# HAMILTON POLICE SERVICES BOARD - INFORMATION -

DATE:

September 3, 2020

REPORT TO:

Chair and Members

Hamilton Police Services Board

FROM:

Eric Girt

Chief of Police

SUBJECT:

Body Worn Camera Steering Committee Final Report

PSB 20-075 (See also 19-090, 17-124, 16-127 and 15-141)

#### **BACKGROUND:**

Since 2014, the Internal Body Worn Camera Committee has provided yearly reports to the Hamilton Police Services Board. In order to assist the Police Services Board with this decision, today's report provides a brief summary of the positions taken by the academic community, the status of BWC programs that have been operationally deployed in Canadian Police Services, and the potential financial impact of BWCs on the Hamilton Police Service whether as a pilot or service-wide. Currently research as to the efficacy of their use remains inconclusive. Further, public sentiment as to their efficacy also remains in flux.

If it is decided that the Service will move forward with BWCs, it is recommended that a pilot program be implemented so that the Service can test the technology to understand the impact of deployment in Hamilton. If a pilot is deployed, it would also have to integrate with a Digital Evidence Management System (DEMS). Currently the Service is working with the Solicitor General to determine how DEMS will be deployed Province-wide, and a decision on a vendor may be announced soon by the Ministry of the Solicitor General.

Eric Girt

Chief of Police

#### EG/M. Worster

Attachment: Body-Worn Cameral Steering Committee 2020 Report

cc: Frank Bergen, Deputy Chief - OperationsRyan Diodati, Deputy Chief - SupportMike Worster, Superintendent - Division 2

Scott Moore, Sergeant – Executive Officer to Deputy Chiefs



**HAMILTON POLICE SERVICE** 

# 2020 Body Worn Camera Report

Supt. Mike Worster Sgt. Scott Moore

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Body-Worn Camera Review
Hamilton Police Service
Superintendent Mike Worster
Sergeant Scott Moore
September 2020

# **Summary:**

With the relationship between the police and the community they serve becoming increasingly strained in 2020, there has been a renewed interest and call for the adoption of Body-Worn Cameras (BWC).

The Hamilton Police Service has historically taken a position on the technology which considered the financial impact of cameras and whether or not conclusive evidence to prove their efficacy exists. Academics have begun to argue that no definitive answer regarding the effectiveness of BWC deployment will ever be truly discerned. Services are left to decide what goals a program may attempt to address and then make an educated decision as to whether or not the technology can assist.

In answer to calls from the public, policing in Ontario has begun the shift to deploying BWCs to their frontline officers. For the Hamilton Police Service, deployment must be considered in terms of goals for the technology. While transparency is an obvious goal for deployment, there are some limitations concerning it. It is hoped, however, that use of BWCs could assist in rebuilding a strained relationship with the community, as well as identify efficiencies for frontline officers. If deployed, it is recommended the Hamilton Police Service would utilize a pilot program prior to a decision concerning permanent deployment, which would allow the Service to test the technology to understand the true impact of deployment on our sworn officers, the work they do and the community that they work in.

If a pilot is deployed, it would have to integrate with a Digital Evidence Management System (DEMS) component. Currently the Service is working with the Solicitor General to determine how DEMS will be deployed Province wide.

In order to assist the Police Service Board with this decision, this report shall lay out a brief summary of the positions taken by the academic community, the status of BWC technology in the Canadian context and the potential financial impact of Body-Worn Cameras on the Hamilton Police Service.

# **Research Update:**

Since the last report presented in 2019, there have not been any significantly large-scale research papers published concerning BWCs. Recent studies from Australia indicate that BWC technology did not see an increase in guilty pleas in court and did not prevent problem behavior, both from the police and the public (Clare et. Al, 2019).

A number of papers from a leading researcher on Body-Worn Camera deployment programs and policy, Michael D. White, and others continue to stress the importance of strong policies regarding the deployment, use and access of BWC. The papers also make the argument that Services adopting the technology must clearly specify the goals for implementing the technology, as well as the causal mechanisms through which the cameras will achieve them.

Michael D. White suggests that when a Service is considering whether or not to adopt BWC technology, the decision should include: a review of the state of the agency prior to deployment; consideration of current research and random control trials; privacy; financial impact; external agency 'buy in' and a thorough analysis of the stated goals (White & Malm 2020: 36-101).

In addition to these considerations, as well as clear and concise policy and proper training of officers and staff, Services should consider how to manage public expectations for what the technology can and cannot do. While on the surface, BWCs can assist with increased transparency and help re-establish trust with the community, technological limitations, user error and legislative requirements for things like the release of video to the public, may actually negatively affect any gains made in rebuilding community relations unless properly addressed in advance (White and Malm 2020: 110).

