



IM53

FIREARMS INVESTIGATIONS

IM53

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POLICY

1. The Delta Police Department will respond to and investigate all firearms offences and will seize and destroy firearms in accordance with the provisions of the *Criminal Code of Canada (CCC)* and the *Firearms Act*.

REASON FOR POLICY

2. To comply with statutory legislation governing firearms.
3. To enhance public safety in the community through safe and efficient investigation and seizure of firearms in accordance with lawful authority.

RELATED POLICIES

- IM10 – Criminal Investigations
- IM54 – Court (Family & Civil) Orders
- IP10 – Warrantless Search & Seizure
- IP11 – Warrants Search & Seizure
- IP40 – Property & Exhibits
- IR22 – Forensic Identification Section

DEFINITIONS

4. For the purposes of this Policy, the following definition will apply:



Firearm: a barreled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barreled weapon and anything that can be adapted for use as a firearm.

PROCEDURES

General

5. Members finding, receiving or seizing a firearm will be responsible for investigating the firearm according to this policy and managing its retention, return or disposal in accordance with Policy IP40 – *Property and Exhibits*.
6. Members receiving or seizing firearms shall submit a GO report containing the following information:
 - a) the authority that the firearm was seized under:
 - i) the appropriate section of the CCC,
 - ii) *Firearms Act*,
 - iii) *Wildlife Act*, or
 - iv) found property;
 - b) any charges requested and whether a prohibition order is being applied for; and
 - c) direction as to the disposition of the firearm.

Tracing

7. Firearms tracing is the process of tracking a firearm that comes into the possession of a law enforcement agency, from the manufacturer to a firearms dealer to a purchaser.
8. All recovered/seized firearms where ownership is not known, shall be traced in order to curtail the illegal movement of firearms.
9. A member seizing a firearm must attempt to ascertain, from the individual or by means described below, where the firearm was obtained:



- a) by querying police databases and querying the person from whom the firearms were seized on police databases, including requesting assistance from a member of the National Weapons Enforcement Support Team (NWEST); and
 - b) if the database checks do not yield any information, determine if the firearm needs to be traced urgently or on a routine basis, with an urgent trace being appropriate whenever the firearm was used in a shooting, a crime of violence, or situations where the trace information is essential to apprehend or hold a suspect.
10. To initiate a trace, contact NWEST for assistance.
11. Requests for urgent traces must be accompanied with a reason and any trace request must include:
- a) manufacturer (make);
 - b) model;
 - c) caliber;
 - d) serial number;
 - e) type of firearm (pistol, shotgun, revolver, rifle, etc.);
 - f) importer (if it is known and visible on the firearm);
 - g) any other markings visible on the firearm;
 - h) location where the firearm was recovered;
 - i) date of recovery;
 - j) name and complete particulars of suspect, if firearm seized from an individual;
 - k) names of any associates; and
 - l) incident number.
12. A firearms trace request form is to be sent to the Coordinator, Firearms Tracing Unit, Criminal Intelligence Service of Canada, in Ottawa or a request for a trace made to the Unit's local office.



13. The results of the trace request shall be added to the general occurrence report, and any paper documents submitted to the Records Unit for filing.

Securing a Firearm

14. Unloading a firearm risks compromising or destroying forensic evidence. If the firearm is believed to have been used in a serious incident, or if a member who seizes or recovers a loaded firearm otherwise has reason to believe that, in aid of an investigation, the firearm requires forensic examination, before being unloaded, the member shall consult with their supervisor.
15. If the supervisor is able to ensure that the scene is secured and made safe, the firearm shall be left where and as found, and the supervisor shall:
 - a) call for a member of the Lower Mainland District Integrated Forensic Identification Service (LMD IFIS) to attend and conduct a forensic examination at the scene and prior to the unloading of the firearm; or
 - b) contact a member of the Major Crime Section to attend, and transfer to them the responsibility for the scene, the firearm and calling a LMD IFIS member to attend.
16. If no LMD IFIS member is available, the LMD IFIS may activate an alternate response and send a Property Crime Examiner (PCE) to attend and examine the firearm at the scene or before it is unloaded.
17. A member or supervisor who determines that, in order to prevent the compromising of evidence or to address safety concerns, a firearm cannot be left where or as found, shall secure the firearm and ensure it is maintained, as far as possible, in the condition in which it was seized or recovered.
18. A member or supervisor required to transport a firearm, in order to transfer it to a Major Crime Section member or a LMD IFIS member, or for any other purpose, shall ensure that the firearm is unloaded.
19. Firearms that do not require a forensic examination shall be submitted to the Exhibit Unit in accordance with Policy IP40 – *Property and Exhibits*.
20. Under no circumstances may a loaded firearm be placed in an exhibit locker, and any member who is unfamiliar with or unable to unload a firearm shall advise their supervisor, and the supervisor shall call another member,



including a firearms instructor or an Emergency Response Team member, who possess the familiarity or ability, to the scene to unload it.

*Revised Dates:
15 December 2017