



VANCOUVER POLICE DEPARTMENT | *Beyond the Call*

December 8, 2017

I&P Unit Reference: 17-2958A

[REDACTED]
[REDACTED]
[REDACTED]
Dear [REDACTED]

Re: Records Access Request

We are replying to your request for information that we received in our office on October 26, 2017. In that request, you sought access to the following:

All policies and training materials in effect during the period of October 1, 2015 to present in each of the following categories:

1. An officer's carrying and use of Naloxone/Narcan.
2. An officer's attendance at a drug overdose.
3. Procedure to be followed by an officer when responding to a drug overdose.
4. Procedure to be followed when an officer encounters someone overdosing.
5. An officer's attendance at a medical emergency other than a drug overdose.
6. The issuance of behavioral conditions on police-issued promises to appear.
7. The use of cameras on department vehicles.

We have worked with the Department's Planning and Research Section to identify and retrieve the following information responsive to your request:

Item #1- The VPD's policy related to carrying and use of Naloxone can be found publicly via the Vancouver Police Board's website as a link to the April 20-2017 Agenda Item:

<http://vancouver.ca/police/policeboard/agenda/2017/0420/1704V09-Naloxone-Policy.pdf>

Item #2- Attached please find the current version of Section 1.6.28- *Guidelines for Police Attending Illicit Drug Overdoses* from the VPD's *Regulations and Procedures Manual* ("RPM")

Item #3- Attached please find the current version of Section 1.6.28 from the RPM.

Item #4- Attached please find the current version of Section 1.6.28 from the RPM.

Item #5- This part of the request requires more clarification as the spectrum is very wide for a "medical emergency". Please define what you mean by "medical emergency" and we will locate the appropriate information for you.

Item #6- Attached please find the current version of Section 1.5.1- *Issuing Appearance Notices and Promises to Appear* and Section 1.6.47(ii) - *Charges and Arrests- Young Persons from the RPM*.

Item #7- In car exterior facing cameras are not used within VPD Fleet vehicles; as a result, there is no VPD policy related to your query. The VPD Police Wagons include interior unrecorded camera systems. This system is intended to allow the driver to check on the welfare of those being transported to the VPD Jail. The VPD does not have a policy specific to the use of this interior video camera system.

With respect to the “training materials” portion of your request, please be advised we are liaising with the VPD Training Section to obtain this information for you.

We trust that you will find the above responsive to your request. If you have any questions, please contact the Information and Privacy Unit at (604) 717-3071 or email foi@vpd.ca.

Yours truly,

A handwritten signature consisting of the letters 'K' and 'S' in a cursive, stylized font.

Clerk IV (VA5029)
Information and Privacy Unit
/ks



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1.6.28 Guidelines for Police Attending Illicit Drug Overdoses

(Effective: 2006.06.29)

POLICY

Recent research has shown that though many drug overdose cases are witnessed, there is often reluctance in calling for emergency medical assistance for fear that police will also attend, resulting in prosecution. A drug overdose is by its very nature a medical emergency requiring rapid medical intervention to preserve life.

There is little value in police attendance at a routine, non-fatal overdose. It would be a rare circumstance for criminal charges to arise from attendance at a routine overdose call. In order to encourage a witness to a drug overdose to access emergency medical aid without delay, it is necessary to establish policy with respect to police attendance at overdose calls. Policy should tend to restrict police attendance to drug overdose calls only in the event there is a specific need for public safety.

The primary reason for police attendance at a non-fatal drug overdose call is to assist with life saving measures, and to assist with public safety.

PROCEDURE

NON FATAL ILLICIT DRUG OVERDOSE RESPONSE POLICY

1. When a member is advised of a drug overdose while in the performance of their duties, they shall immediately notify EHS through ECOMM and attend to the location of the victim until EHS arrives.
2. When EHS receives a call of "a possible drug overdose" EHS dispatch will notify Police Dispatch, through ECOMM, who shall, by way of a general broadcast, advise District Units that "EHS is responding to a possible drug overdose, the location and assistance not requested."
3. Police will not normally attend EHS calls for a routine drug overdose unless EHS has advised ECOMM that "Assistance is Requested," for any or all of the reasons below:
 - a. Death of a person from an overdose is likely; or
 - b. EHS personnel request police attendance to assist with public safety; or
 - c. EHS personnel request police attendance because there is something suspicious about the incident; and
 - d. In each instance when police assistance is requested, the reason for the request will be broadcast to police units by the district dispatcher.

