

Property – Seized and Relinquished Policy

1. GENERAL

- A. The purpose of the policy is to ensure that all seized and relinquished property, exhibits and items received by the Halifax Regional Police (HRP) are managed through an efficient and accountable process consistent with law, policy and best practice. The policy applies to all HRP staff (sworn and civilian), including temporary employees, contractors and service providers for all items that are taken into possession by HRP.
- B. It outlines policy and procedures for items that are seized by HRP or are relinquished to HRP, details processes and the required documentation for maintaining exhibits and evidence and provides proper procedures for storing, moving, transporting, and disposing of items seized by HRP or relinquished by an owner to HRP.
- C. This policy applies to all seized and relinquished property, exhibits and items received by the Halifax Regional Police (HRP) except for the following special items, which have a separate policy:
 - a. Digital Records
 - b. Drug and Controlled Substances
 - c. Currency
 - d. Firearms & Weapons
 - e. Biological Evidence
 - f. Dangerous Goods and Hazardous Materials

2. POLICY

- A. Property is generally seized and retained for one of two reasons:
 - i. Charges have been laid relating to an offence and the item will provide evidence of the offence against the accused
 - ii. An offence has been committed and no charges have been laid, but the item may provide evidence for future charges
- B. To determine if items seized should be retained, the member will consider whether:
 - i. If there is any dispute as to the lawful owner of the item, the seized item will be retained
 - ii. If the item is retained for the purpose of any investigation, preliminary inquiry, trial or other proceeding, it may qualify to be released under the section
RELEASE OF PROPERTY – PHOTOGRAPHING EVIDENCE

- iii. Real evidence submitted in court shall satisfy the court that the evidence:
 - 1. Is relevant to the case
 - 2. Is in the same condition as it was when the offence took place or when it was seized, given the make-up of the evidence
 - 3. Has been/can be identified
 - 4. Continuity has been maintained
 - 5. The testimony in conjunction with the real evidence agrees with the facts surrounding the real evidence

C. With regards to Seized Property

- i. Members responding to a call and attending the scene shall collect all relevant evidence. When in doubt concerning evidence, members shall protect or secure that evidence and immediately consult with a duty Forensic Identification Section (FIS) member, or their supervisor for direction.
- ii. In major incidents, an FIS member will attend, and the investigating member(s) shall ensure all evidence is properly secured/protected and shall collect any evidence which may be damaged or destroyed prior to the arrival of the FIS member.
- iii. When the FIS member attends, they shall confer with the investigator and attending members and a decision shall be made as to who shall be the exhibit officer.

D. Seizure with a Warrant

- i. Anything seized with a warrant issued pursuant to sections 258, 487 or 489 CC.

E. Seizure without a Warrant

- i. Anything seized without a warrant in the execution of a police officer's duties and in accordance with section 489.1 and 490 CC.

F. Report to Justice

- i. Item(s) seized with or without a warrant require a Report to a Justice within 7 days (available electronically). A Report to a Justice shall be completed with the required information as per Appendix B, Report to Justice. The lead investigator shall ensure that the Report to Justice is complete for all seized items.

G. Detention Orders

- i. A detention order (available electronically) will be completed within 30 days of seizure if there is a requirement to detain the item for the purposes of:
 - 1. an investigation

2. a preliminary inquiry
 3. trial or other proceeding
- ii. Detention Orders are required under sections 489.1 and 490 CC:
 1. Only a justice can authorize detention of 90 days when no charges are laid.
 2. No subsequent detention order is required when charges are laid within the initial 90-day detention period,
 3. 90 days – 12 months: Detention Order Filed
 4. 12 months plus: Detention Order authorized by Supreme Court Judge
- iii. If the item will be further detained, a second or subsequent Detention Order is required before the initial Detention Order expires along with a written record of the reasons justifying the additional detention of the seized item.
- iv. The second or subsequent Detention Order may be obtained for a period up to the remaining period of the initial twelve-months from the date of seizure based upon the anticipated additional period required. _____
- v. If a Detention Order expires, the person from whom the item(s) was seized can make an application for the return of the item(s) (Section 490(7) CC). Officers shall provide three (3) days' notice to the person to request a subsequent Detention Order. The owner has three (3) days to make an application for return of the property. The officer cannot request a subsequent Detention Order until those three days (3) have passed.
- vi. If the item(s) is required for more than one year (12 months) and no charges have been laid, application shall be made to a Supreme Court Judge for authorization for a further Detention Order.

H. Relinquished Property

- i. Seizure may not always be necessary as the owner may choose to provide the item or material voluntarily with no expectation of return. Relinquished Property will follow the same policy and procedures as Seized Property, except Detention Orders are not required and disposition policy and procedures will follow the policy and procedures of Found Property.
- ii. Relinquished property that is part of an active investigation and determined to have evidentiary value can be retained as per the policy and procedures in seized property, except it does not require a Detention Order and Report to Justice.

- iii. Signed release forms are required for all property that is relinquished to HRP

I. Found Property

- i. Found property will be considered stored temporarily for safekeeping. Once it has been determined that items provided to HRP for safekeeping have not been linked to an active criminal investigation, they will follow policy and procedure related to FOUND AND ABANDONED PROPERTY.

J. Removal of Evidence from Property and Evidence Unit

- i. Exhibits removed from Property and Evidence for court Proceedings which were tendered as evidence remain the responsibility of the lead investigator or designate. They are responsible for retrieving the tendered evidence from the court when proceedings are completed and following through with property disposition.
- ii. Unless otherwise stated by policy, evidence may be retrieved from Property and Exhibits during business hours only with notification by email to
- iii. No evidence shall be removed from the Evidence Room unless required by the lead investigator or designate for one of the following reasons:
 - 1. Ongoing investigation
 - 2. Forensic analysis
 - 3. Identification by owner
 - 4. Preliminary inquiry, trial or other court proceedings
- iv. All evidence removed from the Evidence Room shall be the responsibility of the lead investigator or designate into whose possession it was released by Property and Evidence Custodian, and who will document all movement related to the evidence.
- v. Exhibits removed from Property and Evidence for court proceedings which was not tendered as evidence shall be returned to Property and Evidence Unit.

K. Disposition of Property/Evidence

- i. Report to Justice Files
 - 1. When a Report to Justice has been filed on any item(s), the Lead Investigator shall request the disposition in the following circumstances:

- a. The owner of the item(s) is unknown or cannot be located (section 490(9) CC).
- b. The detention period has expired and proceedings have not been instituted
- c. The item(s) is no longer required for the purpose of any investigation, preliminary inquiry, trial or proceeding
- d. There is no dispute as to who is lawfully entitled to the possession of the item(s) seized.

ii. No Report to Justice Files

1. A Disposition Order is not required for release under these circumstances.

- a. The lawful owner has been identified and the property is not required to be held by police for investigative or court purposes, the Lead Investigator may release it to the lawful owner.

iii. Upon the conclusion of a case, evidence will be disposed of or returned where:

1. The appeal period has elapsed
2. The legal owner of the property has been identified
3. All co-accused have been dealt with
4. Returned property is accompanied with a Court-ordered Destruction or Disposition/Forfeiture Order.

iv. A Disposition Order shall be obtained:

1. For evidence tendered as an exhibit in court proceedings and associated with an investigation where charges have been laid and the matter has been before the courts
2. Where no charges have been laid and a Detention Order has expired
3. Where there is a dispute concerning the lawful owner of the property.
4. Evidence will not be disposed on multiple charges where there is doubt on the appropriate method of disposal or there are files where more than one person is accused
5. Where there is uncertainty regarding ownership, the Lead Investigator will request disposition of property according to established policy in FOUND AND ABANDONED PROPERTY
6. The handling and collecting of drug exhibits from the Court will be the responsibility of officers assigned to the Drug Unit. See related policy on DRUG AND CONTROLLED SUBSTANCE.

7. Where biological evidence is seized and forwarded to the RCMP Crime Lab for analysis, the disposal/retention of evidence will be performed in accordance with established policies.

L. Relinquished Items

- i. These item(s) are provided voluntarily and will not be returned to the owner and will be disposed of in accordance with HRP policy and procedure in FOUND AND ABANDONED PROPERTY. The lawful owner is required to sign a property release form upon submission to HRP.

M. Release of Property/Evidence

- i. The property may be returned to the rightful owner after a photograph of the property is taken (Section 491.2 of the Criminal Code) The photograph will be entered into court at a later date.
- ii. Lawful ownership shall be established beyond any doubt and any dispute in ownership exempts photographic release. _____
- iii. Authorization for release of property through photographic release shall be obtained through consultation by the Lead Investigator. Once authorization has been received, the Lead Investigator will add a Text entry under the original GO number and state the name of the authorizing Crown Prosecutor.
- iv. Prior to the return of the property to the lawful owner, Report to a Justice and Disposition Order shall be completed.
- v. Where a photograph is required the Officer will submit a request to FIS to photograph the property by entering a RQSS text on the GO number

- N. Evidence will NEVER be stored in personal lockers. Unannounced inspections of the property and evidence storage areas shall be conducted semi-annually or as directed by the Chief of Police.

Procedure

O. Seizure Property

- i. Officer First on Scene
 1. Officers attending an incident shall conduct a preliminary investigation and protect or secure any evidence. When uncertain, officers shall seek

direction from their supervisor. Officers shall ensure continuity of evidence is maintained from the time of seizure to the time when it is properly packaged, documented and submitted to the Property and Evidence Unit.

ii. Officers are responsible for:

1. Securing, preserving, and protecting the scene.
2. Searching the crime scene to locate potential evidence.
3. Determining the scope of the investigation by contacting the Road Sergeant to assess if additional assistance is required by CID or GIS.
4. Refraining from handling evidence or entering the scene unnecessarily to avoid damaging, altering, contaminating or destroying evidence.
5. Collect and submit evidence according to the procedures in Chapter 14 and supporting paperwork

iii. Lead Investigating Officer

1. Once assigned to CID, a designated lead investigator will be responsible for the following,
 - a. Determining items that are suitable for forensic testing.
 - b. Locating, protecting, and securing specialized evidence, such as:
 - i. Digital evidence, (computers, mobile electronic devices, digital records, or gaming consoles;
 - ii. DNA evidence;
 - iii. Biohazardous evidence;
 - iv. Flammable or explosive evidence;
 - v. Firearms;
 - vi. Valuable evidence, such as currency or jewelry;
2. The officer submitting evidence related to an investigation shall tag each item(s) of evidence and accurately complete the Property/Evidence Label as per Appendix A with all required information
3. The Lead Investigator is responsible for completing and submitting for authorization to a justice all required forms within 30 days of the seizure. (489.1(1), (a)(i) and (ii) CC), the Report to Justice shall include required information as per Appendix B

P. Report to Justice :

- i. The Lead Investigator/FIS who seizes an exhibit as part of an investigation is required to obtain an

Depending on the nature of the evidence, the member may request it to FIS to assist.

1. RMS and CPIC queries are run on the evidence to determine if it has been reported stolen or lost
2. Supplemental Report is submitted under the original GO number indicating the status of the case.
3. To ensure the continuity and security of seized evidence by placing it the temporary evidence lockers as per standard guidelines set out within this subsection.
4. An officer shall generally not have a locker key in their possession unless documented by Property and Evidence.
5. When it is necessary to use more than one locker to store evidence related to the same GO number, the member is required to note the appropriate locker numbers on the Property/Evidence Report(s).

