TRANSIT POLICE

PROFIT ORIENTED CRIME INVESTIGATIONS (Interim)

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POLICY

Definitions

BCPPS – British Columbia Provincial Policing Standards, as amended from time to time.

CFO – Civil Forfeiture Office of the province of British Columbia.

Civil Asset Forfeiture – A remedial statutory device designed to recover the proceeds of unlawful activity, as well as property used to facilitate unlawful activity.

Criminal Asset Forfeiture – The forfeiture of property that had been seized and used as evidence in a criminal trial.

Criminal Code – *Criminal Code of Canada*, RSC 1985, c. C-46, as amended from time to time.

Member – Designated Constable (all ranks), a Deputy Chief Officer, and the 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 (Designated Policing Unit and Designated Law Enforcement Unit).

Money Laundering – A financial crime in which the source of illegally acquired money or goods is hidden from law enforcement and financial regulators by generating the appearance of legitimacy for the illicit gains.

OCC – Operations Communication Centre of the Transit Police.

Proceeds of Crime – Any property, benefit, or advantage that a person obtains, directly or indirectly, from committing a crime or unlawful activity.

Profit-Oriented Crime – Illegal acts committed for financial gain, often classified into three types: predatory crimes (redistributing existing wealth through force or deception), market-based crimes (producing or distributing illegal goods and services), and commercial crimes (using otherwise legitimate business activities for illegal profit).

General

1. Transit Police recognizes the importance of considering Proceeds of Crime and Money Laundering issues during investigations into Profit-Oriented Crime. When investigating such crimes, consideration will be given to employing criminal or civil asset forfeiture mechanisms as a means of limiting the profitability of crime.[1]

2. As Proceeds of Crime investigations can be lengthy, complex and may require significant resources and specialized expertise, Transit Police will consider collaborating with, or referring such investigations to, external specialty investigative units or regulatory and oversight bodies, as needed.

3. Transit Police will consider the "Guidelines for Investigation into Profit-Oriented Crime and Consideration of the Proceeds of Crime and Money Laundering*,"*

PROCEDURES

Identifying Potential Proceeds of Crime

4. s.15 [redacted]

s.15 [redacted]

[1] In June 2022, the Commission of Inquiry into Money Laundering in British Columbia issued a final report. In this report, the Commissioner issued recommendations directed at police relating to the conduct of criminal investigations into profit-oriented crime and the use of criminal and civil asset forfeiture. The Policing and Security Branch, in collaboration with the British Columbia Association of Chiefs of Police, issued guidelines to assist police agencies in developing agency-specific policies and training related to profit-oriented crime investigations.

s.15

5. s.15

Profit-Oriented Crime Investigations

[Refer also to Transit Police policy chapter OK140 – Specialized Criminal Investigations and MCM]

6. s.15

7. s.15

[Refer also to Transit Police SOP95 – Illicit Tobacco Investigations]

8. s.15

9. s.15

[2] BC *Civil Forfeiture Act* [RSBC 2024] Chapter 1 and *Civil Forfeiture Regulation*, B.C. Reg.164/2006.

(5) s.15 [redacted]

[Refer to Appendix "A" of the Guidelines for Investigation into Profit-Oriented Crime and Consideration of the Proceeds of Crime and Money Laundering for investigation decision flowcharts.]

10. s.15 [redacted]

11. s.15 [redacted]

12. s.15 [redacted]

Collaboration With Partner Organizations

13. The anti-money laundering framework in British Columbia expands beyond police to other organizations with regulatory and civil powers to respond to Money Laundering in ways the police cannot. Many of these organizations have their own investigative and regulatory powers, which makes information sharing between organizations imperative. If a Profit-Oriented Crime investigation cannot be resolved by the police, the investigator should consider referring to another agency that may be better positioned to undertake the investigation. Refer to Appendix "C" of the Guidelines for Investigation into Profit-Oriented Crime and Consideration of the Proceeds of Crime and Money Laundering for a list of anti-money laundering specialist partners and their roles.

14. Where a specialist partner has been consulted or has assumed conduct of an investigation, the partner, their role and any observations, recommendations or other contributions must be noted in the police file.

15. Transit Police will notify, and coordinate with, the JPD of Profit-Oriented Crime investigations consistent with the Operational MOU between the Transit Police and Jurisdictional Police Departments.

Training and Support

16. Members will complete Profit-Oriented Crime training as deemed appropriate by the Transit Police Training Unit, in consultation with the Deputy Chief Officer Operations. This may include appropriate training for frontline investigators, senior

supervisors, and specialized investigators and plain clothes commanders (refer to *Guidelines for Investigation into Profit-Oriented Crime and Consideration of the Proceeds of Crime and Money Laundering*).

17. The Investigations Section will identify trained Members who are available to assist and/or provide expertise in support of Members who are conducting Proceeds of Crime and Money Laundering investigations, and identifying assets for seizure and/or forfeiture.

References:

BC *Civil Forfeiture Act* [RSBC 2024] CHAPTER 1
BC *Civil Forfeiture Regulation*, B.C. Reg.164/2006
BC *Criminal Asset Management Act* [SBC 2012] CHAPTER 10
BC *Guidelines for Investigation into Profit-Oriented Crime and Consideration of the Proceeds of Crime and Money Laundering*
Proceeds of Crime (Money Laundering) and Terrorist Financing Act (S.C. 2000, c. 17)
Seized Property Management Act (S.C. 1993, c. 37)

APPENDIX "A" FOLLOWS ON NEXT PAGE