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## ARCHIVÉE - Contenu archivé

### Contenu archivé

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<b>COMMISSIONER'S DIRECTIVE 566-9</b>		In Effect: 2015-07-02 Last Review: 2012-06-13 Due for Review: 2017-07-02
<b>Searching of Cells/Rooms, Vehicles and Other Areas</b>		
<b>PROGRAM ALIGNMENT</b>	Custody	
<b>OFFICE(S) OF PRIMARY INTEREST</b>	Correctional Operations and Programs Sector	
<b>ONLINE @</b>	<ul style="list-style-type: none"> <li>• <a href="http://infonet/cds/cds/566-9-cd-eng.pdf">http://infonet/cds/cds/566-9-cd-eng.pdf</a></li> <li>• <a href="http://infonet/cds/cds/566-9-cd-fra.pdf">http://infonet/cds/cds/566-9-cd-fra.pdf</a></li> <li>• <a href="http://www.csc-scc.gc.ca/text/plcy/cdshtm/566-9-cd-eng.shtml">http://www.csc-scc.gc.ca/text/plcy/cdshtm/566-9-cd-eng.shtml</a></li> <li>• <a href="http://www.csc-scc.gc.ca/text/plcy/cdshtm/566-9-cd-fra.shtml">http://www.csc-scc.gc.ca/text/plcy/cdshtm/566-9-cd-fra.shtml</a></li> </ul>	
<b>AUTHORITIES</b>	<ul style="list-style-type: none"> <li>• <a href="#">Corrections and Conditional Release Act</a> (CCRA), sections <a href="#">3</a>, <a href="#">3.1</a>, <a href="#">4</a>, <a href="#">58</a>, <a href="#">61</a>, <a href="#">62</a> and <a href="#">65</a></li> <li>• <a href="#">Corrections and Conditional Release Regulations</a> (CCRR), sections <a href="#">51</a>, <a href="#">52</a>, <a href="#">53</a>, <a href="#">55</a>, <a href="#">57</a> and <a href="#">58</a></li> </ul>	
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>• To provide direction related to the searching of cells/rooms, vehicles, and other areas of the institution to prevent the introduction, possession and exchange of contraband and unauthorized items</li> <li>• To ensure the Correctional Service of Canada uses measures that are consistent with the protection of society, staff members and offenders and that are limited to only what is necessary and proportionate to attain the purposes of the <i>Corrections and Conditional Release Act</i></li> </ul>	
<b>APPLICATION</b>	Applies to staff involved in searches at all institutions including Community Correctional Centres, as noted	
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## **RESPONSIBILITIES**

1. The Assistant Deputy Commissioner, Integrated Services, will:
  - a. ensure each institution has an approved Search Plan
  - b. review the Search Plan and develop a procedure to monitor its use and adherence to standards.
2. The Institutional Head/District Director will:
  - a. approve the Search Plan

- b. ensure persons conducting searches are properly trained/oriented.
3. The Institutional Head of institutions, excluding Community Correctional Centres, may authorize searches of vehicles at the penitentiary in accordance with [section 61](#) of the CCRA.
4. The Deputy Warden will ensure:
  - a. there are documented procedures directing the searching of cells, vehicles and other areas
  - b. quality assurance and control protocols are in place for searching cells, vehicles and other areas. These include measures against standards and the development and implementation of regular performance measures.
5. The Assistant Warden, Operations/Area Director will:
  - a. develop the Search Plan
  - b. ensure searching equipment is available and functioning.
6. The Correctional Manager/Manager, Community Correctional Centre, will manage the Search Plan.
7. The Manager, Community Correctional Centre, will assign persons to conduct searches.
8. Trained/oriented persons will:
  - a. search cells/rooms and other areas in accordance with the Search Plan
  - b. complete and submit search reports as outlined in the policy.
9. Any other person such as Shop Instructors, Correctional Program Facilitators, Kitchen Stewards and Teachers will search their own areas regularly.

