

TOWN OF HIGH PRAIRIE

Policy Number No. 02-2016	Approval Date January 26/2016	Resolution Number Motion # 30/16
Supersedes N/A	Effective Date January 26/2016	Legal Authority Peace Officer(s) employed by the Town of High Prairie

TITLE: Audio / Video / Recording Devices used by Community Peace Officers

Policy Statement:

To establish Policy guidelines for the operation, use and management of Enforcement Services Department audio and visual patrol media equipment installed within officers patrol vehicles or carried by officers. The procedure outlined will support the integrity of the system and its acceptance by the courts.

For use of in Car/Officers carried, audio/video recording devices

1. POLICY

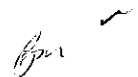
The Enforcement Services Department allows the use of in-car/ officer carried audio/visual patrol media for the purpose of:

1. Enhancing officer safety
2. Supplementing and supporting officers' written reports
3. The collection of evidence and conducting investigations
4. Documenting the activity of the officer in situations that may arise
5. To provide future training aids
6. To facilitate the investigation of complaints against officers or of the Enforcement Services Department.

Use to be as follows:

The patrol media may be used in conjunction with the Officer Training program to assist the Field Training Officer(s) with the evaluation of a Probationary Community Peace Officer.

However, if the media is reviewed in conjunction with a citizen's complaint, investigation, or pending court case, and a violation of policy is observed, the appropriate corrective action may be taken.



2. PROCEDURE

- A. The audio and visual patrol media equipment may be installed or carried by and used as authorized by the Chief Administrative Officer or designate.
- B. Before using the equipment, officers must be fully trained in its use, care and applications as authorized by the Enforcement Services Department through proper policy.
- C. At the start of the shift, officers shall check the system for proper operation.
- D. Any damage or malfunction shall be reported as soon as practical to the Senior Peace Officer or designate. The unit will be red tagged as malfunctioning.
- E. The audio shall be activated whenever the officer is making any citizen contact, during an incident or investigation.
- F. Officers are not to cease audio/visual recording of an incident or any investigation until after contact with any citizen.
- G. Other than during a Enforcement Services Department authorized law enforcement purpose.
- H. Officers shall operate where practicable the audio/visual patrol media during the course of their shift.

The following are exceptions to the activation requirement and require a verbal notation of the reason for stopping the recording:

- 1. Calling out of service for reports, etc.
- 2. At breaks ie. Meal times
- 3. At court
- I. Officers should not attempt to conceal the fact that the media is in use. However, there is no expectation of privacy when the Peace Officers are present, when in a public place or in the patrol vehicle, so disclosure is not necessary.
- J. Officers are to include in the report or on the Officers copy of a violation ticket that audio/visual media evidence exists.

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3. EQUIPMENT MANAGEMENT

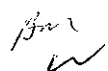
- A. The Senior Peace Officer will be in charge of the overall operation of the equipment in-car and Officer carried audio/visual patrol media recording systems. These duties shall include:
 - 1. Officer training
 - 2. Equipment maintenance and inventory
 - 3. Policy and procedure maintenance
 - 4. Proper handling of supplies and of the media devices.
- B. The Senior Peace Officer shall ensure equipment is installed and set as specified.
- C. The Senior Peace Officer shall see that an adequate number of batteries are available for the audio mikes, etc.
- D. The Senior Peace Officer will manage the digital archived files.

4. SENIOR PEACE OFFICER DIRECT RESPONSIBILITIES

- A. Ensure that officers in and out of the vehicles use the systems in accordance with policy and within the manufacturer's recommendations.
- B. For quality assurance purposes, each month the Senior Peace Officer shall audit ten minutes of video of each officer from a shift during that month.
- C. Ensure that damaged or non-functioning in-car/member carried media systems are taken out of service and make arrangements to have them repaired.
- D. Ensure all required media equipment daily activity log entries are completed.

5. SENIOR PEACE OFFICER RESPONSIBILITIES

- A. The Senior Peace Officer is responsible to monitor the equipment and for ordering supplies as needed to ensure the media systems are functional.

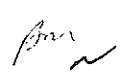


6. DEVICE MAINTENANCE AND STORAGE

- A. Officers shall only use the issued equipment. They shall not attempt to erase, record over, re-use, or alter in any way any recording in accordance with this policy.
- B. No recorded patrol media shall be removed from the Enforcement Services Department without the approval of the Chief Administrative Officer or designate or Senior Peace Officer.
- C. All audio/visual patrol recordings generated or captured by a Peace Officer of the Enforcement Services Department when acting in the capacity of their position or made on Department equipment, shall remain the sole property of Enforcement Services Department.
- D. A secure storage area will be provided by the Senior Peace Officer to store the media recordings. Only the Senior Peace Officer or designate shall have access to this storage area.
- E. If the officer believes there are recordings that should be preserved for other than reasons of evidence, a "hold" form should be with the report on the incident or event. The form will be reviewed by either the Senior Peace Officer or in his/her absence, a designate will then authorize that the recording should be held.
- F. All media shall be secured in storage for a period of no less than 90 days or until a proper Court disposition has been obtained.
- G. Retention of records pertaining to public complaints will be minimum of 5 years and all other records with respect to administration, operations and management will be minimum of 3 years.

