

This is a draft policy that is subject to change as we continually assess our operations during deployment of the new body worn cameras.

French translation of this document can be provided upon request.

Subject: <b>Body Worn Camera Policy</b>		
Policy No.: 5.OP.4		
Effective Date:		Next Review Date: 3 years from approval date
Area(s) this Policy Applies to: Saint John Police Force		Office Responsible for Review of this Policy: Inspector of Patrol Division
Related Instruments:		Policy Sponsors:
		Document Pages: This Document Consists of 18 pages
Revision History:		
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## A. PURPOSE

1. The Saint John Police Force (SJPF) will employ Body Worn Cameras (BWCs) in an overt capacity in support of police officers' statutory and common law duties (law enforcement duties). Officers will use BWCs to record their interactions with the public in the course of their duties; taking reasonable steps to balance the privacy rights of individuals with the anticipated benefits of using BWCs for law enforcement purposes subject to certain prohibitions as outlined in this policy.

2. The purpose of using BWCs is to:

- a) provide additional evidence for prosecutions (BWC video footage is not definitive but contributes to the understanding of an incident);
- b) augment current note taking practices and improve evidence documentation;
- c) increase public trust and confidence;
- d) increase police accountability;
- e) reduce use of force incidences by and against the police by affecting the behaviour of individuals who are aware of the recording in-progress;
- f) increase transparency;
- g) reduce frivolous complaints about alleged police misconduct;
- h) increase the efficiency of resolution of complaints against police;
- i) provide early-case resolution in prosecutions;
- j) provide real-life training examples; and
- k) provide procedural and training information.

## B. SCOPE

This policy applies to all sworn SJPF members including:

- a) Patrol
- b) Traffic
- c) Neighbourhood Officers
- d) Canine
- e) Criminal Investigation Division (members using BWCs during an investigation).

Note: This policy also applies to extra duty and uniformed officers.

### C. DEFINITIONS

1. Buffering: thirty seconds of pre-event visual recording implemented for the purposes of capturing additional evidence.
2. BWC Equipment: includes the camera unit, supporting software, docking station and mounting clips.
3. BWC Recording: a digital recording that includes video images and captured audio.
4. Covert: means not openly acknowledged or displayed.
5. Evidence.com: cloud-based storage location for digital evidence.
6. Informed Consent: for the purposes of BWC recordings under these procedures means consent from a homeowner or occupant of a private place who has the authority to consent, gives consent voluntarily, knows the nature of the police conduct, knows they can refuse consent, and who is aware of the potential consequences or jeopardy of giving such consent.
7. Investigative Contact: any direct contact between a police officer and a member of the public, where that contact is for the purpose of a police investigation. This includes but is not limited to the following: calls for service, investigative detention, apprehension under the Mental Health Act, arrests, interactions with persons in crisis, crimes in progress, traffic stops, investigations, and public disorder issues.
8. Start Recording: means the BWC is powered on, and it is recording.
9. Standby Mode: means the BWC is powered on but not recording.
10. Stop Recording: means the BWC is in standby mode and is no longer recording.
11. Overt: means shown openly; plainly or readily apparent, not secret or hidden.
12. Private Place: means a place where a person or persons enjoy a reasonable expectation of privacy. This may include, but is not limited to a dwelling home, a hospital, a child welfare agency, and a transition home/shelter.
13. Redaction: means the removal or obscuring of privileged, sensitive, or clearly irrelevant content prior to the disclosure or release of a copy of a BWC recording. Redaction is completed using redaction functions located within Evidence.com. The redaction process creates an edited copy while leaving the original record unaltered.
14. Restricted: evidence located in Evidence.com that is restricted requires special access and will be retained permanently unless required to be destroyed as per the SJPF Records Retention and Disposition Policy. Examples of restricted evidence include, but are not limited to intelligence information, major crime incidents or professional standards investigations.
15. RTIPPA: refers to the Province of New Brunswick, *Right to Information and Protection of Privacy Act*. The Act requires that local government institutions protect the privacy of an individual's personal information existing in government records. It also gives individuals the right to request access to municipal government information, including most general records and records containing their own personal information. Located at: <https://laws.gnb.ca/en/ShowPdf/cs/R-10.6.pdf>
16. Vetting: means a review of BWC recording evidence to identify content that may require redaction prior to disclosure or release. Vetting is completed in accordance with the *Right to Information and Protection of Privacy Act*.

