attend and/or have the vehicle towed to the street for pick up by the registered owner.
33. If PFSF 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

34. 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.
35. Wherever possible the keys for any vehicle lodged at any PFSF vehicle storage space at 2010 Glen Dr will be left in the vehicle, on the drivers side dashboard directly above the steering wheel. If this is not possible the location of the keys should be noted in the GO, and the member will notify staff at the PFSF.

REASON FOR IMPOUND	LOCATION	REPORT REQUIRED	COMMENTS
Serious/Major Crime Vehicle	Police Impound Forensic Bay (1-5)	VPD111, GO including Tow Details page, Form 5.2 Report to a Justice	Continuity of vehicle must be maintained.
Fingerprint Examination	Police Impound Interior General Stalls (1-14)		Member must attend to open the lot.
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	GLENOUT area of the Police Impound		
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	GLENOUT area of the Police Impound		
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	GLENOUT area of the Police Impound		See RPM Section 1.10.12(iii) Impound for Safekeeping



## 1.10 Motor Vehicle Incidents (MVI)

### 1.10.12(iii) Impound for Safekeeping

(Enacted: 2001.12.14)  
(Updated: 2021.03.26)

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 Impound Lot at 455 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 City 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 Police Impound 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

(Enacted: 2000.08.31)  
(Updated: 2021.03.26)

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. Forward a copy of the GO 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 Police Impound 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. Liaise with the Property & Forensic Storage Services Unit 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

(Enacted: 2000.11.10)  
(Updated: 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

(Enacted: 2000.09.15)  
(Updated: 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 their 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 they are 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, they 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 themselves: 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

(Enacted: 2003.04.22)  
(Updated: 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 their 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

(Enacted: 2000.09.29)  
(Updated: 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

(Enacted: 2000.09.05)  
(Updated: 2017.03.23)

#### 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 and submit the following:
  - a. Report to Crown Counsel;



- b. Notice of Impoundment MV2721; and
  - c. Report to Superintendent - Vehicle Impoundment MV2722.
5. Before submitting an RTCC to Crown Counsel for any traffic offence, members are required to order stamped certified copies of all case-relevant motor vehicle records from ICBC. Once the certified documents arrive, they are to be scanned into the police report and then submitted with the RTCC to Crown Counsel. See Instructions for ordering ICBC documents.

### **Notice to Seek Greater Punishment**

6. 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

(Enacted: 2000.09.29)  
(Updated: 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

(Enacted: 2000.08.31)  
(Updated: 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

(Enacted: 2000.08.31)  
(Updated: 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 their 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

(Enacted: 2000.09.29)  
(Updated: 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

(Enacted: 2000.08.31)  
(Updated: 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

(Enacted: 2000.08.31)  
(Updated: 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

(Enacted: 1998.10.28)  
(Updated: 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

(Enacted: 2001.01.04)  
(Updated: 2020.03.18)

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
    - 2120 Cambie Street, Days (except statutory holidays) Monday to Friday, pager: xxx
    - 2120 Cambie Street, Evenings/weekends/holidays, xxx
    - 3585 Graveley Street, 24 hours a day, xxx
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*

(Enacted: 2014.05.13)  
(Updated: 2022.02.22)

#### POLICY

The purpose of this policy is to provide Vancouver Police Department (VPD) employees and their supervisors with:

- general information about the *Emergency Intervention Disclosure Act (EIDA)*;
- the procedure to obtain consent for voluntary testing; and
- the procedure to apply for a testing order as provided for within the *EIDA*,

in the event a VPD employee is exposed to the blood or bodily substance of another person and wishes to obtain a blood sample from that person for testing.

The first step to obtain a blood sample from the Source Individual is to obtain their written consent for voluntary testing and facilitate the testing. This policy sets out the procedure to obtain consent for voluntary testing and, if all reasonable attempts to convince the source individual to accompany the employee for voluntary blood analysis are unsuccessful, the procedure for VPD employees to apply for a testing order through the British Columbia Provincial Court (Provincial Court). Employees should also refer to RPM Section 1.11.2 Injuries to Department Personnel to ensure compliance with WorkSafe BC regulations.

The Human Resources Section (HR) can provide employee supports outside of the *EIDA* process. Sergeants assigned to the Police Employee Relations and Advisory Services Unit (PERASU) or HR consultants in the Civilian and Auxiliary Police Service Unit (CAPSU) may also be contacted dependent upon which section the employee is operating at the time of the incident.

There may be consideration, on a case by case basis, for the VPD to assist an outside agency (e.g. Vancouver Fire Rescue Services) with the *EIDA* process. The decision to assist with this process will be determined and coordinated by a VPD supervisor.

#### DEFINITIONS

**Exposed Individual:** the VPD employee who came into contact with another person's blood or other bodily substance.

**Source Individual:** the person whose blood or other bodily substance the VPD employee came into contact with.

#### GENERAL INFORMATION

The *EIDA* permits individuals to obtain consent for voluntary testing or, if consent is not given, to apply to the Provincial Court 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 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 the Exposed Individual is the victim of an alleged offence under the *Criminal Code* and has reported the matter to a law enforcement agency.

The purpose of the testing is to provide information to the Exposed Individual 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.

The testing sample can only be analyzed for the diseases specified in the testing order and may not be used for any other purpose.

## FORMS

All required forms are located on the Provincial Forms page on the Intranet.

To obtain consent for voluntary testing the following form is required:

- Notice of Intention Form (four pages)

To apply for a testing order the following forms are required:

- Affidavit of Personal Service (one page)
- Physician's Report (five pages)
- Application to Obtain a Testing Order (two pages)
- Testing Order (two pages)
- Information Accompanying Testing Order (three pages)

## PROCEDURE

When a VPD employee has an exposure to a Source Individual's blood or other bodily substance meeting the *EIDA* criteria (Exposure Incident) they shall notify and consult with their supervisor.

Supervisors, or their designate may consult with the Station NCO who can provide information and assistance. As an application under the *EIDA* must be made within 30 days from the date of the exposure, it is recommended that this process be started as soon as possible in order to expedite the testing and mitigate stress on the Exposed Individual.

### Notice of Intention & Consent for Voluntary Testing

1. The Exposed Individual's supervisor, or their designate must complete the Notice of Intention form, and retain a copy.
2. The Exposed Individual's supervisor or their designate, must then personally serve the original Notice of Intention Form (four pages total) on the Source Individual.
  - a. If the Source Individual is a person in custody, under detention, or of interest, the supervisor, or their designate should ensure the Source Individual understands the *EIDA* process is separate from any criminal process that may be in progress or pending. Their participation in the *EIDA* process has no impact on any part of the criminal process and the information will not be used in any criminal court proceedings.
3. The Notice of Intention allows for the Source Individual to attend a laboratory or other health facility to have a blood sample taken and tested within three days of the notice being served.





- a. If possible, obtain the Personal Health Number (PHN) of the Source Individual. This is to assist the VPD medical advisor to locate the Source Individual's test results.
4. If the Source Individual provides consent for voluntarily testing after receiving the Notice of Intention Form, they must sign the "*Consent for Voluntary Testing*" (page four), and follow the instructions on the accompanying information sheet, "*About the Notice of Intention Form*" (page three).
  - a. If possible, the Exposed Individual's supervisor or their designate, should facilitate the transport of the Source Individual to same hospital for testing that the Exposed Individual attends for treatment.
    - i. If possible, a member should accompany the Source Individual to hospital (or other appropriate testing location) and be prepared to supply a copy of the signed Notice of Intention Form.
  - b. Whether under arrest or not, the Source Individual can withdraw consent for voluntary testing at any time.
  - c. If the Source Individual is under arrest and is suitable for release they shall be released from custody prior to being transported for testing.
5. If the Source Individual provides consent for voluntary testing and the Exposed Individual's supervisor or their designate, is able to facilitate testing prior to the end of their shift they must scan and email the Notice of Intention Form to the VPD EIDA Notice of Intention - DL.
  - a. The hard copy Notice of Intention Form must be forwarded to the PERASU. These forms will be added to the Exposed Individual's confidential HR file.

#### Test Results

6. The Exposed Individual will be advised by the VPD medical advisor or designate of the test results. The Exposed Individual must advise the HR WorkSafe Case Management Unit if there is a chance they have contracted a communicable disease. Disclosure to WorkSafe must not include disclosure of any information that would identify the Source Individual from whom the test results derived. The Exposed Individual may choose to confidentially consult with HR (PERASU or CAPSU). HR (PERASU or CAPSU) will ensure that any additional or ongoing support that is required is provided to the Exposed Individual.

#### Application to Obtain a Testing Order

7. If the Source Individual does not provide consent for voluntary testing after being served the Notice of Intention Form or, having provided consent, has not completed testing by the end of the shift, the person who served the Notice of Intention Form shall attend the Station NCO and swear/affirm the Affidavit of Service. The Station NCO shall assume responsibility for continuing to prepare the materials for an Application to Obtain a Testing Order.
  - a. A copy of the served Notice of Intention Form is required to apply for a Testing Order and must be provided to the Station NCO.

#### Station NCO Responsibility

8. The Station NCO shall complete the sections "*Exposed Person Information*" and "*Exposure Information*" on the first page of the Physician's Report.
9. The Station NCO shall scan and email the Notice of Intention Form, Affidavit of Service, and Physician's Report to the VPD EIDA Testing Order Application - DL.
  - a. The hard copy Notice of Intention Form, Affidavit of Personal Service, and Physician's Report must be forwarded to the Document Services Unit supervisor.

#### Document Services Unit Responsibility

10. The Document Services Unit supervisor or designate (DSU) will act on the Exposed Individual's behalf to:



- a. Ensure the Physician's Report is complete and signed by the VPD medical advisor; and
  - b. Apply for a testing order if the Source Individual does not voluntarily provide a blood sample within three days of being served the Notice of Intention Form.
11. The DSU must complete the first page of the Application to Obtain a Testing Order, and must allow three days to pass between serving the Notice of Intention Form and making Application to Obtain a Testing Order. In addition to the original, the DSU will need three copies of the Application to Obtain a Testing Order for court purposes.
12. The DSU will also prepare a draft Testing Order.
13. The DSU must file the following documents at the Provincial Court registry:
  - Completed Affidavit of Personal Service appending to the Notice of Intention form;
  - Original and three copies of the Physician's Report; and
  - Original and three copies of the completed Application to Obtain a Testing Order.
14. After the Provincial Court registry office has entered the date, time, and location of the court hearing on page two of the Application to Obtain a Testing Order, the DSU 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 four days* before the scheduled hearing.
15. An Affidavit of Personal Service must be sworn/affirmed by the DSU member serving the documents on the Source Individual, and filed with the Provincial Court registry office.
16. A member of the DSU will attend court to speak to the Application to Obtain a Testing Order in a closed hearing with a Provincial Court Judge. The DSU member will need to outline that:
  - a. They are applying pursuant to section 3(1) of the *EIDA*;
  - b. The Exposed Individual came into contact with the bodily substance of the Source Individual; and
  - c. The information contained in the Physician's Report indicates that testing of the Source Individual would assist in the medical treatment of the Exposed Individual.
17. If, following the hearing, the court grants a testing order, the DSU 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:
  - Testing Order; and
  - Information sheet titled "Information Accompanying Testing Order".
18. Separate Affidavits of Personal Service must be signed by the DSU member serving the documents on both the Source Individual and the health facility, and filed with the Provincial Court registry office.

### Non-Compliance

19. If the Source Individual fails or refuses to comply with the Testing Order, charges can be requested under Section 13 of the *EIDA*, which provides for fines of up to \$10,000, upon conviction, for each day that the contravention continues. The *EIDA*, however, contains no arrest provision; a Source Individual cannot be arrested without warrant for failing or refusing to comply with a testing order.
20. DSU members submitting a Report to Crown Counsel (RTCC) in this regard shall do so following the "urgent RTCC submissions" or "walk-through" protocols, see RPM Section 1.6.43(v) Walk-Through Warrants.

### Service of Documents

21. 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.
22. 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.

### CONFIDENTIALITY



A person must not use or disclose any information concerning either the Exposed Individual or Source Individual that is revealed in the course of carrying out responsibilities under the *EIDA*, 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 *EIDA* or of carrying out a duty imposed or exercising a power given under the *EIDA*;
- 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.

A person who is subpoenaed or otherwise compelled to give evidence in a legal proceeding, other than a proceeding for the purposes of applying for a Testing Order or appealing the Provincial Court's decision relating to a Testing Order, must not, by answering a question or producing a document, disclose information pertaining to the *EIDA* process, unless the judge or other person presiding over the proceeding first examines the information, with the public excluded, and determines that the information should be disclosed, having regard to:

- The probative value of the information;
- The relevance of the information to the proceeding, and
- The effect of the disclosure on the privacy of the person the information is about.

The administrative procedures related to *EIDA* should not be documented within a General Occurrence (GO) report. However, if the *EIDA* process is documented within a GO report (i.e. Miscellaneous Notes page), any pages with reference to the administrative portions of the *EIDA* must be privatized and not disclosed without careful consideration or court order. For privatization of information within GO reports, see RPM Section 2.9.4(iii) Making Records Private or Invisible.

## 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.



## 1.11 Member Safety

### 1.11.1(ii) COVID-19 Vaccination Policy

(Enacted: 2021.11.18  
(Updated: 2023.02.23)

#### Vaccination Policy Suspension - February 23, 2023

As of February 23, 2023, this policy is suspended, pending future direction.

All data previously collected shall be stored in accordance with the *Freedom of Information and Protection of Privacy Act* for no more than one (1) year from the date of its collection.

#### GENERAL INFORMATION

The Vancouver Police Department (VPD) is committed to providing a healthy and safe work environment for all employees of the Vancouver Police Board, including sworn members and civilian professionals, as well as VPD associates including contract workers, volunteers and VPD program participants in VPD facilities. This commitment includes taking reasonable precautions to minimize the risk of transmission of COVID-19 through following public health orders and recommendations, providing and supporting the use of appropriate personal protective equipment (PPE) and by encouraging all members to be fully vaccinated.

#### POLICY

The primary rationale for this policy is to implement reasonable mechanisms and layers of protection for VPD employees and associates to minimize infection from exposure to COVID-19. In accordance with WorkSafeBC requirements, the VPD has developed a [Communicable Disease Prevention Plan](#) that outlines the protocols in place to reduce the risk of COVID-19 transmission in the workplace. Health Canada has advised that “evidence indicates that vaccines are very effective at preventing severe illness, hospitalization and death from COVID-19,” and the VPD strongly supports this advice. At the same time, the VPD understands that certain persons are unable or unwilling to be vaccinated, or do not wish to disclose their vaccination status. The VPD will not require these employees to be vaccinated against COVID-19 or to disclose their vaccination status. Instead, these employees will be required to partake in testing at regular intervals, to be determined based on work schedule and other factors that may arise. These employees must show evidence of a negative COVID-19 result as a condition of their authorization to perform the duties of their employment. This testing enhances the existing health and safety precautions already implemented by the VPD. With this approach, the VPD seeks to balance considerations such as employee health and safety in the workplace while recognizing that certain people may have reasons for not being vaccinated, not wanting to be vaccinated, or not wanting to disclose their vaccination status.

#### DEFINITIONS

For the purpose of this policy:

- a. **VPD Employee** - means all employees, including sworn members and civilian professionals, temporary and casual employees, part-time employees, auxiliary personnel or any person who is employed by the Vancouver Police Board.
- b. **VPD Associate** - means all volunteers, students, contractors, persons working within a VPD facility or workplace (including leased spaces in VPD facilities).
- c. **VPD Visitors** - all individuals who are not defined as a VPD Employee or Associate.
- d. **Fully Vaccinated** - means a person who has received the full series of a COVID-19 vaccine or a combination of vaccines accepted by [Health Canada](#) with fourteen (14) days having elapsed since





their last dose. The number of vaccine doses required by Health Canada to be considered “fully vaccinated” may change over time, and the VPD will follow Health Canada’s recommendations. If an employee is unsure for the purposes of this policy, they may seek guidance from the Pandemic Working Group (PWG) or the Human Resources (HR) Section.

- e. **Unvaccinated** - means a person who has not been fully vaccinated (having received no COVID-19 vaccine doses, or who has not received the full series of COVID-19 vaccine doses accepted by Health Canada with fourteen (14) days having elapsed since their last dose).
- f. **Non-Disclosing Employee** - means a VPD Employee who has not provided the VPD with Proof of Vaccination Status, whether vaccinated or unvaccinated. Non-Disclosing Employees shall follow procedures set out for Unvaccinated employees.
- g. **Proof of Vaccination Status** - means a declaration, in a form accepted and approved by the VPD wherein a VPD Employee or VPD Associate confirms that they are fully vaccinated.
- h. **VPD Rapid Testing Protocol** - refers to the VPD program that will manage testing requirements and the reporting protocol for a VPD Employee to provide a COVID-19 test result. VPD Employees who are unvaccinated or who are non-disclosing employees shall adhere to the VPD Rapid Testing Protocol. VPD Associates who are unvaccinated will not fall under the VPD Rapid Testing Protocol.
- i. **Workplace** - means any place where an employee or associate is assigned to work, including working remotely, teleworking, working in the community or working on site in any VPD facility.

## PROCEDURE

VPD Employees must be fully vaccinated or participate in the VPD Rapid Testing Protocol. VPD Associates must be fully vaccinated to attend any VPD facility or Workplace. VPD Visitors must follow visitor protocols.

1. All VPD Employees and VPD Associates are expected to provide their Proof of Vaccination Status to the VPD as soon as possible and in any event, no later than **December 30, 2021**. VPD Employees will disclose their vaccination status via the COVID-19 Vaccination Electronic Disclosure. VPD Employees will be required to confirm that they are fully vaccinated or not fully vaccinated, or refuse to disclose their vaccination status, using the [COVID-19 Proof of Vaccination Status Electronic Disclosure Process](#).
2. Any VPD Employee who cannot or does not provide Proof of Vaccination Status by December 30, 2021 will be deemed to be Unvaccinated or a Non-Disclosing Employee for the purpose of this policy.
3. Any VPD Associate who cannot or does not provide Proof of Vaccination Status by **December 30, 2021** will be deemed to be Unvaccinated for the purpose of this policy.
4. Unvaccinated or Non-Disclosing Employees will be required to participate in the Rapid Testing Protocol.
5. All VPD Associates must be fully vaccinated or they are not permitted to work or volunteer at VPD facilities or in VPD programs. For clarity, and subject to section 15 of this Policy, VPD Associates are not entitled to participate in the Rapid Testing Protocol as an alternative to being Fully Vaccinated or failing to disclose vaccination status.
6. All information shared with the VPD in accordance with this policy will be securely stored, maintained in confidence, and accessed and used in compliance with the *Freedom of Information and Protection of Privacy Act* and WorkSafeBC guidelines.

## I. VPD Employees

7. VPD Employees who are unable or unwilling to provide the VPD with Proof of Vaccination Status are not required to explain their rationale and are not required to obtain an exemption to this policy.
8. Unvaccinated or Non-Disclosing Employees will be required to participate in the VPD Rapid Testing Protocol to determine if they are fit to attend the workplace. These VPD Employees will be required to provide proof of a negative result from an approved COVID-19 test in order to attend the workplace, commencing on **December 30, 2021**. These measures shall include but are not limited to:



- a. Performing a COVID-19 test approved by Health Canada, the British Columbia Center for Disease Control (BCCDC) and/or WorkSafeBC as outlined in the VPD Rapid Testing Protocol.
  - b. Submitting confirmation of a negative COVID-19 test result taken on their own time and prior to reporting to the workplace or their VPD activity. Test results must be submitted via the COVID-19 Electronic Disclosure form.
  - c. Negative results obtained from the VPD Rapid Testing Protocol will be retained as needed by the VPD for tracking, reporting and auditing purposes. This data will be held in confidence and stored in a secure database accessible in compliance with the *Freedom of Information and Protection of Privacy Act* and WorkSafeBC guidelines.
  - d. Conducting COVID-19 testing at regular intervals as prescribed under the VPD Rapid Testing Protocol.
  - e. In addition to enhanced infection control measures, any Unvaccinated or Non-Disclosing Employee may be subject to additional restrictions or limitations to attend certain facilities within the workplace as a result of Provincial Health Order restrictions. Unvaccinated or Non-Disclosing Employees may furthermore face limitations to deployment options, as per the [VPD Vaccination Protocol](#). Should an employee produce a positive COVID-19 test, they must follow guidance from Provincial Health Authority.
  - f. The VPD Rapid Testing Protocol is not intended for symptomatic VPD Employees (vaccinated or unvaccinated) to confirm or refute a possible COVID-19 infection. Symptomatic VPD Employees are directed to conduct the [VPD Self-Assessment](#) protocol and contact their medical provider or 811.
  - g. Unvaccinated VPD Employees may be required to participate in any training or education relative to the VPD Rapid Testing Protocol to be compliant with the Occupational Health and Safety Regulation and/or WorkSafeBC requirements.
9. Seconded employees must adhere to the seconding agency's policies with regards to vaccination requirements in order to maintain their seconded position.

## II. VPD Associates

10. Subject to section 15 of this Policy as of **December 30, 2021**, all VPD Associates are required to be Fully Vaccinated and provide Proof of Vaccination Status to their direct report or supervisor.

## III. New Employees

11. Subject to section 15 of this Policy, all persons hired by the VPD as employees, in any capacity after **November 18, 2021** must be Fully Vaccinated and provide Proof of Vaccination Status as a condition of employment.

## IV. VPD Visitors

12. VPD Visitors to any VPD facility must follow VPD visitor protocols, including the current PPE and physical distancing protocols and conduct the [VPD Self Assessment Protocol](#) prior to entry.

## POLICY SCOPE

13. This policy is intended to supplement existing VPD COVID-19 protocols. This policy does not replace any other policies of the VPD regarding workplace health and safety and does not supplant measures related to COVID-19 now in place or which may be implemented in the future. VPD Employees and Associates are required to continue to adhere to all existing and subsequently introduced health and safety policies, including policies or protocols related to COVID-19, unless advised otherwise.
14. In accordance with VPD policies, collective agreements, applicable legislation and directives, any non-compliance with the COVID-19 Vaccination Policy may result in the imposition of discipline or





corrective measures. Examples of non-compliance include, but are not limited to, providing a false Proof of Vaccination Status or failing to adhere to the VPD Rapid Testing Protocol requirements.

15. This policy is implemented in accordance with and is subject to interpretation with regard to the *Occupational Health and Safety Regulation*, the *British Columbia Human Rights Code*, and the *Freedom of Information and Protection of Privacy Act (British Columbia)*. Without restricting the generality of this provision, any:
  - a. VPD Associate; and/or
  - b. person hired by the VPD after **November 18, 2021**;who is unable to become Fully Vaccinated, due to a *bona fide* reason recognized as a protected ground of discrimination under the *British Columbia Human Rights Code* may be entitled to accommodation.
16. Duration: This policy shall remain in effect until further notice. As the current provincial health situation evolves, the VPD is committed to an ongoing review of this policy and may undertake the following steps as necessary:
  - a. expand or reduce the scope of this policy;
  - b. modify the terms of this policy;
  - c. temporarily suspend the application of this policy; or
  - d. cancel this policy.