What cannot be easily quantified are the benefits of deploying BWCs in terms of gesture of good faith to the public. BWCs may not easily increase transparency, nor may they greatly reduce concerns of systemic racism.

# Outside Agencies Experience with Body-Worn Cameras:

Since our last report, a number of policing agencies in Canada have re-assessed their stand on adoption of Body-Worn Cameras. Below is a review of Canadian agencies, regarding their positions, both pro and con, on Body-Worn Cameras.

### i - Amherstburg Police Service (Now Windsor Police Service)

As indicated in previous BWC reports, Amherstburg Police were one of the first Services in Canada to adopt the technology in 2016. In 2020, Amherstburg Police amalgamated with the Windsor Police Service. Prior to the amalgamation, the Service stopped using BWC technology by their front line officers. At present, the Windsor Police Service have not indicated a desire to deploy cameras, citing financial impact and privacy concerns as hurdles. The Windsor Police Association has stated that their officers are not opposed to using BWC, but feel that the financial resources could be used more effectively elsewhere (Broeckel 2020).

#### ii - Barrie Police Service (BPS)

In June of 2020, the Barrie Police Service advised their Service Board that they had been working on infrastructure improvements since 2016 and were now in a position to move forward with a pilot project on the cameras. Details as to the scope of the project are not available at this time, but is expected that the pilot will launch sometime in the fall of 2020.

# iii - Calgary Police Service (CPS)

In April 2019, the Calgary Police Service deployed 1150 Axon Body 2 BWCs to their frontline officers. The Service has indicated that the cameras have been characterized as a success by the community and the officers that use them (Calgary Police Service 2020).

Presently, the Service is working towards expanding the deployment of the technology to non-front-line officers as well, but have cited procurement issues as a hurdle (Passifume 2020).

# iv – Durham Regional Police Service (DRPS)

The Durham Regional Police Service completed the deployment portion of their Body-Worn Camera pilot in June of 2019, during which over 26,000 videos were captured by the officers using the cameras.

Due to the COVID-19 pandemic, the officers involved in the analysis of the pilot were redeployed, delaying the evaluation of the program. The analysis is to include a

determination concerning the financial impact of the technology, which was estimated to cost \$24 million for full deployment (Mitchell 2020).

#### v – Edmonton Police Service (EPS)

The Edmonton Police Service has invested a great deal of time and resources into piloting and reviewing the feasibility of Body-Worn Cameras for their front-line officers. Following their pilot, where the Service determined that the benefits of the cameras did not surpass the cost of the technology, a decision was made to revisit whether funding for BWC should be sought.

Recently, the Edmonton Police moved ahead with prioritizing in-car cameras over Body-Worn Cameras. In addition to the higher costs associated with BWC's to 1000 officers over 400 cars, the automated functions of the in-car cameras among other items, were seen as a benefit. Presently, there is no date as for the deployment of in-car cameras and the Service maintains that BWC's are still being considered, depending on adequate funding being secured (Short 2020).

#### vii – Guelph Police Service (GPS)

The Guelph Police Service will be launching a limited pilot project on deploying BWC's to their front-line officers in 2020 for the budget cost of \$30,000. In addition to the pilot, the Service has begun budgeting funds for deploying the cameras. Costs for the pilot and the deployment appear to be low, with the deployment being budgeted at \$514,400. These costs however, are for the technology and associated IT costs and do not include identified staffing requirements and other operating costs.

The projected 10-year cost of the cameras, not including the associated operating expenses is budgeted at \$1,655,500 (Armstrong 2020).

# viii – Montreal Police (Service de Police de la Ville de Montréal)

In 2019, Montreal Mayor Valerie Plante resisted deployment of BWC technology, following a pilot project earlier in the year. In early June of 2020, Mayor Plante stated that the police will be outfitted with cameras as soon as possible, following improvements in training and the implementation of stricter rules regarding street checks (Nakonechny 2020).

# ix – Niagara Regional Police Service (NRPS)

On August 13, 2020, Niagara Regional Council narrowly voted down a motion that would have directed the Chief of Police to prepare a report on the possible implementation of Body-Worn Cameras. As a result of this vote, there are no current plans for the NRPS to consider deploying the technology.

#### x – Ontario Provincial Police (OPP)

There is no change in position from what was reported in 2015, which is there is no current plan to explore deployment.

