



Policy Name:	BOOKING AND FINGERPRINTING OF PRISONERS		
Policy #:	OP 7.1	Last Updated:	2022-01-27
Issued By:	COMMUNITY POLICING BUREAU	Approved By:	SURREY POLICE BOARD
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RELATED POLICIES

OP 3.1 Arrest and Detention

OP 3.2 Searches of a Person

OP 7.3 Transportation of Prisoners

OP 7.5 Responsibility for Prisoners

OP 7.6 Searching Prisoners

1. PURPOSE

- 1.1. To ensure that the processing of prisoners by Surrey Police Service (SPS) Members follows the provisions of the BC Provincial Policing Standards (BCPPS), the *Identification of Criminals Act* (ICA), and complies with all legal authorities and requirements.
- 1.2. To provide direction for Members attending the Surrey Cell Block with respect to the booking, photographing, fingerprinting and palming of prisoners.
- 1.3. Fingerprints are necessary to register a conviction for an offence on a person’s criminal record.

2. SCOPE

- 2.1. This policy applies to all SPS Members.

3. POLICY

- 3.1. SPS will participate in, and conform to, the Centralized National Fingerprint Records System administered by the RCMP.

3.2. Members will collect fingerprints, palmprints, photographs, and process prisoners in accordance with the law and in a reasonable and respectful manner.

3.3. SPS is responsible for the well-being and protection of persons in its custody (see OP 7.5 *Responsibility for Prisoners*).

4. PROCEDURE

4.1. The transporting Member is responsible for ensuring a search of the prisoner has been completed prior to the prisoner being transported to the Surrey Cell Block (see OP 3.2 *Searches of a Person* and OP 7.3 *Transportation of Prisoners*).

4.2. The Member must carefully search the prisoner and ensure all property, especially anything the prisoner could use to inflict self-injury or cause injury or damage to persons or property, is seized (see OP 7.6 *Searching Prisoners*).

4.3. Prisoners arriving at the Surrey Cell Block must have been or are:

- i. lawfully arrested under statutory authority; or
- ii. arrested pursuant to an order made by a court of competent jurisdiction; and
- iii. a minimum of twelve (12) years of age (see OP 2.1 *Arrest and Detention*).

4.4. Upon arrival at the Surrey Cell Block, the Member must remove and secure their issue pistol in the approved storage receptacle prior to removing the prisoner from the vehicle and entering the Cell Block.

4.5. All visitors and Members entering the Surrey Cell Block must report to the Surrey Cell Block Duty Sergeant or the Surrey Cell Block Constable, prior to performing any activities with the Cell Block.

4.6. No prisoner shall be left unattended in the Surrey Cell Block at any time and this includes visitor rooms, fingerprint room, medical treatment room, or common area without a Member present in the Cell Block and in constant visual contact.

Prisoner Booking Procedures

4.7. The transporting Member is responsible for their prisoner throughout the booking process (see OP 7.5 *Responsibility for Prisoners*).

4.8. A secondary search of all prisoners brought into the Surrey Cell Block must be conducted by the Surrey Cell Block Constable prior to the prisoner being lodged in the cell (see OP 7.6 *Searching Prisoners*).

4.9. The Member must assess prisoner responsiveness and consider a medical assessment if a prisoner is a known or suspected substance user.

4.10. The following persons will not be booked into the Surrey Cell Block until cleared by a medical practitioner:

- i. a prisoner who has consumed a large amount of alcohol, or who has mixed drugs and alcohol, or who is intoxicated from ingesting an alcohol-based product; or
- ii. a prisoner who has a serious or significant injury or medical condition.

4.11. Paramedics cannot legally clear a prisoner for incarceration in cells as it is beyond their scope of practice.

4.12. The Member must brief the Guard on duty about the circumstances surrounding the arrest of prisoners to enhance the level of care required (e.g., person exhibiting suicidal tendencies, medical conditions, medications, injuries, and use of force to effect the arrest).

