

	<h2>Town of Vegreville Policy</h2>
<b>Policy No.:</b> <b>Policy Title:</b> <b>Approval Date:</b> <b>Department:</b>	<b>MOS-2008</b> <b>Body Worn Camera Policy</b> <b>March 25, 2024</b> <b>Protective Services</b>
<b>Revisions:</b>	

**Policy Statement:**

The Town of Vegreville Municipal Enforcement Department will use Body Worn Cameras (BWCs) in an overt capacity in support of their enforcement duties and to enhance Officer safety. The Town of Vegreville will take reasonable steps to balance the privacy rights of individuals with the anticipated enforcement benefits of using the technology.

The purpose of BWCs is to:

- reduce safety risks to Officers working alone;
- provide additional evidence;
- augment current note taking practices and improve evidence documentation;
- determine the accuracy of claims made by the public against Officers;
- help de-escalate and reduce potential conflicts; and
- provide greater insight into service delivery and identifying good practice.

**1.0 Reason for Policy**

- 1.1** The intent of this policy is to guide employees in the use of BWCs in a way that balances the maximum benefits of this technology, without compromising the privacy rights of the public and employees.

**2.0 Related Information**

- 2.1** *Freedom of Information and Protection of Privacy (FOIP) Act* RSA. 2000, C.F-25
- 2.2** Town of Vegreville Bylaw No. 05-2023: Records Management and Retention Bylaw

**3.0 Definitions**

- 3.1** BWC(s) means the Body Worn Camera equipment owned and operated by the Town.
- 3.2** FOIP Act means *Freedom of Information and Protection of Privacy (FOIP) Act* RSA. 2000, C.F-25

**3.3** Officer(s) means any Town of Vegreville Peace Officer, Bylaw Enforcement Officer, or supervisor appointed by the Town.

#### **4.0 Scope**

**4.1** BWCs will be solely for the use of Town of Vegreville Officers.

**4.2** The provisions of this policy apply to all Officers and anyone identified herein as having access to recorded information.

#### **5.0 Responsibilities**

##### **5.1 Town Council to:**

5.1.1 Approve by resolution this policy and any amendments.

5.1.2 Consider the allocation of resources for successful implementation of this policy in the annual budget process.

##### **5.2 Chief Administrative Officer (CAO) to:**

5.2.1 Implement this policy and approve procedures.

5.2.2 Ensure policy reviews occur and verify the implementation of this policy.

5.2.3 Review any complaints received from the public relating to this policy.

##### **5.3 Director/Manager of the Department to:**

5.3.1 Ensure implementation of this policy.

5.3.2 Ensure that this policy is reviewed every three years.

5.3.3 Make recommendations to the Chief Administrative Officer of necessary policy amendments.

5.3.4 Understand, and adhere to this policy.

5.3.5 Manage BWC recordings in accordance with Bylaw 05-2023 Records Management and Retention Bylaw.

5.3.6 Understand, maintain, and manage access to the BWC recording system.

5.3.7 Assist the FOIP Coordinator with Requests for Access to Information.

#### **5.4 Officers to:**

- 5.4.1 Ensure the BWCs policy is understood prior to equipment use.
- 5.4.2 Operate, maintain, and safekeep BWC equipment.
- 5.4.3 Maintain any documentation relating to BWC recordings in accordance with Bylaw 05-2023 Records Management and Retention Bylaw.
- 5.4.4 BWC video recordings shall be documented in officer notebook and reporting file.

#### **5.5 FOIP Coordinator to:**

- 5.5.1 Manage access to information requests.

#### **5.6 All Employees to:**

- 5.6.1 Understand and adhere to this policy.

### **6.0 Use of Body Worn Cameras**

- 6.1 The BWC will only be used by the Officer in the course of regular duties.
- 6.2 A BWC issued to an Officer is considered part of the uniform and Personal Protection Equipment for the Officer and should be worn as per this policy.
- 6.3 At the start of each shift, the Officer shall ensure that the BWC is working correctly, check that the battery is charged and that the date and time stamp are accurate.
- 6.4 Any malfunction of the equipment must be reported immediately to the Manager of Protective Services.

### **7.0 Recordings**

- 7.1 When working outside of the office, an Officer's BWC should be powered on and ready for activation.
- 7.2 The following guiding principles should be followed when determining when to record:
  - 7.2.1 Officers will activate the BWC and continue to record during all interactions with the public and continue to record for the duration of the interaction.
  - 7.2.2 When conducting moving traffic enforcement, the Officer will activate the BWC and continue to record for the duration of the operation.
  - 7.2.3 When responding to an action request, the Officer will activate the BWC and continue to record until they leave the location of the incident.

