



BODY-WORN CAMERA POLICY PUBLIC CONSULTATION SUBMISSIONS

	Pg.
Asha Bruce.....	2
Camille Quenneville (Canadian Mental Health Association, Ontario Division).....	4
Cody Carvalho (Unity Health Toronto)	8
Debra (AminRAet) Ross (Amexem MU Centre for Health, Arts, Social Enterprise & Education)	13
Dr. Anna Victoria Wong (Community Family Services of Ontario, community asset member of 42 Division CPLC).....	16
Emma Russell	19
Frances Loiselle	21
George Neale	24
Hayley	26
James Thomas.....	28
Jane Lutner.....	31
Jason Pase	33
Jean GRENIER GODARD.....	36
Joanne Green (Opportunity For Advancement)	38
John Sewell (Toronto Police Accountability Coalition)	40
Julie Albert (CAMH).....	44
Kathryn Dennler (Rights of Non Status Women Network).....	46
Kimberley King	52
Lee Cameron.....	55
Mel Darby	58
Mohammed Shahied SHAIKH (For youth Initiative (F.Y.I.))	61
Nicole Deeb	63
Nicole Hoye	66
Robb Johannes (Fred Victor)	68
Salina Stange.....	71
Sam Burton	73
Sam Romyn.....	76
Sheila Macdonald (Ontario Network of SADVTC).....	79
Trevor Comer (12 div CPLC/ Weston Village Residents Assosiation)	81

ASHA BRUCE

Q1: Are there any other principles or risks that should be considered?

How will additional funding and surveillance software/hardware surrounding cameras be used to identify, make public, further criminalize and track groups who are historically disproportionately targeted by the police. How will the police's use of cameras prevent the above from occurring? Could this funding not be drawn from elsewhere in the police's massive budget? Will having cameras make up their cost by reducing police violence, or should other venues for that funding be investigated instead (e.g providing social supports to communities)

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

This policy should focus on minimizing risk to people harmed by police and should be directed by them and their communities.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

NA

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

All of them

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

None of them

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Lenses should not be permitted to be covered

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

Absolutely not

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

none

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

There should be video evidence of the person conducting the ceremony and the person the police are there for (in such cases) explicitly consenting to the recording being turned off.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations

that will be recorded by body-worn cameras?

The recordings should be managed by an impartial third party to ensure their integrity

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

Cameras do not increase the accountability of the service and the policy should be reconsidered

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

Make explicit the changes in plain language communicated broadly

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

Use of recordings by police to be published anywhere outside a court hearing

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

NA

CAMILLE QUENNEVILLE (CANADIAN MENTAL HEALTH ASSOCIATION, ONTARIO DIVISION)

Q1: Are there any other principles or risks that should be considered?

- Principles: Body-worn cameras alone will not improve police interactions with individuals experiencing a mental health and/or addictions-related crisis. All TPS members must be trained to respond using de-escalation techniques, trauma informed approaches and culturally relevant responses. In addition, the use of force model should be re-evaluated, as recommended in the Jury's Recommendations from the Coroner's Inquest into the Death of Andrew Loku.
- Risks: Information from BWCs should not be added to an individual's police record, and particularly not to their mental health record. All information collected through the use of BWCs must conform to the requirements under the Police Records Checks Reform Act and all information related to a Mental Health Act apprehension must be strictly protected.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

- Improving outcomes for individuals experiencing a mental health and/or addictions-related crisis who interact with police
- Protecting all information that forms part of an individual's mental health record including any apprehension under the Mental Health Act
- Ensuring all information collected with BWCs is protected under the Police Records Checks Reform Act

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

- Experts in mental health and/or addictions crisis situations such as Gerstein Centre or CMHA Toronto
- Persons with lived experience of police interactions
- Defence lawyers and duty counsel, including those working for Legal Aid Ontario

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

- Body-worn cameras should be activated in every interaction involving a person experiencing a crisis, including individuals perceived to be living with a mental health issue, addiction, neurodevelopmental disability, dementia, acquired brain injury, etc. BWCs should also be activated in every interaction with an individual perceived to be Black, Indigenous and/or racialized, given the higher likelihood that these populations will experience use of force (Source: Ontario Human Rights Commission (OHRC). (2020). A Disparate Impact: Second interim report on the inquiry into racial profiling and racial discrimination of Black persons by the Toronto Police Service. Toronto: OHRC).

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

None in our view.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

- This is not sufficiently clear and therefore risks TPS members misunderstanding when they should activate their cameras and when they should. The only way to prevent this is to make the policy crystal clear that cameras must always be on for every interaction and especially for every interaction involving a person experiencing a mental health and/or addictions-related crisis.
- The draft policy states that covering the lens is only allowed if the "Member is not in a situation where they might use force while the lens is covered." However, many mental health and addictions crises can rapidly escalate, especially in the presence of police, and especially when the individual is in a state of undress or is a victim, as alluded to here. Keeping the lens uncovered ensures the interaction is recorded, whether force is predicted to be used or not.
- We recommend activating body-worn cameras for all interactions involving individuals experiencing a mental health or addictions-related crisis. Any sensitive recording including victims or undressed individuals should be stored securely and blurred as much and as soon as possible. The entire recording should be destroyed as soon as the investigation is closed.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?
Not in our view.

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?
Not in our view.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to have

- The draft policy states other places of worship are to be excluded from camera activation due to the reasonable expectation of privacy in a church, mosque, etc.
- We recommend including Indigenous spiritual ceremonies as well as these practices have a reasonable expectation of privacy as well.
- We recommend that TPSB seek input from Indigenous Elders and other religious leaders on this issue.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

- The policy must conform with the Police Records Check Reform Act. No information obtained in an interaction that is recorded with a BWC should be included in an individual's police record unless directly related to an offence. Under no circumstances should mental health information for part of an individual's police record or mental health record.

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used as a general surveillance device to record activity that is not a direct interaction between

- We are pleased that BWC will not be used for street surveillance, and recommend this include

surveillance of buildings such as mental health supportive housing when not connected to an investigation.

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

- As soon as the investigation ends, the identity of other members of the public in the recording should be concealed with facial blurring and sound distortion.
- 11. The Member who reviews interactions where the camera is turned off should not be in the same division as the other Member.
- 12. Training for all TPS members should include de-escalation techniques, trauma-informed approaches and culturally-relevant responses. The Andrew Loku Inquest resulted in specific recommendations for training for all TPS members who interact with individuals experiencing a crisis. Training should be developed and delivered in partnership with persons with lived experience, organizations representing clients who identify as Black, Indigenous and/or racialized and organizations representing clients living with mental health issues, addictions and/or neurodevelopmental disabilities, etc. These individuals and organizations should be compensated for their time if not employed by an organization.
- 13. Supervisors should not review the recordings of their own direct reports. This will prevent bias within divisions.
- 14. This discipline should be severe. There should be zero tolerance for turning BWCs off without a valid reason.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

- TPS should share disaggregate information on the types of interactions that are being recorded (e.g. mental health crises, etc). TPS should also share disaggregate and de-identified data such as race, gender, age range, known mental health issue, etc.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

- TPS should notify the individual in the recording when it is destroyed.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

- The policy must conform with the Police Records Check Reform Act. No information obtained in an interaction that is recorded with a BWC should be included in an individual's police record unless directly related to an offence. Under no circumstances should mental health information form part of an individual's police record or mental health record.
- In addition, the recordings must never be disclosed to a third party such as an employer, educational institution or border control agency for the purposes of determining whether an individual has a criminal record or mental health record.

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

- We support the draft policy provisions giving the SIU and OIPRD timely access.
- The individual's legal counsel should have access to the entire recording.
- The OHRC, CCLA and other organizations and researchers should have access to disaggregate and de-identified data for analysis and review.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?
None in our view.

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

- TPS should report on data on the type of interaction, including mental health and/or addictions-related interactions. Additionally, disaggregate and de-identified data on race, gender, age range, known mental health issue, etc. should also be reported to the public at least annually.

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

- Ensure that a wide range of communities including mental health and experts, Black, Indigenous and racialized communities, persons with lived experience, and others have an opportunity to be consulted at each annual/semi-annual review.

Q20: Do you have any other comments or feedback on the draft Policy?

N/A

CODY CARVALHO (UNITY HEALTH TORONTO)

Q1: Are there any other principles or risks that should be considered?

NA

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

NA

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

NA

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

NA

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

Definition of Private Place

The BWC procedure refers to a private place as "a place to which the public does not have lawful access and where one may reasonably expect to be safe from uninvited intrusion or surveillance, for example, places of worship and lawyers' offices".

We urge the TPS to consider that certain areas within a healthcare facility, particularly patient beds, private rooms, and other patient care areas be included in the definition of "private place". As you can appreciate, our patients and clients present to our organization seeking a broad range of mental, physical and spiritual care that ranges in sensitivity. When these individuals enter our facilities, there is an expectation that they will be treated with human dignity, and compassion and in accordance with privacy laws; and therefore, a higher expectation of privacy exists.

Recording in a Healthcare Facility

a) Involved Patients

The current version of the procedure sets out five (5) circumstances in which an Officer may record an interaction within a healthcare facility. These circumstances appear to be inconsistent, and broader when compared to circumstances of recordings in private or sensitive locations, where the authority in those settings exist under (1) exigent circumstances; (2) under the legal authority of a warrant; or (3) with the consent of the individual.

We ask that the TPS review the third and fourth circumstances where a recording is permitted at a healthcare facility.

The third circumstance allows officers to record "where the officer has custody of a person who is being treated or is waiting for healthcare treatment and the officer is alone with that person".

Unity Health seeks clarity on the definition of "where the officer is alone", and if this refers to the presence of another police officer, or if the presence of a healthcare member qualifies.

