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POLICY

Vancouver Police Department (VPD) investigations may involve seizing digital media, cryptocurrency or electronic devices that contain evidence of a crime. The forensic recovery of the digital files or digital data could be vital to obtaining evidence for a successful prosecution.

Digital Forensics Unit (DFU) provides specialized technical investigative support, digital forensic examinations/recovery, and assistance to all members in the areas of seized digital and electronic exhibits (e.g., computers, vehicles, drones, hard drives, storage media, smart watches) and prepares associated documentation as required for court. While the DFU handles the extraction/analysis of data from digital and electronic exhibits, the [Forensic Video Unit](#) (FVU) is primarily responsible for the forensic examination of video and multimedia exhibits.

To ensure the integrity of seized evidence, members should seek direction from a DFU investigator whenever possible prior to manipulating or accessing digital devices, and follow the procedures below.

Members are encouraged to refer to the [DFU website](#) on the VPD Intranet for information, guidance and instruction on seizing digital and electronic devices as well as, the [Evidence & Property Management resource website](#) for information on property and Form 5.2 Report to a Justice considerations.

Information regarding cryptocurrency exhibit seizures and submission procedure guidelines can be found on the Intranet under Forms - [Cryptocurrency Exhibit Submission Form \(VPD 1371\)](#).

Judicial authorization considerations

Members shall ensure that digital and electronic devices are lawfully seized, and that any subsequent search of the device's digital contents is also authorized by law. To search the digital contents of a device, the judicial authorization should be based upon reasonable grounds to believe the electronic device contains evidence relating to the offence and it should specify the parameters and scope of the search. A judicial authorization to search a place (e.g., location, vehicle) for an electronic device does not inherently include authorization to search the digital contents of the device. See [RPM 1.6.43\(ii\) Search Warrants and Production Orders](#).

Members are encouraged to seek guidance from the DFU and the Organized Crime Section (OCS) Expert Support Team, and to review the reference material in the Virtual Duty Bag on the Intranet under Patrol Investigation, [Investigative Knowledge Base - Warrants and Orders](#) to ensure they have the proper judicial authorization. For additional resources, see [Investigative Resources-Search Warrant Information](#).

DEFINITION

Digital and electronic devices - this may include, but is not limited to the following: computers, hard drives, tablets, cellular devices, other mobile devices, drones, vehicles,

smart watches, and electronic storage media including CD/DVDs, USB thumb drives, memory cards and digital cameras.

Note: When an item is seized to obtain digital video images, the item should be forwarded to the FVU (See [RPM 1.9.17 Video Evidence](#)). In some instances, depending on the type of device and encryption, DFU may become responsible for obtaining the digital video images.

PROCEDURE

1. When seizing digital and electronic devices that require examination by the DFU, members shall:

During DFU office hours

- a. Contact the DFU Sergeant at 604-717-3670 during business hours for guidance on how to properly disconnect or seize the electronic device, to ensure digital data or evidence is not lost or compromised.
- b. If the device operates on a cellular network:
 - i. document the device's on/off status, obvious markings, brand and model, general state and description;
 - ii. if the device is off at the time of seizure, do not turn it on;
 - iii. if the device is on at the time of seizure, do not interact with the device (i.e., do not look at messages, phone calls, photos, etc. stored on the device);
 - iv. attach a battery pack to the device (battery packs can be found in the DFU office, DFU lockers area, or Operations Command Centre (OCC));
 - v. (for DNA/fingerprint preservation);
 - vi. put only one device (with attached battery pack) inside a radio frequency (RF) proof container as soon as possible (RF proof containers can be found in the DFU office, DFU lockers area, OCC, Forensic Identification Unit (FIU), and Property & Forensic Storage Services (PFSS)); and
 - vii. seal the lid on the RF container tightly.
- c. For each exhibit, complete:
 - i. property tag with barcode;
 - ii. a [DFU Exhibit Submission Form \(VPD 1369\)](#) and email this to DigitalForensics@vpd.ca;
 - iii. a [Consent to Search an Electronic Device Form](#) or attach a Warrant to Search, including the parameters of the search, and submit this with the exhibit;
 - iv. a [Form 5.2 Report to a Justice](#);
 - v. a Miscellaneous Notes "MN" text page in the General Occurrence (GO) report routed to the DFU handle which outlines the examination required; and
 - vi. an entry in the exhibit log book for each exhibit being tagged at the Property and Forensic Storage Services (PFSS) facility.
- d. If an exhibit requires urgent examination and with DFU supervisor notification, members may turn over the exhibit directly to a DFU member or tag the exhibit in the DFU lockers that are located outside of the DFU office.
- e. When a digital or electronic device is no longer required for an examination by DFU, refer to the [Evidence & Property Management resource website](#) for information on completing an [Application for an Order for the Return of Things Seized \(VPD 154A\)](#). DFU should be consulted prior to returning any digital or electronic device to the owner.

After DFU office hours

- f. When a member believes it is necessary to call out a DFU investigator during non-business hours, they shall consult with their supervisor to obtain Duty Officer authorization to call the DFU supervisor. The Duty Officer shall consult with the DFU supervisor to decide if a DFU investigator will be called out after hours.
- g. If an exhibit requires urgent examination and with DFU supervisor notification, members may tag the exhibit in the DFU lockers ensuring that they follow the instructions listed on how to secure the exhibit in an RF can along with a battery pack. Alternatively, members may ask a Forensic Identification Unit (FIU) member to place the exhibit in the DFU Faraday Room on permanent power. (It is important to keep a device powered because there is a substantial difference in what data can be obtained if a device is in a pre-boot or after first boot/unlock mode.)

2. The lead investigator shall:

- a. when needed, contact a DFU investigator for advice prior to seizing a digital or electronic device;
- b. maintain the case management entries;
- c. coordinate all preliminary interviews;
- d. take responsibility for the evidence recovered as a result of a forensic examination and be responsible for the disposition of evidence; and
- e. be responsible for obtaining required judicial authorizations and submitting related reports to Crown counsel including forensic reports submitted by the DFU.

3. The DFU investigator shall:

- a. be responsible for forensic evidence recovery from computers, cellular devices, and other electronic and digital storage devices seized as evidence;
- b. provide copies of recovered data to the lead investigator;
- c. assist the lead investigator when necessary;
- d. submit detailed reports outlining the forensic examination to the lead investigator; and
- e. return all exhibits to the PFSS or to the lead investigator.

Requests for additional forensic images of hard drives that fall outside of the agreed disclosure requirements between Crown counsel and the VPD shall be reviewed by the DFU supervisor.