



# 15-17 In-Car Camera System

**Status:** Amended

**Issued:** 2021.06.23

**Replaces:** 2021.01.27

## Rationale

The In-Car Camera System (ICCS) is a multifaceted tool that can:

- enhance public trust and police legitimacy;
- enhance public and police officer safety;
- enhance the commitment to bias-free service delivery by officers to the public;
- provide a tool to facilitate early resolution of complaints; and
- provide improved evidence for investigative, judicial and oversight purposes; and
- provide information as to the effectiveness of Service procedures and training.

The Service is committed to maintaining the public trust by delivering professional and unbiased policing at all times. The ICCS is a valuable tool in remaining accountable to the community and maintaining its trust.

## Supervision

- Supervisory Officer notification mandatory when malfunction, damage or theft of an ICCS occurs

## Procedure

### Objection to Being Recorded

Officers may encounter situations where individuals object to being audio and/or video recorded. If the recording is occurring while in a public place, officers shall continue to record in accordance with this Procedure

### Incidents of a Sensitive Nature

Officers assigned to, or operating a Service vehicle equipped with an ICCS must be cognizant of the impact video recording may have on persons involved in incidents of a sensitive nature. In circumstances where the person is being captured on ICCS video, an officer may temporarily deactivate

the ICCS, or adjust the camera view, while taking appropriate steps to address the situation, and reactivate the ICCS after having done so. Any deactivation of the ICCS video recording function, arising out of a reasonable concern for the dignity of a person, must be in accordance with this Procedure by noting the reason for the decision in a memorandum book, and, if practical, by recording an audible statement prior to.

Pursuant to Procedure 13–03 and 13–05, any apparent breach of this Procedure will be carefully considered on its merits having regard to all the circumstances before discipline is commenced.

### Member

1. Upon receiving a request for an ICCS recording from a member of the public shall direct the individual to Information Access – Access and Privacy Section.

### Police Officer

2. Police officers shall not
  - operate an ICCS equipped vehicle without having completed the prescribed training
  - adjust the ICCS while actively engaged in apprehending or pursuing a fleeing motor vehicle, for the safety of members and the public
  - modify or attempt to modify any permanent settings or installed components of the ICCS
3. When assigned to a Service vehicle that is equipped with an ICCS shall, at the beginning of the shift, check if the ICCS is functioning properly by activating the system and creating a brief recording to ensure that:
  - both cameras are capable of recording video
  - the wireless microphones are capable of remotely activating the system and recording audio
  - the fixed rear microphone is capable of recording audio
  - the camera lens and the windshield are free of debris that may obscure the camera
  - the camera is locked in position facing the front of the Service vehicle

➔ *The front camera shall remain facing the front of the Service vehicle, except in circumstances where it is necessary to modify the position to record a specific event.*

  - the system plays back both audio and visual recordings
4. After completing the check detailed in item 3 shall record the results in the memorandum book.
5. Upon discovery of any malfunctions shall report such forthwith
  - to the HELP desk
  - to a supervisory officer
6. Upon discovery of any damaged or missing ICCS equipment shall report such to a supervisory officer forthwith.
7. When assigned to or operating a Service vehicle equipped with an ICCS shall
  - operate the ICCS equipment in accordance with the prescribed training
  - ensure that, when two officers are assigned to the Service vehicle, the identification information of the officer that is not automatically entered into the ICCS log in screen is manually entered as Officer #2 in the log in screen and saved
  - wear the ICCS wireless microphone at all times when the ICCS is activated, or while performing the duties of a police officer outside the Service vehicle

- when wearing the wireless microphone, ensure the approved microphone pouch is utilized in accordance with the prescribed training
  - activate the ICCS to visually and/or audibly record
    - all contacts between a police officer and a member of the public where that contact is for the purpose of a police investigation, regardless of whether or not the person is within camera view
    - all emergency responses, whether emergency equipment is utilized or not, from initiation to conclusion
    - all vehicle pursuits
    - all crimes or offences in progress
    - crime and collision scenes
    - when practicable, all statements not taken inside a Service facility
    - any other situation or event where it is believed it would be beneficial to capture video and / or audio evidence or information
  - ensure that, when placing or transporting any person other than a Service member or authorized person in an ICCS equipped vehicle
    - if the person is in the front seat of the Service vehicle, the front camera and driver microphone are recording
    - if the person is in the rear seat of the Service vehicle, the rear camera and rear microphone are also recording
  - ensure that the ICCS is not activated during
    - investigative discussions or enquiries between police personnel
    - situations that reveal police investigative techniques
    - attendance in a Service facility or courthouse
    - interactions which could potentially identify a confidential informant(s) or police officer in an undercover capacity
  - not capture multiple unrelated incidents, unrelated investigations, or unrelated contacts with a member of the public in a single ICCS recording
8. As soon as practicable, when the ICCS is activated, shall advise the persons that they are being visually and/or audibly recorded.
9. When the ICCS is activated, shall not deactivate until the incident has concluded or, except when
- the officer no longer reasonably believes that the collection of audio/video media would support officer or public safety, and/or benefit the investigation
  - directed to do so by a supervisor
10. When it is necessary to deactivate the ICCS or mute audio recording during an investigation or incident shall
- where reasonably possible, before deactivating or muting the audio, record a brief audible statement indicating the reason
  - note the reasons for the decision in the memorandum book, and when directed to do so by a supervisor, note the supervisor's badge number
11. Upon deactivating the ICCS, the recording shall be appropriately classified utilizing the classification function. Should a recording be interrupted or the ICCS be disabled prior to the classification function being utilized, classification shall be done by reviewing the recording utilizing the ICCS viewer application through the mobile data terminal (MDT) or standard workstation.
12. Where an accidental deactivation of the ICCS occurs, shall make a record of the details, including, where possible the apparent cause of the deactivation, the time and duration of the deactivation, and a summary of what transpired during that time, in the memorandum book as soon as reasonably possible.