Q. Forensic Investigation Officer

- i. FIS members should comply with all FIS reporting templates for all calls attended.
- ii. When items have been seized by an FIS Officer, they will ensure that the Investigating Officer is informed.

R. Drug Unit Officer

- i. A Drug Unit Member is responsible for the following the policy and procedures in DRUG AND CONTROLLED SUBSTANCES

S. Property and Evidence Custodian

- i. Property and Evidence custodians shall ensure:
 1. NO unauthorized individuals shall enter the evidence room, which is to be secured at ALL times.
 2. Regular checks are completed for the designated temporary evidence lockers, all evidence is removed and promptly processed in accordance with the Property Operational Manual procedures.

3. The relevant follow-ups are issued to officers.
- ii. Property and Evidence Sergeant shall:
1. Perform an audit every three (3) months on the assigned lockers of all Property and Evidence custodians under their command and ensure:
 - a. There are no seized item(s) exhibits, firearms, file documentation (i.e., original statements, voided tickets, completed ticket books), etc. stored in a personal locker
 - b. Members are in compliance with established policy on LOCKER ROOMS.
 2. Document the results using the following criteria and forward them to the appropriate Divisional Commander:
 - a. date and time and location of inspection
 - b. name of officer and locker number
 - c. results of audit _____
 - d. deficiencies noted
 - e. action taken

T. Handling of Seized and Relinquished evidence

- i. Continuity of evidence is essential and should be handled by as few people as possible. Therefore, to maintain continuity the following procedures shall apply:
 1. Where practical, an exhibit officer shall be appointed to handle all evidence at a crime scene. Only the officer who identifies evidence and/or the exhibit officer shall handle it. The assigned lead investigator is responsible for the continuity of evidence, unless FIS has otherwise been assigned responsibly.
 2. Unless exceptional circumstances exist, all evidence shall be turned into Property and Evidence promptly for storage. Gas, oil and flammable liquids shall not be stored in the Evidence Room. A sample shall be extracted as per established policy on DANGEROUS GOODS AND HAZARDOUS MATERIAL.
 3. Bulk evidence such as garbage seized at a crime scene shall not be submitted to the Property Room prior to examination and determination of its evidentiary value.

4. The Lead Investigator and Property and Evidence Custodian shall consult Appendix A for proper method of storage for items based on their evidentiary value, if extenuating circumstances arise, consult FIS
5. Where evidence potentially contains biological substances which require analysis, the officer who seizes the evidence shall consult with the duty FIS member on the appropriate manner to preserve the evidence and will ensure all precautions are taken to avoid contamination of the evidence and exposure to biological substances in accordance with established policy set out in BIOLOGICAL EVIDENCE.
6. Any time evidence changes hands, there shall be an electronic record (Property Control and Evidence Continuity screens in the RMS) of the transfer for continuity purposes. This record shall include:
 - a. Date/time of transfer
 - b. Name of person receiving the evidence
 - c. Reason for transfer
 - d. Include a text entry _____

U. Storage and Packaging

- i. All evidence shall be properly labeled and entered into the RMS Property System under the related GO number. Evidence submitted without proper documentation shall not be processed until the deficiencies are corrected.
- ii. Evidence shall be placed in individual appropriate-sized and type of evidence bags items of evidence shall never be mixed. For specific policy on the storage of biological evidence, refer to BIOLOGICAL EVIDENCE
- iii. Each item(s) seized as evidence from the same investigation shall be placed in the same evidence locker unless otherwise required by policy. When possible, evidence shall be stored in an appropriate-sized locker.
- iv. All perishable exhibits requiring refrigeration or freezing - i.e., blood, sexual assault kits or any substance whereby time dissipates potential DNA evidence - (determined by an FIS member) shall be collected by the duty FIS member attending, transported to the FIS as soon as practical and processed as per established policy. Where a FIS member is unavailable, it shall be stored in accordance with standard policy set out on BIOLOGICAL EVIDENCE
- v. All seized drugs shall follow policy and procedure established in DRUGS AND CONTROLLED SUBSTANCES

- vi. All seized monies and securities shall follow policy and procedure established in CURRENCY
- vii. Seized firearms shall follow policy and procedure established in FIREARMS AND WEAPONS
- viii. All evidence seized will be stored in Property and Evidence at designated HRP facilities (East, West and Central).
- ix. Seized evidence shall NOT be left outside of Property and Evidence unattended.
- x. Members shall utilize evidence lockers located within their divisional office as a temporary storage area for all seized evidence, except for firearms and drugs are to be stored only according to FIREARMS AND WEAPONS.
- xi. With the exception of drugs and contaminated items, all seized evidence will be queried on the RMS and CPIC and then stored in one or more of the evidence lockers.
- xii. Seized evidence containing biological fluids shall not be stored in a non-refrigerated evidence locker under the direction of the on-duty FIS member. If there is no on-duty FIS member available, the member shall consult the Watch Commander.
 - 1. If refrigerated storage is full, Property and Evidence Custodian maybe called out at the discretion of the Watch Commander.
- xiii. Evidence stored in an evidence locker shall relate to one GO number only.
 - 1. Evidence locker door shall be secured before depositing the appropriate numbered key in the appropriate key box. Drug locker keys shall be deposited in the drug key box.

V. Release of Property – Photographing Evidence

- i. To have photographs taken for court purposes in place of the actual property, the investigating officer shall:
 - 1. Submit a Request for Support Services (RQSS) under the associated GO Number and indicate the need for a photograph, etc., providing relevant information on the request.
- ii. The Lead Investigator will authorize the release of property and will notify the owner that the property can be released to their possession by providing the Property and Evidence Unit contact information to set up an appointment to retrieve their property.

- iii. The Lead Investigator will complete “Property Control Disposal Details” menu by choosing the appropriate method of disposal in Versadex
- iv. Prior to release of the property, the following is required:
 - 1. Obtain positive identification of the property from the owner.
 - 2. Conduct a CPIC check on the property to establish if it has not been reported as lost or stolen by someone other than the owner.
 - 3. If a satisfactory response is obtained, have the owner identify the property, sign members note book and log in Versadex.
- v. Once the necessary forms have been completed and the property has been returned to the owner, the member is required to notify the Justice of same via a Form 5.2
- vi. The rules of disclosure, CHARGE FILES, CROWN BRIEFS AND CASE DISCLOSURE, require that a Lead Investigator wishing to enter a photograph as evidence in court shall provide the Crown with sufficient copies of the photograph for the Crown and Defense Counsel. When the Lead Investigator is informed of the number of required copies, they will notify FIS.
- vii. Once property has been released to the owner, the member shall add a text entry under the original GO number, indicate the details of the return of property to the owner and forward all appropriate documents to Property and Evidence and complete the EC/PC screens.

W. Removal of Evidence Procedure

- i. Investigating Officer
 - 1. When members are informed by the Crown Prosecutor that seized evidence is required as an exhibit, they shall notify the Property and Evidence Custodian not less than two (2) working days and not more than seven (7) calendar days prior to the court date via email to the attention of _____ They will provide Property and Evidence Custodian with the following:
 - a. Property report and tag number
 - b. Item(s) of evidence (including tag number) required for Court.
 - 2. Item(s) of evidence shall be retrieved from Property and Evidence by the member during normal business hours prior to a court appearance

3. If evidence has to be removed from the Evidence Room for any reason other than court, the Lead Investigator shall advise Property and Evidence Custodian with as much notice as possible.
 - a. When the evidence is required for court, all item(s) entered as an exhibit shall be verified by the Lead Investigator responsible for the same in the RMS as
 - b. Members shall ensure any evidence taken out for court purposes is returned to HRP Property and Evidence the same day unless entered/tendered as an exhibit. If after hours, temporary evidence lockers shall be used, member are to ensure to document the item returned
 - c. When evidence is entered into Court as an exhibit, it is the Lead Investigator's responsibility to notify the Property and Evidence Custodian immediately of the disposition of the evidence via email and to add a Text under the original GO number. It is the responsibility of the lead investigator to retrieve the item from court with the final disposition

X. Property and Evidence Custodian

- i. Upon receipt of notification that evidence is required for court proceedings by the investigating member, Property and Evidence Custodian shall locate the necessary evidence and ensure it is ready for the required date.
- ii. Once evidence has been retrieved by the member, Property and Evidence Custodians are responsible for logging the evidence movement on the EC/PC screens.
- iii. When evidence has been returned by the member and is still required for Court, Property and Evidence Custodian shall follow appropriate procedures.
- iv. Should firearms no longer be required for Court, Property and Evidence Custodian shall refer to FIREARMS AND WEAPONS for proper disposition.

Y. Disposal of Evidence Procedure

- i. Lead Investigator
 1. Members who remove evidence from Property and Evidence and tender it at court as an exhibit are responsible for it while it is in their custody.

2. When evidence is no longer required for investigative or court purposes, it shall be the responsibility of the investigating officer to:
 - a. Return the evidence to the owner and/or facilitate its disposal.
 - b. Add a Text entry to the original GO stating the date and time of return or disposal.
 - c. Complete the RMS Disposal Details and Owner/Finder information.
 3. When charges are laid, and item(s) have been seized, the member shall request the Crown Sheet include a Request Order Pertaining to Disposition.
 4. With the exception of firearms and other offensive weapons, the investigating officer will return, where applicable, a seized item(s) to be returned to the person lawfully entitled to its possession in accordance with established policy and procedure on PHOTOGRAPHIC RELEASE OF SEIZED EVIDENCE.
- ii. Quality and Assurance Sergeant shall:
1. Manage the Property Queue and follow-ups for their officers
 2. Assign tasks and diary dates
 3. Upon the conclusion of court proceedings, ensure that all court exhibits are collected from the Courthouses
 4. Facilitate disposition of exhibits ensuring prior to disposal that the exhibits are queried on CPIC and RMS to confirm they have not been reported lost or stolen
 5. Review all stored evidence to determine how long it has been stored
 6. Audit and supervise the tracking and disposal of evidence and property taken into HRP custody by members under their command
 7. Ensure all property and evidence stored by members is disposed of in a timely manner by the investigating officer when it is no longer required for investigative or court purposes and the appropriate authorizations have been obtained, where required.

3. DEFINITIONS

- A. Please refer to the Operations Chapter 14 Section 9: General Glossary of Definitions

Date of Last Revision	March 25, 2021
Policy Sponsor	Deputy Chief, Support

By Order Of:

A handwritten signature in black ink, appearing to read 'Dan Kinsella', written in a cursive style.

**Dan Kinsella
Chief of Police**

Appendix B

Canada
Province of Nova
Scotia

**INITIAL REPORT TO A JUDGE OR
JUSTICE**
(Section 489.1 CC)

NS Form 50/5.2
Revised 06/02

[NOTE: This report is required when things are seized under the authority of all federal legislation whether or not charges are laid or proceedings are commenced. This Report is not required to document the arrest of a person but is required in relation to any things seized.]

To the Justice who issued a warrant to the undersigned pursuant to federal legislation other than section 103, 487.01 or 487.05 of the **Criminal Code** (or another justice for the same territorial division) for any warrant authorized seizure or overseizure.

To the Justice who issued a warrant to the undersigned pursuant to section 103(1) of the **Criminal Code** or if no warrant was issued and things were seized pursuant to section 103(2) of the **Criminal Code**, to any Justice having jurisdiction in the matter.