#### D. START RECORDING ON THE BWC

1. The officer will start recording on the BWC:

- a) prior to responding to a call;
- b) if they are not on a call but become involved in an incident; or
- c) if they are in a discussion with a member of the public and the conversation becomes a law enforcement matter.

Note: The BWC will automatically start recording when lights or sirens (or both) are activated in police vehicles, or when a taser is used.

#### E. STOPPING RECORDING DURING AN INVESTIGATIVE CONTACT

1. The officer will not stop recording on the BWC before the completion of an interaction with the public or during an investigation unless approved or directed by a supervisor, or in certain circumstances, which include, but are not limited to:

- a) when an undercover officer will be put at risk;
- b) inside a police facility unless dealing with a member of the public at the front counter, dealing with an arrest inside the facility, or booking in an arrest in the detention facility;
- c) at a traffic point that is being held for a lengthy investigation (for example, a homicide scene, a fatal collision); or
- d) in situations where there are privacy considerations as outlined in section F, G and H of this policy.

2. If the officer stops recording on the BWC during an investigation or incident:

- a) if practical, record a brief audible statement with the reason for stopping the recording into the BWC microphone;
- b) document the reason for the decision in their notebook; and
- c) note the reasons in the narrative of the incident file if conducting a criminal investigation.

3. If the BWC malfunctions or fails to start recording, the officer will note that fact in their notebook and contact their supervisor for a camera replacement. The Body Worn Camera Coordinator (BWCC) should be notified of the issue for further troubleshooting.

#### F. RECORDING IN A PRIVATE PLACE

1. Recording within a private place is dependent on the lawful authority upon which an officer's attendance at the location is based (i.e. consent of the owner/occupant, exigent circumstances, in relation to a search warrant or when dispatched to a service call at a private dwelling).

2. When an officer is dispatched to a service call at a private dwelling, and enters the private dwelling based solely on informed consent of the owner/occupant, the officer must notify the owner/occupant as soon as reasonably possible of the use or intended use of a BWC. In these circumstances, consent must be received to activate a BWC within the premises.

3. Where within a private dwelling solely on consent of the owner/occupant, if at any time during the attendance, the owner/occupant requests that the interaction not be recorded, the officer shall deactivate the BWC or leave the private dwelling.

4. In this situation, an officer's lawful presence in the private place is conditional on the owner/occupant's consent, once the owner/occupant requests that the interaction not be recorded that consent is conditional upon the BWC being deactivated. Therefore, the BWC must be

deactivated for the officer's presence at the location to remain lawful.

## G. PRIVACY CONSIDERATIONS

1. Stopping the recording of BWCs is not recommended given the important purposes served by their use.
2. The use of a BWC in any circumstance can have significant privacy implications. When using a BWC, officers will weigh the law enforcement objective against privacy concerns and take reasonable steps to mitigate the impact on the individual's privacy.
3. Camera recordings will be vetted based on privacy concerns; therefore, members will not stop recording on their BWC, with the following exceptions:
  - a) being in a private place on informed consent of the owner/occupant, and the owner/occupant requests that the interaction not be recorded (section F of this policy);
  - b) in circumstances where a prohibition exists (section H of this policy); and
  - c) inside a police facility unless dealing with a member of the public at the front counter, dealing with an arrest inside the facility, or booking in an arrest in the detention facility.
4. Privacy concerns in some situations and locations will be addressed when the BWCC is vetting the BWC recordings. Mitigation will include vetting of the BWC video footage, and/or the BWC audio recording. The following is not a list of prohibitions, but examples of situations and locations where heightened privacy concerns exist:
  - a) a dwelling house;
  - b) anywhere that private health information exists, or treatment is being received;
  - c) a law office;
  - d) a place of worship;
  - e) when children, youth, victims, or the subject of a criminal investigation are present; or
  - f) if there are individuals who are nude or have exposed private body areas.
5. If a victim or witness is reluctant to cooperate when the BWC is recording, or requests that officers do not record in a sensitive situation, the officer must consider the importance of obtaining their evidence in those circumstances. To stop the recording, the officer must first obtain permission and have another officer present if practicable to do so.
6. RTIPPA's Regulation 2010-111 ("Regulation") located at: <https://laws.gnb.ca/en/showfulldoc/cr/2010-111//20220113> defines a "privacy breach" as "any incident of unauthorized access, use, disclosure or disposal of personal information in the custody of or under the control of a public body." In the event of a privacy breach, the Inspector of Support Services shall respond by taking the measures outlined under the Regulation, as amended.
7. Individuals and police officers have a right to file a privacy complaint regarding the use of BWCs or BWC recordings by following the complaint process outlined under the Police Act. A service, policy or conduct complaint may be filed with the chair of the New Brunswick Police Commission or the Chief of Police or the civic authority.