## **PROCEDURES**

### **Search Plan**

10. The Search Plan for all institutions, excluding Community Correctional Centres, will include, but not be limited to, all the elements outlined in [Annex B](#).
11. The Search Plan for Community Correctional Centres will include all the elements outlined in [Annex C](#).
12. The Search Plan for all institutions, including Community Correctional Centres, will specify that all cells/rooms and other areas are to be routinely searched, in accordance with the Search Plan

outlined in [Annex B](#) (Institutions) or [Annex C](#) (Community Correctional Centres), at least once every 30-day period.

13. The Search Plan for all institutions, excluding Community Correctional Centres, will require that verification of personal effects be made against the Inmate Property Record contained in the Offender Personal Property module of the Offender Management System.
14. Routine searches of cells/rooms at all institutions, including Community Correctional Centres, will be conducted in the presence of another staff member (this excludes contractors).

### **Searching of Aboriginal and Other Sacred Items**

15. Required security examination of Aboriginal medicine bundles, or any other religious and spiritual articles or other sacred objects will be accomplished by having the owner manipulate them for visual inspection by the examining officer. In the owner's absence, an Elder, an Elder's representative (who is not an inmate) or a Chaplain or representative of a religious group will inspect or manipulate the contents for inspection.

### **Searches of Cells/Rooms**

#### **Non-Routine Searches ([Section 52](#) of the CCRR)**

16. Where a staff member believes on reasonable grounds that contraband or evidence of an offence is located in an offender's cell/room, the staff member may, with the prior authorization of a supervisor, search the cell/room and its contents.
17. A staff member is not required to obtain authorization or conduct a search in the presence of another staff member, where the staff member believes on reasonable grounds that delaying a search in order to comply with those obligations would result in danger to the life or safety of any person or the loss or destruction of contraband or evidence.

#### **Emergency Searches**

18. Where an emergency occurs and the Institutional Head believes on reasonable grounds that contraband or evidence that relates to the emergency is located in the cells, the Institutional Head may authorize the search of cells and their contents by a staff member (see [section 53](#) of the CCRR).
19. Emergency cell searches will not be counted against the regular cell searches as outlined in the Institutional Search Plan.
20. At a Community Correctional Centre, an emergency search may be authorized by the District Director.

## **Searches of Vehicles (Excluding Community Correctional Centres)**

### **Non-Routine Searches of a Vehicle**

21. As outlined in [subsection 61\(2\)](#) of the CCRA, a staff member who believes on reasonable grounds that contraband is located in a vehicle at a penitentiary reserve in circumstances constituting an offence under [section 45](#) may, with prior authorization from the Institutional Head, search the vehicle.
22. Where a staff member believes on reasonable grounds that the delay to obtain prior authorization from the Institutional Head would result in danger to human life or safety or the loss or destruction of the contraband, the staff member may search the vehicle without that prior authorization (see [subsection 61\(3\)](#) of the CCRA).

### **Emergency Power to Search a Vehicle**

23. In accordance with [subsection 55\(2\)](#) of the CCRR, where an emergency occurs and the Institutional Head believes on reasonable grounds that contraband or evidence that relates to the emergency is located in a vehicle on penitentiary property, the Institutional Head may authorize a search of the vehicle and its contents by a staff member.

### **Exceptional Power to Search Vehicles**

24. The Institutional Head may authorize, in writing, a staff member to search the vehicles on a penitentiary reserve if he/she has reasonable grounds to believe that:
  - a. there is clear and substantial danger to the security of the penitentiary or the life or safety of persons because evidence exists that there is contraband at the penitentiary or that a criminal offence is being planned or has been committed at the penitentiary
  - b. it is necessary to search the vehicles in order to locate and seize the contraband or other evidence and to avert the danger (see [subsection 61\(4\)](#) of the CCRA).

### **Reporting Requirements**

25. Every time a cell/room, vehicle or other area is searched by manual or mechanical means, the searching officers will complete the [Search Log](#) (CSC/SCC 0845).
26. The [Post-Search Report](#) (CSC/SCC 1365) will be completed in the following circumstances:
  - a. one or more items are seized
  - b. the search is non-routine.