FATAL DRUG OVERDOSE CALLS

4. In the case of a drug overdose death, the member will fully investigate the incident as a sudden or suspicious death (refer to: Section 1.6.38- Sudden Deaths; Section 1.6.12 (ii)- Handling Procedure and Section 1.7.6- Major Crime Scene Responsibilities).
5. The assigned unit shall notify their Supervisor of the fatal overdose, and record the details of the incident in the District Overnight Book for discussion at the Daily Operations Management Meeting. The assigned patrol unit will ensure that a copy of the General Occurrence Report is routed to the Inspector i/c of the Drug Squad for follow up consideration.



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1.5 Compelling an Accused's Attendance at Court

1.5.1 Issuing Appearance Notices (ANs) (Federal & Provincial) and Promises to Appear (PTAs)

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(Effective: 2016.09.20)

POLICY

There are various means available to police to compel an accused's attendance in court. For most offences, when a person is arrested without warrant, there is a statutory obligation on the arresting officer to release if court appearance and public interest criteria are satisfied. Members should be familiar with their arrest and release obligations as outlined in the *Criminal Code*. Members may also refer to [VPD's Arrest, Release and Continued Detention Guide](#) for further explanation. This section of the RPM deals with correct procedures to follow when ANs or PTAs are being utilized for Adult or Community Court. For Young Offenders, refer to subsections under RPM Section 1.6.47.

Federal Appearance Notice (FAN)

Section 496 and 497(1)(b) of the *Criminal Code* covers the types of offences for which a FAN can be used. An arrest need not have been made to issue a FAN. It may be issued pursuant to a lawful detention which did not result in an arrest. A FAN does not have a mechanism by which conditions may be imposed upon release as it's simply to compel court attendance and fingerprinting. A FAN should only be used when there are no court appearance or public interest concerns, and for a summary or dual offence.

Provincial Appearance Notice (PAN)

A PAN is used in circumstances where a power of arrest exists under a provincial statute and/or for those offences indicated in Schedule 1, Columns 2 or 3 of the [Offence Act, Violation Ticket Administration and Fines Regulation](#). The *Motor Vehicle Act* charge of "drive while prohibited" is an example of when a PAN may be utilized.

Promise to Appear (PTA)

A police officer's power to release an accused on a PTA can be found under section 498(1)(b) and 503(2) of the *Criminal Code*, and requires that an arrest has been made. This document can be issued at various stages throughout the investigation (i.e., it will be completed at the scene where public interest and court appearance are satisfied). In other instances, the accused may have to be transported to Jail until the public interest concerns are addressed; after which the accused may be released on a PTA. A Form 11.1 *Undertaking Given to a Peace Officer or an Officer in Charge* (commonly referred to as a UTA) may be issued in conjunction with a PTA to impose specific conditions on the accused pursuant to s. 503(2.1) of the *Criminal Code* to satisfy public interest concerns.

PROCEDURE

Adult Court

1. Based on the requirements of the investigation and to meet court administrative needs, members shall allow a minimum of six (6) calendar weeks, or as soon as practicable, but no longer than five (5) months, between the date the AN or PTA is issued and the initial court appearance. In selecting the appropriate initial court appearance date, members should consider:
 - a. What evidence remains to be gathered to complete the file and what time frame is required to conduct follow-up;

1.5.1 Issuing Appearance Notices (ANs) (Federal & Provincial) and Promises to Appear (PTAs)

- b. Six (6) weeks would be a reasonable time frame for most routine investigations;
 - c. On more complex files, a lengthier return date may be required (5 months should be considered a maximum limit and only given in extenuating circumstances);
 - d. Consider the circumstances, and when there are public interest concerns that can be addressed through the imposition of conditions in a Form 11.1 Undertaking, articulate it in the bail comments and attach appropriate release condition(s) to the PTA. The available parameters for release conditions that can be issued by the police are listed in s. 503(2.1)(a) through (h) of the [Criminal Code](#). (e.g., to remain within a territorial jurisdiction; to abstain from communicating directly or indirectly with any victim, witness or other person identified in the Undertaking);
 - e. If police are imposing conditions via a Form 11.1 Undertaking, a timely investigation is required and Crown Counsel must receive the completed RTCC at the earliest opportunity.
2. The RTCC must be submitted to Crown Counsel at least three (3) weeks in advance of the court date.