## 1.11 Member Safety

### 1.11.2 Injuries to Department Personnel

(Enacted: 2000.10.05)  
(Updated: 2021.07.15)

#### POLICY

The Vancouver Police Department (VPD) is dedicated to promoting a safe and healthy work environment for all employees. If a sworn member or civilian professional is injured or becomes ill because of a work-related incident, the VPD will ensure the incident is fully investigated and properly reported, in compliance with WorkSafe BC regulations, and that the injured employee receives the resources and support to facilitate recovery and a safe return to work.

#### PROCEDURE

1. If a VPD employee acting in a work-related capacity is injured, the incident shall be investigated.
2. The injured employee 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. call the VPD Sick Line to book off if the employee will be missing time from work as a result of an injury.
  - c. refer to the WorkSafeBC Claims page of the Human Resources (HR) Section website for detailed information on the process for submitting WorkSafeBC claims.
3. The supervisor shall:
  - a. in the case of operational sworn members, immediately notify the Duty Officer, or for all other VPD employees, notify the employee's Inspector or Manager of any serious injuries;
  - b. fully investigate the incident;
  - c. submit a VPD Online Supervisor Incident Report within 24 hours of the injury;
  - d. inform the HR Disability Case Manager and a Police Employee Relations and Advisory Services Unit (PERASU) Sergeant or Civilian and Auxiliary Police Services Unit (CAPSU) supervisor to book the employee off when the nature of the injury prevents the employee from calling the Sick Line;
  - e. if a sworn 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); and
  - f. consider notifying CISM or Peer Support Team if appropriate.
4. When the Duty Officer is notified of a serious injury to a VPD member, they shall notify the Inspector in charge of the Human Resources Section and the employee's Inspector or Manager, who will enact protocols to support the injured employee.



## 1.11 Member Safety

### 1.11.3 Use of Naloxone for Opioid Overdose

(Enacted: 2017.04.10)  
(Updated: 2021.07.15)

#### 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 members and civilian professionals.

In the course of their duties, VPD employees 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 members and civilian professionals, for emergency treatment of an opioid overdose.

In the event that a VPD employee 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 employees should immediately call for the British Columbia Ambulance Service (BCAS) and/or the Vancouver Fire and Rescue Service (VFRS).
2. VPD employees 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 employee themselves.
3. A VPD employee 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 employee believes that the person is experiencing an opioid overdose;
  - c. there is reason to believe the administration of naloxone nasal spray would be appropriate
  - d. and effective to treat the overdosing person; and
  - e. the VPD employee believes it is safe for them to administer the naloxone nasal spray.



4. If the VPD employee 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 employee 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 employee.
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 a sworn 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 employee, the Supervisor shall submit a VPD Online Supervisor Incident Report prior to the end of shift.

#### **Storage, Handling and Accessibility**

10. Naloxone kits are located in accessible locations in VPD facilities for emergency use by trained VPD employees in the event of an accidental opioid overdose. Front-line sworn 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 employees shall report lost, damaged, or expired kits to the Safety and Health Coordination Unit.
12. VPD employees 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

(Enacted: 2006.12.05)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 1.12 Prisoners and Jail Operations

### 1.12.1(ii) Responsibility for Prisoners

(Enacted: 2000.09.05)  
(Deleted: 2021.11.30)

This policy has been rescinded.





## 1.12 Prisoners and Jail Operations

### 1.12.1(iii) Transportation of Persons in Custody

(Enacted: 2007.09.06)  
(Updated: 2022.03.02)

#### 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 Vancouver Police 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 Vancouver 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 (VPD 602) 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.
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. Members transporting a person in custody in a police car shall search the rear seat area before and after the transport.



9. Where operationally feasible, persons in custody shall be placed alone in wagon compartments. At-risk persons in custody (e.g., youth, elderly, disabled, or transgender prisoners) shall be placed in compartments alone at all times.
10. Notwithstanding the direction in sub-section 9, where it is operationally required, persons in custody may be placed in the same compartment; however, males and females shall not be placed in the same compartment.
11. Persons in custody who are handcuffed shall not be transported in the same compartment of a police wagon as persons who are not handcuffed.
12. The transporting officer shall provide a completed Vancouver Police Jail Arrest Report to the Vancouver Jail booking officer. The arresting member shall note in the medical remarks or arrest narrative section of the Arrest Report whenever a person in custody:
  - 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 RPM Section 1.4.6: Arrest of Persons with Injuries or Other Apparent Medical Risks), or has refused such treatment;
  - f. Has a history of mental illness or suicide attempts;
  - g. Was placed in the Hobble™ or Anti-Spit mask;
  - 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)
13. 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.
14. 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 or Anti-Spit mask shall not be transported in the same compartment with other persons in custody and must be transported directly to the Vancouver Jail. The Vancouver Jail NCO and Vancouver Jail Nurse must be advised of anyone who been transported to the Vancouver Jail while restrained in the Hobble or Anti-Spit Mask (see RPM Section 1.2.3(i): Anti-Spit Masks).
15. When there are two or more persons in custody in the same incident, they should be transported separately.
16. 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 persons in custody, or the person in custody 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).
17. 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.
18. Members shall search the wagon compartment before and after the transport of any person(s) in custody.
19. 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 persons in custody.
  - a. Wagon drivers shall park at the forward end of the sally port and wait for the door to close.
  - b. Persons in custody 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 person in custody should be placed in a clear plastic bag and turned over to the Vancouver Jail booking officer with the accompanying arrest report by the transporting officer(s) prior to removing persons in custody 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 5.1.1 - Preparing Prisoner Effects)
  - g. The wagon driver shall remove one person in custody and conduct a frisk search (See RPM Section 1.12.1(v): Searches of a Person) of that person in custody at the designated search bay in the sally port. The person in custody will remain handcuffed behind the back; this search shall include checking the person in custody with the metal detector supplied for this purpose. This search must be conducted prior to placing the person in custody into the pre-hold cell. The wagon driver will then repeat this procedure with each person in custody. If the wagon driver is of a different gender to the person in custody, Vancouver 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 in custody 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. Persons in custody 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 persons in custody are in that pre-hold cell). Vancouver Jail staff shall record the person in custody's choice. However, the Vancouver Jail NCO may place the transgender person in custody in an unoccupied pre-hold cell, regardless of the person in custody's choice, based on a specific, articulable concern for the person in custody's safety.
20. 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 person in custody at the search bay in the sally port. The person in custody shall be handcuffed behind the back; this search shall include checking the person in custody with the metal detector supplied for this purpose. If the officer is of a different gender to the person in custody, Vancouver Jail staff should be summoned to the sally port to conduct this search. This search must be conducted prior to placing the person in custody 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 in custody 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. Persons in custody 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 persons in custody are in that pre-hold cell). Vancouver Jail staff shall record the person in custody's choice. However, the Vancouver Jail NCO may place the transgender person in custody in an unoccupied pre-hold cell, regardless of the person in custody's choice, based on a specific, articulable concern for the person in custody's safety.
  - c. All persons in custody are to be handcuffed from behind prior to being placed into a pre-hold cell. Persons in custody with medical conditions that preclude handcuffing from behind shall be handcuffed in front, and the escorting member shall advise the Vancouver Jail staff accordingly.
  - d. Members escorting a person in custody 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.
21. 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.
22. 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 persons in custody are secured. Control officers, not police or outside agencies, determine the pace of the sally port. Any concerns may be directed to the Vancouver Jail NCO.

### **Hospital Transfers**

23. Any person in custody in 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). Persons in custody, other than those arrested for “Hold SIPP”, shall be guarded at all times until they are returned to the Vancouver Jail.
24. Whenever a person in custody requires hospitalization, the Vancouver Jail NCO shall ensure:
  - a. the Vancouver Jail Nurse completes a medical report for the person in custody;
  - b. the medical report accompanies the person in custody to hospital; and
  - c. Please refer to RPM Section 1.16.7: *BC Police Act* - Reportable Incidents - Injuries or Death for further reporting requirements.
25. If a person in custody is returned from the hospital, a copy of the hospital medical treatment and/or release form must be delivered to the Vancouver Jail Nurse.



## 1.12 Prisoners and Jail Operations

### 1.12.1(iv) Booking Prisoners

(Enacted: 2000.09.29)  
(Deleted: 2021.11.30)

This policy has been rescinded.





## 1.12 Prisoners and Jail Operations

### 1.12.1(v) Searches of a Person

(Enacted: 2002.07.24)  
(Updated: 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 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

(Enacted: 2000.07.13)  
(Updated: 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

(Enacted: 2000.09.15)  
(Updated: 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

(Enacted: 2000.09.06)

(Updated: 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

(Enacted: 2000.09.29)

(Updated: 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

(Enacted: 2000.11.10)  
(Updated: 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

(Enacted: 2000.07.13)  
(Updated: 2023.09.29)

#### POLICY

Transporting persons in custody via aircraft requires comprehensive security planning to maintain the safety of the public, the escorting police members, and those in police custody.

#### PROCEDURE

Members planning to transport a person in custody by aircraft, must include a security plan for the transport. An Accredited Team Commander should be involved in the development of the security plan. An Operational Plan or VPD 68 is to be submitted for approval, through the chain of command, to the Deputy Chief Constable of the Investigation Division, or their delegate.

In addition to any other relevant considerations, the security plan must address:

1. the number of escort members required in consideration of the length of trip and number of persons in custody;
2. whether the escorting members need to be armed for the escort (see RPM Section 5.5.6 Carrying of Firearms, Restraint Devices, and Intermediate Weapons);
3. whether the person(s) in custody is/are required to be handcuffed, based on the risk they pose (see RPM Section 1.2.3 Use of Handcuffs) and in consultation with airline policies;
4. based on the risk they pose, whether the transport is viable via a commercial airline, a charter or RCMP Air Services;
5. notification, consultation and coordination with security for the aircraft operator;
6. adherence to Transport Canada's applicable rules and guidelines;
7. the coordination with police of jurisdiction for delivery of the person(s) in custody to/from the aircraft and any intermediate stops (e.g., stops for refuelling or change of aircraft);
8. for international repatriations, the need for coordination with partners including the RCMP, Global Affairs Canada, and the Canada Border Services Agency (CBSA); and
9. the planned location(s) where the person(s) will be held in custody, upon their repatriation, and any associated need to have the person(s) appear before a presiding court.



## 1.12 Prisoners and Jail Operations

### 1.12.7 Female Prisoners

(Enacted: 2000.09.05)  
(Deleted: 2021.11.30)

This policy has been rescinded.





## 1.12 Prisoners and Jail Operations

### 1.12.8 Fingerprinting - Use of Force

(Enacted: 2000.07.13)  
(Updated: 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 for policy regarding photographs.



## 1.12 Prisoners and Jail Operations

### 1.12.9 Hospital Guards

(Enacted: 2000.09.29)  
(Updated: 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

(Enacted: 2006.12.07)  
(Updated: 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 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

(Enacted: 2000.07.13)  
(Updated: 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

(Enacted: 2000.11.10)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 1.12 Prisoners and Jail Operations

### 1.12.12(ii) Transactions with Prisoners

(Enacted: 2000.07.13)  
(Deleted: 2021.11.30)

This policy has been rescinded.





## 1.12 Prisoners and Jail Operations

### 1.12.12(iii) Sentenced or Remanded Prisoners

(Enacted: 2000.07.13)  
(Updated: 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

(Enacted: 2000.07.13)  
(Updated: 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;
    - 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.
    - 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;
    - 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

(Enacted: 2000.09.29)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 1.12 Prisoners and Jail Operations

### 1.12.13(iii) Hostage Taking Within the Jail

(Enacted: 2006.12.07)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 1.12 Prisoners and Jail Operations

### 1.12.13(iv) Evidence Preservation Following Critical Incidents in the Jail

(Enacted: 2006.12.07)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 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 Jail Guards

(Enacted: 2006.12.08)

(Updated: 2023.12.27)

#### POLICY

Vancouver Police Department (VPD) Jail Guards are “peace officers” as defined in section 2 of the *Criminal Code of Canada*, while they are carrying out jail guard duties. Under section 35(4) of the *British Columbia Police Act*, Jail Guards (i.e., Special Municipal Constables) are subject to culpability under the *Police Act* whether on-duty or off-duty. Jail Guards must endeavour to use a reasonable level of force, in consideration of all the circumstances they are presented with.

When using force in the course of their duties, Jail Guards shall comply with the provisions of the *Criminal Code of Canada* and the British Columbia Provincial Policing Standards (BCPPS). Jail Guards shall also be guided by the National Use of Force Framework (NUFF) which provides the following force options:

- a. Officer presence;
- b. Communication, supplemented to include crisis intervention and de-escalation techniques;
- c. Physical control;
- d. Intermediate weapons; and
- e. Lethal force.

A Jail Guard 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 VPD, or any officer or supervisor within it to protect the Jail Guard from legal responsibility. Jail Guards may be required to justify their actions afterward in various legal forums, including criminal and civil court and in the context of an investigation and/or adjudication in a *Police Act* proceeding.

Also refer to:

- RPM Section 1.2.2 Use of Force to Provide Medical Aid
- RPM Section 1.16.7 *B.C. Police Act* - Reportable Incidents - Injuries or Death
- RPM Section 1.16.8 Subject Behaviour Officer Response Reporting (SBORR)
- RPM Section 2.4.1 Qualifying Standards - General

#### PROCEDURE

##### Officer Presence

1. The simple presence of an officer can affect both the subject and the situation. Visible signs of authority such as uniforms can change a subject's behaviour.

##### Communication

2. An officer can use verbal and non-verbal communication to control and/or resolve the situation. Communication can include crisis intervention and de-escalation techniques.

##### Physical Control



3. Physical control is any physical technique used to control the subject that does not involve the use of a weapon.
4. Physical control soft techniques are control techniques that, when employed, are control oriented and have a lower probability of causing injury. This may include restraining techniques, joint locks and compliant handcuffing.
5. Physical control hard techniques 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 strikes such as punches and kicks.

### Use of Intermediate Weapon

6. The VPD 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 oleoresin capicum (OC) are intermediate weapons that are authorized for use by trained and qualified Jail Guards. (See RPM Section 2.4.1: Qualifying Standards - General).
7. The Jail NCO, upon receiving notification that a person has died or received a reportable injury as a result of the use of an intermediate weapon, shall refer to RPM Section 1.2.1: Use of Force - Justification paragraph (14) and RPM Section 1.12.13(i): Prisoner Death or Serious Injury for specific procedures to be followed.

### Force Options of Opportunity

8. Use of force situations are dynamic and may evolve rapidly. The VPD recognizes that during such events, trained techniques and options may not always be appropriate or available for use. Jail Guards may employ force options of opportunity, including improvised weapons, strategies, tactics and techniques that have either not been addressed in formal police training or are not commonly utilized.
9. Jail Guards are responsible for ensuring that their use of such force options of opportunity is reasonable, necessary and justified. Jail Guards must have regard for the potential of injury and likelihood of success of the force option(s) employed, relative to the perceived risk faced by the Jail Guard, and/or the risk to the public or subject.

### Vascular Neck Restraint (VNR)

10. A Vascular Neck Restraint (VNR) is a technique which applies compression of the vascular tissue along the lateral aspects of the neck, which results in temporary decreased cerebral blood flow, and may result in temporary loss of consciousness.
11. A VNR 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 VNR.
12. A chokehold is a technique that applies pressure to the front of the neck and trachea/windpipe and restricts a person's ability to breathe. Jail Guards are prohibited from the intentional use of chokeholds, unless the Jail Guard has reasonable grounds to believe that lethal force is justified.
13. Jail Guards shall complete a Subject Behaviour Officer Response (SBOR) template in PRIME in any incident where:
  - a. A Jail Guard uses physical control-soft techniques to control a subject and the subject or Jail Guard is injured or requires medical attention; or
  - b. A Jail Guard uses physical control-hard techniques to control a subject; or



- c. A Jail Guard discharges, applies, or displays an intermediate weapon or uses a weapon of opportunity; or
  - d. A Jail Guard uses a VNR.
14. Where any of the above thresholds in section 13 have been met, the Jail Guard shall:
- a. Notify the Jail NCO;
  - b. Report the incident through the Jail NCO to the Duty Officer in the event of a reportable injury;
  - c. Notify the Jail Nurse and have the Jail Nurse offer medical assistance or aid;
  - d. Request through the Jail NCO that Emergency Health Services (EHS) attend if the person requests medical attention or if the Jail NCO believes that it is appropriate, even if the subject refuses such aid. See RPM Section 1.2.2 Use of Force to Provide Medical Aid;
  - e. Document whether medical attention was refused, requested and/or received;
  - f. Complete a SBOR template within 48 hours of the incident unless there are exceptional circumstances that warrant an extension of time by the Duty Officer. See also RPM Section 1.16.8 Subject Behaviour Officer Response Reporting (SBORR) for SBOR template reporting requirements; and
  - g. Submit a General Occurrence (GO) or supplement the original GO with a Police Statement (PS) page and check the SBOR 'study flag' on the front page of the GO.



## 1.12 Prisoners and Jail Operations

### 1.12.14(i) Jail Restraint Device: Anti-Spit Mask

(Enacted: 2020.07.14)  
(Updated: 2020.07.14)

#### POLICY

The Vancouver Police Department (VPD) recognizes the need to utilize an Anti-Spit mask to protect Vancouver Jail Guards from the inherent risk of aggressive or uncooperative individuals who spit, bite or contaminate others with bodily fluids from their nose and/or mouth during interactions with Jail Guards.

Human saliva is a known carrier of germs, bacteria and viruses which may cause infection or sickness to a member who is spat on, bitten or otherwise contaminated with bodily fluids from an individual's nose and/or mouth. Through the deployment of the Anti-Spit mask, Jail Guards can reasonably minimize the potential of injury or contracting a communicable disease.

#### PROCEDURE

##### Authorization and Use

1. Jail Guards shall request authorization from the Jail NCO prior to utilizing an Anti-Spit mask unless exigent circumstances make prior authorization impracticable.
2. In order to use an Anti-Spit mask, the Jail Guard must have received instructional training as approved by the VPD Training Unit.
3. As a general pre-condition for use, members shall only use an Anti-Spit mask where there is no reason to believe that its use on a subject will result in injury.
4. Jail Guards shall only use an Anti-Spit mask authorized by the VPD.
5. Jail Guards shall only use an Anti-Spit mask to a subject's face and head when a Jail Guard believes that a subject has, is about to, or threatens to bite, contaminate others with spit or bodily fluids from their nose and/or mouth or the subject is unable to control expelling fluids from their nose and/or mouth. Jail Guards must be aware that the use of an Anti-Spit mask shall not be based solely on the subject's history.
6. Jail Guards shall ensure that the subject is under control and restrained before applying an Anti-Spit mask.
7. Jail Guards should remove the subject's eyewear and head/face jewellery, if possible, before using an Anti-Spit mask.
8. During the use of an Anti-Spit mask, Jail Guards shall ensure that the subject is kept under constant supervision.
9. Jail Guards shall NOT use an Anti-Spit mask if:
  - a. the subject is vomiting or has recently vomited;
  - b. the subject is showing signs of suffering from a respiratory illness or is having difficulty breathing;
  - c. the subject apparently having or just had a seizure;
  - d. the subject is bleeding profusely from the mouth, nose or head;
  - e. the subject is drowsy, lethargic or otherwise displaying an altered level of consciousness;
  - f. the subject was contaminated with a chemical agent such as OC Spray or CS Gas; or
  - g. the Anti-Spit mask does not fit on the subject's head (too tight).
10. Jail Guards shall remove the Anti-Spit mask and seek medical intervention where the subject:
  - a. vomits or exhibits signs of imminent vomiting;
  - b. shows signs of respiratory distress;



- c. is apparently having or just had a seizure;
  - d. begins bleeding profusely from the mouth, nose or head; or
  - e. appears to be drowsy, lethargic or otherwise displaying an altered level of consciousness.
11. Jail Guards shall remove the Anti-Spit mask from the subject when there is no longer an imminent threat of being spat on, bitten or contaminated by bodily fluids from the subject's nose and/or mouth.
12. Jail Guards shall not reuse a used Anti-Spit mask. If a subsequent application is required for the same subject, a new Anti-Spit mask shall be used.

#### **Continued/Extended Use of Anti-Spit Mask**

13. If a subject is required to have the continued use of an Anti-Spit mask within the Vancouver Jail because they continue to threaten to bite or contaminate others with spit or bodily fluids from their nose and/or mouth, Jail Guards shall:
- a. notify the Jail NCO immediately
  - b. place the subject in a cell with closed circuit television (CCTV) monitoring; and
  - c. constantly monitor the subject via CCTV with physical checks occurring every 5 minutes.
14. Upon notification from Jail Guards that a subject requires the continued use of an Anti-Spit mask with the Vancouver Jail, the Jail NCO shall:
- a. assess the need to continue the use of the Anti-Spit mask;
  - b. advise the Jail Nurse;
  - c. authorize the continued use or removal of the Anti-Spit mask for reasons in 11 and 12 above; and
  - d. document the continued use of the Anti-Spit mask on the Prisoner Record and the Jail Overnight Report.

#### **Documentation**

15. Upon a subject's arrival at the Vancouver Jail, Jail Guards shall document on the Prisoner Record that the subject arrived wearing an Anti-Spit mask.
16. Jail Guards shall record on the Prisoner Record the reasons for use and/or removal of an Anti-Spit mask for the reasons listed in 10(a)-(e) above and the name or PIN of the authorizing Jail NCO.
17. Jail Guards shall record the use of an Anti-Spit mask on a Subject Behaviour Officer Response (SBOR) template.
18. Jail NCO shall record the incident and use on the Jail Overnight Report.

#### **Disposal of Anti-Spit Mask**

19. Members shall treat used Anti-Spit masks as biohazardous material and dispose of them in a hazardous waste material receptacle.





## 1.12 Prisoners and Jail Operations

### 1.12.15 Victim Notification Upon Release - K Files and Personal Violence Files

(Enacted: 2006.12.08)  
(Updated: 2023.10.12)

#### POLICY

Where a person is arrested for an offence that has been identified as a K-file, indicating intimate partner violence, or a personal violence file and the person is being released from the Vancouver Jail, the Vancouver Jail NCO or designate will assume responsibility for notifying the victim of the person's impending release and any conditions attached to their release. If the person is released from Court, the same process shall apply as soon as the Jail is notified that the person is released and victim notification, by Crown Counsel, has not yet occurred.

If the Vancouver Jail NCO or designate is unable to notify the victim of the person's release, the notification will be processed by E-Comm staff and become the responsibility of a patrol member. If the Intimate Partner Violence and Risk Assessment Unit (IPVRAU) or other speciality unit has conduct of the file, the Jail NCO or designate should contact the IPVRAU or other speciality unit supervisor for direction. The notification of the victim needs to be completed in a timely manner and ideally given in person.

