

**CITY OF CHESTERMERE
POLICY HANDBOOK**

EFFECTIVE DATE: June 18, 2019	POLICY: 845
APPROVED BY: COUNCIL	SUBJECT: PUBLIC VIDEO SURVEILLANCE AND BODY WORN VIDEO CAMERA POLICY
REVISED DATE:	PAGE No.: 1 of 8
	POLICY TYPE: ADMINISTRATION

COUNCIL STRATEGIC VISION:

Neighborhoods to champion a safe community.

Relationships to serve customers with excellence.

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The Council of the City of Chestermere, in the Province of Alberta, adopts the within policy:

SECTION:

1. PURPOSE

One of the statutory purposes of a municipality is to develop and maintain safe and viable communities pursuant to section 3 of the *Municipal Government Act* and for Council to pass bylaws respecting the safety, health and welfare of people and the protection of people and property. Further, under the *Police Act*, the City has the responsibility of providing policing services.

These procedures define the criteria and process associated with:

- a) the installation and use of video surveillance (“Video Surveillance”) equipment in public places, and

b) the use of body worn video cameras (“BWVCs”) by Peace Officers in the City to ensure that they are used only to promote a safe environment for all citizens and to protect the City’s property and comply with the *Freedom of Information and Protection of Privacy Act*.

2. SCOPE

These procedures apply to:

- a) all City personnel whose duties include requesting, installing, accessing and monitoring Video Surveillance equipment and Video Surveillance footage at City facilities and properties, and
- b) all City personnel, including Peace Officers, during their regular course of duty include wearing, requesting, installing, accessing and monitoring BWVC equipment and BWVC video footage,

but does not apply to covert or overt Video Surveillance cameras being used as a case-specific investigation tool for law enforcement purposes or in contemplation of litigation, or to workplace surveillance systems installed to monitor the City’s employees or contractors.

3. PROCEDURE

A. Responsibilities

1. Council to:
 - approve this policy and any subsequent amendments.
2. CAO to:
 - be responsible for the City’s compliance with this Policy and with FOIP in connection with the use of Video Surveillance and BWVC;
 - delegate authority with respect to installation and use of Video Surveillance and BWVCs; and
 - review any subsequent amendments to this Policy.
3. Department Directors to:
 - ensure the requirements of this Policy are adhered to;
 - establish and maintain an internal reporting network relating to control mechanisms and advise the Director of Community Safety;
 - budget for the costs of Video Surveillance and BWVC requirements;
 - ensure Privacy Impact Assessment are conducted on new Video Surveillance and BWVC initiatives and on significant upgrades to existing Video Surveillance and BWVC systems;
 - for each operating area, develop guidelines pertaining to storage of storage devices, and determining who shall have access to such devices and any information contained thereon; and
 - inform the Director of Community Safety of:

1. proposed changes to authorized Video Surveillance and BWVC activities which may affect Corporate Security; and
 2. proposed changes in internal reporting networks relating to proposed installation of new Video Surveillance and BWVC equipment that may be affected by this Policy.
4. Chief Financial Officer to:
- conduct periodic audits, at irregular intervals, to ensure compliance with this Policy;
 - delegate authority to conduct periodic audits, at irregular intervals, to ensure compliance with this Policy; and
 - record the results of audits, and advise CAO of any identified issues.
5. Director of Community Safety to:
- assist Department Directors with the administration of this Policy;
 - ensure that this Policy is periodically reviewed and updated to comply with any new or amended applicable legislation and regulatory guidance and best practices pertaining to the use of Video Surveillance and BWVCs;
 - review all proposed changes to existing Video Surveillance and BWVC systems and newly proposed systems to ensure that they meet all the requirements of this Policy;
 - assist each operating area in the development of guidelines pertaining to storage of storage devices, as well as determining who shall have access to storage devices and information contained thereon;
 - develop and implement an appropriate training program for City employees and other personnel; and
 - Provide regular updates and reports to the CAO.
6. City employees and other personnel to:
- review and comply with this Policy in performing their duties and functions related to the operation of a Video Surveillance and BWVC systems;
 - attend training relating to this Policy, where available; and
 - notify Chief Financial Officer or the Director's delegate of any known or suspected breach of this Policy.

