



TOWN OF SAINT ANDREWS

POLICY P-24-01 OPERATION OF BODY-WORN CAMERAS TOWN OF SAINT ANDREWS

1. Policy Statement

- 1.1. The Town of Saint Andrews recognizes the need to balance an individual's rights to privacy and the need to ensure the safety and security of the Town, its employees, clients, visitors, property, and By-Law Enforcement Officers.
- 1.2. As an institution governed by the *Right to Information and Protection of Privacy Act*, R.S.O. 2009, Chapter R-10.6 (RTIPPA), the Town has obligations with respect to notice, access, use, disclosure, retention, and disposal of records.
- 1.3. Body-worn cameras are used to ensure that the public and By-Law Enforcement Officers feel protected by and have trust in the Town of Saint Andrews. Body-worn cameras can help increase trust between Town employees and the community they serve. Audio and/or video evidence collected will provide an independent, unbiased, and objective way to capture interactions between the community and By-Law Enforcement Officers.
- 1.4. Proper use of body-worn cameras is an effective means to help keep the Town's employees and enforcement measures operating in a safe, secure, and privacy-protected manner.

2. Scope

- 2.1. This policy shall apply to the Town of Saint Andrews By-Law Enforcement Officers and designated staff for By-Law Enforcement measures and retention processes.

3. Purpose

- 3.1. To strengthen transparency, accountability, and public trust.
- 3.2. Resolve public complaints more quickly.
- 3.3. Improve interactions between the public and By-Law Enforcement.
- 3.4. Improve evidence gathering.



TOWN OF SAINT ANDREWS

- 3.5. Provide additional safety to staff who are working alone.

4. Openness and Transparency

- 4.1. Council, staff, and the public have been advised of the purpose of the body-worn camera.
- 4.2. The Town of Saint Andrews Council has been consulted as the elected representatives of the public.
- 4.3. If any changes arise in the future to the system or processes, there will be a plan in place to inform the public.
- 4.4. The information provided by a body-worn camera cannot be manipulated or adjusted by unauthorized users. Only the Chief Administrative Officer, Clerk, or Asset/Operations Manager has the authority to edit the audio and/or video to isolate a single incident identified by a By-Law Enforcement Officer.

5. Right to Information and Protection of Privacy Act (RTIPPA)

- 5.1. RTIPPA sets out the rules that "public bodies" must follow when collecting, using, and disclosing personal information. It also establishes a general right to access public records held by a public body, as well as a right for individuals to access and correct their personal information.

6. Cameras Recording

- 6.1. By-Law Enforcement Officers will only activate their camera while in the lawful execution of their duties:
- 6.1.1. Before arriving at a call for service.
- 6.1.2. When there is a decision to initiate contact with a member(s) of the public, and where that contact is for the purposes of a By-Law Enforcement investigation, regardless of whether or not the person(s) is/are within camera view.
- 6.1.3. Record statements that would normally be taken in the field.
- 6.1.4. Record any other situation or incident where a By-Law Enforcement Officer believes capturing audio and/or video evidence would support them in the lawful execution of their duties.



TOWN OF SAINT ANDREWS

7. Recording and Stop Recording

- 7.1. By-Law Enforcement Officers will start recording on their body-worn camera while in the lawful execution of their duties.
- 7.2. By-Law Enforcement Officers will start recording before arriving at a call for service or an investigation into a By-Law infraction. They must also do so when initiating contact with a member of the public as part of the lawful execution of their duties. By-Law Enforcement Officers are required to continue recording until they determine that safety is no longer a concern and further recording no longer benefits the investigation.
- 7.3. When a body-worn camera is recording, a reasonable effort is made by the Officer to advise individuals that they are being audio and/or video recorded.
- 7.4. Body-worn cameras are not used to record in private places where there is a reasonable expectation of privacy, except during exigent circumstances, when lawfully placed or with the consent of the owners or occupants of the private space. When entering a private residence or private place, based on consent alone, a By-Law Enforcement Officer advises the owner or occupant of the body-worn camera and provides the owner or occupant with a reasonable opportunity to refuse or consent to being recorded.
- 7.5. When recording with the consent of the owner or occupant, if, at any time during the attendance, the owner or occupant requests that the interaction no longer be recorded, the Officer will stop recording, or leave the private residence or private place.
- 7.6. Body-worn cameras are not used to record during administrative duties or conversations of a personal or non-investigative nature into a By-Law infraction.
- 7.7. Body-worn audio and/or videos are not subject to biometric analysis including, but not limited to, facial recognition.
- 7.8. A By-Law Enforcement Officer does not stop recording, or deliberately re-position or cover the body-worn camera lens, to ineffectively capture audio or visual recordings, unless they reasonably believe that the collection of audio and/or video data would no longer:
 - 7.8.1. Support the safety of the By-Law Enforcement Officer.



TOWN OF SAINT ANDREWS

7.8.2. Benefit a By-Law Enforcement Officer investigation.

7.9. A By-Law Enforcement Officer stops recording:

7.9.1. When an incident has concluded and is no longer a safety concern, or the audio and/or video being recorded no longer benefits the investigation.

7.9.2. In situations where legal privilege exists, the recording could violate such protection.

7.9.3. When directed to do so by their supervisor.

7.10. The following situations are not to be captured with the body-worn camera:

7.10.1. Interactions that are unrelated to the performance of duties.

7.10.2. Multiple unrelated incidents or investigations.

7.10.3. Unrelated contacts with members of the public, i.e. bystanders.

7.10.4. When attending a community celebration, community hall, or education facility that does not require By-Law Enforcement presence or an element of public safety.