Additionally, we would like to understand the uniqueness of this exception as it seems only to relate to a healthcare setting and does not apply to other public or private settings where an officer may be alone with an individual. If this situation is somehow unique to healthcare, Unity

Health is committed to working with the TPS to understand situations in which an officer is truly alone and may require BWC surveillance, while protecting the patient privacy of the individual. The fourth circumstance allows officers to record "where the officer has custody of a person who is being treated or is waiting for healthcare treatment and the officer reasonably believes that the interaction between the officer and the person in his or her custody requires or might soon require the use of force". In this case, Unity Health seeks clarity on the distinction between a "potential use of force", and an "exigent" circumstance, and we seek to understand why this additional criterion is unique to a healthcare setting.

Unity Health would encourage the TPS to determine the reasonableness of activating a BWC under these third and fourth criteria where no exigent circumstances exist. We ask the TPS to consider measures already taken by the hospital (i.e. whether the patient may already be under hospital surveillance for care purposes, whether the patient has already been placed in restraints, or whether another officer or hospital security personnel may be necessary). Furthermore, in situations where BWC activation is deemed necessary, Unity Health offers to work with TPS to understand the circumstances under which the BWC should stop recording, including, for example, in situations where a risk of harm has subsided, but the patient remains under visual surveillance during the remainder of their stay and care provision.

Unity Health urges the TPS to consider the additional collection of personal health information that would occur through a BWC recording in these situations, and where the TPS would not normally have the authority to collect or be privy to such information where a BWC is not present. We also ask the TPS to consider the management of the recordings made, including retention and access depending on how the collection of personal health information is characterized.

While Unity Health relies heavily on our police partners to maintain a safe environment, we must balance this with the ability to provide care that is rooted in human dignity, and must take all appropriate measures to limit the amount of surveillance or privacy intrusive interventions when tending to vulnerable patients.

b) Inadvertent collection of uninvolved individuals

Unity Health is concerned that a recording captured by a BWC, while for legitimate and necessary purposes, may inadvertently capture images or audio of unrelated individuals (including patients, family members, staff, and other third parties) in sensitive or confidential circumstances. We therefore seek clarity within the policy or procedure as to how the TPS intends to protect the information it has inadvertently collected from law-abiding or unrelated persons.

With relation to the above, Unity Health is dedicated to working with the TPS as our community partner, and to contributing meaningful recommendations and perspectives with respect to this policy and future interactions. Unity Health would be interested in a collaborative engagement with the TPS and the IPC, to understand or to elaborate on Privacy Commissioner Kosseim's August 17, 2020 comments relating to protecting the public's reasonable expectation of privacy, and in particular, how these principles could be applied in healthcare facilities.

Finally, Unity Health seeks clarity on our respective obligations to members of the public who may be inadvertently captured in a BWC recording within a healthcare facility, including patients whose hospital presence and other personal health information is protected under

PHIPA. We recommend that this policy clarify, (1) the notification to uninvolved individuals and patients who may be recorded in healthcare facilities; (2) the ability to gain meaningful consent from the individual or patient prior or during collection; and (3) the management of that individual's confidential information once in the custody or control of the TPS.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

NA

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

Unity Health recommends that the TPS consider additional language be included that, while attendance in a healthcare facility, officer presence and intentional/authorized recording through body worn cameras shall not inhibit an individual's ability to obtain healthcare, and shall not discourage the individual from being forthcoming with their healthcare professionals about details of their health condition, i.e. drug consumption.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

NA

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

The policy sets out to establish that a member of the public may request to view or obtain copies of recordings from a BWC if the requestor has legal authority to the information. Unity Health is interested in how the TPS intends to collaborate with its community partners, such as healthcare facilities, with respect to the sharing of necessary information (i.e. BWC recordings) for lawful purposes. Unity Health is unclear on the process for our organization or another hospital to request access to videos that were recorded on Unity Health property and that capture Unity Health patients, clients, or staff, as the recording may be relevant to a patient complaint, legal proceeding, or an inquiry by a health regulator (i.e. College of Nurses).

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

Unity Health reiterates Privacy Commissioner Kosseim's August 17, 2020 recommendation that the TPS should commit to adhere to a moratorium on the use of any facial recognition-related technologies in conjunction with BWCs until after the release of the privacy guidance being prepared privacy commissioners.

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

Unity Health seeks clarity on the IPC's position with respect to the retention of recordings that inadvertently capture the identity of law-abiding individuals in healthcare settings, particularly where a patient's personal health information may be captured during an unrelated and legitimate incident. Unity Health is interested in how this unrelated information will be securely retained, handled, and disposed of, as the unrelated information would not be relevant to the police matter for which the recording was retained in the first place.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

Unity Health seeks to work with TPS and the IPC to understand how access to, and disclosure, of identifiable BWC recordings should be made in accordance with applicable law, including MFIPPA and PHIPA, particularly in circumstances where personal health information of individuals in question or of patients inadvertently captured is part of a recording.

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

Access to, and disclosure, of identifiable BWC recordings should be made in accordance with applicable law. See Q10 regarding questions about sharing of information between institutions/community partners.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

While it may not be necessary for the policy to explicitly ban potential secondary uses of the BWC recordings, the TPS should reiterate its commitment to de-identifying the recordings prior to secondary use. In addition, the TPS should demonstrate its ability to properly de-identify recordings in accordance with the IPCs de-identification standards. If the TPS is unable to de-identify recordings, it should further demonstrate how it plans to protect the identity and privacy of individuals whom the recordings relate.

Finally, the TPS should give extra consideration to how it plans to handle or use recordings that may have inadvertently captured law-abiding and unrelated individuals information, where the individual was not aware of the recording and did not consent to the recording.

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

NA

DEBRA (AMINRAET) ROSS (AMEXEM MU CENTRE FOR HEALTH, ARTS, SOCIAL ENTERPRISE & EDUCATION)

Q1: Are there any other principles or risks that should be considered?

24. Establish that a member of the public may request to view recordings from a bodyworn camera or that the recordings be released to the requestor if: This section should be broadened to include a. Organization/s and or group/s advocating on behalf of the individual/s (accused/victim/s) particularly those identified as belonging to the same race as accused/victim/s. b. Media, print, TV, On line - to ensure transparency 19. Establish the conditions under which specified individuals may view or receive copies of recordings from body-worn cameras, ensuring that: a. Service Members who wore the body-worn camera which captured a recording may access the recording and make additions to their notes based on the review of the recordings, which must be clearly marked as such, once they completed any required initial reports, statements and interviews regarding the recorded events; This should be broadened to include: access to the video will be granted with an independent officer and or staff to ensure no tampering of the video or technology. Secure Retention and Disposal of Recordings Destroyed at the end of their retention period in a secure manner which prevents recovery and unauthorized access to the recordings and metadata; This should be archived for a period after retention particularly if there was an investigation of any sort. If the video was destroyed for any reason the officer or division must be investigated and applicable penalties apply.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

Purpose of Policy Eliminate Discriminatory practices but TPS Eliminate racial profiling, targeting of the Afrikan community particularly Black Men Eliminate colonial, racist practices, /racism and hold all TPS and the establishment accountable

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

The State of Accompong. It is possibly the only Sovereign state in the Americas that has not had any homicides for about 300 years. The UN Report by the Experts on People of Afrikan Descent report to Canada, 2016: <https://ansa.novascotia.ca/sites/default/files/files/report-of-the-working-group-of-experts-on-people-of-african-descent-on-its-mission-to-canada.pdf> International Decade for the People of Afrikan

Descent: https://www.un.org/sites/un2.un.org/files/african_descent_booklet_web_english.pdf World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Declaration and Programme of Action:

https://www.ohchr.org/Documents/Publications/Durban_text_en.pdf

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

Camera should be activated in all situations except those of a sensitive nature

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Not sure

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

Not sure

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NO

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

No comments

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

NA

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

The framework insufficiently addresses the purpose of public transparency; Provisions should be made for a community representation and or group to apply for access the recordings for e.g. if a person is, homeless, undocumented, has no immediate family ties, however an incident occurred where the person had a police engagement that resulted in charges, injury, death or other serious concerns it will be in the victims interest for an advocacy group or organization to be allowed assess. Based on the history of Anti Afrikan Racism in Canada, Body worn cameras will not resolve the ongoing concern of targeted Racism by both Non Black and Black corps who are usually sympathetic and afraid of being seen as partial to their own race. The word "enhance" in the draft document is equally problematic, how do you enhance an inherently racist system? Cameras should be one of the tools used to help to eliminate police and misconduct. It does not eradicate the disproportionate targeting of the Afrikan population.

Q20: Do you have any other comments or feedback on the draft Policy?

NA

DR. ANNA VICTORIA WONG (COMMUNITY FAMILY SERVICES OF ONTARIO, COMMUNITY ASSET MEMBER OF 42 DIVISION CPLC)

Q1: Are there any other principles or risks that should be considered?

The Guiding Principles seem fair.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

Consider a point that addresses the communication channel, and another one on ongoing review of the policy, such as follows:- Ensuring an open and ongoing line of communication between the public and the Service over the BWC policy and practice- Ensuring regular and rigorous review of the policy based on evidence collected from practical use

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

Ministry of Attorney General, and Ministry of Solicitor General

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

N/A

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

In the example of an undressed member of the public present, where the BWC needs to be turned off, the audio may still be on. In the example of places where privacy is usually respected, but if the Service deems that a threat of safety exists for members of the Service or the public, the audio function may be turned on, but not the visual. (You may need more restrictive language for this point, and look into concrete examples of what these locations are, like public washrooms.)

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Consider the technical functionality of the equipment to see if the audio can still be turned on and perform recording.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

Confidential interactions covered under PHIPA.

