



**IM55**

**PROFIT-ORIENTED CRIME**

**IM55**

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**POLICY**

1. The Chief Constable shall provide Procedures, pursuant to this Policy, directing Delta Police Department members to consider charges for possession of proceeds of crime and money laundering, and identify assets for civil or criminal forfeiture, for all investigations related to profit-oriented crime.

**REASON FOR POLICY**

2. To increase operational awareness of money laundering, possession of proceeds of crime, and use of civil or criminal forfeiture.
3. To enhance the operational effectiveness of profit-oriented crime investigations.

**RELATED POLICIES**

- IM10 – Criminal Investigations
- IP41 – Civil Forfeiture



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## DEFINITIONS

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

**Money Laundering:** a criminal offence in which a person uses, transfers the possession of, sends or delivers to any person or place, transports, transmits, alters, disposes of or otherwise deals with, in any manner and by any means, any property or proceeds of any property with intent to conceal or convert that property or those proceeds, knowing or believing that, or being reckless as to whether, all or part of it was obtained or derived directly or indirectly as a result of an indictable offence (*Criminal Code*, s. 462.31).

**Possession of Proceeds of Crime:** a criminal offence in which a person has in their possession any property or thing, or any proceeds of any property or thing, knowing that all or part of it was obtained by or derived directly or indirectly from an indictable offence (*Criminal Code*, s. 354).

**Profit-Oriented Crime:** offences related to the acquisition of illegal income or wealth.

## PROCEDURES

### Training

5. Members participating in profit-oriented crime investigations must be appropriately trained to do so, as directed by the Superintendent i/c Administration Bureau or delegate.

Cullen Commission (2022)  
Rec. 90

### Investigations

#### *General*

6. For all investigations related to profit-oriented crime, members shall:
- a) consider whether it is appropriate to recommend charges for possession of proceeds of crime and/or money laundering, and if it is, pursue those charges;
  - b) identify and collect evidence that could be used to inform civil or criminal asset forfeiture recommendations; and



- c) consult with the Inspector i/c Investigative Services or delegate, if appropriate, who shall determine whether Investigative Services is to assume the file.

Cullen Commission (2022)  
Rec. 89 & 96

### **Partner Agencies**

7. For all profit-oriented crime investigations, members shall, throughout all stages of the investigation, consider whether referring the investigation to a partner agency is appropriate (e.g., BC Civil Forfeiture Office, Law Society of BC, Canada Revenue Agency, Canadian Border Security Services, RCMP), and if so, liaise with or request assistance from that agency.
8. The Inspector is responsible for keeping an up-to-date repository of contact information of partner agencies.

### **Forfeiture**

9. If Crown counsel does not approve criminal charges or advises that criminal forfeiture will not be sought, the member shall refer the file to the Civil Forfeiture Office, as appropriate (refer to Policy IP41 – *Civil Forfeiture*).

### **Documentation**

10. For all profit-oriented crime investigations, it is recommended to document the following in the associated file and, if applicable, the Report to Crown Counsel (RTCC):
  - a) any information concerning assets owned or controlled by the subject of the investigation or their associates;
  - b) recommendations concerning possible forfeiture applications;
  - c) if a partner agency has been consulted or has assumed command of the investigation, identification of the partner agency, their role, and any contributions or recommendations made;
  - d) if applicable, an explanation of why proceeds of crime and/or money laundering charges were not recommended; and

Cullen Commission (2022)  
Rec. 97



- e) if applicable, an explanation as to why civil or criminal asset forfeiture were not pursued.
11. Supervisors must conduct a final review prior to closing a file on any profit-oriented crime investigation to ensure the above is adhered to, and if charges and/or forfeiture were not pursued, that it was appropriate not to do so.

\*Revised Dates:  
N/A