



# 2020 BODY WORN CAMERA EVALUATION REPORT

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## Body Worn Camera Evaluation Report

Executive Summary.....	3
Introduction.....	11
Evaluation Purpose.....	11
Evaluation Scope.....	11
Evaluation Context & Limitations.....	12
Evaluation Methodology.....	13
Background.....	15
BWC Implementation (December 2017 – April 2019).....	15
BWC Operations (May 2019 – present).....	15
BWC & ICDV Governance Committee (Established December 2020).....	16
Axon Body 3 Implementation (Anticipated Q2 2021).....	17
Process Evaluation: How well are BWC operations working?.....	17
BWC Inventory Management.....	17
BWC Training.....	19
BWC Activation & Recording.....	21
Video Management.....	25
Video Access.....	27
Video Disclosure.....	28
Outcomes Evaluation: What is the impact of BWC?.....	31
Citizen Impact.....	31
CPS Impact.....	35
Justice System Impact.....	44

## Executive Summary

In April 2019, the Calgary Police Service (CPS) fully implemented the Body Worn Camera (BWC) project for patrol and traffic members. An evaluation of the BWC project was conducted June – November 2020 to assess the first year of BWC operations, impact on key stakeholder groups, and baseline measures such as complaints against officers and use of force incidents.

An evaluation of CPS In-Car Digital Video (ICDV) operations was also conducted and findings are presented in a separate report.

### Summary of Evaluation Results

- BWC touches many units, sections, and processes within CPS. It requires many staff and resources that are dedicated to implementing an extremely complex system, and costs \$5 million annually to operate (includes hardware, software licensing, staff, etc.).
- BWCs are accepted, supported, and valued by all internal and external stakeholders, including citizens, CPS officers, CPS investigative units, CPS Professional Standards Section (PSS), Crown Prosecutors, and the Alberta Serious Incident Response Team (ASIRT).
- BWCs are perceived to improve public trust and confidence in CPS.
- The number of use of force incidents declined in the year after BWC implementation.
- There was a slight increase in the number of formal complaints (citizen and internal) against CPS officers in the year after BWC implementation. On average, complaint resolution time was reduced by half, with 84% of complaints resolved within three (3) months. Increased efficiencies are likely due to both the implementation of BWCs and process improvements made by PSS.
- BWC has evidentiary benefits for Crown Prosecutors and ASIRT:
  - Anecdotal feedback suggests enhanced Crown and court outcomes such as early case resolution and reduced court time.
  - ASIRT reports BWC video is instrumental to its investigations and demonstrates that officer conduct is appropriate in most cases.
- Officers say BWC has improved their professionalism and communication skills, that they use the camera as a tool to de-escalate high conflict interactions and think more carefully about how to respond to situations, including use of force.
- There are inconsistencies in training, policy, and practice that make it challenging to define, measure, and manage BWC compliance.

- Although officers are supportive of BWC use for its evidentiary benefits and power to efficiently resolve formal complaints, they are critical of how BWC video is used internally to discipline members. Perceptions of unfair accountability with how BWC is used by PSS and a lack of support from leadership externally on public issues has led many to say they have more stress and worry on the job, less trust in leadership, and has contributed to a reduction in morale.
- BWCs are identified as a tool that can improve transparency and accountability both internally and externally. However, it is unclear how:
  - CPS defines transparency and accountability; and
  - The processes or mechanisms by which BWCs will be used to achieve transparency and accountability outcomes.
- Like many other jurisdictions that have implemented BWCs, CPS experiences challenges to efficiently vet and redact private information from the volume of video sent for court disclosure and public Freedom of Information and Protection of Privacy Act (FOIP) requests.

## CPS Contributions to BWC Research & Literature

The research literature and the evidence base on the impact on BWCs is mixed<sup>1</sup> and the CPS evaluation findings contributes to this literature base. The following summarizes CPS's BWC evaluation findings within the broader literature.

✓ CPS findings are consistent with BWC literature    ✗ CPS findings are inconsistent with BWC literature    ? More data is required

Outcome area	What the literature tells us	CPS findings
<b>Officer complaints</b>	Officers wearing BWCs receive fewer reported complaints than do those that are not wearing the cameras.	✗ CPS findings inconsistent. CPS saw a slight increase in the number of complaints, but more data is needed to determine impact.
<b>Officer use of force</b>	Initial studies found significant reductions in use of force incidents while others show nonsignificant findings or no change.	✓ CPS findings show a reduction in use of force incidents. Continued data monitoring is recommended.
<b>Officer attitudes about BWCs</b>	Research indicates officers feel positive (or at least neutral) about BWCs, or they become more positive about them over time.	✓ CPS findings consistent. Most officers were positive or neutral about BWCs.
<b>Citizen behaviour</b>	Some studies found citizens to be less compliant when officers wear BWCs (more officer assaults, injuries, etc.); others found no significant differences.	? More research is needed to understand how BWCs impact citizen behaviour with CPS. Anecdotally, frontline members stated that BWC can impact/ de-escalate citizen behaviour.
<b>Citizen attitudes about BWCs</b>	Citizens support police agencies acquiring BWCs.	✓ CPS findings consistent. 95% of Calgary citizens agreed with the use of BWCs.
<b>Criminal prosecutions</b>	BWCs may increase detection and clearance of criminal investigations, as well as the rate of guilty pleas.  It is unclear how BWCs have impacted prosecutions of police (e.g. use of force trials).	? There is insufficient data to determine evidence quality and court outcomes resulting from BWC. It is recommended that CPS work with its external stakeholders to collect data on these outcomes.  Anecdotal feedback suggests enhanced Crown and court outcomes such as early case resolution and reduced court time.

<sup>1</sup> White, M. D., & Malm, A. (2020). Cops, cameras, and crisis: The potential and the perils of police body worn cameras. New York: NYU Press.

Outcome area	What the literature tells us	CPS findings
<b>Criminal prosecutions (cont'd)</b>		ASIRT reports BWC video is instrumental to its investigations and demonstrates that officer conduct is appropriate in most cases.
<b>Law enforcement organizations</b>	BWCs can support organizational learning.	? There is insufficient data to determine how officers, supervisors, and other internal stakeholders use BWCs to improve training and officer development.
	Officers fear that BWCs may further damage their relationships with supervisors and command staff or create a “robotic” culture among officers.	✓ CPS findings consistent. Officer perceptions of unfair accountability with how BWC is used by PSS and a lack of support from leadership externally on public issues has led many to say they have more stress and worry on the job, less trust in leadership, and has contributed to a reduction in morale.
	Some agencies found that BWCs led to an increased number of arrests but a decline in discretionary warnings, the former requiring more work than the latter.	? Out of scope for the 2020 evaluation. The impact of BWC on enforcement outcomes can be explored in future evaluations.
	Agencies saw reduced time to investigate complaints against officers, implying cost-savings.	✓ CPS findings consistent. On average, formal complaint resolution time was reduced by half, with 84% of complaints resolved within three months.
	There is little research on the impact of BWCs on disciplinary and accountability systems, such as on processes related to officer misconduct or officer-involved shootings.	? There are inconsistencies in training, policy, and practice that make it challenging to define, measure, and manage BWC compliance. It is unclear how CPS will use BWCs to achieve transparency and accountability outcomes.  More research is needed to develop accountability systems and measure its impact. The impact of BWC on accountability and transparency outcomes can be explored in 2021, including engagement with citizen advisory boards.

## Recommendations

The key opportunities for CPS to improve BWC operations and outcomes by formalizing learnings to date and implementing processes, policies, and/ or protocols to improve consistency, transparency, and accountability. Ongoing engagement and collaboration with all key BWC stakeholders, and annual BWC evaluation and reporting is recommended to monitor and communicate BWC impact and outcomes.

Using a best practice approach to risk management, the evaluation recommendations were organized by outcome area and prioritized based on level of risk and impact. Factors considered in this analysis include:

- Workforce: employee transitions, labour relations with unions and associations, workplace environment, culture, and morale.
- Organizational objectives: strategic, operational, compliance, and reporting goals.
- Community safety: citizen satisfaction, perception of and actual safety, citizen interactions, employee misconduct, and clearance rates.
- Legal & regulatory: compliance with legislation (including the Charter and Criminal Code), common law, trade agreements, contracts and memoranda of understanding, collective agreements, code of ethics and other professional standards.
- Infrastructure & assets: safety, security, and maintenance of organizational infrastructure and assets.
- Financial loss or costs.
- Business/ operations: business continuity, and the availability, maintenance and security of information.

#	Evaluation Recommendations	Priority
<b>Policy</b>		
7	Update the BWC Policy to reflect current training and practice, including any changes related to the Body 3 camera or other approved recommendations from this report. Ensure all changes align with the Privacy Impact Assessment and recommendations from the Privacy Commissioner of Alberta.	High
11	In consultation with Records & Evidence Management Section and Access & Privacy Section, PSS, Legal, or other BWC stakeholders, consider increasing the minimum retention period for videos to more than 13 months.	Low
12	Ensure all data storage, data security, and records retention schedules align with the Privacy Impact Assessment and recommendations from the Privacy Commissioner of Alberta.	Low
<b>Process Improvements</b>		
21	Dedicate CPS resources to identify, vet, and redact all BWC for disclosure to reduce the workload on frontline officers, improve vetting consistency, and reduce risks related to the release of private information. Should dedicated resources not be available to complete all BWC vetting requirements for disclosure, officers will need consistent training, resource material, and quality assurance processes (e.g. supervisor audits) to ensure vetting requirements are completed.	High

