



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 9.1.3
Board of Police Commissioners
February 27, 2017

TO: Chair and Members of the Halifax Board of Police Commissioners

SUBMITTED BY: Chief Jean-Michel Blais, Halifax Regional Police
C/Supt. Lee Bergerman, OIC RCMP Halifax Detachment

DATE: February 23, 2017

SUBJECT: Drug Exhibit Audit Update

INFORMATION REPORT

ORIGIN

In June 2016, Halifax Regional Police finalized its 2015-16 Drug Exhibit Audit. The Drug Exhibit Audit was subsequently released publicly, garnering significant media and public interest. A special meeting of the Board occurred on June 30, 2016 to discuss the Drug Exhibit Audit.

LEGISLATIVE AUTHORITY

Sub-section 55(3)(e) of the *Police Act* which stipulates that a board shall:

- ensure that police services are delivered in a manner consistent with community values, needs and expectations;
- act as a conduit between the community and the police service providers;
- ensure the department is managed by the chief officer according to best practices and operates effectively and efficiently.”

BACKGROUND

At the June 30th meeting of the Board of Police Commissioners, the Chief of Police presented the following documentation to the Board:

- *A copy of the internal Drug Exhibit Audit dated June 22, 2016*
- *A staff presentation dated June 30, 2016 pertaining to the Drug Exhibit Audit*

Chief Blais also provided an oral presentation with respect to the origin of the Drug Exhibit Audit and its findings. He also committed to providing an update on the missing/misplaced exhibits outlined in the Drug Exhibit Audit and the police response to the Audit’s 34 recommendations.

DISCUSSION

Missing/Misplaced Exhibits: In response to the Drug Exhibit Audit, senior management tasked the Special Enforcement Section (SES) of the Integrated Criminal Investigation Division with conducting a secondary review to locate 74 missing/misplaced exhibits. These 74 exhibits were part of a random sample of 507 exhibits chosen from thousands of exhibits maintained by SES.

The Review Team, which included an SES Sergeant, two investigators and a civilian employee, later discovered two entries that were listed as missing/misplaced but had been found in May 2016, changing the total to 72. The 72 exhibits included cash, drugs, drug paraphernalia and miscellaneous non-drug items such as a cigar butt, paper receipts and computer disks.

In total, the Review Team located 34 of the 72 exhibits but could not locate the remaining 38 exhibits. Of the 38, the Review Team believes 32 exhibits (drugs, drug paraphernalia and miscellaneous non-drug items) were destroyed and 6 exhibits (cash) were deposited in the Special Enforcement Section bank account.

The Review Team found no evidence to suggest exhibits were misappropriated, however, this conclusion is not definitive. Using a comprehensive methodology to locate each exhibit (e.g. interviews with past SES investigators, electronic reviews of Versadex, and physical reviews of exhibit rooms and written journals), the Review Team believes 32 were destroyed for the following reasons:

1. Exhibits were destroyed without ministerial authorization.
2. Exhibits were physically moved to another location but the movement was not recorded in Versadex.
3. Exhibit entries were duplicated.
4. Exhibit count was not physically verified.
5. Batch destruction was conducted without physical verification of exhibits in the destruction box.

The remaining six exhibits that could not be located are cash items totalling \$4956.00. Five exhibits totalling \$4196.75 may have been a part of a bulk deposit to an SES bank account and that the remaining item totalling \$759.25 may also be in the bank account, however, the Review Team could not determine any of this conclusively due to insufficient documentation.

The attached report, *Disposition of Evidence: A Secondary Review to the 2015-16 Drug Exhibit Audit*, provides full details of the Review Team's findings into the missing/misplaced exhibits.

Drug Exhibit Audit Recommendations: The 2015-16 Drug Exhibit Audit identified 34 recommendations. HRP and RCMP Halifax District have evaluated all 34 recommendations. All recommendations have either been completed or are ongoing. Overall, significant efforts have been made to address issues around adherence to policy and procedure, training, proper documentation, quality assurance, supervision and infrastructure.

The attached report, *2015-16 Drug Exhibit Audit Recommendations: Status Update*, outlines each of the 34 recommendations, the corresponding police response and current status.

Inventory of All Drug-Related Exhibits: The Review Team has conducted a full inventory of drug-related exhibits and reconciliation efforts are ongoing. Officers are continuing to locate outstanding items and Chief Blais will provide a monthly update to the Board of Police Commissioners on the officers' progress as it relates to the full inventory.

FINANCIAL IMPLICATIONS

As per the draft Halifax Regional Police Budget and Business plan, the Board of Police Commissioners and Regional Council has approved the addition of a new evidence custodian (Supply Assistant II). This position will aid Halifax Regional Police in mitigating the challenges identified and recommendations made in the 2015/16 HRP Drug Exhibit Audit.

COMMUNITY ENGAGEMENT

Halifax Regional Police and Halifax District RCMP continue to communicate with stakeholders to ensure people are aware that both organizations have worked diligently to address the recommendations in the Drug Exhibit Audit to help mitigate such issues from occurring in future. The measures taken will ultimately improve exhibit handling, safeguard our employees and our organization, and allow us to better serve our citizens.

