

Section 4.0 – Equipment and Facilities	Page 1 of 4
Sub Section 4.2 – Equipment	Effective: July 1, 2019 Revised: n/a
Subject 4.2.1 – Body Worn Cameras	

Definitions

“Body Worn Camera” (BWC) – a wearable video and audio recording system.

“Exigent circumstances” – circumstances where a delay in taking action would result in danger to human life or safety or where action is necessary to prevent the continuation of an offence which threatens human life or safety.

“Officer” – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

Standards

Prior to deploying body-worn cameras (BWC) to any of its officers, the chief constable, chief officer, or commissioner; and if required under the police force’s policies or guidelines, the Police Board:

Pre-implementation & privacy impact assessment

- (1) Must ensure that a privacy impact assessment (PIA) has been completed and approved by the appropriate head of the public body.
- (2) Must ensure that information about the police force’s use of BWC is available to the public on the police force’s website, including at minimum:
 - (a) The purpose of the BWC program, including when the BWC will be turned on and off as per Standards (5) and (6);
 - (b) For how long BWC video will be retained, as per Standards (20) and (21); and
 - (c) How someone can request access to BWC video.
- (3) Must ensure that written policy exists which covers, at minimum:
 - (a) That only BWCs which are issued by the police force are permitted to be used;
 - (b) The circumstances under which a BWC is permitted to be used to record an encounter, as per Standards (5) and (6);
 - (c) Procedures for processing and storing BWC video;
 - (d) Procedures for accessing and reviewing BWC video;
 - (e) Procedures for processing freedom-of-information requests for BWC video; and
 - (f) Procedures for ensuring that any potential disclosure of BWC video is consistent with applicable provincial or federal privacy legislation.

Training in use of BWC

- (4) Must ensure that officers receive an orientation and training on the use and operation of the BWC equipment as well as the police force's associated policies and procedures prior to being assigned a BWC.

Indiscriminate use not permitted

- (5) Must ensure that the officers assigned BWCs do not use BWCs in a manner that requires or permits full, automatic recording of all calls or continuous recording during patrol.

Mandatory recording of police use of force and violent or aggressive behaviour

- (6) Must require that any officer equipped with a BWC activates their camera as soon as it is safe and practicable to do so when attending a call or responding to an incident where there is a reasonable belief that there will be use of force, or where violent or aggressive behaviour is anticipated or displayed.

Other recordings

- (7) Must ensure that other purposes for which BWCs are used, in addition to mandatory incidents described under Standard (6) above, are consistent with the police force's privacy impact assessment and described in policy, unless there are exigent circumstances that warrant recording an incident; and the exigent circumstances are subsequently documented in the police report.

Activating and deactivating the BWC

- (8) Must require that once the BWC has been activated, it is left on continuously without interruption until the incident is concluded, unless there are exigent circumstances that warrant the BWC being deactivated; and the exigent circumstances are subsequently documented as per Standard (13).
- (9) Must require that officers de-activate their BWC when the incident referred to in Standard (6) or (7) above is concluded.
- (10) Must prohibit officers from deleting BWC video.

Notification

- (11) Must require officers to inform persons at the beginning of every recorded encounter, or as soon as reasonably possible, that they are being recorded, unless to provide this information is unsafe.

Documenting recording and lack of recording

- (12) Must require that officers note the existence of a BWC recording in the police report.
- (13) Must require that if an officer fails to record an incident which should have been recorded, or deactivates the BWC before the incident is concluded, that the officer articulates the reasons for the failure to record in their notes or report, within 12 hours of the end of their shift.
- (14) Must ensure that officers continue to write notes and reports in accordance with existing policy and do not rely on BWC video to replace notes and reports.

Security and access to BWC video

- (15) Must ensure that BWC video is stored in a secure manner, with access restricted to authorized persons.
- (16) Must ensure that BWC video cannot be altered at any time.
- (17) Must ensure procedures restrict the viewing of BWC video only for:
 - (a) Investigative purposes by persons who are authorized to investigate the incident;
 - (b) Training purposes, consistent with Standards (22)–(24) below; or
 - (c) Internal audit purposes, consistent with Standard (25) below.
- (18) Must require that any BWC video is released or viewed only in accordance with applicable law.
- (19) Must require that an audit trail, which is automated and immutable, is maintained of all persons, dates and times when BWC video was accessed, and what action the user took.

Retention of BWC video

- (20) Must ensure that any BWC video retained as evidence in relation to an offence or complaint is kept for the relevant retention periods in accordance with applicable provincial and federal legislation.
- (21) Must ensure that any BWC video which is not covered by Standard (20) above, is retained for one year from the day after it was recorded, and then promptly deleted.

Retention of video for training purposes

- (22) May, notwithstanding Standards (17), (20) and (21), permit BWC video to be retained and used for training purposes provided that all proceedings regarding the incident are complete (e.g. any criminal or disciplinary procedures).

- (23) Must ensure, if BWC video is retained for training purposes according to Standard (22), that all persons in the BWC video, including officers, have been anonymized or have provided written consent that the BWC video be retained and viewed for training purposes.
- (24) Must ensure that when seeking consent for the purposes of Standard (23) above, that:
- (a) Consent is not sought until after all proceedings regarding the incident are complete (e.g. any criminal or disciplinary procedures); and
 - (b) The purpose for which the BWC video will be used is explained in writing.

Internal audits

- (25) Must ensure that an internal audit of a random sample of BWC video is conducted and reported on each year to assess compliance with policy and procedures, in particular:
- (a) Whether the BWC recording was in compliance with Standards (5) to (9), and (11) to (14);
 - (b) Whether BWC video is securely stored;
 - (c) Whether any unauthorized viewing has occurred; and
 - (d) Whether BWC video has been deleted as required by Standard (21).

Maintenance of equipment

- (26) Must ensure that responsibility for maintaining the BWC equipment in good working order is clearly assigned.

Policies and procedures

- (27) Must ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.