#### xi – Ottawa Police Service (OPS)

In 2017, it was reported that the Ottawa Police Service (OPS) had approved budgetary funds for development on a feasibility study on body-worn cameras. In June of 2020, the Police Service Board again committed to including BWC in the next OPS budget (Lord 2020).

# xii - Peel Regional Police Service (PRP)

In June 2020, the Peel Regional Police Service announced that they had begun the process to implement BWCs to their officers. A report presented to their Board indicated that the cost to implement the program is \$1.4 million annually or \$7 Million over five years, not including support staff. If the plan is passed, cameras could be deployed as early as the winter of 2021 as the Service had already budgeted for the technology (Gamrot 2020). Based on current adoption of technology, and other Canadian Service experiences, PRP has chosen to not run a competitive process and has moved to select Axon as their supplier of BWC and associated DEMS (Odoardi 2020).

### xiii - Toronto Police Service (TPS)

The Toronto Police Service recently announced plans to deploy BWCs to their front-line officers as early as fall of 2020. This was following a lengthy pilot and analysis period for the cameras. In June of 2020, following public outcry to deploy cameras to Toronto Police in an effort to increase transparency and increase accountability, Toronto Mayor

John Tory promised to fast track the deployment (Passifume 2020). Reports on Body-Worn Cameras and systemic racism in policing in Toronto have suggested that 95% of participants at town-hall meetings were opposed to BWC deployment. The opposition cited financial impact, and a view that the cameras would not address issues of systemic racism.

On August 18, 2020, despite this objection from a segment of the population, the Toronto Police Services Board received a report recommending the adoption of Axon Body-Worn Cameras and DEMS at a cost of \$25 million over five years for 2,350 cameras and supporting hardware and software (Saunders 2020).

### xiv - Winnipeg Police Service (WPS)

The Winnipeg Police Service continues to debate whether to deploy BWCs to their front-line officers. In the past, the Service had budgeted for a pilot project to start, but due to necessary financial restructuring, the plans were put on hold. Presently, the Chief of the Service and members of the Police Service Board and City Council are promoting the adoption of the technology. The Mayor, however, and some local academics, are suggesting that the \$8-10 million price tag for deployment of the cameras could be better spent on social supports for those that would interact with the police (Robertson 2020).

# **Body-Worn Camera Pilot Program:**

Numerous Services across the country have opted to run pilot programs for Body-Worn Cameras. Initially, these pilot programs investigated the capabilities of the technology in terms of battery life and exposure to Canadian climates. As the cameras have improved dramatically in quality, the pilots have shifted focus to gauging the impact of deployment on both a qualitative and quantitative level. Should the Hamilton Police Service consider deployment of BWC technology, a pilot program is recommended prior to full adoption.

# Proposed Pilot Deployment Plan:

In order to ascertain the true impact of Body-Worn Cameras, a pilot program consisting of 100 cameras and lasting 14 months is recommended. Once a project team is established, the rollout for this program would be implemented as follows:

- i) Identification of project goals
- ii) Policy creation
- iii) Training, media rollout & public education (four months for i iii)
- iv) Deployment of Body-Worn Cameras (six months)
- v) Analysis and evaluation (four months)

# i) Identification of project goals

As recommended by Michael D. White and other academics that have conducted reviews of Body-Worn Camera pilot programs and research, clearly stated goals for deploying the technology is necessary in order to gauge whether the program is successful. Be it a reduction of use of force and complaints or evidentiary benefits for court matters, the Hamilton Police Service will need to make a determination as to the objectives of deploying the technology.

### ii) Policy

Currently in the American context, there are a number of policies that are inconsistent concerning retention and activation of Body-Worn Cameras. The Canadian context, while more consistent, still has individual variations amongst Services. As a long-term

goal, should the majority of Services adopt Cameras, it is recommended that policy be created through adequacy standards on a Provincial level.

Clear and concise policy will ensure that the users have a clear understanding of when the cameras are to be used, identify and address areas of concern regarding privacy, in addition to when the video recorded may be accessed, by whom and for what purposes. This will lead to consistent expectation from the public regarding interaction with Body-Worn Cameras.

#### iii) Training, media rollout & public education

Following review of outside agencies and their training models, the general consensus is that a total of 28 hours of in-class training and scenarios be scheduled for each officer. This would involve introducing them to the expectations of the pilot project, familiarizing them with the technology and the policies and procedures for using the cameras.

Training of local Crown Attorneys and other stakeholders who would be exposed to the technology should be considered, to ensure understanding of its capabilities and process for accessing video as required. With our current processes for handling digital evidence in court, additional technology would not be necessary, however, there may be additional costs for physical transcriptions, which may be costly for incidents with multiple cameras involved.

