

Town of Yarmouth
BODY WORN CAMERA POLICY

Effective: April 9th, 2026
TOY 91



1.0 Definitions

- 1.01** Body-worn camera means an approved Town device that is worn on a designated employee's uniform in an overt capacity for the main purpose of recording audio and/or video.
- 1.02** Body-worn camera coordinator means a Town employee who holds the rights to manage data within the body-worn camera storage repository and is responsible for the administration of the body-worn camera equipment and recorded media.
- 1.03** Body-worn camera power on means the body worn camera is powered on.
- 1.04** Body-worn video means a video recording that is captured using the body-worn camera.
- 1.05** Call for service means an incident that is attended by a Town employee in response to a communication made by an alarm system, a telephone, a personal contact, or other electronic or mechanical device to a police organization, reporting the need for involvement.
- a. This includes, but is not limited to, arrests, investigative detentions, mental health calls, interactions with persons-in-crisis, crimes-in-progress, investigations, and public disorder issues.
 - b. A call for service does not include routine patrols.
- 1.06** Covert mode means the disabling of all body-worn camera audio and visual indicators.
- 1.07** Exigent circumstances means circumstances where:
- a. there are reasonable grounds to suspect that there is an imminent threat of bodily harm or death to a person;
 - b. there are reasonable grounds to believe that evidence relating to the commission of an offence is present in a private place, and that entry into the private place is necessary to prevent the imminent loss or imminent destruction of evidence; or
 - c. there are conditions relating to a fresh pursuit.
- 1.08** Incidents of a sensitive nature means incidents or situations of a sensitive nature which may include, but are not limited to, nudity, medical episodes, medical treatment, and extreme emotional distress.
- 1.09** Employee, for the purposes of this policy, means an employee of the Town of Yarmouth.

- 1.10** Overt means to show openly or plainly, or be readily apparent, rather than being secret or hidden.
- 1.11** Private place means any place where a person may reasonably expect to be safe from uninvited intrusion or surveillance and have privacy. Private places include, but are not limited to, private dwellings, hospital treatment areas, and religious places.
- 1.12** Public place means any place that the public has lawful access to by right or by invitation.
- a. A public place may be treated as a private place outside of operational hours.
- 1.13** Recording means a process which causes a body-worn camera to start recording audio and/or video data.
- a. A body-worn camera has a pre-event video recording function with no audio, which is pre-set to 30 seconds. When the body-worn camera begins recording, the video automatically captures the 30-seconds pre-event and attaches it to the overall recording.
- 1.14** Redaction means the deliberate omission or concealment of information in a multimedia recording. Redaction involves removing sensitive or personal information from data, such as documents, audio files, and videos. Redaction in its application may include, but is not limited to, video recorded by body-worn cameras, digital video recorder systems, and video evidence collected during investigations.
- 1.15** Stop recording means the stopping of the audio and/or video data recording.
- 1.16** Transitory information means information resources that are of short-term or of non-business value and are required only for a limited time to ensure the completion of a routine action or the preparation of a subsequent record.

2.0 General

- 2.1** A body-worn camera is intended to:
- a. capture an accurate record of an employee's interaction with the public;
- b. enhance public and employee safety;
- c. provide improved evidence for investigative, judicial, and oversight purposes; and
- d. strengthen the commitment to bias-free service delivery by employees to the public.
- 2.2** Only trained employees who have successfully completed the body-worn camera training are allowed to operate a body-worn camera.
- 2.3** A body-worn camera recording captures both audio and video data and is referred to as body-worn video.
- b. Exception - There may be occasions where the employee deems it appropriate to start recording but only uses the audio feature of the body-worn camera. This is allowed at the

discretion of the employee, but a clear rationale must be recorded at the time, either on the body-worn camera audio and/or video, or in the employee's notebook.

- 2.4 Body-worn cameras are not used to record in private places where there is a reasonable expectation of privacy, except during exigent circumstances, when lawfully placed, or with the consent of the owners or occupants of the private space.
- 2.5 Body-worn cameras are not used in an area where an electronic explosive device may be present.
- 2.6 Body-worn cameras are not used to record during administrative duties, or during conversations of a personal or non-investigative nature with other employees.
- 2.7 Body-worn videos are not subject to biometric analysis including, but not limited to, facial recognition.
- 2.8 The use of a body-worn video for training purposes is handled and held under the supervision of the body-worn camera coordinator.
 - a. The use of any footage of a body-worn video for training purposes is approved through the body-worn camera coordinator.
 - b. Redaction of the identities of those in the recording may be necessary to protect their privacy.