## H. RESTRICTED AUDIO/VIDEO

1. If an officer has a camera that contains restricted video of an informant, the officer will:

- a) secure the camera in Property Control before the data is uploaded;
- b) notify the Inspector of the Criminal Investigation Division via email; and
- c) sign out another camera for the duration of the shift.

Note: If the data has been uploaded, notify the Inspector of the Criminal Investigation Division as soon as possible.

2. If an officer has a camera containing restricted video of anything other than an informant, the officer will:

- a) secure the camera in Property Control before the data is uploaded;
- b) notify the Staff Sergeant via email; and
- c) sign out another camera for the duration of the shift.

Note: If the data has been uploaded, notify the Staff Sergeant as soon as possible.

## I. OFFICER NOTE TAKING AND BWC RECORDINGS

1. Officers must take notes at all incidents where a BWC is employed regardless of BWC activation.

2. BWC recordings are not a replacement for proper note taking.

3. Original notes must still be made at the scene by the officer. Supplementary notes may be made after viewing the video captured on the BWC. If supplementary notes are made after viewing the BWC video footage, the officer must be clear in the notes that the information was obtained by viewing the BWC footage.

4. BWCs can be used to record statements and to obtain voice recordings on scene.

6. SJPF members must handle BWC recordings and images:

- a) as evidentiary exhibits in the custody of the SJPF; and
- b) as records as per the *Right to Information and Protection of Privacy Act* and the Records Management Operational Records 5.1 policy.

## J. BWC RECORDING EXHIBITS

1. If a BWC recording is required as an exhibit, the officer should as soon as practicable:

- a) upload (by docking the camera) and review the video;
- b) document any disclosure concerns in the incident report;
- c) add the BWC recording as an exhibit in the records management system;
- d) in addition to field notes made at the time, make notes regarding any supplementary additions to the field notes. The officer must ensure that they:
  - i. mark the supplemental notes with the date and time they were made; and
  - ii. document any additional relevant observations they have identified in their notebook. For example, use wording such as, "Upon reviewing the video record, I have made the following supplemental notes..."

## K. DISCLOSURE

1. Existence of a BWC video shall be disclosed to the Crown. Upon request, the video shall be provided.
2. For violation tickets (including POPA, Liquor Control, and Motor Vehicle tickets) the officer will write 'video' and their employee number on the back of each violation ticket issued. The officer is required to add notes on the back of each ticket, as writing 'video' is not sufficient for evidence. Violation ticket video disclosure requests are only to be submitted after receiving a subpoena.

## L. VETTING

1. All vetting required for crown disclosure will be done under the direction of the BWCC.
2. Daily electronic notification will be sent to the BWCC regarding any files sent to the Court Unit.
3. Any BWC recording related to the file will be reviewed to identify if vetting is required, as per the *Right to Information and Protection of Privacy Act*. Once the vetting has been completed, a copy of the recording will be saved with proper naming conventions. The vetted video will be used for crown disclosure purposes.
4. All vetting required for RTIPPA requests will be completed by the Policy and Risk Manager. Once the vetting has been completed; a copy of the recording will be saved with proper naming conventions.
5. A supplement must be added to the file indicating that the BWC video has been vetted.
6. Content that should be identified, but not limited to, includes that which is:
  - a) information that is likely to identify victims and/or witnesses;
  - b) of a sensitive nature (may include nudity, medical episodes, medical treatment and extreme emotional distress);
  - c) potentially protected by legal privilege or medical confidentiality (i.e. legal advice, medical treatment or records);
  - d) likely to compromise a police technique or the identity of a confidential informant or undercover police officer;
  - e) likely to compromise an on-going police investigation; and
  - f) clearly irrelevant to the incident.