From there, a media rollout would allow education of the public in regard of what to expect when interacting with a member of the Service who is using a camera, in addition to how the video would be used and how their privacy is protected.

#### iv) Deployment of Body-Worn Cameras

Deployment and dispersal of the cameras, in a pilot program, would be divided among the three patrol divisions, with all front-line patrol officers on either A/C rotation or B/D rotation receiving cameras. In addition, cameras would be assigned to specific ACTION teams and traffic units.

The goal of the deployment would be to ensure complete exposure to potential needs for the camera, as well as to limit overlap between the sample group and control group.

#### v) Analysis and evaluation

During the course of the pilot, the Program Supervisor shall randomly audit the usage of the cameras, with involved persons being identified to assist with future evaluation.

The evaluation of the body-worn cameras would occur at regular intervals over the course of the pilot project and would focus on a number of issues involving their use. Costs in terms of financial costs to the Service and lost time for officers to download video would be regularly reviewed and evaluated. Review and evaluation would also look at the impact body-worn cameras have on complaints, use of force reports and convictions in court.

In addition to the quantitative review of the body-worn cameras, qualitative analysis would occur to ascertain the effects of body-worn cameras on the public and officers alike. After randomly auditing the video and related reports for persons and officers involved (both body-worn camera users and assisting officers), they would be approached to see if they are willing to participate in the evaluation. If they agree, they would be asked a series of questions aimed at identifying their opinion of the camera from a legal and personal perspective. The identity of these individuals would not be provided in the evaluation or final report. A web-based survey would also be sent out to random community groups to ascertain their experiences with the body-worn cameras during the pilot project.

Following analysis and evaluation of the received data, a final recommendation would be presented to the Chief of Police and to the Police Service Board for review and a determination of next steps.

# Financial Impact:

As true costs for a Body-Worn Camera pilot would not be known without running a thorough Request For Proposal (RFP), based on the experience of Canadian

Services who have deployed or moved to deploy cameras, it is estimated that a pilot of 100 cameras would cost approximately \$250,000 for 14 months.

This cost is for the technology only and does not include necessary infrastructure improvements or consideration for long-term storage of any data that is obtained during the pilot.

#### Staffing Requirements:

In order to ensure minimal impact on the Service's staffing levels, the pilot program would use pre-existing members to fill the below identified positions.

A breakdown of staff and the soft costs associated with them is as follows (salaries include 25% benefits):

Total Staffing\$49	
BWC Video Vetting Technicians (Civilian – 7E) (12 mos.)	34,447.50
BWC Technician & IT Administrator (Civilian – 9E) (12 mos.) \$10	7,630.00
Freedom of Information & Disclosure Clerk (Civilian – 7E) (12 mos.) \$ 9	34,447.50
Transcription Clerk (Civilian – 3E) (27 weeks)\$ 3	37,759.76
Program Supervisor (Sergeant) (12 mos.)\$15	57,203.75

While this is the costings associated to the listed positions, who would be involved in the administration of Body-Worn Cameras, the exact impact and percentage of their time spent administering the technology would have on their workload is currently unknown, but may be learned in a pilot.

### **Post-Pilot Financial Impact:**

Should the Hamilton Police Service implement a Body-Worn Camera pilot program and decide to deploy cameras, it is recommended that 610 cameras be deployed to front-line officers. This is congruent with the Supreme Court of Canada decision of *R. vs. Duarte (SCC 1990)*. The costs associated to this deployment is expected to be approximately \$5 million over five years. This is a projection based on the experience of other Canadian Agencies and an exact figure would not be possible without a full RFP.

In addition to the 610 cameras, licensing for an additional 265 members to access DEMS, to allow for management and analysis of collected video would be necessary.

When considering this cost, it is important to recognize that the pricing includes Digital Evidence Management (DEMS), which is a cost that the Service and the Province have been investigating to store and use digital evidence for investigatory and court purposes.

#### **Conclusion:**

With recent events and challenges faced by policing across the world, there has been a renewed call for law enforcement to consider the deployment of Body-Worn Cameras to their front-line officers. The fundamental question of the effectiveness of BWCs remains unclear and the reviews are mixed. In order to address these concerns, consideration of a BWC pilot program should be made prior to any decision on whether or not to move forward with full camera deployment. A pilot program for the HPS would allow a complete understanding of the true impact on the Service, as well as the community. It would also allow for the identification of goals for the technology in a Hamilton context and assist with providing contextual data for a final decision on deployment. The pilot would run for approximately 14 months, with a report containing recommendations being presented to the Chief of Police and the Police Service Board at the conclusion.

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