



Body-worn cameras

Body-worn cameras (BWCs) will be an important tool going forward for improving multi-party transparency, community relations between police officers and citizens, and evidence collection. They will, in this digital age, also add important new responsibilities for maintenance, data storage, and disclosure. The NPF supports the responsible implementation of BWCs, so long as this new equipment does not unreasonably add to an already heavy workload or imperil the safety of RCMP Members.



Background

- Recent polling by Angus Reid shows that 80% of residents in RCMP-policed areas hold a favourable view of the police in their communityⁱ. Despite this, segments of the public remain concerned about possible police misconduct and accountability issues. Calls for body-worn cameras (BWCs) have grown in recent years and accelerated during the summer of 2020.
- Experts and commentators have suggested wearing BWCs as a partial solution to providing more evidence and context to police interactions. In fact, BWCs are also designed to protect officers against unfounded allegations of misconduct. They also have the effect of enhancing officer accountability. However, evidence from BWC implementations and pilot projects have raised concerns over privacy rights - individual or public – under the *Canadian Charter of Rights and Freedoms*, the *Criminal Code of Canada*, the *Privacy Act* and/or other relevant provincial legislation, if there is reason to believe the evidence intrudes on the individual/public's reasonable expectation of privacyⁱⁱ, especially when recording in someone's personal dwelling.
- In the early 2010s, many large Canadian police forces, including the RCMP, undertook studies to examine the effectiveness and expected costs of implementing and operating BWCs. The RCMP study found challenges with durability, battery life, and keeping the device mounted on the uniformⁱⁱⁱ. Other studies in Edmonton and Toronto projected prohibitively high start-up and operating costs for widescale deployment^{ivv}.
- Since then, technology has advanced, costs have fallen, and deployment of BWCs in police forces has become more prevalent. For example, since April 2019, all front-line Calgary Police Service officers have been wearing BWCs, and in August 2020 the Toronto Police Service announced that all of its front-line officers would also begin using BWCs, with full rollout anticipated by October 2021^{vivii}.
- In June 2020, the Prime Minister and the RCMP Commissioner both expressed support for acquiring BWCs for the RCMP^{viii}. The federal government is looking to initially purchase more than 10,000 BWCs and outfit front-line RCMP in a phased national roll-out starting in July 2021^{ix}. Funding of \$238.5 million over six years for this roll-out was announced in the government's 2020 Fall Economic Statement released on November 30, 2020^x.
- Also, on November 30, 2020, RCMP in Iqaluit, Nunavut began a new BWC pilot project to help inform the broader BWCs roll-out across Canada^{xi}. The goal is to evaluate processes and best practices in remote regions, gauge community perceptions and

satisfaction, and assess training and operational needs related to privacy and handling of video evidence.

Role of the RCMP

As Canada's national police force, approximately 20,000 RCMP Members serve as local and provincial police in eight provinces and three territories, in over 600 Indigenous communities, and in more than 150 municipalities across Canada^{xii}. For millions of Canadians, the RCMP is the police force they rely on and interact with. Being Canada's largest and one of the world's most iconic police forces, covering an extremely diverse geography, the success of the RCMP's BWC implementation will no doubt have an influence on decision-making by other forces across the country and quite possibly worldwide.

Challenges

- Considerable time and attention will be needed for downloading, editing, and securely storing BWC footage. The actual hardware will also need to be maintained. Depending on the amount of footage recorded, this could take hours beyond a Member's designated shift. Absent other changes, if these responsibilities are left solely to Members, it will incur overtime, take them away from core policing duties, or take them away from time off with their families, which would not be a productive use of time, taxpayer money, and service to the community.
- The RCMP's 2015 feasibility study revealed problems with battery life, durability in rough environments, and firmly mounting the BWC to a Member's uniform^{xiii}. Any BWC product selected by the RCMP must be able to last beyond an entire shift, endure harsh Canadian winter temperatures, and survive physical altercations that police officers may find themselves in. It also must not imperil Member safety by interfering with a Member's intervention options or body armour. A BWC mounted in the wrong place on a Member's uniform could reduce the effectiveness of hard or soft body armour, or could alter their stance for carrying, aiming, or deploying a pistol, carbine, less-lethal weapon, or riot shield, for example.
- BWCs are designed to collect audio-visual recordings that provide high-resolution images and sounds. However, these recordings may sometimes capture images and sounds that may not necessarily be associated with the situation. This presents several privacy concerns both for the public and our officers. The Privacy Commissioner of Canada released guidelines on BWC privacy that noted officers should be able to turn the camera off when taking personal calls, doing paperwork, on personal time, or on "standby"^{xiv}.

- Little research has been done specifically on the use of BWCs in Canada. Most research that does exist has been focused on the United States, and has either been inconclusive or has found that BWC deployment by a police agency does not have a significant impact on either the frequency of use-of-force incidents or on public perceptions of the police^{xv}.