B. Designing, installing, and using Video Surveillance equipment

1. Video Surveillance will only be implemented: (i) after completion of a PIA, (ii) when it has been determined that such surveillance is necessary to achieve objectives that cannot be achieved via other less intrusive means, and (iii) where the benefits of such surveillance outweigh the privacy interests of affected individuals. Such circumstances

may include, without limitation, where there are verifiable, specific incidents of crime, safety concerns, or other compelling circumstances.

2. Video Surveillance equipment such as video cameras will only be installed in identified public areas where Video Surveillance is necessary for detection and deterrence of illegal activity.
3. Currently, Video Surveillance equipment is installed in the locations in the City and operated during the time periods set out in Appendix A of this Policy.
4. Video Surveillance equipment will not be positioned, internally or externally, to monitor areas outside a building, or to monitor other buildings, unless necessary to protect external assets or to ensure personal safety.
5. Video Surveillance equipment such as cameras will not be directed to look through the windows of adjacent buildings.
6. Video Surveillance equipment should not generally monitor areas where the public and employees have a reasonable expectation of privacy (e.g., restrooms).
7. Appropriate notices/signage should be displayed at the perimeter of surveillance areas, so that the public are made aware that they are entering an area under surveillance. Such signs should include contact information for individuals to contact the City with any questions.
8. Video Surveillance equipment must be retained in a secure, controlled-access area. Only CAO or those properly authorized in writing by CAO should have access to the equipment.
9. Video Surveillance monitors must not be located in a position that enables public viewing.

C. Designing, installing, and using BWVC equipment

1. BWVC will only be implemented: (i) after completion of a PIA, (ii) when it has been determined that such surveillance is necessary to achieve objectives that cannot be achieved via other less intrusive means, and (iii) where the benefits of such surveillance outweigh the privacy interests of affected individuals.
2. BWVC equipment is only worn by Peace Officers and in public areas where recording is to:
 - detect or deter illegal activity;
 - enhance note taking practices and evidence collection;
 - increase public trust and confidence; and
 - increase peace officer accountability and law enforcement transparency.

3. When considering the use or activation of BWVC, Peace Officers will weigh the law enforcement objective against privacy concerns to ensure an appropriate balance between law enforcement needs and privacy rights.

D. Access to Video Surveillance and BWVC footage

1. Circumstances which warrant authorized City staff viewing the information obtained through Video Surveillance and BWVC monitoring are limited as follows:
 - if there is a suspicion of illegal activity having occurred or allegations of misconduct;
 - if there is a request in writing from a law enforcement agency or public body (using the Law Enforcement / Public Body Disclosure Request form – Appendix B or similar form); or
 - if there is a FOIP Request.
2. Access to Video Surveillance and BWVC systems and information obtained through monitoring is strictly limited to CAO and staff authorized by the CAO.
3. Requests for copies of recorded Video Surveillance and BWVC images/recordings are logged in the City's approved system and must include sufficient detail to address the following:
 - requester's contact information and date of request;
 - date, time, camera location and details of events captured; and
 - type of request (i.e., incident, law enforcement investigation, or FOIP Request)
4. Requests for copies of recorded Video Surveillance and BWVC images/recordings must be authorized by CAO prior to release.
5. A storage device release form should be completed before any storage device containing Video Surveillance or BWVC images/recordings is released to a third party, which form shall contain the following information: name of person who took possession of the device as well as the date and time that such person took possession; the lawful authority of the person for taking possession of the device; and whether the device will be returned or destroyed after use.
6. Third party service providers granted access to any Video Surveillance and BWVC Records must agree that any such Records remain under the City's control and are subject to the provisions of FOIP. Appropriate contractual protections must be in place.

