



04-46 Closed Circuit Television (CCTV)

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Rationale

The use of public space Closed Circuit Television (CCTV) has increased significantly over the past few years. CCTV allows law enforcement agencies to observe and monitor the movements of large numbers of persons in public areas. When using CCTV, the Toronto Police Service (Service) must balance public safety with the privacy rights of individuals.

Supervision

- Detective Sergeant, or in their absence the Officer in Charge, notification mandatory if CCTV is in operation in the vicinity of an offence

Procedure

This Procedure utilizes federal, provincial and municipal governing authorities to ensure the lawful collection, use, disclosure, retention and destruction of images obtained from Service CCTV, while maintaining the privacy rights of the public. [REDACTED]

The purpose of a CCTV system is to

- secure a safer environment for those people who live, work and visit an area
- detect and deter crime
- assist in the identification, apprehension and prosecution of offenders
- provide evidentiary material
- provide material that may assist in training for future incident response.

CCTV shall be utilized solely in a fixed (i.e. non-mobile) manner for the overt recording of public spaces. The design, installation and use of CCTV shall strictly adhere to the principles of the protection of privacy.

Use of CCTV

To mitigate the intrusion on privacy, members shall be aware of, and be guided by the following requirements in their use of CCTV.

Necessity

CCTV must only be installed in identified public spaces where video surveillance is necessary to protect public safety, detect or deter crime, and assist in the investigation of criminal activity. The problem to be addressed must be real, substantial and pressing. CCTV cameras may be deployed to meet the following objectives

- operational (based on exigencies and past history of events or occurrences)
- strategic (based on incidents of crime, criminal behaviour and relevant intelligence).

Proportionality

The extent and manner of CCTV deployment must be in keeping with the level of crime and anticipated levels of public disorder. A determination must be made as to whether the presence of the system, the nature of its deployment, or manner of its operation would unduly intrude upon individual's right to privacy. CCTV must be designed, deployed and operated to collect the minimum amount of personal information necessary to fulfill the purpose of the collection.

Effectiveness

The use of the CCTV must be evaluated on an ongoing basis to ensure that the benefits derived from its use substantially outweigh any intrusion on the privacy of individuals. Any required updates or modifications to the design, installation and/or use of CCTV must be made in accordance with the results of these evaluations. A CCTV deployment will only remain operational for as long as it continues to be justified.

Accountability

Training standards must ensure that the use of CCTV by members is in accordance with this procedure and applicable legislation. The use of CCTV must be effectively supervised and made known to the public as a means of safeguarding the integrity of the use of CCTV and protection of the public from inappropriate use of CCTV.

Transparency

Key decisions regarding the use of CCTV must be made in an open and transparent manner, taking into consideration the views and concerns of relevant stakeholders, including the public. Individuals must be able to request information about the collection, use, disclosure, retention and destruction of personal information.

Alternatives

CCTV must not be overused or relied upon as a replacement for police officers. It is only a tool to aid law enforcement in enhancing public safety. CCTV must only be used where other less intrusive means of policing or promoting public safety prove to be substantially less effective in reducing crime and increasing safety, or impractical in circumstances.

Retention

All images captured by CCTV will be automatically over-written electronically within 72 hours. Where images of a criminal offence or images deemed to be of an evidentiary nature are recorded, the

recording must be retained in compliance with City of Toronto Municipal Code, Chapter 219, Article 1, Records Retention Schedule.

Divisional Crime Analyst

1. When requested by the Crime Management Team
 - shall conduct a comprehensive assessment of criminal activity and/or public disorder before, during and upon conclusion of the CCTV deployment
 - may request assistance from
 - Strategy Management – Analytics & Innovation (STM – A&I)
 - the Divisional Field Intelligence Officer

Divisional Field Intelligence Officer

2. When requested by the Crime Management Team shall
 - provide intelligence on high crime areas in the division
 - assist the Divisional Crime Analyst in the assessment of criminal activity and/or public disorder activity before, during and upon conclusion of the CCTV deployment

Detective Sergeant – Divisional Crime Management Team

3. When considering and recommending the use of CCTV shall
 - ensure proportionate assessment processes are in place to justify the deployment
4. When considering and recommending the use of CCTV shall complete a TPS 649 and submit to the Unit Commander indicating
 - the objective or goal
 - the geographic location to be monitored
 - any other crime management initiatives already attempted and the results
 - the types of criminal activities present at the location
 - the length of time the CCTV equipment will monitor the geographic location
 - additional policing initiatives
 - comprehensive analysis of criminal activity and/or public disorder completed by the Divisional Crime Analyst
 - the community consultation plan.
5. When the use of CCTV has been authorized by the Staff Superintendent – East Field / West Field shall ensure
 - Telecommunications Services erects authorized CCTV notice signs on the perimeter and in the area monitored by CCTV
 - divisional officers make periodic visits to ensure approved CCTV notice signs have not been removed or defaced
6. Upon conclusion of the use of CCTV shall complete a TPS 649 and submit to the Unit Commander indicating
 - the geographic location that was monitored
 - other investigative techniques that were also used and the results
 - the length of time the CCTV equipment monitored the geographic location
 - additional policing initiatives that accompanied the use of CCTV
 - if the objective or goal was met
 - post-deployment measurements as analyzed by the Divisional Crime Analyst

- an analysis by the Divisional Crime Analyst/Divisional Crime Manager, of the effects of installing CCTV, supported by STM – A&I.