ATTACHMENTS

Attachment 1 - Disposition of Evidence: A Secondary Review to the 2015-16 Drug Exhibit Audit

Attachment 2 - 2015-16 Drug Exhibit Audit Recommendations: Status Update

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Theresa Rath Spicer, Public Relations Manager, Halifax Regional Police, 902-490-5063

Report Approved by: *Original signed*

Chief Jean-Michel Blais, Halifax Regional Police, 902-490-6500

Report Approved by: *Original signed*

C/Supt. Lee Bergerman, OIC RCMP Halifax Detachment, 902-490-6880

Disposition of Evidence:

A Secondary Review to the 2015-16 Drug Audit

DATE: February 24, 2017



HALIFAX

Executive Summary

The Halifax Regional Police Internal Oversight & Risk Management Unit conducted a Drug Exhibit Audit between mid-June and November 2015 and completed a draft audit report. In May 2016, HRP and RCMP senior management provided further direction and asked for follow-up and clarification with respect to some of the findings in the draft audit report. The Internal Oversight & Risk Management Unit presented the revised Drug Exhibit Audit to senior management the week of June 20, 2016. Chief Jean-Michel (JM) Blais approved the finalized Drug Exhibit Audit on June 22, 2016.

One of the items for which senior management sought further clarification was missing/misplaced exhibits. As a result, senior management tasked the Special Enforcement Section (SES) of the Integrated Criminal Investigation Division with conducting a secondary review to locate 74 missing/misplaced exhibits. These 74 exhibits were part of a random sample of 507 exhibits chosen from thousands of exhibits maintained by SES.

The Review Team, which included an SES Sergeant, two investigators and a civilian employee, later discovered two entries that were listed as missing/misplaced but had been found in May 2016, changing the total to 72. The 72 exhibits (outlined on page 5) included cash, drugs, drug paraphernalia and miscellaneous non-drug items such as a cigar butt, paper receipts and computer disks.

The Review Team used the following methodology to locate each exhibit:

- Conducted a digital review of RAPID police software for files from 1994 to 2004
- Conducted a digital review of Versadex police records management system for files from 2005 to present
- Reviewed hard copy files from the HRP Records Section
- Reviewed the court status on the Justice Enterprise Information Network (JEIN)
- Checked the Halifax Provincial Court, Dartmouth Provincial Court and Nova Scotia Supreme Court for exhibits that may have passed through their system.
- Checked with Seized Property Management Directorate (SPMD)
- Reviewed internal electronic spreadsheets and document binders
- Reviewed internal ledgers and bank documents
- Checked with Health Canada for *Destruction Orders*
- Spoke with police officers, HRP evidence custodians and HRP civilian members.

For the purpose of this review, 'located' is defined as:

- a. the exhibit was physically found in court or police custody,
- b. the exhibit was proved destroyed through documentation and proper continuity in Versadex,
- c. the exhibit was proven returned to owner through legal documents and Versadex entries.

In total, the Review Team located 34 of the 72 exhibits but could not locate the remaining 38 exhibits. Of the 38, the Review Team believes 32 exhibits (drugs, drug paraphernalia and miscellaneous non-drug

items) were destroyed and 6 exhibits (cash) were deposited in the Special Enforcement Section bank account.

The Review Team found no evidence to suggest exhibits were misappropriated, however, this conclusion is not definitive. Using the comprehensive methodology to locate each exhibit, (e.g. interviews with past SES investigators, electronic reviews of Versadex, and physical reviews of exhibit rooms and written journals), the Review Team believes 32 were destroyed for the following reasons:

1. Exhibits were destroyed without ministerial authorization.
2. Exhibits were physically moved to another location but the movement was not recorded in Versadex.
3. Exhibit entries were duplicated.
4. Exhibit count was not physically verified.
5. Batch destruction was conducted without physical verification of exhibits in the destruction box.

The remaining six exhibits that could not be located are cash items totalling \$4,956.00. Five exhibits totalling \$4,196.75 may have been a part of a bulk deposit to an SES bank account and that the remaining item totalling \$759.25 may also be in the bank account, however, the Review Team could not determine any of this conclusively due to insufficient documentation.

During the course of this review, a number of gaps were identified. Significant efforts have since been made to address issues around adherence to policy and procedure, training, proper documentation, quality assurance, supervision and infrastructure. These measures will ultimately improve exhibit handling, safeguard our employees and our organization, and allow us to better serve our citizens.

Disposition of Evidence: A Secondary Review to the 2015-16 Drug Exhibit Audit

Background

The Halifax Regional Police Internal Oversight & Risk Management Unit conducted a Drug Exhibit Audit between mid-June and November 2015 and completed a draft audit report. In May 2016, HRP and RCMP senior management provided further direction and asked for follow-up and clarification with respect to some of the findings in the draft audit report. The Internal Oversight & Risk Management Unit presented the revised Drug Exhibit Audit to senior management the week of June 20, 2016.¹ The Chief of Police approved the finalized Drug Exhibit Audit on June 22, 2016.