#	Evaluation Recommendations	Priority
19	In collaboration with the Crown, continue to review disclosure process for opportunities to increase efficiency and consistency. Develop a CPS BWC disclosure SOP and/ or a standardized BWC disclosure template that organizes all components included in disclosure package (e.g. identifies each BWC video and to which officers they belong).	High
16	In collaboration with the Court & Disclosure Unit (CDU), BWC team, Media Disclosure Team (MDT), Digital Video Evidence Team (DVET), and major case management teams/ units, such as the Homicide Unit, develop a Standard Operating Procedure (SOP) that details how BWC evidence will be consistently shared, managed, organized, stored, vetted, and disclosed to the Crown.	Medium
18	Collaborate with Axon to make Media Disclosure Team improvements to Evidence.com.	Low
<b>Expand BWC Operations</b>		
2	Develop formal application process for all interested CPS units, teams, sections, or functions to acquire BWCs. This may include developing an application template that outlines all necessary criteria the unit must consider (e.g. fit with BWC Policy rationale, CPS organizational needs and risk, legal and/ or privacy concerns, vetting and redaction requirements, etc.). Invite all interested units to submit a decision request for the BWC Governance Committee. The criteria for approval and results of the decision request should be communicated to the Service to support consistent understanding of BWC Policy and practice.	High
3	Designate a pool of BWC to be available via the Real Time Operations Centre (RTOC) for officers in areas that are not issued BWC to use during Search Warrants or similar events where it would prove valuable. This would require implementing a BWC assignment process to ensure all videos are uploaded are linked with the appropriate metadata in Evidence.com for evidentiary and compliance monitoring purposes.	Medium
<b>Training, practice, and policy alignment</b>		
1	Publish, update, and/ or organize resource material on <a href="http://mycps/bwc/">http://mycps/bwc/</a> to further support user awareness, understanding, and practice. Include information on Axon Body 3 camera functions, camera battery best practices and troubleshooting, Evidence.com features, court disclosure, notetaking, and preparing for trial. This may include instruction guides, FAQs, cheat sheets, video tutorials, etc. The website can serve as a one-stop-shop for all information on BWC for recruits, officers returning to the frontline, current BWC users, and internal stakeholders.	Medium
4	Update training materials to reflect any relevant changes related to the Body 3 upgrade, or changes made to policy, process, SOPs, etc. as recommended and approved from this evaluation.	Low
5	Consider moving BWC earlier in Recruit Curriculum to give recruits more scenario-based exercises to build muscle memory, as well as an opportunity to have hands on experience with the camera's features and software. Implications and risks for retaining and/ or disclosing videos recorded during recruit training must be considered before making any changes.	Low



#	Evaluation Recommendations	Priority
6	Implement a train the trainer model for BWC within districts. This could involve providing District Training Officers (or another role/ function within districts) with content and messaging to provide ongoing training and support to BWC users. This would complement the training provided by the BWC team and extend the reach and consistency of BWC information.	Low
<b>Accountability</b>		
8	Clearly define BWC compliance in BWC Policy and/ or other documentation. Clearly communicate expectations and consequences to BWC users through multiple methods.	High
14	In collaboration with the Executive Leadership Team (ELT), the district chain of command, and PSS, communicate the complaint investigation process, expectations, and consequences to officers. Ensure messaging is clear and consistent to educate officers and dispel rumours and/ or misperceptions on how PSS uses BWC video in its investigations.	Medium
9	Develop and implement BWC compliance monitoring and accountability protocols to address noncompliance. Develop data and measurement strategies to monitor, manage, and report on BWC compliance annually. Develop a BWC dashboard or reporting function in Evidence.com for Sergeants to monitor their officers' compliance and a protocol to address compliance issues through the district chain of command.	Medium
13	Develop process for Access & Privacy to track, monitor, and report FOIP requests that require BWC and other relevant data. This information can be used to support current work planning and resource requirements.	Medium
24	Review all BWC data collection processes and systems (including PSS and Subject Behaviour Officer Response (SBOR) report fields and data entry practices) to ensure CPS has the data needed to accurately and reliably report on BWC outcomes. Three to five years of quality, consistent data is required to understand any correlational impact of BWC on formal complaints or use of force.	Medium
25	Continued change management and/ or officer engagement on how CPS uses BWC to achieve internal and external accountability outcomes. This may be positioned within recent communications on CPS "disciplined culture" and must take into consideration the impact on officer trust, morale, and BWC compliance. Collaborate with PSS and district chain of command to provide consistent, clear messaging about BWC expectations, consequences, and processes for performance management.	Low
17	Implement a video access audit process to ensure policy compliance.	Low
23	Evaluate the BWC program annually to monitor and report on BWC Policy objectives and outcomes. This may involve developing a multi-year evaluation framework and/ or reporting plan that identifies key performance metrics, evaluation resources, stakeholder engagement schedule, stakeholder outcome data development, etc.	Low
<b>Transparency</b>		
22	Update the CPS BWC website to inform citizens on the BWC program, including plain language information on which officers are equipped with BWCs, when officers turn on/ off BWC, how officers are held accountable for BWC compliance and any misconduct identified on BWC video, privacy	Low

#	Evaluation Recommendations	Priority
	considerations, citizen rights regarding FOIP, and CPS Policy for public release of video. Ensure the website is updated regularly as information changes.	
<b>Partnerships</b>		
20	Continued collaboration with the Crown around responsibility, liability, risk mitigation, and long-term solutions for video vetting, redaction, and disclosure.	Low
10	Due to high staff turnover at Alberta Health Services (AHS), continued collaboration with AHS is required to educate AHS staff about the use of BWC at AHS facilities. This may include regular presentations at AHS facilities or produce content for AHS to post internally (e.g. videos, FAQs, etc.).	Low
26	Explore opportunities with the Crown and/ PSS or academic partners to record, track or measure the impact BWC has on court outcomes, including BWC impact on prosecution against private citizens and police officers.	Low
<b>Performance Management</b>		
15	In collaboration with Access & Privacy, determine whether the BWC Privacy Impact Assessment allows for BWC videos to be used for performance management. If so, engage the Court & Disclosure Unit, BWC team and the district chain of command to develop a process for supervisors to access BWC video for performance management, professional development, or opportunities to inform training and/ or organizational learning.	Low

### Next Steps

In December 2020, the BWC & ICDV Governance Committee was established to provide strategic oversight and direction for all BWC and In-Car Digital Video operations at CPS. The Governance Committee will take a unified and proactive approach to communicating evaluation results and actioning evaluation recommendations in 2021. This includes developing an Action Plan to coordinate BWC program improvements and regular reporting on implementation progress. To date three of the five high risk recommendations are in progress; recommendations #7, 21 and 2.

## Introduction

### Evaluation Purpose

On July 1, 2018 CPS started its Proof of Concept for the Body Worn Camera (BWC) project, in which 100 frontline, uniformed personnel were equipped with BWCs. After the successful testing of the system, BWCs were fully implemented across the frontline service in April 2019, with 1,151 devices in total.

The purpose of BWCs is to support CPS officers in the execution of their statutory and common law enforcement and policing duties, in balance with the privacy rights of individuals. BWC deployment at the CPS is guided by five key policy objectives:

1. Enhancing transparency, public trust, and confidence;
2. Enhancing officer accountability and professionalism, and provide real-life training examples;
3. De-escalating situations and reducing incidences of the use of force by and against the police by affecting the behaviour of individuals who are aware of the recording in-progress;
4. Protecting officers from unfounded allegations of misconduct and increase the efficiency of resolution of complaints against the police; and
5. Improve evidence collection, documentation, and prosecution, including early-case resolution.

The main goals of the evaluation are to:

- Report back on the policy objectives for BWC use in the CPS.
- Improve BWC operations at the CPS.
- Communicate BWC outcomes and impacts to the public, the CPS, the Calgary Police Commission (CPC), and other stakeholders.

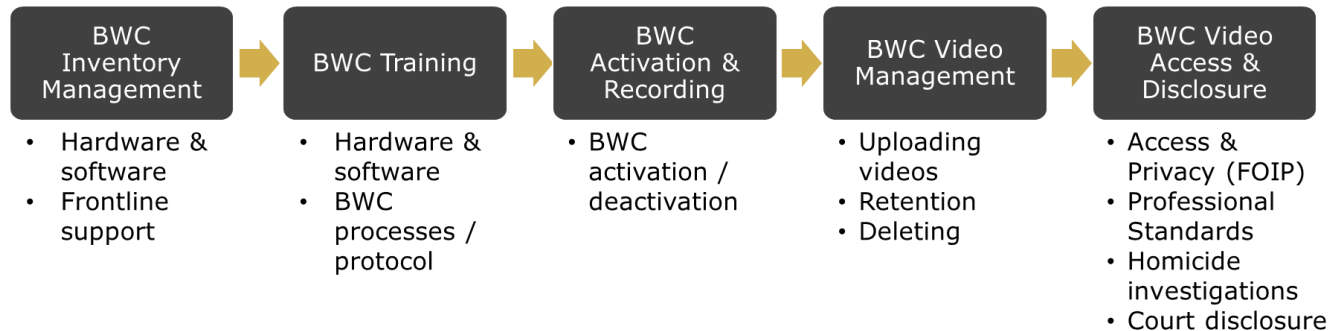
### Evaluation Scope

Due to available evaluation resources and the complexities of BWC operations, which involve many units, sections, and processes, the evaluation focused on breadth over depth. This evaluation provides an overview of the first year after implementation to determine opportunities for improvement, inform high level strategic direction for BWC operations, and communicate impact of BWC to date.

The evaluation was designed to assess both BWC operations process and impact.

Process Evaluation: How well are BWC operations working?

Each component of the BWC operations process was evaluated including BWC inventory management, BWC training, BWC activation and recording, BWC video management, and BWC video access and disclosure.



Impact Evaluation: What is the impact of BWC?

The evaluation examined the perceptions and/ or impact of BWCs for three stakeholder groups: citizens, the CPS, and the justice system.



**Citizens**

- Public opinion of BWCs
- Perceptions of trust in CPS; CPS transparency & accountability



**CPS**

- Increased officer professionalism
- Reduce complaints and resolution time
- Reduce use of force incidents
- Officer experience



**Justice System**

- Impact on court cases
- Impact on ASIRT investigations

**Evaluation Context & Limitations**

Data Considerations

Each CPS team, unit, or section that works with BWC has independently developed its own data management processes and systems. As such, data is available for different timeframes based on when the unit started tracking information. Data quality, reliability, and validity was assessed for all data sources and the best data available is presented in this report.

Officer Engagement

The evaluation did not review any videos recorded by officers or the specific conduct of any individual officer as it relates to BWC.

Although 70 officers took part in the engagement sessions for the interviews – and their feedback was generally consistent across districts and interview methods – the findings may not represent the perspectives of all CPS officers. Ongoing officer engagement on BWCs is recommended to ensure the continued success of the program.