4.13. The Member will book the prisoner in the Arrest module on PRIME which will create the prisoner's C-13 form. All prisoners lodged in the Surrey Cell Block will be coded using the VISEN Plus Coding System. This will be noted on the prisoner's C-13 form. A note must be placed on the C-13 form adjacent to the VISEN codes as to whether the behaviour was observed, the information was provided by the prisoner, or the information was obtained from CPIC.

4.14. If a prisoner admits to having an infectious disease or parasite, a note must be made in the "medication/unusual characteristics/distinguishing marks" portion of the C-13 form that the prisoner disclosed to the Member that they have that specific disease or parasite.

Access to Counsel

4.15. Prisoners shall have private confidential access to legal counsel both in person and on the telephone and will use the spaces and booth provided at the Surrey Cell Block.

4.16. The Member is responsible to facilitate access to legal counsel which includes providing the prisoner with the proper telephone directory and legal aid assistance telephone number.

Prisoner Effects

4.17. All prisoner effects are to be listed on the C-13 form and dealt with as follows:

- i. all items held in personal effects must be checked and itemized;
- ii. bulky items that do not fit within the prisoner effects bin are to be returned to the investigating Member who will ensure that these items are lodged in SPS exhibits;
- iii. cash and/or cheques of prisoners are to be placed in a clear plastic prisoner cash bag, the amounts of each denomination will be recorded on the outside, and the Member and Guard will initial the money amount on the C-13 form indicating both have counted the money and confirmed the amount;

- iv. any amount over \$250.00 will be locked in the Surrey Cell Block strong box and indicated on the C-13 form;
- v. jewelry will be described according to its colour, taped onto a black 4" x 6" card and placed in a clear plastic prisoner cash bag and the contents recorded on the outside;
- vi. any syringes that are not in their proper packaging will be disposed of in a sharps container;
- vii. any items removed or seized from the prisoner's effects bag must be documented on the C-13 form and include the Member's name, badge number, date, time and initials; and
- viii. once the C-13 form has been completed, it must be printed and then signed by the Surrey Cell Block Duty Sergeant.

4.18. Prisoners will only be permitted to retain one (1) pair of pants, one (1) shirt, one (1) pair of underwear and one (1) pair of socks.

4.19. Bras will be left on, if worn, unless the individual is suicidal or there are wire inserts in the cups. If the metal wires can be removed, the individual may retain the bra.

4.20. Strings in waistbands or around the neck must be removed.

4.21. Prisoners with disabilities requiring the aid of an assistive/prosthetic device (e.g., mobility aid scooter, wheelchair, cane and white cane, leg brace or artificial limbs), may retain the device with them while in custody if they are not a danger to the prisoner, to the Guards, or to the Members. If the individual with a disability cannot be accommodated while in custody, Members must clearly articulate the reasons for the determination including all accommodation options considered. The decision to permit the retention of an assistive/prosthetic device rests with the Surrey Cell Block Duty Sergeant.

4.22. Prisoners with aesthetic or gender-affirming prosthetics (e.g., eyeballs, ears, breasts, etc.) may retain the device with them in custody if they are not a danger to the prisoner, to the Guards, or to the Members.

4.23. Prisoners may only keep cultural, religious, or spiritual items with them in custody if they are not a danger to the prisoner, to the Guards, or to the Members.

4.24. If any item of cultural, religious or spiritual significance is removed, the Member must ensure that it is respectfully handled and retained for safeguarding. The Member will ask the prisoner how the item should be handled, and where possible, handle the item in accordance with the beliefs stated by the prisoner.

4.25. Prisoners wearing a turban must remove it, but they will be provided with an alternative head covering. Photographs will be taken with and without the head covering.

4.26. Prisoners wearing other religious or cultural head and/or face coverings (e.g., hijab, chador, burka, niqab, etc.) must remove it during photographing. Photographs must be taken by a Member or

Guard of the same gender to preserve the individual's modesty and respect the sanctity of their culture or religion. At the conclusion of photographing, prisoners may retain religious head and/or face covering with them in custody if they are not a danger to the prisoner, to the Guards, or to the Members.