The key observations of the Drug Exhibit Audit were:

- i. Continuity – Evidence Continuity Reports are often missing important details and are rarely accurate.
- ii. Inaccurate recording of exhibit location – the audit strived to determine if an exhibit was in the exact location where it was supposed to be based on Versadex, our records management system. Following were the results:
 - Drug Vault 1 (temporary processing vault): 90% of the exhibits in the sample (66 of 73) were not located where they were supposed to be during the initial audit in 2015; after a further review in May 2016, additional exhibits were located. However, 52% of the original sample (38 of 73) could not be located.
 - Drug Vault 2 (permanent vault): 24% of the exhibits in the sample (18 of 75) were not located where they were supposed to be during the initial audit in 2015; after a further review in May 2016, additional exhibits were located. However, 12% of the original sample (9 of 75) could not be located.
 - Money Vault: 55% of the exhibits in the sample (34 of 62 exhibits) were not located where they were supposed to be during the initial audit in 2015; after a further review in May 2016, additional exhibits were located. However, 32% of the original sample (20 of 62) could not be located.
 - Burn Box (a locked box located in Drug Vault 2 where drugs and contaminated drug paraphernalia are placed prior to destruction): Information in Versadex indicated that 5 items in the Drug Exhibit Audit sample were in the burn box, however, the items could not be located.

Secondary Review

Upon reviewing the draft audit report, one of the items for which senior management sought further clarification was missing/misplaced exhibits. The draft audit report only considered if each exhibit in the sample was in its exact specified location in either the drug or money vaults and did not consider if it was elsewhere in the same vault, in another vault, in the burn box for destruction or before the courts.

¹ Drug Exhibit Audit Halifax Regional Police, Internal Oversight June 2016

As a result, senior management tasked the Special Enforcement Section (SES) of the Integrated Criminal Investigation Division with conducting a secondary review to locate 74 missing/misplaced exhibits. These 74 exhibits were part of a random sample of 507 exhibits chosen from thousands of exhibits maintained by SES.

The Review Team, which included an SES Sergeant, two investigators and a civilian employee, later discovered two entries that were listed as missing but had been found in May 2016, changing the total to 72.

Scope

The scope of the Review Team was to locate the 72 exhibits, which were determined to be associated to files from 1994 to 2015 and consisted of cash, drugs and drug paraphernalia and miscellaneous non-drug items.²

Methodology

The Review Team used the following methodology to locate each exhibit:

- Conducted a digital review of RAPID police software for files from 1994 to 2004
- Conducted a digital review of Versadex police records management system for files from 2005 to present
- Reviewed hard copy files from the HRP Records Section
- Reviewed the court status on the Justice Enterprise Information Network (JEIN)
- Checked the Halifax Provincial Court, Dartmouth Provincial Court and Nova Scotia Supreme Court for exhibits that may have passed through their system.
- Checked with Seized Property Management Directorate (SPMD)
- Reviewed internal electronic spreadsheets and document binders
- Reviewed internal ledgers and bank documents
- Checked with Health Canada for *Destruction Orders*
- Spoke with police officers, HRP evidence custodians and HRP civilian members.

Definitions

For the purpose of this review, 'located' is defined as:

- a. the exhibit was physically found in court or police custody,
- b. the exhibit was proved destroyed through documentation and proper continuity in Versadex,
- c. the exhibit was proven returned to owner through legal documents and Versadex entries.

Breakdown of 72 Exhibits

² Review teams working excel spreadsheet posted P drive/ audit folder/SES

Located (34 exhibits)	Not located but may be in SES bank account (6 exhibits)	Not located but believed to be destroyed (32 exhibits)
1.4g marihuana sample	\$3,191.75	320 marihuana plants
10.58g cocaine sample	\$680.00	192 marihuana plants
3.4g cocaine	\$215.00	28.68g marihuana
1.3g marihuana	\$10.00	16g marihuana
3.9g marihuana	\$100.00	10.23g marihuana
1.5g marihuana sample	\$759.25	8.5g marihuana
0.82g crack cocaine	Total: \$4,956.00	6.23g marihuana
0.97g marihuana		5.54g marihuana
Cannabis inside cigarette pack		3.43g marihuana
3.6g marihuana		2g marihuana
0.9g marihuana		1.12g marihuana
0.1g crack cocaine		1g marihuana
9 prescription pills		1g marihuana
3g marihuana sample		1g marihuana
\$280.00		1g marihuana
\$5,000.00		1g marihuana
\$1,520.00		0.21g crack cocaine
\$60.00		1 ecstasy pill
\$20.00		1 baggie of blue pills
\$50.00		1 Novo 50 tab
\$1,270.00		1 unidentified 4mg pill
\$420.00		Burnt cigar
\$100.00		File folder
\$20.00		Score sheet
\$3.00		Rolling papers and lighter
\$300.00		Grinder
\$170.00		Photo CD
Lease agreement		Digital scale
DVD copy of Digital Forensic Unit evidence		Birth certificate
242.66g dextrose		1 box of drug packaging baggies
3 CD's for operational project		8 bags of drug packaging
Invoice from W.C. Gifts		1 drug packaging baggie
CD - Video of search		
Digital scale		