Fingerprinting and Photographs

3. Fingerprinting and photographs are to be scheduled one week prior to the court date between Monday to Friday, except holidays, at 1300 hrs at the Vancouver Police Department, 2120 Cambie Street, Vancouver BC.
- a. If the accused has already been fingerprinted for the offence while at the Jail, void the "Print" section of the AN or PTA by drawing a line through the section and initialling;
 - b. Write "PRINTED AT JAIL" across the top of the top/white copy of the AN or PTA.

Court Appearance: Location and Times

4. For Provincial Crown matters, the time and location for all ANs or PTAs shall be as follows:

Provincial Court, 222 Main Street, Vancouver, BC:

Last Name Beginning with	Day of the Week for First Appearance	Courtroom Number and Time
A - F	Monday	Courtroom 307, 1400 hrs
G - L	Tuesday	Courtroom 307, 1400 hrs
M - R	Wednesday	Courtroom 307, 1400 hrs
S - Z	Thursday	Courtroom 307, 1400 hrs

5. If the day selected happens to be a statutory holiday, members shall select the same day in the following week.

6. For Federal Crown matters, the time and location for all ANs or PTAs shall be as follows:

Provincial Court, 222 Main Street, Vancouver BC:

	Day of the Week	Courtroom
--	-----------------	-----------

Last Name Beginning with	for First Appearance	Number and Time
A - F	Monday	Courtroom 307, 0900 hrs
G - L	Tuesday	Courtroom 307, 0900 hrs
M - R	Wednesday	Courtroom 307, 0900 hrs
S - Z	Thursday	Courtroom 307, 0900 hrs

7. When there are two or more accused charged jointly with the same offence or charged with offences arising from the same incident, each accused shall be given the same court date based on the first letter of the last name of the accused that appears first in the alphabet.

Downtown Community Court (DCC)

The DCC is the court of first appearance for accused charged with the following categories of offences, committed within District 1 and District 2 west of Clark Drive, for which they have been held in custody for court or have been compelled to court via an AN or PTA:

- Provincial offences heard by a Provincial Court Judge (e.g., “Driving while prohibited” *Motor Vehicle Act* and *Safe Streets Act* offences);
- *Criminal Code* offences in the absolute jurisdiction of the Provincial Court (e.g., Theft Under \$5000);
- All summary conviction offences;
- Hybrid offences where the Crown proceeds summarily;
- “Simple” drug possession charges under the *Controlled Drug and Substance Act* (Section 4(1) CDSA); and
- Breaches of Community Court orders.

Court Appearance: Location and Time

8. Members shall allow a minimum five (5) business days after the AN or PTA is issued for the first court appearance. For files that require further investigation, members may allow up to four (4) weeks for the Accused to appear in court. The time and location on all ANs and PTAs is 9:00 a.m., in Courtroom 1, 211 Gore Avenue, Vancouver, BC.

Fingerprinting and Photographs

9. Fingerprinting and photographs should occur **two business days prior** to the court date. Fingerprinting takes place Monday to Friday, except holidays, at 1300 hrs at the Vancouver Police Department, 2120 Cambie Street, Vancouver BC.

Information Required on ANs and PTAs

10. A full description of the accused shall be noted on the back of the yellow copy (AN) or the police copy (PTA) including:
 - a. Height;
 - b. Weight;
 - c. Scars, marks and tattoos;
 - d. Hair colour;
 - e. Facial hair, if any; and

f. Any other prominent feature to assist with identification of the accused.

11. The accused shall be given the copy marked for "Accused."
12. The member who issued the AN shall swear to the Affidavit of Service on the back of the AN. For PTAs, the issuing member must complete the certificate of service on the rear of the original PTA.
13. The AN (white and yellow copy) shall be submitted as an attachment. The GO report number must be clearly marked at the top of the AN.
14. The PTA and Form 11.1 Undertaking paperwork shall be submitted as attachments to the file as indicated on the bottom of the forms.