#### DEFINITION

Victim: for the purposes of this policy victim is defined as the actual victim of an offence or their alternate contact, a person with pre-existing knowledge of the incident such as a guardian or caregiver.

#### PROCEDURE

1. The Jail NCO or designate shall assume responsibility for victim notifications whenever information is received that a person arrested for an offence that has been identified as a K-file or personal violence file is released from the Vancouver Jail or Court and victim notification has not yet occurred. This includes breach of conditions offences relating to K-files and personal violence files.
2. When a person arrested for an offence that has been identified as a K-file, personal violence file or breach of conditions file (relating to a K-file or personal violence file) is released and a specialty unit (e.g., IPVRAU) has conduct of the file, the Jail NCO or designate should contact the specialty unit supervisor for direction. In the absence of direction from the specialty unit supervisor, the Jail NCO shall continue to assume responsibility for victim notifications.
3. When a person arrested for an offence that has been identified as a K-file, personal violence file or breach of conditions file (relating to a K-file or personal violence file) is released and a specialty unit does not have conduct of the file:
  - a. the Jail NCO or designate shall make reasonable attempts to contact the victim(s) by telephone and relay the person's conditions and next court appearance;
  - b. once the victim has been notified, the Jail NCO or designate shall ensure that this information is documented by way of a "Miscellaneous Notes" page in the General Occurrence (GO) report;
  - c. if all reasonable attempts to notify the victim are unsuccessful, the Jail NCO or designate shall request victim notification, if the victim lives in Vancouver, by providing a VPD Form 1636 - Victim Notification Request to E-Comm and follow up with a phone call to confirm receipt;
  - d. once the victim notification has been sent to E-Comm, the Jail NCO or designate shall ensure that this information is documented by way of a "Miscellaneous Notes" page in the GO;





- e. a patrol member (if possible, the original investigating member, if on duty and available) shall attend the victim's location to notify the victim in person;
  - f. if possible, the member should provide the victim with a vetted hard copy (electronic or paper) of the person's conditions (obtained by contacting CPIC Management Unit);
  - g. the member shall advise E-Comm and their supervisor as to whether or not the victim was notified;
  - h. if the victim is notified, the member shall document in a "Miscellaneous Notes" page of the **original GO** and the **original CAD call**;
  - i. if the victim is not notified, the member shall document the notification attempt in the **original CAD call**;
  - j. if the victim notification has been attempted but not completed through three patrol shifts (over a 24 hour period), the final member assigned to the file shall consult with their supervisor to approve the conclusion of the notification file; and
  - k. the final member that is assigned to the file shall document all attempts made to notify the victim in a "Miscellaneous Notes" page in the **original GO**.
4. If the victim lives outside of Vancouver and a specialty unit is not completing the victim notification, the Jail NCO or their designate shall submit a CPIC page in the GO with the contents of the Victim Notification Request (VPD 1636) in order for action to be taken by an outside agency and follow up with a phone call to CPIC staff to confirm receipt.

### Specialty Unit Supervisor Responsibilities

5. Upon being consulted by the Jail NCO, the specialty unit supervisor will either direct the Jail NCO to facilitate notification through the process outlined in paragraphs 3 and 4 above or assign specialty unit resources to conduct the notification.



## 1.12 Prisoners and Jail Operations

### 1.12.16 Visits to Jail

(Enacted: 2000.07.13)  
(Updated: 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

(Enacted: 2006.12.08)  
(Updated: 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

(Enacted: 2004.06.16)  
(Updated: 2022.03.08)

#### 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, police 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 member, the suspect, and the public. Ultimately, the use of a police service dog as a means of force lies with the police dog handler. The police dog handler makes decisions within the framework of law, training and policies of the Vancouver Police Department (VPD), and the requirements of the British Columbia Provincial Policing Standards (BCPPS).

#### 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/narcotics;
- 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 police service dog is not used in any way.

**Exigent circumstances:** (As defined by the BCPPS 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 VPD 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 VPD Canine Unit shall comply with the BCPPS specific to police service dogs.

### Searches and Apprehension

3. Where a police service dog is to be applied in a search, the police service 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 members of the Canine Unit.
4. When a member believes on reasonable grounds that a suspect may be in possession of a weapon, the police dog handler shall be immediately informed.
5. Police dog handlers are prohibited from deploying their police service 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 person, 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 members of the Canine Unit, 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 British Columbia Ambulance Service (BCAS) unit number or the medical practitioner. If the person refuses medical treatment, document the refusal;
  - b. Notify a supervisor of the incident and request they attend the scene;
  - c. Supervisor to report the incident to the Duty Officer;
  - d. 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, supervisors



- or members trained in photography, other than the involved police dog handler, shall be utilized;
- e. 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 General Occurrence (GO) report;
  - f. If the person refuses to have their injuries photographed, 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 *B.C. Police Act*-Reportable Incidents-Injuries or Death and also RPM Section 4.2.1 *B.C. Police Act* - Independent Investigation Office: General Procedures.

#### **Narcotic/Firearm or Explosive Detection Dogs**

- 12. In circumstances where the police service detection dog is to be used, the police dog handler and police service detection dog must have the first opportunity to search the area. The search area must be secured and contained prior to the arrival of the Canine Unit.
- 13. The police service detection dogs have the ability to search packages, vehicles, vessels, places, residences and perform open field searches for the presence of narcotics/firearms or explosive odours.
- 14. The deployment of the police service detection dogs will be at the sole discretion of the police dog handler.
- 15. The police service detection dogs shall NOT be used to search persons.





## 1.13 Operational Support Services

### 1.13.2(i) ERT Organization and Operations

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



## 1.13 Operational Support Services

### 1.13.2(ii) Response in Outside Jurisdictions

(Enacted: 2003.12.11)  
(Updated: 2023.09.29)

#### POLICY

The Vancouver Police Department (VPD) Emergency Response Section (ERS) shall respond to a request for assistance from a Responsible Authority from a municipal or RCMP agency. All requests shall be made through the Duty Officer.

ERS personnel will be at all times under the command of a VPD Officer.

The Responsible Authority shall be consulted as appropriate and practicable in relation to the use of specialized equipment or chemical agents, which could result in a personal injury, loss of life or damage to property.

For routine requests for mutual aid or assistance, not involving an ERS deployment to a critical incident, please refer to RPM Section 1.1.6 Assistance to Police Departments and Enforcement Agencies.

#### DEFINITION

**Responsible Authority** is a person representing a Chief Constable or their designate, or an RCMP Officer in Charge or their designate.

#### PROCEDURE

1. When a Responsible Authority makes a request for assistance the VPD Duty Officer should:
  - a. ensure the Inspector i/c of the VPD ERS is notified;
  - b. liaise with the requesting Responsible Authority;
  - c. assess the situation;
  - d. consider the need for a VPD Critical Incident Commander;
  - e. deploy ERS personnel as appropriate; and
  - f. ensure that the requesting agency provides sufficient personnel for support purposes.
2. At the conclusion of an ERS operation in an outside jurisdiction, the Duty Officer, or designated Critical Incident Commander, will be responsible for submitting a Serious Incident Briefing Note.



## 1.13 Operational Support Services

### 1.13.3 Use of Remotely Piloted Aerial System (RPAS)

(Enacted: 2019.09.26)  
(Updated: 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 or 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 Remotely Piloted Aircraft System (RPAS).

#### 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:
    - ii. Operations: (Request Emergency Supervisor)
  - b. Vancouver Harbour Tower
    - i. Planning:
    - ii. Operations: (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: xxx.

### 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 - xxx (non-emergent communication).
  - b. Area Control Center Operations Shift Manager
    - i. Phone: xxx (emergent situations including rogue lateral or vertical fly away scenarios).
    - ii. Email: xxx
30. Towers
- a. Vancouver Tower (CTVR)
    - i. Planning:
    - ii. Operations: (Request Emergency Supervisor)
  - b. Vancouver Harbour Tower (CYHC)
    - i. Planning:
    - ii. Operations: (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 (xxx or Toll Free Phone: xxx) 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

(Enacted: 2000.03.22)  
(Updated: 2022.08.18)

#### POLICY

The purpose of a ride-along is to provide the public and other individuals involved in aspects of law enforcement an opportunity to gain insight, knowledge and understanding into the roles and practices of police officers. Ride-alongs also highlight the challenges and complexities that are faced daily by members of the Vancouver Police Department (VPD) and provide an avenue of education to ride-along participants.

#### PROCEDURE

1. Candidates for a ride-along shall be considered when they are:
  - a. civilian professionals of the VPD;
  - b. applicants to the Department;
  - c. immediate family members of VPD members;
  - d. criminology students interested in a police career; or
  - e. volunteers in programs approved by the VPD.

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. Adult participants shall complete a Ride-Along Request and Waiver Form (VPD Form 24A). Youth participants under 19 years of age must have their parent/guardian complete the Ride-Along Request and Waiver Form (Under 19 Years of Age) (VPD Form 24B). All participants must be at least 16 years of age. The form should be completed at least seven days prior to the date of the ride-along.
3. The member receiving the Ride-Along Form shall ensure that a criminal background check has been completed unless the ride-along applicant is a VPD employee. In such instances, a criminal background check has already been completed by the Departmental Security Officer (DSO) and the DSO, or designate, shall sign the form indicating the background check is complete.
4. The Ride-Along Form shall be forwarded to the Inspector in charge of the district or section that:
  - a. the ride-along participant has indicated as a preference; or
  - b. is able to provide the policing experience requested by the ride-along participant.
5. Inspectors shall, at their discretion, approve all ride-along forms and then forward the forms to the appropriate supervisor. The supervisor shall ensure that arrangements are made for the issue of appropriate visitor identification to the approved ride-along participant 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 should:
  - a. ensure the participant is advised of the approval or rejection of the ride-along application;
  - b. ensure the Ride-Along Form is completed prior to the commencement of the tour of duty;
  - c. make a copy of the completed Ride-Along Form and place the copy in the section or team's ride-along file; and
  - d. submit the completed original Ride-Along Form to the Aide to the Deputy Chief Constable of Operations Division at the completion of the ride-along.
7. Immediate family of members are permitted on ride-alongs in order to develop a better understanding of the nature of police work. Members should:
  - a. not accompany their family member in the same vehicle;



- b. not be assigned to the same district or team as their family member; and
  - c. not request that their family member participate in the ride-along program more than twice annually.
- 8. Members shall take reasonable steps to avoid exposing ride-along participants to hazardous situations. In cases where members must attend an apparent 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. Members shall not engage or join in a vehicle pursuit when a ride-along participant is in their police vehicle.
- 10. 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 the ride-along participant to be present when statements are taken from a person in custody.
- 11. Members shall not compromise covert police operations by discussing current investigations, procedures, individuals under investigation, police personnel involved, observation points, or related information with ride-along participants. Exceptions require the approval of an Inspector.
- 12. Emergency Response Team ride-alongs are not permitted except under exceptional circumstances, and then only with the approval of the Inspector in charge of the Emergency Response Section.
- 13. In all instances ride-alongs are at the discretion of the VPD.





## 1.14 Community, Diversity, and Victim Services

### 1.14.2 Victim Services Unit (VSU)

(Enacted: 2000.09.29)  
(Updated: 2022.06.08)

#### POLICY

The mandate of the Vancouver Police Department's Victim Services Unit (VSU) is to provide assistance and support to witnesses and family members of all types of crime and other traumatic incidents that occur in Vancouver. In order to ensure that a victim is able to exercise their rights at every point throughout the criminal justice system, a referral to the VSU should be made at the earliest opportunity.

VSU services are available to any victim, witness, or family member who is receptive to receiving support. VSU staff are not mental health or substance use professionals, and cannot intervene for clients experiencing acute mental health distress, or severe decompensation from drugs or alcohol.

#### Victim Rights

The British Columbia *Victims of Crime Act* and the federal *Canadian Victims Bill of Rights*, set out the statutory rights of victims of crime. These include the rights to information, participation, protection, and restitution.

#### PROCEDURE

1. VSU staff are available during business hours (Monday-Friday 0700-1900hrs), to accept referrals via email (xxx), voicemail (xxx), VSU Handle (HComVS), or in-person.
2. VSU staff are available to attend for on-scene support 24/7 by request through E-Comm. VSU deploys as "6V45" and "6V46".
3. For on scene support, police members must be on-scene upon VSU arrival. Once VSU arrives, depending on the situation, VSU may request that police members remain at the scene while they are there.





## 1.14 Community, Diversity, and Victim Services

### 1.14.3 Community and Police Incident Response Team

(Enacted: 2000.05.16)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 1.14 Community, Diversity, and Victim Services

### 1.14.4 Gender Diversity

(Enacted: 2016.06.21)  
(Updated: 2022.05.17)

#### POLICY

The Vancouver Police Department (VPD) is committed to delivering effective police services which respect the needs of Vancouver's communities. It is incumbent upon all VPD employees, including sworn members and civilian professionals, to treat people of all gender identities and gender expressions with compassion, dignity and respect.

Gender identity and gender expression were added as a prohibited grounds of discrimination to the British Columbia *Human Rights Code* in 2016 and the *Canadian Human Rights Act* in 2017.

The VPD acknowledges that all language, including the language of diversity and inclusion, is dynamic and evolves to reflect changes in society. This policy recognizes the intersection of power and language and is aligned with best practices and training. The VPD recognizes the importance of language towards building and maintaining relationships with the community, and commits to supporting our employees as the language of diversity and inclusion changes.

#### DEFINITIONS

The following definitions go beyond what is described in procedure. The VPD expects employees to use respectful language that promotes equity.

**Gender binary:** a social construction whereby people are thought to be of either one of two genders: man/boy or woman/girl. These genders are expected to correspond to birth sex: male or female. This social construction is being replaced by an understanding of gender as a continuum. See also gender spectrum.

**Gender expression:** how a person publicly presents or expresses their gender. This may include behaviour, appearance, and mannerisms. A person's preferred name and pronouns are also common ways to express their gender.

**Gender identity:** each person's internal and individual experience with gender. This includes their sense of being a woman, a man, both or neither, or anywhere along the gender spectrum. Gender is independent of sex assignment at birth. Gender identity should not be confused with a person's sexual orientation as gender identity does not define sexual orientation.

**Gender non-conforming or gender variant:** individuals who do not follow gender stereotypes based on traditional behaviour, actions and roles of women and men.

**Gender spectrum:** gender as a continuum, as opposed to a binary concept. This is replacing the social construct of gender binary. See also gender binary.

**Intersex:** Intersex people are born with sex characteristics (including genitals, gonads and chromosome patterns) that do not fit binary notions of male or female bodies. Intersex describes a wide range of natural bodily variations. In some cases, intersex traits are visible at birth while in others, they are not apparent until puberty. Some chromosomal intersex variations may not be physically apparent at all. Intersex refers to biological sex and is distinct from gender identity and sexual orientation.



**Preferred name:** name that an individual uses to reflect the individual's lived identity (the gender that the person knows themselves to be and live). Calling someone by a previous name rather than the name that reflects the individual's lived identity is disrespectful. Intentionally denying an individual's identity or outing someone as transgender is harmful to the person and can expose them to danger within the community.

**Sex:** biological category based on reproductive, anatomical and genetic characteristics with the broad categories of female, male, or intersex.

**Transgender or gender diverse:** an umbrella term that encompasses a range of identities; however more specifically refers to people whose gender identity is different or divergent from the sex they were assigned at birth. Transgender can mean transcending beyond, existing between, or crossing over the gender spectrum.

### 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, VPD employees shall refer to the person's preferred name and pronoun. For example:
  - a. *She, her, hers;*
  - b. *He, him, his;*
  - c. *They, them, their, ze, hir, hirs;* or
  - d. Other pronouns requested by the person.
2. If employees are uncertain of which pronouns to use, employees should use gender neutral language.
3. When entering the person into a General Occurrence (GO) report, or other official report, as an "entity", employees must enter the person by the name and gender indicated on their official government identification (e.g., driver's license, birth certificate, BC identification card).
4. When completing narrative pages of the GO, employees must use the person's preferred name and pronoun(s). It is recommended that employees use language such as:  
"The complainant, NAME, will be referred to by their preferred name - NAME - in the remainder of this report".  
NOTE: In referring to transgender people, the word transgender is to be used as an adjective (e.g., transgender man or transgender woman) and not as a noun (e.g., Tony is transgendered).
5. If a transgender person is to be transported and lodged at the Vancouver Jail, the Jail NCO should be contacted and informed of the person's preferred name and gender identity. See RPM Section 1.12.1(v) Searches of Person and RPM Section 1.12.1(iii) Transportation of Persons in Custody.



## 1.15 Communications

### 1.15.1 CAD Messaging Guidelines

(Enacted: 2005.06.27)  
(Updated: 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 4.3.1: Respectful Workplace Policy; 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

(Enacted: 2003.09.02)  
(Updated: 2023.03.21)

#### POLICY

E-Comm is the emergency communications provider for the Vancouver Police Department (VPD) 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 district dispatcher and/or central dispatcher (CD) assignment of calls and application of VPD operational policies, unless directed by a supervisor and/or Duty Officer. The ultimate authority controlling any VPD dispatch talkgroup or any other VPD talkgroup is the on-duty supervisor and/or Duty Officer.

#### PROCEDURE

##### Member Responsibilities

1. Operational members shall:
  - a. monitor their radios at all times when in service and, if practicable, report when in and out of service. This will include advising their district dispatcher of their portable and mobile radio Logical Identification (LID) numbers in the event of an Emergency Button activation;
  - b. report their arrival at the scene of a dispatched call by voice or Mobile Workstations (MWS) status button;
  - c. broadcast their location when called by the dispatcher and when advising the dispatcher that they are covering another unit;
  - d. acknowledge all dispatches;
  - e. make use of standard response codes (Ten Codes) and the phonetic alphabet;
  - f. identify themselves using their radio call signs; and
  - 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-urgent messages via MWS.
2. 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 information queries should be made on the Info talkgroup channel.
3. Operational members travelling into another district shall:
  - a. advise their district dispatcher which district channel they will be changing to; and
  - b. advise the district dispatcher on the new district channel the reason they are on that channel and their destination.
4. In the event that a member 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 radios to the appropriate outside agency talkgroup; and
  - c. advise the outside agency dispatcher of their intentions by using their full VPD radio call sign.
5. Operational call-outs and non-patrol units shall log on using the Info talkgroup or MWS when practicable.
6. The booking of VPD talkgroups for special events or projects shall be done through the E-Comm CD. Members should be aware that talkgroups are only recorded on the "A" group and not on the "B" group.



7. In the event that members require a wide-area talkgroup for a special project outside of the City of Vancouver, members shall use the POL talkgroups. These talkgroups shall be booked through E-Comm CD or E-Comm RCMP 43 dispatch and members shall inform dispatch if they require an operator at the time of booking.

### Supervisor Responsibilities

8. Supervisors shall:
  - a. manage the call load in their respective districts. E-Comm dispatchers will assist the supervisors by advising them with regards to waiting events over the radio;
  - b. decide whether there will be no police attendance at a particular event. It is the supervisor's responsibility to call the complainant back and inform them that there will be no police attendance. Depending on the circumstances, E-Comm staff may be directed to assist in the cancellation of calls or notifying complainants of lengthy delays; and
  - c. consider using VPD tactical talkgroups TAC 1 - 4 for in-progress tactical situations. A supervisor or Duty Officer shall consider directing all assigned units to switch to a designated TAC channel when a protracted major incident is occurring on a dispatch talkgroup.



## 1.15 Communications

### 1.15.2(ii) Standard Radio Procedure and Response Codes

(Enacted: 2000.10.03)  
(Updated: 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 their response. The Field Unit may use the code to indicate to the Channel Dispatcher how they are 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	10-42 Person/Vehicle in Observation/SIP Category
10-43 Person in Parole Category	10-44 Person in Charged Category
10-45 Person in Elopee Category	10-46 Person in Prohibited Category
10-47 Registered Sex Offender	10-61 Coffee Break
10-62 Meal Break	10-67 Unauthorized Listeners Present (Code 12)
10-68 Breathalyzer Operator Required	
10-71 Sending Complaint to MWS	10-72 Serious Alarm
	10-81 Record of Robbery
10-80 Record of Violence	
10-82 Record of Offensive Weapon	10-83 Record of B&E
10-84 Record of Theft	10-85 Record of Drugs
10-86 Record of Fraud	10-87 Record of Sex
10-89 Record of Other Criminal Code	

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

(Enacted: 2005.03.22)  
(Deleted: 2021.11.30)

This policy has been rescinded.



## 1.15 Communications

### 1.15.4 Telus Assistance

(Enacted: 2000.10.03)  
(Deleted: 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

(Enacted: 2002.01.21)  
(Updated: 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. Intimate Partner Violence Report (RPM Section 1.6.11(i): Intimate Partner Violence - General Policy and Procedure);
  - iv. Hold State of Intoxication in a Public Place (RPM Section 1.4.5: Arrest 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 Evidence and Property Management); and
  - ix. Mental Health Act Arrests (RPM Section 1.6.24 Apprehensions of Persons Under the *Mental Health Act* and Transportation to a Designated Facility).
- 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

(Enacted: 2000.10.05)  
(Deleted: 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

(Enacted: 2000.07.13)  
(Deleted: 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

(Enacted: 2001.11.08)  
(Updated: 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: Developing and Handling Confidential Informants.
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 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

(Enacted: 2002.01.16)  
(Updated: 2020.11.19)

#### POLICY

The Report to Crown Counsel (RTCC) is one of the most important documents that an operational police officer will write. It is through the RTCC that the investigator articulates their reasonable grounds, 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

##### Member Responsibilities:

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. Jail 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 a member as the lead investigator for every RTCC. The member 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 member who completes the Occurrence Report (OR) narrative. The lead investigator shall identify themselves in the Police Will Say (PW) as the lead investigator.
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.

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  
AL - Attachment List  
BA - Bail Comments/Recommendations  
CR - Concluding Remarks





CP - CPIC information  
OR - Occurrence Report  
PW - Police Will Say  
SY - Synopsis

(The acronym “AA BC COPS”, can be used to assist in remembering all required text pages.)

7. Before submitting an RTCC to Crown Counsel for any traffic offence, members are required to order stamped certified copies of all case-relevant motor vehicle records from ICBC. Once the certified documents arrive, they are to be scanned into the police report and then submitted with the RTCC to Crown Counsel. See Instructions for ordering ICBC documents.
8. 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.
9. Submit one (1) set of the original supporting documents and a photocopy of police officer notes to the Station NCO in an “Attachments Envelope”. If required, submit one (1) DVD copy of audio/video interviews in the “Attachments Envelope” (original evidentiary video evidence (eg. CCTV video) should be archived with the Foresensic Video Unit (FVU) as per their submission procedures). Once reviewed and approved by the Station NCO, the envelope should be dropped off at the Crown Liaison Unit (CLU) in the appropriate basket outside their office.
10. All police members involved in the investigation resulting in the RTCC must ensure they have completed their annual electronic VPD 1701 Member Conduct Disclosure form. Members shall not reference “1701’s” within the RTCC text or list 1701’s as an attachment (See RPM Section 1.16.5(i) - McNeil Disclosure Requirements).
11. 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.
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 Officer in Charge (OIC) of that specific unit with regard to submission and approval of RTCCs.