E. Records retention and destruction

1. Video Surveillance and BWVC recordings that have not been accessed for any purpose shall be automatically erased by the system according to the Solicitor General's Records Retention and Disposition Schedule.

2. Video Surveillance and BWVC recordings that have been accessed will be retained for the retention period outlined in the Solicitor General's Records Retention and Disposition Schedule.
3. Once the retention period for a recording has expired, it will be deleted or destroyed in accordance with City's Retention Schedule. For greater certainty, storage devices that are no longer required shall be securely disposed of, by shredding, burning or magnetic erasure, following expiry of the applicable retention period.

F. Designated responsibilities

Departments are responsible for ensuring that the implementation and ongoing administration of Video Surveillance and BWVC systems are in accordance with this Policy.

4. DEFINITIONS

In this Policy,

- (a) **BWVC** means body worn video cameras worn by peace officers in the City of Chestermere.
- (b) **City** means the City of Chestermere.
- (c) **CAO** means the chief administrative officer of the City of Chestermere.
- (d) **FOIP** means the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25.
- (e) **FOIP Request** means a freedom of information request made by a member of the public under FOIP.
- (f) **Personal information** is defined in section 1(1)(n) of FOIP as recorded information about an identifiable individual. It includes the individual's race, colour, national or ethnic origin; the individual's age or sex; the individual's inheritable characteristics; information about an individual's physical or mental disability; and any other identifiable characteristics listed in that section.
- (g) **Record** is defined in section 1(1)(q) of FOIP as a record of information in any form and includes books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any mechanism that produces records.
- (h) **Video Surveillance** refers to the use of a mechanical or electronic system or device that enables continuous or periodic video recording, observing or monitoring of personal information about individuals in open, public spaces, public buildings or public transportation.

5. COMING INTO FORCE AND TERM

The policy shall come into force and take effect upon the date of the adoption thereof and the term of this policy shall expire by resolution of Council.

Adopted by Council: June 18, 2019

Resolution No. _____



Mayor



Chief Administrative Officer

APPENDIX A

	Location	Hours of Operation
1	City hall north entrance	24 hours continuous
2	City hall garage – on south side	24 hours continuous
3	City hall garage – on west side	24 hours continuous
4	City hall south entrance	24 hours continuous
5	City hall main reception counter	24 hours continuous
6	City hall foyer looking at main reception	24 hours continuous
7	City hall 2 nd floor reception	24 hours continuous
8	City hall basement level elevator	24 hours continuous
9	John Peak park gazebo	24 hours continuous
10	Boat launch entrance	24 hours continuous
11	Boat launch east	24 hours continuous
12	Public works northeast lot and recycling	24 hours continuous
13	Public works east lot	24 hours continuous
14	Public works west lot	24 hours continuous
15	Public works southwest	24 hours continuous
16	Public works vehicle storage northwest corner	24 hours continuous
17	Public works parks shop northwest corner	24 hours continuous
18	Public works main building northwest corner	24 hours continuous
19	Public works main building northeast corner	24 hours continuous

APPENDIX B
CITY OF CHESTEREMERE
LAW ENFORCEMENT / PUBLIC BODY DISCLOSURE REQUEST

In accordance with section 40(1)(q) of the *Freedom of Information and Protection of Privacy Act*,

Name of law Enforcement agency or public body ("Applicant")

requests disclosure of personal information pertaining to:

Name of individual or other identifier (such as location, date, time and event)

which may be generally described as:

General description of information requested

This information is required by the Applicant to assist in an investigation pursuant to:

Reference to federal or provincial statute or regulation, or City of Chestermere Bylaw, or describe purpose

This request is made on _____
Date

Requesting Official of Applicant

Name

Title

Signature

Badge Number (if applicable)

Contact Information (Applicant)

Address

Email

Telephone