### Context in Policing During Data Collection

The evaluation includes information collected during spring 2020 when Calgary was under a public health state of emergency due to COVID-19. The full picture of the socio-economic impacts of COVID-19 on CPS data trends is not yet fully understood. Police responded to fewer calls for service at the onset of the pandemic and the types of calls for service shifted, where police were less likely to respond to criminal issues and were more involved in responding to disorder concerns and assisting in the education and compliance with COVID-19 public safety orders. In addition, CPS redeployed officers to the frontline during COVID-19, many of whom were not originally outfitted with BWCs.

The evaluation project was also launched in June 2020, following the death of George Floyd in Minneapolis, MN, the resulting global protests against police brutality, and calls to defund the police. On June 16, 2020 Calgary City Council passed an anti-racism notice of motion and CPS presented its Anti-Racism Action Plan on September 10, 2020. BWC Evaluation focus groups with frontline officers began the week of September 14, 2020.

COVID-19, police use of force, anti-racism, and defund the police discourse characterized some of the comments about the Service, CPS leadership, and the implications for using BWC in a social and political context where officers are under intense public scrutiny.

For quantitative analyses of use of force incidents and complaints against police officers, the evaluation limited data analysis to one-year pre-BWC implementation and one-year post-BWC implementation to minimize potential confounding data impacts of COVID-19 and anti-racism movements.

### Other Limitations

Due to constraints in evaluation resourcing and timelines, broad engagement with citizens, community groups (e.g. Chief's Advisory Boards), and Defence counsel (e.g. Criminal Trial Lawyers' Association) was not completed. These stakeholders should be engaged to provide feedback for the 2021 BWC evaluation.

### **Evaluation Methodology**

The BWC Evaluation was conducted June – November 2020. The evaluation focused on BWC operations as of May 1, 2019 and includes qualitative and quantitative data collected through November 2020. More detail about the evaluation methodology is available by request.

Information was collected and analyzed from the following:

- Interviews with internal and external stakeholders (n=41):

Internal CPS Stakeholders

- Access & Privacy Section
- Chief Crowfoot Learning Centre (CCLC)
- Court & Disclosure Unit (CDU)
- Digital Video Evidence Team (DVET)
- Driver Safety & Compliance
- Homicide Unit
- IT Technical Services
- Legal Services
- Media Disclosure Team (MDT)
- Patrol District Traffic Section Commanders
- Procurement & Asset Management Unit
- Professional Standards Section (PSS)
- Public Affairs/ Media Relations Unit
- Records and Evidence Management Section (REMS)

External Stakeholders

- Alberta Health Services (AHS)
- Alberta Crown Prosecution Service (ACPS)
- Alberta Serious Incident Response Team (ASIRT)
- Calgary Police Association (CPA)
- Calgary Police Senior Officers Association (CPSOA)
- Public Prosecution Service of Canada (PPSC)

- Eight (8) focus groups and four (4) small group interviews with 70 patrol members
- BWC administrative data analysis and document review:
  - Inventory management data
  - Training data and documents
  - BWC Policy, operations, and procedure documents
  - BWC video storage data
  - BWC video access requests data
  - Media disclosure data
  - BWC redaction review data
- Calgary Police Commission Citizen Satisfaction Report 2020, BWC results
- Data analysis of formal complaints against CPS officers
- Use of force data analysis

Where available, quantitative data will be included in each section of this report. Detailed stakeholder and officer qualitative data is summarized in this report using the following notations:

- ✓ Positive feedback, strengths, pros, etc.
- ♦ Neutral or mixed feedback
- ✗ Negative feedback, weaknesses, cons, etc.

## Background

### **BWC Implementation (December 2017 – April 2019)**

The BWC implementation project began in December 2017 and included an initial 100 camera proof of concept rollout to test whether the Axon BWC system would be successful for CPS. The proof of concept began August 2018 and lasted approximately three (3) months where it was deemed a success. Full rollout of 1,000 cameras was approved in November 2018 and implementation took place December 2018 – April 2019. A Privacy Impact Assessment was completed in January 2019 to identify risks and mitigation strategies related to BWC and the recording of private information.

As of April 16, 2019, patrol and traffic members were issued a personal camera and received a full day of on-site training. After full rollout was complete, CPS added 50 additional cameras to cover breakage and manage inventory for staff transitions to and from frontline positions. CPS also purchased a camera for IT testing which was returned to the program for a total inventory of 1,151 active cameras.

Implementation required IT infrastructure upgrades to handle increased data transfer volumes between districts and Westwinds and from Westwinds to Axon's servers. Power and wiring upgrades were also required in most district offices to support camera docking stations.

### **BWC Operations (May 2019 – present)**

The BWC program is delivered and maintained by the BWC team, who are the BWC subject matter experts and stewards for the Service. The BWC team manages the BWC inventory and logistics, develops and provides training and support to frontline BWC officer users, and supports the collection and distribution of digital evidence.

All uniformed patrol officers are equipped with a BWC (1,126 officers at the time of reporting). Officers are responsible for activating and deactivating their cameras while on duty and classifying videos with the appropriate information. There are specific reporting requirements for contacts involving use of force or when the BWC is deactivated. Officers

are required to take original notes at all incidents according to the Notebooks Policy, but they may make supplementary notes after viewing the BWC video.

District Sergeants are responsible for monitoring compliance with BWC Policy for all officers under their supervision. They must review all available BWC recordings from all attending officers for use of force incidents and complete the supervisor's portion of the Subject Behaviour Officer Response (SBOR) report.

Access to the Evidence.com BWC video storage application is restricted according to BWC Policy. Only the officer and their direct supervisor can access an officer's videos and all other users must gain the permission of the officer. The officer's supervisor or BWC team may also grant access to an officer's video if the officer is unable to do so themselves (e.g. on days off, annual leave, etc.). Internal stakeholders (e.g. Access & Privacy or Professional Standards Section) must submit a video access request form to the BWC team. All access to BWC video is automatically captured and tracked in Evidence.com's audit log, which includes users' regimental number, and time and date of access.

When a BWC video is required for disclosure, the officer will indicate on Evidence.com whether the video requires vetting (i.e. contains private and/ or confidential information to be redacted). The Media Disclosure Team (MDT) is responsible for the conversion and editing needs of digital media for court-ready evidence and court disclosure (i.e. all video and audio files from CCTV, In-Car Digital Video (ICDV), 911, HAWCS, etc.). The MDT will complete any required redaction editing as identified by the officer and send the video to disclosure.

Shortly after full implementation of the BWC program, the Crown indicated that personal identifying information was not being redacted in some cases. Although the Crown is responsible for disclosure, it does not have the resources to do video redaction. This creates the potential for personal identifying information to be shared with defense and/ or played in court, which could place victims and witnesses at risk.

The BWC project implementation team recommended that 20 staff be dedicated to BWC vetting and redaction. To date, CPS has staffed a team of seven (7) through permanent and accommodated sworn members. The Digital Video Evidence Team (DVET) is currently utilized as a short-term solution to review a percentage of videos disclosed to court and identify redaction issues.

### **BWC & ICDV Governance Committee (Established December 2020)**

In December 2020, the BWC & ICDV Governance Committee was established to provide strategic oversight and direction for all BWC and In-Car Digital Video (ICDV) operations at CPS. The Governance Committee will identify the impact, risks and opportunities of any



changes regarding the BWC program and will take a unified, proactive and coordinated approach to actioning any recommendations that are approved from this report.

### **Axon Body 3 Implementation (Anticipated Q2 2021)**

CPS will receive the Axon Body 3 camera in 2021. This camera has all the functionality of the Body 2 camera, but smaller in size and increased battery life. Software upgrades are available for purchase, including GPS tracking, automatic gunshot detection and activation, and livestream capabilities.

Implementation of the new model will be complex as all hardware must be changed over (including all cameras, mounts, and docking stations) without impacting operations. The BWC team will collaborate with IT Technical Services to complete testing and roll out of the new models with expected completion by Q2 2021.

## **Process Evaluation: How well are BWC operations working?**

This section will summarize results and recommendations for each component of BWC operations.

### **BWC Inventory Management**

BWC hardware is managed by the BWC team and licenses to access the Evidence.com software is supported by IT Technical Services. As of November 2020, there were 1,126 cameras assigned to frontline officers, with 24 cameras in reserve. To date, Axon has replaced 91 cameras (approximately 8% of inventory) at no additional cost to CPS.

There are two license tiers for the Evidence.com software:

- **Basic:** Assigned to support roles. Features are limited to uploading evidence, viewing reports or other metadata. CPS has 200 licenses available; 148 (74%) are currently assigned.
- **Professional:** Assigned to user roles. Features include uploading and sharing evidence, editing tools, and other advanced functions. CPS has 1,400 licenses available, and 1,327 (95%) are currently assigned.

<b>BWC Inventory (Nov 2020)</b>	
# Cameras assigned/ total	1,126 / 1,151
# (%) Replaced cameras	91 (8%)
# Professional licenses assigned/ total	1,327 / 1,400
# Basic licenses assigned/ total	148 / 200

## Results

Analysis of inventory management protocols indicate that the BWC team successfully controls BWC inventory. The BWC team has effectively outfitted 1,126 users with cameras, regularly audits usage, and initiated a collaborative process with Human Resources (HR) to better manage inventory for staff transitions.

Currently, only uniformed patrol and traffic officers are authorized to use BWC. Several specialized units have requested to be outfitted with BWC such as the Police and Crisis Team (PACT), Canine, Tactical, School Resource Officers, etc. Expanding the use of BWCs requires the consideration of each unit's unique privacy, legal, video management, reporting, disclosure, policy, and financial issues that must be addressed before CPS can approve its use.