3.0 Roles and responsibilities

3.1 Employee

- a. Ensure the body-worn camera is placed on your uniform by using an approved mounting system, as identified by the Town and the body-worn camera manufacturer.
- b. Ensure the body-worn camera is placed on your uniform in an overt capacity, in plain view of the person being audio and/or video recorded.
 - i. Make a reasonable effort to ensure the body-worn camera lens, recording indicator, and status indicators are not obstructed from view.
- c. Where practicable, at the beginning of your shift, ensure the body-worn camera is fully charged.
- d. You are expected to take reasonable steps to manage the body-worn camera's battery life to ensure sufficient power is available to operate the body-worn camera for the required duration of your shift, using approved charging accessories.
- e. Ensure the body-worn camera is powered on at the start of your shift.
- f. Verify that the body-worn camera is functioning properly at the start of and throughout your shift, according to the body-worn camera manufacturers' guidelines.
- g. When possible, avoid unnecessarily recording audio and/or video data.
 - i. Ensure that each incident is captured in a single recording to avoid a continuous body-worn video recording containing multiple unrelated incidents.

- ii. These situations are not to be captured with a body-worn camera:
 - 1. interactions that are unrelated to the performance of your duties;
 - 2. multiple unrelated incidents or investigations;
 - 3. unrelated contacts with members of the public, for example, a bystander; or
 - 4. when working in a community role and attending a community celebration, a community hall or education facility that does not require presence or the element of public safety;
- h. At the end of each shift, or as soon as reasonably practicable, place the body-worn camera into the approved body-worn camera dock to charge, and offload any body-worn video.
- i. Do not modify or attempt to modify any permanent settings or components of the body-worn camera.
- j. Report all body-worn camera malfunctions to your immediate supervisor as soon as reasonably possible.
- k. Report a lost or damaged body-worn camera to your supervisor and/or divisional body-worn camera coordinator.

3.2 Supervisor

- a. Be knowledgeable on the proper use of body-worn camera equipment.
- b. Confirm that employees operating a body-worn camera have completed the prescribed training, and identify additional training needs, as appropriate.
- c. Ensure that employees make every attempt to place the body-worn camera in the approved body-worn camera dock to allow the body-worn video to be offloaded from the body-worn camera in a timely fashion.
- d. Inspect employee notebooks regularly to ensure the continuing quality of note taking with the use of the body-worn camera.
- e. Conduct regular reviews of the body-worn video to ensure employees are following section 3.1. of this policy.
- f. A body-worn video is not used as a routine performance evaluation tool.
 - a. Advise employees on policy updates, as applicable.
 - b. Ensure that supervisors conduct regular reviews of the body-worn video with employees who are equipped with body-worn cameras.

3.4 Employer

- a. Identify and maintain a body-worn camera or Digital Evidence Management System unit for the Town to manage body-worn videos.
 - i. Responsible for the administrative management of body-worn videos within the Digital Evidence Management System unit, including, but not limited to:
 - 1. relevant material for formal requests under the Access to Information Act and the Privacy Act;

2. significant or complex redaction requirements, as they relate to body-worn videos; or
 3. unique division-specific requirements or activities involving other recorded media.
- ii. Assist in any unique divisional requirements or activities involving body-worn cameras, including warranty procedures, and ongoing new user and remedial training.
- b. Ensure public notifications regarding the use of body-worn cameras are promoted through media and signage within the detachments.
 - c. Before publicly releasing any body-worn video of a high public interest or scrutiny, complete a risk assessment and notify the employee who recorded the body-worn video, and any other employees who were captured in the footage, of the release.
 - d. When a body-worn video is initially released, consider having a subject matter expert narrate or describe the situation recorded in the body-worn video at a press conference.

4.0 Recording and stop recording

4.1 An employee will start recording on a body-worn camera while in the lawful execution of their duties:

- a. before arriving at a call for service;
- b. when there is a decision to initiate contact with a member of the public, and where that contact is for the purpose of a police investigation, regardless of whether or not the person is within camera view;
- c. to record statements that would normally be taken in the field, including utterances and spontaneous statements;
- d. to record interactions with a person in custody; and
- e. to record any other situation or incident where an employee believes capturing audio and/or video evidence would support them in the lawful execution of their duties.

4.2 When a body-worn camera is recording, a reasonable effort is made by the employee to advise individuals that they are being audio and video recorded.

- a. When tactically feasible, employees advise first responders on scene about the body-worn camera recording.
- b. When entering a private residence or private place, on the basis of consent alone, employees advise the owner or occupant of the body-worn camera recording, and provide the owner or occupant with a reasonable opportunity to refuse or consent to being recorded.
- c. When recording with the consent of the owner or occupant, if, at anytime during the attendance, the owner or occupant requests that the interaction is not recorded, the employee will stop recording or leave the private residence or private place.

- d. In this situation, an employee's lawful presence in the private residence or private place is conditional on the owner or occupant's consent; if the owner or occupant requests that the interaction is not recorded, then their consent is conditional upon the camera being deactivated. Therefore, the camera is deactivated in order for the employee's presence at the location to remain lawful.