### Patrol Supervisors Duties:

17. Patrol supervisors 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 supervisor is not responsible to approve a member's RTCCs, it is the Patrol supervisor'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 supervisor'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

(Enacted: 2009.10.01)  
(Updated: 2015.06.01)

#### POLICY

##### “First Party” Disclosure

The 2009 Supreme Court of Canada judgment 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 are required to complete an electronic McNeil Disclosure Form - VPD 1701 once per year, and whenever there is a change in their conduct record. A copy of a member's form will automatically be generated by the Crown Liaison Unit (CLU) when the member is involved in an investigation that results in the submission of a Report to Crown Counsel. By filling out the VPD 1701, the member will alert the CLU and PSS to the existence of potentially relevant disciplinary records, and will enable the PSS Disclosure Officer 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.

### On-going Disclosure Required

The Crown’s obligation to disclose is on-going and, in fact, survives the trial. A member who has any changes to their conduct record must immediately submit a new electronic VPD 1701 and notify CLU of the update via email at: XXX. They will be reminded of this responsibility by PSS in certain circumstances but it remains the responsibility of the member to ensure their VPD 1701 is up to date.

The PSS Disclosure Officer will then obtain the affected member’s court commitments and provide updated VPD 1702s to the CLU. CLU 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 their involvement in the case changes, the disclosure requirements of the disciplinary record may also change.

### VPD 1701 Retention Guidelines

VPD 1701s shall be retained for five (5) years but will be sealed and archived annually, when members fill out their new annual VPD 1701. The member and the VPU shall be notified whenever an archived 1701 is retrieved.

## PROCEDURE

### Member Responsibilities

1. Members are required to complete an electronic McNeil Disclosure Form - VPD 1701 once per year, on their first day back to work on or after January 1<sup>st</sup>. A copy of a member’s form will automatically be generated by CLU when the member is involved in an investigation that results in the submission of a Report to Crown Counsel.
2. By completing the VPD 1701, the member will declare whether or not they:
  - 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. A member who has any change(s) to their conduct record must immediately submit a new electronic VPD 1701 and notify CLU of the update via email at: XXX. This will ensure that Crown Counsel is



- provided with the most up to date information on the member's conduct record as this may have an impact on court proceedings.
4. When a member is facing a charge of misconduct under the *Police Act* for which an Offer of Prehearing Conference, or a Notice of Disciplinary Proceeding or a Public Hearing has been issued, PSS will notify the member of their responsibility to update their VPD 1701. Once the misconduct has been either substantiated or unsubstantiated, PSS will again notify the member of their responsibility to update their VPD 1701.
  5. The member will also be notified by the PSS Disclosure Officer of an impending expungement on their Service Record of Discipline (SRoD).
  6. 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.

### Crown Liaison Unit Responsibilities

7. CLU shall review the VPD 1701s submitted with each 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, CLU shall complete, sign, and forward a VPD 1702 to Crown Counsel along with the RCC. CLU shall retain all VPD 1701s in a secure online repository;
  - b. If any member involved in an investigation with respect to an RCC indicates "Yes" or "Unsure" to any of the member misconduct questions, CLU shall provide the associated RCC file number to PSS. The PSS Disclosure Officer will create and complete the VPD 1702.
8. For in-custody RCCs, CLU shall:
  - a. Forward only the RCC to Crown Counsel if any members indicate that they have a conduct record on their VPD 1701 forms.-CLU will forward a VPD 1702, once completed by the PSS Disclosure Officer, as soon as practicable thereafter;
  - b. Forward the completed VPD 1702 to Crown Counsel the day following the submission of the RCC if all members involved in the investigation indicate that they have no conduct record on their respective VPD 1701s.
9. When notified by a member of an updated VPD 1701 (change in record), CLU will advise the PSS Disclosure Officer.

### Disclosure Officer Responsibilities

10. The PSS Disclosure Officer shall review all VPD 1701s provided by CLU. 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 unrelated to the subject matter of the investigation, could reasonably impact on the case against the accused.
11. The PSS Disclosure Officer shall assess the following records for seriousness of the misconduct 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 pursuant to 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.
12. 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 *R. v. O'Connor*;
  - b. The PSS Disclosure Officer shall review privatized (or invisible) records in carrying out their assessment of the member’s conduct record for potential disclosure.
13. 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).
14. When a member has an on-going complaint investigation against them at the time of the submission of the RCC, the PSS Disclosure Officer shall assess whether disclosure is warranted once the complaint process has reached its resolution.
- a. The PSS Disclosure Officer shall follow the procedures in this section if the record is to be disclosed; and
  - b. The PSS Disclosure Officer shall notify Crown Counsel in writing if the record is no longer disclosable or if the complaint was found to be unsubstantiated.
15. The PSS Disclosure Officer shall complete and sign a VPD 1702 and return the form to CLU. Any McNeil Disclosure Packages will be attached to the VPD 1702 in a sealed envelope marked: “Confidential - For Crown Counsel Use Only”.
16. When a member is facing a charge of misconduct under the *Police Act* for which an Offer of Prehearing Conference, or a Notice of Disciplinary Proceeding or a Public Hearing has been issued, PSS shall notify the member of their responsibility to update their VPD 1701. Once the misconduct has been either substantiated or unsubstantiated, PSS shall again notify the member of their responsibility to update their VPD 1701.
17. The PSS Disclosure Officer will notify any members with an impending expungement on their Service Record of Discipline.
18. In the event of a member’s change of record, the PSS Disclosure officer shall obtain the affected member’s court commitments and provide updated 1702s to the CLU.

### Seconded Members

19. 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.
20. The PSS Disclosure Officer shall follow the same procedure for assessing seconded members’ records as with non-seconded members and ensure their timely arrival to the other agency’s Disclosure Officer (or equivalent) for forwarding to Crown Counsel.
21. 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.





## 1.16 Report Writing

### 1.16.5(ii) McNeil Disclosure - Provincial Violation Ticket Prosecutions

(Enacted: 2022.02.15)  
(Updated: 2022.02.15)

#### POLICY

Vancouver Police Department (VPD) members are required to provide disclosure of conduct records to the Crown as outlined in RPM Section 1.16.5(i) McNeil Disclosure Requirements, as well as in provincial violation ticket (VT) prosecutions.

#### PROCEDURE

This procedure will provide direction for members prosecuting provincial VTs (or appearing as a witness in the prosecution). Disclosure of relevant conduct records is required as follows:

##### Disclosure Obligations

1. A member prosecuting a provincial VT (e.g. *Motor Vehicle Act*, *Liquor Control and Licensing Act*), or testifying during the prosecution of a provincial VT, is legally required to disclose relevant conduct records to the defendant.
2. To assist members involved in VT prosecutions, the Professional Standards Section (PSS) will determine when conduct records are relevant, and will facilitate appropriate disclosure as follows:
  - a. if the member has no conduct record, no disclosure is required;
  - b. if the member has a conduct record, but the PSS Alternate Resolution Team Supervisor (ART Supervisor) has assessed it as not relevant, no disclosure is required;
  - c. if the member has a relevant conduct record it must be disclosed to the defendant.

##### Member Responsibilities

3. If a member receives a request from the defendant or their counsel for disclosure of their conduct record in advance of the hearing date, the member should not respond directly. Instead, they must forward the request via email to the PSS [MDO](#) (McNeil Disclosure Officer).
4. If a member receives a request as described in paragraph three within 72 hours of the scheduled hearing, or on the date of hearing, the member must advise the defendant, their counsel, and/or the court, that all necessary disclosure is facilitated by PSS. The member should seek an adjournment, if necessary, to allow PSS to confirm disclosure. If the hearing is adjourned, the member must email the details to the PSS MDO.
5. If a defendant or their counsel challenges a member on disclosure of their conduct record in the courtroom, and the Judicial Justice does not dismiss it, the member should request an adjournment to seek legal advice. Upon receiving an adjournment, the member should email the PSS MDO explaining the issues raised at trial. The PSS MDO will notify the ART Supervisor, who will consult with legal counsel regarding the relevance.

##### Role of PSS

6. Upon receipt of a request for disclosure of a member's conduct record referred to in paragraphs three or four, PSS will respond as follows:
  - a. if the member has no conduct record, the PSS MDO will provide the defendant or their legal counsel with a letter advising they have no conduct record, and provide a copy to the member;



- b. if the member has a conduct record, and the PSS MDO determines that it is not relevant to the matters before the court, the PSS MDO will provide a letter to the defendant or their legal counsel advising no relevant conduct record exists, and provide a copy to the member;
- c. if the member has a conduct record and the PSS MDO determines that it is relevant to the matters before the court and the defendant is represented, the PSS MDO will provide a letter disclosing the relevant conduct record to the defendant's counsel, and provide a copy to the member;
- d. if the member has a conduct record and the PSS MDO determines that it is relevant to the matters before the court and the defendant is unrepresented, the PSS MDO will provide a letter to the defendant advising that there is a relevant conduct record, and further advise them to contact the PSS MDO for disclosure by telephone. The PSS MDO will send an email to the member, providing the date of attempted disclosure to the defendant, for the member's information. No letters indicating a member's conduct will be sent to unrepresented defendants;
  - i. If the unrepresented defendant responds to the letter by contacting the PSS MDO, information will be provided verbally to the defendant, a record of the information provided will be made, and the PSS MDO will inform the member that disclosure has been provided.
  - ii. If the unrepresented defendant does not contact the PSS MDO in response to the letter, no further efforts to provide disclosure are required.
- e. Standard disclosure requests can usually be met within 5 business days.



## 1.16 Report Writing

### 1.16.6 Text Locking

(Enacted: 2009.09.25)  
(Updated: 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

(Enacted: 2011.06.15)  
(Updated: 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)

(Enacted: 2012.09.12)  
(Updated: 2020.02.27)

#### POLICY

SBORR is mandated by the BC Provincial Policing Standards (BCPPS) for use of force which meets the minimum reportable threshold. The SBOR template 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 strikes such as punches and kicks.

#### PROCEDURE

##### Reporting Threshold

Members shall complete a SBOR 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 discharges or uses an "intermediate weapon", specialty munitions; their issue firearm or a force option of opportunity; or
5. A member uses a Vascular Neck Restraint (VNR); or
6. A dog handler's police service dog (PSD) bites one or multiple subjects, or inadvertently bites a non-subject when in operational deployment (e.g. member of the public, police officer other than handler). Bites to the handler or K9 training personnel do not have to be reported; or
7. A police vehicle, (including marine squad vessel, bicycle, quad, motorcycle or horse) is used to apprehend a subject where contact is made with the subject or any vehicle operated by the subject (e.g. box and pin technique).

##### SBORR Requirements

Where any of the above thresholds have been met, members shall comply with SBORR requirements in the following manner:



8. Members shall complete one SBOR template for each subject to whom force was applied.
9. When one officer uses multiple levels of force on one subject, only one SBOR template is required.
10. When multiple officers have displayed a weapon as a compliance tool or applied reportable force to a subject, each officer must complete their own SBOR template reporting their own use of force or display of weapon in relation to that subject.
11. When the *display of a weapon* is used to gain compliance of multiple subjects, the member shall complete one SBOR template for one of those subjects and the additional subjects shall be listed in the narrative box by age and gender.
12. Each ERT member must complete their own SBOR template when they use force responses that meet the reporting threshold with one exception: for a display of weapons only, one ERT member may fill out a single SBOR template for the team.

### Reporting Requirements

13. Members must complete a SBOR template within 48 hours of the incident unless there are exceptional circumstances that warrant an extension of time by the Duty Officer (designated by the Chief Constable).
14. When an SBOR template is completed by a member, they shall ensure that the SBOR 'study flag' has been checked on the front page of the General Occurrence Report (GO).
15. The Officer Safety Tactics Training Team shall be responsible for the submitting of SBOR data to Police Services as required.



## 1.17 Extreme Weather Assistance

### 1.17.1 Extreme Weather Assistance

(Enacted: 2009.12.09)  
(Updated: 2022.06.01)

Please see RPM Section 1.7.28 Extreme Weather - *Assistance to Shelter Act*.



## 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

(Enacted: 2003.04.22)  
(Updated: 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

(Enacted: 2002.10.07)  
(Updated: 2008.07.31)

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

(Enacted: 1995.05.31)  
(Updated: 1995.05.31)

**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

(Enacted: 1995.05.31  
(Updated: 2007.01.30)

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

(Enacted: 1995.05.31)  
(Updated: 2006.04.10)

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

(Enacted: 1995.05.31)  
(Updated: 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

(Enacted: 1995.05.31)  
(Updated: 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

(Enacted: 1995.05.31)  
(Updated: 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

(Enacted: 1998.09.18)  
(Updated: 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

(Enacted: 1995.05.31)  
(Updated: 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 their 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

(Enacted: 2000.05.15)  
(Updated: 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

(Enacted: 1995.10.25)  
(Updated: 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

(Enacted: 1995.10.25)  
(Updated: 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

(Enacted: 2002.10.07)  
(Updated: 2008.07.28)

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

(Enacted: 1996.11.27)  
(Updated: 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

(Enacted: 2009.09.24)  
(Updated: 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

(Enacted: 2003.01.21)  
(Updated: 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

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2001.06.06)  
(Updated: 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

(Enacted: 2006.07.25)  
(Updated: 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

(Enacted: 2000.09.29)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 2.3 Rank

### 2.3.2 Seniority

(Enacted: 2002.10.07)  
(Updated: 2023.03.22)

#### **POLICY**

The Vancouver Police Department (VPD) recognizes the dedication of all of its employees to make the City of Vancouver the safest major city in Canada. Seniority lists are kept and updated to reflect the length of continuous service that all current employees have completed since their enlistment date.

#### **DEFINITIONS**

**Seniority:** the length of continuous service from enlistment date, subject to required adjustments for periods of absence.

**Rank Seniority:** determined by the promotion date among sworn members of the same rank.

#### **PROCEDURE**

1. Seniority lists are maintained by the Human Resources Section (HRS).
2. Provisions regarding seniority are found in the Collective Agreements.

#### **Resources**

Collective Agreements are located in the HRS Collective Agreements webpage.



## 2.3 Rank

### 2.3.3 Acting Ranks

(Enacted: 2000.09.06)  
(Updated: 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

(Enacted: 2000.03.22)  
(Updated: 2022.07.12)

#### POLICY

The British Columbia Provincial Policing Standards (BCPPS) establish the qualifying standards for firearms, intermediate weapons, use of force models and techniques and other training deemed mandatory for all police organizations in British Columbia. The following procedures apply to all sworn members who are deemed to be deployable in an operational setting and/or who may be required to perform operational duties in the course of their assignment, including for callouts or overtime shifts. The Human Resources Section may determine whether a member is non-deployable (e.g. light duties), and therefore not required to maintain qualification status on force options. The Education and Training Unit will maintain a database listing a member's operational and qualification status.

#### PROCEDURE

1. Vancouver Police Department (VPD) members authorized to carry and use one or more firearms (e.g. pistol, carbine, shotgun, rifles, and launcher) must be qualified in its/their use each year.
2. Members authorized to carry and use the Conducted Energy Weapon (CEW) must recertify in its use each year.
3. Members must pass the qualification standards for the use of Vascular Neck Restraint (VNR) annually, and for oleoresin capicum (OC) spray and baton every three years.
4. Members must pass the qualification standards for the use of all approved restraint devices including: handcuffs, leg restraints (e.g. Hobble), disposable restraint devices, and the anti-spit mask every three years.
5. Members must successfully complete BC's *Crisis Intervention and De-escalation (CID) Training* course, and subsequently update their skills by completing a provincially approved CID training course every three years.
6. Members assigned to the Jail must be qualified on the use of whole body restraint devices and recertify on the use of whole body restraint devices every three years while assigned to the Jail.
7. The Force Options Training Unit (FOTU) shall publish a schedule of firearm, baton, VNR, OC spray, restraint devices, and CEW 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.
8. Members who fail to qualify on the pistol, baton, VNR, leg restraints (e.g. Hobble), restraint devices, or OC spray will be deemed non-deployable, and must return on a subsequent day for re-testing. This also applies to members whose qualifications have expired and who fail to attend after enrolling in a scheduled qualification session. FOTU members will notify the FOTU Staff Sergeant, who will notify the Inspector in charge of the Training and Recruiting Section, who will in turn notify the member's manager.
9. Members who fail to qualify on a CEW or on a firearm other than a pistol continue to be operationally deployable. However, they may not deploy with the CEW or the other firearm in question until they have passed the associated departmental qualification standard.

#### Use of Force Instructors

10. Members who are qualified as Use-of-Force Instructors must adhere to qualifications set out in BCPPS section 3.2.3, including successfully completing:
  - a. A provincially approved instructional skills course;



- b. BC's Standardized Use of Force Instructor Course (SUFIC) or other provincially approved course for training use-of-force instructors; and
- c. Maintaining their qualification by conducting at least 30 hours of use-of-force instruction per year, participating at a BC Police Academy or Pacific Regional Training Center endorsed professional workshop or course every two years, and maintaining pre-requisites set out in BCPPS 3.2.3:
  - i. is a currently serving police officer;
  - ii. has a minimum of four years law-enforcement experience;
  - iii. has successfully completed BC's *Crisis Intervention and De-escalation (CID) Training* course, or other provincially-approved training in crisis intervention and de-escalation within the previous three years;
  - iv. does not have, within the previous five years, any substantiated use-of-force complaints or findings of misconduct related to use of force;
  - v. has no assault convictions; and
  - vi. is considered suitable for this type of instruction, which includes not having a pattern of complaints or use of force or other behaviour that is of concern to the department over the course of that member's working career.

**See also:**

RPM Section 1.2.3 Use of Handcuffs

RPM Section 1.2.3(i) Anti-Spit Masks

RPM Section 1.2.3(ii) Leg Restraint - Hobble



## 2.4 Training and Qualifying Standards

### 2.4.2 Qualifying Standards - Firearms

(Enacted: 2000.03.22)  
(Updated: 2020.02.27)

#### POLICY

All members shall qualify on their issue firearm(s) (pistol, carbine, shotgun, rifle, and launcher) 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 plainclothes units are required to complete their firearms qualification wearing plainclothes 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.

**Plainclothes Attire** - must include a departmentally issued ballistic vest and issue holster.

#### PROCEDURE

##### Pistol

1. For the pistol, members must pass the BC Pistol Qualification as set out in the BC Provincial Policing Standards.
2. If a member does not pass the qualification standard after two attempts, they 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, they will be deemed non-deployable and must return on a subsequent day and re-test on the entire qualification course of fire.
5. The Firearms Training Team Supervisor or designate shall:
  - a. Inform the member that they are not authorized to deploy operationally;
  - b. Advise the Staff Sergeant of the Force Options Training Unit, who will 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 shall:
  - a. Advise the member's Manager that the member has failed to qualify on their issue pistol and is not operationally deployable.

##### Other Firearms

7. For the carbine, shotgun, rifle, and launcher, members must pass the departmental qualification standard.
8. Members who fail to qualify on any of these other firearms continue to be operationally deployable. However, they may not deploy with the other firearm in question until they have passed the associated departmental qualification standard.



## Long Term Absences

9. When a member is absent 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(s) for security reasons. The firearm(s) will be surrendered to the Firearms Training Team Supervisor until the member returns to duty. When the member returns to duty the firearm(s) 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

(Enacted: 2001.03.20)  
(Updated: 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

(Enacted: 2001.03.20)  
(Updated: 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

(Enacted: 2010.06.17)  
(Updated: 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

(Enacted: 2000.10.31)  
(Updated: 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)

(Enacted: 2001.03.09)  
(Updated: 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

(Enacted: 2003.02.19)  
(Updated: 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

(Enacted: 2010.06.17)  
(Updated: 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 Collection of Fees

(Enacted: 2022.06.08)  
(Updated: 2022.06.08)

#### POLICY

The Vancouver Police Department is responsible for collecting fees for certain services provided.

#### PROCEDURE

1. Fees collected for the following will be forwarded to the Senior Director in charge of the Financial Services Section (FSS):
  - a. Fingerprint based searches (e.g. immigration certificates, job security checks), collected by the Public Service Counter;
  - b. Copies of motor vehicle incident reports supplied to insurance adjusters and lawyers, collected by the Correspondence Unit; and
  - c. Towing and Storage, collected by the Property and Forensic Storage Services Section.
2. Certain fees [mainly related to court orders and occasionally to the *Freedom of Information Act and Protection of Privacy Act* (FOIPPA)] are collected on behalf of the Information and Privacy Unit by the Senior Director in charge of FSS.



## 2.6 Financial Management

### 2.6.1(i) Fingerprinting Fees

(Enacted: 2003.04.22)  
(Deleted: 2022.06.08)

This policy has been merged into RPM Section 2.6.1 Collection of Fees.



## 2.6 Financial Management

### 2.6.1(ii) Member Witness Fees

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2003.04.22)  
(Deleted: 2022.06.08)

This policy has been merged into RPM Section 2.6.1 Collection of Fees.



## 2.6 Financial Management

### 2.6.1(iv) Motor Vehicle Accident Scene Photograph Fees

(Enacted: 2003.04.22)  
(Deleted: 2022.06.08)

This policy has been merged into RPM Section 2.6.1 Collection of Fees.



## 2.6 Financial Management

### 2.6.1(v) Towing and Storage Fees

(Enacted: 2003.04.22)  
(Deleted: 2022.06.08)

This policy has been merged into RPM Section 2.6.1 Collection of Fees.



## 2.6 Financial Management

### 2.6.2(i) Chief Constable's Contingency Fund

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2000.10.05)  
(Deleted: 2020.02.11)

This policy has been rescinded.



## 2.6 Financial Management

### 2.6.2(iii) Travel Expense Fund

(Enacted: 2003.04.22)  
(Updated: 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

(Enacted: 2001.10.29)  
(Updated: 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

(Enacted: 2000.07.05)  
(Updated: 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.
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

(Enacted: 2010.12.08)  
(Updated: 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](mailto:info@vancouverpolicefoundation.org)  
Website: <http://www.vancouverpolicefoundation.org/>



## 2.6 Financial Management

### 2.6.5 Workplace Charitable Fundraising Policy

(Enacted: 2014.11.25)  
(Updated: 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

(Enacted: 2000.09.06)  
(Updated: 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

(Enacted: 2000.09.05)  
(Updated: 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

(Enacted: 2001.04.20)  
(Updated: 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

(Enacted: 2000.09.29)  
(Updated: 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

(Enacted: 2003.10.01)  
(Updated: 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

(Enacted: 2000.11.10)  
(Updated: 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

(Enacted: 2000.11.10)  
(Updated: 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

(Enacted: 2003.10.02)  
(Updated: 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 Law Enforcement Notifications (LENS) (Court Notification)

(Enacted: 2003.10.01)  
(Updated: 2023.09.29)

#### POLICY

The Vancouver Police Department's (VPD) Document Services Unit (DSU) is responsible for processing all British Columbia Courts Law Enforcement Notifications (LENS) and for resolving court conflicts when witness members are on approved leave or training. Every LENS (including traffic court Notice of Hearing notifications), is routed through DSU and entered into the Workforce Management System (WMS) for tracking and control purposes. A LENS may either notify or denotify a member for court. The purpose of this policy is to explain court notification for members by way of a hardcopy LENS.