Reports

15. The RTCC should be completed and submitted on the day that the accused was released on the AN or PTA. If the investigation cannot be completed on this day, the investigating member must complete as much of the RTCC as possible before the end of shift, indicating:
 - a. Any missing evidence that will be forthcoming with information on when follow-up is expected to be completed and by whom; and
 - b. The public interest concern(s) for which the condition(s) of release were given (PTA/UTA files),
16. For PTA/UTA files, as much evidence as possible should be compiled before the end of shift to support any Breach of Undertaking arrest that may occur between the time of arrest and that of RTCC file submission.
17. A copy of the Form 11.1 Undertaking must be faxed to CPIC at 604-665-3454 to ensure that the release conditions are placed on CPIC in a timely manner. The attachment package shall then be left with the Station NCO so that an arresting officer may have access to it at any time to support a Breach arrest. This will also allow the Station NCO to be cognizant of any incomplete RTCCs with upcoming court dates.
18. Crown Counsel requires a minimum of 3 weeks before an accused's first appearance to review RTCCs for charge approval (except in DCC cases).

Youth Court

Refer to [RPM Section 1.6.47\(ii\): \(Young Offenders\) Charges and Arrests](#)



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1.6 Incident Investigations

1.6.47(ii) Charges and Arrests - Young Persons

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(Effective: 2017.02.02)

POLICY

When there is sufficient evidence to charge a young person with an offence, the investigating officer may use their discretion in conjunction with the requirements of the *Criminal Code* and *Youth Criminal Justice Act (YCJA)* to determine which process should be used to compel court attendance and ensure public interest.

The *YCJA* provides a legal presumption that for first time property offenders, extrajudicial measures will hold the youth accountable. Extrajudicial measures include: taking no further action, a verbal warning, a referral to a community program, or a Crown Counsel Extrajudicial Sanction (including warning letters or programs). For subsequent property offences or violent crimes, the matter may be resolved by an extrajudicial measure by police or Crown, or by referral to Crown Counsel for charge approval. The arrest of a young person is no different than that of an adult in that a public interest concern must be present. While the *YCJA* directs police officers to use discretion, officers may be called upon to justify their discretionary decisions.

For information on young persons arrested HSIPP or Breach of the Peace, refer to [RPM Section 1.6.47\(iii\): Intoxicated Youth](#).

The provisions of [RPM Section 1.4.6: Arrests of Persons with Injuries or other Apparent Medical Risks](#) apply to young persons who are injured or are questionable medical risks.

Youth Court is located at 800 Hornby Street and the telephone number is 604-660-9123. The Youth Court holding cells may be accessed by entering the first off-ramp south of Georgia Street on the east side of Howe Street. Once down the off-ramp, the holding cells are approximately 150 metres on the right side of the ramp.

PROCEDURE

Minor Case - No Further Action

1. In minor cases where no further action is taken, officers shall submit a GO report, entering the young person with the role code of YTH - SUS chargeable and ensuring the young person is indexed in the linkage screen under "accused status" as "Other Means". Study flag "U" shall be indicated on the GO to ensure the report is forwarded to the Youth Services Program Coordinator. The CCJS status of "O" for Departmental Discretion shall be indicated on the front page/conclusion block.

Minor Case - Warning

2. In minor cases where a verbal warning is given to the young person, officers shall submit a GO report, entering the young person with the role code of YTH-SUS chargeable and ensuring the young person is indexed in the linkage screen under "accused status" as "Warning". Study flag "U" shall be indicated on the GO report. The CCJS status of "O" for Departmental Discretion shall be indicated on the front page/conclusion block.

Community Program

3. When determining whether it is an appropriate case for a community program, members shall make an assessment of the young person's willingness to participate in alternative measures. If the investigating officer feels it is an appropriate case for a community program, the member shall make that recommendation in the report, and indicate study field "U" on the front page of the GO report. For information on youth referrals, contact VPD's Youth Referral Coordinator or click on the following link: <http://ipar.vpd.bc.ca/Youth/ReferralCoordinator.htm>. The young person shall be indexed in the linkage screen under "accused status" as "Youth Referred" with the role code of YTH-SUS chargeable. The CCJS status of "R" for Alternative Measures shall be indicated on the front page/conclusion block.