## M. RECORDING STORAGE AND RETENTION

1. BWC recordings will be uploaded at the end of each shift to the designated secure storage location.
2. If a BWC recording becomes part of a case file, it will be retained according to the SJPF Records Retention and Disposition Policy, depending on the type of case (see Appendix A).

## N. AUDITS

1. The Policy and Risk Manager will complete an internal audit of BWC video footage that has been vetted by the BWCC. The audit will be conducted and reported monthly to assess compliance with policy and procedures, in particular:
  - a) whether the BWC recording complied with this policy;

- b) whether BWC video is securely stored;
  - c) whether any unauthorized viewing has occurred; and
  - d) whether BWC video has been vetted in accordance with the BWC policy.
2. BWC video footage will be audited to ensure compliance with BWC policy and other SJPF policy and procedures, in the following circumstances:
- a) the BWCC will audit all BWC footage during vetting procedures for policy compliance, and will notify the Inspector of Support Services of any policy breaches or concerns;
  - b) the Office of Professional Standards will audit BWC footage for policy compliance when addressing public complaints, when a BWC has been used by the subject officer;
  - c) the Policy and Risk Manager will audit BWC footage during the completion of RTIPPA requests that involve the use of a BWC, and will notify the Inspector of Support Services of any policy breaches or concerns; and
  - d) Field Supervisors will audit BWC footage during use of force reviews as well as when dealing with a complaint from a member of the public concerning the conduct of an officer who is wearing a BWC. They will report policy breaches and misconducts to the Staff Sergeant who will report this information through the chain of command.

#### O. EQUIPMENT STORAGE AND MAINTENANCE

1. Officers must report any lost or damaged BWC equipment to the Field Supervisor.
2. All BWCs will be stored in the SJPF equipment room when not in use.

#### P. OFFICER RESPONSIBILITIES

1. Complete the BWC operator training before using the BWC system.
2. At the start of shift:
  - a) ensure that the BWC equipment is functioning properly, and that it is properly placed on the outermost part of the uniform (in the chest area) and that the camera lens is not obstructed or misaimed;
  - b) after affixing the BWC to their person, ensure the BWC is powered on and in standby mode;
  - c) document in their notebook that a BWC will be in use during the shift; and
  - d) if they are not using a BWC, they must be prepared to articulate to their supervisor the reason they are not using one.
3. Start recording:
  - a) when practicable, verbally state the following when activating a BWC:
    - i. date;
    - ii. time;
    - iii. location; and
    - iv. nature of the incident.
4. When practicable and safe to do so, advise members of the public that they are being recorded.
5. When practicable and safe to do so, while the recording is activated, continue to state for the recording elements of the situation that may not be readily visible (i.e. activity on the peripheral of the incident; smells such as alcohol or drugs).
6. Although it is highly recommended, there is no legal duty for the officer to announce that they are recording.

7. Use of force incidents:

- a) following any use of force incident, identify in the use of force report if a BWC recording is available; and
- b) if a BWC recording is not available, explain the reason why in the use of force report.

8. At the end of shift:

- a) confirm that the BWC is not recording; and
- b) ensure the BWC is in the docking station for charging and uploading video recordings.

9. Ensure that appropriate video footage is reviewed before a court appearance.

#### Q. FIELD SUPERVISOR RESPONSIBILITIES

1. Authorize the stop of BWC recording, if deemed necessary for officer or public safety, or in circumstances described in section G.3 of this policy.

2. Ensure officers under their supervision are:

- a) wearing their issued BWC equipment; and
- b) capturing video and audio as per this policy.