Of the 72 exhibits:

- 35 were drug exhibits:
 - 14 were located – 11 were in the drug vault, 2 were located at the courts and 1 was destroyed with proper electronic documentation under a related file
 - 21 were not located but are believed to be destroyed
- 19 were cash exhibits totalling \$14,169.00:

- 13 cash items totalling \$9,213.00 were located – 1 was in the money vault, 1 was at the Seized Property Management Directorate, 3 were located at the courts, 3 were returned to owner and 5 were deposited in the SES bank account
- 6 totalling \$4,956.00 were not located
- 18 were drug paraphernalia and miscellaneous non-drug items:
 - 7 were located – 4 were in the drug vault, 1 was located at the courts, 2 were located in the Drug Unit in the possession of an investigator who was working on an ongoing file
 - 11 were not located but are believed to be destroyed

Detailed Breakdown

The 72 exhibits can be broken down into four categories – A) exhibits that originated in the Rapid records management system, B) exhibits before the courts, C) exhibits from no case seizures and D) cash. The following is a detailed breakdown for each of these categories. Of note, exhibits may appear in more than one category and, therefore, the total number of exhibits listed in all categories will not add up to 72. For example, an exhibit could be referenced as being a Rapid file and also a no case seizure.

A. Rapid Files

Rapid software was the file management system used by Halifax, Dartmouth and Bedford Police Departments prior to 2005. Of the files relating to the 72 exhibits, 16 originated on Rapid:

1. 16g marihuana
2. 2g marihuana
3. Bulk bag of marihuana
4. 1g marihuana samples
5. One ecstasy pill sample
6. One baggie of blue pills
7. File folder
8. One box of drug packaging baggies
9. One drug packaging baggie
10. Birth certificate
11. Rolling papers and lighter
12. Burnt cigar
13. \$280.00 in Canadian currency
14. 1g marihuana sample
15. 1g marihuana sample
16. 1g marihuana sample

Following are the results of the secondary review:

- 1 cash exhibit was located
 - 9 drug exhibits were not located
 - 6 drug paraphernalia and miscellaneous non-drug items were not located
- Total: 1 located, 15 not located**

The Review Team learned the following:

- The 16 exhibits were not properly migrated to Versadex and only one part of the property screen was used, hence current tracking methods in Versadex could not be utilized. The failure of a total file migration made exhibit tracking via Versadex difficult.
- Interviews with past and present sergeants of the Drug Unit showed they were not familiar with the migration, hence tracking of the 16 exhibits did not take place after 2005 when Versadex replaced Rapid.
- Of interest, 4 of the 9 drug exhibits had associated *Destruction Orders* (a form required to be filled out by police which is then sent to Health Canada to authorize destruction of drugs). The sergeants interviewed stated that it was a past practice that when exhibits were destroyed, they would not record it on the property screen; hence the final disposition of those with *Destruction Orders* could not be confirmed.

B. Court Files

Of the 72 exhibits, 37 were determined to have been moved from the exhibit vaults to the courthouse:

- 29 exhibits did not remain in the court as an exhibit
- 8 exhibits were located as tendered evidence; of the 8 tendered exhibits, 2 were later returned to police, leaving 6 in the courts as evidence.

Total: 6 exhibits were located at the courts

The Review Team learned the following:

- Evidence continuity recordings in Versadex were not done or were incomplete.
- No text was added by the drug investigator indicating if the exhibit was entered into court or returned from the court back to the police exhibit room.

C. No Case Seizures

In some situations, police seize and destroy drugs without charge, which is known as a 'no case' seizure. These cases involve discretion by law enforcement officers for situations when a suspect has not been and is not likely to be identified, the amount of drug seized is very small or the likelihood of conviction is low. Ultimately, no charges are laid and according to policy, the illicit drugs/contaminated paraphernalia are to be destroyed, while uncontaminated paraphernalia and cash is to be returned.

Of the 72 exhibits, 22 were related to no case seizures:

1. 10.58g cocaine
2. 10.23g bag of marihuana
3. 8.5g of marihuana
4. 2g marihuana
5. Bulk bag 1g marihuana
6. 1.12g marihuana sample
7. 1g marihuana sample
8. One baggie of blue pills
9. One 4mg pill

10. One Orange Novo 50 tab
11. File folder
12. Birth certificate
13. Burnt cigar
14. Digital scale
15. Digital scale
16. Grinder
17. \$280.00
18. \$5,000.00
19. \$1,520.00
20. \$3,191.75
21. \$100.00
22. \$3.00

Of these 22 exhibits:

- 6 were cash items
- 10 were drug items
- 6 were drug paraphernalia

Total: 6 cash items to be discussed in Section D, 16 drug and paraphernalia items not located

The Review Team learned the following:

- Of the 16 items that were made up of drugs and paraphernalia, only 9 had *Destruction Orders* authorized by Health Canada on file but the final disposition of these 9 items could not be determined.
- The sergeants interviewed advised that it was past practice to put no case seizure exhibits in the burn box for destruction. In the majority of cases, the exhibit movement was not recorded in Versadex when placed in the burn box. Further, after the exhibits were destroyed, the destruction details were not properly completed in Versadex. This caused Versadex to show that the property was still in the possession of police when it was not. As a result, it is believed the 16 items were destroyed. In these cases, there were no charges laid against an accused.