NPF's Call to Action

1. The RCMP must ensure that Members are not diverted from their core duties or required to take on burdensome administrative or logistical tasks due to the implementation of BWCs. Possible solutions, such as the assignment of civilian staff specifically for handling BWC footage and maintaining and repairing BWCs, should be strongly considered. Special attention should be paid to the situation of small and remote detachments, who often have limited numbers of support staff, if any.
2. The RCMP must ensure that—prior to the mass roll-out of BWCs—thorough policies and training are put in place that clearly define when the devices may or must be activated, and why.
3. The RCMP must ensure that reasonable expectations of privacy—both for Members as well as the public—are respected with regards to policy for the storage and editing of footage and for when the BWC can be turned on and off.
4. The RCMP must ensure that hardware problems identified in the 2015 feasibility study are addressed with a user-friendly solution that will neither complicate our Members' equipment nor compromise their safety in a dangerous situation.
5. When legally applicable and appropriate, charges of public mischief should be laid against those who, with intent and in bad faith, make accusations of misconduct against Members that are clearly unfounded, as revealed by BWC evidence.
6. Given the low levels of BWC deployment in Canada and the mostly inconclusive results from the United States, the RCMP must be clear about their objectives for BWC implementation. They must also state how outcomes will be measured. BWCs should not be treated as a panacea to ongoing policing challenges and cannot be a replacement for proven measures like adequate resourcing of police and social services.

Conclusion

NPF supports the implementation of BWCs in the RCMP. We believe BWCs will be an important tool for our Members to present fair, unbiased evidence, and provide additional perspective in cases of alleged misconduct or other controversial incidents. The NPF calls on the RCMP to choose a product and design a policy framework in consultation with the NPF that will not

encumber our Members, interfere with their core police work, or compromise their safety.

Approved by the NPF Board of Directors
December 2020

References

- ⁱ “Policing in Canada: Major study reveals four mindsets driving current opinions and future policy preferences”. Angus Reid Institute. October 9, 2020. <http://angusreid.org/policing-perspectives-canada-rcmp/>
- ⁱⁱ “Guidance for the use of body-worn cameras by law enforcement authorities” Office of the Privacy Commissioner of Canada. February 2015. https://www.priv.gc.ca/en/privacy-topics/surveillance/police-and-public-safety/gd_bwc_201502/
- ⁱⁱⁱ “RCMP Body Worn Video Feasibility Study – Final Report”. Royal Canadian Mounted Police. December 2015. https://www.scribd.com/document/350849795/RCMP-BMC-Final-Report#download&from_embed
- ^{iv} “Body Worn Video: Considering the Evidence”. Edmonton Police Service. June 2015. <https://www.edmontonpolice.ca/News/BWV>
- ^v “Body-Worn Cameras”. Toronto Police Service. June 2016. http://www.torontopolice.on.ca/media/text/20160915-body_worn_cameras_report.pdf
- ^{vi} “Body worn camera”. Calgary Police Service. <https://www.calgary.ca/cps/body-worn-camera.html>
- ^{vii} “Body-Worn Cameras – Updates”. Toronto Police Service. <http://torontopolice.on.ca/body-worn-cameras/updates.php>
- ^{viii} “RCMP agrees to outfit some Mounties with body cameras”. CBC News. June 8, 2020. <https://www.cbc.ca/news/politics/rcmp-body-camera-1.5603030>
- ^{ix} “Request for Information for A National Digital Evidence Management System and Body Worn Cameras for the Royal Canadian Mounted Police”. Public Works and Government Services Canada. October 19, 2020. (pg 4) https://buyandsell.gc.ca/cds/public/2020/10/19/0b387d736b9b267ccb2e02cfce40bcaf/ABES.PROD.PW_XU.B005.E38547.EBSU000.PDF
- ^x “Supporting Canadians and Fighting COVID-19 – Fall Economic Statement 2020”. Government of Canada. November 30, 2020. (pg 96). <https://www.budget.gc.ca/fes-eea/2020/report-rapport/FES-EEA-eng.pdf>
- ^{xi} “Iqaluit RCMP to begin wearing body cameras on Monday as pilot project gets underway”. NNSL Media. November 27, 2020. <https://nnsi.com/nunavut-news/igaluit-rcmp-to-begin-wearing-body-cameras-on-monday-as-pilot-project-gets-underway/>
- ^{xii} “About the RCMP”. Royal Canadian Mounted Police. October 14, 2020. <https://www.rcmp-grc.gc.ca/en/about-rcmp>
- ^{xiii} “RCMP Body Worn Video Feasibility Study – Final Report”. Royal Canadian Mounted Police. December 2015. https://www.scribd.com/document/350849795/RCMP-BMC-Final-Report#download&from_embed
- ^{xiv} “Guidance for the use of body-worn cameras by law enforcement authorities” Office of the Privacy Commissioner of Canada. February 2015. https://www.priv.gc.ca/en/privacy-topics/surveillance/police-and-public-safety/gd_bwc_201502/
- ^{xv} “Research on body-worn cameras: What we know, what we need to know” (Abstract). *Criminology & Public Policy*. March 24, 2019. <https://onlinelibrary.wiley.com/doi/abs/10.1111/1745-9133.12412>