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

Confidential interactions covered under PHIPA.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to have

N/A

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

1. To maintain data integrity and to mitigate the risk of breach of trust between the Service and the public, the STORAGE and OWNERSHIP should be held and managed by a third party, and NOT the Service. The storage management can be delegated to MAG or a similar body. (In cases where members of the public has a trust issue against the Service, having the Service store, own, and disseminate data will be seen as an opportunity of data rigging. A good reference point is what is happening in HK, where the police blocks access to CCTV footage that is the key determiner of whether unlawful use of force had happened.) 2. Access to data should be made in the form of an application, the same way by the Service and by the public, to a third party authority, such as MAG or a designated court. The application process can be simple but formal process, and the Service should have a direct process for such, but the access should be equitable for both the Service and the Public.

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be Confidential interactions covered under PHIPA.

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

Ownership and storage has to be a third party and not the Service. MAG and IPCO are good candidates. Access to data by the Service should be a process of application, albeit streamlined and direct. The Service should not have access to edit or delete. The Service should only have the right to ACCESS, the same right the public should have.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

Board can be part of the Application for Data Review process if required. Board should NOT have access to data.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

Suggest you ship this liability to MAG or IPCO if possible. The liability to delete is straight forward, but the perception that the Service can rig or manipulate the data is one that is of high risk, high probability, and the effects can be immeasurable.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

Currently listed restrictions are not sufficient, based on the fact that the data is owned and managed by the Service, which leads to perception that the Service can manipulate the data,

especially in case involving the conduct of members of the Service. That risk is probable and the effects can be infinite, and can lead to further public distrust for the Service.

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

MAG, MSG, IPCO, Courts, RCMP, OPP, National Defence

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

Use by politicians or groups of special interests, and by individuals not governed by local laws should be prohibited. There is no control over how these people will use the data.

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

Volume of data- Number of access by the Service- Number of access by the public- Number of files deleted vs added vs viewed- Trends of types of cases that require such data access

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

The framework is less than sufficient if the ownership and management of the data reside within TPS. Since trust, integrity, and credibility by the public are of critical importance for this issue, the data should NOT be available for deletion or editing by TPS. Rather, the data storage, ownership, and management need to reside within a third party organization, e.g. MAG, MSG, DND, and there can be a simple and formal process for application to access such data by TPS. Data access should also need to be available to the general public. The breach of public trust by the Hong Kong Police Force is a very good example to observe, where footages were, by the police force, selectively prohibited for access and court submission, which in turn created a lot of distrust and speculation in public. The optics and level of trust will be low from the start, and will continue eroding with just a few cases that come in public light.

Q20: Do you have any other comments or feedback on the draft Policy?

Thanks a lot for coming up with this plan. Hopefully you can consider our input.

EMMA RUSSELL

Q1: Are there any other principles or risks that should be considered?

NA

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

NA

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

NA

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

NA

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

No this is not sufficiently clear and should absolutely be removed. This is an unnecessary addition of officer discretion.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

No.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to have

If a police presence is justified at a ceremony the camera should be on. This will prompt officers to consider carefully their rationale for entering sacred or private spaces. The police have no place at spiritual ceremonies unless they are trying to protect lives in imminent danger.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general

surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

If this policy is going to allow officer discretion (which I strongly believe is a mistake), there is a need to survey the victim/perpetrator in every case to determine if the member of the public agreed with the decision to cover or turn off the camera, and why. These records should be made available to academics for study, used to give voice to people who perceive policing as a threat, and should be associated with individual officers so this can be considered when determining if disciplinary action is required.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

Making opinions about discretion used by officers public would enhance transparency (see Q12).

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

NA

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

Please see Q12.

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

NA

FRANCES LOISELLE

Q1: Are there any other principles or risks that should be considered?

(Q1) This measure was brought in in an attempt to address the disproportionate police violence against Black, Indigenous, Trans and otherwise marginalized communities and increased accountability and therefore, we hope, increase prevention. This should be clearly stated in your policy purposes. (Q1) Risks- that we rely too much on 'objectivity' of footage and forget about the influence of prejudice and predetermined opinion of service members, grand juries. This is a concern. See Yale Law Review "Will Outting Cameras On Police Reduce Polarization?" by Roseanna Sommers, Vol. 125 No. 5 March 2016 <https://www.jstor.org/stable/43894433>

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

NA

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

(Q3) General: Is there clear consultation with experts and legal authorities from Black, Indigenous, Trans communities? Black and Indigenous and Trans legal experts, and Black and Indigenous and Trans led organizations that provide expertise on serving their communities?

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

NA

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

NA

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NA

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

(Q9)When and How to use- in terms of spiritual ceremonies, and I hope you are consulting with Indigenous Elders and educators about how best to approach this question. It is important officers to not have an excuse to turn the camera off when interacting with Indigenous people, considering the high rates of police violence against and criminalization of Indigenous people,

(see OHRC and CBC collected data) but it is also very important that Indigenous ceremony be respected, which often means absolutely no recordings whatsoever. Please consult with Indigenous experts on this question.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

(Q15/17) I agree with the OHRC's concerns

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

(Q15/17) I agree with the OHRC's concerns

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

(Q18) Again, clearly state in your policy the fact that body worn cameras are largely being brought in to reduce the criminalization of and police violence against Black, Indigenous and Trans community members, and therefore your report should clearly state the found effectiveness of body won cameras in this regard. Transparency with public around effectiveness of the cameras in reducing racist violence- and if it is ineffective, discontinuing program?

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

It feels a little bananas to be asking the public to consult in this way. Wasn't your overwhelming public response in July to not implement body worn cameras or other expensive and ill-proven "police reform" practices, and instead work with city council to turn resources and focus towards proven non-police, non-carceral forms of crisis response, community support, and transformative justice? But now instead we are still going ahead with body worn cameras, and you are asking members of the public to critique complex policy drafts? I understand that the public includes well versed and expert outside organizations, but I'm frustrated that for a non-expert ordinary citizen like myself, my initial concerns (echoed by many in the community) about implementing body worn cameras at all has been rejected, and instead I am forced to try to articulate my disagreement with their general implementation in this highly specific and alienating avenue. Thank you.

GEORGE NEALE

Q1: Are there any other principles or risks that should be considered?

Looks Like You've Covered It All.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

NoN

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

Not That I Can Think Of.

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

Public Protests Where Danger To Officers Or The General Public Might Be Compromised. We Have The BEST Police Force In North America , Let's Keep Them Safe .

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

Unknown To Me .

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Possible Use Of A Lens Covering Similar To Ones Used On Video Cameras That Can Be Easily Used Without Being Turned On/Off Accidentally .Sensitivity Training May Help As To when It Would Be Appropriate To De-Activate The Body Cam , & Keep Safety Of All Concerned As A Priority .

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

Certain Mental Health Issues Which May Make The Situation Worse If The Person Being Recorded Has A Problem With It .

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

For Safety Concerns Of Officers & Or Public NO.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

Permission Should Be Requested Before Activation. Some Ceremonies As In My L.D.S Church Are Considered So Sacred That Any Type Of Recording Is Forbidden.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

From What I Read Of The Policy Appears To Be Sufficient .

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be
Section 6 Seems To Cover It Quite Well

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

Release Of Any Information Gathered By The Body Cams Be Reviewed By A Board Made Up Of Legal & Non-Legal People . Maximum Of FIVE People On The Board So As Not To Tie It Down .

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NO

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

The Blurring Of Certain Images Of People Not Involved In The Incident Should Cover It. If Anybody Complains About It Show Them That They Are Not Identifiable.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

Refer To Q14

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

Defense Lawyers & Judges For Criminal Proceedings.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?
Prohibit Televising Images Except For Missing Children & Wanted Perpetrators.

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

Length Of Retention Of Recordings AFTER Legal Proceedings Are Completed

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

Draft Policy Looks Good. Hopefully This Will Keep The Brave Women & Men Of Our T.P.S. Safe & Free From Wrongful Lawsuits . " A Picture Is Worth A Thousand Words "

HAYLEY

Q1: Are there any other principles or risks that should be considered?

Seek consultation from members of BIPOC communities, who are most likely to be subject to use of force by police, and who therefore are more likely to be involved in situations in which BWC recordings are accessed and used after the interaction. Also, address the fact that BWC are NOT a solution to systemic racism within the TPS. What more is the TPS doing?

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

NA

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

The policy should require the TPS to seek the expertise of people of colour because they have much experience with police misconduct. Also, to narrow this further, the expertise of Indigenous leaders and communities should be sought around the recording of ceremonies.

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

NA

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

This could benefit from further examples of what a sensitive situation is

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NA

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

Consult with indigenous communities.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

transparency should happen in interactions as well. Officers should be required to tell people when they are recording or stopping recording during an encounter. If the individual involved with the officer disagrees with the officer stopping recording, they should be required to continue recording. This will safeguard against failures to record as being documented as for more benign reasons than is truthful.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

I was surprised that there is no explicit language around the footage from BWC being protected against tampering from service members. It should be clear that footage from BWCs cannot be deleted by officers or altered in any way when it is accessed.

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

NA

JAMES THOMAS

Q1: Are there any other principles or risks that should be considered?

Guiding Principles -

- o There should be respect for the privacy of people in general within public spaces, within reasonable limits. These are people who do not come in contact or interact with the police, but are individuals going about their regular day within public spaces. While this lack of privacy is recognized as a potential risk (under Risks and Mitigation), it could also be included under Guiding Principles for body-worn cameras that will record all activities taking place in public.
- o Another guiding principle, contrary to the point above, could be the ability to access recordings on activities taking place in public spaces (activities in the background taking place that are unrelated to interactions with the police) to help prevent crime or help with investigations.