### *Stakeholder Feedback*

- ✓ Cameras are easy to use.
- ✓ Evidence.com software is user friendly.
- ◆ Not all officers are aware of system features and functions (e.g. camera marker button, camera stealth mode, Axon Citizen, Evidence.com case management, and mapping functions).
- ◆ Camera activation is sensitive and can be inadvertently turned on/ off in physical altercations, brushing up against objects, or using certain types of gear.
- ◆ Camera mount can be unreliable when using certain types of gear or in certain situations (e.g. physical altercations may knock camera off mount).
- ◆ The BWC team and MDT report inconsistencies across frontline officers for labelling and categorizing BWC videos. This may result in difficulties finding videos for investigations and disclosure and may trigger the wrong evidence retention schedule.
- ◆ District Commanders noted delays in outfitting redeployed officers during COVID-19. Many would like to expand BWC use throughout the district and have all officers who interact with the public issued a BWC (e.g. front counter, pay duty, and redeployed officers).
- ◆ PSS relayed an incident where the Domestic Conflict Unit (DCU) executed a search warrant, with patrol members in attendance for assistance. The subject of that warrant filed a PSS complaint. The patrol officers had their BWC on and PSS was able to refute all but one of the allegations, with clear evidence captured on BWC. PSS recommends that BWCs be made available to officers conducting search warrants in order to have more complete video evidence to address complaints or other investigative purposes.

- ✘ Camera battery does not last more than 10 hours with regular recording. Some officers are concerned that a BWC will be dead/ die during a serious incident or fail to capture necessary evidence for investigations.

### Recommendations

1. Publish, update, and/ or organize resource material on <http://mycps/bwc/> to further support user awareness, understanding, and practice. Include information on Axon Evidence.com features, court disclosure, notetaking, and preparing for trial. This may include instruction guides, FAQs, cheat sheets, video tutorials, etc. The website can serve as a one-stop-shop for all information on BWC for recruits, officers returning to the frontline, current BWC users, and internal stakeholders.
2. Develop formal application process for all interested CPS units, teams, sections, or functions to acquire BWCs. This may include developing an application template that outlines all necessary criteria the unit must consider (e.g. fit with BWC Policy rationale, CPS organizational needs and risk, legal and/ or privacy concerns, vetting and redaction requirements, etc.). Invite all interested units to submit a decision request to the BWC & ICDV Governance Committee. The criteria for approval and results of the decision request should be communicated to the Service to support consistent understanding of BWC Policy and practice. \*\*Currently in progress by CDU and the BWC team.\*\*
3. Designate a pool of BWCs to be available via the Real Time Operations Centre (RTOC) for officers in areas that are not issued BWC to use during Search Warrants or similar events where it would prove valuable. This would require implementing a BWC assignment process to ensure all videos uploaded are linked with the appropriate metadata in Evidence.com for evidentiary and compliance monitoring purposes.

### **BWC Training**

All officers who were issued a BWC during the implementation period received training on BWC. Recruits learn about BWC in week 20 of their 27-week program. Officers who are returning to the frontline must take part in a training session offered by the BWC team, which occurs one to two times per month, depending on demand. Since August 2019, the BWC team has completed 15 of these training sessions and have trained 92 Constables who are returning to the front line.

Learning objectives for BWC include:

- Introduction to BWC implementation
- Review of BWC Policy

- Privacy considerations
- Officer responsibilities for hardware and software use
- Court disclosure and vetting
- Officer testimony in court

### *Stakeholder Feedback*

- ✓ General officer feedback is that the training is good and/ or sufficient.
- ♦ Some officers mentioned having difficulty retaining all the information from training. This was particularly the case for officers that had a large gap between training and practice as they had forgotten some details once they started using the cameras. Many officers said that they don't regularly disclose evidence to the Crown and have difficulty remembering when and what to vet for BWC video.
- ♦ Some officers mentioned that they relied on their team members or other superusers within their district if they had questions about BWC. This may be contributing to mixed messaging about BWC Policy and processes.
- ♦ Officers who had taken the training as new Recruits said they would like the training to be earlier in the program so they could have more practice using the BWC in different scenarios and improve muscle memory.
- ✗ Officers report mixed messaging on BWC activation and deactivation. During implementation training, officers were given the BWC Policy to inform their use, which some officers interpreted as having discretion on using their camera. Many officers said the current messaging in training is to use their cameras for every interaction. Implications for activation will be discussed in the following section on BWC Activation & Recording.

### Recommendations

4. Update training materials to reflect any relevant changes related to the Body 3 upgrade, or changes made to policy, process, SOPs, etc. as recommended and approved from this evaluation.
5. Consider moving BWC earlier in Recruit Curriculum to give recruits more scenario-based exercises to build muscle memory, as well as an opportunity to have hands on experience with the camera's features and software. Implications and risks for retaining and/ or disclosing videos recorded during recruit training must be considered before making any changes. \*\*Currently in progress by the Chief Crowfoot Learning Centre (CCLC).\*\*
6. Implement a train the trainer model for BWC within districts. This could involve providing District Training Officers (or another role/ function within districts) with

content and messaging to provide ongoing training and support to BWC users. This would complement the training provided by the BWC team and extend the reach and consistency of BWC information.

### **BWC Activation & Recording**

CPS BWC Policy (Ref #IN-007-1) outlines officer responsibilities for activating and deactivating the camera. Section 5.4 provides the following detail:

*Use a BWC whenever the information gathered will support the [policy objectives from page 11 of this report], and specifically:*

- *In circumstances where an arrest or detention is likely to result;*
- *During an arrest and detention;*
- *When providing a Charter and Caution;*
- *When issuing a legal demand such as a breath demand;*
- *Where use of force is possible;*
- *Where a charge is being laid; or*
- *Where the BWC may assist in de-escalating a situation by affecting the behaviour of individuals who are aware of the recording in-progress.*

### Results

Measuring BWC activation compliance is challenging due to many factors:

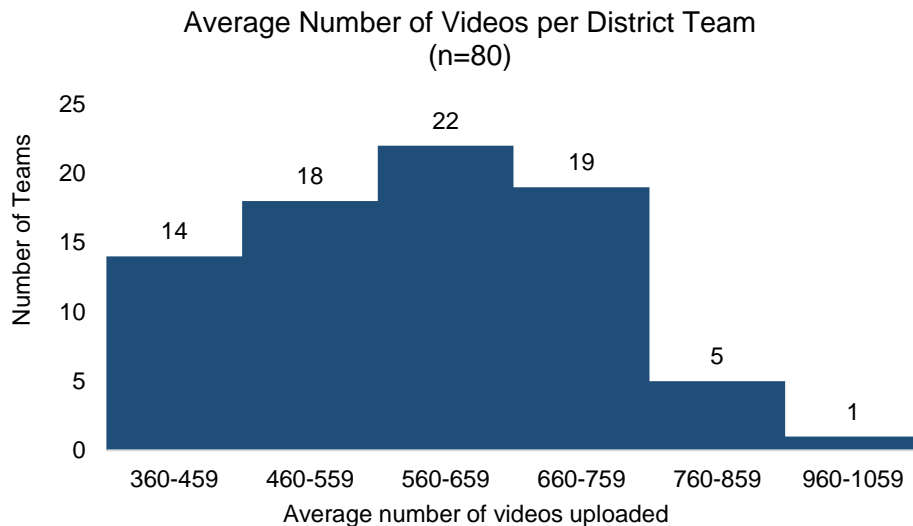
- The policy outlines a range of objectives and circumstances for activation that makes it challenging to define compliance in a way that can be simply measured for 1,126 users.
- CPS data systems are not integrated, and resources are not available to link the data required for analysis. Measuring compliance requires identifying a valid denominator to indicate the total interactions in which an officer should have turned the BWC on (e.g. call data from CAD or contact data from Sentry) and then matching the data with the video upload data from Evidence.com.
- The change in messaging from implementation training to current training, and mixed messaging within districts may have led to officer variations in understanding when they should activate the BWC.

With these limitations in mind, in fall 2019 the BWC team completed an analysis of Evidence.com video upload data and InTime shift schedules to identify users who were working the frontline and had fewer than average BWC video uploads. This analysis found that 94% of users were regularly using their BWC, suggesting that 6% of officers were

noncompliant. This measure will be used as a proxy for BWC compliance until a more accurate indicator can be developed.

As indicated, officers may have different understandings on when to use the BWC. From January 1 – November 16, 2020, district officers uploaded an average of 587 videos per BWC. When looking at the district team level, there is a significant range in the number of videos uploaded per team, from an average low of 366 videos uploaded per officer to a high of 1,003 videos. The chart below shows the distribution of average uploads per officer, with 22 teams uploading around the average of 587 per officer, 25 teams uploading more than average, and 32 teams uploading less than average.

<b>BWC Activation &amp; Recording</b>	
Compliance rate (n=1052; Oct/ Nov 2019)	94%
Total average # of videos <u>per officer</u> (n=811; Jan 1 – Nov 16, 2020)	587
Range of average # of videos <u>per officer, per team</u> (n=80; all districts)	366 – 1,003



*Stakeholder Feedback*

The variation in the video uploads across teams reflects what was heard from frontline members about how they use their cameras.

- ✓ Generally, officers want to use the camera as often as possible. BWC is perceived to be a valuable evidentiary tool, supports de-escalation, and protects officers from vexatious or unfounded complaints.

- ✓ Commanders report very few cases where members refuse to use the BWC altogether and say that most members are using it as often as they can.
- ✓ The BWC team has worked closely with Alberta Health Service (AHS) to educate their management and staff about how CPS uses BWC in AHS facilities and policies for evidence storage, vetting, and redaction. This collaboration has made AHS confident that CPS will protect any private information collected through BWC in AHS facilities.
- ◆ Human error remains an issue. Some officers say they are still building the muscle memory to consistently activate the BWC (particularly officers who have recently returned to the frontline or those with longer tenure who are building new habits). Other officers say that they forget to turn the BWC on when responding to dynamic calls. Most report they turn on the BWC as soon as they remember but are worried that they turn it on at the wrong time/ too late.
- ◆ Officers report differences in when they activate the BWC, based on their understanding of policy, training, and practicality of use:
  - Every in-person interaction
  - Every call
  - Even citizen contact, including phone calls
  - Only when the situation escalates
  - Officer discretion
- ◆ Some officers report that the BWC battery life does not allow for recording all interactions during a shift, particularly if the shift goes into overtime or if there are lengthy calls that require continuous recording (e.g. impaired drivers, domestic conflict incidents, etc.).
- ◆ Some Commanders report officers' discretionary use of BWC. Some said more experienced officers are assessing the situation and then turning on the camera when required. For Beats and Bikes, they are not activating their camera for each interaction as they are "walking and talking all the time, and could have a quick conversation, or something that can be elevated."
- ◆ Officers report uncertainties about when to deactivate in certain circumstances and what to say when deactivating the BWC so as not to be perceived as deceptive. These situations include:
  - Interacting with victims, offenders, citizens
  - In medical facilities
  - Discussing police tactics
  - Debriefing with partner/ team

- ✘ Officers may be using the BWC in prohibited situations. The BWC Policy outlines these situations, including interactions with Confidential Informants (CIs). Engagement with the Crown revealed that a CI was burned through a BWC recording in which the CI was identified on BWC, the BWC was not deactivated, and the recording was not vetted to remove the CI's information.
- ✘ Some Commanders said that the BWC Policy is unclear or open to interpretation. This leads to confusion on when and how to use BWCs, producing a "fear of unfair accountability." One Commander described a case where they did not serve an official warning because the interpretation of the policy "could not clearly demonstrate that the officer was justified in their use of the BWC."
- ✘ The BWC Policy and district Commanders indicate district Sergeants are responsible for ensuring officers under their supervision are using the BWC according to policy. Many Sergeants were in acting roles at the time of engagement and were unaware of their responsibilities for BWC compliance. Other Sergeants mentioned that beyond looking up each officer's video uploads on Evidence.com there is no simple and efficient mechanism to monitor or manage officer compliance.