#### PROCEDURE

1. When a hardcopy LENS is received at a witness member's work-site, the following shall occur:
  - a. a supervisor shall initial and date both (2) copies of the LENS and personally serve both copies upon the witness member;
  - b. the witness member shall sign one of the LENS. All LENS must be acknowledged and returned to DSU regardless of the fact that a witness member has yet to sign up for annual leave;
  - c. the witness member will retain the unsigned copy of the LENS;
  - d. the serving supervisor and/or witness member shall forward the signed copy through the inter-departmental mailing system to the LENS clerk in DSU. All LENS must be returned to DSU within 14 days; and
  - e. the sergeant in charge of DSU will follow-up on all unacknowledged LENS with the witness member's chain of command.

#### Member not fit for duty

2. When a LENS is received for a witness member who is not fit for duty, their supervisor shall:
  - a. attempt to find out if the member is available to attend court;
  - b. attempt to confirm whether the member will or will not be attending court; and
  - c. make the appropriate notations on the LENS and return it to DSU if the supervisor is successful in obtaining the necessary information.
3. If the witness member's supervisor is not successful in contacting them, their supervisor shall contact Human Resources (HR) Police Employee Relations and Advisory Services Unit (PERASU), and request that HR PERASU make contact with the witness member and follow steps (a) through (c).
4. DSU shall return one copy of the LENS to the court witness notifiers and hold the second copy for pick up by the witness member if they will be attending court.

#### Member already on annual leave

5. When a supervisor receives a LENS for a witness member already on annual leave, the supervisor shall:
  - a. NOT attempt to contact the witness member;
  - b. immediately notify DSU by email that the witness member is currently on annual leave;
  - c. initial and date one of the two copies of the LENS, also recording the annual leave of the member in the remarks section of the LENS; then



- d. immediately forward the LENS (both copies) to DSU.

**Member not available to be personally served prior to court date**

6. 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 witness member. If the witness member cannot be contacted, the supervisor shall make the appropriate notation on one of the LENS and return both copies of the LENS to DSU.

**Member attending traffic court**

7. Witness members attending traffic court to give evidence will not present their LENS to the traffic court Judicial Justice of the Peace (JJP) for signature. Witness members shall complete the "time excused" and "evidence given" portions of the LENS themselves.

**Additional LENS forms needed due to continuation of a trial or for any other reason**

8. Witness members requiring additional LENS forms due to a continuation of a trial, or for any other reason, will ask the court administration staff to complete a new LENS. In the event that court administration staff are unable or unwilling to complete a new LENS, the member shall:
  - a. make two photocopies of the original LENS;
  - b. on the first photocopied LENS, make a notation in the remarks field about the subsequent attendance at court (which includes the date and time);
  - c. have Crown counsel or court administration staff sign the amended photocopied LENS in the space provided;
  - d. attach the second photocopied LENS to the amended photocopied LENS; and
  - e. forward both copies through their supervisor to the sergeant in charge of DSU.

**Member with conflicting trials**

9. Witness members receiving two or more LENS 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 witness member. The trial prosecutor of the superior court will then be responsible for co-ordinating the location of attendance.
10. Witness members served a subpoena for civil court shall immediately notify their supervisor and the LENS conflict clerk. If a conflict with annual leave exists, the sergeant in charge of DSU shall be notified and assist in resolving any court conflicts.

**Witness member fees**

11. Any witness member fees received by witness 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 DSU with a copy of the subpoena. The fees are then forwarded to the Senior Director in charge of the Financial Services Section (FSS).
12. Any witness member fees received by DSU for members attending criminal or civil courts where the witness member will either be appearing on duty or claiming pay or credit, will be forwarded to the Senior Director in charge of FSS after the court date.



## 2.7 Court Processes Management

### 2.7.4 LENS Court Denotification

(Enacted: 2003.10.01)  
(Updated: 2023.02.17)

#### POLICY

The Vancouver Police Department's (VPD) Document Services Unit (DSU) is responsible for processing all British Columbia Courts Law Enforcement Notifications (LENS). Every LENS (including traffic court Notice of Hearing notifications), is routed through DSU and entered into WMS for tracking and control purposes. A LENS may either notify or denotify a member for court. The purpose of this policy is to explain court denotification for members by way of a hardcopy LENS as well as other denotification processes when a short-term denotification occurs.

#### PROCEDURE

##### Denotification

1. A supervisor shall personally serve the LENS upon the witness member and:
  - a. The witness member will immediately sign the LENS;
  - b. The supervisor will initial and date the LENS; and
  - c. The supervisor and/or member shall return the LENS through the inter-departmental mailing system back to the court conflict clerk in DSU.

##### Short-term Denotification

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 DSU.
  - b. An off-duty member shall not be telephoned or texted for such purpose between the hours of 2200 and 0630.
  - c. Denotifications will be made as soon as possible and with reasonable effort, either personally, by telephone or by text. DSU will keep a record of all denotifications made by them or the member's supervisor, or the reason for not being able to denotify a member.
  - d. If DSU staff are unable to contact the member to be denotified, they will advise the member's supervisor to make the denotification.
  - e. If the member's supervisor makes the denotification, the supervisor is required to communicate the details of any denotification request and action taken to DSU. If the denotification is communicated to a person other than the member; the name, relationship and age of the person notified will be documented on the LENS.
  - f. A denotification may be communicated to:
    - i. the member via text;
    - ii. the member's personal voicemail;
    - iii. the member's voice mail box. (Members should access their departmental voice mail once, anytime within four hours of their scheduled court appearance and/or interview);
    - iv. an adult residing at the residence of the member; or
    - v. an employee of the member.



## 2.7 Court Processes Management

### 2.7.5 Court Outside Lower Mainland

(Enacted: 2003.04.22)  
(Updated: 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

(Enacted: 2006.07.25)  
(Updated: 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

(Enacted: 2016.09.02)  
(Updated: 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 their 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, they 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

(Enacted: 2004.01.27)  
(Updated: 2022.08.31)

#### POLICY

The Planning, Research and Audit Section (PR&A) is responsible for finalizing the design and control of all departmental forms. Any alterations to existing forms, suggestions for new forms, or deletion of forms must be processed through PR&A.

Approved departmental forms have the “restrict editing” feature on to prevent unauthorized edits.

#### PROCEDURE

1. Employees shall complete a Forms Amendment Request form (VPD Form 1304) for amendment, addition, or deletion of a departmental form.
2. For amendment or adding a form, employees shall create an electronic draft of the proposed amendment or addition;
  - a. Contact PR&A for an unlocked version of an existing form if it is required for drafting purposes.
3. Once completed, employees shall forward the Forms Amendment Request (VPD Form 1304) and, if applicable, an electronic draft of the proposed addition or amendment through their chain of command to the Director in charge of PR&A.
4. PR&A will review all new or amended forms to ensure their language and purpose is inclusive, culturally safe, trauma-informed, promotes equity and eliminates bias.



## 2.8 Forms and Resource Requests

### 2.8.2 Reports to City Council

(Enacted: 2005.06.27)  
(Updated: 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

(Enacted: 2005.09.27)  
(Updated: 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

(Enacted: 2001.04.04)  
(Updated: 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

(Enacted: 2001.03.20)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 2.9 Information Management

### 2.9.1(i) General Disclosure of Information

(Enacted: 2000.10.05)  
(Updated: 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

(Enacted: 2000.10.05)  
(Updated: 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 disclosedWhere 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

(Enacted: 2000.10.05)  
(Updated: 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

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2000.09.07)  
(Updated: 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

### 2.9.1(vi) *Ex Parte* Judicial Authorizations and Court Orders

(Enacted: 2021.11.10)  
(Updated: 2021.11.10)

#### POLICY

The Vancouver Police Department (VPD) has significant and sensitive information holdings (e.g. personnel records, investigation files, GOs, emails, internal reports). While the VPD has the same obligation as any other organization to comply with statutory requests, judicial authorizations and court orders it also has rights and obligations as the custodian of its information holdings. Those include obligations to safeguard ongoing criminal investigations, protect the identities of confidential informants, and maintain privacy of individuals' personal information and the right to maintain privilege.

When a judicial authorization or court order obtained on an *ex parte* basis is served on the VPD, it should be reviewed to determine if it is appropriate, reasonable in scope and does not unnecessarily seek or capture personal, sensitive or privileged information.

#### PROCEDURE

1. Whenever a VPD member or civilian professional is served with a judicial authorization or court order obtained on an *ex parte* basis for execution on the VPD or named members of the VPD (e.g. production order, search warrant), for records and/or items in the custody of the VPD they shall forward it through their chain of command to the Deputy Chief Constable of the Investigation Division for review prior to execution.
2. If the judicial authorization or court order contains a term which appears to limit disclosure of the existence or execution of the order, or if the VPD member or civilian professional upon whom it is served is asked to sign a non-disclosure agreement relating to the judicial authorization or court order, they shall seek the assistance of Counsel, Access & Privacy, in the Information and Privacy Unit prior to forwarding it through the chain of command.
3. Upon receipt of the judicial authorization or court order the Deputy Chief Constable of the Investigation Division, or their delegate, shall review and assess the judicial authorization or court order, in consultation with legal counsel if necessary, and determine if there are any concerns or legal obligations to indicate the VPD should apply to revoke or vary the order.
4. If, at any point, it is determined that the judicial authorization or court order directly involves a Deputy Chief Constable or the Chief Constable it should be directed to Counsel, Access & Privacy, in the Information and Privacy Unit for referral to the Vancouver Police Board for review.



## 2.9 Information Management

### 2.9.2 Email and Internet Security

(Enacted: 2004.11.09)  
(Updated: 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 4.3.1 Respectful Workplace Policy);
  - 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 their 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 4.3.1 Respectful Workplace 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

(Enacted: 2000.10.25)  
(Updated: 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

(Enacted: 2006.01.24)  
(Updated: 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

(Enacted: 2006.01.4)  
(Updated: 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

(Enacted: 2002.10.31)  
(Updated: 2023.04.14)

#### 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 or pursuit;
  - 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: Developing and Handling Confidential Informants.

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"><li>Follow the instructions outlined in the training document when making a record private or invisible.</li></ul>
	<ul style="list-style-type: none"><li>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).</li></ul>
	<ul style="list-style-type: none"><li>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.</li></ul>
	<ul style="list-style-type: none"><li>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.</li></ul>
	<ul style="list-style-type: none"><li>Notify the PRIME Systems Liaison Specialist when a record is made invisible or the status of an invisible record is changed.</li></ul>
	<ul style="list-style-type: none"><li>Notify the Section Administrative Assistant when the responsibility for a private record needs to be transferred to a different user.</li></ul>
PRIME Systems Liaison Specialist	<ul style="list-style-type: none"><li>Maintain an up-to-date log of all private and invisible records and the responsible user for each file.</li></ul>
	<ul style="list-style-type: none"><li>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.</li></ul>
	<ul style="list-style-type: none"><li>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.</li></ul>
Section Manager	<ul style="list-style-type: none"><li>Authorize making records private when they do not meet the specific criteria laid out in the RPM policy.</li></ul>
	<ul style="list-style-type: none"><li>Authorize making records invisible.</li></ul>
	<ul style="list-style-type: none"><li>Notify the PRIME Systems Liaison Specialist when the list of users associated with a PRIME handle needs to be updated.</li></ul>
Supervisor	<ul style="list-style-type: none"><li>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.</li></ul>
Criminal Records Unit	<ul style="list-style-type: none"><li>Maintain a list of all files made private under the Youth Criminal Justice Act or the Criminal Records Act.</li></ul>



## 2.9 Information Management

### 2.9.5 Memorandums of Understanding

(Enacted: 2001.04.04)  
(Updated: 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 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

(Enacted: 2004.01.27)  
(Updated: 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, they 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

(Enacted: 2007.07.26)  
(Updated: 2021.02.10)

#### **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 Section 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 Section 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, publications, challenge coins, and clothing.

#### **Standards and Production of Communication and Marketing Material**

2. Public Affairs Section 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 Section (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](http://www.vpd.ca))**

4. Postings to the VPD internet site must have the approval of the Public Affairs Section.
5. Public Affairs Section has final creative control over all requested postings, and is available to provide assistance with design and content.
6. The Information Technology & Communications Section shall post approved content, and remove posted content, from the VPD internet site, as directed by Public Affairs Section.

#### **Advertising**

7. Public Affairs Section 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 Section.

#### **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 Section.

#### **Printing**

10. Public Affairs Section 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

(Enacted: 2012.03.21)  
(Updated: 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 themselves 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 Director i/c Public Affairs Section.
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 Director i/c Public Affairs Section.
  - 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 Director of Public Affairs Section.
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 4.3.1 Respectful Workplace Policy; 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 Director i/c Public Affairs Section.



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 Director i/c Public Affairs Section.
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

(Enacted: 2000.10.05)

(Updated: 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

(Enacted: 2004.11.09)  
(Updated: 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

(Enacted: 2000.10.05)  
(Updated: 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

(Enacted: 2000.10.05)  
(Deleted: 2022.12.07)

This policy has been rescinded.



## 2.10 Boards and Committees

### 2.10.2 Commendation Board

(Enacted: 2004.08.16)  
(Updated: 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

(Enacted: 2003.12.15)  
(Deleted: 2022.07.15)

This policy has been rescinded.



## 2.10 Boards and Committees

### 2.10.4 Collision Review Board

(Enacted: 2006.07.25)  
(Updated: 2020.07.28)

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 Collision Investigation Unit; 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

(Enacted: 2000.10.31)  
(Deleted: 2020.07.07)

This policy has been rescinded.



## 2.10 Boards and Committees

### 2.10.6 Training Board

(Enacted: 1999.11.04)  
(Updated: 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

(Enacted: 2000.11.10)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 2.10 Boards and Committees

### 2.10.8 Diversity Advisory Committee

(Enacted: 2000.05.17)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 2.10 Boards and Committees

### 2.10.9 Police Exemplary Service Medal

(Enacted: 2008.02.11)  
(Updated: 2022.03.08)

#### POLICY

The Police Exemplary Service Medal (PESM) is a national award acknowledging exemplary service among members of recognized Canadian police forces, separately from the Royal Canadian Mounted Police. The award has been established by the federal government, and is administered by the Director of the Chancellery of Honours, who receives all nominations. The Decorations Committee of the Canadian Association of Chiefs of Police reviews and assesses eligibility of each nomination and makes recommendations to the Governor General of Canada. 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:** service characterized by good conduct, industry, and efficiency that serves as a model to others.

**Serious disciplinary action:** 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:** the *Police Act, RSBC, 1997, chapter 367*, as amended.

#### PROCEDURE

##### 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 VPD 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, in charge of the Professional Standards Section (PSS), the Inspector, or designate, in charge of the Human Resources Section (HR), the Departmental Sergeant Major, and the President, or designate, of the Vancouver Police Union.
6. HR 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 HR 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 in charge of HR a list of members nominated and not nominated for the PESM or Bar.

### Notification and Appeal Process

13. The Inspector in charge of HR 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 an interoffice memo (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 RPM Section 5.4.4 Dress and Department.



## 2.10 Boards and Committees

### 2.10.10 Charitable Fundraising Committee

(Enacted: 2014.11.25)  
(Updated: 2023.02.17)

#### POLICY

The mandate of the Charitable Fundraising Committee is to ensure that the Vancouver Police Department (VPD) is held in high regard and beyond reproach in relation to charitable fundraising, supporting societal good and minimizing disruption in the workplace.

#### PROCEDURE

1. The composition of the Charitable Fundraising Committee shall be:
  - a. Executive Officer;
  - b. Director of Public Affairs;
  - c. Vancouver Police Union member;
  - d. Finance Services Section member;
  - e. Information Management Section member; and
  - f. Any other stakeholder deemed appropriate by the Executive Officer to assess the charitable fundraising proposals.
2. The responsibilities of the Charitable Fundraising Committee shall include:
  - a. Approving, not approving or requesting more information for any workplace charitable fundraising request;
  - b. Ensuring that there is no overlap with already existing fundraisers;
  - c. Ensuring new proposals do not create an unreasonable strain on VPD resources;
  - d. Ensuring that any new proposal is aligned with the strategic objectives and values of the VPD; and
  - e. Reporting to the Chief Constable the workplace charitable fundraising requests approved by the Charitable Fundraising Committee.





## 2.10 Boards and Committees

### 2.10.11 Police Vehicle Action Review Board

(Enacted: 2023.05.03)  
(Updated: 2023.05.03)

#### POLICY

1. The Police Vehicle Action Review Board will be chaired by the inspector in charge of the Traffic Section and will review:
  - a. any pursuit deemed necessary to review;
  - b. any police-involved collision resulting from intentional vehicle intervention tactics;
  - c. other intentional police vehicle incidents where circumstances merit, and/or at the commanding Deputy Chief Constable's direction.
2. The Police Vehicle Action Review Board will be comprised of:
  - a. permanent board members, consisting of the:
    - i. inspector in charge of the Traffic Section; and
    - ii. sergeant in charge of Collision Investigation Unit; and
  - b. a rotating board member, consisting of one (1) inspector in charge of the member(s) under review.

#### Police Vehicle Action Review Board Terms of Reference

3. The Police Vehicle Action Review Board will have the following terms of reference:
  - a. determine and ensure that compliance with existing policy is ongoing;
  - b. determine if there are any training or education issues that may arise with respect to police driving incidents or actions;
  - c. compile statistical data with respect to those vehicle incidents or actions reviewed;
  - d. determine if any potential disciplinary issues have arisen where further action is required and to refer such matters to the Professional Standards Section; and
  - e. examine any issues or concerns with respect to increasing the effectiveness and safety of existing procedures.
4. The Police Vehicle Action Review Board will be required to forward all recommendations pertaining to VPD policy to the Chief Constable. Particular attention will be paid to issues of public safety, compliance with regulations, education and training issues.



## 3.1 Personnel Management

### 3.1.1 Call-Outs - Voluntary

(Enacted: 2004.09.27)  
(Updated: 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 Deportment 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

(Enacted: 2000.10.05)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 3.1 Personnel Management

### 3.1.3(i) Ceremonial Unit

(Enacted: 1987.06.05)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 3.1 Personnel Management

### 3.1.3(ii) Motorcycle Drill Team

(Enacted: 2000.10.05)  
(Deleted: 2022.04.11)

This policy has been rescinded.





## 3.1 Personnel Management

### 3.1.3(iii) Pipe Band

(Enacted: 2000.10.31)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 3.1 Personnel Management

### 3.1.3(iv) Revolver Club

(Enacted: 2000.10.31)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 3.1 Personnel Management

### 3.1.3(v) Police Mutual Benevolent Association (PMBA)

(Enacted: 2000.10.05)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 3.1 Personnel Management

### 3.1.3(vi) Department Approved Activities, Groups and Sports

(Enacted: 2000.10.31)  
(Updated: 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

(Enacted: 2002.06.03)  
(Updated: 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

(Enacted: 2000.09.06)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 3.1 Personnel Management

### 3.1.6 Information in Relation to Employees - Reference Checks

(Enacted: 2007.09.25)  
(Updated: 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

(Enacted: 2004.06.29)  
(Updated: 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

(Enacted: 2003.04.22)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 3.1 Personnel Management

### 3.1.9 Salary Attendance Profile Form (SAP)

(Enacted: 2001.03.20)  
(Updated: 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

(Enacted: 2008.07.28)  
(Deleted: 2022.04.11)

This policy has been rescinded.





## 3.1 Personnel Management

### 3.1.11 Form Of Oath

(Enacted: 2000.09.07)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 3.2 Overtime

### 3.2.1 Overtime - General Policy and Definitions

(Enacted: 2006.04.06)

(Updated: 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

(Enacted: 2006.01.30)  
(Updated: 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

(Enacted: 2006.01.30)  
(Updated: 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

(Enacted: 2006.01.30)  
(Updated: 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)

(Enacted: 2006.01.30)  
(Updated: 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

(Enacted: 2006.04.13)  
(Updated: 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

(Enacted: 2006.01.30)  
(Updated: 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

(Enacted: 2009.04.16)  
(Updated: 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

(Enacted: 2000.11.21)  
(Updated: 2020.02.27)

#### POLICY

This section provides information as to the reporting requirements for members who have received a complaint of or witnessed a breach of the law by another member.

#### PROCEDURE

1. Members who have reasonable grounds to believe that they have witnessed excessive use of force by another member are to report, as soon as reasonably practicable, the incident to a supervisor, the Duty Officer and/or the Inspector in charge of the Professional Standards Section, who shall then direct an investigation regarding the incident.
2. Members receiving a complaint alleging a breach of the law by another member shall, when reasonably practicable, report the complaint to a supervisor, the Duty Officer or the Inspector in charge of the Professional Standards Section.
3. The Inspector in charge of the Professional Standards Section shall direct an investigation regarding the complaint.
4. Members receiving a complaint 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 complaint to a supervisor.
5. The supervisor shall:
  - a. Investigate the complaint; and
  - b. Report to the Inspector in charge of Professional Standards Section with the results of their investigation as soon as practicable, except for:
    - i. Motor vehicle accident RPM Section 1.10.8(ii): Police Vehicles Involved in Motor Vehicle Collisions; or
    - ii. Photo radar and red light camera complaints which shall be investigated as directed by the Inspector in charge of Traffic Section.
6. No disciplinary action shall be taken without the authorization of the Chief Constable or designate.



## 4.1 Professional Standards

### 4.1.2 Code Of Ethics

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2000.11.01)  
(Updated: 2021.07.22)

#### POLICY

Public complaints against police members of the Vancouver Police Department (VPD) and internal discipline will be dealt with under the *BC Police Act* (1998) and Discipline Regulations made under the *Act*.

#### PROCEDURE

1. A member who receives a complaint from a complainant regarding conduct of another member of the VPD shall make reasonable efforts to assist in receiving the complaint by directing the complainant to the Professional Standards Section (PSS), who is designated to receive complaints, or to the Public Service Counter (PSC) staff, who are trained to assist in receiving complaints.
  - a. During business hours, the member shall:
    - i. direct the complainant to PSC staff and to the resources (such as the Office of the Police Complaint Commissioner (OPCC) brochure) available at the PSCs; and/or
    - ii. refer the complainant to contact the Professional Standards Section (PSS) via email to [pss@vpd.ca](mailto:pss@vpd.ca) or by calling xxx; and/or
    - iii. refer the complainant to the online reporting options available on both the OPCC and VPD PSS websites; and/or
  - b. Outside of business hours, the member shall:
    - i. refer the complainant to the online reporting options available on both the OPCC and VPD PSS websites; and/or
    - ii. refer the complainant to contact PSS via email at [pss@vpd.ca](mailto:pss@vpd.ca) or by leaving a voicemail with PSS by calling xxx; and/or
    - iii. if the complainant is unable or unwilling to email/call PSS, the member shall refer them to an on-duty NCO, who shall obtain contact information and general details of the complaint, and advise the complainant that PSS will contact them the next business day. The NCO shall forward the contact information and general details to the Inspector in charge of PSS.
2. PSC or PSS personnel shall assist a complainant in completing the OPCC complaint form if the complainant requests or requires that level of assistance.
3. The foregoing does not prevent a police member or NCO from attempting to informally resolve the complaint with the complainant at the time it is received, unless the incident involves a breach of law, death, serious harm or a reportable injury, or the allegation is serious in nature.