Risks and Mitigation -

- o Under Risks and Mitigation, we could include the risk of cybersecurity breaches of recordings from body-worn cameras, that could expose personal or sensitive information

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

Yes, we should protect privacy rights by implementing procedures, such as judicial authorization, to access recordings of activities taking place in public spaces. This would apply specifically to activities in the background that are unrelated to direct interactions with the police.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

NA

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

NA

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

- No, the sensitive nature of those situations is not clear. Under section 8., "dignity" of an individual and "sensitivity" of a situation is highly subjective and should be further clarified. For eg., a Muslim woman in a burqa may view an officer seeing

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NA

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

NA

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

- Service members should be required to upload all recordings from their work day within a specified period of time after finishing duty (as noted above)
- There should be a cybersecurity policy put in place given the increased sensitive nature of inform

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

- The documentation required to access a recording from body-worn cameras under section 21 should include authorization from a superior authority or officer
- Recordings that are released to members of the public under section 24 should be encrypted so

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?
NA

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?
NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?
NA

Q20: Do you have any other comments or feedback on the draft Policy?
NA

JANE LUTNER

Q1: Are there any other principles or risks that should be considered?

Turning a camera/microphone off should not be an option.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

NC

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

NC

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

All interactions with civilians, entering private residences is probably more integral as at least, on the street, there are cameras of some sorts.

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

Nil...

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Removed. Any identity on camera can be blurred out if/as needed. Cops are the initial viewers, they can make that call.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

Absolutely not, suggests an attempt at covering up the present incident.

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

No.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

No.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

As long as the member of the public being recorded has free access to the footage.

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

No. I think that civilians need the body cameras to protect them at times and the Police also.

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

Possibly zone in on the current departments that have horrible reputations and retrain those officers who bring disgrace to your organization.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

No.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

No.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

They should all be captured, criminals lose rights at time of incident.

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

Lawyers, Judges, the individual.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

No.

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

This public is looking forward to more transparency.

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

Please, please, all officers should be camered up, I, as a nurse and public servant have cameras in every hallway, treatment and restricted medication room, every minute of my shift, I consider it assurance as I do my good work.

JASON PASE

Q1: Are there any other principles or risks that should be considered?

Too many examples of Police organizations with body cameras that get covered up and/or suddenly become non-operational for technical/social reasons etc.). A separate watchdog organization is needed to Police the police (S.I.U. etc. have proven to be insufficient).

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

Alternatives to Body Cameras like an independent civilian Police watchdog organization federally regulated and mandated to be a second set of eyes for ALL interactions that involve the Police interfacing with Public.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

NA

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

It's laughable to assume that Body-worn cameras will provide evidence of police wrong doings when they have the personal authority to shut them off whenever they deem it necessary.

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

Body-worn cameras should be feeding LIVE footage to an independent 3rd party watchdog agency. Second to that if the body-worn cameras are turned off then it's akin to the police officer removing their badge/uniform meaning they no longer have Police powers. Body-worn cameras should NEVER be allowed to be turned off, obstructed, removed etc.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Body-worn cameras should be feeding LIVE footage to an independent 3rd party watchdog agency. Second to that if the body-worn cameras are turned off then it's akin to the police officer removing their badge/uniform meaning they no longer have Police powers. Body-worn cameras should NEVER be allowed to be turned off, obstructed, removed etc.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

If there is ANY provision for a Police officer to cover the lens then I DO NOT support body-worn cameras at all and instead support the concept of a civilian based Police watchdog group that should be funded & federally regulated across Canada in order to provide a second set of HUMAN eyes for all Police interactions with the public.

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

If there is ANY provision for a Police officer to mute the microphone then I DO NOT support body-worn cameras at all and instead support the concept of a civilian based Police watchdog

group that should be funded & federally regulated across Canada in order to provide a second set of HUMAN eyes for all Police interactions with the public.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to have them on?
No.No.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?
NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used as a general surveillance device to record activity that is not a direct interaction between a police officer and a member of the public?
NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?
NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?
Yes. The footage from Body-worn cameras should be live streamed to a 3rd party independent of the Police services. The footage should not ever be tampered with by Police.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?
NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?
NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?
All of the public should be able to access every single body-worn camera footage of every police officer that has ever worn them.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?
NA

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?
NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

Who watches the watchers ?A civilian based Police watchdog group should be funded & federally regulated across Canada in order to provide a second set of HUMAN eyes (versus Body cameras that get covered up and/or suddenly become non-operational for technical/social reasons etc.) for all Police operations that interface with public. Internal investigations (S.I.U. etc.) are NOT sufficient to provide adequate moral supervision/investigation for interactions with the public.

JEAN GRENIER GODARD

Q1: Are there any other principles or risks that should be considered?

For me, the use of Body Worn Cameras meets a need for physical and legal security for agents in the context of their interventions. But there are also high risks of surveillance of individuals and invasion of privacy that could result from the use of Body Worn Camera. These devices should be subject to a specific legislative framework: - concerning the data retention period. - concerning their consultation. The images may only be consulted after the intervention, by authorized persons only, within the limits of their respective attributions and for the exclusive needs of a judicial, administrative or disciplinary procedure, or within the framework of an action of training of the agents.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

NA

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

NA

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

NA

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

NA

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NA

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

NA

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations

that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

NA

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

NA

JOANNE GREEN (OPPORTUNITY FOR ADVANCEMENT)

Q1: Are there any other principles or risks that should be considered?

We commend the Toronto Police for taking these steps to ensure protection of both the public and the officers. We share the same concerns as expressed by the Canadian Civil Liberties Association on the use of the images, the parameters for the usage of the images and that policies and procedure be in place for the use of these images. No sense to repeat them all here just that we support the points they raised in their letter back to Toronto Police on the issue. Thank you for the opportunity to provide feedback. We work with women who are typically marginalized from their communities and have historically been marginalized from positive police experience in the past. Thank you Joanne OFA

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

As above.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

As Above.

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

As above re CCLA letter to TPS.

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

As per above.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

As per above

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

As per above

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

As per above

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

As per above

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations

that will be recorded by body-worn cameras?

As per above

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

As per above

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

As per above

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

As per above

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

As per above

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

As per above

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

As per above

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

As per above

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

As per above

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

As per above

JOHN SEWELL (TORONTO POLICE ACCOUNTABILITY COALITION)

Q1: Are there any other principles or risks that should be considered?

TPAC maintains its position that body-worn cameras (BWCs) are a waste of taxpayer money. Back in October 2016, TPAC noted that the TPS' BWC pilot project failed to demonstrate that BWCs would produce any greater degree of police accountability. In May 2020, TPAC restated its position on BWC pilot project findings in cities (Victoria, Vancouver, Edmonton, Regina, Winnipeg, Hamilton, Ottawa, Montreal and Halifax) and jurisdictions (RCMP) across Canada, that BWCs are prohibitively expensive and ineffective. Other TPAC bulletins about BWCs in 2020, such as June 8, 2020 and August 13, 2020, note that the TPS' adoption of BWCs runs counter to the public's call for defunding the police. There are no easy technological solutions to police culture. The following are our comments on the draft policy concerning Body Worn Cameras (BWCs). We have used your question format to order our comments. Q1: Are there any other principles or risks that should be considered? The policy framework dangerously expands the scope of police search and seizure powers. The framework is vague about which interactions with the public can be expected to be recorded. BWC recording and dissemination of footage falls under the Charter Section 8 search and seizure powers; accordingly, it is important to define the circumstances where BWCs are activated according to the execution of warrants and in routine situations where there is no warrant, such as traffic stops. The public/private distinction is particularly muddled in respect to 'exigent circumstances,' the operation of BWCs in 'stealth mode,' and 'general surveillance', which we comment on later. The document states "BWCs are intended to capture specific incidents. They are not intended for 24-hour recording." This suggests that there are limited circumstances where BWCs should be engaged. Officers' discretion must be defined to be clear about when BWCs are engaged outside of context where a search warrant is being executed. The principles must be changed to specify the limited cases in which BWCs may be engaged to conform with Canadian law.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

The purpose section should also include a statement limiting officer discretion in the use of BWCs to ensure they are used accordingly to the Charter or Rights and Freedoms and other laws.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

The Policy should be re-examined in light of leading Charter cases, especially through an analysis of Charter-based and common law police powers related to the warrantless collection of evidence beyond *R v. Duarte* (2001). This analysis should be undertaken through consultation with the Attorney General. It is unclear why "exigent circumstances" is included in the Procedure. That term usually refers to circumstances where there is a search of private property without a warrant. That term should be deleted from the Procedure to comply with Charter standards related to police powers.

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

N/A

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

Recordings in public without judicial authorization should only be made with the informed consent of the subjects involved and should involve proactive disclosure by the officer. In executing a search warrant, an officer must disclose BWC recording and the potential for the recording to be continuous throughout the event/incident with exceptions on recording sensitive audio or visual materials. The Policy should not support or enable covert recording or the use of stealth mode in any circumstances, because of the inherent bias of this tool against the public and in favour of the police officers' perspective. This functionality should be banned outright by the Policy.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

The direction is clear

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

No

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

No

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to have

The camera should be deactivated during spiritual ceremonies as a blanket Policy and the public should be informed of the fact that cameras are not activated while ceremonies are in progress.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

Officers in charge should be required to assist members of the public to view BWC footage before a formal complaint is launched. This decision should not be left up to the discretion of the officer. Reporting and data-collection mechanisms should be in place to track internal access to BWC recordings, especially where officers are entrusted to use their discretion to share BWC footage with members of the public for the purpose of responding to informal complaints. The Policy should specify when officers have access to BWC footage, including provisions for data-collection and record-keeping related to this access. BWC recordings must not be shared with Canadian Border Security officers to aid them in identification of people they wish to deport. They must not be used for other who are involved in criminalized work such as sex work, or other legal proceedings.

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

"General surveillance" should be defined in the Policy and Procedure for greater clarity about its meaning. In general, BWCs should be banned from police interactions with the public taking place outside of instances of warranted investigative and enforcement activities.