### Recommendations

7. Update the BWC Policy to reflect current training and practice, including any changes related to the Body 3 camera or other approved recommendations from this report. Ensure all changes align with the Privacy Impact Assessment and recommendations from the Privacy Commissioner of Alberta. \*\*Currently in progress by CDU and the BWC team.\*\*
8. Clearly define BWC compliance in BWC Policy and/ or other documentation. Clearly communicate expectations and consequences to BWC users through multiple methods.
9. Develop and implement BWC compliance monitoring and accountability protocols to address noncompliance. Develop data and measurement strategies to monitor, manage, and report on BWC compliance annually. Develop a BWC dashboard or reporting function in Evidence.com for Sergeants to monitor their officers' compliance and a protocol to address compliance issues through the district chain of command.
10. Due to high staff turnover at AHS, continued collaboration with AHS is required to educate AHS staff about the use of BWC at AHS facilities. This may include regular presentations at AHS facilities or producing content for AHS to post internally (e.g. videos, FAQs, etc.).



## Video Management

All videos recorded on BWCs are uploaded and stored on Evidence.com. Internal stakeholders report it is an extremely robust, secure, and user-friendly system. CPS's Records Retention Schedule dictates the retention period for all case file information; BWC videos comply with these retention periods which are automated based on the record series (major case file, minor case file, etc.) assigned by the BWC user after recording. At minimum, all videos are retained for a minimum of 13 months, including videos that are not categorized. However, once a retention period has been assigned that video is retained for that designated time; for example, major cases such as homicide, sex crimes, robbery etc. are retained permanently; minor cases, such as drugs, break and enter, criminal traffic, etc. are retained for 40 years; and non-criminal traffic case files are kept for 10 years.

As noted, videos that have not been categorized are deleted at the end of 13 months. When a video is scheduled to be deleted, the officer who recorded the video receives an email notification.

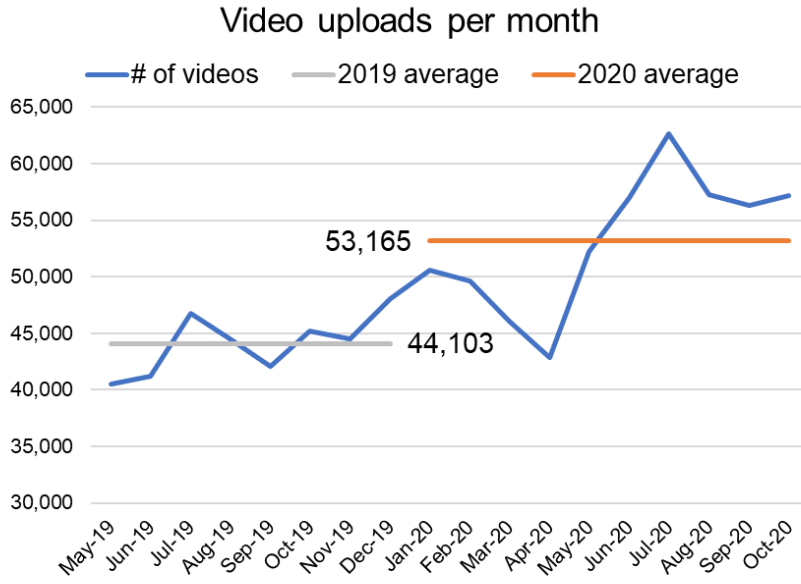
## Results

From May 2019 – Oct 2020, BWC users recorded 884,478 videos. This translates to 195,022 hours of video and 359,221 GB of data storage.

Monthly uploads have steadily increased since May 2019, with the monthly average increasing by 21% from 44,103 videos in 2019 to 53,165 videos in 2020. This indicates that officers are using BWCs more often.

Approximately half of all videos are uncategorized (52%) and one-third have been deleted since May 2019. Only 9% of videos were viewed before deleting.

Video Management	May 2019-Oct 2020
# of videos uploaded	884,478
Hours of videos	195,022
GB of videos	359,221
# (%) of uncategorized videos	460,217 (52%)
# (%) of deleted videos	285,734 (32%)
# (%) of videos viewed before deleting	25,037 (9%)



*Stakeholder feedback*

- ✓ Officers had no major challenges using the Evidence.com.
- ♦ Some frontline members and PSS staff were concerned that the 13 months is too short for minimum retention due to potential categorization errors or challenges finding the correct video. These stakeholders thought CPS might be losing evidence to support investigations or address PSS complaints. The Privacy Impact Assessment established the minimum at 13 months.

Recommendations

11. In consultation with Records & Evidence Management Section and Access & Privacy Section, PSS, Legal, or other BWC stakeholders, consider increasing the minimum retention period for videos to more than 13 months. \*\*In process by Records and Evidence Management Section.\*\*
12. Ensure all data storage, data security, and records retention schedules align with the Privacy Impact Assessment and recommendations from the Privacy Commissioner of Alberta.

## Video Access

All stakeholders understand that access to BWC video is controlled, tracked, and is subject to audit. Officers can access and share their BWC videos with internal and external stakeholders, while all other requests go to the BWC team. The Homicide Unit sends a request to the officer to share, which is then forwarded to an analyst who downloads the file to be reviewed for the investigation.

## Results

From January – October 2020, the BWC team received 450 requests from PSS and 83 from Access & Privacy to complete FOIP requests.

### *Stakeholder Feedback*

- ✓ Frontline members access their videos to share with investigations, for disclosure, or to prepare for court.
- ✓ The Homicide Unit reports that images/ video captured on BWC can be crucial to moving a homicide investigation forward. BWC captures witness information, potential suspects, and crime scene details that investigators can review as soon as the video is uploaded.
- ◆ Commanders would like access to their members' videos for performance management and professional development opportunities but understand the need to limit access to maintain officer trust and reduce the risk of video viewers being subpoenaed.
- ◆ Anecdotally, the Access & Privacy Section report that only 5% of FOIP requests had BWC footage in 2019. In 2020, 60-70% of all requests had BWC footage, which increased workload due to video vetting and redaction requirements. The section is currently managing the increased workload through overtime and estimate one more FTE staff is required to meet current demand. Additional resources may be required should workload increase.
- ◆ PSS would like to streamline access to video to improve the efficiency of the complaint investigation. Currently all requests must be approved by a supervisor, which may cause delays in PSS Intake Coordinators receiving BWC video.
- ◆ The Homicide Unit reports that it can be difficult to determine which officers attended the scene with BWC. Specifically, investigators report inconsistencies with video titling and information on who has vetted the video, reviewed the vetting, and downloaded the file. All evidence captured with BWC must be reviewed in an investigation and the process to access, manage, review, and document the volume of BWC video is challenging.

- ◆ Some frontline members still think that PSS has unrestricted access to BWC videos and go on “fishing trips.” As indicated, PSS can only access specific videos in response to an internal or external complaint. Evidence.com logs all video activity and regular audits would confirm PSS access to videos is compliant with policy.

### Recommendations

13. Develop process for Access & Privacy to track, monitor, and report FOIP requests that require BWC and other relevant data. This information can be used to support current work planning and resource requirements.
14. In collaboration with the Executive Leadership Team (ELT), the district chain of command, and PSS, communicate the complaint investigation process, expectations, and consequences to officers. Ensure messaging is clear and consistent to educate officers and dispel rumours and/ or misperceptions on how PSS uses BWC video in its investigations.
15. In collaboration with Access & Privacy, determine whether the BWC Privacy Impact Assessment allows for BWC videos to be used for performance management. If so, engage CDU, the BWC team, and the district chain of command to develop a process for supervisors to access BWC video for performance management, professional development, or opportunities to inform training and/ or organizational learning.
16. In collaboration with CDU, BWC team, MDT, DVET, and major case management teams/ units such the Homicide Unit, develop a SOP that details how BWC evidence will be consistently shared, managed, organized, stored, vetted, and disclosed to the Crown.
17. Implement a video access audit process to ensure policy compliance.

### **Video Disclosure**

For each case that goes to disclosure, the primary officer is responsible for identifying all relevant BWC video and whether video vetting is required. MDT is responsible for converting, vetting, and editing digital media for media disclosure and BWC video represents about one-third of their workload.

### Results

From January – October 2020, 4% of BWC videos were disclosed to the Crown, up from 3% in 2019.