To the Provincial Court Judge or Supreme Court Judge who issued a General Investigative warrant under section 487.01 of the **Criminal Code**.

To the Youth Court Judge, Provincial Court Judge who issued a Bodily Substance warrant or another Judge of the same court who issued the bodily Substance warrant under section 487.05 of the **Criminal Code**.

To a Justice having jurisdiction in respect of the matter where pursuant to a Federal Act an authorized exigent circumstances seizure, plain view doctrine seizure, or a seizure authorized by the execution of duties has occurred.

To a Supreme Court Judge where a Supreme Court Judge has issued a Restraint Order under section 14 of the **Controlled Drugs and Substances Act**.

I, _____, (name of peace officer or other person) _____ (occupation)

of _____, (Address) _____, have:

(check as applicable)

seized things pursuant to a warrant issued under section 487 of the **Criminal Code**

seized things pursuant to a warrant issued under section 256 of the **Criminal Code**

seized things pursuant to a warrant issued under section 11(1) of the **Controlled Drugs and Substances Act**

while acting pursuant to a warrant, seized things permitted by section 489(1)(a) or (b) or (c) of the **Criminal Code**

while acting pursuant to a **Controlled Drugs and Substances Act** s. 11(1) warrant, seized things permitted by section 11(8) of the **Controlled Drugs and Substances Act**

(if a peace officer) seized things permitted by section 11(7) of the **Controlled Drugs and Substances Act** in exigent circumstances

restrained property pursuant to a Restraint Order issued under section 14 of the **Controlled Drugs and Substances Act** and served the restraint order upon _____ at _____, Nova Scotia on _____, 20____.

(if a peace officer or public officer) seized without warrant things permitted by section 489(2)(a), (b) or (c) of the **Criminal Code**

(if a peace officer or public officer) seized things permitted by section 487.11 of the **Criminal Code** in exigent circumstances

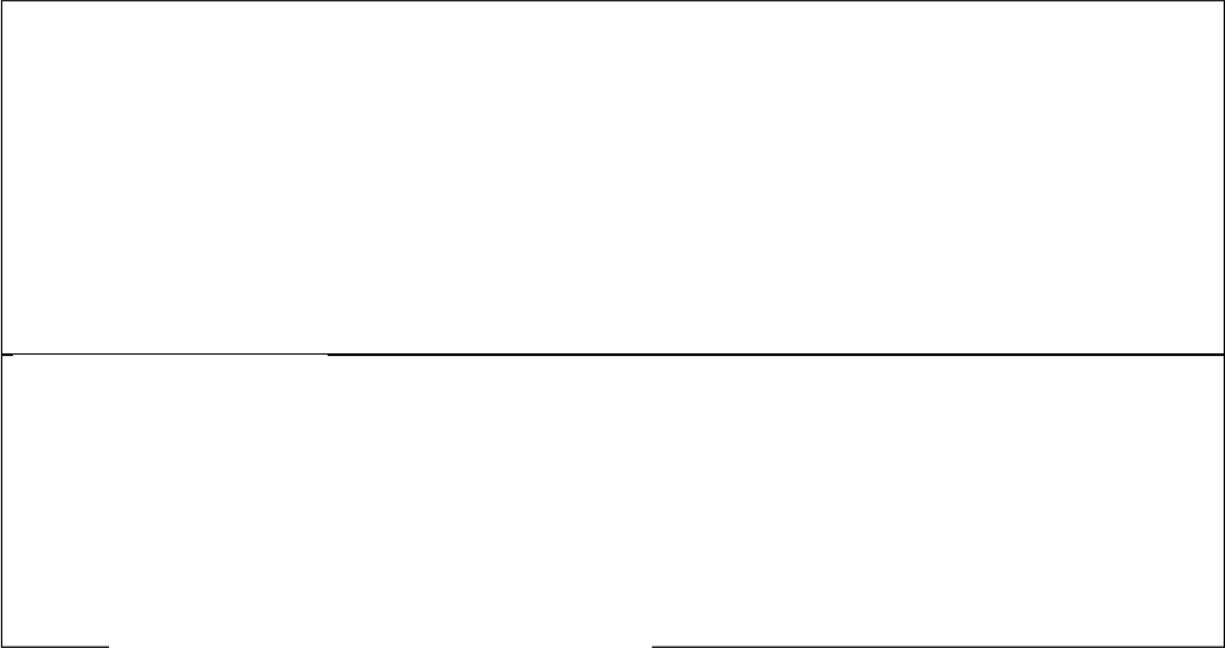
seized articles pursuant to a warrant issued under section 103(1) of the **Criminal Code**

seized articles without a warrant pursuant to section 103(2) of the **Criminal Code**

seized things pursuant to a Bodily Substance warrant under section 487.05 of the **Criminal Code**

seized things pursuant to a General Investigative warrant under section 487.01 of the **Criminal Code**

seized things pursuant to a warrant under a federal act as follows:



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Property – Found and Abandoned Policy

1. GENERAL

- A. The purpose of the policy is to ensure that all lost, found and abandoned property evidence and items received by the Halifax Regional Police (HRP) are managed in an efficient and accountable manner consistent with law, policy and best practice.
- B. It outlines the policy and procedure for lost, found and abandoned property including receiving, storing for safekeeping, documentation and disposition. The policy applies to all HRP staff, contractors and sworn members and all items that are taken into possession by HRP.

2. POLICY

- A. Lost, Found and Abandoned Property
 - i. Halifax Regional Police shall only take possession of found property when;
 - 1. The property possesses clearly identifiable markings that would permit a citizen to identify themselves as the legal owner of the articles
 - 2. Property will not be taken into custody when there is little opportunity to find an owner and/or has little value,
 - 3. The value of the property is such that the rightful owner would suffer a significant loss if the article was not returned. Examples, power tools, generators, jewellery, hearing aids etc.
 - 4. The property found is believed to be a controlled substance as defined by Controlled Drugs and Substances Act (CDSA)
 - 5. The property constitutes a weapon as defined by the Criminal Code of Canada.
 - 6. Evidence exists to reasonably belief that the found property may be evidence of an offence; or the owner of the property is known
 - 7. Members will advise citizens who wish to turn over found property that does not fit the categories above that they may dispose of the property as they deem appropriate.

ii. Property Not Returnable to the Owner or Other Person from Whom It Was Seized

1. The following section outlines circumstances and documentation of reasons when property shall not be returnable to the owner:

- a. Seized property, identified and eligible for return, not collected within the specified time period, as set out in this procedure, whether or not HRP has been able to contact the owner or person from whom it was seized –becomes abandoned property and disposed of as such
- b. Property to be forfeited to the Crown, or otherwise disposed of, by order of the Court
- c. Property are exhibits or evidence in a criminal investigation
- d. Items that are found and part of a criminal investigation may be detained for more than 90 days with permission of the NCO i/c of Property and Evidence for an additional 90 days.
- e. Prohibited weapons;
- f. Illegal drugs;
- g. Firearms for which the owner or other person from whom they were seized does not qualify for lawful possession pursuant to the Firearms Act, and no arrangements for alternate disposal have been made by that person subject to the Firearms Act, Public Agents Firearms Regulations; and,
- h. Any property designated by the Chief of Police or designate as unsuitable for return to an owner and documented as such.

iii. Property Not Returnable to the Finder

1. The following outlines property that shall not be returnable to the finder:

- a. Found property, to which the finder is entitled, but which has not been collected within the period of time specified in this procedure;
- b. Property, of which the finder is an employee of the HRP

- c. Bicycles
- d. Licence plates
- e. Illegal drugs
- f. Items of identification, including cheques
- g. Prohibited weapons
- h. Firearms
- i. Alcoholic
- j. Property which could pose a health or biological hazard, (e.g., dentures, hair brushes, combs, medicine, hats, shoes, used purses, used wallets, food, smoking products, and drug paraphernalia)
- k. Explosive substances, (e.g., fireworks, ammunition, flares, gunpowder, and gas containers)
- l. Any property designated by the Chief of Police or designate as unsuitable for return to a finder and documented as such
- m. Electronics which may contain personal information

- B. Any found item that is not claimed shall be retained for at least ninety (90) days from the date it comes into possession of HRP, unless it is unsafe, unsanitary or perishable, in which case it may be disposed of at any time.
- C. Found property will be considered stored temporarily for safekeeping. Once it has been determined that items, or material provided to HRP for safekeeping have not been linked to an active criminal investigation, found property can be returned to the owner or begin the disposition process.
- D. Found or Abandoned property that form part of an active investigation and determined to have evidentiary value can be retained as per the policy and procedures in seized property, except if it does not require a Report to Justice or Detention Order.

- E. When property is found, and the ownership is unknown or in doubt, conduct suitable inquiries and investigations to determine property ownership. The investigator is required to update the Versadex file on all attempts/inquiries.
- F. HRP shall make two (2) communication attempts to contact the owner to return their lawful property by whatever communication is available. The first communication attempt shall occur within 30 days, the second within 60 days and if the item(s) have not been retrieved by 90 days, the items will proceed to disposition.
- G. Where the legal owner is deceased, the property may be turned over to the next of kin with supporting documentation (will or legal claim).
- H. Where the lawful owner is not able to retrieve their property in person, they may make arrangement for another person to retrieve their property. The owner shall provide the person retrieving their property with a letter that delegates this authority and the person retrieving the item(s) shall provide proof of identify.
- I. When there are no records of living relatives or when relatives live outside the province of Nova Scotia, a deceased person's items will be turned over to the Public Trustee.
- J. The finder of the property shall be notified at the time the property is taken into custody of their right to claim the property after 90 days if no owner is located. Appointment shall be scheduled And the finder has 30 days to pick up the property.
- K. Found property is returned to the lawful owner as soon as possible. If the owner cannot be determined or located and all investigation is concluded, the finder can claim the article after 90 days. If the item is not claimed after 30 days affter being notified to pick up the property, the property will be forfeited.

Procedure

- L. When entering found property, officers shall include a statement in the Property/Evidence Management System indicating the name of the person who found the property and whether that person wants the item if it is left unclaimed after the 90-day period. The finder's name and address shall be entered into the Property/Evidence Management System, so they can be contacted.
- M. An on-duty member or civilian employee who finds an item or receives an item from a member of the public shall place the item in a property locker, prepare and submit a property report.
- N. Return to Owner if owner is known:

- i. The Officer contacts the owner by phone, email or notification card mailed to address listed in RMS. The 90-day time period begins when the first contact has been executed. No more than two communication attempts will be made.
- ii. Cases of a sensitive nature, such as Suicides, Natural Death, Sex Assault, etc. officers are required to make contact via phone call if contact information is known.
- iii. Text entry added indicating date, method, attempts made, and if owner was notified.
- iv. Owner shall arrive in person, by appointment only, and provide identification in order to claim item.
- v. Seizing Officer shall conduct a CPIC check on the property to establish if it has been reported as lost or stolen. If a satisfactory response is obtained and ownership is confirmed, have the owner identify the property, sign the Property/Exhibit Label. CPIC checks shall be added to the GO.
- vi. Item note added indicating date of second notification.
 1. After 90-day period, if item is not released, item can be deemed abandoned and sent to auction or destroyed. The Lead Investigator receives the information and files GO, runs checks to ensure not connected to a crime and complete "Property Control Disposal Details" menu by choosing the appropriate method of disposal in Versadex then notify Property and Evidence.
 2. Authorization for a third party designate to pick up property on an owner's behalf shall be made in advance by contacting the Lead Investigator who will approve the release. Items valued at over \$1000 will NOT be released to a third party, unless approved by the Chief of Police or a designate.
- vii. Once property has been released to the owner, the member shall add a text entry under the original GO number, indicate the details of the return of property prior to the 90 day period, owner notified a second time indicating item will be disposed of after the 90 day period.