3. Use of force incidents:

- a) review all available BWC recordings for any use of force incidents;
- b) make notes including the file number and location information for the video;
- c) complete the supervisor's portion of the use of force report and ensures that they indicate on the use of force report that they have reviewed the BWC footage;
- d) ensure that the officers who have completed the use of force reports have identified if a BWC recording is available. If a BWC recording is not available, ensures that the officer has explained the reason why in a narrative within the incident file in the records management system.

#### R. STATION SUPERVISOR RESPONSIBILITIES

- 1. Track all BWC resources by assigning equipment to members.
- 2. Notify the BWCC of any defective or malfunctioning cameras.
- 3. Manage access to evidence in Evidence.com

#### S. PATROL STAFF SERGEANT RESPONSIBILITIES

- 1. Ensure that all officers under their command using a BWC have completed the BWC operator training.
- 2. Ensure all officers on duty are using a BWC.
- 3. Restrict video as required.
- 4. Seize the officer's BWC and turn it over to the Inspector of the Criminal Investigation Division or designate if an officer is involved in a serious injury or death incident.
- 5. Upon the request of a police officer, submit written approval when appropriate, to the Inspector of Support Services, for the deletion of non-operational BWC footage if inadvertently recorded and contrary to this policy (i.e., personal conversations or activities).

#### T. PATROL DIVISION INSPECTOR RESPONSIBILITIES

1. Review all requests from officers to use BWC footage for the purposes of training or to evaluate the effectiveness of approved use of force techniques.
2. Maintain a log of requests for BWC video/images and the request disposition.
3. Refer any RTIPPA requests for BWC video or images to the Policy and Risk Manager.
4. Refer any crown disclosure requests for BWC video or images to the BWCC.

#### U. BODY WORN CAMERA COORDINATOR RESPONSIBILITIES

1. Primary contact for the SJPF for the training, maintenance, and use of the BWC system. The BWCC will report to the Inspector of Support Services and will work in collaboration with the Manager of PSCC Operations & Information Systems to troubleshoot technical issues.
2. Administer and manage access to and security of BWC recordings.
3. Issue, replace, track, and troubleshoot BWC devices, associated equipment and software.
4. Obtain the written approval of the Inspector of Patrol Division to release any video not required as part of crown disclosure.
5. Assist the Policy and Risk Manager with the completion of BWC footage vetting for RTIPPA requests, when requested.
6. Audit all BWC footage for policy compliance.
7. Track warranty and non-warranty camera replacements
8. Review uncategorized data and make necessary changes.
9. Ensure proper vetting of BWC recordings for disclosure.
10. If requested to delete operational BWC footage, obtain written approval from a Staff Sergeant or above. For deletion requests in relation to non-operational BWC footage, obtain written approval from a Field Supervisor or above.
11. Work in collaboration with the Training Manager to address on-going training requirements.
12. In consultation with the Information Services Coordinator, review and delete BWC footage in accordance with retention periods (Appendix A of this policy).
13. When requested by the Inspector of Support Services, perform deletions of non-operational BWC footage that has been inadvertently recorded and is contrary to this policy (i.e., personal conversations or activities).

#### V. POLICY AND RISK MANAGER RESPONSIBILITIES

1. Conduct a monthly audit on vetted BWC video footage to assess compliance with policy and procedures.
2. Complete BWC footage vetting required for RTIPPA requests.

#### W. INSPECTOR OF SUPPORT SERVICES RESPONSIBILITIES

1. Provide oversight and accountability for the BWC program.
2. Assign a designate(s) to assist employees with BWC troubleshooting. Those assigned this task will assist employees with the troubleshooting of technical BWC issues. If technical issues are unresolved at this level, the issue will be submitted to the BWCC for resolution.
3. Address privacy complaints in accordance with section G.7 of this policy, and provide information specific to privacy breaches, policy breaches and officer misconduct to the Office of Professional

Standards for investigative review pursuant to the New Brunswick Police Act.

4. Review written approval from Staff Sergeants for the deletion of non-operational BWC footage, if inadvertently recorded and contrary to this policy (i.e. personal conversations or activities). If deemed appropriate, submit the request for deletion to the BWCC.

