



Outlook

Cameras

From David Price [REDACTED]

Date Wed 10/16/2024 6:21 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Dear Kirsten Stevenson

I think your cameras worn on the body actually hinder police work and are mostly unnecessary

They are a huge expense for a minimum benefit mostly to protect the criminals and the nosy public

Scrap the project now and quit listening to the woke society

Dave Price

Sent from my iPhone



Outlook

Body Cameras

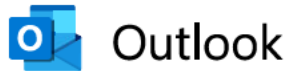
From Val Mitchell [REDACTED]

Date Wed 10/16/2024 7:45 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

I think cameras are an excellent idea. There will be less "he did said/she did said" situations. Much safer for the police officers who put their lives on the line daily.

Val Mitchell



Re; Police Body Cameras

From [REDACTED]
Date Wed 10/16/2024 7:52 AM
To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Dear Kirsten,

Regarding the upcoming purchase of \$9 million in police body cameras; the city is going through desperate times right now, particularly with winter approaching and homelessness being at alarming levels.

This is the time when the city should be making a distinction between things that would be "nice to have" vs "must have". I feel the body cams are something that could easily be revisited in the future, but that money is desperately needed elsewhere for social programs presently.

David L



Outlook

Cameras

From Judy Hendry [REDACTED]

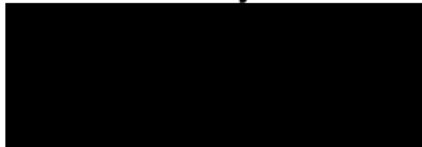
Date Wed 10/16/2024 8:56 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Sent from my iPhone

I approve. Anything that protects police lives and deters crimes.

Judith Hendry





Outlook

Police cameras

From Don Pritlove [REDACTED]

Date Wed 10/16/2024 9:39 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

[A big YES to cameras](#)



Outlook

Strongly in favour of police-worn body cameras

From Dan Postma [REDACTED]

Date Wed 10/16/2024 10:19 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

thanks

--

Dan Postma



Thoughts on police body cams.

From barbara reavley [REDACTED]

Date Wed 10/16/2024 1:55 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

We believe that body cams will be helpful in providing transparency and safety for both police and the public.

Therefore, body cams should be turned on at all times when dealing with the general public. I.e. traffic stops, interviews at residences and in our opinion, detectives should wear them as well. While there may be times when the camera should be turned off, or sound or picture turned off, the policy must be written very clearly so that it is easily understood i.e. written in plain language at the lowest possible grade level.

We believe the cost of implementing this policy and the maintenance of storage for the data will be expensive..... and very worthwhile for public and police safety.

Body cams should be as easy to use and as unbreakable as possible to help keep expenses down.

Please call us at [REDACTED] if you wish to speak with us further.

Yours

Stephen and Barbara Reavley

Camera's on Police

From S Findlay [REDACTED]

Date Wed 10/16/2024 5:38 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

I'm totally for this ideal for all the reasons listed in the Spectator. On you tube you can see footage of people being stopped by police and becoming belligerent, argumentative, swearing at police and using race and body insults and these guys deal with them the best they can. I'm talking elected officials, rich and poor folk, they all do it. If more citizens could see just what the police put up with every day they would have more empathy for the tough job the police do.

Shawn Findlay
Hamilton



Police body cameras

From BN [REDACTED]

Date Fri 10/18/2024 5:42 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Hello and good morning:

I am responding to request for comment regarding the purchase of police body cameras as listed in the CBC news article.

As the money has been approved in April, I think it should be spent on the purchase of body cameras which keeps the public and the police safe.

If you require additional information, please feel free to contact me at the above email address.

BN

Body Camera Comments

From c.b.calabrese [REDACTED]

Date Fri 10/18/2024 6:56 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Good morning. I wanted to comment on the use of body camera for our Hamilton police officers. I really believe that this is a very good idea for all Hamilton Police service members to wear when they are out in the community. We live in a different world these days as hard as it is to say. The word "Respect" is really void from this world today.

Yes, they will also help citizens in the community. Yes, there are some (very minimal) in law enforcement that might not always play by the book but overall, there are a lot of very brave men and women who are out there protecting the citizens of this community.

Money worth spent!!!

Thank you
Carmine Calabrese



Outlook

Body camera survey

From Christa Xamin [REDACTED]

Date Fri 10/18/2024 6:59 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Yes to police wearing body cameras.

Thanks

Christa Xamin



Outlook

Police cameras

From Michelle Svarc [REDACTED]

Date Fri 10/18/2024 7:38 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Yes, I think police should wear cameras. The city has gotten worse and we need to keep our police safe. They are valuable employees and deserve safety in their job.

