

<b>POLICY TITLE: Legislation: Body Worn Cameras</b>	<b>POLICY NUMBER: LEG-005</b>
<b>DATE APPROVED: 18/03/2025</b>	
<b>DATE(s) REVIEWED:</b>	<b>DATE TO BE REVIEWED: 2027</b>
<b>DATE(s) AMENDED:</b>	
<b>LEGISLATION/GUIDELINES:</b> <i>Freedom of Information and Protection of Privacy Act (1990);</i> <i>Municipal Freedom of Information and Protection of Privacy Act (1990);</i> <i>Human Rights Code (1990);</i> <i>Privacy Act (1985);</i> Office of the Privacy Commissioner of Canada - Guidance For The Use Of Body-Worn Cameras by Law Enforcement Authorities; Canadian Association of Chiefs of Police - Canadian Policing and Body-worn Cameras: A Proposed Body-worn Camera Policy Framework; International Association of Chiefs of Police - Body-Worn Cameras	
<b>RELATED PROCEDURES/POLICY:</b>	

**POLICY STATEMENT**

The Thunder Bay Police Service Board (Board) is committed to enhancing transparency, accountability, and public trust when officers use Body-Worn Cameras (BWCs). This policy establishes the guiding principles for their deployment, ensuring compliance with applicable laws, best practices, and the protection of individual privacy rights.

**PURPOSE**

This policy provides oversight and strategic direction for the use of BWCs by the Thunder Bay Police Service (Service). BWCs are intended to enhance public and officer safety, support transparency and accountability, improve evidence collection, and uphold bias-free policing while respecting privacy rights.

**SCOPE**

This policy applies to all aspects of BWC deployment, usage, data management, and oversight within the Service. The Chief of the Thunder Bay Police Service (Chief) is responsible for developing and implementing Service procedures that align with this policy, best practice, and applicable legislation.

The policy was developed using the Canadian Association of Chiefs of Police (CACCP) Guidelines and International Association of Chiefs of Police (IACP) Best Practice Standards.

## **POLICY**

### **a) General Principles**

- The primary goal when using BWCs is to serve public safety interests, enhance transparency, and improve accountability, integrity, and evidence collection for investigative, judicial, and oversight purposes, while respecting privacy protections.
- BWCs will be used to document interactions where police officers are performing their investigative and enforcement duties.
- BWC use will align with public safety principles, balancing transparency with individual privacy rights and complying with the *Community Safety and Policing Act, 2019 (CSPA)*, *Freedom of Information and Protection of Privacy Act, 1990 (FIPPA)*, and *Municipal Freedom of Information and Protection of Privacy Act, 1990 (MFIPPA)*.

### **b) BWC Use and Activation**

The Chief will:

- Establish procedures defining officer roles, activation protocols, and specific operational requirements.
- Ensure BWCs must be used when officers interact with the public in situations where documentation of evidence or interactions is required.
- Ensure officers must activate BWCs in accordance with their duties, as specified in procedures, and in compliance with legal requirements and best practices.
- Ensure compliance with BWC procedures will be monitored to ensure adherence to operational and legal standards.

### **c) Privacy and Consent**

The Chief will:

- Ensure officers must verbally inform individuals of active recordings when reasonably possible unless it compromises safety or operational integrity, balancing operational needs with privacy considerations.
- Ensure BWCs may record in private spaces only with appropriate legal consent or authorization, in accordance with relevant laws.
- Ensure BWCs and footage are stored, managed, and disclosed in accordance with Service procedures, retention schedules, best practices, and applicable privacy laws and regulations, ensuring individuals' rights are protected.

### **d) Data Management – Retention and Disposal**

The Chief will:

- Ensure procedures for the secure storage, access, retention, and deletion of BWC footage, in compliance with applicable laws.
- Ensure BWC footage is stored securely, with encryption and access protocols to prevent unauthorized access, alteration, or loss of data.
- Ensure footage is disclosed only when legally required, in accordance with privacy laws.
- Ensure non-compliance or misuse of BWCs is investigated, with corrective action taken as necessary.

**e) Oversight and Accountability – Auditing**

The Chief will:

- Ensure audits for quality assurance and training related to BWC use include:
  - Objective 1: To determine if the BWC recording begins prior to the beginning of the interaction with the member of public and if not, that a satisfactory explanation for the failure to activate the BWC before the interaction began was provided.
  - Objective 2: To determine if the subject of the recording is informed at the earliest opportunity in the interaction that the interaction is being recorded for video and audio.
  - Objective 3: To determine if any obstruction of the BWC lens or gaps in the recording are justified and of reasonable duration.
  - Objective 4: To determine if the BWC recording ends after the interaction with the member of the public has concluded or after conditions for an exception in accordance with Service policy.
- Ensure misuse of BWCs may result in performance management and/or disciplinary action as directed by the Chief.

**f) Reporting and Review**

The Chief will:

- Provide an annual BWC Report that will include:
  - **Timeline for Reporting:**
    - Provide the timeline for the reporting period and include the dates for data collection, auditing, and submission of the report.
  - **Changes to BWC Procedures During the Reporting Timeline:**
    - Outline any updates or adjustments made to BWC procedures during the reporting period.
  - **Audit & Compliance:**
    - Conduct a sampling of 50% of the audit data.
    - Summarize the results based on the four audit objectives as outlined above in section e).
    - Include information about any re-training or disciplinary actions taken based on the audit findings.
  - **Complaints & Accountability:**

- Report on the total number of complaints related to Service members' BWC usage.
- Describe the actions taken to address each complaint, including any resolutions, investigations, or disciplinary measures applied.
- **Privacy & Data Management:**
  - Ensure compliance with data retention and destruction policies.
  - Report on any privacy breach incidents, including the number and nature of breaches, and the actions taken to address any incidents.
- **Financial Impact:**
  - Provide a cost analysis related to BWC usage, including any areas where costs could be reduced or need to be increased (such as exploring more cost-effective technology or storage options).