See RPM Section 1.16.7 *BC Police Act* - Reportable Incidents - Injuries or Death

See RPM Section 4.1.1 Breach of Law by Members



## 4.1 Professional Standards

### 4.1.4 Conflict of Interest

(Enacted: 2006.12.05)  
(Updated: 2016.06.03)

#### POLICY

"Conflict of Interest" means a conflict between duties and responsibilities as an employee of the Vancouver Police Department, and a 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 or 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

(Enacted: 2006.12.15)  
(Updated: 2008.07.28)

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

(Enacted: 2000.11.01)  
(Updated: 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

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2003.05.07)  
(Updated: 2021.07.22)

#### POLICY

Employees of the Vancouver Police Department are in a position that requires a high level of public trust. Employees must maintain high standards of conduct and avoid conflicts of interest arising from personal relationships. A personal relationship that creates an actual or potential conflict of interest may negatively impact the Department and erode the public's trust and confidence in the Department's integrity.

In the event that a personal relationship gives rise to an actual or potential conflict of interest, each employee who is involved in the personal relationship has an obligation to disclose the relationship as soon as reasonably practicable. The Department will assess the situation and take steps to eliminate or manage the conflict of interest, in compliance with the procedures set out in this policy.

This policy should be read in connection with RPM Section 4.1.2: Code of Ethics and RPM Section 4.1.4: Conflict of Interest. No employee shall allow their personal interests to conflict, or appear to conflict, with professional responsibilities or job performance. Managers, supervisors and persons in positions of responsibility shall ensure that their decision-making is devoid of favouritism, or the appearance of favouritism, based on personal interests, and shall maintain a professional work environment free from actual or potential conflicts of interest. Failure to do so may disrupt the work environment, cause a decline in morale, reduce productivity and negatively affect public trust in the Department.

In addition to this policy, employees should be mindful of RPM Section 4.3.1 Respectful Workplace in their dealings with co-workers both at work and off duty (in circumstances where off duty interactions may be considered an extension of the workplace and therefore subject to VPD policy).

#### DEFINITIONS

##### Conflict of Interest

"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. See RPM Section 4.1.4: Conflict of Interest.

##### Personal Relationship

A "personal relationship" means an existing or intended relationship between an employee and a related person.

##### Related Person

"Related person" means a person who is, or within the previous three (3) years has been:

- a. related to the employee by blood, adoption, marriage or common-law marriage; or
- b. in a romantic or intimate (including but not limited to sexual) relationship with the employee.

##### Supervisor / Manager / Person in Position of Responsibility



For the purpose of this policy, an employee shall be considered to be a supervisor, manager or person in a position of responsibility, with respect to another employee where:

- a. the responsibilities of the employee include disciplining, evaluating, assigning work to, directing, instructing or otherwise managing or supervising the other employee;
- b. the employee is responsible for approving reports of the other employee;
- c. the employee is responsible for training or certifying the other employee;
- d. the employee is involved in a decision-making capacity in an investigation of the other employee;
- e. the employee is responsible for making a decision that may otherwise have a material effect on the interests of the other employee;
- f. the employee is a member of the Department's Human Resources Section and:
  - i. is responsible for providing resources, support or guidance to the other employee;
  - ii. has direct knowledge of the reason(s) the Human Resources Section is providing resources, support or guidance to the other employee;
  - iii. in the course of their duties has access to the other employee's confidential personnel files in the custody of the Human Resources Section; or
- g. the employee is working with or at the direction of the Human Resources Section to provide resources, support or guidance to the other employee (e.g. sworn or civilian Peer Support or Critical Incident Stress Management Team).

### PROCEDURE

1. Conflicts of interest arising from personal relationships shall be disclosed, assessed and determined in accordance with the following procedure.

#### Duty to Disclose

2. An Employee must disclose an actual or potential conflict of interest arising from a personal relationship to their supervisor or manager as soon as reasonably practicable. Disclosure is required before the employee engages in the activity that may create a conflict.
3. Where an employee is in doubt about whether a particular set of circumstances may give rise to an actual or potential conflict of interest, the employee should discuss the situation with their supervisor or manager. If doubt remains, guidance should be sought from the Human Resources Section.
4. Where a personal relationship exists or may arise between a supervisor or person in a position of responsibility and another employee, either because of commencement of a new relationship or employee transfer, the employees in the personal relationship have an obligation to disclose the relationship as soon practicable, to the appropriate supervisor or manager in the chain of command.
5. An employee who believes in good faith that another employee has failed to disclose a personal relationship that may give rise to a conflict of interest, has a duty to report the situation promptly to their supervisor or the Inspector in charge of the Human Resources Section.

#### Assessment and Determination

6. The supervisor or manager to whom a conflict of interest arising from a personal relationship is disclosed shall, with the greatest degree of confidentiality possible in the circumstances, take timely steps to assess the relevant circumstances, and if an actual or potential conflict of interest exists, implement measures to eliminate or manage the conflict. The supervisor or manager may seek advice from, and/or escalate the matter to, the Inspector in charge of the Human Resources Section.
7. In determining how to eliminate or manage a conflict of interest, the supervisor or manager shall take the following factors into account, subject to the operational requirements or exigencies of the Department:





- a. the seniority, performance record, and any special skills or training of the employees involved in the personal relationship;
  - b. the effect on the personal lives and circumstances of the employees involved in the personal relationship;
  - c. the nature and effect of any decisions that a supervisor or person in a position of responsibility may be responsible for making with respect to an employee with whom they are in a personal relationship;
  - d. the extent to which a conflict of interest can be eliminated or managed by a supervisor or person in a position in responsibility recusing themselves from making any decisions with respect to an employee with whom they are in a personal relationship;
  - e. the existence of rules, procedures or other checks and balances within the Department or relevant work area that may eliminate or mitigate any conflict of interest;
  - f. where applicable, any transfer requests;
  - g. Departmental operational requirements;
  - h. any applicable human rights considerations; and
  - i. any other factors that the supervisor or manager considers relevant in the circumstances.
8. Where a conflict of interest is not resolved at the supervisor or manager level, the Human Resources Section will determine how to eliminate or manage the conflict of interest, taking into account the factors described above.

### Guidelines

9. An employee will not be permitted to act as a supervisor or person in a position of responsibility in relation to an employee with whom they have a personal relationship, unless any actual or potential conflict of interest has been disclosed, and eliminated or managed, as described in this procedure.
10. Employees must be aware of the real or apparent power imbalance that may exist between Department employees of different ranks. An employee must not seek to enter into a personal relationship with an employee who is junior in rank or who otherwise may be vulnerable to their influence, even if they are not a supervisor or person in a position of responsibility in relation to that employee, unless any actual or potential conflict of interest has been disclosed, and eliminated or managed, as described in this procedure.
11. An employee who has a personal relationship with another employee, but is not directly supervising that employee, must not engage in an investigation, discipline or evaluation procedure involving that employee.
12. An employee who has a personal relationship with another employee, but is not directly supervising that employee, must not participate in processing any complaints involving that employee. Such matters shall be forwarded up the chain of command without comment or endorsement.
13. Should any member of the Human Resources Section have a personal relationship with another member of the Vancouver Police Department, they shall not have access to and is prohibited from accessing that other member's confidential personal information or file.
14. Unless an exception is granted under this procedure, employees who are in a personal relationship shall not be:
  - a. placed in a partnership or assignment where they will work directly with each other;
  - b. assigned to the same Patrol District; or
  - c. assigned to the same shift of a non-patrol work unit (e.g. Traffic, ERT, Strike Force).

The intent of this section is to reduce potential conflict of interest issues arising in work settings where there may be contact with the public.

### Exceptions

15. Upon written application, the Superintendent in charge of Personnel Services may authorize an exception to this policy if the actual or potential conflict of interest can be eliminated or appropriately managed.



16. For example, the following situations may result in an exception being granted, authorizing employees involved in a personal relationship to be assigned to the same duty (e.g. Unit or Section):
  - a. call out;
  - b. additional staffing needs required over a minimal period of time;
  - c. special events or unique circumstances; or
  - d. exigent circumstances at the discretion of the Department.

In such circumstances, however, the Department may not accommodate coordinated shift scheduling or other related requests from the employees who are in a personal relationship.

### PRIVACY

1. Consistent with the Department's obligations under the Freedom of Information and Protection of Privacy Act ("FIPPA"), the Department shall limit its collection (and any recording) of personal information about employee personal relationships under this Policy to what is reasonable and necessary to address actual and perceived conflicts of interests and to carry out the processes set out in this Policy.
2. Disclosures of the existence of employee personal relationships that are made or received under this Policy shall, to the extent possible, be maintained in confidence, and will only be used or disclosed to carry out the purposes and procedures set out in this Policy, to manage the employment relationship with such employees or other impacted employees, or for other purposes that are authorized or required by FIPPA or other applicable laws.
3. All personal information about employee relationships collected under this Policy will be shared internally on a need-to-know basis, and will be destroyed when no longer needed for the purposes of this Policy, for employment purposes, or for legal or operational purposes.





## 4.1 Professional Standards

### 4.1.9 Posting Bail - Members

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2000.09.07)  
(Updated: 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 their delegate.

The foregoing does not prohibit members from attending public auctions.



## 4.1 Professional Standards

### 4.1.11 Respectful Workplace Policy

(Enacted: 2000.03.22)  
(Deleted: 2023.12.27)

This policy has been renumbered. See RPM Section 4.3.1 Respectful Workplace Policy



## 4.1 Professional Standards

### 4.1.12 Speeches by Members

(Enacted: 2008.07.28)  
(Updated: 2008.07.28)

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

(Enacted: 2012.09.12)  
(Updated: 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 Evidence and Property Management. 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





## 4.3 Respectful Workplace

### 4.3.1 Respectful Workplace Policy

(Enacted: 2000.03.22)  
(Updated: 2023.12.27)

#### POLICY

The Vancouver Police Department (VPD) provides a respectful workplace that is safe, healthy and inclusive, and fosters positive workplace relationships free from harassment and bullying. The Respectful Workplace Policy (Policy) provides information regarding the rights, responsibilities and expectations of every individual who falls within the scope of the Policy.

The Policy outlines the different processes available to employees for addressing inappropriate behaviour both in, and connected to, the workplace.

#### IMPLEMENTATION

The Policy will be disseminated to all employees for review and sign-off and prominently posted in VPD buildings. On an annual basis, the VPD will review and report back to the Board on this policy along with associated policies 4.3.1(i) Informal Resolution Processes and 4.3.1(ii) Formal Investigation Process.

#### APPLICATION OF THE POLICE ACT

Notwithstanding anything in the Policy, the conduct of members is at all times governed by Part 11 of the *Police Act* (*Misconduct, Complaints, Investigations, Discipline and Proceedings*) and any guidelines established by the Office of the Police Complaint Commissioner (OPCC) pursuant to section 177. The VPD may refer incidents of potential misconduct, as that term is defined in section 77 of the *Police Act*, to the OPCC, at any time, whether or not a complaint has been made in respect of the conduct at issue under the Policy without notice to the complainant, respondent, or witnesses.

All procedures outlined in the Policy, including RPM Section 4.3.1(i) Informal Resolution Processes and RPM Section 4.3.1(ii) Formal Investigation Process may be subject to the oversight and direction of the OPCC and the provisions of the *Police Act* for sworn members.

#### DEFINITIONS

The following definitions are for the purpose of this Policy:

**Bad Faith:** intentional misuse of the Policy having regard to the circumstances of the complaint (including its timing and context). Bad Faith includes, but is not limited to, complaints made to:

- a. intimidate, threaten or beleaguer the respondent;
- b. create a hostile or intimidating workplace for others; or
- c. create a potential personal benefit or entitlement to the complainant unrelated to a purpose of the Policy.

**Complainant:** is an employee, volunteer, contractor, practicum student or external employee who has submitted a complaint in writing to the VPD Human Resources (HR) Section in which they allege they have been subjected to harassment in the workplace as defined in the Policy.

**Contractor:** is an individual who has access to VPD premises, as defined in the Policy, for the purpose of providing services or supplies to the VPD on a contractual basis.



**Employee:** all civilian professionals and members who are employed by the Vancouver Police Board (VPB) for the VPD.

**External employee:** is an employee of another agency or body who is assigned under the leadership of the Chief Constable of the VPD for a period or time and who is not an employee of the VPB.

**Good Faith:** an honest and sincere intent that shall not be subject to discipline or reprisal.

**Harassment:** is behaviour or communication, including interaction over email, communication devices, social media, social networks or chat groups, 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 individual. Harassment is prohibited conduct, and includes discriminatory harassment, sexual harassment, personal harassment/bullying and retaliation as defined below.

- a. Discriminatory Harassment is conduct that involves a series of incidents or a single serious incident that:
  - i. is based on, or related to, a prohibited ground of discrimination as set out in section 13 of the British Columbia Human Rights Code, including Indigenous identity, sex, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sexual orientation, gender identity or gender expression, or age of that individual or because that individual has been convicted of a criminal or summary conviction offence that is unrelated to the intended employment of that individual;
  - ii. is unwelcome or is of such a nature that it would be reasonable to assume that it is unwelcome; and
  - iii. is offensive, demeaning, humiliating, or undermining for the individual who is the target of the conduct such that it detrimentally affects the work environment or leads to adverse job related consequences for the target(s) of the harassment or contributes to a poisoned work environment for any individual.

Examples of unacceptable behaviours, conducted in person, via a communication device or on-line, and include videos, images and/or memes that may constitute discriminatory harassment include but are not limited to:

- i. racial or ethnic slurs or slang including stereotypical comments;
- ii. unwelcome remarks, jokes, innuendos or taunting about an individual's body, attire, marital status, ethnic/racial origin, religion, accent, gender, gender identity or expression or disabilities;
- iii. practical jokes that cause awkwardness or embarrassment, endanger an individual's safety or negatively affect work performance;
- iv. physical assault (including sexual assault);
- v. unwelcome questioning about someone's social or sexual life, gender identity or gender expression;
- vi. misuse of authority towards an individual that is based on a prohibited ground of discrimination;
- vii. displaying of materials that are sexually explicit or degrading on the basis of a prohibited ground of discrimination;
- viii. patronizing behaviour, language or terminology that reinforces stereotypes and undermines self-respect or adversely affects work performance or working conditions;
- ix. methods of coercion such as manipulation, including ignoring and/or isolating an individual.
- b. Sexual Harassment is a form of discriminatory harassment that denies equality on the basis of sex and involves conduct, comment, gesture or contact of a sexual nature.

Examples of unacceptable behaviours, conducted in person, via a communication device or on-line, and include videos, images and/or memes, which may constitute sexual harassment include but are not limited to:

- i. sexist jokes causing embarrassment or offence, told or carried out after the individual telling the joke has been advised that they are embarrassing or offensive, or that they are by their nature embarrassing or offensive;





- ii. suggestive staring, leering or other offensive gestures;
- iii. the display of pornographic or other offensive material of a sexual nature;
- iv. sexually degrading words used to describe an individual;
- v. derogatory or degrading remarks regarding an individual's sex, sexual orientation, gender identity or in respect of gender expression;
- vi. sexually suggestive or obscene comments or gestures;
- vii. unwelcome sexual flirtations, advances, requests for sexual favours, or propositions;
- viii. unwelcome inquiries or comments about an individual's sex life;
- ix. persistent unwanted contact or attention after the end of a consensual relationship;
- x. unwanted touching of an individual's hair, clothing or body;
- xi. verbal abuse or threats; and
- xii. sexual assault.
- c. Personal Harassment and Bullying relates to rights and obligations under the British Columbia *Workers Compensation Act* and is defined as conduct that:
  - i. includes inappropriate conduct or comments by an individual towards another, made either in person or on-line, in which the individual knew or reasonably ought to have known would cause the other to be humiliated or intimidated, but;
  - ii. excludes any reasonable action taken by an employer or supervisor relating to management and direction of employees or the place of employment.

Examples of unacceptable behaviours, conducted in person, via a communication device or on-line, and include the creation of videos, images and/or memes, which may constitute personal harassment include but are not limited to:

- i. insulting or derogatory remarks, gestures or actions;
- ii. bullying and intimidation, including cyberbullying through email, communication devices, social media, social networks and chat groups;
- iii. malicious rumours, or gossip;
- iv. negative innuendos, or practical jokes that cause awkwardness or embarrassment, endanger an individual's safety or negatively affect work performance;
- v. creation of videos, stickers and/or memes meant, or likely, to embarrass or humiliate an individual;
- vi. misuse of authority;
- vii. verbal abuse such as shouting, yelling or swearing at others;
- viii. isolation and/or exclusion from work related activities;
- ix. name calling;
- x. threats;
- xi. targeting an individual through persistent, unwarranted criticism or public ridicule;
- xii. harmful hazing or initiation processes;
- xiii. vandalizing and theft of personal belongings;
- xiv. demand of monetary or material payment as a form of punishment; or
- xv. delegation of tasks not related to the workplace.

For clarity, "Personal Harassment" in the Policy has the same meaning as Bullying & Harassment in the British Columbia *Workers Compensation Act*.

- d. Retaliation is a form of harassment and is defined as any action taken against an individual for:
  - i. having invoked this Policy on behalf of oneself or another;
  - ii. having participated or cooperated in any process under the Policy; or
  - iii. having been associated with an individual who has invoked the Policy or participated in any process under the Policy.
- e. Not Considered Harassment:
  - i. relationships between individuals within the scope of this Policy based on mutual consent;



- ii. normal social contact between individuals within the scope of the Policy;
- iii. reasonable action taken by the VPB or a supervisor relating to the management and direction of employees or the workplace, including but not limited to:
  - a. reasonable and appropriate performance development and management through evaluations, mentoring and feedback;
  - b. supervision of individuals within the scope of this Policy;
  - c. job duties to be performed;
  - d. imposition of appropriate discipline, suspension, or termination;
- iv. initiation of or conducting a workplace investigation; or
- v. lack of friendliness.

**Malicious rumours/gossip:** a person spreads malicious rumours/gossip when they knowingly or recklessly spread false information, inaccurate information, or innuendo with the intent to harm another individual's reputation, safety or negatively affect work performance.

**Member:** a VPD police officer or special municipal constable as those terms are defined in the *Police Act*.

**Practicum Student:** is a student of a program at a recognized education institution who is engaged by the VPD for study, research or work experience.

**Respondent:** an employee, volunteer, contractor or practicum student against whom a complaint is made, or an employee, volunteer, contractor or practicum student who has been designated as a respondent by the HR Section.

**Supervisor:** is an individual who instructs, directs, and controls employees in the performance of their duties. A supervisor can be any employee who meets this definition, whether or not they have the supervisor title.

**Vexatious:** means, on the balance probabilities, a report made without sufficient grounds and serving only to cause annoyance, disruption or harm.

**Volunteer:** an individual serving the VPD who is not an employee, practicum student or contractor, as defined in this Policy, and includes those individuals serving on any board(s) (not including members appointed to the Vancouver Police Board), commission(s) or committee(s) established by the VPB or VPD.

**VPD Premises:** includes, but is not limited to, any property permanently or temporarily under the jurisdiction of the VPD, including land, building, job sites, facilities, parking lots, equipment, vehicles, whether owned, leased or used by the VPD and wherever located. For the purpose of the Policy, VPD Premises includes mobile equipment, electronic software and online platforms used by employees for carrying their duties and/or performing their work (i.e., email and direct message platforms).

**Witness:** is a third party (i.e., bystander) determined to have pertinent information, or who has witnessed conduct that in their view, may constitute a violation of the Policy.

**Work-related:** indicates a direct nexus to an individual's job duties, tasks, or responsibilities within the workplace, or relates to circumstances in which the employee is representing the VPD in an official capacity.

**Workplace:** is any location, vessel, vehicle or online environment where an employee, volunteer, practicum student, contractor or external employee carries out their duties and/or performs their work; any work-related event or work-related gathering, whether sponsored by the employer or not; or any location travelled to and from for a work-related reason. For greater clarity, online environments include, but are not limited to email, social media, social networks and chat groups, all of which may be considered an extension of the workplace.



### SCOPE & APPLICATION

1. The Policy applies to all VPD employees, volunteers, contractors and practicum students. An external employee may be considered a complainant under the Policy.
2. Complaints against an external employee may be referred to the external employee's agency for processing.
3. The Policy covers all work related activities, at any workplace at which VPD business is conducted including, but not limited to, all written, verbal and electronic communications taking place in such venues including email, social media, social networks and chat groups.

### RIGHTS & RESPONSIBILITIES

#### Individual Rights and Responsibilities

4. Individuals within the scope of the Policy have the right:
  - a. to a safe workplace;
  - b. to be treated fairly and respectfully in the workplace; and
  - c. to seek the assistance of a supervisor, union representative, the HR Section Inspector, or designate, and/or the Professional Standards Section (PSS) Inspector, or designate, if they face behaviour inconsistent with the Policy, and they believe that it is not possible or appropriate to resolve the issue on an individual basis.
5. Individuals within the scope of the Policy are expected:
  - a. to create and maintain a workplace that is free from harassment by ensuring that their behaviour is respectful and by treating others with dignity and respect; and
  - b. to address behaviour that is inconsistent with the Policy by taking appropriate action.

#### Supervisor and Manager Responsibilities

6. Supervisors and managers shall foster a respectful workplace by:
  - a. facilitating a work environment that promotes inclusive and respectful workplace behaviour;
  - b. ensuring awareness of and compliance with the Policy in the workplace;
  - c. modeling appropriate respectful behaviour;
  - d. taking appropriate action to avert the development, escalation, or recurrence of harassment in the workplace, including but not limited to:
    - i. intervening promptly to stop behaviour that is inconsistent with the Policy;
    - ii. documenting all behaviour that is inconsistent with the Policy;
    - iii. reporting all behaviour that, assessed objectively, may constitute harassment under the Policy, and any action taken in respect of the behaviour, to the HR Section Inspector, or designate, as soon as practicable; and
  - e. working co-operatively with the HR Section to resolve and remedy instances when behaviour is inconsistent with the Policy.
7. Supervisors and managers shall consult with the HR Section Inspector, or designate, as soon as practicable, if there is any uncertainty as to whether reported or observed behaviour, assessed objectively, may constitute harassment under the Policy.