O. No Owner or no owner found/unknown:

- i. Read report to assess methods for determining owner

- ii. After 120 days, prior to disposal, perform one additional browse (CPIC, serial number/stolen reports). If no further indication of owner, dispose of the item accordingly.
- iii. Property page updated to reflect disposal method.

P. Disposition

- i. The Property and Evidence Sergeant conducts an assessment of value and determines the approximate market value of an item(s) through informal means. The supervisor may request a formal assessment of value from an accredited individual.
- ii. Found and abandoned articles not claimed within 120 days may be disposed of by the NCO i/c of Property and Evidence.
- iii. Currency and items valued less than one thousand dollars, after being held for 120 days and unsuccessful in being returned to the finder, shall proceed to auction or disposal as appropriate. _____
- iv. All items, that are not returned to owner or finder, shall be sent to auction/destruction after 90 days.
- v. Found currency where the lawful owner is unknown will be reviewed through appropriate finance procedure.

Q. When death occurs in a hotel, motel, boarding house or similar facility and a relative is not readily available, all valuables will be removed and placed in the Property and Evidence Unit pending notification of the Public Trustee, if removal of valuables is impracticable, the premises will be secured pending advice from the Public Trustee.

R. The Public Trustee will be requested to attend the Property and Evidence Unit or place of death, to take receipt of any items.

3. DEFINITIONS

A. Please refer to the Operations Chapter 14 Section 9: General Glossary of Definitions

Effective Date of Last Revision	March 25, 2021
Policy Owner	Deputy Chief, Support

By Order Of:



Dan Kinsella
Chief of Police

PROPERTY – DIGITAL DATA

A. GENERAL

- A. The purpose of the policy is to ensure that all Digital Evidence property received by Halifax Regional Police (HRP) is managed in an efficient and accountable manner consistent with law, policy and best practice, and to guide police officers' actions in relation to the seizure of digital evidence.
- B. Many different types of digital media, data storage and end-user devices may be encountered during an investigation that may carry potential investigative. To preserve the data and achieve the best evidence, these items shall be documented, handled, and seized appropriately, and should be treated with as much care as any other item that is to be forensically examined.

B. POLICY

- B. Digital exhibits that are deemed NOT to be evidence:
 - i. These includes items that document or represent the evidence, but do not form the evidence itself, such as witness statements. These items are to be treated as a record and shall comply with the HRM/HRP Records policy (i.e. witness statements).
- C. Digital Evidence:
 - i. Property and Evidence custodian shall process all seized digital devices as evidence per established policy in SEIZED AND RELINGUISHED PROPERTY and FOUND AND ABANDONED PROPERTY.
- D. Officers shall have reasonable belief that there is evidence of the crime on the device before seizing. If that is the case, the officer shall take immediate steps to preserve the evidence.
- F. Investigating, responding and submitting officers shall ensure a proper handoff of roles and responsibilities takes place when processing digital evidence which will assist in the preservation and integrity of the evidence seized.
- G. If questions arise during the seizure of digital evidence, members shall protect or secure that evidence and refer to the "First Responder – Guidelines for the Seizure of Digital Evidence" (Appendix A) for assistance. Should there be further questions, the member shall immediately consult with their NCO for direction, or if available, a Digital Forensics Examiner in order to preserve the integrity of the evidence.
- H. The Digital Forensic Unit (DFU):

- i. The Digital Forensic Unit (DFU) is a support unit that will examine digital devices that have been seized in relation to a criminal investigation. The Digital Forensic Examiner is an expert in the extraction and analysis of digital data that may be used to support Police investigations. DFU primarily examines computer systems and mobile devices however the DFU will support the examination and analysis of all digital evidence.
 - ii. The DFU will support all HRP files and all integrated CID files that occur within HRP jurisdiction. All remaining investigations that originate in RCMP jurisdiction will be supported by the RCMP Tech Crime Unit with the exception of ICE investigations.
 - iii. The DFU shall not process any digital device without having a copy of a search warrant, except in the case where a person voluntarily consents via signature within an officer's notebook.
- I. If officers require assistance with the preparation of a search warrant to have a Digital Forensics Examiner forensically examine a Digital device, they shall contact the Legal Application Support Team (LAST). All requests for assistance for a Digital Forensics Examiner to attend a scene shall go through an NCO and/or the call out authorization procedure established through the Watch Commander.

Procedure

- J. All Digital Records shall follow policy and procedure outlined in SEIZED AND RELINGUISHED PROPERTY and addition to this policy.
- K. First on Scene or Investigating Officer shall:
 - i. Be cognizant that digital evidence may be present and shall seize all relevant evidence in accordance with all necessary procedures (E.g. obtaining a search warrant if necessary).
 - ii. Submit a General Occurrence (GO) Report in accordance with established policy.
 - iii. Ensure a Digital Forensics (DF) study flag is added to the front page of the GO in order to notify the DFU.
 - iv. Run CPIC and RMS queries on all seized digital evidence and any other evidence where the ownership is questionable, as per established policy, and document the results of the query by adding a supplemental text.
 - v. Submit all seized evidence to Property and Evidence for storage as soon as practicable on the current shift.
- L. Officers may contact the LAST Unit for assistance in preparation of search warrants and other authorizations regarding the seizure of digital devices.

- i. Once a search warrant or voluntary consent has been obtained, submit a Digital Forensics template under the associated GO number. The officer shall identify the seized evidence and the action to be taken by the DFU (E.g. An officer may seize five items but only require the DFU to analyze one). Each DF template only accepts a maximum of ten items. Therefore, if an officer requests that 30 items be analyzed, three DF templates are required.
- ii. Ensure the DFU receives a copy of the search warrant, prior to any examination taking place, and note its receipt by DFU on the DF template.
- iii. Periodically check the status of the Digital Forensic Examiner's progress. This can be done by checking the Investigator's Report and looking for the subject line "DFU Update".
- iv. Ensure that upon receipt of a property notification that JEINS is checked to confirm the disposition of the accused. If JEINS is not accessible, contact CPIC Transcription.
- v. If the disposition notes that the file has been completed or the accused has been sentenced, the investigating officer shall: _____
 1. Add a supplemental text to the file, stating the file has been concluded.
 2. Notify DFU (via Versadex text entry) and the property and evidence personnel to have the evidence on the HRP servers destroyed, and if necessary, to destroy the hard drive and/or the device as per disposition order.
 3. Ensure that the property is returned to the rightful owner where applicable as per policy in SEIZED AND RELINQUISHED PROPERTY.

M. It is the responsibility of the investigating officer to submit any supplemental disclosure to the court section pertaining to the findings of the DFU (E.g. reports or actual evidence such as DVDs, hard drives etc.)

N. The Submitting Officer shall:

- i. Proceed with the evidence to the nearest property locker location for processing and enter the seized devices into property.
- ii. Submit a Property/Evidence Report(s) in the RMS Property Sub-system and separately itemize each article of evidence involved in the incident.
- iii. Using the property screen on DRE:

1. Ensure every digital device is logged separately.
 2. Select Article on the property screen.
 3. Select computer (CO) or phones/communication devices (PH) on the sub property screen.
- iv. Smaller items (E.g. – USB key, portable drive) shall be placed into a separate plastic evidence bag and the property tag shall be attached to the outside of the evidence bag.
 - v. Larger items (E.g. tablets, desktop computers, laptop computers, mobile phones) shall have the property tag put directly on the device, ensuring the device serial number is not covered.
 - vi. If a search warrant was used to seize these items, include a copy of the warrant in the property locker.
 - vii. When it is necessary to use more than one locker to store evidence related to the same GO number, the member shall note the appropriate locker numbers on the Property/Evidence Report(s). _____

O. The Digital Forensics Examiner shall:

- i. Upon receipt of a notification for the examination of seized digital devices, ensure the digital device is examined and processed as per the investigator's request.
- ii. Process items based on the following priority triage system, unless otherwise stated by NCO I/C of Investigative Support Operations:
 1. Homicide/Missing Persons
 2. Sex Assault/Child Exploitation
 3. Crimes Against Persons/Criminal Harassment
 4. Drugs/Property Crimes
- iii. Update their progress on the file and their findings of the final analysis by submitting an Investigators Report (IR) with the subject line stating "DFU Update".
- iv. Log newly discovered evidence in the appropriate property screens and add property tags to the items (E.g. one computer with four additional hard drives inside the computer).
- v. If any additional evidence is created (E.g. creation of a DVD or hard drive with the Digital Forensic Examiner's findings) the Digital Forensic Examiner shall submit this property into Evidence in the Central property room.

P. The QA Sergeant shall ensure that:

- i. The front page of the GO includes a notify to DFU.
- ii. A Digital Forensics (DF) text template is present and correctly filled out.
- iii. In the DF template ensure the checkbox for either of the following is selected:
 1. Is a copy of the search warrant included in the property locker?
 2. If applicable, has voluntary consent been given?
- iv. The appropriate property screen is correctly filled out and the following has taken place:
 1. Article is selected
 2. Computer (CO) or phone/communication device (PH) is selected
 3. Items are listed as per DF text template
- v. QA Sergeants may contact the LAST Unit for assistance regarding authorizations (E.g. search warrants, production orders, etc.) used in relation to digital devices.

Q. The DFU Supervisor shall:

- i. Assign files to DFU staff.
- ii. Ensure that DFU's work queue is managed and up to date.
- iii. Conduct quality assurance checks and conclude any follow ups in relation to DFU.
- iv. Ensure quality control checks for the handling, storage, and analysis of Digital Evidence.
- v. Ensure that DFU members update their progress as well as their final analysis by way of the IR.
- vi. Ensure that any additional evidence that is created from the analyses of the file (E.g. creating a DVD or hard drive for disclosure purposes) is properly submitted into the property room as a new piece of evidence, an email is sent to the investigating officer reporting same, and the IR is up to date with the file's current progress.

C. DEFINITIONS

- A. Please refer to the Operations Chapter 14 Section 9: General Glossary of Definitions

Effective Date of Last Revision	March 25, 2021
Policy Sponsor	Deputy Chief, Support

By Order Of:



Dan Kinsella
Chief of Police

PROPERTY – DRUGS AND CONTROLLED SUBSTANCES

1. GENERAL

- A. The purpose of the policy is to ensure that all drugs received and taken into possession by the Halifax Regional Police (HRP) are managed in an efficient and accountable manner consistent with law, policy, and best practice
- B. This policy applies to all items and substances that are regulated by legislation.