Unit Commander

7. Upon receipt of a TPS 649 request to deploy CCTV shall
 - review the request
 - if denying, indicate the reason and ensure the TPS 649 is returned to the submitting officer
 - if approving, ensure the request is forwarded to the respective Staff Superintendent
8. Upon receipt of an approved request to deploy CCTV shall ensure
 - sufficient notification of the deployment of CCTV is made to the public
 - compliance with item 5
9. Upon receipt of a CCTV deployment conclusion report shall
 - review the report for completeness
 - if satisfactory, ensure copies of the report are forwarded to
 - the Staff Superintendent – Public Safety Operations
 - the Unit Commander – STM – A&I

Staff Superintendent – East Field/West Field

10. Upon receipt of a request to deploy CCTV shall
 - review the request
 - if denying, indicate the reason and ensure the TPS 649 is returned to the submitting Unit Commander
 - if approving, ensure the request is forwarded to the Staff Superintendent – Public Safety Operations

Staff Superintendent – Public Safety Operations

11. Upon receipt of a request to deploy CCTV shall
 - review the request and make any appropriate recommendations
 - if denying, ensure the TPS 649 is returned to the submitting Unit Commander
 - if approving, ensure a copy of the request is forwarded to
 - Emergency Management & Public Order (EM&PO)
 - Telecommunications Services
 - Corporate Communications - Video Production Section

Supervisor – Corporate Communications – Video Production Section

12. The Supervisor – Corporate Communications - Video Production Section shall
 - ensure the areas and images captured and stored by CCTV are in compliance with the *Municipal Freedom of Information and Protection of Privacy Act* and the guidelines set by the Office of the Information and Privacy Commissioner of Ontario
 - review and provide guidance on new technologies to be employed for the CCTV/RDCCTV systems
13. Upon receipt of a TPS 649 approving the installation of CCTV shall ensure
 - a site inspection is conducted with Telecommunication Services and the requesting Division to determine an appropriate angle and location for the camera

- effective operation and management of the cameras and recordings, when required

Unit Commander – Telecommunications Services

14. The Unit Commander – Telecommunications Services shall
 - ensure deployment training is provided annually on CCTV systems
 - ensure an annual audit is conducted of all CCTV equipment and the report is submitted to EM&PO for review
 - ensure an annual audit is conducted of all Rapid Deployment CCTV (RDCCTV) related equipment and the report is submitted to EM&PO for review
 - review and provide guidance on new technologies to be employed for the CCTV/RDCCTV systems
15. Upon receipt of a TPS 649 approving the installation of CCTV shall ensure
 - CCTV and telecommunication equipment are installed by a qualified and licensed technician or approved contractor
 - the recording mechanism and location are determined in consultation with Corporate Communications – Video Production Section
 - approved CCTV notice signs are erected on the perimeter and in the area CCTV will monitor

Unit Commander – Emergency Management & Public Order

16. The Unit Commander EM&PO shall ensure
 - an infrastructure and support program is designed and in place to support the Service requirements of CCTV/RDCCTV
 - required funding, as defined by Telecommunications Services, is available for CCTV/RDCCTV deployments
 - annual audits of CCTV/RDCCTV are conducted to ensure compliance with this procedure and all legislative requirements

Investigation

Police Officer

17. Upon arrival at the scene of a suspected criminal offence shall
 - comply with the applicable Service procedures related to the offence
 - request further assistance, as required
 - determine if CCTV is installed in the vicinity of the offence
18. When making a request to PVEMU-VES for an electronic recording from CCTV footage shall
 - notify the Detective Sergeant, or in their absence the Officer in Charge, that images of a criminal offence may have been recorded by CCTV
 - complete a Video Evidence Inventory and 612 Request **via the original eReport**
 - ➔ *The badge number of the approving Staff Sergeant must be included on the Video Evidence Inventory and 612 Request via the original eReport. Members are reminded that requests submitted without the authorizing badge number will not be processed by Property and Video Evidence Management Unit – Video Evidence Section (PVEMU - VES).*
 - if nearing the 72 hour retention threshold, contact PVEMU - VES directly by telephone

➔ *A maximum time range of only 30 minutes each are permitted per request, except in exigent circumstances.*

- in exigent circumstances where a longer time range is required clearly articulate the reasons for this request on the Video Evidence Inventory and 612 Request
- record the date and time the request for a copy of the electronic recording was made in the memorandum book
- comply with Procedure 04–15 if the CCTV is located on Toronto Transit Commission (TTC) property
- if a request for disclosure is required, complete a Video Evidence Inventory and 612 Request via the original eReport, ensuring all applicable fields are completed
- submit the request to the Detective Sergeant for approval, or in their absence the Officer in Charge