7.11. If a body-worn camera fails to record an incident or a portion thereof, a By-Law Enforcement Officer will document the date, time, and reason for the failure to record in their notebook.

7.12. When privileged information is known to have been captured by a body-worn camera, a By-Law Enforcement Officer documents the date, time, and location of the recording in their notebook (without documenting the information itself) and reports it to their supervisor.

8. Roles and Responsibilities

8.1. *By-Law Enforcement Officer*

8.1.1. Ensure that the body-worn camera is placed on their uniform with the appropriate mounting system.



TOWN OF SAINT ANDREWS

- 8.1.2. Ensure that the body-worn camera is placed on their uniform in an overt capacity, in plain view of the person being audio and/or video recorded.
 - 8.1.3. Make a reasonable effort to ensure the body-worn camera lens, recording indicator, and status indicators are not obstructed from view.
 - 8.1.4. At the beginning of each shift, ensure that the body-worn camera is fully charged, powered on, and functioning properly.
 - 8.1.5. When possible, avoid recording unnecessary audio and/or video data.
 - 8.1.6. Ensure the recording light on the body-worn camera is visible to the public while in use.
 - 8.1.7. Ensure that each incident is captured in a single recording to avoid a continuous body-worn audio and/or video recording of multiple unrelated incidents.
 - 8.1.8. At the end of each shift, or as soon as reasonably practicable, place the body-worn camera into the approved charging station and download any audio and/or video.
 - 8.1.9. Do not modify or attempt to modify any permanent settings or components of the body-worn camera.
 - 8.1.10. Report all body-worn camera malfunctions, loss, or damage to their immediate supervisor as soon as reasonably possible.
 - 8.1.11. Be aware of the impact that recordings may have on the public in public spaces.
- 8.2. By-Law Enforcement Officer Supervisor
- 8.2.1. Be knowledgeable on the proper use of body-worn camera equipment.
 - 8.2.2. Confirm that By-Law Enforcement Officers operating a body-worn camera have completed training as needed.
 - 8.2.3. Ensure that Officers make every attempt to download the body-worn camera information in a timely fashion.



TOWN OF SAINT ANDREWS

- 8.2.4. Inspect By-Law Enforcement Officers' notebooks regularly to ensure the continuing quality of note-taking with the use of the body-worn camera.
- 8.2.5. Conduct regular reviews of the body-worn audio and/or video to ensure By-Law Enforcement Officers are following this Policy.
- 8.2.6. Responsible for the administrative management of body-worn audio and/or videos within the Town of Saint Andrews. The supervisor must follow:
 - 8.2.6.1. Formal request processes outlined under RTIPPA.
 - 8.2.6.2. Supervisors must follow redaction requirements, as they relate to body-worn cameras.
- 8.2.7. Ensure that a By-Law Enforcement Officer who is the subject of a code of conduct investigation, a public complaint, or any other legal proceeding where the event relating to that proceeding was recorded with a body-worn camera, is provided timely and fair access to the recording during that process.

9. Note-taking and Statements

- 9.1. A body-worn audio and/or video does not replace proper note-taking or reports. Recorded media is intended to supplement a By-Law Enforcement Officer's observation(s).
- 9.2. A By-Law Enforcement Officer is required to complete note-taking before reviewing the body-worn audio and/or video.
- 9.3. If after reviewing the body-worn audio and/or video, a By-Law Enforcement Officer notices a detail that they had observed but not previously documented in their notebook, they will add this detail to their notebook, and document that they made these notes after viewing the body-worn audio and/or video.
- 9.4. A body-worn audio and/or video should complement, but not replace, evidence from other sources, such as witnesses.
- 9.5. A body-worn audio and/or video does not replace existing requirements, procedures, or policy obligations from the Town of Saint Andrews.



TOWN OF SAINT ANDREWS

- 9.6. A body-worn audio and/or video is available for review by any person who was involved in an investigation as a supplement to notes.

10. Storage and Retention

- 10.1. A body-worn audio and/or video is appropriately classified at the time of recording and footage is securely stored in cloud-based software. All audio and/or videos are encrypted as there is less of a risk that unauthorized users could access the information.
- 10.2. Any audio and/or video taken by a By-Law Enforcement Officer is kept on file for 30 days. After 30 days, the audio and/or video are deleted. In the event of an incident, the specific incident shown in a audio and/or video is kept for up to two (2) years. The audio and/or video will be deleted once the infraction has been fully addressed.
- 10.3. If audio and/or video evidence related to a charge from an investigation exists, the relevant portion of the original recorded data is disclosed and provided as evidence.
- 10.4. A body-worn audio and/or video recording is not exported, downloaded, screen recorded, or otherwise shared for any purpose that is not related to an investigation or operational requirement.

11. Access to Media or Data

- 11.1. A body-worn audio and/or video is retained in the approved cloud-based storage by the Town of Saint Andrews.
- 11.2. A body-worn audio and/or video is not associated with an occurrence number or operational file and is managed by a By-Law Enforcement Officer under the direction of their supervisor. The video and audio are placed in date order and grouped by calendar year.
- 11.3. Requests for access to a body-worn audio and/or video from a By-Law Enforcement Officer in the execution of their duties shall follow the processes outlined in RTIPPA.

Approved on this 17th day of April, 2024

Brad Henderson, Mayor


Paul Mopper, Clerk - Senior Administrator