Extrajudicial Sanction

4. If the investigating officer feels it is an appropriate case for a referral to an Extrajudicial Sanction through Crown Counsel, the member shall make that recommendation in the report, and indicate study field "U" on the front page of the GO report. The young person shall be indexed in the linkage screen under "Accused status" as "Referral to Extrajudicial Sanctions Program" with the role code of YTH charged. The charge section shall be left blank and the CCJS status of "R" for Alternative Measures shall be indicated on the front page/conclusion block. The GO report shall be forwarded to Crown Counsel.

Summons

5. Where the investigating officer feels it is an appropriate case for a summons, the member shall make that recommendation in the report, and indicate study field "U" on the front page of the GO report. The young person shall be indexed in the linkage screen under "accused status" as "Charged or Charges Recommended", with the role code of YTH charged. The CCJS status of "C" for Charged shall be indicated on the front page/conclusion block. The GO report shall be forwarded to Crown Counsel.

Appearance Notice (AN) or Promise of a Young Person to Appear (PTA)

6. There are specific provincial PTAs and UTAs for youth that shall be utilized entitled "Promise of a Young Person to Appear (In the Youth Justice Court/Provincial Court)" and "Undertaking Given to a Peace Officer or an Officer in Charge (in the Youth Justice Court)."
7. When youths are released on a PTA or AN, the court time and location shall be 9:30 am on Thursdays in Courtroom 101, 800 Hornby Street, Vancouver, BC. The court date shall be chosen based on the requirements of the investigation and to meet court administrative needs. Members shall allow a minimum of six (6) calendar weeks, but no longer than 3 months (for more complex investigations), between the date the AN or PTA is issued and the initial court appearance. Fingerprinting and photographs should occur one week prior to the court date. Fingerprinting takes place Monday to Friday, except holidays, at 1300 hrs at the Vancouver Police Department, 2120 Cambie Street.
8. For information on how to fill out an AN or PTA, refer to [RPM Section 1.5.1: Issuing Appearance Notices \(AN\) and Promise to Appear \(PTA\)](#).
9. For Youth ANs, the section 10(b) *Charter* Warning must be written on the AN by the serving officer in the following manner:

**"YOU HAVE THE RIGHT TO RETAIN AND INSTRUCT COUNSEL
WITHOUT DELAY"**

Notifications

10. The investigating officer shall make notifications regarding the arrest or interim release

for a young person as follows:

- a. If the young person is arrested and detained in custody pending their appearance in court, the officer in charge (Jail NCO) at the time the young person is detained shall, as soon as possible, give or cause to be given to a parent, adult relative, or adult who is known to the young person and is likely to assist, orally or in writing, notice of the arrest stating the place of detention and the reason for the arrest;
 - b. Officers shall notify the officer in charge (Jail NCO) of the young person being held in custody. The officer in charge may then delegate the notification to the parent to the investigating officer;
 - c. In the event notification cannot be made verbally, a VPD 262 (Notice to Parent) shall be sent by registered mail;
 - d. If the young person is released on an Appearance Notice, then a parent, adult relative, or adult who is known to the young person and is likely to assist, shall be advised in writing, using the VPD 262 (Notice to Parent). In the event the VPD 262 cannot be personally served, it shall be sent by registered mail. A YTH023 (Affidavit of Service) shall also be served on the young person, and the young person's parent, adult relative, or adult who is known to the young person and likely to assist. In the event service cannot be made in person, a YTH023 (Affidavit of Service) shall be sent by registered mail;
 - e. If a young person is released on a Promise to Appear, an Undertaking or a Recognizance, the officer in charge, shall, as soon as possible, give or cause to be given to a parent of the young person notice in writing, using the VPD 262 (Notice to Parent) of the Promise to Appear, Undertaking, or Recognizance.
11. Officers requiring a form VPD 262 (Notice to Parent) or YTH023 (Affidavit of Service) to be sent by registered mail shall do so as follows:
- a. During normal business hours attend the Mail Room, 3585 Graveley Street, to make the necessary arrangements;
 - b. Outside of business hours, attend the Mail Room, 3585 Graveley Street. Access the mail room using your building pass. Place the documents to be mailed in an addressed envelope, and leave the envelope on the mail room desk. Clearly indicate to mail room staff that it is to be sent by registered mail, along with officer's name, PIN, and section so a receipt/tracking number may be forwarded.
12. If a charged young person is a Ward of the Director of Children and Family Development, the investigating officer shall advise the Ministry for Children and Families, Emergency Services, of the arrest or possible summons either verbally or in writing prior to the end of the investigating officer's tour of duty using a VPD 262 (Notice to Parent).
13. It shall be noted in the GO Report the name and relationship to the young person of the responsible adult advised.
14. Officers should not tell young persons or their parents that they will receive a summons or that extrajudicial measures will be implemented. Officers may inform them that they are making a recommendation for or against extrajudicial measures. The final decision rests with Crown Counsel. A youth worker will contact the parent(s) and advise them of what action will be taken.