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

Like other evidence, BWC footage can be released to the public according to 'compelling public interest' by judges, a privilege which should not be undermined by this Policy. Further, the OIPRD's relationship to the release of BWC footage to the public has not been stated in the policy. Has the OIPRD been consulted about its capacity to release BWC to the public in circumstances of compelling public interest? This is a key lever of accountability that is frustrated by this Policy.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

A form and checklist set of questions should be developed in relation to the deployment and use of body worn cameras for the purpose of training and in-service use. This would resemble use of force and search of persons reporting/forms.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

N/A

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

Anyone recorded by the BWCs should be given information on how to request the BWC footage from the police division, including the information of the officer who made the recording, to ensure transparent access to the recording by members of the public subject to the BWCs.

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

At present, the Policy neglects to include civil cases as circumstances where the public would be granted access to BWC footage. The OIPRD should also be granted access to the BWC recordings as part of its oversight function.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

N/A

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

Other items to include:Disciplinary statistics related to improper use of BWCs, for any reason,

organized according to offense and penalty. Stealth mode use and authorization, if it remains as part of TPS Policy. Statistics about public requests for footage in relation to official and unofficial complaints, organized by Division.

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

At present, it is unclear how officers are intended to navigate the breadth of their discretion with regard to the use of body worn cameras. A decision-making and reporting framework should be included in the TPS Policy. Section 35j. of the Policy includes year-on-year costs and savings associated with the use and deployment; what does this calculation entail? The annual report should include the costs of training, data storage, time spent by officers editing BWCs, costs associated with BWC replacement, acquisition, and repair.

Q20: Do you have any other comments or feedback on the draft Policy?

The requirement to communicate with the public about instances where BWCs are deployed should be explicitly defined in its own section of the procedure, for the benefit of officers as well as the general public. At present, the policy enables conditions of general surveillance, albeit sporadically, and it is incumbent on the Service to demonstrate that this is not the case. The disciplinary framework associated with the BWC camera policy should be public and available for review throughout this consultation process. There are several aspects of the Rationale for the procedure that should be modified. First, the ideas that the BWCs capture an "accurate" record of police encounters with the public should be altered to read "capture a record of police encounters with the public" in order to reflect the use the BWCs as evidence. Second, the purpose of "protecting officers from unwarranted accusations of misconduct" as distinct from the process of resolving complaints against the police is confusing and unnecessary: it implies that a considerable number of complaints against the police are vexatious and made in bad faith. As such, this phrase does not need to be included in the policy, because it runs contrary to the Policy's commitment to bias-free service delivery.

JULIE ALBERT (CAMH)

Q1: Are there any other principles or risks that should be considered?

One of our senior psychiatrist in the ED wanted to know more about privacy and body cameras. This concern is in the context of Police bringing people to our Emergency department (EDP). Will the body cams be turned off when officers are on hospital property?

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

NA

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

NA

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

Anytime Police are alone with an individual with mental health or addiction issues, for their own protection, the body cam should be on.

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

NA

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NA

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

NA

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general

surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

NA

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

NA

KATHRYN DENNLER (RIGHTS OF NON STATUS WOMEN NETWORK)

Q1: Are there any other principles or risks that should be considered?

The Rights of Non Status Women Network conclude that the rapid adoption of BWCs does not respond to concerns about racism in policing, but rather serves the interests of police officers and the TPS. The TPSB have failed to meaningfully incorporate content from the public consultations into their decision-making thus far. The TPSB has failed to address life-or-death concerns of the public about persistent systemic racism and excessive use of force within the Toronto Police Service. In this circumstance, it is difficult to conceive how the BWC program can enhance public trust in the TPS. The problems with the adoption of BWCs cannot be overcome by implementing best practice in the use of BWCs. Firstly, there are a number of serious gaps in the policy and procedure with respect to privacy and access to footage . The data collected by the BWCs is of a very sensitive nature, and such sensitive data should not be stored in the cloud. While the TPS have undertaken a number of measures to protect the security, we know that data in the cloud is vulnerable to hacking and unauthorized use by state departments such as Immigration and Customs Enforcement (ICE) in the US. Furthermore, in contracting with Axon, an Arizona-based company, we are concerned that the data is subject to US laws including the PATRIOT Act undermining Ontario's privacy protections.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

The decision to invest millions of taxpayer dollars in BWCs raises a crucial question - who do these cameras benefit? The public consultations in the summer of 2020, along with the unprecedented grassroots movement calling to de-fund the police, demonstrate overwhelming public opposition to the expansion of the police budget and the introduction of BWCs. In fact, this opposition is documented by the Toronto Police Services Board's (TPSB) own summary of the consultations: "Of the participants who discussed Body-Worn Cameras (BWC), almost 95% expressed opposition to their implementation. Reasons to oppose BWC implementation included concerns about costs and concerns about the increased surveillance of already over-policed communities. However, the majority of those opposed to BWC argued that this tool is simply not effective for the purpose of eliminating systemic racism and reducing excessive use of force." ("I Don't Want to Live In Fear": Voices from the Toronto Police Services Board Town Hall Meetings–Interim Summary, pg 11). Importantly, these concerns are substantiated by research into the effect of BWCs in other cities (See the studies cited here:

<https://defundthepolice.org/disarmament-demilitarization/>). In spite of this evidence, the Toronto Police Services Board voted to approve the contract for BWC technology. While the cameras do not serve the interests of the public, it appears that they do serve the interests of the police. In explaining the intended goals of the purpose of BWCs at the webinar on 28 October 2020, Superintendent Barksy included two desired outcomes: providing improved evidence for investigative purposes and to protect officers from unwarranted accusations of misconduct. Superintendent Michael Barsky also stated that police officers have embraced the introduction of body cameras. Thus, we conclude that the rapid adoption of BWCs does not respond to concerns

about racism in policing, but rather serves the interests of police officers and the TPS. The TPSB have failed to meaningfully incorporate content from the public consultations into their decision-making thus far. The TPSB has failed to address life-or-death concerns of the public about persistent systemic racism and excessive use of force within the Toronto Police Service. In this circumstance, it is difficult to conceive how the BWC program can enhance public trust in the TPS. The problems with the adoption of BWCs cannot be overcome by implementing best practice in the use of BWCs.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

"I Don't Want to Live In Fear": Voices from the Toronto Police Services Board Town Hall Meetings—Interim Summary
The studies cited here: [https://defundthepolice.org/disarmament-demilitarization/Meaningful incorporation of feedback by the public](https://defundthepolice.org/disarmament-demilitarization/Meaningful%20incorporation%20of%20feedback%20by%20the%20public)

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

NA

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

The data collected by the BWCs is of a very sensitive nature, and such sensitive data should not be stored in the cloud. While the TPS have undertaken a number of measures to protect the security, we know that data in the cloud is vulnerable to hacking and unauthorized use by state departments such as Immigration and Customs Enforcement (ICE) in the US. Furthermore, in contracting with Axon, an Arizona-based company, we are concerned that the data is subject to US laws including the PATRIOT Act undermining Ontario's privacy protections.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NA

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

NA

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be
NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

The rapid adoption of BWCs does not respond to concerns about racism in policing, but rather serves the interests of police officers and the TPS. The TPSB have failed to meaningfully incorporate content from the public consultations into their decision-making thus far. The TPSB has failed to address life-or-death concerns of the public about persistent systemic racism and excessive use of force within the Toronto Police Service. In this circumstance, it is difficult to conceive how the BWC program can enhance public trust in the TPS. The problems with the adoption of BWCs cannot be overcome by implementing best practice in the use of BWCs.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?
NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

There are a number of serious gaps in the policy and procedure with respect to privacy and access to footage. The data collected by the BWCs is of a very sensitive nature, and such sensitive data should not be stored in the cloud. While the TPS have undertaken a number of measures to protect the security, we know that data in the cloud is vulnerable to hacking and unauthorized use by state departments such as Immigration and Customs Enforcement (ICE) in the US. Furthermore, in contracting with Axon, an Arizona-based company, we are concerned that the data is subject to US laws including the PATRIOT Act undermining Ontario's privacy protections.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

There are a number of serious gaps in the policy and procedure with respect to privacy and access to footage. The data collected by the BWCs is of a very sensitive nature, and such sensitive data should not be stored in the cloud. While the TPS have undertaken a number of measures to protect the security, we know that data in the cloud is vulnerable to hacking and unauthorized use by state departments such as Immigration and Customs Enforcement (ICE) in the US. Furthermore, in contracting with Axon, an Arizona-based company, we are concerned that the data is subject to US laws including the PATRIOT Act undermining Ontario's privacy protections.

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

The existing restrictions around the use of facial/voice recognition software or other video analytics are too permissive. Echoing the concerns raised by the Ontario Human Rights Commission and the Canadian Civil Liberties Association, we object to any use of such software. Images from the BWCs must not be cross-checked against the mug-shot database. Systemic racism in the criminal legal system means that Black, Indigenous and racialized people are already disproportionately represented in the mug-shot database. A comparison of faces from BWC footage and the mug-shot database would only serve to deepen the criminalization of racialized Torontonians, rather than alleviating systemic racism in policing.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?
Sharing footage with Canada Border Services Agency or otherwise using the recordings in service of enforcement of immigration law.