13. Where privileged information has been captured by the ICCS shall
  - comply with Procedure 04-35
  - immediately notify the Controller of the following
    - name, badge number, and unit
    - details of the circumstances of the recording
    - ICCS asset number
    - date and time of recording
14. When attending or involved in an incident where the Special Investigations Unit (SIU) Mandate has been, or may be, invoked shall
  - ensure the recording media is protected
  - ensure the ICCS is not deactivated unless directed to do so by Toronto Police Operations Centre or a Chief's SIU Liaison Officer
  - comply with the directions of the Chief's SIU Liaison Officer
15. Where a Service vehicle equipped with an ICCS has been involved in a collision that has caused the engine to stop, members shall not restart the vehicle in order to access ICCS audio/video recordings. Audio/video recordings shall only be accessed through the ICCS if the Service vehicle is still functioning, without attempting to restart the vehicle.
16. Upon arriving at the station at the conclusion of the shift shall
  - return the wireless microphone to the charging cradle and shall not power off the mobile data terminal (MDT) or the ICCS
  - complete the applicable eReport when a charge is laid in relation to an incident that has a related ICCS recording

### Supervisory Officer

17. Supervisory officers shall ensure that any police officers assigned to an ICCS equipped vehicle have completed the prescribed training, and shall determine additional training needs as appropriate.
18. Upon becoming aware that a malfunction has occurred with an ICCS shall
  - ensure the officer notifies the HELP desk forthwith
  - ensure repairs are made to the malfunctioning equipment as soon as practicable
  - determine if the vehicle is to be placed in/out of service
19. When supervising personnel assigned to vehicles equipped with an ICCS shall
  - conduct a review of each officer's ICCS recordings at least once per month to
    - assist with supervision
    - ensure the ICCS is functioning properly
    - determine whether the ICCS is being operated in accordance with procedure and prescribed training
    - ensure that officers are classifying ICCS recordings appropriately for retention purposes
    - identify material that may be appropriate for training
    - determine additional training needs, as appropriate
  - ➔ *Ensure supervisory reviews of each officer's ICCS recordings are conducted at least once per month, or CWW cycle, as applicable.*
  - review ICCS recordings, where applicable, to assist in the resolution of a public complaint in compliance with Procedure 13-02
  - record the results in the Unit Commander Morning Report (UCMR) and memorandum book

20. When attending or involved in an incident where the SIU Mandate has been, or may be invoked shall
  - ensure the recording media is protected
  - comply with the directions of the Chief's SIU Liaison Officer
21. When attending an incident where a Service vehicle is equipped with an ICCS, after assessing the circumstances, may direct an officer to deactivate the ICCS, when appropriate.
22. When investigating a Service vehicle collision that does not fall under the SIU Mandate shall ensure that
  - if the vehicle is drivable, it is returned to its home unit for ICCS uploading
  - if the vehicle requires towing, that it is towed to the appropriate Service garage for ICCS uploading
  - the investigating supervisor shall ensure
    - the ICCS video has been successfully uploaded to the system
    - in circumstances where the upload has not been successful, the HELP desk is notified forthwith
23. Where the event involves an audio/video recording captured by an ICCS shall ensure the recording is appropriately classified for retention purposes.
24. Where a Service vehicle has been involved in a collision that has caused the vehicle engine to stop, shall ensure the vehicle is not restarted.