#### X. MANAGER OF PSCC OPERATIONS & INFORMATION SYSTEMS RESPONSIBILITIES

1. Work in collaboration with the BWCC to provide training, maintenance, and troubleshooting for technical issues.

#### Y. EXECUTIVE OFFICER AND CORPORATE COMMUNICATIONS RESPONSIBILITIES

1. Release of BWC video footage to the public for investigative or public safety purposes as directed by the Chief of Police, or delegate, and in accordance with the *Right to Information and Protection of Privacy Act*.

#### Z. PROHIBITIONS

1. It is prohibited to:

- a) make audio or video recordings of BWC audio or video for any purpose not permitted under this policy;
- b) disseminate BWC images to any person or entity unless authorized by law;
- c) use a BWC to record any activities that are not required for a valid law enforcement purpose;
- d) use a BWC in a covert capacity, unless judicial authorization is granted to do so;
- e) use a non-SJPF issued BWC or similar device;
- f) modify, obscure, willfully interfere with, damage, or otherwise limit or prevent the BWC equipment from recording audio/video as designed;
- g) make audio or video recordings when conducting a strip search;
- h) make audio or video recordings during a situation that would reveal confidential police investigative or tactical techniques;
- i) make audio or video recordings of an arrestee, victim or suspect in the medical room obtaining medical treatment;
- j) knowingly record interactions with a confidential informant.

Note: If an officer becomes aware that they have recorded an interaction with a confidential informant, they will notify the Inspector of Criminal Investigation Division, or designate, as soon as possible (section I of this policy); or

k) covertly record a co-worker.

#### AA. MISCONDUCT

1. Breaches of this policy may be regarded as misconduct and may be subject to disciplinary action in accordance with the Police Act.

2. It is an offence to willfully collect, attempt to access, access, use or disclose BWC video/images under the *Right to Information and Protection of Privacy Act*, for any purpose not permitted by this policy.

3. Unauthorized use of BWC video/images may also constitute an offence under the Criminal Code.

4. Officers are to report any perceived misconduct regarding the use of BWCs.

## AB. ACCESS TO BWC RECORDINGS

1. The following table outlines which officers are authorized to access BWC recordings and how to access, depending on the purpose.
2. Access to a BWC video or image is automatically captured and tracked in the audit log, which includes the officer's identification number, time, and date.
3. If an officer is viewing video after completing notes and observes any discrepancies, a supplement is to be added to the file for explanation.

Requestor	How to Access
Patrol officer whose BWC captured the video/ images.	Patrol officers will have access to their own videos in the software.
Patrol officer(s) who were present when the video / images were recorded on another officer's device.	Requires the permission of the Field Supervisor.
Any officer who completes performance evaluations or has a supervisory role over the officer that captured the video.	Supervisors will be able to access any videos captured by officers under their direct supervision in the BWC software.
Any patrol officer who is part of an investigation directly related to the BWC recording and needs to view it for investigative purposes.	Request access from the Field Supervisor if the officer or their supervisor are not available, request access from the BWCC.
Any patrol officer who needs to view the recording for any other investigative purpose.	Approval is required from the Field Supervisor, Staff Sergeant or Patrol Inspector. Patrol officers will add a supplement to the narrative on the file documenting these actions.
Any officer who is responsible for evaluating a video's potential benefit for training or to evaluate the effectiveness of approved use of force techniques.	Approval is required from the Inspector of Patrol Services. The officer will add a supplement to the narrative on the file documenting these actions.

## APPENDIX A

<b>Evidence.com Retention Categories</b>	<b>Retention Duration</b>
General Information	5 Years
Crimes Against Persons	Until Manually Deleted
Criminal Code Offenses – General	10 Years
Crimes Against Property	5 Years
Narcotics Offences	10 Years
Uncategorized	Until Manually Deleted
Federal and Municipal Offences	5 Years
Municipal Offences	2 Years
Traffic Offences	10 Years
Arson	20 Years
Offensive Weapons	10 Years
Pending Review	Until Manually Deleted
Professional Standards	10 Years
Training Demo	Until Manually Deleted
Use of Force	Until Manually Deleted

## APPENDIX B

1. The following provides guidance identifying information that is to be redacted from BWC video evidence for crown disclosure purposes. Please note that the following does not represent an exhaustive list.