D. Cash Exhibits

Of the 72 exhibits, 19 were cash totalling \$14,169.00:

1. \$280.00
2. \$5,000.00
3. \$1,520.00
4. \$60.00
5. \$20.00
6. \$50.00
7. \$1,270.00
8. \$420.00
9. \$100.00
10. \$20.00

11. \$3.00
12. \$300.00
13. \$170.00
14. \$3,191.75
15. \$680.00
16. \$215.00
17. \$10.00
18. \$100.00
19. \$759.25

Of the 19, 13 exhibits were found (#1-13 in the above list), totalling \$9,213.00:

- 1 was located inside the Money Vault
- 1 was located at Seized Property Management Directorate
- 3 were located at the courts
- 3 were returned to owner
- 5 were deposited to a Credit Union Account

Total: 13 exhibits totalling \$9,213.00 located; 6, totalling \$4,956.00, not located (#14-19 in the above list)

The Review Team learned the following:

- In 2012, the Special Enforcement Section opened a bank account to assist with the handling of cash exhibits. Additionally, the Special Enforcement Section kept a ledger to record the monies deposited to the bank account, including individual file numbers and the dollar amount associated with each.
- An initial opening deposit was made on September 6, 2012 for \$267,263.02, which was confirmed by a bank statement. This was a bulk deposit consisting of numerous cash exhibits, some of which had faded exhibit tags, and did not record the associated file, amount of cash or denominations from each exhibit.
- The ledger meticulously outlined amounts totalling \$240,574.84 having been deposited in the bank account, for a difference of \$26,688.18 between the bulk deposit and the ledger.
- It is believed that 5 of the outstanding cash items totalling \$4,196.75 were included in the bulk deposit, but faded exhibit tags made it impossible to determine this conclusively. The remaining item totalling \$759.25 may also be in the bank account, however, the Review Team could not determine this conclusively due to insufficient documentation.

Conclusion

In total, the Review Team located 34 of the 72 exhibits but could not locate the remaining 38 exhibits. Of the 38, the Review Team believes 32 exhibits (drugs, drug paraphernalia and miscellaneous non-drug items) were destroyed and 6 exhibits (cash) were deposited in the SES bank account.

The Review Team found no evidence to suggest exhibits were misappropriated, however, this conclusion is not definitive. Using a comprehensive methodology to locate each exhibit (e.g. interviews

with past SES investigators, electronic reviews of Versadex, and physical reviews of exhibit rooms and written journals), the Review Team believes 32 were destroyed for the following reasons:

1. Exhibits were destroyed without ministerial authorization.
2. Exhibits were physically moved to another location but the movement was not recorded in Versadex.
3. Exhibit entries were duplicated.
4. Exhibit count was not physically verified.
5. Batch destruction was conducted without physical verification of exhibits in the destruction box.

The remaining six exhibits that could not be located are cash items totalling \$4,956.00. Five exhibits totalling \$4,196.75 may have been a part of a bulk deposit to an SES bank account and that the remaining item totalling \$759.25 may also be in the bank account, however, the Review Team could not determine any of this conclusively due to insufficient documentation.

The Review Team found inconsistencies in how exhibits were dealt with and observed the following practices that contributed to the missing exhibits:

- Non-standardized training.
- Lack of adherence to policy and procedures which resulted in informal and inconsistent practices.
- Upon completion of a file, it should contain a *Destruction Order*, a *Forfeiture or Return Order* issued through the court, *returned to owner* or a *relinquishment of claim* by the owner on file. Twenty *Destruction Orders* were located for the 72 exhibits, meaning that 52 exhibits did not have proper paperwork.
- Exhibits that were likely destroyed were not recorded as destroyed in Versadex.
- Requests for *Destruction Orders* were not being completed as per Health Canada process, leaving exhibits in the vaults for extended periods.
- Proper movement of exhibits were not being recorded in Versadex.
- Group exhibit movement for destruction or storage was completed without verifying the actual physical presence of the exhibit.
- Possible destruction of items occurred before Health Canada authorization and same was not recorded on Versadex.
- Proper inventory count was not possible due to exhibit tags having faded ink, causing the information to be illegible.
- Recording of exhibit movement did not take place once the item was removed from storage and destined for destruction.
- Duplicate entries for drugs seized; when a drug exhibit or a portion of it was sent to Health Canada for testing, a new exhibit entry was created instead of modifying the existing one.
- Sergeants were not confirming inventory count prior to movement.

During the course of this review, a number of gaps were identified as outlined above. Significant efforts have since been made to address issues around adherence to policy and procedure, training, proper documentation, quality assurance, supervision and infrastructure. These measures will ultimately improve exhibit handling, safeguard our employees and our organization, and allows us to better serve our citizens.

