



Policy Name:	CURRENCY AND CRYPTOCURRENCY		
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RELATED POLICIES

OP 4.15 Cyber and Technology Crime

OP 4.4 Asset Forfeiture

OP 5.1 Seized Property

OP 5.1.2 Digital Evidence Management

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

1. PURPOSE

- 1.1. To provide Surrey Police Service (SPS) Members with direction regarding currency and cryptocurrency seizures.
- 1.2. To outline the process of recording the seizure of physical currency for investigation or safekeeping.
- 1.3. To outline the processing of seizing counterfeit currency.
- 1.4. To outline the process of seizing cryptocurrency for investigation.

2. SCOPE

- 2.1. This policy applies to all Members.

3. POLICY

- 3.1. Members may encounter incidents where they may seize physical currency (cash) or locate a cryptocurrency wallet during their investigation of a criminal offence (e.g., bank robbery, break and enter, fraud, theft, drug trafficking).
- 3.2. Members may seize cash for safekeeping to prevent loss or theft of the physical currency due to the circumstances of the incident (e.g., found property, lawful owner is unknown).
- 3.3. Members must follow this policy's procedures to ensure continuity of evidence and to safeguard against the potential loss or destruction of currency and cryptocurrency.

4. PROCEDURE

Seizure of Physical Currency (Cash)

- 4.1. During a criminal investigation, Members may locate and seize physical currency that is believed to be proceeds of a criminal offence or required to be seized for safekeeping.
- 4.2. When currency is seized for investigative reasons, Members must:
 - i. record the following information their notebook:
 - a. date, time and location of the incident;
 - b. circumstances of the incident, including articulation of reasons leading up to the seizure;
 - c. name of any individuals associated to the incident;
 - d. description of the cash such as denominations, number of bundles and bundling method if applicable, (supplement notebook entry with photographs using a department issued camera when possible). If the Member estimates amount of cash seized, they must clearly write "estimate" in their notebook along with the source of the estimate (e.g., from the suspect/subject or from personal observation);
 - e. assign an individual exhibit number to each cash exhibit located in different locations (e.g., glove compartment, wallet, jacket pocket, closet safe, etc.); and
 - f. time of transport from the scene to the Property Office;
 - ii. transport the cash to the Property Office for counting and secure storage;
 - iii. photograph the cash with an SPS issued camera and count the cash in presence of a second Member as a witness;
 - iv. separate the different types of currency into their own sub-exhibits, if applicable (e.g., Canadian dollars, US dollars, Japanese Yen);
 - v. record the breakdown of denominations and total value of each type of currency in their notebook and on their respective exhibit bags;
 - vi. package and seal the cash into individual exhibit bags. Ensure that the witness Member writes their initials on the exhibit bag(s) to confirm the value and contents;

- vii. enter the seized cash as “security” into the Property Module of the associated PRIME-BC General Occurrence (GO) report and print a property tag;
- viii. attach the property tag to the exhibit bag(s) of currency and place it into the designated “Cash and Valuables” secure safe or locker;
- ix. have a witness Member present;
- x. record the time, locker number and badge number of witness Member in their notebook;
- xi. complete Form PCR 087 (Report To A Justice Form 5.2) to detain the physical currency for 90 days; and
- xii. enter a Police Statement (PS) page describing the Member’s actions.

4.3. When Members are conducting a drug investigation and discover cash that they believe is the proceeds of drug trafficking, Members will seize the cash for further investigation as per paragraphs 4.2.i to 4.2.xii and follow these steps:

- i. photograph the cash in its original state and location using an SPS-issued camera;
- ii. handle the cash using nitrile gloves to prevent cross contamination;
- iii. photograph the cash upon processing at the Property Office;
- iv. assign sub-exhibit numbers if necessary to record different bundles (if applicable);
- v. obtain ion swab samples from random denominations of the cash to test for drug contamination prior to counting;
- vi. physically count the cash by hand. Avoid using a cash counting machine to count the currency to prevent potential cross contamination from previous cash counted in the same machine; and
- vii. create a PRIME-BC GO report to record the Member’s actions and required investigative steps. Include any photographs in the GO report.