Video Disclosure	June-Dec 2019	Jan-Oct 2020
# of videos uploaded	352,826	531,652
# of videos disclosed	12,025	21,889
% of videos disclosed	3%	4%

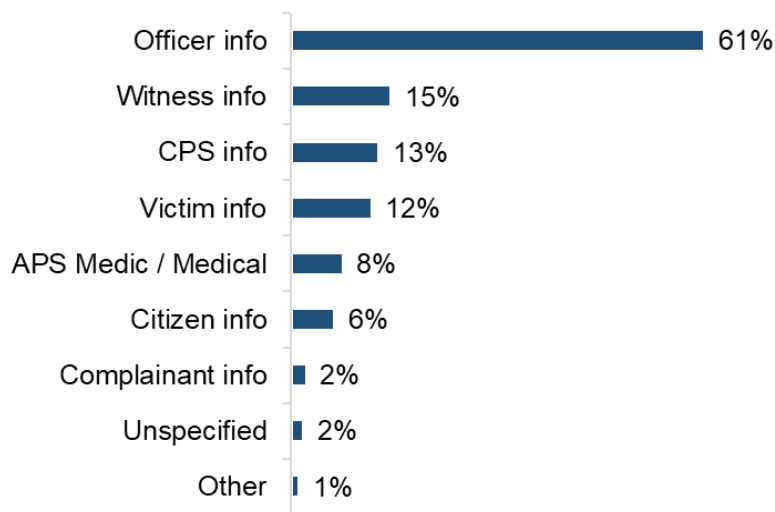
In 2019, the Digital Video Evidence Team began with a target to review 30% of disclosed cases for BWC video vetting accuracy. In 2020, the team is now reviewing an average of 62% cases per month (note that there can be multiple videos per case disclosed). The team records all errors found and these errors were coded and tabulated from May 2019 – August 2020. Of the 8,828 cases reviewed, 1,517 (17%) had vetting errors, the majority among cases where the officer had indicated “vetting not required.”

Redaction Review	(May 2019-Aug 2020)
# of cases reviewed for vetting accuracy	8,828
# (%) of cases with vetting errors	1,517 (17%)

For most errors, officer-related information (61% of errors) had not been redacted, such as log in details, payroll information to access Canadian Police Information Centre (CPIC), visible information on cell phone screens, and other personal information. Private or identifying information was also found on BWC video for witnesses (15% of errors), victims (12%), citizens (6%), and complainants (2%). Other information that had not been redacted included CPS information such as CAD screens, radio chatter, tactical information, or information unrelated to the current case (13% of errors); and Arrest Processing Section (APS) medical or other medical information (8%).

As the Digital Video Evidence Team only has capacity to review a proportion of all cases sent to disclosure and the Crown has no capacity to review videos before sharing with Defence, it is likely that private information is being released on BWC video through disclosure. Based on current review and error data, there may be as many as 65 cases per month with BWC video redaction errors.

Type of error (n=1517)\*



\*Multiple errors types were noted on some cases. Total does not add up to 100%.

### Stakeholder Feedback

- ◆ MDT would like Evidence.com improvements to increase efficiencies, including improved search functionality, data field and category changes, automated system notifications to reduce errors, improved download speeds and limits, and more comprehensive media editing tools.
- ◆ The BWC team, MDT, and officers themselves agreed that disclosing videos is a huge process, and officers forget how to disclose BWC videos because officers do not do it often/ regularly.
- ◆ Some officers were unclear about what to vet and when to use vetting required on Evidence.com.
- ◆ The Alberta Crown Prosecution Service (ACPS) and Public Prosecution Service of Canada (PPSC) have challenges managing the volume of video disclosed and inconsistencies across cases/ primary investigators.
- ◆ ACPS and PPSC report officer notes are less detailed now with BWCs. They recommend officer notes to be in as much, or more detail than before BWCs because the camera does not show everything that officer saw, heard, felt, etc. Notes should indicate whether there is BWC footage, and if not, why not. Officers should always write their notes first and then review the footage to ensure the video and notes align when preparing for disclosure.
- ◆ PPSC reports that they do not always receive BWC video from all attending officers and have had “good files go sideways due to one missing video.” Also, in some

cases, they are not receiving BWC video until two to three months after arrest date; they require all BWC within three weeks of arrest date to reduce the risk of Jordan complications.

- ✘ Officers note that proper vetting takes considerable time (i.e. two mins of work for every one min of video) and it can take up to a full workday if there are multiple videos to review.
- ✘ The Crown Prosecution's major concern is with vetting accuracy. Although most errors to date are minor, there have been some significant errors with serious implications for citizen privacy (e.g. Confidential Informant information).

### Recommendations

18. Collaborate with Axon to make MDT improvements to Evidence.com. \*\*In progress by MDT.\*\*
19. In collaboration with the Crown, continue to review disclosure process for opportunities to increase efficiency and consistency. Develop a CPS BWC disclosure SOP and/ or a standardized BWC disclosure template that organizes all components included in disclosure package (e.g. identifies each BWC video and to which officers they belong).
20. Continued collaboration with the Crown around responsibility, liability, risk mitigation, and long-term solutions for video vetting, redaction, and disclosure.
21. Dedicate CPS resources to identify, vet, and redact all BWC for disclosure to reduce the workload on frontline officers, improve vetting consistency, and reduce risks related to the release of private information. Should dedicated resources not be available to complete all BWC vetting requirements for disclosure, officers will need consistent training, resource material, and quality assurance processes (e.g. supervisor audits) to ensure vetting requirements are completed.

### **Outcomes Evaluation: What is the impact of BWC?**

This section will summarize BWC results and recommendations for citizen, CPS, and justice stakeholders.

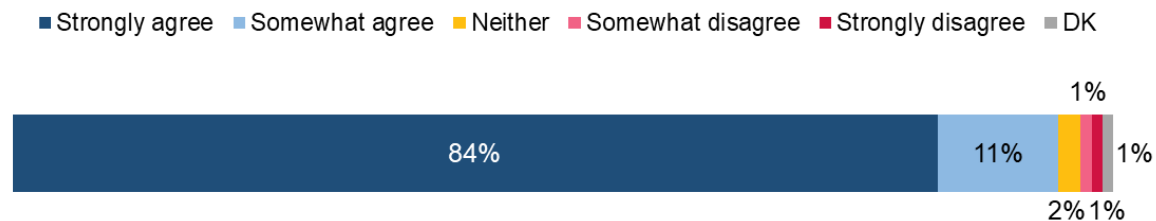
#### **Citizen Impact**

Although citizen engagement or consultation was out of scope for this evaluation, all internal and external stakeholders interviewed believed that BWC brings value to citizens. To understand citizen perceptions of BWC, a question was included on the Calgary Police Commission Citizen Satisfaction Survey, conducted May – July 2020.

## Results

When asked whether they agree or disagree with the use of BWCs by CPS, 95% of citizens surveyed agreed with 84% saying they strongly agree.

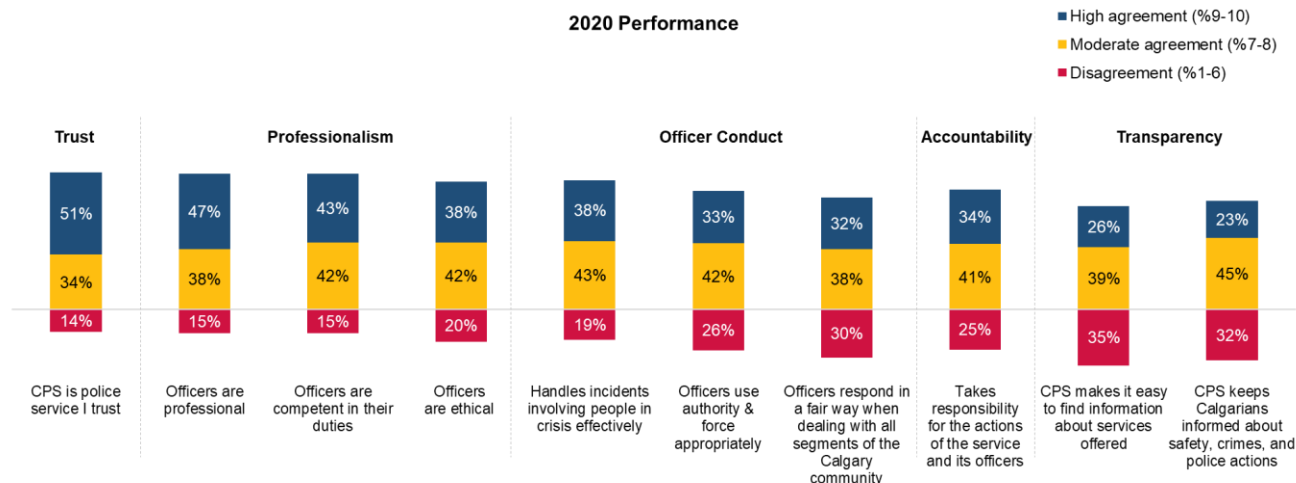
All CPS officers who patrol the streets wear BWCs. Please indicate whether you agree or disagree with the use of BWCs by the CPS to record officer and citizen conduct?



The citizen satisfaction survey also measured several attributes that speak to BWC Policy objectives on trust, professionalism, officer conduct, accountability, and transparency. Although not specifically tied to the BWC program, these results may be used to direct BWC strategic planning and external communications and/ or as a baseline for measuring CPS performance towards the BWC Policy objectives. The lowest performing areas include:

- Officer Conduct:
  - Officers use authority & force appropriately (26% disagreement)
  - Officers respond in a fair way when dealing with all segments of the Calgary community (30% disagreement)
- Accountability: CPS takes responsibility for the actions of the Service and its officers (25% disagreement)
- Transparency:
  - CPS makes it easy to find information about services offered (35% disagreement)
  - CPS keeps Calgarians informed about safety, crimes, and police actions (35% disagreement).





The CPS external website on BWC (<https://www.calgary.ca/cps/body-worn-camera.html>) was updated in June 2020 in response to media inquiries about the BWC program. Prior to this, the information had not been updated since BWC implementation in late 2017. Currently, the only information available is on the BWC Policy objectives included on page 11 of this report.

Aside from media reports on the CPS BWC program, there is little information about how the program works at CPS, how CPS defines transparency or accountability outcomes, or how CPS uses the BWC to achieve these outcomes.

