



IP34

DIGITAL IMAGES, VIDEO & AUDIO RECORDINGS

IP34

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POLICY

1. All recordings, whether still images (photos), video or audio, made by an employee of the Department in the course of their employment and associated duties, whether on a Department issued device or where authorized in procedures to be made on a personally owned device, are and remain the property of the Department.
2. All recordings made by employees in the course of their duties form a record that is in the custody and control of the Department and therefore subject to the B.C. *Freedom of Information & Protection of Privacy Act*, and recordings may only be accessed, used and disclosed in accordance with that *Act*, procedures pursuant to this and other Department Policy or as otherwise required or authorized by law.
3. The Department will provide recording devices to enable employees to make image and/or audio recordings, as necessary to carry out duties of their employment.



4. Employees shall not save or keep recordings on, or transfer the same to a personal device, or access recordings in Department systems for non-work duty purposes, other than as authorized in this and related Department Policy.
5. The Department will provide procedures specific to the use of issued recording devices, and the making, handling, storage and use of recordings by employees.

REASON FOR POLICY

6. To ensure the integrity and security of recordings and the information they contain.
7. To ensure compliance with legal requirements specific to the collection, use and disclosure of recordings and the information they contain.
8. To facilitate the effective use of recordings as evidence in support of investigations.

RELATED POLICIES

- IP22 – Crown Disclosure
- IR22 – Forensic Identification Services

DEFINITIONS

9. For the purposes of this Policy, the following definitions will apply:

Device: digital still images or video camera, hand-held audio recording device and smartphone.

Forensic Identification Services (FIS): performed for the Department by the Lower Mainland District Integrated Forensic Identification Service or by Department members seconded to the RCMP.

Recordings: still images (photos), video motion captured images and any associated audio, and stand-alone recorded audio.



PROCEDURES

Members Recording a Citizen

10. Members must use a Department-issued device when making a recording of another person.
11. Notwithstanding the above, in exigent circumstances a personally owned device may be used, if no Department issued device is at hand and cannot be obtained within the time that a recording is required to be made.
12. Members may only make a recording of another person:
 - a) to record a statement given by a person, in relation to an investigation;
 - b) to record evidence;
 - c) to record a member's interaction with a person whose behavior is cause for concern regarding the member's physical safety;
 - d) to record an interaction between a member and a person, if the member has reason to believe that there may be a future disagreement as to details of the interaction;
 - e) as authorized under the *Criminal Code*;
 - f) to aid in establishing identity; or
 - g) for an authorized warrantless investigative purpose.
13. Before beginning recording, a member must inform a person with whom they are interacting that they are going to be recorded, unless it is not reasonably possible or unsafe to do so, or would compromise the investigative purpose for which the recording is to be made.

Recording Department Employees

14. Conversations or meetings between supervisors and employees or between employees may not be recorded, except as authorized by an Inspector or higher ranking officer.



Recordings & Investigative Notes

15. Recording investigative notes or information on a Department issued device is prohibited, unless the Department has issued software or an 'app' for that specific purpose on an authorized device.
16. Members are not to make audio recordings instead of or to decrease the scope of their note-taking in their issued notebook.
17. Members shall not record investigative notes or information related to their duties on a personal smartphone or other electronic device.

Management of Recording Devices

18. All recording devices intended for purchase and use by the Department require prior assessment and approval by the Superintendent, Investigations Bureau and the Manager, Technology Section, to ensure they meet the technical requirements for collection, maintenance, and archiving of digital data.
19. Members are to use a Department issued digital camera or audio recorder for investigative and work-related recordings, but may use a Department issued smartphone, if a camera or audio recorder is not readily available.
20. No investigative or work-related recording is allowed using a personal device, except in exigent circumstance when no Department issued device is at hand and cannot reasonably be obtained within the time necessary for the recording to take place.
21. If a personal device is used, the resultant recording must be managed in accordance with the same requirements that apply to a Department device.
22. Department issued cameras are stored in equipment storage and are to be signed out using the applicable equipment tracking system.
23. Employees who are assigned a departmental issued digital camera or sign out a camera are responsible for the reasonable care and maintenance of the equipment, and any technical or mechanical problems with the equipment must be reported to the Technology Branch as soon as practicable.



Altering Recordings

24. Recordings are considered evidence and must therefore be preserved in their native file format, their integrity assured, and their handling continuity documented for later use in court.
25. Members may not alter the original of a recording, and must download and save the original of the recording in accordance with these Procedures.
26. Alterations to a recording required for court purposes may only be applied to copies and not to the original recording.
27. Members wishing to have a recording, required for court, subjected to digital manipulation, e.g., to adjust sound clarity or the contrast of an image, shall have any such manipulation performed by a FIS officer.
28. Members subjecting a recording to analysis or enhancement must document the steps taken, using a processing log that provides sufficient detail to allow a comparably trained individual to repeat the steps and produce similar output (e.g., document steps such as sound enhancement, dodging, burning, color balancing, contrast adjustment, un-sharp masking, multi-image averaging or integration or Fourier analysis).
29. Establishing the chain of custody of recordings is required, and involves copying the recording from the originating device to the appropriate storage location set out below and making a note in the investigative file of the actions taken.
30. Members requiring still images or video for court are required to copy the original digital file to a CD/DVD and submit the CD/DVD to the Court Liaison Unit for subsequent disclosure to Crown counsel.
31. Crown counsel generally prints their own photos from electronic copies provided through disclosure, but members may be required to provide printed copies, if requested by Crown counsel.
32. A member who made a recording or was present at the time the original recording was made can verify that the recording is a true and accurate representation, and the member's notes are to document that the recordings were made and the location to which they were copied for digital retention.



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Storage – Video Recordings

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Storage – Audio Recordings

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*Revised Dates:
15 May 2012
04 February 2020