4.4. If Members discover a large volume of physical currency, Members will seize the cash for further investigation as per paragraphs 4.2.i to 4.2.xii and follow these steps:

- i. photograph the cash in its original state and location using an SPS issued camera;
- ii. handle the cash using nitrile gloves to prevent cross contamination;
- iii. transport the cash to the Property Office and photograph the cash at the Property Office;
- iv. store the cash in the designated limited access cash storage safe/locker (if after hours and/or there are limited resources), or as directed by the Chief Constable or designate;
- v. in case of cash that is packaged or vacuum sealed in bags, contact a Member of the Lower Mainland District Integrated Forensic Identification Service (LMD IFIS) to assist with potential fingerprinting of any outer packaging and photographing prior to processing;
- vi. contact the Civil Forfeiture Unit for assistance with the processing and counting of the cash (e.g., collection of ion swab samples, opinion from bundling subject matter expert

(if bundled) and arranging analysis using the RCMP Currency Reading and Tracing System (CRATS);

- vii. assign sub-exhibit numbers to record individual packages and/or bundles of cash (if applicable);
- viii. obtain ion swab samples from random denominations of the cash to test for drug contamination prior to counting;
- ix. physically count the cash by hand. Avoid using a cash counting machine to count the currency to prevent potential cross contamination from previous currency; and
- x. create a PRIME-BC GO report to record the Member's actions and required investigative steps. Include any photographs in the GO report.

4.5. Members must always be aware of the detention of property requirements under section 490 of the *Criminal Code*, specifically applications for further detention orders, forfeiture orders, and return order (see OP 5.2 *Retention of Property for Court Purposes (Form 5.2)*).

Physical Currency Seized for Safekeeping

4.6. For physical currency that is seized for safekeeping, Members must:

- i. record the following information their notebook:
 - a. date, time and location of the incident;
 - b. name of any individuals associated to the incident;
 - c. circumstances of the incident, including articulation of reasons leading up to the seizure;
 - d. description of the cash such as denominations, number of bundles and bundling technique (if applicable), and supplement notebook entries with photographs when possible; and
 - e. time of transport from the scene to the Property Office;
- ii. transport the cash to the Property Office for counting and secure storage;
- iii. have a witness Member present and record the time and badge number of the witness Member in their notebook;
- iv. photograph and count the cash in presence of a second Member as witness;
- v. separate different types of currency (if applicable) and record the breakdown of denominations and total value of the cash in their notebook and on the exhibit bag;
- vi. package and seal the cash into an exhibit bag. Ensure that the witness Member writes their initials on the exhibit bag to confirm the value and contents;
- vii. enter the cash as "security" into the Property Module associated to PRIME-BC GO and print a property tag;
- viii. attach the property tag to the exhibit bag(s) of cash and place it into the designated "Cash and Valuables" secure safe or locker;
- ix. record the time, safe/locker number and badge number of witness member in their notebook; and
- x. complete a PRIME-BC GO report recording the incident and the Member's actions and attach any photographs taken.

Civil Forfeiture Unit Responsibilities – Physical Currency Seizures

4.7. When the Civil Forfeiture Unit is notified of a large currency seizure and their assistance is requested, Members of the Civil Forfeiture Unit must:

- i. review the PRIME-BC GO report;
- ii. contact the primary investigator to discuss the incident;
- iii. assist primary investigator with counting, collection of ion swab samples for analysis, arranging analysis using the RCMP CRATS unit;
- iv. enter a Police Statement (PS) recording the actions of the Civil Forfeiture Unit Member; and
- v. consider conducting an asset forfeiture investigation to refer the packaged currency to the Director of the Civil Forfeiture Office (refer to policy OP 4.4 *Asset Forfeiture*).

Lower Mainland District Forensic Identification Service Responsibilities – Physical Currency Seizures

4.8. When LMD IFIS is notified of a large currency seizure and their assistance is requested, Members of LMD IFIS will:

- i. take detailed photographs of the packaging and bundles of currency;
- ii. obtain any potential fingerprints of value from any packaging material (e.g. outer packaging, vacuum seal bags); and
- iii. analyze fingerprints located on the packaging and report results to the primary investigator. Enter a statement page in the PRIME-BC GO report.