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

The Rights of Non-Status Women Network is an organized, grassroots collective of service providers, scholars, and individual community members in Toronto, Ontario. Our mandate is to address barriers to services and resources faced by non-status women through coordinated public education, knowledge exchange, and advocacy for the purpose of systemic change. We believe that all people—whether they are migrants or not and whether they have status or not—deserve to have their essential needs met and their human rights upheld so that they can live safe and dignified lives. We are responding to the Toronto Police Services Board's call for public consultation on the draft policies relating to body-worn cameras (BWCs). In doing so we raise four concerns: the process that has led to the investment in BWC technology; privacy breaches that result from the use of BWCs; the use of facial recognition software; and continued cooperation between Toronto Police Services (TPS) and the Canada Border Services Agency (CBSA). The decision to invest millions of taxpayer dollars in BWCs raises a crucial question - who do these cameras benefit? The public consultations in the summer of 2020, along with the unprecedented grassroots movement calling to de-fund the police, demonstrate overwhelming public opposition to the expansion of the police budget and the introduction of BWCs. In fact, this opposition is documented by the Toronto Police Services Board's (TPSB) own summary of the consultations: "Of the participants who discussed Body-Worn Cameras (BWC), almost 95% expressed opposition to their implementation. Reasons to oppose BWC implementation included concerns about costs and concerns about the increased surveillance of already over-policed communities. However, the majority of those opposed to BWC argued that this tool is simply not effective for the purpose of eliminating systemic racism and reducing excessive use of force." ("I Don't Want to Live In Fear": Voices from the Toronto Police Services Board Town Hall Meetings—Interim Summary, pg 11). Importantly, these concerns are substantiated by research

into the effect of BWCs in other cities (See the studies cited here: <https://defundthepolice.org/disarmament-demilitarization/>). In spite of this evidence, the Toronto Police Services Board voted to approve the contract for BWC technology. While the cameras do not serve the interests of the public, it appears that they do serve the interests of the police. In explaining the intended goals of the purpose of BWCs at the webinar on 28 October 2020, Superintendent Barksy included two desired outcomes: providing improved evidence for investigative purposes and to protect officers from unwarranted accusations of misconduct. Superintendent Michael Barsky also stated that police officers have embraced the introduction of body cameras. Thus, we conclude that the rapid adoption of BWCs does not respond to concerns about racism in policing, but rather serves the interests of police officers and the TPS. The TPSB have failed to meaningfully incorporate content from the public consultations into their decision-making thus far. The TPSB has failed to address life-or-death concerns of the public about persistent systemic racism and excessive use of force within the Toronto Police Service. In this circumstance, it is difficult to conceive how the BWC program can enhance public trust in the TPS. The problems with the adoption of BWCs cannot be overcome by implementing best practice in the use of BWCs. The Right of Non-Status Women Network wishes to highlight gaps in the proposed policies regarding BWCs. Firstly, there are a number of serious gaps in the policy and procedure with respect to privacy and access to footage. The data collected by the BWCs is of a very sensitive nature, and such sensitive data should not be stored in the cloud. While the TPS have undertaken a number of measures to protect the security, we know that data in the cloud is vulnerable to hacking and unauthorized use by state departments such as Immigration and Customs Enforcement (ICE) in the US. Furthermore, in contracting with Axon, an Arizona-based company, we are concerned that the data is subject to US laws including the PATRIOT Act undermining Ontario's privacy protections. Secondly, the existing restrictions around the use of facial/voice recognition software or other video analytics are too permissive. Echoing the concerns raised by the Ontario Human Rights Commission and the Canadian Civil Liberties Association, we object to any use of such software. Images from the BWCs must not be cross-checked against the mug-shot database. Systemic racism in the criminal legal system means that Black, Indigenous and racialized people are already disproportionately represented in the mug-shot database. A comparison of faces from BWC footage and the mug-shot database would only serve to deepen the criminalization of racialized Torontonians, rather than alleviating systemic racism in policing. The Rights of Non-Status Women Network also demands that TPS, should it continue on this path, require third party agencies who access images from the BWCs to provide a written guarantee that they will not use facial/voice recognition software or other video analytics. While in the TPSB webinar, a presenter noted that all agencies in Ontario are bound by the same privacy rules, yet this commitment is simply not enough. There need to be clear guidelines for other agencies, and any breach in the commitment should result in a 5-year ban on information sharing. Finally, the implementation of body-worn cameras exacerbates the problem of Toronto Police Services cooperation with Canada Border Services Agency (CBSA) in spite of Toronto's commitment to be a sanctuary city. With the roll-out of BWCs, it becomes urgent that the TPS end all cooperation and information sharing with CBSA. Vulnerable community members who are migrants already have reason to fear police presence and police interaction. The knowledge that police officers are wearing BWCs will heighten this fear, even

when police are not using the cameras. The effect will be to push community members further underground to avoid harassment or danger in public spaces. A public commitment to end cooperation with the CBSA is crucial at this juncture. In conclusion, the Rights of Non-Status Women Network renews our call to de-fund the police - that is, diverting at least 50% of municipal funds from Toronto Police Services. We express our profound disappointment that calls for de-funding the police and diverting our/taxpayers monies to essential services have been ignored. We believe that the decision to purchase BWCs over the objections of the public and despite the high support for the de-fund movement reflect a failure to integrate relevant research findings, public consultation and community interests.

KIMBERLEY KING

Q1: Are there any other principles or risks that should be considered?

What are the consequences for not wearing a camera? Who has access to the footage? What is the timeline for providing footage, after/during an investigation? Is footage doctored or in its entirety? When will you release it?

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

Consider that the existing policies were developed by police and that the origin of those views are euro centric. Tear down those policies and start from scratch.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

Association of Black Law Enforcers, which is recognized world wide have a clear and present perspective of the issues within the marginalized communities, while respectively enforcing the law.

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

Keep cameras on at all times. From start to finish. It is about accountability.

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

Only on personal breaks. Ex: meal breaks/washroom breaks

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Too subjective. Policy brings about a broken system.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

Question implies that your not committed to the use of cameras. Process should not be optional.

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

Too subjective. The recording is the only objectivity that cannot lie.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

Camera should remain on.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

There are other options to explore in protecting the vulnerable or sensitive situations. Should not be used as an excuse to with hold footage. Develop proper policies that address those needs.

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be
Record everything and then let the stakeholders decide what too release to the public.

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

"No" control system is police- policing- police, which has never been transparent. An independent body is needed. Seperate from Internal Affairs.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

Engage the people that continue to have bad experiences with police.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

Requires an Independent body or another level of government, not the police.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

Restrictions lack transparency. This project was created in part for police by police for assurance of behavior.

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

Develop a screening process to demonstrate what personal interest is in the matter. Ex: lawyer representing client

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

It is not to be used for social media purposes or for finacial gains. The release of it, in public forum require permission.

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

How many offenses committed by officers were reprimanded and how much time did it take.

What was the process.

How often are you as a board requiring a spontaneous evaluation?

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

Build a framework that supports all stakeholders and fosters idea of community policing.

Q20: Do you have any other comments or feedback on the draft Policy?

Strongly recommend that in fairness and equity to this project going forward the organization A.B.L.E. should be part of any and all consultation.

LEE CAMERON

Q1: Are there any other principles or risks that should be considered?

The TPS should consider that body-worn cameras 1. do not have any proven benefit in the court system (according to Crown Prosecutors in your 2016 report) 2. Body worn cameras often don't capture incidents, only the aftermath 3. The TPS should consider that your estimated \$51 million dollar budget over 5 years is woefully and intentionally misrepresented, the costs will actually be astronomical and prohibitive once the TPS includes data storage / integration and staffing 4. The TPS should consider how body-worn cameras are an insufficient band-aid solution, considering that communities that need support the most are being underserved by the police, experiencing violence and death at the hands of police. The police should not be responding to mental health crisis, personal conflicts, or making house calls. 5. The money spent on BWC will be better spent on effective anti-poverty measures, improved public health access and options for communities, anti-violence and conflict resolution alternatives. The police should not be in charge of caring for community because it has been proven that they do not. Bodyworn Cameras will not change this.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

Policy gives no indication of what they will do about technology malfunctions, video modification or strategic video placement. Policy does not take into account how police officers, rather than community members, decide what information is recorded and labeled for police use. This does nothing to prevent already-existing police bias. Body worn cameras at MOST, do nothing to prevent police violence, only record it.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

The police should more meaningfully consult with mental health experts, indigenous and Black community, Black Lives Matter in particular, LGBTQI2S community, Gloria Epstein's independent civilian review into missing persons cases.

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

There is no proof that body-worn cameras will reduce police violence. The Toronto police pilot study indicated that police officers make more arrests when using BWC. BWC do not protect our community's most marginalized and criminalized members from harm at the hands of the police, and at worse, they may encourage arrest or over-zealous imprisonment. BWCs will not make our communities safer, and this \$51 million dollars would be better spent supporting our communities instead.

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

NA

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

no. BWC's already do very little to change police encounters for the protection of communities. if officers have even more agency around when and how they choose to record, INCLUDING before entering an incident, then what is the point of the BWC to begin with? BWC's do not protect people from experiencing police violence.

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

no. BWC's already do very little to change police encounters for the protection of communities. if officers have even more agency around when and how they choose to record, INCLUDING before entering an incident, then what is the point of the BWC to begin with? BWC's do not protect people from experiencing police violence.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

Ceremonies should not be recorded. I encourage the TPS to more meaningfully consult with indigenous community leaders to ensure that this policy is respectful of their practices and needs.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

I believe that these policies pose a significant risk to community members, where police are not accountable or transparent about recordings with the public. I am extremely concerned that BWC's are an unreliable source of information and can be manipulated either by choosing not to share/disclose, by manipulating recorded content, or by technological malfunction. These are all very real consequences if the TPS moves forward and wastes more than 100,000,000 over the next ten years on BWC's.

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

This policy represents very little accountability on the part of police officers. With options for officers to choose when and how to record, choose when and how to disclose they are recording, choose when and how video is processed, there are few avenues for real accountability in police encounters.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

NA

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

All actual costs. Including staffing, storage, and additional staffing costs related to each individual officer's administrative duties concerning the BWCs.

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

no.

Q20: Do you have any other comments or feedback on the draft Policy?

NA

MEL DARBY

Q1: Are there any other principles or risks that should be considered?

