



## TRANSIT POLICE

# VIOLENT CRIME LINKAGE ANALYSIS SYSTEM (ViCLAS)

Effective Date: May 9, 2005

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Reviewed Date:

Review Frequency: As Required

Office of Primary Responsibility: Manager Information Management Section

## POLICY

### Definitions

Member – A Designated Constable (all ranks), Deputy Chief Officer, and Chief Officer of the Transit Police.

Metro Vancouver Transit Police (“Transit Police”) – The operating name of the South Coast British Columbia Transportation Authority Police Service.

### General

1. Transit Police supports the Violent Crime Linkage Analysis System (“ViCLAS”) as an investigational tool for violent crimes.
  - (1) ViCLAS is a specialized section tasked with identifying cases of violent crime committed by serial offenders within Canada. The section is directed at improving the methods available to all police agencies for investigating violent crime.
2. The ViCLAS Crime Analysis Booklet – Form 3364 (“ViCLAS Form 3364”) will be utilized for reporting all identified cases to ViCLAS, in accordance with this policy.

## PROCEDURES

3. Where Transit Police has primary responsibility for the conduct of a file<sup>1</sup>, a ViCLAS Form 3364 will be completed (see fillable form [Transit Police Form OZ0960B](#)). Transit Police is responsible for the following offence reporting:
  - (1) All solved and unsolved Sexual Assaults<sup>2</sup> or Attempted Assaults (this includes sexual interference, invitation to sexual touching and sexual exploitation, as

<sup>1</sup> In consideration of the Transit Police – JPD Operational MOU, it would be the JPD as the primary investigator who would be responsible for ViCLAS reporting for files related to: solved or unsolved homicides or attempted homicides, manslaughter, human deaths where foul play is suspected, missing persons where foul play is suspected and non-parental abductions, completed real or attempted.

<sup>2</sup> Sexual assault cases involving familial or domestic situations require a ViCLAS submission only where there are unique or significant physical, sexual or verbal behaviours. Further, sexual assault cases in which both the offender and victim are children (i.e., 11 years or younger) require ViCLAS submission only where there are unique or significant physical, sexual or verbal behaviours. [Source: Pacific Region ViCLAS Coordinator – 2022 March 8]

- victims in these cases are usually children), and False Allegations of Sexual Assault;
- (2) All solved or unsolved child luring or attempted child luring;
  - (3) All solved and unsolved Intimidations Violence/Threats;
  - (4) All solved and unsolved Voyeurism, Indecent Acts and Exposures and Nudity in public;
  - (5) Public Mischief \* mandatory if in relation to murder or sexual assault;
  - (6) Suspicious Person/Vehicle/Property\* mandatory if in relation to murder or sexual assault; and
  - (7) Intelligence: Sex Offender.
4. Regardless of the nature of the investigation, the Member may submit a ViCLAS Form 3364 if there is reason to believe that the offender involved (known or unknown) may have been responsible for other violent crime or has the potential to offend/re-offend. (This would be done upon Transit Police consultation with the Pacific Region ViCLAS Centre.)

**[Refer to Transit Police [Form OZ0960A](#) for the list of ViCLAS reference codes.]**

### **Preliminary Reports**

5. The assigned investigator or a designate will complete and forward a ViCLAS Form 3364 within 30 days of receiving the complaint, including:
- (1) A copy of the victim's transcribed statement, if not yet viewable on the PRIME file;
  - (2) A copy of the offender's statement when applicable;
  - (3) A photograph of the offender in solved cases and copies of artist sketches or composites of offenders in unsolved cases; and
  - (4) Any biological evidence ("DNA") needs to be noted in the booklet as "YES" or "NO" (do not send the DNA evidence).
6. Readers will be responsible to:
- (1) Identify a ViCLAS reportable offence, updating PRIME to ViCLAS "Yes";
  - (2) Issue a 30-day diary date from the creation of the file to the investigating Member for completion of the ViCLAS Form 3364; and
  - (3) If the 30-day diary date is not adhered to, advise the Member's Supervisor.
7. If the case is unsolved at the time of reporting, the Member will report all names of persons gathered during the investigation via the "Associated Names and Vehicles" portion of the ViCLAS Form 3364. This includes all witnesses, suspects, and persons of interest. Alternatively, if the list of names is extensive, the Member will provide photocopies of persons' reports from the case file.

### Follow-up Reports

8. When submitting a supplement or correcting of information previously provided, the Member will submit a ViCLAS Form 3364 completing: the Agency Name, ORI/CPIC, Incident Number, ViCLAS Identification Number, Victim's Name and Date of Birth, and only those items that the Member needs to correct or add (including, if not yet submitted, copy of the victim's statement, copy of offender statement, photographs and/or drawings of the offender, and any biological evidence). The Member will not need to re-submit unchanged items.

*NOTE: The Member may submit a follow-up report in the form of an E-Mail if the update does not require multiple sections of the ViCLAS Form 3364 to be edited/completed (ensuring the identifying information included in that E-mail).*

### Completion and Forwarding ViCLAS Crime Analysis Report

9. The ViCLAS Form 3364 will be submitted electronically to the Readers (via [REDACTED]) by the Member completing the report.

- (1) The lead Investigator will need to inform the Reader if there is hold back evidence. The Reader will then inform the Pacific Region ViCLAS Centre so they can liaison with the lead Investigator on what information that they will need to prepare their analysis.

- (2) An electronic copy of the ViCLAS Form 3364 will be retained by the Readers in the following drive: [REDACTED]

10. Readers will ensure that all completed ViCLAS submissions (electronic ViCLAS Form 3364 and copies of statements) are promptly E-mailed (through encryption) to the Pacific Region ViCLAS Centre at [REDACTED]

- (1) For any media or submissions over 20MB via E-mail, please forward the submission to:

[REDACTED]

- (2) The Pacific Region ViCLAS Centre does not usually confirm submissions. They will only notify Transit Police of a ViCLAS submission when they note corrections or changes.

### Disclosure

11. As the content of the ViCLAS Form 3364 is based on investigative information documented or otherwise contained in the investigative file on PRIME, the content

of the ViCLAS Form 3364 is redundant and need not be disclosed as a matter of routine.

12. If Defence Counsel specifically requests the disclosure of ViCLAS information on a case before the Court, the Member will, via the Transit Police ViCLAS Liaison or designate, request a Full Case Report from the Pacific Region ViCLAS Centre.
13. The Full Case Report to be provided to the Transit Police Information and Privacy Coordinator for vetting and then will be provided to Defence Counsel. The actual ViCLAS Form 3364 is NOT to be disclosed.
  - (1) The responsibility for vetting the Full Case Report for exemptions to disclosure under s. 37 of the *Canada Evidence Act* remains with the Transit Police as the originating investigating agency, NOT ViCLAS.
  - (2) Information regarding the accused's participation in offences not before the Court is EXEMPT from disclosure, as the disclosure of information related to ongoing investigations is not in the public interest, per s. 37 of the *Canada Evidence Act*.
14. In the event that the investigating Member receives a 'Notice of Motion' requiring disclosure of a ViCLAS case that is part of a series (2 or more cases linked) and one of the cases in the series is NOT before the Court, the Member must immediately notify the Transit Police ViCLAS Liaison or designate, who will then contact the Pacific Region ViCLAS Coordinator (by phone or E-mail to [REDACTED]) and the Transit Police Information Access and Corporate Records Analyst (or Transit Police Privacy Officer, if appropriate).

#### **Analysis Result Reports from the Pacific Region ViCLAS Centre**

15. The Pacific Region ViCLAS Centre may come across linkages of files when they do the analysis of the submitted report. A potential linkage could be a case on the ViCLAS database where as a result of analysis, there are sufficient similarities/details in the case to come to a reasonable conclusion, based upon training and experience, that this case was committed by a common offender. In these cases, the Member will be provided a 'follow up' on the potential linkage report or case of interest report received from Pacific Region ViCLAS Centre. In such a case, the Member will be required to:
  - (1) Document receipt of report on the investigational PRIME file within seven (7) days;
  - (2) Investigate the potential linkage or case of interest; and
  - (3) Report outcome of investigation to Pacific Region ViCLAS Centre within 90 days.

**Liaison**

16. The Manager Information Management Section, or other designate as so determined by the Deputy Chief Officer Administrative Services, will be assigned Transit Police liaison to the Pacific Region ViCLAS Coordinator.
17. The Pacific Region ViCLAS Centre (ViCLAS Coordinator) is available as a resource to police agencies and can be contacted at [REDACTED] (Monday to Friday 07:00-16:00) or for after hours emergencies, [REDACTED]).

**Review**

18. The Manager Information Management Services (or other ViCLAS liaison if appointed) will review any compliance reports received from the Pacific Region ViCLAS Centre and taken appropriate follow-up action.
19. Concluded files with a ViCLAS Form 3364 will take on a 70 year retention.

**References:**

*Canada Evidence Act*, RSC 1985, c C-5

RMCP "E" Division Policy - 36.1 Violent Crime Linkage Analysis System (ViCLAS)  
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