2015-16 Drug Exhibit Audit Recommendations: Status Update

February 24, 2017

Observation	Recommendation	Action Taken	Status
In Versadex, primary and secondary locations are rarely filled in correctly.	#1: Ensure that primary and secondary locations listed on the evidence continuity screens are filled in correctly.	-A Sergeant in the Special Enforcement Section (SES) is now dedicated to the role of quality assurance. This role is responsible for reviewing all files to ensure evidence continuity screens are filled in correctly. -Scanning of exhibits using barcode technology is now mandatory to track the movement of each exhibit. -HRP evidence custodians have trained all current officers in the Special Enforcement Section on property movement. Going forward, the intent is for all HRP officers to receive the same training that has been provided to SES members.	Completed
There are dozens of primary locations for drugs listed in Versadex.	#2: To improve search capabilities, reduce the number of location choices that investigators have to enter exhibits. Designate the three primary drug vaults to DV1-Drug Vault 1 (Drug Office Vault), DV2-Drug Vault 2 (Headquarters (HQ) Garage) and MV-Money Vault (HQ Safe). Also reduce and standardize the number of secondary location choices.	The number of primary locations in Versadex has been reduced to three. The previous options are no longer used and will be eliminated when the inventory is completed in its entirety.	Ongoing
When sent out for analysis at the Crime Lab or to court exhibits are not tracked well.	#3: Establish diary dates to track exhibits that are sent out for review. This would ensure the file is kept current and help prevent exhibits from being lost or forgotten.	An enhanced electronic tracking system was created to maintain continuity and accountability. Additionally, the Special Enforcement Section Quality Assurance Sergeant oversees all files to ensure effective and efficient inventory control.	Completed
Property control screens are rarely filled out correctly.	#4: The disposal review portion of Versadex is properly filled out to identify the disposal authority and the Versadex file is properly closed off by both the investigator and Sergeant. This	The SES Quality Assurance Sergeant is now responsible for ensuring proper destruction of drugs both electronically and physically. Exhibits to be destroyed are scanned when placed in the	Completed

	will be included in proposed training manual.	burn box and then rescanned when they are removed from the burn box for disposal.	
Exhibits are often listed in Versadex as destroyed when, in fact, they are not.	#5: Conduct a supplementary audit of non-disposed exhibits in Versadex for each of the three vaults.	The Review Team conducted a full inventory of the two drug vaults, the money vault and the burn box (items to be destroyed) between September 2016 and February 2017. Reconciliation is ongoing.	Ongoing
Annual audits and inventories are not taking place.	#6: Due to the high risk associated with drug exhibits it is imperative that at least yearly audits and inventories be conducted on drug exhibits.	<ul style="list-style-type: none"> -One SES Sergeant is now dedicated to quality assurance. -The SES Staff Sergeant now conducts monthly random spot checks to ensure compliance with policy and procedures. -SES and Property & Exhibits will conduct an annual inventory of drug exhibits. -The HRP Executive Officer, who oversees Internal Oversight and Risk Management Unit, will conduct a random annual audit held by Property & Exhibits; the scope and methodology of each audit will be approved by the Chief of Police. 	Ongoing
There are approximately 2000 drug exhibits to be purged.	#7: Reduce the number of drug exhibits sitting on the shelves and bring the number of exhibits being handled by Drug Unit NCOs down to a more manageable level. In order to accomplish this Drug Unit NCOs either need to be able to generate an exhibit pick list (drop down menu in Versadex) or turn over this responsibility to HRP's evidence custodians. There are approximately 2,000 drug exhibits currently on the pick list to be disposed.	SES has requested <i>Destruction Orders</i> from Health Canada for 600+ files, each of which involves one or more exhibits, and are awaiting response. Once authorization is received, all exhibits that are authorized for destruction will be destroyed in a timely manner.	Ongoing
A significant amount of the Drug Unit NCO's day is spent processing drug exhibits.	#8: Move the responsibility of managing drug storage from Drug Unit NCOs to the evidence custodians, as they are the subject matter experts in relation to HRP evidence storage. This would not only bring best practices (proper	<ul style="list-style-type: none"> -Drugs, drug paraphernalia and cash are no longer sent to separate storage areas. All exhibits from a file now remain together to ensure proper continuity of drug exhibits. -A request for an additional evidence custodian 	Ongoing