27. Every Institutional Head/District Director who authorizes an emergency search of offender cells/rooms will ensure that a [Post-Search Report](#) (CSC/SCC 1365) is prepared and submit it to the Regional Deputy Commissioner, within 5 working days.
28. Every Institutional Head who authorizes an emergency search of vehicles will submit a [Post-Search Report](#) (CSC/SCC 1365) to the Regional Deputy Commissioner within 5 working days.

### **Contraband/Unauthorized Item Seizure Tags**

29. When contraband or unauthorized items are seized as a result of any search, the person who seized the items will complete the stock form titled [Contraband/Unauthorized Item Seizure Tag](#) (CSC/SCC 0482), attach it to each item and place the item in the secure evidence locker or turn it over to the custody of the seizure control officer.
30. When seizing articles of religious significance, the Aboriginal Elder/Spiritual Advisor, Chaplain or representative of a religious group will be consulted as to proper treatment of the items which is respectful of the individual's beliefs. These articles will be disposed of as outlined in [CD 568-5 – Management of Seized Items](#).

### **ENQUIRIES**

31. Strategic Policy Division  
National Headquarters  
Email: [Gen-NHQPolicy-Politi@CSC-SCC.gc.ca](mailto:Gen-NHQPolicy-Politi@CSC-SCC.gc.ca)

Commissioner,

Original Signed by:  
Don Head

**ANNEX A****CROSS-REFERENCES****CROSS-REFERENCES**

[CD 004 – National Standards for the Deployment of Correctional Officers, Annex B](#)

[CD 566 – Framework for the Prevention of Security Incidents](#)

[CD 566-12 – Personal Property of Offenders](#)

[CD 568-5 – Management of Seized Items](#)

[CD 702 – Aboriginal Offenders](#)

[CD 714 – Community Correctional Centre Standards](#)

[CSC Manual on Religious and Spiritual Accommodation](#)



**ANNEX B**

**INSTITUTIONAL SEARCH PLAN – SEARCHING OF CELLS, VEHICLES  
AND OTHER AREAS OF THE INSTITUTION  
(EXCLUDING COMMUNITY CORRECTIONAL CENTRES)**

SEARCH SUBJECT	SEARCH TYPE	LOCATION	FREQUENCY	Reasonable Grounds Suspicion or Belief	Prior Authorization	Consent Required	PERSON RESPONSIBLE FOR AUTHORIZATION	REQUIREMENTS Search Log/Reports
CELL	ROUTINE		At least once every 30 days	Not Required	No	No		Yes
VEHICLE	ROUTINE			Not Required	No	No		Yes
CELL	NON-ROUTINE			Required	Yes	No	Institutional Head	Yes
VEHICLE	NON-ROUTINE			Required	Yes	No	Institutional Head	Yes
CELL	EMERGENCY			Required	Yes	No	Institutional Head	Yes
VEHICLE	EMERGENCY			Required	Yes	No	Institutional Head	Yes
VEHICLE	EXCEPTIONAL			Required	Yes	No	Institutional Head	Yes

\*\*\* If a seizure is made, complete the [Post-Search Report](#) (CSC/SCC 1365) and the stock form titled [Contraband/Unauthorized Item Seizure Tag](#) (CSC/SCC 0482).

**ANNEX C****COMMUNITY CORRECTIONAL CENTRE SEARCH PLAN – SEARCHING OF ROOMS AND OTHER AREAS**

SEARCH SUBJECT	SEARCH TYPE	LOCATION	FREQUENCY	Reasonable Grounds <i>Suspicion or Belief</i>	Prior Authorization	Consent Required	PERSON RESPONSIBLE FOR AUTHORIZATION	REQUIREMENTS Search Log/Reports
ROOM	ROUTINE		At least once every 30 days	Not Required	No	No		Yes
OTHER AREAS	ROUTINE	Offender-accessible areas	At least once every 30 days	Not required	No	No		Yes
ROOM	NON-ROUTINE			Required	Yes	No	CCC Manager	Yes
ROOM	EMERGENCY			Required	Yes	No	District Director	Yes

\*\*\* If a seizure is made, complete the [Post-Search Report](#) (CSC/SCC 1365) and the stock form titled [Contraband/Unauthorized Item Seizure Tag](#) (CSC/SCC 0482).