Michelle Svarc

Importance of Body Cameras for Professional Policing in Hamilton

From Thom Leigh [REDACTED]

Date Fri 10/18/2024 7:49 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Dear Director Stevenson,

I'm writing to emphasize the importance of equipping Hamilton's police officers with body cameras. This step is crucial for promoting transparency and accountability, which are key to maintaining public trust in law enforcement.

Body cameras provide an unbiased record of interactions between officers and the public, protecting both parties and reinforcing professionalism. They help ensure that officers perform their duties responsibly while giving the community confidence in police conduct.

In addition, body cameras serve as valuable tools for training and evidence collection, streamlining legal processes and supporting fair outcomes.

I urge you to prioritize the implementation of body cameras within our force, as it is a necessary move to enhance the integrity and professionalism of policing in Hamilton.

Thank you for your consideration.

Sincerely,

Thom Leigh



Outlook

body cam

From Ted Abbott [REDACTED]

Date Fri 10/18/2024 7:56 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Cc [REDACTED]

i do think they should wear them

Police body-worn cameras feedback

From Gary Macdonald [REDACTED]

Date Fri 10/18/2024 9:56 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Hello Kirsten

As a retired firefighter I can attest to the amount of physical stress incurred by the weight and bulk of protective equipment that I was required to wear. Police officers must feel the same stress with their kit. Having said that, I believe body-worn cameras are essential for the safety of police officers, the public at large and for anyone that comes in contact with PO's while carrying out their duties.

The information gathered by these devices will help preserve evidence for criminal proceedings, avoid we said-they said situations and is essential for protection of the police officers and public. It would hold both the public and police to account should bad actors be involved on either side of an encounter.

The excess weight and bulk is minimal; the cost is high, but the benefits, in my opinion, far outweigh the cost in outfitting, training and any other negative aspects such as perceived civil liberty violations of these devices.

Gary F. Macdonald
[REDACTED]



Outlook

Police Body Cams

From 3mccallions [REDACTED]

Date Fri 10/18/2024 11:23 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

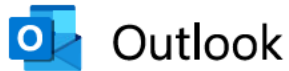
Hello

I had read an article stating you were looking for public feedback on the use of body cams for police officers.

Please, for the safety of everyone concerned, including the officer, use body cams whenever possible.

Thank you

Bob McCallion



Police body cam feedback

From courtney muehlen [REDACTED]

Date Fri 10/18/2024 11:49 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

I am writing to express my support for the policy to require the Hamilton Police wear body cameras.

There is no reason that the police should not be held to that level of accountability during the execution of their duties.

Police are public servants afforded an extreme amount of power over their jurisdictions citizens, and are authorized to carry guns and use them should the situation call for it. These privileges are afforded to them to keep the communities they police safe and uphold the law, and their actions should be transparent and lawful.

This is a career choice where accountability is key, nobody in this position should have 'privacy concerns' while on the clock/enforcing the law, their actions during this time are not private, they are public.

Police must have the right to do their jobs safely and defend themselves as needed, and citizens must have the right to have an accurate/unbiased record of their dealings with police to ensure their rights are not violated and they are not mistreated or subjected to personal biases during these interactions.

Why there is even a question about police wearing body cams while on duty is mystifying; trust but verify - the police should be held accountable for their actions if they violate the law or somebody's rights. Policing is a job where a persons judgements, actions and practices should be held to a higher standard. The power they hold over their fellow citizens demands complete transparency. The only parties that would be negatively affected by a complete recording of an interaction are the ones that are doing something wrong.

Sincerely,

Courtney Muehlen

Hamilton, ON Resident

Body cameras

From Sean Hammond [REDACTED]

Date Fri 10/18/2024 12:20 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

I for one (actually, my whole family) am writing to express my strong support for the implementation of Police Body Cameras in our community.

I believe that this technology offers significant benefits in enhancing transparency, accountability and public trust in law enforcement.

Police body cameras will serve as a valuable tool in documenting interactions between officers and the public.

Also, as a sidebar I would like to commend all of the officers who put their lives on the line daily, to provide safety and protection for myself and my family and friends and the community in general.

Thank you.

Sean Hammond



Outlook

Police Cameras

From lou dzirneklis [REDACTED]

Date Fri 10/18/2024 1:27 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Good Day, Absolutely the Police should have Body Cameras for my and their protection. However the Cost Quoted sounds Absolutely Ridiculous. Has anyone bothered to Actually Submit Tenders for these? The Government sure likes to waste Tax Payer Money. I believe 1/10 of your Quoted Cost is more in line if anyone would bother trying to get a deal. Call me I'm sure I can get a better price. Ludwig Dzirneklis , [REDACTED]

Re: Bodycams

From Patrick Antila [REDACTED]

Date Fri 10/18/2024 1:41 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Actually, after doing some research, I have changed my mind and do not support police worn bodycams at all.

Thank you,

Patrick Antila

On Fri, Oct 18, 2024 at 10:47 AM Patrick Antila

[REDACTED] wrote:

Good morning Kirsten,

I'm writing to voice my full and enthusiastic support for the implementation of police body cameras, as a longtime resident of Hamilton.

Thanks,

Patrick Antila



Outlook

Police BWC

From Larry G [REDACTED]

Date Fri 10/18/2024 2:04 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

I do believe wearing body cams is beneficial for both the police and the public. Policing transparency is of utmost importance to citizens.

Larry J. Good,

Bodycam

From Christopher Strachan [REDACTED]

Date Fri 10/18/2024 2:05 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Hi i just saw the article on cbc.ca about bodycams for officers. I really think its a great idea. It can be used as evidence in court and protect the officer too. Good way to record any encounter with the public. I've seen them used on tv in drama shows as well as real life police shows and they really come in handy.

Christopher Strachan, [REDACTED]



Outlook

Body camera

From



Date Fri 10/18/2024 4:01 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Hello

I'm a 100% in agreement to the use of body cameras with the police force. It protects the police and individuals and creates transparency.

Karen Oliver

Police body cameras

From Penny Gill [REDACTED]

Date Fri 10/18/2024 5:01 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

To ensure greater trust in police operations, I fully support police wearing body cameras. The cost is justified by enhancing widespread confidence that police are acting within approved guidelines during interactions with the public.

Wearing body cameras heightens officers likelihood of self-regulating to respect accepted guidelines at moments of frustration or anger when it may be tempting to ignore standard guardrails.

Penny Gill
[REDACTED]

HPS Body Cameras

From Fred Hussey [REDACTED]

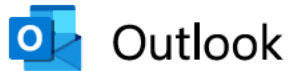
Date Fri 10/18/2024 5:10 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

As a citizen of Hamilton for over 40 years I believe there are only positive outcomes from the truth. Cameras can ensure that we have the hard facts.

Fred Hussey
(From my cell)

"Only a life lived for others is a life worthwhile." – Albert Einstein



Re: Body Cameras for Police

From Angela-Joe Shreve [REDACTED]

Date Fri 10/18/2024 6:53 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Good evening Kirsten Stevenson,

I support body cameras for police. It protects both police and civilians. Lessens frivolous lawsuits. Documents evidence which can either support or disprove emotional testimony. In some cases, calms impulsive behaviour of all involved parties, during traumatic events.

Sincerely,

Angela Shreve
Hamilton Homeowner



Outlook

Body Camera's

From Rod [REDACTED]

Date Fri 10/18/2024 8:44 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Yes.....the police should wear body camera's.

Rod Nunn.

Body cam

From Jim Schoenhardt [REDACTED]

Date Fri 10/18/2024 9:22 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

All police forces including Hamiltons should utilize all the modern technology in the goal of keeping people safe. This is done in many countries around the world. I would agree in body cams, gps locators which would among otherthings tell if an officer was horizontal. Use of much more electronic radar , CCD cameras in high traffic areas of pedestrians etc. The list is endless. Bring our police into the 21st century.

Some of my thoughts.

With the high levels of development in the city over the last ten years it increases the tax revenue substantially to cover any cost. This massive increase in tax revenue has been confirmed to me by councillors and top city officials. One example I was told the 1600 units planned for the waterfront will bring in \$16 million more in tax revenue.

Thks

Jim Schoenhardt
[REDACTED]



Outlook

Police body cameras

From Kelly na [REDACTED]

Date Sat 10/19/2024 12:14 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Yes! Hamilton needs them! Stop the police board from dragging their heels on this. Please.



Outlook

Hamilton Police Body Cameras

From Peter Morgan [REDACTED]

Date Sat 10/19/2024 3:15 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Hello:

The Chief has asked and been given \$\$\$\$\$\$ MILLIONS of OUR Hard Earned Tax dollars, burned through the Maintenance Budget, needs millions more for Court Security Police Bag Checkers and now wants MORE for Body Cameras.

Q- Where does he think WE as Hamiltonians are getting more \$\$\$\$ from- our employers/ the government or \$\$\$ TREES.... Because they are wilting and dying very fast!!!!!!!

Andrea and Esther and the other Bobble Heads on the YES... Police Services Board should be asking more Questions like Cameron did!!!!!!

As to the Body Cameras- should be on from start of Police shift- not turned off- so WE can see the Police interact between themselves or public- like shooting each other or waving their guns while dancing to music or threatening LGBTQA-1 -2 Spirit people!!!!

Finally- find the \$\$\$\$\$\$ for the Hamilton Police Chiefs constant ASKS in a Cracker Jacks Box- with a prize inside....., NOT FROM US!!!! NO MORE MILLIONS \$\$\$\$\$\$

Sent from my iPhone



Outlook

Body cams are a must

From [REDACTED]

Date Sat 10/19/2024 8:48 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Body cams on police officers hold people accountable for their actions. Police must wear body cams to ensure the safety and wellbeing of all involved are maintained as a priority at all times.

Caitlin Edwards

Free Palestine ~ From The River To The Sea



Outlook

Police body cameras

From Sandra Rice [REDACTED]

Date Sat 10/19/2024 9:11 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

YES, I believe the police should have body cameras for EVERYONE'S safety and sincerely hope they do.

Sandra Rice



Outlook

Input on Body-Worn Cameras

From John Scarborough [REDACTED]

Date Sat 10/19/2024 9:45 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Yes, they need cameras at all times while on duty. It will protect both parties if there are any issues.

Regards,

John Scarborough



Outlook

Cameras

From Karen Pottruff [REDACTED]

Date Sat 10/19/2024 10:29 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Yes, I believe the police should be wearing body cameras. It's a great tool to use for any investigations that are required. I think it's beneficial for everyone concerned.



Outlook

Body Cameras

From [REDACTED]

Date Sat 10/19/2024 10:36 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

My answer is yes!!!

Both my husband and I feel it's important,

For the Officers and citizens own protection.

The criminal could very well not tell the truth!!

And vice versa.

Thanks for allowing us to have our say.

The Lee's

Body-Worn Cameras

From Peter Edmonson [REDACTED]

Date Sat 10/19/2024 10:55 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

I am responding to the request for input regarding Body-Worn Cameras (BWC) for the Hamilton Police.

My major concern is the Board Policy on the use of BWC. I can see certain circumstances where the BWC would be ineffective. The following highlights my concerns.

When the cameras shall be activated What controls are in place to ensure the Officer will activate the camera?

When a Service Member can and cannot deactivate the BWC
Again, who will oversee this?

Establish that if a Service Member has not recorded in full or in part an interaction with a member of the public, the Service Member must document the specific reason a recording was not

made in part or in full If the public cannot or will not report an abusive incident then some bad actors within the Police would never document a reason.

My feeling is that for the majority of Police Officers, BWC are not required as they work by the book to ensure fairness. The bad actors within the Police Force do need BWC but would they activate them during certain incidents?

■ Peter Edmonson ■

Hamilton, ON.



I Strongly support the use of body cams by police

From Joseph Sullivan [REDACTED]

Date Sat 10/19/2024 12:11 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Ms. Stevenson,

Thank you for soliciting the public's opinion .

I am in full support of the use of body cams and the associated expense .

I live in [REDACTED] My phone no. Is

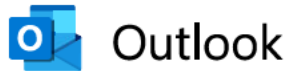
[REDACTED]
I am happy to speak at any public forum if you are interested .

Take care ,

- Joe

Joseph J. Sullivan C.S.,Q.Arb.

[REDACTED]



Re: police body cameras

From Sandra Cabral [REDACTED]

Date Sat 10/19/2024 12:43 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Good afternoon Kirsten,

I am writing to express my opinion that I am in favour of body-worn cameras for Hamilton Police. I work in the mental health and addictions field, and despite the Hamilton Police Services repeated expression of improving public trust and delivery anti-racist and bias-free service, I frequently see poor treatment towards vulnerable people, including individuals struggling with mental health and addiction, and racialized communities.

I believe body-worn cameras would improve police accountability and transparency. However, I also encourage the continued education of all Hamilton Police Services relating to anti-racism and anti-oppression as well as mental health and addiction.

Thank you,
Sandra Cabral



Police Body Cameras - YES

From Jenny Ridge [REDACTED]

Date Sat 10/19/2024 3:56 PM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Kirsten,

I think it is important for both the people who serve and their respective communities to have transparency around police interactions.

As such, I fully support the Hamilton body cam initiative and would encourage strong policy around their use.

Jenny Ridge
[REDACTED]

To the members of the Hamilton Police-Services Board:

Hope this finds you well. I write as a resident in [REDACTED], offering feedback on the draft policy on body-worn cameras.

I have concerns with the use of body-worn cameras by the city's policing services particularly the cost and the larger structural concerns of transparency and accountability. \$11,000,000 is far too much money to spend on cameras. Though this response may be framed to be acceptable if less money is spent on the cameras, that is not the case: The only acceptable amount of money to spend on body-worn cameras is \$0. \$11,000,000 should be immediately re-directed to support those most in need in the city and not to reify policing services and its actions upon those most in need in this city. Further, the rightful and just concerns of transparency and accountability cannot be addressed by the use of body-worn cameras. Transparency and accountability are also, apparently, not addressed by the organs of policing services' oversight, whether through the Ontario Civilian Police Commissioner, the Law Enforcement Complaints Agency, or the Special Investigations Unit. More often than not, policing services' sworn officers are protected by their police union and the cultural hegemony that exists around policing in Canada. The use of cameras will not address these larger structural concerns, either.

Given the history of policing services, well- and better-documented by others, particularly Robyn Maynard and Desmond Cole, public trust will never be fully given to it. If an institution's members consistently harm those it purports to protect and serve, and continually promises to change and to do better, and then does not or refuses to do so in any meaningful or trustworthy manner, it shows, almost indelibly, that it cannot be trusted and must be avoided and abolished for using so much of the public purse, 20 cents of every \$1 of municipal tax.

I trust the Board will consider this feedback in its assessment of the draft policy. In short, I ask that the policy either be amended to reduce the cost of the cameras to \$0 or, failing that, be postponed indefinitely, a subsidiary motion noted in s. 11 of *Robert's Rules of Order* (12th ed.). Thank you for your time and attention in these regards.

Respectfully,

Joshua Weresch



Outlook

Body cameras

From Erin Weatherill [REDACTED]

Date Sun 10/20/2024 9:15 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Hi Kristen, just quickly wanted to provide my input on the body cameras as a Hamilton resident. I think our officers should be wearing body cameras to provide transparency and accountability.

Thanks so much

Erin



Outlook

Police body cameras

From Steve Londner [REDACTED]

Date Sun 10/20/2024 10:09 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

I'm fully supportive of their use. In addition to their oversight/evidentiary functions, they could and should be used as a valuable tool in support of ongoing training efforts.

October 20, 2024

Hamilton Police Service Board
c/o Kirsten Stevenson, Administrative Director
155 King William Street
Hamilton, ON
L8R 1A7

Re: Comments relating to the Hamilton Police Service Board Use of
Body-Worn Cameras, Appendix 'A' to Report PSB 24-029

Dear Members of the Board,

Thank you for inviting members of the community to critique the Board's outline of principles for the use of body-worn cameras (BWCs) by the Hamilton Police Service.

My perspective on the issue is the product of my career as an assistant Crown attorney which lasted more than 30 years, 20 years of which was spent working primarily with the Hamilton Police Service.

Privacy Interests

Privacy is protected from state intrusion by the *Charter* but the concept of privacy is yet to be comprehensively defined. As the Supreme Court of Canada stated in *R. v. Spencer*, 2014 SCC 43, [2014] 2 S.C.R. 212 at para. 35: "*Privacy is admittedly a "broad and somewhat evanescent concept" Scholars have noted the theoretical disarray of the subject and the lack of consensus apparent about its nature and limits.*" [citations deleted]

That being said, *R. v. Spencer* dealt with some critical aspects of the right to privacy in public places.

At para. 44:

"The mere fact that someone leaves the privacy of their home and enters a public space does not mean that the person abandons all of his or her privacy rights, despite the fact that as a practical matter, such a person may not be able to control who observes him or her in public."

In regard to the nature of privacy, at para. 38:

*"To return to informational privacy, it seems to me [i.e. Cromwell J. writing for the unanimous Court] that privacy in relation to information includes at least three conceptually distinct although overlapping understandings of what privacy is. These are privacy as secrecy, **privacy as control** and privacy as anonymity."* [emphasis added]

In regard to privacy as control, at para. 40:

*“Privacy also includes the related but wider notion of control over, access to and use of information, that is, **“the claim of individuals, groups, or institutions to determine for themselves when, how, and to what extent information about them is communicated to others”** The understanding of informational **privacy as control** “derives from the assumption that all information about a person is in a fundamental way his own, for him to communicate or retain for himself as he sees fit” [citations deleted] [emphasis added]*

Absent legal compulsion, citizens have a right to refuse to be recorded should they choose to provide information to the police. The Board’s outline of principles is silent in regard to this Charter protected right even though the police must not only respect but safeguard it. While “[service members] *must inform members of the public that are part of an interaction involving BWCs they are being recorded at the earliest opportunity and that the camera is active and recording*”, there is nothing in the outline of principles to deal with situations in which citizens assert their right not to be recorded.

Generally, it is in the public interest to require the police to respect the decision of a citizen in those circumstances. Otherwise:

1. The police will believe the Board has authorized them to override the right of citizens to refuse to be recorded.
2. The police will believe that they, as police officers, have an authority to record that citizens lack.
3. Citizens may refuse to provide information to the police that they would provide if the interaction were not recorded.
4. Citizens may provide less information to the police than they would provide if the interaction were not recorded.
5. Citizens will view the insistence of the police to record regardless of their refusal as a sign of disrespect or gross insensitivity. One example would be police recording advising a parent of the death of their child.

The Application of Guidance for the Use of Body-Worn Cameras by Law Enforcement Authorities (2015)

The *Guidance* provides a four-part test to determine whether to implement the use of BWCs. Each test is italicized and set out *verbatim* below:

1. ***Necessity***

*There must be a **demonstrable operational need** that a BWC program is meant to address. What operational needs do LEAs [law enforcement authorities] have for which BWCs are a solution? BWCs should not be adopted simply because they may be considered a popular enforcement tool. **They must be judged necessary to address specific operational circumstances in the jurisdiction they are deployed in.** [emphasis added]*

There is nothing in Board’s outline of principles that describes a “demonstrable operational need” or “specific operational circumstances” for which the use of BWCs is necessary. In fact, the opposite is true. Under the heading “Purpose of Policy” on p. 3, the list includes transparency, accountability, oversight, privacy, public trust, police legitimacy, safety and effectiveness. In other words, everything.

It is important not to lose sight of first principles in considering this issue. The responsibility of a police services board under s. 10 of the *Community Safety and Policing Act, 2019* is to provide “adequate and effective policing”.

“Adequate and effective policing” is defined in s. 11:

11 (1) *Adequate and effective policing means all of the following functions provided in accordance with the standards set out in the regulations, including the standards with respect to the avoidance of conflicts of interest, and with the requirements of the Canadian Charter of Rights and Freedoms and the Human Rights Code:*

1. *Crime prevention.*
2. *Law enforcement.*
3. *Maintaining the public peace.*
4. *Emergency response.*
5. *Assistance to victims of crime.*
6. *Any other prescribed policing functions.*

With the possible exception of evidence collection as an aspect of law enforcement, the use of BWCs has no reasonable connection to any of these functions, let alone “demonstrable operational need”.

2. **Effectiveness**

*Are BWCs likely to be an effective solution to the operational needs that have been identified? LEAs should be mindful of the limitations of technology. Aspects of incidents may happen out of camera range, sound recordings may be incomplete due to range or background noise, or human error may compromise the usefulness of recordings and diminish their effectiveness. **If recordings are meant to be used as evidence in court proceedings, LEAs should consider the requirements identified by Courts for accepting recordings as evidence as well as the evidence collection and retention measures proposed to ensure those requirements are satisfied.** [emphasis added]*

The Current State of Video Surveillance

Putting aside the issue of recording statements of witnesses, recordings of crimes taking place have the greatest potential value in court. Currently, video surveillance by state and non-state

actors is common. Homes, public places and commercial premises have surveillance and monitoring systems. Cell phones are ubiquitous. Police can record actions and communications for which the participants do not have a reasonable expectation of privacy and they seek and obtain judicial authorization to record actions and conversations when the participants do. Dozens of HPS vehicles have in-car cameras. There is no shortage of sources of video recording in our community. This is the context in which the police are planning to use BWCs.

BWCs as Evidence

BWCs may provide useful, but not necessarily decisive, evidence in criminal cases when the police are victims, observers or perpetrators of crimes, usually a type of assault, or when the offence of public mischief is being committed. The use of BWCs after the crime is committed may capture the image of a fleeing offender which is of negligible evidentiary value if the offender is apprehended at the scene or, if the offender is not apprehended at the scene, may be of assistance in identifying the offender depending on the quality of the images recorded.

Recordings made by BWCs generally would be proved by calling the officer who was wearing the camera at the time. The officer would be asked about the accuracy and integrity of the recording and a judge would decide whether the recording was admissible. Whether or not the Crown tenders the recording as part of its case, the defence could challenge the officer using the recording to illustrate any discrepancies between his evidence and the images and words captured by the recording.

It must be stressed that BWC recordings are no substitute for the testimony of honest, diligent, capable and articulate police officers who have made thorough notes according to policy. Those officers are essential for sound investigations and the effective presentation of the case in court.

BWC recordings of Statements of Witnesses

BWC recordings can have a devastating effect on the testimony of witnesses.

Police interviews have two phases. The first is to find out what happened. The second is to put the information into a coherent form. Doing both well requires experience, patience and skill.

Police deal with citizens in states of emotional distress, shock, excitement, physical trauma and impairment by alcohol or drugs. They are not in a position to provide a complete, coherent recitation of the facts within their perception. Eventually, a consistent, chronological narrative may emerge. A BWC will record the whole process and the entire recording will be disclosed to the defence.

Should the Crown call the witness at trial, the defence will use any misstatements, exaggerations, distortions, omissions, variations, self-protective lies, extraneous matters and irrelevancies at the first phase of the interview which have been captured by the BWC to undermine the witness's credibility.

Costs in Time and Money relating to the Court Process

Police are expected to prepare to give evidence. Currently, that involves a review of their notes. In routine cases, reviewing their notes while waiting outside the courtroom to testify, while less than satisfactory, may suffice.

Should the use of BWCs be approved, the officer's BWC recording will have to be reviewed too in the course of preparing to testify. Unlike written material which only requires possession and literacy to be useful, BWC recordings require viewing devices. Such technology may not be available at the court house on the day of trial.

Some options to facilitate the officer preparing to testify are:

1. Take the officer off the road during his or her shift to review the BWC recording
2. Call the officer in after a 12 hr. shift to review the recording and pay overtime
3. Call the officer in on a day off to review the recording and pay overtime

None of those options is desirable.

It is not only the police officers who have to prepare to give evidence. Witnesses will have to watch BWC recordings of themselves too. It is imprudent to leave recordings in the unsupervised possession of civilian witnesses or have them view recordings unsupervised. Due to inadequate resourcing, the Crown may expect the police to do so.

Dealing with audio/video recordings is also enormously time consuming for the Crown which, like the police, is funded by taxpayer dollars. The recordings have to be reviewed prior to disclosure to the defence. Transcripts are essential and impose a cost on taxpayers regardless of whether they are prepared by the police or the Crown. Preparing for trial requires an additional and more intensive review of audio/visual recordings. A diligent Crown would:

1. Review the entire brief
2. Read any written material relating to the witness prior to viewing the video
3. Read the transcript of the recording of the witness prior to reviewing the video
4. Watch the recording and replaying portions while:
 - a. Assessing the demeanour and tone of the interviewer and the witness
 - b. Assessing the completeness and accuracy of the transcript
 - c. Noting errors and omissions in the transcript
 - d. Assessing the quality of the recording
 - e. Making notes for the trial preparation interview of the witness
 - f. Making notes to deal with the anticipated cross-examination of the witness

Dealing with a 10 minute recording could take more than an hour.

Unnecessary Duplication and Cost

According to the *Recorded Video Technology Update April, 2024* which was presented to the Board at the June 27, 2024 Board meeting, in-car cameras have been installed in “20 cruisers per patrol division with an additional two for the front-line sergeants in each” plus “12 systems deployed to the traffic safety unit, placing a total of 78 Fleet 3 systems on the streets of Hamilton.” (see *Recorded Video Technology Update April, 2024*)

According to an HPS document entitled “*Appendix A – 2023 Use of Force Interactions*”:

“A majority of officers (79%) that are involved in use of force incidents are in uniform, while a small minority (2%) are in plain clothes. Tactical officers make up the remaining 19%.”

Uniform patrol officers, i.e. the officers who are most likely to be in contact with citizens, operate the vehicles equipped with in-car cameras. The system in those vehicles records video and audio. Wearing a BWC in most circumstances will add nothing to the recording. The police have admitted as much. Quoting from a report in the Hamilton Spectator May 2, 2023 “*Police staff told the police services board last year it was applying for a provincial grant, finding that the in-car cameras were a more cost-effective way to increase transparency, over body-worn cameras.*” [emphasis added]

The Need for the Rapid Provision of BWC Recordings to the Office of the Crown Attorney and Federal Prosecutors

Section 11(b) of the *Charter* gives persons the right to be tried within a reasonable time. The Supreme Court of Canada has defined that to mean 18 months in the Ontario Court of Justice or 30 months in the Superior Court of Justice from the time the charge is laid until the trial is completed. Absent exceptional circumstances, trials that cannot be completed in that time will be stayed, no verdict will be reached and the accused person, regardless of the strength of the evidence or the seriousness of the crime, will be released.

All criminal and drug cases start in the Ontario Court of Justice which has the following rule:

*“More particularly, the Court’s expectation is that, unless otherwise directed by the Court, at the first court appearance following the six-month Information sworn date, both parties will, at minimum, **have addressed disclosure**, conducted a meaningful Crown pre-trial and judicial pre-trial (if necessary), and be ready to do one of the following:*

- i. resolve the matter, or identify the courtroom and date on which the matter should be traversed or adjourned to implement the resolution; or*
- ii. set a trial or preliminary inquiry date”*

I would estimate that the Crown will have to disclose BWC recordings to the defence no more than 3 months after the charge has been laid to consistently comply with this rule. It is far from clear that the HPS will be able to do this.

The *Recorded Video Technology Update April, 2024* indicates that from April, 2023 when the deployment of in-car cameras began until March 26, 2024, there have been “3,570 videos created by the Fleet 3 system for criminal court”. The report provided no information about the steps taken by HPS staff that were necessary before the in-car camera recordings could be released to the Crown for disclosure or how long it took, on average, to do so. No BWC programme should be approved by the Board until it is confident that the HPS can provide the recording to the Crown Attorney and Federal Prosecutors in a timely fashion. Furthermore, it would be prudent to learn directly from the Crown Attorney and Federal Prosecutors whether they have sufficient resources to process BWC recordings in a manner that fulfils their disclosure, trial preparation and case presentation obligations.