	packaging, labelling, records management) into play, it would also free up the Drug Unit NCOs to perform more of their supervisory responsibilities.	was made through the budgeting process. As per the draft Halifax Regional Police Budget and Business plan, the Board of Police Commissioners and Regional Council has approved the addition of a new evidence custodian (Supply Assistant II). This position will aid Halifax Regional Police in mitigating the challenges identified and recommendations made in the 2015/16 HRP Drug Exhibit Audit.	
High risk amounts of cash (over \$100,000) are often found stored within the Money Vault.	#9: Minimize the inherent risk of securing a large number of currency exhibits. Monetary totals over \$1,000 will be transferred to a public trustee (Seized Property Management Directorate) or Integrated Proceeds of Crime.	The observation is unfounded as police do not maintain high-risk amounts of cash for individual files. Money is transferred to SPMD or IPOC based on monetary total and/or investigative need.	Completed
Money counts do not always include their denomination. This leads to errors.	#10: Use breakdown function on the property screen in Versadex.	The exhibit continuity property screen is now being utilized. Dual counting and use of Versadex denomination fields are now required to improve accuracy.	Completed
The current process dealing with money deposited in the HRP exhibit bank account is not easily understood or recorded. Also, it is an interest-bearing account.	#11: HRP money account to be audited.	The bank account records have been obtained and checked against exhibit records. All deposits are accounted for other than the bulk deposit which has insufficient documentation. Additionally, no new deposits are being made to the bank account. More specifically, an initial opening deposit was made to the bank account on September 6, 2012 for \$267,263.02, which was confirmed by a bank statement. This bulk deposit consisted of numerous cash exhibits, some of which had faded exhibit tags, and did not record the associated file, amount of cash or denominations from each exhibit.	Completed

Drug exhibits are often stored in Zip-Lock bags and not sealed as stated in policy.	#12: All drug exhibits are sealed according to policy and the use of Zip-Lock bags ceases.	All Special Enforcement Section members have been directed to store exhibits in a sealed, tamper proof evidence bag. The SES Quality Assurance Sergeant monitors to ensure compliance.	Completed
The disposal authority for drug exhibits is often listed as “Non-Returnable Property” rather than noting the court order as stated in policy.	#13: The disposal of drug exhibits follows HRP policy section 5.5(a) (1.)”Disposed with consent of Minister of Health or a Judge” or is amended so that it fits with current practices.	For drugs, we have requested <i>Destruction Orders</i> from Health Canada for 600+ files, each of which involves one or more exhibits, and are awaiting response. Once authorization is received, all exhibits that are authorized for destruction will be destroyed in a timely manner. For cash and drug paraphernalia, we are in the process of requesting a Forfeiture Order or Return Order respectively from a Judge and will action in a timely manner upon receiving consent.	Ongoing
There are several policy sections that need to be reviewed to ensure the policy is current.	#14: The policy be reviewed to ensure outdated sections, such as section 5.4(a)(3.) “The evidence location sheet”, are removed.	Fourteen evidence and drug policies have been reviewed and amalgamated into a new, comprehensive draft policy which removes outdated information and addresses gaps and recommendations identified in the Drug Exhibit Audit.	Ongoing
There are very few policy sections dealing with property documentation within Versadex.	#15: Policy sections should be added to assist in the area of Versadex property documentation. A property user guide/manual shall also be drafted and provided to members.	Fourteen evidence and drug policies have been reviewed and amalgamated into a new, comprehensive draft policy which addresses gaps and recommendations identified in the Drug Exhibit Audit. This includes policy on the proper use of Versadex property screens. A standardized training manual for all SES members has been drafted.	Ongoing
Approximately 60% of all drug files lack disposal review date.	#16: A review take place to determine why disposal review dates are not being generated and determine if a standardized diary date could be established (ex. three years from the seizure	A streamlined and enhanced case management process for tracking files electronically has been implemented, including checking and addressing disposal review dates. Versadex training was	Completed

	date). Without the disposal review date these exhibits will never be reviewed and never purged.	provided, and enhanced quality assurance of files has been instituted. Additionally, the SES Staff Sergeant conducts random spot checks.	
The two person rule is not practiced for both the counting of money and the weighing of drugs exhibits.	#17: The two person rule (whereby two people weigh and count drugs and money, respectively) shall be used for both the counting of money and weighing of drugs, as recommended by the International Association of Property & Evidence, and be documented to the file.	The two person rule is required for the counting of money. The two person rule for the weighing and counting of drugs is used for significant seizures and for any opioids where there is an officer safety issue.	Completed
Burn box exhibits are not tightly secured.	#18: The two person rule should also be used for burn box exhibit disposal. A one-way drop is installed for burn box storage. The burn box should be double keyed.	The two person rule is used for burn box exhibit disposal with each item being scanned in and out of the burn box on Versadex. Additionally, the permanent drug vault, which contains the burn box, is monitored via CCTV, alarmed and requires a swipe pass for entry. Access is limited to SES Sergeants.	Completed
Consistent burn box disposal methods are not established and exhibits are not destroyed in a timely manner.	#19: Standardize the burning process by entering into a standing offer/agreement with a contractor or obtaining equipment capable of destroying drug exhibits.	We have an agreement with an outside service supplier to allow for proper destruction of drugs. In relation to a backlog of exhibits awaiting destruction, police will clear the backlog once <i>Destruction Orders</i> are received from Health Canada. Going forward, all exhibits that are authorized for destruction will be destroyed in a timely manner based on a standardized burning process.	Ongoing
Forfeiture order lists are not currently added to Versadex.	#20: Itemized exhibits lists (including currency) from forfeiture orders should be added to Versadex to centralize and improve records management of these high risk exhibits.	Itemized exhibit lists (including currency) from forfeiture orders have been added to Versadex. The dedicated SES Quality Assurance Sergeant now reviews each file and the SES Staff Sergeant now conducts random spot checks.	Completed
Review of current drug exhibit processing uncovered	#21: Retrain drug members on the proper way to store exhibits, including exhibit seals, labelling, and recording within Versadex. Provide this	HRP evidence custodians have trained all current officers in the Special Enforcement Section on the proper way to store exhibits, including exhibit	Completed