#### Vancouver Police Department Responsibilities

8. The VPD will promote a respectful workplace by:
  - a. making reasonable effort to prevent where possible, or otherwise minimize, harassment from occurring in the workplace;
  - b. providing procedures for reporting incidents or complaints of harassment in the workplace;



- c. providing procedures for informally or formally resolving incidents or complaints of harassment in the workplace;
- d. taking corrective/disciplinary action as appropriate or required in order to prevent harassment from reoccurring; and
- e. educating individuals within the scope of the Policy on:
  - i. recognizing the potential for harassment in the workplace;
  - ii. responding to harassment in the workplace; and
  - iii. finding ways to promote and maintain a workplace environment free of harassment.

### COLLECTIVE AGREEMENT GRIEVANCE OR COMPLAINT UNDER THE *HUMAN RIGHTS CODE*

- 9. An individual who believes they have been subjected to harassment based on prohibited grounds has the right to file a complaint under the British Columbia Human Rights Code, or under Part 11, Division 3 of the *Police Act*, or by way of a grievance under the applicable collective agreement. Nothing in the Policy precludes an individual from pursuing such a complaint or grievance.
- 10. If an investigation may be, or has been, ordered under Division 3 of Part 11 of the *Police Act*, any related investigations, processes or proceedings, may be suspended until the conclusion of the *Police Act* investigation.

### CONFIDENTIALITY

- 11. While every reasonable effort will be made to ensure confidentiality throughout the processes, confidentiality cannot be guaranteed by the VPD. Information will only be disclosed to the extent required:
  - a. for the purpose of investigation or disciplinary action;
  - b. by VPD policy or procedures; or
  - c. by law (i.e., *BC Freedom of Information and Protection of Privacy Act*, *Workers Compensation Act*, *Police Act* or rules governing human rights complaints, administrative proceedings, and court orders).
- 12. The OPCC will be informed of a complaint under the Policy in accordance with Part 11 of the *Police Act* and in accordance with guidelines and/or directions issued by the OPCC. Where the OPCC is involved, section 51.01 of the *Police Act* directs that all employees of the OPCC must maintain confidentiality in respect of information relating to OPCC investigations. However, section 95(1) of the *Police Act* allows the Police Complaint Commissioner to disclose, if they consider it in the public interest:
  - a. that an investigation has been initiated; or
  - b. any information relating to an investigation under the *Police Act*.
- 13. Complainants, respondents and witnesses must maintain confidentiality concerning workplace harassment complaints. Breaches of confidentiality will be considered for disciplinary action under the Policy and/or pursuant to Part 11 of the *Police Act*.

### RETALIATION

- 14. No individual within the scope of the Policy should be the target of retaliation, or face threats of retaliation, as a result of making a complaint or participating in the complaint process of a complaint as a witness under the Policy. Retaliation is a serious offence and disciplinary action considered could be up to and including termination of employment. Retaliatory behaviour includes unjustified and unwarranted:
  - a. criticism of an individual's job performance;
  - b. threats and intimidation;
  - c. refusal to extend to an individual an opportunity available to others;
  - d. refusal to work with an individual; and
  - e. reassignment of an individual to different duties or a different position.



## PROCEDURE

### Individual

15. If an individual within the scope of the Policy believes that they have been subject to harassment in the workplace they may:
  - a. make known their concern directly to the individual they believe to be harassing them; or
  - b. ask for the assistance of another individual, or union representative if applicable, to make their concern known to the respondent; and/or
  - c. report the occurrence to any supervisor, or manager or the HR Section Inspector, or designate, in writing or through an interview, with details of the conduct including:
    - i. date(s) and time(s) of the conduct;
    - ii. any witness(es) to the conduct; and
    - iii. any response made at the time of the conduct; or,
  - d. submit a confidential report to the HR Section through a Respectful Workplace - Confidential Report. (Confidential reports, including anonymous reports, may be investigated and the determination of whether to do so will consider all the circumstances, including the seriousness of the allegation, and the likelihood of confirming the occurrence from other sources. Investigations may not be possible where the source of the information is not identifiable).

### Supervisor and Manager

16. Upon receiving a report of harassment in the workplace from an individual within the scope of this Policy, a supervisor or manager shall:
  - a. make all necessary inquiries about, and document, the details of the reported harassment; and
  - b. as soon as practicable, provide the HR Section Inspector, or designate, with the details of the reported harassment.
17. Upon receiving a report of harassment in the workplace from a supervisor or manager, the HR Section Inspector, or designate, shall develop and implement an appropriate response to the conduct at issue, which may include requiring the supervisor or manager to initiate one or more of the processes identified in the Policy.
18. At all times, the HR Section Inspector, or designate, and the supervisor or manager, must consider whether the chosen approach or process is fair and transparent to all those involved including but not limited to the complainant(s), the respondent(s) and/or any witnesses. The appropriate union representative may be consulted in this process.

## ASSESSMENT AND DETERMINATION OF PROCESS

### Complaints Involving Members

19. If the complaint involves a member or there is information to suggest potential misconduct by a member, the HR Section Inspector, or designate, will notify, when appropriate, the PSS Inspector, or designate.
20. The PSS Inspector, or designate, will assess the information and, when appropriate, notify the OPCC.
21. If the OPCC is notified, the OPCC will determine whether the complaint will be investigated under Part 11, Division 6 (Internal Discipline) or Division 3 (Public Trust) of the *Police Act*. If the complaint is investigated under Division 3 of the *Police Act*, the outcome of the investigation, including a decision to discontinue an investigation, will be final and conclusive for all purposes under the Policy.





22. If the investigation proceeds under Division 6 of the *Police Act*, the HR Section Inspector, or designate, will determine how to proceed based on the circumstances of the allegation and the application of the VPD Internal Discipline Rules. Under a Division 6 investigation, RPM Section 4.3.1(i) Informal Resolution Processes may not apply.
23. The OPCC may retain oversight over Division 6 investigations. If at any time during a Division 6 investigation, the OPCC determines the complaint should be investigated under Division 3, neither RPM Section 4.3.1(i) Informal Resolution Processes nor RPM Section 4.3.1(ii) Formal Investigation Process will apply.
24. In the event of a conflict between the Policy and the *Police Act* or any guidelines established under the *Police Act*, the *Police Act* and its guidelines will govern.

### Complaints by Civilian Professionals

25. A Civilian Professional who believes they have been subject to harassment by an individual covered under the scope of the Policy, should contact the supervisor of their section, or designate, or the HR Section Inspector, or designate, to access the process for the complaint resolution.

### Complaints by Contractors, Volunteers and/or Practicum Students

26. A contractor, volunteer, and/or practicum student who believes they have been subject to harassment by an individual covered under the scope of the Policy, should contact the HR Section Inspector, or designate, to access the process for complaint resolution.

### Complaints by External Employees

27. An external employee who believes they have been subject to harassment by an individual covered under the scope of the Policy, should contact the supervisor of their section, or designate, to access the process for the complaint resolution.

### Respectful Workplace Processes: Informal Resolution and/or Formal Investigation

28. Early and informal resolution of harassment is the desirable outcome in many circumstances. In the informal resolution processes, the complainant and respondent may decide to address the situation and find a mutually agreeable resolution. See RPM Section 4.3.1(i) Informal Resolution Processes.
29. Though it is encouraged that complainants first attempt to resolve any workplace harassment concerns through the informal resolution process, complainants may proceed directly with the formal investigation process. Factors to consider include the seriousness of the allegations and any mitigating circumstances. See RPM Section 4.3.1(ii) Formal Investigation Process.

### VIOLATION OF THE POLICY

30. An employee, volunteer, contractor or practicum student violates the Policy if they engage in conduct that constitutes harassment in the workplace as defined in the Policy.
31. An employee, volunteer, contractor or practicum student violates the Policy if they engage in retaliation or threaten to retaliate against a person who has made a complaint or who is a witness in the complaint process under the Policy.
32. A supervisor or manager violates the Policy if they fail to take appropriate steps to address reported or observed behaviour that, assessed objectively, may constitute harassment under the Policy. What constitutes appropriate steps will be determined having regard to the specific circumstances of the situation.
33. An employee who violates the Policy may be subject to corrective and/or disciplinary action, up to and including termination of employment.
34. Any volunteer, contractor or practicum student who violates the Policy may have their services or contract with the VPD terminated.



35. An external employee who is alleged to have violated the Policy may be referred to their agency so the complaint can be processed by the agency. The VPD Chief Constable, or designate, may decide that such an individual must be returned to their agency.
36. Complaints of harassment in the workplace are serious matters. If it is found that a complaint was made in bad faith or for vexatious motives, disciplinary action may be taken against the complainant, up to and including termination of employment or contract for service.
37. In the course of its investigation, the VPD may determine that a good faith complaint, which is found to not have merit, was not made in bad faith or made for false, malicious or vexatious motives.
38. A Complainant under this policy may request to transfer positions. Any such request shall be directed to the HR Section Inspector, or designate. HR will make an assessment and facilitate a transfer where the behaviour complained of, when assessed objectively, may constitute harassment under the Policy.
39. Legitimate job-related actions performed in a reasonable manner by supervisors and managers, including, but not limited to performance assessments; performance management; discipline, suspension, or termination; transfers or re-assignment of duties; initiating or conducting job related investigations; work-related instruction, evaluation, supervision, comments or feedback; instruction and direction or corrective action or discipline for just cause, are not a breach of the Policy.





## 4.3 Respectful Workplace

### 4.3.1(i) Informal Resolution Processes

(Enacted: 2023.12.27)  
(Updated: 2023.12.27)

#### POLICY

Early and informal resolution of workplace harassment is the desirable outcome in many circumstances. Resolution options can reduce barriers to resolving a complaint for the complainant, respondent and the Vancouver Police Department (VPD). It is encouraged, where appropriate, that complainants attempt to resolve any workplace harassment concerns through informal resolution processes. If a complaint cannot be resolved informally or if a complainant prefers, they may proceed directly with the formal investigation process. See RPM Section 4.3.1(ii) Formal Investigation Process.

#### SCOPE & APPLICATION

1. The Respectful Workplace Policy (Policy) applies to all VPD employees, volunteers, contractors and practicum students. An external employee may be considered a complainant under the Policy.
2. Complaints against an external employee may be referred to the external employee's agency for processing.
3. The Policy covers all work related activities, at any workplace at which VPD business is conducted including, but not limited to, all written, verbal and electronic communications taking place in such venues including email, social media, social networks and chat groups.

#### Complaints Involving Members

4. If the complaint involves a member or there is information to suggest potential misconduct by a member, the Human Resources (HR) Section Inspector, or designate, will, when appropriate, notify the Professional Standards Section (PSS) Inspector, or designate.
5. The PSS Inspector, or designate, will assess the information and, when appropriate, notify the Office of the Police Complaint Commissioner (OPCC).
6. If the OPCC is notified, the OPCC will determine whether the complaint will be investigated under Part 11, Division 6 (Internal Discipline) or Division 3 (Public Trust) of the *Police Act*.
7. If an investigation may be, or has been, ordered under Division 3 of Part 11 of the *Police Act*, any related investigations, processes, or proceedings, including investigations, processes, and proceedings available under the Policy, may be suspended until the conclusion of the *Police Act* investigation.
8. If an investigation is ordered under Division 3 of Part 11 of the *Police Act*, the outcome of the investigation and/or proceedings, including an order to discontinue an investigation, will be considered final and conclusive and no further action will be taken under the Policy in respect of the conduct at issue.
9. Investigations, processes, and proceedings commenced under the Policy in respect of matters subsequently ordered to be investigated under Division 3 of Part 11 of the *Police Act* will be discontinued at the exclusive discretion of the HR Section Inspector or designate.
10. If the investigation proceeds under Division 6 of the *Police Act*, the HR Section Inspector, or designate, will determine how to proceed based on the circumstances of the allegation and the application of the VPD Internal Discipline Rules. Under a Division 6 investigation, RPM Section 4.3.1(i) Informal Resolution Processes may not apply.
11. The OPCC may retain oversight over Division 6 investigations. If at any time during a Division 6 investigation, the OPCC determines the complaint should be investigated under Division 3, neither RPM Section 4.3.1(i) Informal Resolution Processes nor RPM Section 4.3.1(ii) Formal Investigation Process will apply.



12. In the event of a conflict between the Policy and the *Police Act* or any guidelines established under the *Police Act*, the *Police Act* and the guidelines will govern.

### DEFINITIONS

The definitions contained within RPM Section 4.3.1 Respectful Workplace Policy apply to the Policy.

### PROCEDURE

13. The Informal Resolution Processes include, but are not limited to, the following:
- a. General Approach: A supervisor, who becomes aware of workplace harassment, either by way of a complaint or by personal observation, must implement steps to address the alleged or admitted behaviour. These steps may include discussions at routine meetings or a briefing wherein it is emphasized that certain behaviours are unacceptable. If there is an indication of workplace harassment, a resolution plan may be developed and implemented with the assistance of the appropriate union and the HR Section.
  - b. Direct Approach: With this strategy, the interaction is person to person. The direct approach may be between a complainant and a respondent, or a witness to a respondent. It is best conducted in person, either one on one, or with a colleague or third party assistance (e.g., HR Section). If a complainant is not comfortable approaching a respondent, or if the issue is not resolved, a supervisor should be informed about the situation. Employees who see others behaving in a way that is inappropriate or disrespectful should encourage the individual to stop the behaviour. If the behaviour continues, employees must report the behaviour to a supervisor.
  - c. Third Party Facilitation: Upon the approval of the HR Section Inspector, or designate, an informal intervention by a third party to find a mutually agreeable resolution may be initiated. This may be accomplished with the assistance of the following, but not limited to:
    - i. the Inspector or manager of the section where the complainant is assigned;
    - ii. a union representative;
    - iii. a third party facilitator; and/or
    - iv. the HR Section Inspector, or designate.
  - d. Mediation: Involves keeping the channels of communication open, helping the complainant and the respondent express their needs, identifying the issues and, if requested, offering remedies to resolve the situation. Upon the approval of the HR Section Inspector, or designate, a mediator may be appointed to assist the complainant and respondent in a structured process to find a mutually agreeable resolution.
  - e. Restoration Processes: Restoration processes are focused on the needs of the complainant and respondent, their understanding of their own and others' intentions and impacts, and an exploration of root causes of harm, with the goal of repairing relationships and preventing harm from reoccurring in the future.
14. If at any time during the informal resolution processes the VPD determines that a formal investigation is required or warranted, the informal process will conclude. In circumstances where new allegations of potential misconduct surface, the OPCC will be notified, when appropriate, with or without notice to the complainant or the respondent. The OPCC may order a Division 3 Police Act investigation or a formal investigation will be initiated by the HR Section Inspector or designate. See RPM Section 4.3.1(ii) Formal Investigation Process.



## 4.3 Respectful Workplace

### 4.3.1(ii) Formal Investigation Process

(Enacted: 2023.12.27)  
(Updated: 2023.12.27)

#### POLICY

The Vancouver Police Department (VPD) provides a respectful workplace that is safe, healthy and inclusive and fosters positive workplace relationships free from harassment and bullying. The Respectful Workplace Policy (Policy) provides information with regard to the formal investigation process that is initiated as a result of filing a formal complaint with the Human Resources (HR) Section Inspector by a complainant who believes that they have been subject to harassment, or by a witness who believes that they have observed harassment in the workplace.

#### APPLICATION OF THE POLICE ACT

Notwithstanding anything in the Policy, the conduct of members is at all times governed by Part 11 of the *Police Act* (*Misconduct, Complaints Investigations, Discipline and Proceedings*) and any guidelines established by the Office of the Police Complaint Commissioner (OPCC), pursuant to section 177. The VPD may refer incidents of potential misconduct, as that term is defined in section 77 of the *Police Act*, to the OPCC, at any time, whether or not a complaint has been made in respect of the conduct at issue under the Policy without notice to the complainant, respondent, or witnesses.

#### SCOPE & APPLICATION

1. The Policy applies to all VPD employees, volunteers, contractors and practicum students. An external employee may be considered a complainant under the Policy.
2. Complaints against an external employee may be referred to the external employee's agency for processing.
3. The Policy covers all work related activities, at any workplace at which VPD business is conducted including, but not limited to, all written, verbal and electronic communications taking place in such venues including email, social media, social networks and chat groups.

#### Complaints Involving Members

4. If the complaint involves a member or information suggests potential misconduct by a member, the HR Section Inspector, or designate, will, when appropriate, notify the Professional Standards Section (PSS) Inspector, or designate.
5. The PSS Inspector, or designate, will assess the information and, when appropriate, notify the OPCC.
6. If the OPCC is notified, the OPCC will determine whether the complaint will be investigated under Part 11, Division 6 (Internal Discipline) or Division 3 (Public Trust) of the *Police Act*.
7. If the investigation proceeds under Division 6 of the *Police Act*, the HR Section Inspector, or designate, will determine how to proceed based on the circumstances of the allegation and the application of the VPD Internal Discipline Rules. Under a Division 6 investigation, RPM Section 4.3.1(i) Informal Resolution Processes may not apply.
8. The OPCC may retain oversight over Division 6 investigations. If at any time during a Division 6 investigation, the OPCC determines the complaint should be investigated under Division 3, neither RPM Section 4.3.1(i) Informal Resolution Processes or RPM Section 4.3.1(ii) Formal Investigation Process will apply.
9. If an investigation may be, or has been, ordered under Division 3 of Part 11 of the *Police Act*, any related investigations, processes, or proceedings, including investigations, processes, and



proceedings available under the Policy, may be suspended until the conclusion of the *Police Act* investigation.

10. If an investigation is ordered under Division 3 of Part 11 of the *Police Act*, the outcome of the investigation and/or proceedings, including an order to discontinue an investigation, will be considered final and conclusive and no further action will be taken under the Policy in respect of the conduct at issue.
11. Investigations, processes, and proceedings commenced under the Policy in respect of matters subsequently ordered to be investigated under Division 3 of Part 11 of the *Police Act* will be discontinued at the exclusive discretion of the HR Section Inspector, or designate.
12. In the event of a conflict between the Policy and the *Police Act* or any guidelines established under the *Police Act*, the *Police Act* and its guidelines will govern.
13. Where the respondent is the Chief Constable and/or a Deputy Chief Constable, the formal complaint shall be filed directly with the Vancouver Police Board Chair, or designate.

### DEFINITIONS

The definitions contained within RPM Section 4.3.1 Respectful Workplace Policy apply to this Policy.

Investigator: an individual assigned to investigate a complaint under RPM Section 4.3.1 Respectful Workplace Policy.

### COMPLAINANT AND RESPONDENT RIGHTS

14. Notwithstanding the rights and procedures set out below, the investigator, in collaboration with the HR Section Inspector, or designate, retains full discretion to govern the investigation process and may tailor the investigation to the specific circumstances of each case.
15. A complainant has the right to:
  - a. receive fair treatment;
  - b. have their complaint dealt with in a timely manner;
  - c. obtain a review of their complaint without fear of reprisal;
  - d. be informed of the progress of the complaint;
  - e. be represented through the investigation process by:
    - i. a union representative, if they are a union member; or
    - ii. be accompanied by an individual of their choice for support during any proceedings relating to the complaint, providing no costs are incurred by the VPD; and
  - f. be provided, in writing, with a report outlining the findings at the conclusion of the formal investigation.
16. A respondent has the right to:
  - a. receive fair treatment;
  - b. be informed that a complaint has been filed, unless such notice will hinder the investigation;
  - c. be provided with a summary of the allegations and be afforded an opportunity to respond to them;
  - d. be represented through the investigation process by:
    - i. a union representative, if they are a union member; or
    - ii. be accompanied by an individual of their choice for support during any proceedings relating to the investigation of the complaint, provided no costs are incurred by the VPD; and
  - e. be provided, in writing, with a report outlining the findings at the conclusion of the formal investigation.

### PROCEDURE



17. If a complainant believes that they are being harassed or a witness believes that they have observed the same, they may file a formal complaint, in writing, with the HR Section Inspector, or designate.
18. A complainant may, at any time, withdraw their formal complaint and request that the complaint be informally resolved. See RPM Section 4.3.1(i) Informal Resolution Processes. The VPD retains the right to initiate or continue any investigation of workplace harassment where the VPD believes it is appropriate to do so in the circumstances.
19. The HR Section Inspector, or designate, shall appoint a suitable investigator to investigate.
20. All formal written complaints must:
  - a. identify the name and position of the complainant;
  - b. identify the name and position (if known) of the respondent(s);
  - c. list the alleged harassment violations under RPM Section 4.3.1 Respectful Workplace Policy, if any; and
  - d. contain a detailed description of the key conduct that constitutes the substance of the complaint.
21. All complaints and investigations related to workplace harassment shall be treated in a sensitive manner that strives to protect the privacy of all individuals involved while complying with the law. While every reasonable effort will be made to ensure confidentiality throughout the processes, confidentiality cannot be guaranteed by the VPD.
22. If, during the course of a Division 6 *Police Act* investigation, the investigator receives information regarding a VPD member who is not the subject of the investigation, and the conduct could constitute a misconduct, the OPCC may be notified and the OPCC may elect to order a separate Division 3 or Division 6 investigation against the member.

## INTERVIEWS

### Complainant

23. The investigator will advise the complainant that they may have a union representative or support person with them. The interview will include:
  - a. a review of the complainant's evidence;
  - b. a review of all relevant documents in the investigator's possession at the time of the interview;
  - c. a discussion about potential witness(es), including names and contact information (if known);
  - d. a discussion of the outcome sought by the complainant; and
  - e. a discussion of any other relevant matters as determined necessary by the investigator.

### Respondent

24. Prior to interviewing the respondent, the investigator shall:
  - a. provide the respondent with a summary of the allegations set out in the complaint;
  - b. provide the respondent with a summary of all other potential allegations or information about potential misconduct not included in the complaint; and
  - c. advise the respondent that they are entitled to have a union representative or support person with them.
25. During the interview of the respondent(s), the investigator shall:
  - a. review the complaint;
  - b. review the relevant documents;
  - c. review the respondent's evidence;
  - d. identify any witness(es); and
  - e. discuss any other relevant matters as determined necessary by the investigator.

### Witness





26. The investigator will conduct interviews with relevant witnesses. If information is obtained from a witness, the complainant or the respondent(s) that is substantially different or conflicting, the investigator shall provide the complainant and the respondent(s) with an opportunity to respond to the new information.
27. The investigator will advise the witness that they are entitled to have a union representative or support person with them.

## INVESTIGATION REPORTING

28. The investigator shall prepare a report detailing:
  - a. the evidence of the complainant, the respondent(s) 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 RPM Section 4.3.1 Respectful Workplace Policy.
29. A copy of the report will be forwarded through the HR Section Inspector to the Chief Constable or designate who will review the investigator's report and relevant evidence. The Chief Constable or designate will:
  - a. determine whether disciplinary and/or corrective action should be taken; and
  - b. notify the OPCC, in accordance with the *Police Act* (i.e., in cases of a Division 6 *Police Act* investigation).
30. The investigator may, in consultation with the HR Section Inspector, vet the investigation report as necessary to protect the identity of confidential witnesses and/or for any other purpose determined appropriate by the investigator and/or the HR Section Inspector.
31. Investigations and disciplinary action under the Policy will be carried out in accordance with the *Police Act*, the *Human Rights Code*, RSBC 1996, c.210, labour and employment law principles, any applicable collective agreements and VPD Internal Discipline Rules and will be recorded in writing as required by the *Police Act* and the VPD Internal Discipline Rules.