### Stakeholder Feedback

- ✓ Many Commanders said that BWCs are “invaluable.” Not only do they bring transparency and accountability to CPS, but they bring awareness to “what officers are dealing with; what they tolerate; and what our training is like.” BWCs provide the Service with a clear picture as “to what happened and why decisions were made” for every incident recorded.
- ✓ Officers said that BWCs “allow an evidence informed approach to the good and the bad” and can help bolster public trust and confidence in CPS.
- ✓ PSS reports that BWC video evidence makes it easy to explain to citizens/ complainants the details of an incident.
- ✓ All stakeholders thought that CPS’s decision to implement BWCs shows its commitment to transparency and accountability and has a significant reputational impact. Many stakeholders “can’t imagine not having them” and think that “losing them would negatively impact public perception” of CPS.
- ♦ Many stakeholders emphasized that BWCs can be an effective tool for transparency and accountability, but CPS needs to manage public expectations about BWC:

- ◆ BWC does not capture everything the officer sees, hears, and feels;
- ◆ Movie quality video does not exist for every police encounter, and when there is no such video, then it didn't happen; and
- ◆ BWCs are one tool in the CPS toolkit - they are not a "silver bullet" that can single handedly put an end to bad policing.
- ◆ CPS has not released any BWC video to the public. Many stakeholders commented on cases in the media where BWC video has been made public through disclosure to Defence or through FOIP requests. A range of opinions exist on whether CPS should publicly release video, and if so, under what circumstances:
  - ◆ The Crown cautions against releasing videos for political reasons. They suggest CPS should only release BWC for public safety reasons and any release should be informed by CPS legal advice.
  - ◆ Officers varied in their opinion. Many officers thought that CPS should release BWC footage for incidents where the media has taken video out of context or where the video is used to provide an inaccurate or misleading narrative. Regardless of whether CPS releases videos, officers expressed that they would like support from leadership when addressing incidents/ cases in the media. They want CPS to provide a factual narrative of events that are discussed in the media, whether those facts be positive, negative, or neutral.
  - ◆ The Wittmann Use of Force Report recommendation #23 suggests CPS release BWC video that highlight acts of police heroism and positive engagement with community. Many stakeholders thought that if CPS releases one video, it must release all videos; that it cannot pick and choose to share only positive cases but must show negative cases as well.

In December 2020, stakeholders from Access & Privacy Section, Legal Services, PAMRU, and Information & Risk Management discussed whether the CPS should release BWC video to showcase the tough situations faced by officers and demonstrate the excellent work they do. Based on directives in The Freedom of Information and Protection of Privacy Act, CPS BWC Policy, and the BWC Privacy Impact Assessment, it was recommended that CPS not release BWC video for this purpose.

### Recommendations

22. Update the CPS BWC website to inform citizens on the BWC program, including plain language information on which officers are equipped with BWCs, when officers turn on/ off BWC, how officers are held accountable for BWC compliance and any misconduct identified on BWC video, privacy considerations, citizen rights regarding

FOIP, and CPS Policy for public release of video. Ensure the website is updated regularly as information changes.

23. Evaluate the BWC program annually to monitor and report on BWC Policy objectives and outcomes. This may involve developing a multi-year evaluation framework and/or reporting plan that identifies key performance metrics, evaluation resources, stakeholder engagement schedule, stakeholder outcome data development, etc.

## **CPS Impact**

### **Officer Professionalism**

Officers shared how BWC has impacted their interactions with citizens:

- ✓ Many officers say they are more aware of how they interact with citizens. BWC “has changed how you act - a reminder to keep your tone and professionalism in check” and most agreed that there is a lot less swearing.
- ✓ Some officers say they “take the extra time to explain everything to the person you are interacting with.” Commanders reinforced that the use of BWC requires officers to be able to communicate their lawful authorities to citizens in every encounter. BWC “forces you to know and understand authorities and the law, because you have to be able to respond to questions about why [citizens are] being issued a ticket.” Alternatively, “if [officers] are on a call and there’s nothing that can be done, they need to be able to articulate why.”
- ◆ However, some officers expressed that BWC takes the personality out of policing, making their interactions “less human.” Some officers said that police are more “robotic” now.
- ◆ Some officers also mentioned that they are concerned about the optics of policing, externally through citizen recording of police on cell phones, and now internally with BWC. These officers say that they are sometimes hesitating to react because they are concerned about how their behaviour will be perceived, particularly when they need to use force because “force never looks good on camera.” Some are concerned about internal discipline and are “worried about what to say or do on camera, because of a fear of being judged by the Chief or PSS.”

## Formal Complaints Against Officers

Formal complaint data was analyzed one year pre- and post-BWC implementation. Formal complaints are complaints meeting certain criteria and are investigated in accordance with the Police Act (PA) and Police Service Regulation (PSR). All counts are tabulated by date of incident, not the date the complaint was received by CPS.

Note that the data presented in this section does not isolate the impact of BWCs on any outcome; i.e. the implementation of BWCs cannot be determined to have a direct, causal impact on complaints against police officers or officer use of force. There are many factors that may also influence these outcomes and are addressed in each section below.

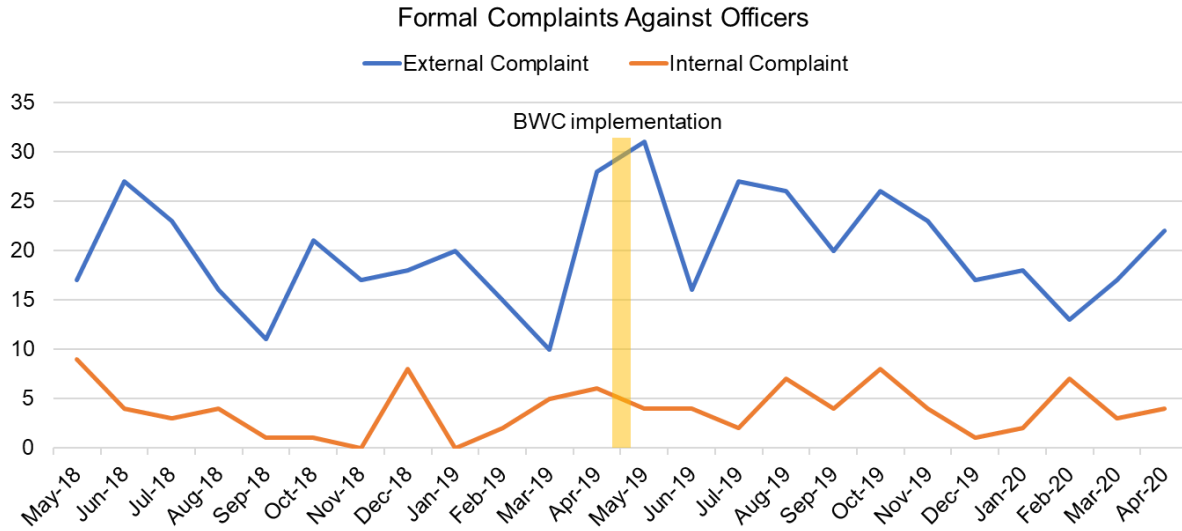
### Results

There were slightly more formal complaints in the year after BWC implementation, increasing from 266 to 306 complaints (15% increase). There are many internal and external factors and changes that may have influenced the complaint count totals, such as:

- The effect of BWC introduction on public submitting/ not submitting PSS complaints.
- Social movements affecting life and policing in Calgary.
- Increasing public scrutiny of police action/ non-action.
- Increased CPS efforts to demonstrate to the public transparency in daily officer and organizational actions and interactions, including encouraging reporting.
- Increasing efforts aimed at internal transparency, accountability, and a higher level of scrutiny.
- Lower than average complaints filed in the months leading up to BWC.

There was insufficient data to conduct a more detailed analysis of the impact of BWC as only 41% of complaints had information about whether BWC information for the incident. This means that information on whether BWC video was available, was used to investigate the complaint, or the complaint was resolved from BWC video was missing for 59% of complaints.

Formal Complaints Against Officers	Pre BWC May 2018 - Apr 2019	Post BWC May 2019 - Apr 2020
Total # of formal complaints	266	306 (+15%)
# of external complaints	223	256
# of internal complaints	43	50
# of complaints with BWC data	n/a	126 (41%)



Prior to BWC implementation, PSS took an average of 96 days to close a file. In the year after BWC implementation, file closure time was cut in half, to an average of 49 days. There was also a statistically significant reduction in the number of cases that took more than a year to complete, with 84% of cases closed within three months. These improvements are likely due to several factors, including process improvements within PSS to address the backlog of complaints and closed files.

Formal Complaint Resolution Time	Pre BWC May 2018 - Apr 2019	Post BWC May 2019 - Apr 2020
# of closed formal complaints	209	197
Average # of days to close files	96	49
% resolved after 3 months	75%	84% <span style="color: green;">▲</span>
% resolved after 6 months	5%	10%
% resolved after 12 months	11%	4% <span style="color: red;">▼</span>
% resolved after 19 months	10%	2% <span style="color: red;">▼</span>

▲ Significant improvement      ▼ Significant reduction

### *Stakeholder Feedback*

- ✓ Many officers commented that BWC has improved efficiency with complaint resolution, particularly with vexatious or malicious complaints. Sergeants also expressed that BWC video helps to resolve complaints early, and often the complaint received “never comes down to member,” eliminating officer stress and worry from complaints.
- ✓ PSS provided a recent example where BWC stopped a lengthy investigation by ASIRT and a related PSR investigation. The complainant accused the officer of causing serious bodily harm when handcuffed and transported to Arrest Processing. The review of BWC footage from the incident determined that “the mechanism of injury, based upon the facts presented, and given the capture of almost the entirety of the event on either BWC or in-car video, is clearly not as a result of police action.”
- ✓ Many officers shared similar stories demonstrating how BWC video contributed to resolving a complaint. One team shared an incident where the officers were treating the offenders professionally, but eventually had to “put hands on them for two seconds.” The offender complained that the officers broke her wrist, but the BWC showed the incident as the officers described and the situation was resolved quickly.
- ◆ Some officers commented that PSS should not be watching the video beyond the interaction being investigated. Many officers expressed that they have heard stories of BWC resolving the initial complaint but something on the BWC video will create a new issue that the officers will get in trouble for. PSS is obligated to address other issues identified in an investigation. This practice is perceived by officers to be unfair: “BWCs made it into something it’s never intended to be. They are investigating members in situations that would not have been investigated previously.”
- ◆ Many officers have heard of members being disciplined based on BWC video after the call is finished (e.g. when debriefing or having unrelated conversations). This practice is also perceived by officers to be unfair and has led some to be increasingly worried about getting into trouble: “It’s unfortunate that they can hear our private conversations and we can get in trouble for them.” Debriefing after a call is part of how officers stay safe and may include a lot of dark humour. They thought there is a risk of public perception issues should this information be released publicly. Officers report they are getting better at turning the camera off before debriefing.