numerous errors	information in policy and user guides/manuals. Note: Only drugs are to be stored in drug vaults, all other exhibits should be treated as general exhibits and stored as such.	seals, labelling, and recording within Versadex. Going forward, all HRP officers will receive the same training that has been provided to SES members.	
Drug exhibits are not shipped using a secure method and are currently left in the outgoing mail at HQ.	#22: Develop a procedure and train members on the proper method of sending drug exhibits to the lab by registered mail and maintain continuity.	Procedure developed and implemented, which changed where exhibits awaiting mailing are kept.	Completed
HRP and RCMP follow combined and individual policies and procedures.	#23: That one drug policy/procedure is used for both HRP and RCMP members.	Fourteen evidence and drug policies have been reviewed and amalgamated into a new, comprehensive draft policy which addresses gaps and recommendations identified in the Drug Exhibit Audit. The amalgamated policy will apply to both HRP and Halifax District RCMP officers in the Special Enforcement Section.	Ongoing
Members are not trained in the proper and safe handling of drug exhibits.	#24: Include training and policy which refers to safe handling practices. Health Canada, IAPE and RCMP (recent Fentanyl alert) all have comparable policy which refer to double gloving, respirators and two person rule.	Provided educational materials and mandatory training related to the safe handling practices of Fentanyl. The draft amalgamated policy addresses safe handling processes, and a policy specific to the safe handling of Fentanyl is underway.	Ongoing
Exhibit processing is currently not listed in NCO daily duties and responsibilities.	#25: If NCOs are to continue to process exhibits this job function needs to be added to their job descriptions.	The Sergeants' job description has been updated to reflect the exhibit function.	Completed
Exhibits are disposed using bulk disposal methods.	#26: The practice of saving time by performing batch electronic transfers shall stop immediately. Batch electronic transfer may be a quicker option but could easily lead to misplaced and/or lost exhibits.	Bulk disposal methods, including both batch electronic and physical transfers, have stopped and are not permitted.	Completed
NCOs are not reviewing property submissions for accuracy.	#27: NCOs must ensure that quality assurance review is not only completed for case management but also for property management.	The SES Quality Assurance Sergeant now performs both case management and property management for each file and each exhibit. Additionally, the SES Staff Sergeant conducts	Completed

		random spot checks to ensure compliance.	
Vault door locks are currently on master key system with no electronic access.	#28: Re-key entrance doors to DV1 and DV2 and have them taken off the HRM/HQ master keying systems.	Re-keyed entrance doors to Drug Vault 1 and Drug Vault 2 and removed it from the HRM/HRP Headquarters master keying system.	Completed
Our current vault alarm system uses a single code for all users and records limited information.	#29: Install new intrusion alarms in each of the three vaults. Include third party monitoring, secure wiring, individualized access codes and better coverage where needed.	New intrusion alarms have been placed in Drug Vault 1 and Drug Vault 2. The security code has been changed for the money vault.	Completed
The drug and/or money vaults have no cameras to record ongoing, high risk activity.	#30: CCTV cameras to be installed at all drug/money vault access points.	CCTV has been installed in Drug Vault 1 and Drug Vault 2. New exhibits are no longer stored in the money vault; all new money exhibits are stored in Drug Vault 2 or with SPMD or IPOC.	Completed
DV2 has a wood door.	#31: Security metal entrance door and frame to be installed in Drug Vault 2.	A steel door was installed in Drug Vault 2.	Completed
Door access not tightly controlled or monitored. High-risk security areas do not have two-level authentications.	#32: Two-level access authentication (pin/prox) to be used for DV1 and DV2. Vault access authorization is to be recorded on individualized access forms which should include the approver's name as well as an expiry date. The list of authorized members should be reviewed every six months.	Drug Vault 1 and Drug Vault 2 has an updated two-level access authentication plus CCTV. The SES Staff Sergeant also does a security review every six months of all members within SES, which entails ensuring that only authorized employees have access to the drug vaults.	Completed
Entry combinations are not tightly controlled and changed as required.	#33: Due to the high risk that is associated with the money vault the combination should be changed as staff change.	The money vault combination has been changed and will be changed as staff change. The money vault is no longer being used for new money exhibits.	Completed
Drug exhibits are not stored in a safe and healthy manner.	#34: Ensure regular mold testing (specifically Aspergillus), proper storage of drug exhibits (dried) is enforced and regular inspection and cleaning of drug vaults occurs.	Completed mold testing with no issues raised. Testing will be done annually. Cleaning takes place when required.	Completed