Jail Procedures for Young Persons

15. When a young person has been arrested in Vancouver, and a determination has been made to not release, the following procedures must be followed:
- a. The arresting officer shall obtain approval by a patrol NCO to have the young person(s) transported to the Vancouver Jail. The arresting officer shall ensure that

the VPD 602 Jail Arrest Report is complete and has the word "YOUTH" clearly marked at the top of the form. The name and PIN of the authorizing NCO shall be included at the top of the form;

- b. The patrol NCO who approved the transport of the young person(s) to the Jail shall contact the Jail NCO at 604-717-3950 to inform the Jail of the incoming young person(s);
 - c. The young person shall be transported to the Vancouver Jail (refer to [RPM Section 1.12.1\(ii\): Transportation of Persons in Custody](#));
 - d. The transporting officer shall leave the young person(s) in the wagon and buzz the Vancouver Jail Youth intercom to notify control that a young person(s) is in the wagon;
 - e. The transporting officer shall then remove one young person, search the young person at the sally port search station and buzz the Youth Intercom when the young person is ready to be turned over to the Jail Staff. The VPD 602 and prisoner property shall be turned over to Jail Staff;
 - f. The Vancouver Jail will only accept one young person at a time. If the wagon has multiple young parties for admission they shall be processed one at a time.
16. When a young person is transported to Jail on a new charge:
- a. The Jail staff shall book the young person into the Jail, provide access to counsel, and maintain care and control of the young person. Young persons shall not be fingerprinted or photographed until an information is sworn (refer to [RPM Section 1.6.47\(x\): Fingerprinting and Photographs - Young Offenders](#));
 - b. The young person will either:
 - Be released by the Jail NCO with or without conditions or taken before a Justice and released with or without conditions;
 - Be transported to Youth Court between the hours of 0730 - 1300 Monday to Friday unless Youth Crown approves otherwise. Youth Crown can be contacted at 604-660-9123 during regular business hours; or
 - Be transported to the Burnaby Youth Secure Custody Centre outside of Youth Court hours until 2200 hrs. After 2200 hrs the young person will be held for Youth Court until 0730 hrs.
17. When a young person is transported to Jail on a warrant:
- a. The Jail staff shall book the young person into the Jail, provide access to counsel, and maintain care and control of the young person;
 - b. Once the appropriate documents have been obtained by the Jail staff, the young person can be fingerprinted and photographed;
 - c. The young person will either:
 - Be released by the Jail NCO with or without conditions or taken before a Justice and released with or without conditions;
 - Be transported to Youth Court between the hours of 0730 - 1300 Monday to Friday unless Youth Crown approves otherwise. Youth Crown can be contacted at 604-660-9123 during regular business hours; or
 - Be transported to the Burnaby Youth Secure Custody Centre at 7900 Fraser Park Drive in Burnaby outside of Youth Court hours, until 2200 hrs. After 2200 hrs the young person will be held for Youth Court until 0730 hrs.
18. Officers shall ensure that all young persons aged twelve to seventeen years inclusive are fingerprinted and photographed, when charged with an offence which may proceed by indictment under the *Criminal Code*, prior to being transported to Youth Court or the Burnaby Youth Secure Custody Centre at 7900 Fraser Park Drive in Burnaby (refer to [RPM](#)

Section 1.6.47(x): Fingerprinting and Photographs - Young Offenders).

19. The Jail NCO shall ensure that the Burnaby Youth Secure Custody Centre is contacted (phone 604-419-1601) and advised that a young person is enroute. The escorting member shall fill out the admission form at the Burnaby Youth Secure Custody Centre.