Counterfeit Currency Seizures

4.9. If Members seize currency that is suspected to be counterfeit, Members will:

- i. record the denomination, issuing country, serial number and other physical descriptors in their notebook (take photographs of the counterfeit cash using an SPS-issued camera when possible);
- ii. not write on or mark the counterfeit currency;
- iii. handle the counterfeit currency while wearing nitrile gloves to preserve any potential forensic evidence and place it into a sealable exhibit bag;
- iv. create a GO report and enter the counterfeit currency into the PRIME-BC GO property module;
- v. attach the property tag to the exhibit bag(s) of counterfeit currency and place it into the designated “Cash and Valuables” secure safe or locker;
- vi. have a witness Member present and record the time, locker number and badge number of the witness Member in their notebook;
- vii. complete Form PCR 087 (Report To A Justice Form 5.2) to detain the physical currency for 90 days; and
- viii. record the circumstances of the incident and investigative steps in the PRIME-BC GO report.

Counterfeit Currency Seizures for Criminal Charges

- 4.10. If Members determine that the counterfeit currency requires forensic examination to pursue criminal charges, Members must send the counterfeit currency to the National Anti-Counterfeiting Bureau (NACB) for forensic examination. Members will:
- i. retrieve the exhibit bag of counterfeit currency from the Property Office;
 - ii. clearly label the exhibit bag with “**Special Handling – Fingerprinting Required**” to notify the NACB that the counterfeit currency requires fingerprint examination;
 - iii. complete RCMP Form C-414 (Request for Forensic Laboratory Analysis) and include the following information on the form:
 - a. Member’s (primary investigator) name, badge number, contact information, work address;
 - b. Bureau/Section;
 - c. PRIME-BC GO report number;
 - d. name and date of birth of suspect in the “brief summary” field; and
 - e. the counterfeit currency exhibit requires forensic examination for potential criminal charges.
 - iv. place the exhibit bag of counterfeit currency into a shipping envelope and send the counterfeit currency to:

National Anti-Counterfeiting Bureau
NPS Building
73 Leikin Drive, Ottawa, Ontario
K1A 0R2

- 4.11. The NACB will analyze the counterfeit currency exhibit and return it to the primary investigator with an analysis report. If the currency is confirmed to be counterfeit, the NACB will include a “Certificate of an Examiner of Counterfeit Money” and “Notice of Intention to Produce Certificate”.

- 4.12. Upon receiving the above from the NACB, the primary investigator will:
- i. scan the analysis report, and the “Certificate of an Examiner of Counterfeit Money” and “Notice of Intention to Produce Certificate” (if applicable) into the PRIME-BC GO report;
 - ii. serve the suspect with the “Certificate of an Examiner of Counterfeit Money” and “Notice of Intention to Produce Certificate” for disclosure purposes; and
 - iii. summarize the analysis results in a Police Statement (PS) page into the PRIME-BC GO report and any other actions taken.

Counterfeit Currency Seizures – For Destruction (no criminal charges)

- 4.13. If the Member determines that there is insufficient evidence to pursue criminal charges, the Member will forward the counterfeit currency to NACB for destruction.

- 4.14. To submit the counterfeit currency to NACB for destruction, Members will:

- i. retrieve the counterfeit currency exhibit from the Property Office;
- ii. complete RCMP Form 3774 (Request for Analysis of Non-Court File Submissions);
- iii. scan a copy of the completed RCMP Form 3774 into the PRIME-BC GO report; and
- iv. package the counterfeit currency exhibit into a shipping envelope with a hard copy of the completed RCMP Form 3774 and send the exhibit to the NACB:

National Anti-Counterfeiting Bureau
NPS Building
73 Leikin Drive
Ottawa, Ontario
K1A 0R2

Cryptocurrency

4.15. During an investigation, if Members have formed the belief that a cryptocurrency wallet may be located on an electronic device and they believe the cryptocurrency within the wallet may have been obtained in the commission of a criminal offence or may be the proceeds of crime, Members must:

- i. seize the electronic device and follow the procedures outlined below:
 - a. if the electronic device is a cellular phone, do not attempt to unlock the phone or check any incoming or outgoing messages and attach an external battery charger as soon as practicable;
 - b. if the device is powered on, do not turn it off;
 - c. if the device is powered off, do not turn on the power as it may allow access into the device to erase its contents; and
 - d. secure the electronic device in a radio frequency proof receptacle (e.g., Faraday bag or container);
- ii. record the electronic device and cryptocurrency wallet in their notebook;
- iii. create a PRIME-BC GO report to record the circumstances of the incident and further investigative steps (e.g., to pursue criminal charges or potential asset forfeiture investigation);
- iv. enter the seized electronic device into the PRIME-BC GO property module; if the amount of cryptocurrency contained in the cryptocurrency wallet is known, enter the cryptocurrency amount into the PRIME-BC GO property module as a “security”;
- v. Regular Hours:
 - a. contact the Digital Forensics Unit for assistance and inform them of the presence of cryptocurrency on the electronic device; and
 - b. transport the seized electronic device to the DFU for secure storage;
- vi. After Hours:
 - a. store the seized electronic device in a secure locker at the Property Office or in a secure locker specifically designated to the Digital Forensics Unit; and
 - b. enter a Miscellaneous Notes (MN) page in the PRIME-BC GO report requesting digital forensic examination of the electronic device;

- vii. complete Form PCR 087 (Report To A Justice Form 5.2) to detain the seized electronic device for 90 days;
- viii. consider writing a warrant to search the electronic device for execution by the DFU;
- ix. record all evidence of the cryptocurrency recovered by the DFU;
- x. maintain responsibility of the electronic device; and
- xi. draft a Report to Crown Counsel (RTCC) recommending criminal charges or draft a report referring the cryptocurrency to the Director of the Civil Forfeiture Office for consideration.

Digital Forensics Unit (DFU) Responsibilities

4.16. The DFU is responsible for:

- i. analyzing the seized electronic device and recovering and seizing/securing the cryptocurrency wallet and contents;
- ii. providing the primary investigator with a copy of the recovered data;
- iii. submitting a detailed PS in the PRIME-BC GO report outlining the investigation conducted by the Member of the DFU;
- iv. assisting the primary investigator in determining possible criminal charges or potential asset forfeiture investigation; and
- v. returning electronic device exhibits to the Property Office for secure storage or to the primary investigator.

Property Office Responsibilities

4.17. The Property Office will manage the storage of all physical currency and electronic devices that are securely stored for investigation and safekeeping.

4.18. The Property Office will securely store physical currency in the designated cash and currency safe. Access to this safe will be limited to the Property Office Supervisor and authorized Property Office Employees only. Records will be kept of all Employees who tag or retrieve cash and currency from the safe.

4.19. The Property Office will not return seized cash or electronic devices to the possessor of the seized cash without a valid Order To Return Things Seized that has been signed by a Justice of the Peace. Upon receipt of an Order To Return Things Seized, a copy of the order will be scanned into PRIME-BC GO report or RTCC.

4.20. All cash and electronic devices must be held at the Property Office for 31 days from the date any Order is issued by a Justice of the Peace under the *Criminal Code*. The 31-day period allows for appeals or disputes related to the property.

4.21. If the Property Office does not receive notification of an appeal or dispute regarding the property in question, the Property Office will follow the instructions in the Order issued by the Justice of the Peace.

4.22. The Property Office will ship all counterfeit currency to the NACB for destruction if there are no criminal charges recommended or pending.

APPENDIX A: DEFINITIONS

“CFO” means the Civil Forfeiture Office.

“CRATS” means the RCMP’s Currency Reading and Tracing System.

“DFU” means SPS Digital Forensics Unit.

“Director” means a person who is designated as the director of the Civil Forfeiture Office under section 21(1) of the *Civil Forfeiture Act*.

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

“Form 5.2” means a federal Form 5.2 Report to a Justice to record seizures under the *Criminal Code* - Section 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 a Form 5.2.

“Cryptocurrency” means a digital currency that uses encryption techniques to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank. There are over 1,000 different types of cryptocurrencies (e.g., Bitcoin, Ethereum).

“Digital and Electronic Devices” means, but is not limited to, computers, hard drives, tablets, cellular devices, other mobile devices, and electronic storage media including CD/DVDs, USB thumb drives, memory cards, and digital cameras.

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

“LMD IFIS” means Lower Mainland District Integrated Forensic Identification Service.

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

“NACB” means the RCMP’s National-Anti Counterfeiting Bureau.

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

“RTCC” means an investigational file with multiple reports, pages and notes sent through Police Crown Liaison to Crown Counsel for charge approval.

“SPS” means Surrey Police Service.

“Supervisor” means a Team Leader, Manager, Sergeant, Staff Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and any other person acting in a Supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

APPENDIX B: REFERENCES

Civil Forfeiture Act, S.B.C. 2005, c. 29