- a) personal identifiers of victims and witnesses;
  - i. dates of birth;
  - ii. home addresses;
  - iii. phone numbers; and
  - iv. places of work/school.
- b) radio transmissions containing private/confidential information and/or personal identifiers;
- c) health information and medical treatment. This includes active treatment in hospitals and ambulances; Includes identity/faces of medical personnel engaged in active treatment; does not include faces of paramedics and firefighters in public at a scene.
- d) faces of all children under 12;
- e) nudity;
- f) police record management screens (including MDB screens in police vehicles);
- g) police notebooks;
- h) officers' personal information;
- i) personal conversations including family references;
- j) personal mobile devices;
- k) information relating to confidential human sources and undercover officers;
- l) information relating to specialized police techniques;
- m) information protected by privilege – solicitor-client privilege, etc.;
- n) information regarding unrelated investigations and/or obviously irrelevant topics; and
- o) other areas as identified by the officer.

## APPENDIX C

### Frequently Asked BWC Questions from/by the Public

#### 1. What is the purpose of BWCs?

BWCs will be used for:

- a) the collection of evidence;
- b) to enhance transparency, public trust and confidence;
- c) to enhance officer accountability and professionalism;
- d) to provide the best evidence of police/public interactions; and
- e) to de-escalate a situation.

#### 2. Why are the cameras not recording all the time?

In consideration of the privacy rights of the public the ability to turn off the camera in sensitive situations is required. Cameras that can never be turned off would not allow police officers the ability to balance the privacy rights of individuals with the benefits of collecting evidence for law enforcement purposes.

We also have to be mindful of the privacy rights for members wearing the cameras. For example, officers must still be able to take washroom and lunch breaks, have a private conversation, or discuss confidential police tactics without being recorded. One of the main goals of the cameras is to assist the officers in collecting the best evidence possible during an investigation.

In addition to privacy concerns, the current technology (the life of the battery/potential data storage costs) may not easily provide the ability to record a full shift.

#### 3. How will cameras be distributed to officers?

Equipment permitting, BWCs shall be worn by each uniformed/operational officer and utilized in accordance with SJPF BWC policy.

#### 4. What happens if and when a member of the public objects to being recorded?

Whenever it is safe and practical to do so, a police officer will advise members of the public that they are being recorded. Although a citizen may object to recording, officers shall continue to record whenever and while acting in the lawful execution of their duties.

5. How long is footage of my interaction retained for?

The SJPF shall follow New Brunswick Policing Standards for retention of all videos. Retention is based on the type of offence and the nature of the investigation.

6. How will I know when an incident that I was involved in was captured on a BWC?

It is the expectation that should a member of the public have an interaction with a police officer that is investigative in nature, a BWC will be activated. Officers are encouraged to communicate to members of the public when a BWC has been activated, if and when safe to do so. If applicable, disclosure shall follow normal disclosure practices (i.e. statute charge procedure). Additionally, any member of the public may make application for video information via RTIPPA.

7. I was a bystander during an incident involving the SJPF, how do I make sure my image is blurred out?

BWC footage provided through the Right to Information process shall be reviewed to ensure that images and audio of people not directly related to an incident are modified through face blurring and distortion of sound, where and when possible.

8. How do I request access to footage during an interaction I had with a police officer?

Access to footage can be requested by submitting a Right to Information request to the SJPF Policy and Risk Manager (or designate) via <https://saintjohn.ca/en/saint-john-police-force/services/request-through-right-information-and-protection-privacy>.

9. Will media have access to BWC footage?

Footage from BWCs will be shared with the public and media only when it is deemed necessary for investigative or public safety reasons. Should members of the media want access to BWC footage they will need to apply through the Right to Information process with the SJPF Policy and Risk Manager (or designate) via <https://saintjohn.ca/en/saint-john-police-force/services/request-through-right-information-and-protection-privacy>.

10. Is the BWCs policy subject to change over time?

We anticipate that our policy will be adjusted over time as the use of BWCs become more prevalent and the judicial system adapts to the use of BWC footage as evidence.