Fingerprinting and Photographing Prisoners

4.27. Prior to taking fingerprints, palmprints or photographs from a prisoner under the ICA, the Member must ensure that:

- i. an Information has been sworn before a Justice charging the person with an indictable or hybrid (dual procedure) offence; or
- ii. the person has been convicted of the indictable offence for which they are in custody and have not been previously processed; or
- iii. the allegations against the person support a charge for an indictable or hybrid (dual procedure) offence:
 - a. and the person has provided informed consent; or
 - b. if the fingerprints or palmprints form part of the Crown's case against the person for the offence currently under investigation, obtain written consent; or
 - c. if the person explicitly refuses to provide their fingerprints or palmprints and the Information has not been formally laid, direct the person by way of an Appearance Notice, Summons, Undertaking to Appear or Judicial Release Order to be fingerprinted and palmprinted at a later date and/or time subsequent to the swearing of an Information.

4.28. A peace officer is authorized by the ICA to use reasonable force to obtain fingerprints, palmprints and photographs from a person where an Information has been sworn before a Justice charging an individual with an indictable or a hybrid (dual procedure) offence.

4.29. When a prisoner objects to being fingerprinted, palmprinted or photographed and an Information has been sworn, the Member must discuss with their Supervisor the appropriate action to be taken, such as the use of any force.

4.30. Where an Information has not been sworn, a Member shall not use force to obtain fingerprints, palmprints or photographs. Photographs, fingerprints and palmprints may be obtained by consent of the prisoner, if an Information has not been sworn.

4.31. It is preferable to obtain fingerprints, palmprints and photographs in the initial dealings with the person, but this does not preclude compelling the person's later attendance for fingerprinting and photographing via an Appearance Notice, Summons, Undertaking to Appear or Judicial Release Order.

4.32. Prisoner fingerprints, palmprints and photographs are to be taken via Intellibook.

4.33. When taking a photograph on IntelliBook the Member must ensure that:

- i. all jewelry and glasses are removed;
- ii. all marks, scars and tattoos are appropriately photographed;
- iii. the subject is centered in the picture, properly focused; and
- iv. photographs are taken of a frontal view, left side view, and a right-side view.

4.34. Members will follow the processing requirements of the IntelliBook application and comply with the policies and procedures of PRIME-BC, CCRTIS and RTID associated with processing of fingerprinting and photographing of arrested persons.

4.35. Pursuant to CCRTIS policy, criminal fingerprints must not be submitted by Members to RTID until the Information has been sworn and charges have been formally laid.

4.36. Once completing fingerprinting of a prisoner in IntelliBook, the Member will make a notation of the SID in their notebook.

4.37. When using the IntelliBook application, the records must be reviewed by the designated Supervisor. Approved records are then submitted to RTID.

APPENDIX A: DEFINITIONS

“CCRTIS” means the Canadian Criminal Real Time Identification Services. CCRTIS maintains the national database of criminal records in Canada. CCRTIS is operated by the RCMP.

“Guard” means a Surrey Cell Block staff member entrusted with the safekeeping of prisoners under the general supervision of the SPS.

“ICA” means the *Identification of Criminals Act*.

"Intellibook" means an application designed to establish a Criminal Record to represent one subject (subject may then have one or more SID or Booking Records); provides province-wide access to fingerprints and photographs on a single server to police agencies; and enables police agencies to capture electronic fingerprints to submit their Form C-216 to RTID.

“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.

"RTID" means the Real Time Identification System, which is a criminal records and fingerprint repository operated by the RCMP.

"SID" means the Serial Identification Number, a Booking Record created by IntelliBook.

“VISEN Plus Coding System” is a behavioural attitude coding system designed for the exchange of relevant information regarding prisoners being transferred between holding agencies.

APPENDIX B: REFERENCES

Identification of Criminals Act, R.S.C. 1985, c. I-1

RCMP - Canadian Criminal Real Time Identification Services (CCRTIS) – *Policies and Best Practices on Submitting Criminal Record Information to the RCMP (2014)*.