2. POLICY

- A. Drugs
 - i. All drugs, whether illegal or prescription shall follow the policy and procedure outlined in SEIZED AND RELINQUISHED PROPERTY in addition to this policy. Found prescription drugs will follow the policy and procedure of FOUND AND ABANDONED PROPERTY.
 - ii. Members shall, from the time of seizure to the time of disposal, document all movements of evidence in versadex.
 - iii. Members shall follow the “rule of two’ when seizing, transporting, counting, and documenting all currency and drugs.
- B. Drug Unit and Guns/Gangs Unit members shall be issued all policies related to seizure, storage, and disposition of evidence, in addition to a guide and expectation document for Special Enforcement Section (SES) members. Drug Unit members and Guns/Gangs Unit members shall receive Drug Exhibit Handling and Documentation Training upon transfer into the units and once per year thereafter as monitored by the Divisional Commander.
- C. Drug vaults shall be locked and alarmed when not in use. Only authorized personnel shall have access to drug vaults and lockers unless specifically authorized by the Chief of Police or designate.
 - i. The NCO i/c of SES, in coordination with Human Resources, shall promptly remove access authorization for any member upon leaving the SES section.
 - ii. The NCO i/c of SES shall conduct annual security reviews of Drug Vault access and audits of HP3 and HP5 every three months.
 - iii. Unannounced inspections of the Drug Vaults may be conducted anytime as directed by the Chief of Police or designate.

- D. All seized evidence requires a Report to a Justice and a Detention Order as per established policy in SEIZED AND RELINQUISHED PROPERTY. These forms are available on the HRP Intranet under Operational Forms.
- E. Drug seizures shall be properly labelled and documented using a Property/Evidence Label and placed in one of the designated drug lockers at HP5 along with all other evidence seized for the file. Drug lockers shall be used for drug file evidence only.
 - i. All evidence, regardless of their categorization (e.g. currency, drugs, general evidence), shall be stored together if they are related to the same file. Evidence shall not be separated and stored in different locations, except for firearms and biological evidence.
 - ii. Evidence shall not be stored in personal lockers.
 - iii. Drug evidence shall not be stored in HP5 for more than 14 working days without supervisor approval. Drug Supervisors shall transfer drug evidence to the vault in HP3.
 - iv. If drugs are seized while investigating a Criminal Code file, the drug evidence shall be given their own GO number; they cannot be filed under the Criminal Code GO number.
 - v.
- F. Continuity of evidence shall be maintained using the Property and Evidence Continuity screen on Versadex. From the time of seizure to the time of disposal, all movements of evidence shall be recorded in Versadex.
 - i. Evidence shall not be removed from Property and Evidence or Vaults unless required by the Investigating Officer for an ongoing investigation, forensic analysis, identification by the owner, a court proceeding, return to owner or destruction.
 - ii. Evidence removed from Property and Evidence, or Vaults shall be the responsibility of the member who received the evidence into their possession. The handling and collecting of evidence from the Court will normally be the responsibility of the officer who tendered the evidence. The member shall ensure:
 1. The evidence remains in police custody within HRP premises and is stored in a secure evidence locker until required for court.
 2. All movement of evidence is recorded on Versadex.
 3. In the event of a sustained leave of absence, a Drug Unit Sergeant assumes responsibility for the evidence.

- iii. Members who take custody of evidence from Evidence Custodians shall be assigned a follow-up and shall indicate one of the following to close it:
 - 1. The property was returned to the owner confirmed on the Property Control screen by the Sergeant responsible for Quality Assurance.
 - 2. The property was retained by the court for proceedings.
 - 3. The property was returned to Property and Evidence
- iv. When evidence is entered as exhibits in Court, Evidence Custodians shall be notified immediately via e-mail, and a text noting the evidence was “held for court” shall be added under the original GO number.
- v. Evidence removed for court proceedings that were not tendered as evidence in court shall be re-secured in the Vault or Property and Evidence the same day. Evidence Custodians shall compare the evidence and Property/Exhibit Label with the original report on Versadex to ensure it is the same and notify the Investigating Officer of any discrepancies.
 - 1. Members shall ensure that “rule of two’ when accepting/placing evidence back into a secure location.
 - 2. Members shall ensure to document the movements of the evidence.
- vi. When returning evidence to Property and Evidence, officers shall secure the evidence in an open temporary locker or an assigned locker for SES members. The key shall be placed in the drop box.
 - 1. If returning evidence based on a Court Order or Crown direction, ensure these details are recorded on the property screen, the Disposal Details section of the Property Continuity screen, and in a text entry on the file.
 - a. Evidence shall be counted and weighted with the “rule of two” prior to disposition.
- G. Upon the conclusion of a case, drug evidence will be disposed of when the Court issues a Return Order, a Forfeiture Order or a written direction.
 - i. All charge files shall be tracked through the court system to ensure proper direction is received to deal with seized evidence.
- H. Drug evidence shall be destroyed upon receipt of judicial authorization, the associated Destruction Order from Health Canada, and the accurate bar code to the item authorized for destruction.
 - i. If no charges have been laid, a Detention Order has expired, and no known lawful owner can be identified, drug evidence shall be destroyed.

- ii. If ownership is in doubt, disposition of property will be requested from the lead Investigating Officer.
- I. Currency exhibits shall be disposed of when the Court issues a written Return Order, Forfeiture Order or Crown direction.
- J. Seized Liquor under the *Liquor Control Act*. 1673
 - i. Liquor seized in relation to a Criminal Code Investigation shall be seized as evidence in accordance with this policy or the provisions of Photographic Release of Seized Evidence
 - ii. Liquor found in relation to a Liquor Control Act charge does not have to be seized as evidence.
 - iii. Unless the liquor is required for evidence, it may be returned to the person upon release, providing the person is competent and sober at the time of release and it is sealed.
 - iv. Where no charges are laid and when requested by the owner, any seized liquor and the container in which it is stored shall be returned to the owner, provided the person is legally permitted to consume alcohol and has verified age with legal identification.
 - v. Unless required as evidence, unsealed liquor will be disposed of upon receipt.
 - vi. Sealed liquor shall be disposed of in accordance with the standard policy in the following circumstances:
 - 1. When no charges are laid, and the owner cannot be located within thirty (30) days of seizure.
 - 2. If the owner does not pick up property within the thirty (30)-day holding period.
- K. Found Liquor
 - i. Where liquor and containers are found, shall be kept for a thirty (30) day holding period and if unclaimed by an owner at the end of this holding period, shall be disposed of in accordance with policy and procedure in FOUND AND ABANDONED PROPERTY.
 - ii. When a claim is made by an owner, only sealed liquor is to be returned to the owner and provided all policy and legal requirements are met.
- L. Disposal of Found or Seized Liquor

- i. No seized liquor shall be disposed of until:
 - 1. A conviction is entered, and all appeal periods have elapsed.
 - 2. A court-ordered Disposition Order has been issued.
- ii. The disposal process of liquor may be terminated at any point on receiving instructions to release the liquor from the Courts or on written authorization of the Prosecutor. In these instances, releases will conform to the standard policy set out in SEIZED AND RELINQUISHED POLICY
- iii. If more than one accused is charged, with offences related to seized liquor, the seized liquor shall be retained by HRP until all accused have been dealt with

Procedure

- M. All drugs shall follow the policy and procedure outlined in SEIZED AND RELINQUISHED POLICY and FOUND AND ABANDONED POLICY in addition to this policy.
- N. When an individual is arrested on a Criminal Code matter, the Investigating Officer shall ensure:
 - i. If an accused is being held for court and there is a related CDSA file, the related drug file shall also be completed as a cell matter and brought to court along with the Criminal Code matter.
 - ii. All accused persons are fingerprinted and photographed in compliance with the Identification of Criminals Act. This process should be carried out prior to the accused being released.
 - iii. A drug court date is obtained from Versadex if releasing the accused by way of an Appearance Notice, Summons, Recognizance, or Undertaking. The court date shall be approximately 8 weeks from the date of the incident to permit Drug Investigators time to prepare the case prior to the accused's arraignment date.
 - iv. Proper documentation (e.g.. officer notes, Can-says, release documents) is provided with the submission of drugs as evidence. The Crown requires full disclosure on drug files 30 days prior to the initial court date, which requires drug investigators to have a completed charge file to the Courts Section 45 days in advance of the initial court date.
 - v. Young Persons over 16 years of age are provided a Drug Court date as per section 9.1(1)(L) and serve a Notice to Parent. Do not issue a Form of Release in the case of Young Persons under the age of 16 years. The Young Person should be released to a Parent or Guardian. A Drug Investigator shall follow up on these matters and serve the appropriate documents compelling the accused's attendance in court.

- vi. The Notice of Analysis is disclosed directly to the Crown at least 7 days prior to the trial date.
- vii. The assigned Drug Investigator is responsible for Disclosure Packages, except for files investigated by Quick Response Units.
- viii.

Seizure and Storage of Drug Evidence

O. When seizing drug evidence, members shall:

- i. Seize all relevant evidence. When in doubt concerning the collection of evidence, protect or secure the evidence and consult a supervisor.
- ii. Drug Unit to be called to scene for large drug seizures. Drug Unit members shall consult with the on-call CID S/Sgt on any additional investigative resources that may be required.
- iii. Request the Forensic Identification Section (FIS) be considered for the seizure of any unsecure and/or unknown powdered or chemical substances.

P. The Investigating Officer or Drug Unit member shall:

- i. Seal each piece of evidence individually in an appropriately sized evidence bag. Attach a property tag to each individual evidence and the larger outer bag. Write the GO number and seizing officer's initials on each evidence bag in permanent marker to safeguard against the fading of property tags. Ensure the outer bag is marked in permanent ink with:
 - 1. GO number.
 - 2. Date and time of seizure.
 - 3. Date and time the evidence was placed in the Drug Locker.
 - 4. Seizing member's initials.
 - 5. Suspect's name.
- ii. All evidence is to be placed in a drug locker and note the drug locker number in Versadex. Place copies of notes from all involved officers, completed and sworn to release documents, and any statements obtained from the accused, suspects, or witnesses in the drug locker with the evidence.
- iii. Submit a GO Report containing the details of the incident, including:

1. Where, when and by whom the evidence was located.
2. To whom, if anyone, the evidence was handed over.
3. The drug locker number in which the evidence were deposited.
4. A narrative documenting the grounds for arrest and seizure.
5. Date, location, and time of arrest.
6. All associated entities, including all accused and witnesses.

iv. Submit a Property/Exhibit Report documenting:

1. The evidence number and a description.
2. All evidence movements.
3. The number of the drug locker in which the evidence was deposited.

v.

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iii.

S. The NCO i/c of SES shall ensure:

i. Versadex evidence continuity screens are updated accordingly.

ii. Monthly equipment checks are completed to ensure Occupational Health and Safety Standards are maintained.

iii. All drug scales are calibrated once per year in accordance with the Weights and Measures Act.

T. When drug evidence requires analysis by Health Canada, members shall:

i. Seal the sample in a polyethylene bag. Follow the instructions for specific drugs in the Health Canada Drug Analysis Service Client Manual located in the Police Library on the HRP Intranet.

ii. Place the polyethylene bag in a tamper-proof evidence bag and attach the Health Canada label to the bag. Place only one piece of evidence per bag. Seal the security envelope and initial the seal.

iii. If entire evidence is sent as a sample, it shall maintain its original exhibit number. Print a duplicate property tag and placed it on the Health Canada Envelope.

iv. Note the Health Canada tracking number on the Versadex Property/Exhibit screen.

v. Affix the following information on the Health Canada label:

1. HRP Property Exhibit and GO numbers.

2. Drug Investigator's full name, rank, and employee/Reg number.

3.

member will store all seized liquor upright in a designated liquor locker as per all established procedures for seizing evidence.