### Case Manager

25. When designated as a Case Manager shall ensure that
  - a Video Evidence Inventory and 612 Request text template is completed via the original eReport, capturing all ICCS recordings
  - where the event involves an audio/video recording captured by an ICCS, the video is appropriately classified for retention purposes
  - when a request for disclosure is required, a Video Evidence Inventory and 612 Request is completed via the original eReport, ensuring all applicable fields are completed
  - upon receiving a request for ICCS recording from either the Crown Attorney or the Provincial Prosecutor's office shall comply with the request

### Officer in Charge

26. When in charge of a unit with vehicles that are equipped with an ICCS shall
  - ensure all officers assigned to an ICCS equipped vehicle have received the prescribed training
  - determine additional training needs, as appropriate
  - ensure supervisory officers with personnel assigned to vehicles equipped with an ICCS conduct a regular review at least once per month of ICCS recordings
27. When attending or involved in an incident where the SIU Mandate has been, or may be invoked shall
  - ensure the recording media is protected
  - comply with the directions of the Chief's SIU Liaison Officer

### Duty Senior Officer – Toronto Police Operations Centre

28. When attending an incident where a Service vehicle is equipped with an ICCS
  - shall assess the circumstances
  - may direct an officer to stop the ICCS recording, when appropriate
29. When attending an incident where the SIU Mandate has been, or may be invoked shall
  - ensure the recorded media is protected
  - comply with the directions of the Chief's SIU Liaison Officer

### Unit Commander

30. When in charge of a unit that is assigned vehicles equipped with an ICCS shall ensure
  - all assigned ICCS equipment is inspected and tested on a regular basis
  - any deficiency or malfunctioning equipment is attended to forthwith
  - all officers assigned to use an ICCS equipped vehicle have received the prescribed training
  - supervisory officers with personnel assigned to vehicles equipped with an ICCS conduct a regular review of ICCS recordings

## Supplementary Information

---

### Governing Authorities

**Federal:** Privacy Act.

**Provincial:** Municipal Freedom of Information and Protection of Privacy Act; Police Services Act.

**Municipal:** Toronto Municipal Code, Chapter 219, Article I, Records Retention Schedule.

### Associated Governance

**TPS Procedures:**

- 04–32 Electronically Recorded Statements;
- 04–35 Source Management – Confidential Source;
- 12–08 Disclosure, Duplication and Transcription;
- 13–02 Uniform External Complaint Intake Management;
- 13–03 Uniform Internal Complaint Intake Management;
- 13–05 Police Services Act Hearing;
- 13–16 Special Investigations Unit;
- 13–17 Notes and Reports;
- 15–10 Suspect Apprehension Pursuits;
- 17–03 Requests for Information Made Under the Municipal Freedom of Information & Protection of Privacy Act

**Other:** Toronto Police Service Information Security Policy; Records Retention Schedule.

**Forms:** Provincial Offences Notice (POT or Summons); Video Evidence Inventory and 612 Request; TPS 343 Notice of Suspension.

➔ *The Video Evidence Inventory and 612 Request is available as a text template.*

### Definitions

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

**Activate** means a process which causes the In-Car Camera to capture audio and/or video recordings.

**Chief's Special Investigations Unit (SIU) Liaison Officer** means a uniform senior officer of the Toronto Police Service designated by the Chief of Police, in writing, to act as the main liaison with the SIU in all matters relating to SIU investigations. The Chief's SIU Liaison Officer oversees the Chief's SIU On-Call Designated Authority and Professional Standards SIU Liaison Section while in the field.

**Deactivate** means a process which causes the In-Car Camera to stop capturing audio and/or video recordings.

**Digital Video Asset Management System (DVAMS)** means a networked automated video solution that creates, stores, manages, and distributes video evidence via the Video Services Unit. DVAMS assets can be viewed and disclosure ordered from any workstation on the Toronto Police Service network.

**In-Car Camera System (ICCS)** means any in-car recording equipment that captures audio and visual signals, and may also be referred to as a Mobile Video Recording System.

**In-Car Camera System (ICCS) Technician** means a Toronto Police Service member trained in the operational use and repair of In-Car Camera Systems. NOTE: Some technicians may not be trained to repair an ICCS, but specialize in duplicating methods, storage and retrieval methods and procedures, and possess a working knowledge of video forensics and evidentiary procedures.

**Special Investigations Unit (SIU) Mandate** means that the SIU Director may cause an investigation to be conducted into any incident in which any of the following occurs, if the incident may have resulted from the criminal conduct of a Service official:

- the death of a person
- the serious injury of a person
- the discharge of a firearm at a person
- the sexual assault of a person, as reported by the person.

The SIU Director may cause an investigation to be conducted if, at the time of the incident,

- the official was on duty; or
- the official was off-duty but
  - (a) engaged in the investigation, pursuit, detention or arrest of a person or otherwise exercised the powers of a police officer, special constable, peace officer or other prescribed person, as the case may be, whether or not the official intended to exercise such powers or identified him or herself as a person who may exercise such powers, or
  - (b) the incident involved equipment or other property issued to the official in relation to his or her duties.

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](#)