### **Use of Force**

Use of force data was analyzed one year pre- and post-BWC implementation. Use of force is reported by number of incidents, as reported in Subject Behaviour Officer Response

(SBOR) reports. Incidents where force is used may require more than one method to be applied so the sum of individual method counts will be higher than the total incident count.

### Results

There were slightly fewer use of force incidents in the year after BWC implementation, decreasing from 929 to 823 incidents (11% decrease). About two-thirds (67%) of those incidents were captured on BWC, 7% were not captured on BWC (which may also speak to non-compliance, similar to the 6% reported earlier in this report), and 21% of incidents did not have BWC available, i.e. incidents where the officer was not equipped with the tool (e.g. Canine, Tactical, etc.). Differences in the method of force used in the year post BWC include:

- Fewer dynamic takedowns and stuns/ strikes.
- Fewer conducted energy weapon deployments, baton impacts, and firearms pointed.
- Increases in police service dog contacts, likely due to the increase in stolen vehicle incidents requiring canine deployments in 2019.
- Decreases in strip searches and other methods of force that require close contact, likely in part due to COVID-19, and facility features of the new Spyhill Arrest Processing facility that improve arrestee and officer safety.

Use of Force	Pre BWC May 2018 - Apr 2019	Post BWC May 2019 - Apr 2020
Total # of reported use of force incidents by police	929	823
# (%) with BWC activated	n/a	554 (67%)
# (%) BWC not activated	n/a	56 (7%)
# (%) BWC not available	n/a	175 (21%)
# (%) BWC data missing	n/a	39 (5%)
<b>Physical Control Methods</b>		
Dynamic Takedown	260	220
Stuns/Strikes	253	201
Leg Restraint	147	118
Spit Mask	86	75
Lateral Vascular Neck Restraint	45	57
Restraint Ring	22	15

Use of Force	Pre BWC May 2018 - Apr 2019	Post BWC May 2019 - Apr 2020
Intermediate Force Options		
Conducted Energy Weapon	177	143
Police Service Dog Contact	72	102
Baton – Leverage	16	18
Baton – Impact	8	3
ARWEN Target*	14	18
ARWEN Impact*	11	21
Oleoresin Capsicum Spray	11	10
Firearm Pointed	32	15
Firearm Fired	6	5
Other Use of Force Method		
Strip Search	109	48
Other	129	87

\*ARWEN was implemented July 2018, so only 10 months of data is included.

■ % decrease of 15% or more ■ no change ■ % increase of 15% or more

### Stakeholder Feedback

- ✓ Many officers said that the BWC is an excellent de-escalation tool to reduce potential conflicts and report that they are less likely to use force in their interactions.
- ✓ CPS use of force investigators say reviewing BWC video often shows that use of force is justified, and that the footage can be used to inform officer training and organizational learning on use of force.
- ◆ Some officers said they sometimes hesitate to use the appropriate method of force because they are worried about the optics of the situation and how they will be perceived publicly by bystanders or the media (i.e. “use of force never looks good on camera” and “the general public doesn't understand authorized use of force”). Some officers are worried that hesitating may result in the situation escalating and then having to respond with increased use of force (“if I would have used the appropriate level of force it would have been better”).



- ◆ Some Sergeants complain of workload increases to review all footage for every SBOR file, and others report that there have been no significant changes to their workload.

## Officer Experience

Officers spoke about the value BWC brings to CPS, how BWC has impacted their work in the past year, and the challenges they are currently facing with BWC.

### *Perceptions of BWC*

- ✓ Overall, officers think BWCs have “more positives than negatives.” They describe BWC as an “objective” tool that can be used to show the truth in any incident.
- ✓ Officers thought BWCs are “beneficial” and “reassuring” as the BWC can “protect” them from false complaints.
- ✓ They believe BWCs are “necessary” in today’s socio-political context where police are under intense public scrutiny and many said, “If you take BWC away from the officers, then members won’t want to work the street.”
- ✓ Many thought that BWCs are “the way of the future” and that CPS is “is ahead of the game” in preparing and equipping officers with a powerful tool in a complex environment for police.
- ◆ Many want to use the camera as often as possible and worry about forgetting to turn it on at the right time.

### Officer Perceptions of BWC

“[BWCs] provide perspective, another angle, trust. Helps control the narrative.”

“BWC is good for an officer’s confidence. Because you know that you did a good job and were professional.”

“BWCs works in our favour more than it doesn’t.”

“I like the fact that the camera is there.”

“BWC has changed my job, because on the average call it is more comforting to have the BWC recording.”

“I’m always wondering, did I turn it on at the right time?”

### *Workload Impacts*

- ◆ Most officers expressed that the implementation of BWC has impacted their daily workload in some capacity. Officers expressed that they should be “on the street doing police work, not doing administrative work.”
- ◆ Some officers mentioned that it can be time consuming to complete the data entry for each video due to system delays or call volumes.
- ◆ Some officers said that they are getting many requests from administration that individually are simple, but in combination can add significant time to each call. Officers would like to see more coordinated direction from administration, integration, and other efficiencies to streamline administrative tasks.
- ✘ Many officers were frustrated that many CPS systems are not integrated or “don’t talk to each other” and that there are contradictions or redundancies within policy that make everyday work inefficient.
- ✘ Vetting BWC videos, preparing disclosure packages, and responding to Police Action Requests (PARs) from the Crown can be very time consuming.

### **Officer Feedback on Workload**

“The back-end of BWC adds five to ten minutes to each call. Last shift we had 26 calls.”

“It’s unrealistic to have every officer review and vet their own videos. It’s too time consuming and we don’t have the training on what to vet and what not to vet.”

“My biggest beef about BWC is that it is not integrated to the call. It should be linked up to every call.”

“If I had to do everything by policy, I would only do two calls a day.”

“I got a PAR when I had already submitted BWC and was asked to resubmit. That’s a duplication of effort.”

“Patrol keeps getting things thrown at them and everything just takes a few minutes, but all those minutes are starting to add up. No one looks at the big picture.”

### *Officer Challenges and Concerns*

- ✘ Many officers discussed how external scrutiny on officers has increased pressure and stress.

- ✘ Many feel that BWC has introduced additional internal scrutiny on officers, and they are concerned that their BWC video will be used against them.
- ✘ Officers are worried about getting into trouble for not having the BWC on and getting into trouble for behaviours captured when it is on, leading many to feel like “I’m damned if I turn it on and damned if I don’t.”
- ✘ Officers and other stakeholders said that CPS has a new way of discipline that members are not used to. Combined with everything else going on in the world, it’s a lot of pressure. Officers are now “paranoid that if I screw up a little bit, I’m done for.”
- ✘ Given the current socio-political context on police use of force, systemic racism, and other public perceptions of police, officers feel like no one takes them at their word, or that they can’t be trusted. Many feel that if it wasn’t captured on video, “then it didn’t happen,” i.e. they are intentionally being deceitful. This was also emphasized by Commanders who described how “your word [as a police officer] isn’t good enough in today’s society, you need audio or video to back it up.”
- ✘ Some officers indicated morale is low and there is little trust in CPS leadership. They perceive that management is only using BWC to discipline them. When there is a public case or critical incident, they believe leadership is not using BWC or other factual information to support officers.

### Officer Concerns

“BWC adds stress to an already stressful situation and job.”

“Management is looking for reasons to get members in trouble.”

“We’re already under the microscope with the public, and now the Chief is reviewing BWC videos.”

“BWCs have been weaponized against officers.”

“CPS thinks that you are being deceptive if the BWC is not on.”

“It feels like we have BWC to defend officer’s actions, but management does nothing to defend officers.”

### Recommendations

24. Review all BWC data collection processes and systems (including PSS and SBOR report fields and data entry practices) to ensure CPS has the data needed to accurately and reliably report on BWC outcomes. Three to five years of quality, consistent data is required to understand any correlational impact of BWC on formal complaints or use of force.

25. Continued change management and/ or officer engagement on how CPS uses BWC to achieve internal and external accountability outcomes. This may be positioned within recent communications on CPS “disciplined culture” and must take into consideration the impact on officer trust, morale, and BWC compliance. Collaborate with PSS and district chain of command to provide consistent, clear messaging about BWC expectations, consequences, and processes for performance management.

## **Justice System Impact**

### **Crown Prosecutions**

The Alberta Crown Prosecution Service (ACPS) and Public Prosecution Service of Canada (PPSC) were engaged for the evaluation. Official statistics on court outcomes are not currently available for the BWC operations period (published data is available for 2018/2019). Prosecution services do not record, or track outcomes related to BWC and all feedback presented below is anecdotal.

### Results

The Crown reports that BWC is an extremely impactful evidentiary tool. Prosecutors expressed strong support for the use of BWCs, saying that “it’s very good evidence” and “when BWC works, it really works.” Feedback suggests:

- ✓ An increase in early file resolutions or guilty pleas from the Defence or accused viewing BWC video.
- ✓ BWC evidence shows the perspective of the officer and is preferred over bystander videos.
- ✓ BWC saves court time for all participants in the trial process.
- ✓ BWC evidence has been used in excessive use of force trials to show that officers used discretion in force during an interaction.
- ♦ Juries are less willing to convict individuals without physical evidence and BWC video can be very powerful. Public expectations on the use of BWC and BWC evidence must be managed to counter beliefs about “video or it didn’t happen.”
- ✗ The volume of videos has increased file review time for the Crown.
- ✗ The protection of private information captured on BWC remains a significant issue.

## **ASIRT**

The Alberta Serious Incident Response Team (ASIRT) provided feedback on BWC evidence in its investigations.

### Results

ASIRT investigates approximately 17 CPS files per year and has used BWC to investigate 10 files from May 2019 – June 2020.

ASIRT investigators are also in strong support of BWC use at CPS. They said, “you can’t get much better evidence than BWC” and wish that more CPS units and other agencies would have BWCs. Anecdotally, ASIRT report BWCs:

- ✓ Boost the percentage rate of clearing investigations.
- ✓ Increase public confidence as BWC shows that police are “doing the right thing in 95% of cases.”
- ✓ Provide evidence that can resolve cases and prevent files from going to the Crown for charge review.

### Recommendations

26. Explore opportunities with the Crown and/ PSS or academic partners to record, track or measure the impact BWC has on court outcomes, including BWC impact on prosecution against private citizens and police officers.