## 5.1 Communications Equipment

### 5.1.1 Mobile Devices

(Enacted: 2003.05.13)  
(Updated: 2021.09.03)

#### DEFINITION OF MOBILE DEVICES

A cellular phone, smartphone, tablet or other portable device that is capable of transmitting voice, images or data via a wireless or cellular network. Does not include laptop computers or mobile radios.

#### POLICY

1. For purposes that include audit, legislative compliance, and investigation, all communications sent or received on Mobile Devices issued and managed by the Vancouver Police Department (VPD) may be recorded, retained and wiped without notification to the user.
2. Employees should, by the end of shift or as soon as reasonably practicable, upload all information (i.e. photographs, videos, audio recordings, notes) captured and/or stored on the department issued mobile device to the designated area within the VPD secure network and prepare the information as required for disclosure if there is any evidentiary purpose for the collection of the information.
3. All employees provided with a mobile device shall sign and adhere to the Acceptable Use Policy: Cellular Mobile Devices.
4. Mobile device usage must adhere to all other sections in VPD RPM including RPM Section 4.3.1 Respectful Workplace Policy, RPM Section 2.9.6(iii) Social Media, RPM Section 1.6.54 Online Investigations, and RPM Section 1.9.20 Digital Recordings (Images) on Issued Electronic Devices.
5. VPD mobile devices are provided to employees to enhance work-related communications. Members should use mobile devices 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.
  - a. The VPD recognizes that the use of mobile devices provide efficiencies for members conducting their duties. Regardless of any legislated exemptions, members should not use any mobile devices 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 should park their police vehicles prior to using a mobile device.
  - b. Members with mobile 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 should exercise caution when using such devices.
6. If practical, employees should use VPD voice mail for return messaging involving external sources, and should restrict publication of their mobile device phone number. VPD mobile device phone numbers should not be listed on business cards or e-mail signature without authorization from their section Inspector or Manager.
7. Employees are cautioned against relaying sensitive information over mobile devices, as they may be overheard or observed in public settings.
8. The Deputy Chief Constable shall approve requests for new or replacement issue of VPD owned mobile devices 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.





9. The VPD is committed to balancing fiscal realities with operational requirements. As such, assignment of mobile devices will be considered for the following positions:
  - a. Senior Leadership 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 mobile devices. The sharing of resources will be considered when appropriate.
10. The Mobility Communications Services Coordinator shall forward all mobile device bills of excessive cost to the manager in charge of the section where the mobile device is utilized for follow-up.
11. Loss or damage to a VPD issued mobile device shall be reported without delay to the Mobility Communications Services Coordinator to disable and wipe the device.
12. Inspectors and Managers shall:
  - a. Ensure that employees who use VPD mobile devices are made aware of this policy.
  - b. Establish procedures for control of shared mobile devices allocated to their Section.
  - c. Inform the VPD Mobility Communications Services Coordinator of any changes in mobile device assignments.
  - d. Ensure that employees return their mobile device and accessories to their supervisor prior to leaving the section. If the equipment is not to be reissued, it shall be returned to the Mobility Communications Services Unit. If the manager determines that it is necessary for the employee to retain the mobile device, the manager shall advise the Mobility Communications Services Coordinator and make appropriate arrangements for paying for the equipment.
  - e. Inform the VPD Mobility Communications Services Coordinator of any changes in account codes for billing purposes.

### Personal Mobile Devices

13. Members are strongly advised to refrain from using their personal mobile devices for operational or investigative purposes. Personal mobile device used for any work related purpose may be subject to disclosure and could result in the examination of content on the device. In such cases, the VPD will not be responsible for any costs, loss of use of the device, or data lost through disclosure retrieval processes.



## 5.1 Communications Equipment

### 5.1.2 Fax Machine

(Enacted: 2000.09.29)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 5.1 Communications Equipment

### 5.1.3 Long Distance Calling

(Enacted: 2000.07.26)  
(Updated: 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

(Enacted: 2002.12.02)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 5.1 Communications Equipment

### 5.1.5 Telephone Calling Cards

(Enacted: 2003.04.22)  
(Deleted: 2022.08.31)

This policy has been rescinded.



## 5.2 Damage, Loss or Theft of Property

### 5.2.1 Damage to Department or Private Property

(Enacted: 2000.11.21)  
(Updated: 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 their 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 Senior 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 Senior Director, Financial Services Section.
  - 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 Senior 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 their immediate supervisor; and
    - v. the investigating supervisor shall write a confirmation VPD 68 to the Senior 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

(Enacted: 2000.05.22)  
(Updated: 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

(Enacted: 2001.05.23)  
(Effective: 2021.02.05)

#### 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 of Vancouver Risk Management at xxx; 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 Senior Director i/c VPD Financial Services Section and to the City of Vancouver Risk Management Office at City Hall.
6. 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

(Enacted: 2001.05.22)  
(Updated: 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 Senior Director i/c Financial Services Section.



## 5.2 Damage, Loss or Theft of Property

### 5.2.5 Damage to Department Vehicles

(Enacted: 2000.08.31)  
(Updated: 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 Motor Vehicle Collisions).

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

(Enacted: 2000.10.04)  
(Updated: 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

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2000.09.07)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 5.4 Uniform and Dress

### 5.4.1 Badges

(Enacted: 2000.11.07)  
(Deleted: 2018.03.14)

This policy has been rescinded.



## 5.4 Uniform and Dress

### 5.4.2 Purchase of Badges

(Enacted: 2000.10.05)  
(Updated: 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

(Enacted: 2002.09.10)  
(Updated: 2002.09.10)

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 Deportment

(Enacted: 2000.10.05)  
(Updated: 2023.12.01)

#### 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, member's uniform identification tags issued in 2021 and onwards, shall be supplied by Purchasing & Inventory Unit. The tag will be a standard length of 13 cm bearing an personal identification number or name, consisting of the first initial and last name in all upper case. This tag shall be sewn or printed on the uniform in the following manner:
- Uniform shirt - centred above the right breast pocket;
  - Uniform jacket - above the right breast pocket;
  - Fleece - positioned over the right breast;
  - 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:
- The presence of the media;
  - High profile assignments;
  - Instances where substantial police presence is necessary for the effective resolution of a conflict; or
  - Situations where is necessary to immediately identify a member as a police officer.
17. Members shall wear:
- The forage hat for official occasions and functions including: parades, funerals, ceremonies or inspections; or
  - The forage hat or authorized baseball cap when requested while working a call-out requiring the Standard Operational Uniform.
  - The requirement to wear the forage hat has the following exceptions (see RPM Section 5.4.10: Religious or Cultural Clothing - Headdress):
    - 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;
    - 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:
- Recruits attending the Police Academy;



- b. Identified units and positions within the Emergency Response Section (e.g. Emergency Response Unit, Canine Unit, Marine Unit, Emergency Response Support Unit, Tactical Emergency Medical Services, and Tactical Liaison Officers);
  - c. Identified units and positions within the Traffic Section (e.g. Traffic Enforcement Unit, Collision Investigation Unit, and Traffic Services Unit);
  - d. Forensic Identification Unit, while engaged in duties relating to scenes of crime;
  - e. Mounted Unit;
  - f. Bike Patrol;
  - g. Public Safety Unit;
  - h. Ceremonial Unit;
  - i. Gang Crime Unit; and
  - j. 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.



## COMMEMORATIVE PINS

Approved VPD Pride Pin - This is optional for members to wear during Vancouver's PRIDE week every year. Members who wish to wear the VPD PRIDE pin, must observe the uniform protocol as set out below (for any further enquires please contact the Departmental Sergeant Major):

### 35. Dress Uniform

The VPD PRIDE pin is worn on the wearer's right pocket flap and centered below the top seam (also centered directly below the name plate).





### 36. Operational Uniform

The VPD Pride pin is worn on the wearer's right breast pocket flap and centered below the name/pin.

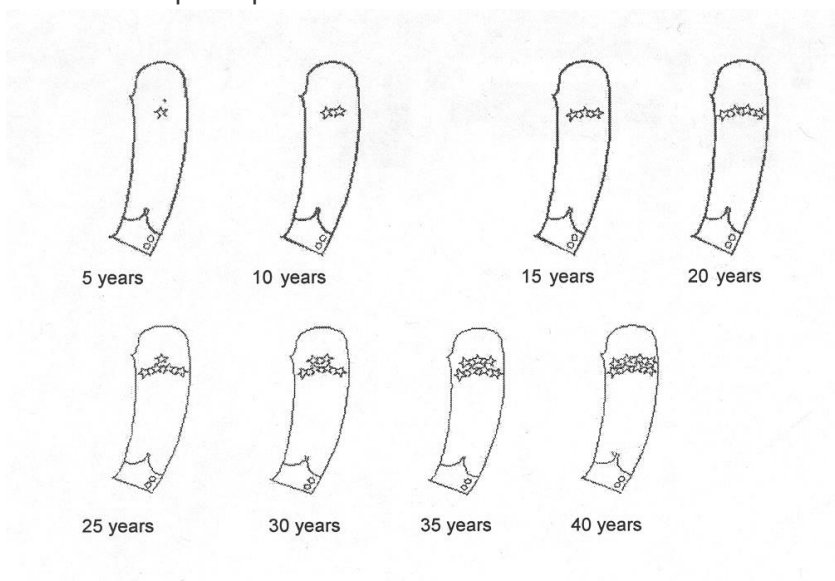
### 37. Business Attire

The VPD Pride pin is worn on the wearer's right lapel of a blazer/jacket; or on any other garment in the area of the wearer's right side, centered in the pectoral region.

## SERVICE STARS

38. Service Stars are to be worn only on the Standard Dress Uniform and only by those members NOT of the Officer Rank.

39. 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

40. The following ranks shall wear on their epaulettes the insignia described as follows:

- 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.



41. 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;



42. 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.



43. 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

(Enacted: 2016.07.19)  
(Updated: 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

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2010.02.22)  
(Updated: 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

(Enacted: 2000.10.01)  
(Updated: 2021.06.29)

#### **POLICY**

It is important that each member of the Vancouver Police Department (VPD) project a professional image. These standards have been developed to enhance employee safety and maintain a uniform image while respecting all members' gender identity and expression.

#### **PROCEDURE**

Grooming standards are the responsibility of the member and their chain of command.

#### **UNIFORM DUTIES**

##### **Hairstyles**

1. Hair will be maintained in a tidy and clean manner. A member's hair will be worn in a manner that:
  - a. does not impair the member's vision
  - b. does not obstruct or obscure the member's face
2. Members will ensure that:
  - a. their hair is neatly tied into a bun, ponytail or braid if their hair normally extends beyond the collar of their uniform shirt;
  - b. their hair does not interfere with the wearing of the uniform hat or headdress;
  - c. plain hair accessories are used if they are necessary to keep hair in place; (are dark blue, black or as close as possible to the wearers hair colour);
  - d. hair colours that are not professional are not permitted; and
  - e. their hair does not create an undue hazard, including a grab hazard or entanglement hazard. Officer safety will take precedence over style considerations.
3. Hairpieces, wigs, extensions etc. are permitted and must conform to Sections 1 and 2 above.
4. While wearing the dress uniform a member's hair must be styled such that it does not extend beyond the bottom of the tunic collar.

##### **Facial Hair**

5. Members with facial hair shall remain clean shaven below the lower jaw and shall style remaining facial hair as one of the following:
  - a. a moustache extending from one side of the mouth to the other and limited to above the central lip line;
  - b. a beard including, but not limited to, the upper lip closely surrounding the mouth and below the lower lip including the chin, (e.g., goatee); or,
  - c. a full beard that complies with the description below.
6. Members shall not:
  - a. have sideburns, grown separately from a full beard, that extend below a line horizontal from the corners of the mouth;
  - b. allow facial hair to exceed 2.5cm (1 inch) in length, except for religious reasons; or
  - c. wear facial hair stubble (e.g., 'five o'clock shadow').



- d. wear a beard that is less than .6cm or ¼ inch in length.
- 7. Members wishing to grow facial hair will do so during an absence from duty for a period long enough to allow facial hair to comply with this policy.
- 8. Members who are required to use a respirator in the course of their duties shall be clean-shaven where the respirator seals the face as per Worksafe BC regulations.

#### **Cosmetics**

- 9. Use of cosmetics should strive to maintain a professional image.

#### **Jewelry**

- 10. Keeping in mind that officer safety should take precedence over fashion, members may wear the following jewelry:
  - a. a wristwatch and/or fitness bracelet;
  - b. rings which do not have any protrusions that may cause injury, and maintain a professional image;
  - c. a maximum of two stud (<0.6cm diameter) or small hoop earrings (<2.5cm diameter) per ear. While the wearing of small hoop earrings may be permitted, it is not recommended. Members should bear in mind the officer safety risks of hoop earrings including but not limited to; use of force and entanglement on equipment.
  - d. a maximum of two bracelets that have no protrusions which may cause injury and are tight fitting so as to prevent them from being an officer safety hazard.
  - e. a small stud in the side of the nose (<0.25cm diameter); and/or
  - f. a medic alert bracelet.
- 11. Members who are assigned to special duties (e.g., Strike Force, covert operations), or are seconded to an outside work unit, may be required to conform to the appearance standards required for those duties.
- 12. Grooming standards for special duties will vary, depending on operational necessity.
- 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 (e.g. medical or religious grounds).





## 5.4 Uniform and Dress

### 5.4.8 Smoking / Tobacco Chewing / Vaping

(Enacted: 2000.10.05)  
(Updated: 2023.05.26)

#### POLICY

Professional appearance and deportment are factors that contribute to the community's confidence in the Vancouver Police Department (VPD). Therefore, it is important that each member of the VPD (i.e., police officers and Special Municipal Constables) project a professional image. The intention of this policy is to assist in maintaining a high standard of appearance of uniform VPD members. Members shall adhere to the City of Vancouver's Health By-law No. 9535, Section 2.2 and also abide by additional regulations listed in this policy.

This policy does not apply to members operating in a covert capacity or undercover operations.

#### DEFINITIONS

**Smoking:** the action or habit of inhaling and exhaling the smoke of tobacco from a lit cigarette, cigar, pipe, etc.

**Vaping:** the inhaling of vapour through the mouth produced from a device that is usually battery-operated (e.g., electronic cigarette) that heats up and vaporizes a liquid or solid.

**Tobacco Chew:** a smokeless tobacco product usually put between the cheek and lower gum, which may be chewed, to draw out its flavor.

#### PROCEDURE

The following shall apply to all members:

1. Smoking or vaping of any kind in any VPD vehicle is prohibited.
2. Smoking, vaping, or chewing tobacco of any kind is prohibited:
  - a. while on foot patrol; or
  - b. while in direct contact with the public.





## 5.4 Uniform and Dress

### 5.4.9 Tattoos

(Enacted: 2006.02.23)  
(Updated: 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

(Enacted: 2018.08.08)  
(Updated: 2022.12.08)

#### POLICY

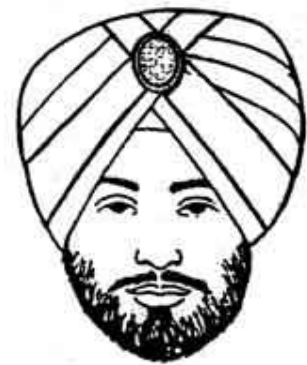
The Vancouver Police Department (VPD) is an inclusive police service that values and respects its diverse employees of all cultural and religious backgrounds. The VPD recognizes that wearing a religious headdress may be an integral part of the belief system of many religions. The VPD acknowledges, respects, and follows the principles set out in the *Canadian Charter of Rights and Freedoms*, *Canadian Human Rights Act* and the *B.C. Human Rights Code*.

The following procedures are intended to provide direction to VPD members (i.e. police officers and special municipal constables) to ensure uniformity while wearing a religious or cultural headdress in uniform.

#### PROCEDURE

##### Turbans

1. VPD members may wear a turban in place of a forage hat.
2. To ensure safety and consistency, members who wear a turban in uniform must only wear an approved style while on duty. The turban shall be:
  - a. black in colour;
  - b. matte finish;
  - c. plain and without sequenced adornments or patterned stitching;
  - d. worn in a low Sikh conventional manner; and
  - e. tightly wrapped with the final winding right over left on the forehead so that it is tidy.
3. The patka (i.e. smaller under turban) shall be the same colour as the turban.
4. If a member decides to wear the departmental badge on their turban 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 may wear a hijab while in uniform.
7. To ensure safety and consistency, members who wear a hijab in uniform must only wear an approved style while on duty. The hijab shall be:
  - a. black in colour;
  - b. matte finish;
  - c. plain and without sequenced adornments or patterned stitching;
  - d. close-fitting to the head to ensure there is no loose fabric that may pose a safety risk to the member; and
  - e. tucked into the uniform shirt collar to ensure it does not cover or conceal the uniform and to ensure the member is clearly identifiable.
8. While wearing the standard dress uniform, the VPD forage hat may be worn over top of the hijab.
9. While wearing the standard operational duty uniform, a VPD baseball cap or VPD forage hat can be worn over top of the hijab.





### Kippahs/Yarmulkes

10. VPD members may wear a kippah or yarmulke while in uniform.
11. To ensure safety and consistency, members who wear a kippah or yarmulke in uniform must only wear an approved style while on duty. The kippah or yarmulke shall be:
  - a. black in colour;
  - b. matte finish; and
  - c. plain and without sequenced adornments or patterned stitching.
12. While wearing the standard dress uniform, the VPD forage hat may be worn over top of the kippah or yarmulke.
13. While wearing the standard operational duty uniform, a VPD baseball cap or VPD forage hat can be worn over top of the kippah or yarmulke.

### Other Headdresses

14. There is a diverse array of religious or cultural headdresses in existence in addition to turbans, hijabs, and kippahs such as Indigenous ceremonial headdress. VPD members who belong to a religion or culture which requires practitioners to wear other headdresses and who wish to conform to those requirements must apply to the VPD Uniform Committee in writing by submitting a Uniform Request Submission Control Form (VPD Form 1738) to do so.
15. The Uniform Committee may authorize other headdresses resulting from bona fide religious or cultural requirements provided that the headdresses can be reasonably accommodated and do not adversely impact occupational safety and requirements.



## 5.4 Uniform and Dress

### 5.4.11 Funeral Protocol

(Enacted: 2001.07.12)  
(Deleted: 2022.07.12)

This policy has been rescinded.



## 5.4 Uniform and Dress

### 5.4.12 Identification Jackets

(Enacted: 2006.07.25)  
(Updated: 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

(Enacted: 2000.10.05)  
(Updated: 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

(Enacted: 2000.10.05)  
(Updated: 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 - Special Municipal Constables

(Enacted: 2004.06.28)  
(Updated: 2021.11.30)

1. All Jail Guard, Community Safety Personnel, and Traffic Authority special constables shall wear a VPD issued uniform with shoulder flashes that clearly displays the wording "SPECIAL CONSTABLE" affixed to the upper sleeve.
2. Special Constables 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

(Enacted: 2002.10.07)  
(Updated: 2002.10.07)

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 them 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

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2006.07.25)  
(Deleted: 2022.07.12)

This policy has been rescinded.



## 5.5 Issue Equipment

### 5.5.3(ii) Inspection of Issue Equipment - Pistol Inspection

(Enacted: 2000.10.05)  
(Deleted: 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

(Enacted: 1993.06.01)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 5.5 Issue Equipment

### 5.5.6 Carrying of Firearms and Intermediate Weapons

(Enacted: 1995.05.31)  
(Updated: 2020.02.27)

#### POLICY

The BC Provincial Policing Standards (BCPPS) establish the standards for approved firearms, ammunition and holsters for all police organizations in British Columbia. The BCPPS also establish the standards for when members can carry their issued firearms, restraint devices, and intermediate weapons.

#### PROCEDURE

1. Members shall carry their issue firearms only when on assigned duty and shall NOT carry their issue firearms at any other time except:
  - a. When authorized to do so by the Chief Constable or designate;
  - b. For members who have in their possession for the purpose of transporting issue firearms to any approved shooting range for a sanctioned competition, shooting match or residence;
  - c. For attendance at sanctioned public events (e.g. BC Law Enforcement Memorial, police funerals, etc.) (See RPM Section 5.4.4(i): Wearing Firearms with the Standard Dress Uniform at Sanctioned Public Events); and
  - d. When travelling outside British Columbia on approved training or Duty purposes and must obtain written approval consisting of a signed letter from the Chief Constable or designate.
2. Travel documentation should be requested from the Executive Services Section - Executive Assistant.
3. Members shall only use a departmentally approved holster to carry their issued firearm or must comply with the transportation of firearm requirements as listed in RPM Section 1.6.17(vi): Safe Storage of Firearms should the firearm not be on their person. A list of approved holsters can be found with the VPD Force Option Training Unit - Firearms Training Team.
4. Except for training purposes, members shall carry their issue intermediate weapons and restraint devices only when on assigned duty and shall NOT carry their issue intermediate weapons or restraint devices at any other time except when authorized by the Chief Constable or designate.
5. Except for Range purposes, members while on assigned duty shall NOT carry firearms or ammunition other than that issued by the Department.
6. Police firearms and ammunition will not be tampered with or any adjustment made without the authorization and under the direction of the Firearms Training Supervisor.
7. Members shall NOT carry any firearms in their hand luggage or on their person while travelling on board a commercial aircraft unless prior verbal or written authorization from the airline is obtained.

Note: For the purpose of this section, members are also considered to be on "assigned duty" when going to or from their place of employment and their residence, or when attending a firearms range for training. Members owning firearms for personal use shall comply with the provisions of the Canadian Firearms Program and Criminal Code of Canada.



## 5.5 Issue Equipment

### 5.5.7 Handcuffs

(Enacted: 2007.07.26)  
(Deleted: 2022.04.11)

This policy has been rescinded.





## 5.5 Issue Equipment

### 5.5.8 Helmets

(Enacted: 2000.09.07)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 5.5 Issue Equipment

### 5.5.9 Reflective Vests, Reflective Helmets, and Reflective Wrist and Ankle Bands

(Enacted: 2000.09.07)  
(Updated: 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

(Enacted: 2000.09.29)  
(Updated: 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

(Enacted: 2004.06.28)  
(Updated: 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

(Enacted: 2000.03.07)  
(Deleted: 2022.04.11)

This policy has been rescinded.



## 5.6 Vehicles

### 5.6.4 Seat Belts

(Enacted: 2000.08.30)  
(Updated: 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

(Enacted: 2001.10.16)  
(Updated: 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 Collisions;
  - b. RPM Section 1.10.8(iii): Outside of Jurisdiction Motor Vehicle Collision; 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

(Enacted: 2000.09.07)  
(Updated: 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.