3. Where deemed appropriate, the seizing officer, in consultation with NCO, may request that photographs be taken of the seized liquor and tendered as evidence as per established policy on same.
 4. In instances where photographs have been taken of seized unsealed liquor, the member shall not return the seized liquor to the person from whom it was seized without an authorized Disposition Order.
 5. Where liquor is required to be analyzed by the RCMP Crime Lab, the member shall comply with the established procedures on SEIZED AND RELINQUISHED PROPERTY POLICY.
 6. A member who has seized liquor in relation to an impaired driving offence(s) is responsible for producing the liquor and a Certificate of Analysis from the RCMP Crime Lab in Court.
 7. For large seizures and seizures of various types of liquor, the member may request that only one bottle of each type be analyzed by the Crime Lab.
- iii. Property and Evidence Custodian will process found liquor in the same manner as all found property.
 - iv. Upon notification of the return of found liquor to the owner, the Property and Evidence Custodian shall make it available for the appropriate return date.

V. Disposal of Found or Seized Liquor:

- i. If not claimed within thirty (30) days of its seizure, Property and Evidence Custodian shall dispose of found liquor as per established policy.
- ii. Unsealed liquor evidence shall be disposed of by pouring the contents into a designated sink and in accordance with the procedure identified in the Disposition.
- iii. When a sufficient number of seized liquor evidence have been accumulated and Property and Evidence personnel have been ordered by the Court to dispose of them, the Property and Evidence Supervisor shall view each evidence to ensure compatibility with the original Property/Exhibit Report(s) and schedule a date for disposal.

3. DEFINITIONS

- A. Please refer to the Operations Chapter 14 Section 9: General Glossary of Definitions

Effective Date of Last Revision	March 25, 2021
Policy Sponsor	Deputy Chief, Support

By Order Of:



Dan Kinsella
Chief of Police

PROPERTY – CURRENCY

1. GENERAL

- A. The purpose of the policy is to ensure that all Currency property received by the Halifax Regional Police (HRP) is managed in an efficient and accountable manner consistent with law, policy and best practice. It outlines the policy and procedure for receiving, storing, moving, releasing and disposing of Currency property, exhibits and items received by HRP
- B. This policy applies to all items of money in the form of paper or coins, usually issued by a government and generally accepted at its face value as a method of payment. The policy applies to all HRP staff, (sworn and civilian), including temporary employees, contractors and service providers for all items that are taken into possession by HRP.

2. POLICY

- A. Currency
 - i. All Currency shall follow the policy and procedure outlined in SEIZED AND RELINQUISHED POLICY and FOUND AND ABANDONED POLICY in addition to this policy.
- B. Seized Currency
 - i. For all investigations, currency shall be counted, and denominations documented in Versadex. If no further retention is required, the currency can be photographed and returned to the lawful owner, if known. If the owner is not known, the investigating officer will consult with the Crown to determine the recommended course of action.
 - ii.
 - iii. All currency will be subject to the “rule of two” where one person counts the currency, and another verifies the amount for all currency and money taken into possession by HRP. The property Cash Breakdown screen shall be utilized on Versadex.
 - iv. Once verified, the currency is to be packaged appropriately, there is no requirement to open the package and verify again.

C. Currency Storage

- i. All currency will be stored in a safe within a controlled access facility. Only the investigating officer will have access to the currency and will follow record-keeping procedures to document access.

CI. Contaminated Currency

- i. Any contaminated money will be submitted to the Bank of Canada for exchange. The Bank of Canada will exchange the funds and return the amount to HRP through a cheque.

CII. Counterfeit Money Recovered

- i. When submitting counterfeit money to the Property and Evidence Unit, members will clearly mark on the property report that the money is "counterfeit". It will be stored with currency.

CIII. Officers shall photograph the currency and take detailed notes of its location and how it was bundled, etc. The Special Enforcement Section (SES) Sergeant may give the authorization to seize the currency if it is determined that it is required for a CDSA trafficking charge.

CIV. Currencies of different regions should not be stored together and shall be maintained separately from Canadian currency.

CV. Organizations and enterprises shall be responsible for currency found on their premises in accordance with their own lost and found policies and procedures. HRP will not take into possession currency turned over by organizations/enterprises that were found on their property or premises. i.e. currency found in used clothing, a currency found in safety deposit boxes, etc.

CVI. All currency that is found or relinquished to HRP staff at reception during or to an officer will follow the same policy and procedure as FOUND AND ABANDONED POLICY and the two-person rule. Only currency in bill format and rolled coins will be accepted. Reception staff will accept currency under \$200 and process it according to policy.

- i. For all currency accepted a GO is required

CVII. Amounts over \$200 will require verification by an officer. When there are not two staff working at reception, a patrol unit should be dispatched.

Procedure

- K. All Currency shall follow the policy and procedure outlined in SEIZED AND RELINQUISHED POLICY and FOUND AND ABANDONED POLICY in addition to this policy.
- L. For seized Currency of up to \$10,000, members shall:
 - i. Take photographs and detailed notes of all currency.
 - ii. Ensure two officers count the currency using the breakdown function on Versadex. (Use automatic counting technology for large sums.)
 - 1. If the amount of currency recorded in Versadex differs when counted by a Drug Unit member, the Drug Unit member shall note the discrepancy by adding a Supplemental Text on the file and make the denominational change.
 - iii. Place the currency in a sealed, tamper-proof evidence bag with a property tag on the exterior of the bag, seal the bag and have both officers sign the seam.
 - iv. Store seized currency with other evidence from the drug file in a drug locker.
 - 1. If currency and drugs are seized at the same scene, keep them in separate evidence bags, each with its own exhibit number. These items shall remain together under one main evidence number and one main evidence bag.
 - 2. If currency is found in multiple locations at a scene, each location shall be considered an individual piece of evidence, and a separate evidence bag shall be used for the currency found in each location and documented in Versadex. Currency from multiple locations shall not be put together into a single evidence bag
 - v. Complete the 10-02 SPMD form with all known information, leave the form with the currency, and upload all information into Versadex.
 - vi. If currency is contaminated by drugs, request disposition from the Bureau of Dangerous Goods, Ottawa.
- M. The investigating officer shall be responsible for ensuring that the currency was entered correctly and accurately in the property screen using the breakdown function to detail denominations and amounts. Foreign currency shall be a separate property item and not included with Canadian currency.

N. Drug Investigators shall:

- i. Retrieve the currency evidence from the temporary drug lockers, count it using the two-person rule, and break it down by denomination on the Property and Evidence screen on Versadex.**
- ii. Seal the currency in new evidence bags with the signatures of both counting officers.**
- iii. Deposit the evidence in assigned temporary drug locker.**
- iv. Drug Supervisors shall move the evidence from the assigned temporary drug lockers to the Drug Vault (HP3) at HRP Headquarters.**

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iv. Drug members shall comply with the Management Order and advise SPMD of the action taken if seized monies/assets are ordered disposed of by a Court other than by way of an application.

P. HRP will return exchanged currency from the Bank of Canada to the lawful owner. Exchanged currency will be entered back into Property with the appropriate GO. The property Sgt will notify the investigator that the cheque was received, and the Investigating Officer can contact the owner to retrieve the money. The owner can retrieve their currency as per property policy.

Q. Disposition of Currency

i. All currency will be disposed of in accordance with the manner in which it came into HRP custody; seized, relinquished, found or abandoned. Currency will never be destroyed.

1. Currency shall be counted with the “rule of two” before being turned over to the lawful party (owner, finder, other agency)

R. Currency received by front desk/reception staff will be processed as long as the “rule of two” can be met. When there are not two employees working, staff will place currency and appropriate documentation in the correct designated locker to be processed the next day by the Property and Evidence Custodian.

3. DEFINITIONS

A. Please refer to the Operations Chapter 14 Section 9: General Glossary of Definitions

Effective Date of Last Revision	March 25, 2021
Policy Sponsor	Deputy Chief, Support

By Order Of:

A handwritten signature in black ink, appearing to read 'Dan Kinsella', written in a cursive style.

**Dan Kinsella
Chief of Police**

PROPERTY - FIREARMS AND WEAPONS

1. GENERAL

- A. The purpose of the policy is to ensure that all Firearms and Weapons property received by Halifax Regional Police (HRP) is managed in an efficient and accountable manner consistent with law, policy and best practice. It outlines the policy and procedure for receiving, storing, moving, releasing and disposing of Firearms and Weapons property, evidence and items received by HRP. The policy applies to all HRP staff, (sworn and civilian), including temporary employees, contractors and service providers for all items that are taken into possession by HRP.
- B. This policy applies to all weapons; determined to be anything designed to be used or intended death or injury to any person, or for the purpose of threatening or intimidating any person(s), and includes any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Also included are edged weapons, CEW weapons, tasers, electric devices, cattle prods, controlled energy weapons, homemade or other weapons, fight or devices intended to do harm, tools that can be intended to cause bodily harm, and mace

2. POLICY

- A. Firearms and Weapons - All Firearms and Weapons shall follow policy and procedure outlined in SEIZED AND RELINQUISHED PROPERTY and FOUND AND ABANDONED PROPERTY unless otherwise is stated.
- B. No firearm will be stored in an evidence locker or submitted to the Property and Evidence Custodian with any ammunition still in the magazine, cylinder, breach, barrel, etc.
- C. Only Property and Evidence Custodian will return firearms to a person legally entitled to possession of the firearm. If a firearm cannot be legally returned to a person, the Property and Evidence Custodian shall ensure it is forwarded to the Provincial Firearms Office.
- D. Firearms shall be released only to the registered owner upon proof of ownership and possession authority in compliance with current legislation. Refer to related policy in RELEASE OF FIREARMS.
 - i. At no time shall ammunition be returned at the same time as a firearm
- E. The handling of firearms by unqualified persons shall not be permitted.

- F. The handling of firearms for fingerprint and/or DNA analysis requires the use of Nitrile gloves by the handling officer.
- G. Any weapon, even a replica resembling a firearm shall be treated as one whether functional or not.
- H. Property and Evidence Custodian will not release any firearm without first confirming that no Prohibition Orders, locally or nationwide, have been issued for the person claiming the firearm.
- I. Unless otherwise stated in policy, all firearms will be disposed of by turning them over to the Provincial Firearms Officer.
- J. Unclaimed weapons where the owner is unknown will be disposed of in accordance with FOUND AND ABANDONED PROPERTY POLICY

Procedure

K. Seizing & Storage

- i. Members seizing or taking possession of any firearm shall:
 - 1. Prior to transport and storage, render the weapon safe, void of ammunition and with breech open, consult NCO if required.
 - 2. Run a Browse query of the registered owner to determine if the firearm is reported stolen by adding all available information in the following manner:
 - a. enter the serial number engraved on the firearm;
 - b. enter, "Y" in the CFRO field then press the ENTER key to complete the query;
 - c. if the CPIC query indicates the firearm is stolen or the registered owner is not the individual from whom the firearm was seized or in whose possession the firearm was found, investigate the incident further;
 - d. add a Text to the original GO number, where available, noting the seizure of the firearm and the particulars of the investigation;

- e. attach a copy of the responses to the PROPQ query to the associated GO Report;
 - 3. Submit a Property/Exhibit Report and all other reports as required by established policy. Ensure the following information is also listed on the Property/Exhibit Report:
 - a. the weapon(s) and serial number;
 - b. any affiliated part (i.e., holster/case, magazine(s), ammunition, etc.);
 - c. the name of the registered owner of the firearm which was obtained from the PROPQ query;
 - d. the appropriate GO Number, including those incidents where a member of the public voluntarily turns in a weapon for destruction
- L. Members storing firearms in an evidence locker are responsible for placing them in the locker out of any case or holster such that anyone at first glance can identify that the weapon is safe. This policy requires the member to comply with the relevant safety procedure as identified here:
 - i. Semi-automatic - Slide locked to the rear and magazine removed.
 - ii. Revolver - Cylinder opened and secured in that position.
 - iii. Rifle - Bolts opened and levers extended.
 - iv. Shotguns:
 - 1. semi-breach locked to rear;
 - 2. pump-slide locked to rear;
 - 3. single-stored in the break open position.
- LI. Where a member is required to remove parts from a firearm to render it safe, the member shall list all removed parts on the Property/Exhibit Report and store them in the evidence locker with the firearm.
- LII. Whenever a member seizes a firearm that:
 - i. Is unfamiliar, the member shall immediately consult with a supervisor to ensure the weapon is rendered safe prior to transport and or storage.

- ii. May have been fired in a previous offence, submit an RQSS requesting FIS assistance for:
 - 1. Examination of prints, DNA, trace evidence and analysis ;
 - 2. An NWEST study flag is required to ensure the NWEST Officer is aware of the firearm.

- O. Members shall not store fireworks/explosives in any evidence locker. These weapons shall be transferred to FIS and a member of the Explosive Disposal Unit (EDU) who shall store them in an appropriate designated location.
 - i. If after hours, members are to consult with NCO.

- P. Property and Evidence Custodian shall:
 - i. Handle all firearms with caution and, whenever a firearm appears unsafe, ensure it is checked by a qualified member prior to removing it from an evidence locker.

 - ii. Store all firearms in the custody of HRP in a designated safe location within the Evidence Room.

- Q. Upon receipt of an RQSS for the examination of seized firearms or other offensive weapons, the FIS shall ensure the firearm/weapon is examined for evidence and is forwarded to the National Forensic Laboratory Services.

- R. Disposition of Firearms and Weapons - Prior to releasing a firearm, the Property and Evidence Custodian shall adhere to the following procedure:
 - i. Verify that the person claiming the firearm possesses the following valid documents:
 - 1. Photo identification of the registered owner;
 - 2. Valid Firearms License authorizing the person to possess the firearm;
 - 3. Valid Registration Certificate if required in accordance with the Criminal Code of Canada.
 - 4. Inform the owner that ammunition shall not be released to owner the same day as firearm

 - ii. The following information has been confirmed:

1. Court disposition is complete and accurate; and,
 2. CPIC check does not indicate a Prohibition Order against the person claiming the same.
5. Firearms will only be marked for destruction by the Property and Evidence Custodian when:
- i. A Disposition Order authorizes the destruction, ninety (90) days have elapsed since the Disposition Order was issued and no appeal has been launched.
 - ii. An owner voluntarily turns over possession of a firearm which is legally registered to them to HRP and requests its destruction. The firearm will only be accepted from the owner once they have signed and completed the Receipt and Request for Destruction of Firearms and/or Ammunition, HRP111, to Property and Evidence Custodians.

3. DEFINITIONS

- A. Please refer to the Operations Chapter 14 Section 9: General Glossary of Definitions

Effective Date of Last Revision	March 25, 2021
Policy Owner	Deputy Chief, Support

By Order Of:



Dan Kinsella
Chief of Police

Revised 2/09/16

HRP 111

PROPERTY – BIOLOGICAL EVIDENCE

1. GENERAL

- A. The purpose of the policy is to ensure that all Biological Evidence property received by the Halifax Regional Police (HRP) is managed in an efficient and accountable manner consistent with law, policy and best practice.
- B. It provides policy and procedure for receiving, storing, moving, releasing and disposing of Biological Evidence property, exhibits and items received by the Halifax Regional Police.
- C. This policy applies to the handling, storage and destruction of biological evidence and includes the procedures for pre-screening evidence prior to requesting scientific/forensic analyses from the RCMP Crime Lab. The policy applies to all HRP staff (sworn and civilian), including temporary employees, contractors and service providers for all items that are taken into possession by HRP.

2. POLICY

- A. All Biological Evidence shall follow policy and procedure in SEIZED AND RELINQUISHED PROPERTY and FOUND AND ABANDONED PROPERTY unless otherwise stated in this policy.
- B. Crime scenes, handling and storage of biological evidence, including evidence containing DNA samples, can be dangerous. Minimize exposure to infectious disease, hazardous drugs, and reduce the risk of contaminating the evidence by always wearing gloves when handling evidence, including when collecting, packaging or shipping evidence. Members shall be conscious at all times of the possibility of cross-contamination and becoming exposed to and contracting an infectious disease when coming into direct contact with biological evidence. Blood-borne diseases, which have the potential to be transmitted to individuals, if necessary precautions are not taken include:
 - i. HIV virus.
 - ii. Hepatitis B surface antigen.
 - iii. Tuberculosis virus.
 - iv. Venereal diseases such as syphilis, gonorrhoea and herpes.

- C. Where biological evidence is deemed necessary for investigative purposes, the evidence will be dried, refrigerated or frozen, after consultation with an FIS member, and forwarded to the RCMP Crime Lab for analysis.
 - i. After consultation with the RCMP National Forensic Laboratory Services and an Authorization Number has been granted by Lab personnel.

- CI. Upon return, biological evidence will be appropriately stored in the Evidence Room until required for court. It will be the responsibility of the member to notify Property and Evidence Custodian of the disposition of each exhibit within EC/PC.

- CII.

- CIII. Once biological evidence has been properly dried, it shall be stored in a paper bag or cardboard box and stored in Property and Evidence as per established packaging and storage of exhibits and evidence.

- CIV. Tracking and chain of custody are critical in storing and handling biological evidence. Members and Property and Evidence Custodians are to follow the Versadex EC/PC procedures to document each time evidence is moved. This includes the first contact of transferring the evidence from the initial seizing officer to the FIS member.

- CV. Disposition
 - i. Before any forensic evidence is destroyed, the NCO i/c of FIS or FIS member involved in that file shall be contacted. Diary dates should be established by the statute of limitations in the Criminal Code and retention periods/policy. The disposition process can begin in several ways:
 - ii. When, following adjudication, the assigned investigator confirms that all judicial proceedings in the case are completed
 - iii. When an inventory check identifies evidence that may be appropriate for disposition, and/or
 - iv. When notification of destruction (court-ordered disposition order/forfeiture order) is obtained per statutory requirements.

Procedure

- I. All Biological Evidence shall follow the policy and procedure outlined in, SEIZED AND RELINQUISHED POLICY and FOUND AND ABANDONED POLICY in addition to this policy. Please refer to Appendix A, for the Biological Evidence Preservation and Storage Conditions Guidelines.
- J. Police Officer is responsible for the following when coming into contact and handling biological evidence:
 - i. When seizing biological evidence, police officers will ensure they wear a new pair of rubber gloves to handle each new article of biological evidence to prevent cross-contamination.
 - ii. If the evidence is wet, consult with a Forensic Identification Section (FIS) member to determine the proper way to preserve and store the article. Ensure the member receives the packaged evidence as soon as practical and by the end of the shift.
 - iii. In the absence of a FIS member, the member who seized the wet article will consult with his/her Supervisor and if deemed appropriate:
 1. place the article in an approved evidence bag that is properly sealed;
 2. store the evidence in a temporary evidence storage refrigerated unit; and,
 3. then submit an RQSS noting a wet article requires drying.
 - iv. Once the evidence has been properly dried, the FIS officer shall document it in accordance with standard policy and place it in an evidence locker for the storage of same by Property and Evidence Custodian.
 - v. Biological evidence requiring examination by the RCMP National Forensic Laboratory Services shall, whenever possible, be sent after consultation with a receipt of an Authorization Number. The evidence will be accompanied by a completed C414, Request for Analysis Form, and the LIMS Number.
 - vi. When FIS is unavailable during the investigating officer's shift, the member will follow the procedure in section I.
 - vii. To reduce the risk of exposure, members will:
 1. Thoroughly clean and disinfect anything that comes into contact with the evidence. Common disinfectants include bleach and rubbing alcohol;

2. Avoid breathing the air by wearing an appropriate mask close to shaken, damaged or spoiled biological evidence. Fine droplets can be generated which may transmit infectious diseases when inhaled;
 3. Wear Nitrile gloves when handling biological evidence and as a precaution, wash hands thoroughly with disinfectant soap after handling biological evidence;
 4. If a spill occurs in a police vehicle, transport the vehicle to the designated location for cleaning biological materials;
 5. If spilled on a member's clothing or person, the member should refer to the policy on infectious diseases.
 6. Dispose of Nitrile gloves, protective clothing, masks, seized property and any other material that has been in contact with a biological substance and is not required as evidence. Refer to the disposition of biological evidence.
 7. Place articles for destruction identified in 7.1, in sealed double plastic yellow bags and deliver them to Property and Evidence for destruction. The evidence shall be documented, stored and retrieved as per standard policy.
- K. Evidence which requires refrigeration or freezing should be analyzed, where possible, by a duty FIS member for disposition prior to being stored in refrigerators designated for such storage within Property and Evidence. Under no circumstances shall seized items requiring refrigeration be stored in refrigerators designated for personal use by members.
- L. When biological evidence requiring refrigeration or freezing is seized and Property and Evidence section are closed, the evidence shall be stored temporarily in the after-hours fridge.
- M. When a biological exhibit is no longer required for evidentiary purposes and a Disposition Order has been granted by the Court, the investigator will submit a Text to the original GO number setting out the Disposition Hearing decision and will advise Property and Evidence personnel or the FIS member, where involved, that the exhibit(s) can be destroyed.
- N.

- O. Property and Evidence Custodian shall ensure the temporary storage refrigeration unit is thoroughly cleaned and disinfected as soon as practical once evidence is retrieved and stored in the designated evidence room.
 - i. A log shall be maintained by Property and Evidence Custodian to record each date and time the temporary storage refrigeration unit was cleaned and by whom.
 - ii. Please refer to Appendix A Biological Evidence Preservation and Storage Conditions Guidelines

- P. RCMP National Forensic Laboratory Services
 - i.

 - ii.

 - iii.

 - iv. Biological evidence required for evidentiary purposes are to be submitted to the RCMP Crime Lab for forensic examination, after consultation with the appropriate section and the granting of an Authorization Number. Procedures for handling biological evidence and submitting them to the Crime Lab are contained in this subsection.

 - v.

 - vi. All boxes returned from the RCMP Crime lab will be opened by Property and Evidence Custodian to determine the contents and the assigned lead investigator.

Q. Disposition

- i. Where the evidence is no longer required for evidentiary purposes the Property & Evidence Custodian shall:
 - 1. Accept all evidence returned from the Crime Lab and correlate them to the original GO and Property/Exhibit Numbers;
 - 2. Store them in a secure designated location within the Evidence Room;
 - 3. Update the evidence on the Property Control screen, indicating their location within the Evidence Room.
- ii. The Property and Evidence Custodian shall then assign a Follow-up to the assigned lead investigator advising of the exhibit(s) return and requesting an update on its status;
- iii. Members are then responsible for:
 - 1. The authorization to be documented on the appropriate GO Number, and contain the Supervisor's authorization for destruction;
 - 2. A Disposition Order shall be obtained before the actual destruction of the evidence.
- iv. Where the Crime Lab has completed its forensic examination, but the evidence may be required for a subsequent forensic examination (i.e., by a Defense expert), it will be returned to the Property Room as soon as practical and be retained by the HRP until all appeal processes have been completed. In this instance,
- v. The lead investigator/assigned FIS member is responsible to keep abreast of the case status until all court appeals have been dealt with completely and take appropriate action as required

3. DEFINITIONS

A. Please refer to the Operations Chapter 14 Section 9: General Glossary of Definitions

Effective Date of Last Revision	March 25, 2021
Policy Owner	Deputy Chief, Support

By Order Of:

A handwritten signature in black ink, appearing to read 'Dan Kinsells', written in a cursive style.