7. DEPARTMENT USE AND/OR RELEASE OF AUDIO/VISUAL RECORDINGS

- A. Duplication or release of Department audio/visual recordings is prohibited without authorization of the Senior Peace Officer or in his/her absence, the designate.
- B. Use of audio/visual patrol recordings is intended only for official enforcement business. Any other use is prohibited without the authorization of the Senior Peace Officer or in his/her absence, the designate.
- C. All recordings, while in the performance of a Peace Officers' duties or on Department audio/visual equipment shall remain in their original state and shall not be duplicated, altered or erased except as covered by this policy.
- D. The displaying and viewing of recordings is intended for official enforcement business. Officers shall not allow anyone other than employees of the Enforcement Services




Department to view recordings produced in the performance of their duties or by a Departmental recorder except with prior authorization by the Senior Peace Officer or in his/her absence, the designate.

- E. Requests to view a recording by a defendant, defense attorney, suspect or a member of the public shall be treated as a request for information under the Freedom of Information and Privacy Act.
- F. When a CD/DVD is made for court purposes the CD/DVD will carry a label indicating it as a duplicate of the original stored on the Enforcement Services Department storage device. The label will also carry the complaint identification numbers. It will be held/stored in the same fashion as other digital and/or photo media.
- G. A record shall be kept by the Senior Peace Officer documenting the release of media from the storage system. The record will contain the following information on all media:
 - 1. Identification of recording released
 - 2. Name of person authorizing and releasing the recording
 - 3. Reason for release
 - 4. Name of person to whom the tape was released.
 - 5. Name of officer releasing the media recording
- H. Any media and or segment released outside the Enforcement Services Department shall be appropriately identified as property of the Enforcement Services Department. The recording and/or segment shall be labeled as to its contents including date and time of recording. These recordings shall remain the property of the Enforcement Services Department. They shall be returned to the Department as soon as it is practical after the completion of the official business.
- I. The Enforcement Services Department retains all property rights, including copyright, to all images recorded by or on behalf of the Department and on released copies.

8. OPERATION OF EQUIPMENT

- A. At the beginning of the shift, the officer driving the patrol unit or wearing equipment shall be responsible for the proper setup of the audio/video equipment.
- B. The officer shall ensure the equipment is accurate and operational.
- C. Officer shall note the Serial # device number on their daily activity log.
- D. Officers are encouraged to provide a voice narration with the visual recording describing the reasons for each stop or contact.
- E. At the end of each shift, any recordings can be downloaded into media files.



9. REQUIREMENTS FOR COMPLIANCE


- A. Any abuse, misuse, alteration, sabotage, intentional obstruction or intentional destruction of the in-car audio/visual system's equipment will result in a disciplinary action, up to and including dismissal.
- B. Recordings made by an in-car/officer carried audio/visual system of the Enforcement Services Department are considered official reports of the Department. Any theft, intentional misplacement, alteration or sabotage of any recording or recording device is prohibited and will result in disciplinary action up to and including dismissal. The editing or distribution of any recording device or recording assigned to an officer without consent of the Senior Peace Officer will be considered a falsification of an official Enforcement Service record, evidence tampering or other rule violation that will result in disciplinary action up to and including dismissal.
- C. Any recording made, no matter what the method or electronic device used, by a Peace Officer of this Department while in the performance of their duties or when acting in the capacity of their authority is considered as an official record of the Enforcement Services Department. Any theft, intentional misplacement, alteration, sabotage of any recording device or recording is prohibited and will result in disciplinary action up to and including dismissal. The distribution or editing of any media recording device or a recording assigned to an officer without the consent of the Senior Peace Officer will be considered a falsification of an official Enforcement Services record, evidence tampering or other rule violation that will result in disciplinary action, up to and including dismissal.
- D. Violations of this policy, or portions thereof, may result in disciplinary action.

10. OFFICERS ASSIGNED TO OTHER AGENCIES

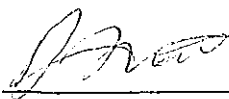
Officers of the Enforcement Service Department assigned to or assisting other law enforcement agencies will be guided by this policy.

11. APPLICATION

This document constitutes Department policy and is not intended to enlarge the Employers or employees civil or criminal liability in any way. It shall not be Construed as the creation of a higher legal standard of safety or care in an Evidentiary sense with respect to third party claims insofar as the employer's or Employee's legal duty as imposed by law.



Mayor, Linda Cox



CAO, Brian Martinson
January 26, 2016