The use of body worn cameras carries a very high risk of expanded surveillance, policing and harm towards the public. A critical principle is to limit the use of cameras only for the purpose of holding officers accountable to harm and misconduct that they have caused. Given that the impetus for implementing body worn cameras was concern around police misconduct and violence, especially anti-Black racism, it is gross mission creep for TPSB to authorize the use of cameras for purposes that enable further police harm to community including investigation, non-consensual recording of members of the public and to deter complaints against officer misconduct (framed as 'protecting officers from unwarranted accusations of misconduct' in the Rationale section of the Procedure.)

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

No, there this information in the purpose of the policy that is inappropriate and should be removed. Specifically:-Providing improved evidence for investigative, judicial and oversight purposes; -Providing information as to the effectiveness of Service procedures and training.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

The expertise of people targeted by police for harrasment, intimidation, misconduct, surveillance, abuse and violence should be prioritized. This also includes members of marginalized groups who are more likely to be non-consensually filmed by officers and to have BWC footage used against them.

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

No

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

Officers should be prohibited from activating cameras in any situation in which they do not have the prior explicit consent of the people who the officer(s) will be interacting with.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Again, it is critical that BWC not be used to film members of the public who have not consented to be filmed / targeted for filming. Officers should be authorized and required to keep cameras deactivated unless they have been given consent to film.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

Repeating the comment above, it is critical that BWC not be used to film members of the public who have not consented to be filmed / targeted for filming. Officers should be authorized and required to keep cameras deactivated unless they have been given consent to film.

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

Repeating the comment above, it is critical that BWC not be used to film members of the public who have not consented to be filmed / targeted for filming. Officers should be authorized and required to keep cameras deactivated unless they have been given consent to film.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

Officers should keep cameras off during spiritual ceremonies and only film if they have been given permission by the people engaging in ceremony and anyone else present who may be filmed.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

No, access to footage should be limited to oversight bodies investigating police misconduct. Any other use allows for privacy violations and abuse by officers. Ways officers may misuse footage includes but is no means limited to identifying individuals for further investigation, harrasment or intimidation by on or off duty officers. Allowing TPS officers access to BWC footage will further undermine public safety.

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

Cameras should be banned for *any* use of surveillance including targeted surveillance with judicial authorization. Doing so undermines the stated purpose of increasing police accountability and instead increases the power of the police to do harm and undermine the rights and freedoms of members of the public. This should be further reinforced by prohibiting use of machine learning or computer analysis of body camera footage, including but not limited to facial recognition, voice recognition and gait analysis technologies.

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

As stated previously, officers should be prohibited from activating cameras in any situation in which they do not have the prior explicit consent of the people who the officer(s) will be interacting with.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

Restrictions need to be put in place to prevent TPS officers from accessing and viewing footage and to ensure that footage be only made available to oversight bodies investigating instances of misconduct.

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

Only police oversight bodies investigating misconduct should be allowed access to recordings.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

Any use that is not specifically for the purpose of police accountability, including but not limited to investigation, enforcement, recording statements and utterances, recording persons in custody, recording searches and training.

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

NA

MOHAMMED SHAHIED SHAIKH (FOR YOUTH INITIATIVE (F.Y.I.))

Q1: Are there any other principles or risks that should be considered?

Financial cost in future.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

As far as I see it's win win situation for Service provider and receiver equally.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

Crown of the court and Criminal Defence experts.

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

When ever service provider is providing service, such as on paid work assignment. Accept when providing service as community engagement without getting paid (part of community engagement as a community individual)

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

when officer testifying in Court or attending courts.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Absolutely, specially when the dignity of victim is in question.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

Policy should be crystal clear, NO discretion to the officer.

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NO Microphone should never be muted.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

Any ceremonies whether Spiritual or else, Officer is providing a service of the state and camera worn is a service tool used by the state for state.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

Depend on the situation, officer to make decision guiding from the policy.

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

No, Cameras are the tool for safety of the general public and should be allowed to use . As far as not used for any other purpose.

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

Future Data will be able to benefit if futur additional control become necessary.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

Keep individual incident of removing device or technical failure be reported and data be kept.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

no.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

None i can think of now.

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

Third party that was agreed upon by going through Court direction or Arbitration hearing.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

Benefiting individual for finance gain.

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

Honest and transparent, benefiting trust building with community.

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

This body worn camera will be a starting point for community to accept we are all moving in reconciliation surly " when there is a will there's a way", May we all be united in building a healthier and stronger community.

NICOLE DEEB

Q1: Are there any other principles or risks that should be considered?

Money should not be used for police cameras, instead it should go to food security, access to community safety, mental health supports etc. Some people do not want to be filmed. Filming interactions will not change how police is allowed to act or how they face consequences (aka don't face any consequences).

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

Cameras should be sold and money be redistributed to community services. Money could go to supporting building homes for people without, or land defenders, or clean water for all.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

Human rights, Abolition work

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

body worn cameras should be activated before hands can touch their guns or weapons, and a call should be made before doing this, and police should announce who they are and that they are recording before it is put on, and again once it is on.

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

When people ask for it to be turned off.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

NA

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

I dont think it should ever be muted as long as people around them are told that they are recording and can ask for police to leave because their protection is not needed because we protect each other

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

Officers should not be in any spiritual ceremonies, or parks, or private areas without invitation and without special explanation of their boundaries. Police are a sign of hate and cruelty and racism throughout our history. They shouldnt be where they are uninvited or unwelcomed. These

questions shouldn't be asked to us on the internet with access, they should be accessed to people who are targeted by police. People without access, people without privilege.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

I am mostly worried about the police here, not the public. Police will misuse the recordings and lose recordings and hide recordings. The public need a committee over the police to keep us safe from the police. This committee should decide on use of cameras and recordings.

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

All activity is direct interaction between officer and public. Being someone in those clothes with a weapon is a huge interaction. Your intimidation is sufficient for needing surveillance. Maybe a selfie-stick body cam that records just the cop.... It could be like a go pro that is attached to your hat or something :)

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

As long as police are allowed to do anything without consequence and police police police there will be no good that comes from this.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

A committee of prisoners, abolitionists, and land defenders to make these decisions.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

A committee of prisoners, abolitionists, and land defenders to make these decisions.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

A committee of prisoners, abolitionists, and land defenders to make these decisions.

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

A committee of prisoners, abolitionists, and land defenders to make these decisions.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

A committee of prisoners, abolitionists, and land defenders to make these decisions.

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

A committee of prisoners, abolitionists, and land defenders to make these decisions.

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

A committee of prisoners, abolitionists, and land defenders to make these decisions.

Q20: Do you have any other comments or feedback on the draft Policy?

A committee of prisoners, abolitionists, and land defenders to make these decisions.

NICOLE HOYE

Q1: Are there any other principles or risks that should be considered?

Not using body cams.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

Not using body cams.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

Not using body cams.

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

Not using body cams.

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

Not using body cams.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Not using body cams.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

Not using body cams.

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

Not using body cams.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

Not using body cams.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

No body cam should be used at all.

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

All use of body cams should be banned.

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

Not using body cams.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

Not using body cams.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

Don't record them.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

Don't record people

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

Don't record people

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

Don't record people

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

That they decided to not use body cams

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

Body cams do nothing to stop crime.

ROBB JOHANNES (FRED VICTOR)

Q1: Are there any other principles or risks that should be considered?

If TPS is looking to be a leader in best practice (i.e. it was said that 23,000 organizations in the United States use BWC but 2/3 do not have robust policy), to what extent have other best practices internationally been referred to, consulted with? Could UN Declarations on Human Rights or considerations such as social determinants of health, anti-oppressive practice, etc., be considered? And what is the definition of transparency in this policy?

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

If some of the grounds for expanding BWC practice is rooted in anti-racism, could speaking to it in the purpose of the policy be warranted?

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

It was mentioned that legal expertise from the UK was consulted upon -- what are those resources?

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

It was communicated in one of the consultations that BWCs are automatically activated when use of force options are removed from holsters (pistols or tasers); is this explicitly stated in the policy? This can be a very reassuring point of building public trust and accountability. Also, is it explicitly stated that a Service Member will acknowledge when their BWC is being activated or deactivated to a member(s) of the public?

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

Members of the public could be advised at the onset of any interaction that BWCs can be activated, and given the choice whether they wish to consent -- with exception in situations of imminent bodily harm, use of force, drawing of weapons, and so forth.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Upholding gender integrity should be an important consideration.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NA

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the

officers should ask if the person conducting the ceremony wishes to ha
NA

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

Ensuring that consistency between written documentation and video review is embedded into professional evaluations on a scheduled basis and addressed accordingly.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

There could be some additional knowledge translation in addition to having policies on a website; accessible materials in accessible language (and translations) distributed through leaflets, flyers, social media, transit posters, etc., can reach a wider audience and allow for greater understanding, comprehension, and transparency.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

Ensuring that data is available beyond the minimum 2 years and 1 day, in the case of appeals, reviews, sometimes when timelines are unknown or materials needs to be revisited, could be well-advised.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

Freedom of Information processes can be difficult to navigate for members of the public; sometimes it requires support from professionals. Allowing processes to be more accessible -- not necessarily to make information more readily available and less protected, but more transparency on the process itself, could help with building currency in trust.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones? If the Chief of Police is the only one entrusted to release certain recordings in public interest,

what is the process of accountability, or what checks and balances exist -- and is this explicitly outlined in the policy?

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

Detailing who will be involved in audit and review (external stakeholders, independent reviewers), criteria by which they are selected, length of terms served, etc.

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

I am reminded of the 22-year-old Ian Bush, who was shot in back of the head in police when CCTV cameras were not turned on while in custody for having an open beer outside a hockey game. Granted, the Houston BC RCMP did not have an automated CCTV system at the time, which it has since implemented, and it is reassuring that any TPS officer who withdraws a use of force option will have their BWC automatically activated. My concern is that there can always be room for error, or misapplication, regardless of existing penalties or disciplinary measures (which have, in many previous situations, been regarded as insufficient, specifically in cases where people of colour have been on the receiving end of police violence) where infractions may slip through... ensuring that BWC remain a pillar of a broader strategy that includes emphasis on community development and relationship and trust-building is paramount.