4.3 The recording light on the body-worn camera is visible to the public while recording.

- a. Exception - There may be occasions where an employee finds it appropriate to record with the body-worn camera, but uses the covert mode for officer safety reasons for the necessary duration of the recording. This is allowed at the discretion of the employee, as long as a clear rationale is recorded either on the body-worn camera audio and/or video or in the employee's notebook immediately, or as soon as practicable.

4.4 An employee who is equipped with a body-worn camera is required to be aware of the impact that recordings may have on victims, witnesses, or suspects involved in incidents of a sensitive nature, including in a public place.

- a. When public and police safety is not a concern, an employee may temporarily obstruct the video to protect the privacy of another person, and record their rationale for this either on the body-worn camera audio and/or video, or in their notebook.

4.5 An employee does not stop recording, or deliberately re-position or cover the body-worn camera lens, so as to not effectively capture audio or visual recordings, unless they reasonably believe that the collection of audio or video data would no longer:

- a. support public or employee safety;
- b. benefit the investigation; or
- c. require the use of body-worn cameras, as outlined in section 4.1.

4.6 An employee stops recording:

- a. when the incident has concluded, and they determine that public or employee safety is no longer a concern, or the video being recorded no longer benefits the investigation;
- b. in situations where legal privilege exists, and the recording could violate such protections;
- c. when directed to do so by a supervisor, applying the criteria outlined in section 4.5.
- d. Exception - Under exigent circumstances.
 - i. With the express consent of the person who is the subject of the recording.

4.7 A body-worn video is uninterrupted from the beginning of an incident until the time that the employee decides it is no longer necessary to continue recording.

4.8 A body-worn camera is prohibited for surveillance use, or for secretly recording audio and/or video.

5.0 Note taking and statements

- 5.1** A body-worn video does not replace proper note taking or reports. Recorded media is intended to supplement an employee's observations.
- 5.2** An employee is required to complete note taking and Subject Behaviour / Officer Response reports (original version), before reviewing the body-worn video.
- 5.3** If, after reviewing the body-worn video, an employee notices a detail that they had observed but not previously included in their notebook, they will add this detail to their notebook and clearly document that they made these notes after viewing the body-worn video.
- 5.4** A body-worn video should complement, but not replace, evidence from other sources, such as police officers, witnesses, or evidence that is normally captured by Forensic Identification Services.
- 5.5** A body-worn video does not replace existing requirements, procedures, or policy obligations, such as recording admissions, statements, or declarations.
- a. Formal statements are not recorded on a body-worn camera.
- 5.6** A body-worn video is available for review by any employee who was involved in an investigation, as supplemental to notes.
- a. An employee who is the subject of a code of conduct investigation, a public complaint, or any other legal proceeding where the events relating to that proceeding were recorded with a body-worn camera, is provided timely and fair access to their recording during that process.
 - i. An employee is allowed to share their recordings with a representative who is assisting them, or with their legal counsel.
- 5.7** If a body-worn camera fails to record an incident or a portion thereof, an employee will document the date, time, and reason for the non-recorded investigational information in their notebook.
- 5.8** When privileged information is known to have been captured by a body-worn camera, an employee documents the date and time of the recording in their notebook (without documenting the information itself) and reports it to their supervisor.
- 5.9** If an employee has recorded an individual who self identifies or is identified as a confidential informant or as someone who has been promised confidentiality, the employee is required to immediately notify the divisional body-worn camera coordinator and supervisor before offloading the body-worn video.
- a. The identity of a confidential informant is considered Protected "C", and information on this cannot be stored in the same way as other body-worn videos.

6.0 Digital evidence management and court disclosure

6.1 A body-worn video is appropriately tagged or classified at the time of recording for information management purposes.

6.2 If a body-worn video recording captures an incident that resulted in a court charge and could be used as evidence in court proceedings, appropriate procedures for disclosure are followed.

- a. If audio and/or video evidence related to a charge exists, the relevant portion of the original recorded data is disclosed to the Crown prosecutor.
- b. A body-worn video recording is not exported, downloaded, screen recorded, or otherwise shared for any purpose that is not related to an investigation or operational requirements.

6.3 A body-worn video disclosure is prepared in a format that is acceptable to the Crown and to the divisional unit.

7.0 Access to media or data

7.1 A body-worn video is retained in the approved Digital Evidence Management System.

7.2 A body-worn video that is not associated to an occurrence number or operational file is managed by the body-worn camera operator or their supervisor, and is placed in date order and grouped by calendar year in the Digital Evidence Management System

- a. Exception - Transitory information.

7.3 Requests for access to a body-worn video under the Access to Information Act and the Privacy Act can be submitted to the Access to Information and Privacy Branch web page.

- a. Requests for a body-worn video are processed in accordance with the corresponding legislation of the request.
- b. The employee who recorded the body-worn video which is being requested is provided with an automated notification of the release through the Digital Evidence Management System.

Clerk’s Annotation for Official Policy Book	
Date of Adoption: April 9 th , 2026	
I certify that this ‘Body Worn Camera Policy’ was adopted by Council as indicated above.	
Town Clerk:	Date: