



Policy Name:	SEIZED FIREARMS		
Policy #:	OP 5.1.4	Last Updated:	2022-04-07
Issued By:	SUPPORT SERVICES BUREAU	Approved By:	SURREY POLICE BOARD
		Review Frequency:	AS REQUIRED

RELATED POLICIES

OP 5.1 *Seized Property*

OP 5.2 *Retention of Property for Court Purposes (Form 5.2)*

1. PURPOSE

- 1.1. To provide Surrey Police Service (SPS) Members with information regarding the safe handling of seized firearms for storage at the Property Office.

2. SCOPE

- 2.1. This policy applies to all SPS Employees.

3. POLICY

- 3.1. All firearms that come into the possession of the SPS must be unloaded and confirmed to be safe for storage.
- 3.2. All firearms that come into the possession of the SPS must be reported to the Canadian Firearms Registry.

4. PROCEDURE

General Procedures For Storing Seized Firearms

- 4.1. When Members comes into possession of a firearm, Members must follow the general property procedures as described in policy OP 5.1 *Seized Property*. Members must also:
 - i. put on a clean and unused pair of nitrile gloves prior to handling the firearm;
 - ii. ensure that the firearm(s) is unloaded and confirmed as safe, and transport it to the Property Office;

- iii. place each individual firearm into its own corrugated cardboard box for storage (if there is no gun case available);
- iv. create a PRIME-BC General Occurrence (GO) report and outline the circumstances of how the firearm(s) came into the Member's possession;
- v. enter the firearm(s) into the PRIME-BC GO property module and print off a property tag sticker;
- vi. attach the property tag sticker to each corrugated cardboard storage box containing the firearm;
- vii. place the corrugated cardboard box containing the firearm into a designated locker and enter it into the Property logbook; and
- viii. if applicable, complete Form PCR 087 (Form 5.2 Report To A Justice) and submit to Court Liaison Clerk for submission.

Firearms Seized as Evidence or for Investigation

- 4.2. Members must follow the general procedures for storing seized firearms in paragraphs 4.1.i to 4.1.viii.
- 4.3. Members will refer to OP 4.34.12 *Weapons and Firearms Related Offences* and OP 5.2 *Retention of Property for Court Purposes (Form 5.2)* regarding firearms that are seized as evidence or for investigation.
- 4.4. Members must complete and submit a Form PCR 087 (Form 5.2 Report To A Justice) whenever they seize firearms. This will prevent the owner of the firearm from retrieving it from the Property Office.
- 4.5. Members must ensure that they make applications to further detain the firearms if additional time is required for their investigation (refer to OP 5.2 *Retention of Property for Court Purposes (Form 5.2)*).
- 4.6. For all firearms requiring forensic examination, Members:
 - i. must not unload the firearm(s) or make it safe unless it is necessary for safety purposes (e.g., pistol hammer is in "cocked" position). Handling a firearm by unloading and making it safe may destroy any forensic evidence that may be present on the firearm(s);
 - ii. place the firearm(s) into a storage locker specifically designated for items to be analyzed by a Member of the Lower Mainland District Integrated Forensic Identification Service (LMD IFIS). Place a notice on the locker to advise the LMD IFIS Member that there is a loaded firearm inside the locker (if applicable);
 - iii. contact the LMD IFIS and request forensic examination of a firearm(s); and
 - iv. write a Police Statement (PS) page in the PRIME-BC GO report outlining the forensic examination being requested (e.g., photographing fingerprinting, DNA swab) and a physical description of the firearm(s) (e.g., condition, color, make, model).

Found or Recovered Firearms

- 4.7. A Member who finds a firearm or who takes possession of a found firearm must submit it to the Property Office under the general procedures for storing seized firearms in paragraphs 4.1.i to 4.1.viii.
- 4.8. Members must ensure that they query the Canadian Police Information Centre (CPIC), PRIME-BC and the Canadian Firearms Registry Online (CFRO) databases to determine if the firearm was reported lost or stolen and to identify a possible owner of the firearm. Members must query the owner of the firearm in CPIC and PRIME-BC, if applicable.
- 4.9. If the firearm is reported on CPIC as lost or stolen, Members must:
- i. notify the owner of the firearm recovery by:
 - a. directly contacting the owner if the lost/stolen report originated in Surrey, or;
 - b. contacting the originating police agency via CPIC message if the lost/stolen report originated from an outside agency.
 - ii. notify the Information Services CPIC Clerk or Records Clerk to remove the lost/stolen firearm from the CPIC database; and
 - iii. draft a PS page in the PRIME-BC GO outlining the Members' actions.

Relinquished Firearms

- 4.10. When firearms are voluntarily relinquished by an owner or a delegate of an owner, a Member who receives the relinquished firearm must obtain written authorization from the owner or delegate allowing the SPS to destroy or dispose of the firearm or for the SPS to retain the firearm.
- 4.11. Members must follow the procedures regarding relinquished property as outlined in paragraphs 4.21 in policy OP 5.1 *Seized Property* and the general procedures for storing seized firearms outlined in the above paragraphs 4.1.i to 4.1.vii of this policy.

Pellet Guns and BB Guns

- 4.12. Members will follow the general property procedures (refer to OP 5.1 *Seized Property*) for found or recovered pellet or BB guns. Members must complete a Form PCR 087 (Form 5.2 Report To A Justice) if the pellet or BB gun is seized as evidence and/or investigation of a criminal offence (refer to OP 5.2 *Retention of Property for Court Purposes (Form 5.2)*).

Magazines and Ammunition

- 4.13. Members will follow the general property procedures (refer to OP 5.1 *Seized Property*) for found or recovered magazines and ammunition that do not accompany a firearm.
- 4.14. Members must unload the ammunition from the magazine (if loaded) prior to packaging it for storage at the Property Office.

Property Office Responsibilities

4.15. The Property Office will be responsible for:

- i. notifying the Canadian Firearms Registry of all firearms that have come into the possession of SPS;
- ii. managing the secure storage of firearms exhibits in a designated firearms safe that is only accessible to the Property Office Supervisor and authorized Property Office Clerks;
- iii. ensuring that the firearm is wired/disabled for storage and future court purposes (when necessary);
- iv. forwarding firearms, firearm parts and ammunition marked for destruction to the Chief Provincial Firearms Officer; and
- v. maintaining records, logs and receipts of any suitable firearms, firearm parts, ammunition removed from the Property Office for use by SPS as authorized by the Deputy Chief Constable Support Services Bureau (or designate).

APPENDIX A: DEFINITIONS

“CFRO” means the Canadian Firearms Registry Online.

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

“Firearm” means a barrelled weapons that discharges projectiles capable of causing bodily harm or death, or anything that can be adapted as a firearm (section 2 of the *Criminal Code*).

“Found Property” means any property that is found by the Member to not be in the possession of the lawful owner, or person who claims to be the owner, and is not linked to an investigation or required for a future investigation.

“Form 5.2” means a Form 5.2 Report to a Justice to document seizures under the *Criminal Code*, s. ection 489.1. This section requires that where a peace officer seizes anything during the execution of their duties where either ownership is in dispute or the continued detention of the thing seized is required for the purposes of any investigation or court proceedings, the peace officer will report the items seized to a justice using of Form 5.2.

“GO” means General Occurrence Report submitted in the PRIME-BC records management system.

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

“PRIME-BC” means the Police Records Information Management Environment, the provincial police records management system.

“Relinquish” means any property that is voluntarily turned over to the police by the owner or possessor of the property with the knowledge that the property will not be returned to them and will be otherwise disposed of by the police. Anyone in possession of property is deemed, in law, to be in lawful possession of the property, unless it is proven otherwise in a court of law.

“Seized Property” means any property that comes into the possession of a Member during an investigation, and is not considered found property, relinquished property or property for safekeeping.

“SPS” means Surrey Police Service.

APPENDIX B: REFERENCES

Criminal Code, R.S.C. 1985, c. C-46