SALINA STANGE

Q1: Are there any other principles or risks that should be considered?

There have been so many studies on body cams should that they DO NOT WORK and are NOT THE ANSWER against fighting police violence and brutality.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

The camera does not change officer behavior precisely because the officer is doing exactly what is asked of her, even when her behavior is perceived as abusive. Thus, the study did not, and could not, detect the possibility that routine police interactions could unfold precisely as designed and nonetheless still be the source of friction and animosity between the citizen and the department. The study looked for evidence that abusive behavior was anomalous, which meant it was blind to evidence that abusive behavior was inherent in the nature of police-citizen interactions and accepted by those who design and implement police practices.

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

NA

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

The police must become part of a robust partnership involving the community and other municipal agencies. Collectively and creatively, the members of this partnership must target the very small number of people and places that account for the overwhelming majority of crime and disorder in a community.

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

NA

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NA

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

NA

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

NA

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

NA

SAM BURTON

Q1: Are there any other principles or risks that should be considered?

The Guiding Principles should also include a description of how the Toronto Police Services Board and TPS will evaluate whether the use of BWCs is causing harm and/or violating the Charter of Rights and Freedoms and the Human Rights Code of Ontario. Under the risks and mitigations section, there should also be a description of what an unacceptable level of risk is and under what circumstances the use of the technology would be discontinued.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

NA

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

When developing its procedure TPS should ensure it consults directly with communities that are disproportionately impacted by policing and carceral technologies, specifically Black and Indigenous communities, and people living with mental illness. TPS should also consult with the First Nations Information Governance Centre, regarding the application of the First Nations OCAP (Ownership, Control, Access, Possession) data collection principles to the data collected by BWCs.

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

NA

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

NA

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NA

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

During spiritual ceremonies, cameras should be required to be deactivated by default, and only activated if attendees give their free and informed consent.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

19b) is too broad. Other service members should not be permitted access to recordings not their own for such broad purposes as supervision, training development, and reporting. Access should be restricted to investigation and legal proceedings. There may be certain individuals who have access for other reasons, such as training development or reporting, but they should be clearly identified and their role/responsibility clearly articulated. The Toronto Police Services Board and TPS should include provisions specifically for First Nations communities impacted by BWCs, to ensure that their data is treated in accordance with the First Nations OCAP (Ownership, Control, Access, Possession) data collection principles as established by the First Nations Information Governance Centre. re: 24. BWC recordings should also be subject to ATI requests in order to increase transparency and accountability. Sections 31, 32, and 33 are extremely important and I am pleased that the Board has included them. It is critical that these sections remain in the Policy.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

NA

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

The TPS' annual reports to the Board and the Board's reviews of this Policy (at one year and every three years thereafter) should be made public immediately upon submission, and they should remain publicly accessible in perpetuity. This should be stipulated in the Policy itself.

Q20: Do you have any other comments or feedback on the draft Policy?

Investing scarce resources in body worn cameras are not an effective approach to addressing police violence. Racism and police violence are rooted deeply in historical and institutional legacies, and BWCs do not address the root causes of organizational dynamics and structural inequities. Instead, BWCs help police surveil communities, rather than helping communities watch police. Studies show that police forget they are wearing BWCs quickly, and as a result the technology does not lead to behaviour change. BWCs are an unproven technology, evidence is extremely mixed as to their impact on reducing police violence and crime. The decision to bet \$34.1 million BWCs over the next five years is extremely misplaced, when those funds could instead be invested in efforts that we have strong evidence are effective in reducing people's interactions with police: anti-poverty and decarceration programs (eg. housing, health and education services), especially in Black and Indigenous communities. I urge you to reconsider the approval of this program and the misallocation of funds into a shiny but ineffective and dangerous technology that is far more likely to cause harm than good in the communities that the TPL is meant to serve.

SAM ROMYN

Q1: Are there any other principles or risks that should be considered?

The use of BWCs during medical calls, or call with which paramedics are attending.

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

Nothing noted that's missing

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

Consultations with the Ontario Privacy Commissioner, with regards to the Personal Health Information Protection Act and the use of BWCs during medical calls

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

Possibly whenever a member of the public directly involved in an interaction with officers requests it. Also possibly whenever officers feel that there's a need, due to safety or potential complaints, despite people objecting to being recorded.

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

When involved in medical calls or when in the back of an ambulance, unless granted permission by patient(s), their POA(s), and/or paramedics.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Yes it is clear, however maybe add more examples of what would be considered temporarily sensitive situations.

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

Yes there should.

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

If the interaction involved highly sensitive or confidential information, then yes.

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to have

The officers should consult with those leading the ceremonies as to whether they can have the cameras on or off. If in doubt, have them turned off.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

Yes it is. Any and all access to the recordings should be made through a formal request process

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be
None

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

For the most part, yes they are sufficient. Maybe add that informing the public of continuous/repeat offenders who improperly use the BWCs, as well as have increasing penalties for offenders.

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

Include information regarding how many officers have been disciplined due to improper BWC use.

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?
None

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

Yes they are. Maybe a question about protecting the identity of undercover or plain clothes officers should be brought up too for their protection.

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

Possibly give some examples of individuals or bodies that are "lawfully allowed access", otherwise maybe other police training institutions (ie. OPC) for training purposes, following the same identity hiding guidelines as for internal training purposes.

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?
Any "leaking" of videos to the press or media

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

None

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

Very well done and thorough. Simply adding in more examples of situations for the public would

be beneficial. As well as adding in guidance around the use of BWCs during medical calls or while in ambulances where a member of the public is present.

SHEILA MACDONALD (ONTARIO NETWORK OF SADVTC)

Q1: Are there any other principles or risks that should be considered?

The the privacy and dignity of victims of sexual assault and domestic violence be of utmost consideration

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

NA

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

NA

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

NA

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

If the police are called to a sexual assault victim, the camera should not be on unless there is a safety concern - the perpetrator is still on scene. In the majority of cases of sexual assault , the perpetrator won't be on scene. I appreciate the safety concern in situations of domestic violence but when the scene is secure, the camera should be off. The camera should not be on at all for the duration of time with victims of crime if there is no safety issue.

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?
should be turned off

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NA

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

NA

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general surveillance device to record activity that is not a direct interaction be
NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?
NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?
NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?
I am concerned that the recordings will be used as evidence in court against the victim which would add overwhelming stress/embarrassment to the victim but also that utterances can be used against the person. In our victim blaming society in sexual assault, the immediate reaction from the victim is "this is my fault, i shouldn't have....." and defense uses this against the victim. Camera should be off.

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?
NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?
NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?
NA

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?
NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?
NA

Q20: Do you have any other comments or feedback on the draft Policy?
NA

TREVOR COMER (12 DIV CPLC/ WESTON VILLAGE RESIDENTS ASSOCIATION)

Q1: Are there any other principles or risks that should be considered?

NA

Q2: Is there anything missing from this section that should be included? If yes, what information is missing and what should be included?

NA

Q3: Are there other sources of expertise or legal authority that the Policy should require the TPS to use in the development of its Procedure?

NA

Q4: Should there be more situations in which the Policy should require the body-worn camera to be activated? Which ones?

When working alone.

Q5: Should there be more situations in which the Policy should require the body-worn camera to be deactivated? Which ones?

NA

Q6: Is the direction allowing for the covering of the lens during situations of a sensitive nature sufficiently clear? Should it be further constrained/removed?

Question ..how is it covered? flap, shutter or by hand? And will this be a hinderance in some situations?Can footage be redacted after the fact?

Q7: Should there be more situations in which the Policy should allow officers to cover the lens?

NA

Q8: Should officers be allowed or required to mute the microphone under any circumstances during an interaction? Which ones?

NA

Q9: During spiritual ceremonies, should cameras be required to be deactivated? Should officers ask for permission to activate the camera? Or should the cameras be on by default and the officers should ask if the person conducting the ceremony wishes to ha

Always ask! they should be on by default.

Q10: The purposes of the Policy include protecting the privacy of members of the public by restricting access to recordings. Is that protection sufficient provided the breadth of situations that will be recorded by body-worn cameras?

NA

Q11: Are there any other possible uses of the cameras that the Policy should explicitly ban, which are not covered by section 6, which states that cameras may not be used a general

surveillance device to record activity that is not a direct interaction be

NA

Q12: Are these controls sufficient to ensure that the Policy achieves its purpose of enhancing the accountability of the Service? Are any additional controls or changes to these controls necessary?

NA

Q13: Are there any additional measures that the Board should take or require the TPS to take, to ensure transparency in the deployment and use of the body-worn cameras?

NA

Q14: Are there any missing elements to the retention and disposal framework, to ensure the privacy of members of the public who were captured in the recordings?

NA

Q15: Are these restrictions sufficient to protect the privacy of members of the public whose interactions with the TPS are captured by the body-worn cameras? What additional restrictions are necessary?

NA

Q16: Should any other individuals or bodies be allowed to access recordings? Who, and under what circumstances?

NA

Q17: Should the Policy specifically ban any other potential uses of the recordings? Which ones?

NA

Q18: Are there any other items the TPS should report on to the Board as part of its annual report on body-worn cameras? What are they?

NA

Q19: Does this framework sufficiently address the purpose of public transparency with regards to body-worn camera use? What changes should be made to it?

NA

Q20: Do you have any other comments or feedback on the draft Policy?

Have these cameras been tested for officer safety? Are they a hinderance to movement or create a grab point for assailants? what happens if the camera takes a direct hit? Has officers had any health and safety concerns?