**Dan Kinsells
Chief of Police**

PROPERTY – DANGEROUS GOODS AND HAZARDOUS MATERIAL

1. GENERAL

- A. The purpose of the policy is to ensure that all Dangerous Goods and Hazardous Materials property received by Halifax Regional Police (HRP) are managed in an efficient and accountable manner consistent with law, policy and best practice. It outlines the policy and procedures for receiving, documenting, storing, moving, releasing and disposing of Dangerous Goods and Hazardous Materials property, evidence and items received by HRP.
- B. Dangerous goods and hazardous material refer to any materials considered to be hazardous and includes gasoline, propane containers, any volatile substances, or any chemical or chemical containers whether or not they are known to be dangerous. These items can be ammunition, pepper spray, pyro techniques fireworks, flares, petroleum products, CBRM (Chemical, Biological, Radiological, and Nuclear) response, radiological and industrial chemicals as well as unknown substances._____

2. POLICY

- A. All Dangerous Goods and Hazardous Materials shall follow policy and procedure in SEIZED AND RELINQUISHED PROPERTY and FOUND AND ABANDONED PROPERTY unless otherwise in stated in this policy.
- B. The responsibility for rescue and treatment shall remain with Halifax Fire and Emergency Services in incidents involving dangerous or potentially dangerous goods.
- C. In incidents which require the seizure of volatile or unknown liquids, such as gasoline, a sample of the substance shall be extracted and stored in a glass vial. The seized sample and shall be clearly marked, identified, and ensure proper documentation.
- D. All samples requiring scientific examination by the RCMP National Forensic Laboratory Services shall be forwarded to the Crime Lab as determined by related policy. The remaining liquid or substance should be returned to the owner or, if this is not possible, turned over to the appropriate garage personnel whose responsibility it is to dispose of it properly.
- E. Exhibits of dangerous goods seized in a container and required for court or storage shall be kept in a secure safe location and shall not be frozen. The container will be filled with water to reduce the potential for explosion, be photographed as an exhibit and documented as per standard policy.

- F. Evidence involving dangerous goods that have been photographed, are no longer required for court and cannot be returned to the owner shall be destroyed under Provincial guidelines.
- G. Any material, item or substance that has no evidentiary value may proceed for disposition.
- H. Any evidence or exhibit that is potentially dangerous does NOT go to court, lab or be photographed, but is stored temporarily until disposal can be arranged.
- I. For further information on dangerous goods, refer to MOTOR VEHICLE ACCIDENTS INVOLVING DANGEROUS GOODS POLICY.

PROCEDURE

- J. Officers shall:
 - i. identify the substance or item as a dangerous goods or hazardous material
 - ii. secure and package and then call FIS
 - iii. ensure that they have appropriate supplies on hand to manage the material safety
 - iv. contact a supervisor if there is a containment or packaging issue or to mitigate risks.
 - v. HRFE Hazmat Team will perform clean-up unless it is either chemical, biological, radiological, nuclear or explosive in nature; then FIS would be contacted for consultation.
 - vi. HRFE does not pick up fireworks or explosive items, Explosives Disposal Unit is responsible for the disposition/disposal of these items

3. DEFINITIONS

- A. Please refer to the Operations Chapter 14 Section 9: General Glossary of Definitions

Effective Date of Last Revision	March 25, 2021
Policy Sponsor	Deputy Chief, Support

By Order Of:



Dan Kinsella
Chief of Police

PROPERTY – GENERAL GLOSSARY OF DEFINITIONS

DEFINITIONS

1. AUCTION is the process by which the ownership of abandoned, forfeited, or unclaimed property is legally transferred to a public agency for public use.
2. CD / DVD means a digital audio/video disk. A type of compact disc able to store large amounts of data, or images, especially high-resolution audiovisual materials.
3. CERTIFICATE OF ANALYSIS: Return of evidence and results from RCMP or Health Canada.
4. CHAIN OF CUSTODY refers to the chronological documentation of the seizure, custody, control, transfer (temporary or permanent), and disposition of evidence, either physical or electronic.
5. COMPUTER means a desktop/tower or laptop/netbook device.
6. CONTAINER is a uniform size box, bag, or envelope that contains several smaller size items from one case and groups them together for ease of storage and retrieval.
7. CONTROLLED ROOM TEMPERATURE ENVIRONMENT is a storage environment that limits temperature variation from 60° to 75° F and a relative humidity not to exceed 60%.
8. CONTROLLED SUBSTANCE means a drug or chemical whose manufacture, possession, or use is regulated, such as illicitly used drugs, alcohol or prescription medications
9. CURRENCY: money in the form of paper or coins, usually issued by a government and generally accepted at its face value as a method of payment.
10. DEPARTMENTAL ORDER is a directive published by a commander that is binding upon all personnel under their command, the purpose of which is to enforce a policy or procedure unique to their unit's situation that is not otherwise addressed. A departmental order is issued to every employee, and not explicitly issued to any one person, as a direct order would be.
11. DETENTION ORDER: the approval of a Justice to detain property for a specified period under Section 490(1) of the Criminal Code.
12. DIARY DATE is a time restriction that requires action to be taken prior to a specified date.
13. DIGITAL DEVICE means an electronic device that can receive, store, process and/or send digital information (E.g. a mobile phone, laptop, tablet, hard drive, desktop computer, USB drive, portable hard drive, etc.).

14. **DIGITAL EVIDENCE** means any information stored or transmitted in digital format that is seized by HRP as part of an investigation that a party to a judicial proceeding may use at a trial. Digital evidence does not include records created by HRP, except where those records were seized as part of an investigation.
15. **DIGITAL FORENSIC EXAMINER (DFE)** means a member of the DFU who is trained in gathering, recovering, analyzing and presenting digital evidence from computers and other digital media related to computer-based and non-cybercrimes.
16. **DIGITAL INFORMATION** is any type of electronic file containing text, data, signal, image, video, or voice recording stored on magnetic, optical, or flash media.
17. **DISPOSITION ORDER**: the approval of a Justice to dispose of seized property under Section 490(9) of the Criminal Code. Disposition can include returning the property to the owner, destruction of the property, or forfeiting the property to the Crown.
18. **DRUG UNIT** consists of sworn HRP personnel tasked with gathering intelligence and conducting drug investigations, among other duties. Drug Unit members report to the Supervisor in charge of the Special Enforcement Section (SES).
19. **EVIDENCE CUSTODIAN** is the generic term for the person who is assigned to the property room and is charged with the responsibility of documenting, storing, retrieving, and disposing of property and evidence.
20. **EVIDENCE** is any substance, material or physical property seized, found, recovered or produced for investigations.
21. **EXHIBIT LOG**: an assigned number for each exhibit that is identified and seized. It shows where at the scene the exhibit was located, and the number of that exhibit is placed in the corresponding location in the crime scene diagram.
22. **EXHIBIT OFFICER** means an officer assigned to gather or collect evidence at a scene.
23. **EXHIBIT** includes any evidence items, materials, that may be presented in court proceedings as evidence in relation to a case.
24. **FOUND LIQUOR**, for the purposes of this policy, will include any liquor which is found, taken from prisoners or removed from a vehicle and is not needed as evidence.
25. **FOUND PROPERTY** is non-evidentiary property, which, after coming into the custody of a law enforcement agency, has been determined to be lost or abandoned and is not known or suspected to be connected with any criminal offence.
26. **GENERAL OCCURENCE (GO) NUMBER** is the sequential, ordinal, consecutive, or chronological number that items of property or evidence are filed by in the property room. This may include case numbers, property record numbers, or barcode numbers.

29. INVESTIGATING OFFICER is assigned to investigate the file and who may assist the exhibit officer with the collection of evidence.
30. JUDGE means a Judge of the Provincial or Supreme Court of the province where the seizure was made (Section 488.1 CC).
31. JUSTICE means a Justice of the Peace (Section 2 CC).
32. KEY-HOLDING PERSONNEL refers to a person(s) who has a key or who has unescorted access into the property room storage area.
33. LIQUOR: any references to liquor in this order shall be interpreted to include all beverages of an alcoholic nature.
34. MOBILE DEVICE means a small, handheld computing device, typically having a display screen with touch input and/or a miniature keyboard and weighing less than 2 pounds.” (Ex. Tablet, smart phone, GPS systems, etc.)
35. OWNER, for the purposes of this chapter, shall be inferred to include the person lawfully entitled to possession of the property.
36. PROPERTY AND EVIDENCE UNIT is charged with maintaining property and evidence. This includes the chain of command consisting of the evidence custodian and supervisor.
37. PROPERTY FOR SAFEKEEPING is non-evidentiary property that is placed in the custody of HRP for temporary protection on behalf of the owner.
38. PROPERTY REPORT is the generic term for the form or computer printout that documents the case number, item number, and item description.
39. PROPERTY ROOM is the generic term for the location where property and evidence are stored, which also may include secondary storage and office areas.
40. PROPERTY refers to any item, material, substance accepted into possession by HRP.
41. PURGE REVIEW is a systematic process assuring that each item of property and evidence is evaluated for possible purging.
42. REGISTERED MAIL requires the addition of proof of delivery by the addressee.
43. RELINQUISHED PROPERTY means owner voluntarily surrendered item(s) to HRP and does not expect a return

44. **REPORT TO A JUSTICE (FORM 5.2)** shall be completed upon the seizure of any item, with or without a warrant.
45. **RIGHT OF REFUSAL** is the authority given to the evidence custodian officer to reject and notify the seizing officer that property or evidence is improperly packaged or documented and needs correction.
46. **RULE OF TWO:** is a principle where two persons are present anytime that a witness is necessary
47. **SEIZED LIQUOR:** refers to any liquor which is to be used as evidence for an offence under the Liquor Control Act or Criminal Code of Canada.
48. **SEIZED PROPERTY MANAGEMENT DIRECTORATE (SPMD),** a federal body representative of Revenue Canada under control of the Seized Property Management Act that provides for the disposition of seized property in connection to designated drug offences or enterprise crime offences or property that is or may be proceeds of crime or offence-related property. Specific assets relate to cash, other financial instruments, vehicles, vessels, aircraft, real estate and other property.
49. **SEIZED PROPERTY** taken into custody by an officer as part of an investigation and suspected to be linked to a crime and may be tendered as evidence or an exhibit.
50. **SHARPS** is a term applied to hypodermic needles, disposable scalpels, and other sharp-edged implements used in medical care subject to universal precautions.
51. **STANDARD OPERATING PROCEDURE (SOP)** is a set of instructions having the force of a directive, covering those features of operations that lend themselves to a definite or standardized procedure without loss of effectiveness.
52. **STATUTE OF LIMITATION** is the legally defined period of time in which a criminal or civil action may be initiated.

Effective Date of Last Revision	February 23, 2021
Policy Owner	Deputy Chief, Support

By Order Of:



Dan Kinsella
Chief of Police