- 7.2.4 If an Officer enters any situation where conflict of any type is possible, the Officer should activate their BWC and continue to record until the event has completely finished.
- 7.2.5 Should an Officer unforeseeably become involved in, or witness, any event or situation of significance to their duties, if safe and practicable to do so, the Officer will activate the BWC and continue to record until the event is completely over.
- 7.2.6 Using their discretion, an Officer may choose to activate the BWC at any time; however, the Officer must be able and prepared to articulate their reasons for doing so.
- 7.3 Where practical and safe to do so, the Officer will make efforts to inform the public if/when they are being recorded.
- 7.4 As far as practicable, every effort should be made to minimize the recording of bystanders and persons not involved in an incident.

## **8.0 Exceptions to Recording**

- 8.1 While the Officer should continue recording, they may choose to obstruct the video recording and maintain audio recording if the situation warrants it. This includes but is not limited to:
  - 8.1.1 Respecting the wishes of persons expressing sensitivities connected with culture or faith that would prohibit recording.
- 8.2 If an Officer chooses to cease video recording, the Officer must articulate the reason in the officer notebook and reporting file.

## **9.0 Storage of Media**

- 9.1 The recorded information will be stored on a secure external hard drive managed by the Manager of Protective Services until the files are automatically or manually disposed as dictated by this policy.
- 9.2 All recorded information will be uploaded by the Officer from their BWC onto a secure external hard drive and filed under the appropriate category in the database.
- 9.3 The database will consist of categories relating to common enforcement duties of the department. Examples of categories will include but are not limited to; "Parking," "Moving Traffic," "Animal Control," "Community Standards," "Parks & Open Spaces," "Streets," "Immaterial," and "Officer Conduct."
- 9.4 Any recorded information that is related to a complaint regarding Officer conduct, will be filed under the category "Officer Conduct."

- 9.5 Any recorded information collected when responding to an action request or during a proactive investigation that contains no personal information or no evidence to the investigation will be filed under the category "Immaterial."

## 10.0 Retention

- 10.1 Recorded information will be retained in accordance with this policy and then disposed of in a secure manner in accordance with the Town's records management policies.
- 10.2 Recorded information that has been saved under any category other than "Officer Conduct" or "Immaterial" will be retained for the current year of recording plus 1095 days (3 years) in accordance with the Town of Vegreville Records Management & Retention Bylaw.
- 10.3 Recorded information stored under the category "Officer Conduct" will be retained for the current year of recording plus 1825 days (5 years) in accordance with the Town of Vegreville Records Management & Retention Bylaw.
- 10.4 Files stored under the category "Immaterial" will be retained for 21 days.
- 10.5 Any recorded information to be used in legal proceedings or disclosed for any other reason in accordance with the FOIP Act will be designated as "Protected" by the Manager of Protective Services and retained for a minimum of 365 days (1 year) from the date of the disclosure, even if the original retention period has expired.
- 10.6 The Manager of Protective Services will periodically review "Protected" files for which the retention period has expired. If there is no reason for continued retention, the recorded information will be manually disposed of from the database.
- 10.7 Only the CAO and Manager of Protective Services are authorized to manually dispose of recorded information from the database.

## 11.0 Access to Information

- 11.1 All information and documentation relating to and collected by BWCs will be treated with confidentiality in accordance with the FOIP Act.

### 11.2 Access by Municipal Staff

- 11.2.1 Read-only access to BWC recorded information is strictly limited to Officers and the CAO, unless permitted by another provision within this policy.
- 11.2.2 The CAO or the Manager of Protective Services may use recordings as an appropriate line of inquiry in response to formal complaints received by the public.

11.2.3 Recorded information will not be used for the purpose of evaluating employee performance, except in the case that it is relevant to a public complaint against an Officer.

11.2.4 The FOIP Coordinator may review files when responding to an access to information request.

### 11.3 Access by the Public

11.3.1 If a member of the public wishes to access a recording, they may submit an access to information request to the FOIP Coordinator in accordance with the FOIP Act.

11.3.2 BWC recorded information may be disclosed in order to comply with an enactment of Alberta or Canada.

11.3.3 In all cases, recordings must be viewed at Town Administration Office during regular business hours. Copies will not be produced for any person unless a court directs otherwise.

### 11.4 Access by Other Government or Law Enforcement Agencies

11.4.1 If a law enforcement agency wishes to access a recording, they may submit an access to information request to the FOIP Coordinator in accordance with the FOIP Act.

11.4.2 At the discretion of the Manager of Protective Services and/or the Chief Administrative Officer, BWC recorded information may be disclosed to other Government or law enforcement agencies for the purpose of assisting in an investigation:

- i. undertaken with a view to a law enforcement proceeding; or
- ii. from which a law enforcement proceeding is likely to result.

11.4.3 Personal information will not be disclosed to a law enforcement agency when the agency cannot provide definite and focused information as to why the disclosure is needed.

## 12.0 End of Policy

  
Mayor Tim MacPhee

  
Sandra Ling, CAO