Detective Sergeant / Officer in Charge

19. Upon notification that a criminal offence has taken place in the vicinity of CCTV shall ensure compliance with item 18.
20. When a request for video footage retrieval is received shall
 - review the Video Evidence Inventory and 612 Request for accuracy and completeness
 - confirm the approving badge number has been included on the request

➔ *The authorizing badge number must be included on the Video Evidence Inventory and 612 Request via the original eReport. Requests submitted without the authorizing badge number will not be processed by PVEMU - VES.*
21. In exigent circumstances, when video footage is needed outside of regular business hours shall request the Officer in Charge contact the Toronto Police Operations Centre (TPOC) to authorize the on-call member of PVEMU-VES to attend the unit and obtain the required footage.

Officer in Charge

22. When acting on behalf of the Detective Sergeant in authorizing the retrieval of video footage, shall forward a copy of the request to the applicable Detective Sergeant.
23. In exigent circumstances, when video footage is needed outside of regular business hours shall contact the TPOC to authorize the on-call member of PVEMU-VES to attend the unit and obtain the required footage.

Telecommunications Technician – Telecommunications Services

24. When assigned to a CCTV project shall assume fault management of the deployed CCTV equipment.

Unit Commander – Strategy Management – Analytics & Innovation

25. Upon receipt of a request from a Divisional Crime Analyst conducting an assessment of criminal activity and/or public disorder before, during and upon conclusion of the CCTV deployment shall ensure appropriate support is provided.

Appendices

Appendix A – Site Selection Process – CCTV/RDCCTV

Supplementary Information

Governing Authorities

Federal: Criminal Code.

Provincial: Municipal Freedom of Information and Protection of Privacy Act ; Police Services Act, O. Reg 3/99, Adequacy & Effectiveness of Police Services.

Municipal: City of Toronto Municipal Code, Chapter 219, Article 1, Records Retention Schedule.

Other: Guidelines for Using Video Surveillance Cameras in Public Places – Information and Privacy Commissioner of Ontario.

Associated Governance

TPSB Policies: TPSB Policy Closed Circuit Television (CCTV) Program.

TPS Procedures: 01–01 Arrest; 04–15 Obtaining Video/Electronic Recordings from the Toronto Transit Commission; 04–18 Crime and Disorder Management; 04–21 Gathering/Preserving Evidence; 10–05 Incidents Requiring the Emergency Task Force; 11-04 Protests and Demonstrations; 12–08 Disclosure, Duplication and Transcription; 17–03 Requests for Information Made Under the Municipal Freedom of Information and Protection of Privacy Act.

Other: Standards of Conduct.

Forms: TPS 649 Internal Correspondence.

Definitions

For the purposes of this Procedure, the following definitions will apply:

Capture means the process of recording data, such as an image, video sequence, or audio stream.

Closed Circuit Television (CCTV) means an electronic camera and recording system deployed in a public space in an overt and fixed manner (non–mobile) that is used to collect, record or relay visual and/or auditory information over time. CCTV cameras are normally deployed in one location for a minimum of six months.

Data means

- a) Information, especially facts, numbers and statistics, collected to be examined, referenced and analysed to help decision-making, or
- b) Information in an electronic form that can be stored and processed by a computer.

[Source: Cambridge Dictionaries online and Oxford Dictionaries online]

Electronic Recording means data that is recorded or stored on any medium in or by a computer system or other similar device, that can be read or perceived by a person or a computer system or other similar device, and includes a display, printout or other output of the data.

Image means the optical counterpart of a person or physical object produced by an optical, electronic or digital technology device; and includes, but is not limited to:

- a photograph;
- a video recording;
- a drawing or other depiction;
- an electronic display.

Member unless otherwise specified,

- for the purposes of the Standards of Conduct means any police officer, or any civilian member, or any auxiliary officer.
- For the purposes of the Service Procedures means any police officer, or any civilian member.

Personal Information means recorded information about an identifiable individual, including:

- a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- c) any identifying number, symbol or other particular assigned to the individual,
- d) the address, telephone number, fingerprints or blood type of the individual,
- e) the personal opinions or views of the individual except if they relate to another individual,
- f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- g) the views or opinions of another individual about the individual, and
- h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

[Source: *Municipal Freedom of Information & Protection of Privacy Act*, ss. 2(1)]

Public Space means an outdoor area that is not privately owned in which the general public can freely and openly move or associate (e.g. public roads, parks and squares).

Rapid Deployment CCTV (RDCCTV) means the CCTV deployed for a short duration (usually less than a one week) in complex and potentially volatile situations that usually occur with little notice (e.g. civil disorder and critical incidents).

Video Recording (CCTV) means the electronic representation of a sequence of images, depicting either stationary or moving scenes. It may include audio.

We are dedicated to delivering police services, in partnership with our communities, to keep Toronto the best and safest place to be.

Learn more about our [Service Core Values and Competencies here](#)