Reputational Cost to the Police

Nothing in the outline of principles prevents the recording of:

1. A teenage girl traumatized by rape
2. A parent in distress because her child has been abducted by a former spouse
3. People seeking medical care in an ER as a police officer walks through with his BWC activated
4. A young man bleeding and broken in a wrecked car
5. A battered woman humiliated by abuse
6. A father who goes to his son’s apartment to find him dead from an overdose

No decent person would even consider videotaping anyone in those circumstances but nothing in the outline of principles explicitly prevents the police from doing so. Using BWCs in those circumstances is not “adequate and effective policing”. It is repulsive.

3. **Proportionality**

*Without a doubt, the use of BWCs will result in a loss of privacy because recording individuals’ actions and conversations is inherently privacy invasive. As such, **any privacy intrusion must be minimized to the extent possible and offset by significant and articulable benefits.** With new technology, it may be difficult to foresee the full spectrum of positive and negative effects on day-to-day enforcement and the community being served. Undertaking a pilot project is highly recommended as a practical way of evaluating the privacy impacts of BWCs in relation to their benefits, before deciding whether or not to deploy them, how broadly, and in what circumstances.* [emphasis added]

Reference to “Appendix A – Use of Force Interactions 2023” and the “2023 Professional Standards Branch Annual Report”, which were presented to the Board on June 27, 2024 and September 26,

2024 respectively, substantiate the grotesque overreach permitted by the Board's outline of principles.

In 2023, the estimated total number of public interactions with HPS members, which includes calls for service, traffic stops, RIDE lanes and arrests, amounts to 219,943.

Assuming that a BWC recording of each interaction lasted only 6 minutes, one tenth of an hour, and involved only one officer, that would generate more than **2 ½ years** of video and audio recordings.

The community supports the police use of BWCs for one purpose only: to have an objective record of the rare occasions on which police use force unnecessarily, excessively or unreasonably.

In 2023, there were 265 use of force incidents. Those are the incidents that are potentially of concern to the public. Of that 265, only 9 incidents prompted complaints of excessive use of force. By the same measure, the recording of the 9 use of force incidents which led to complaints would take only **54 minutes**.

The privacy intrusion entailed by the use of BWCs under this outline of principles is grossly disproportionate to any significant and articulable benefit. This highlights the need to limit the use of BWCs to, as referred to previously, "*specific operational circumstances*" rather than generalized use.

4. **Alternatives**

A final consideration is whether a less privacy-invasive measure would achieve the same objectives. While there may be a business case for a BWC program, alternative measures should be considered to see whether they can adequately address operational needs with less adverse impact on privacy. *The least privacy invasive measure is the preferred choice.* [emphasis added]

Generally, the best method to avoid measures as privacy-invasive as BWCs would be to rely on the good judgement and ability of the previously mentioned "honest, diligent, capable and articulate police officers who [make] thorough notes according to policy".

Another approach is to avoid using BWCs where other recording devices, such as in-car cameras, exist.

Another approach would be to restrict the use of BWCs to situations in which it was reasonable to anticipate that police officers will use force to execute their duties or to protect themselves. Only 265 such incidents occurred in 2023. Any such incident should be brought promptly to the attention of the Professional Development Division for immediate review and assessment. Any necessary remedial action could be taken in the absence of a complaint from a citizen or a member

of the HPS. An adequately resourced Professional Development Division should be able to do so in a timely fashion.

The Myth of Transparency

In an op-ed published in the Hamilton Spectator on July 6, 2024 under the title “How to make body-worn cameras work in Hamilton”, Professor Christopher J. Schneider, who has published extensively on the topic of BWCs, wrote:

“Body-worn camera footage, however, is very rarely made publicly visible in Canada due to strict privacy regulations that limit the publication of footage, thus not exactly satisfying public trust in the Hamilton police, as Bergen would have us believe.

In fact, the evidence is clear: Body cameras bring much less transparency in a Canadian context than in other international jurisdictions. This is why Canadians see almost none of their own body camera footage broadcast on television or shared on social media, whereas footage from across numerous U.S. jurisdictions is plentiful on sites like YouTube.

Additionally, persons recorded on body camera must file a freedom of information request to access their own footage, a bureaucratic process that is subject to lengthy delays. When body camera video is shown in Canada it is typically in courtrooms, and clips of the footage that are shown can be edited and redacted by police. All of which undermines transparency.” [emphasis added]

Pursuant to s. 80 of the *Community Safety and Policing Act, 2019*, the chief of police may disclose personal information about an individual for a number of limited purposes which are listed in the section. Neither transparency nor, for the matter, accountability is among those purposes. Public disclosures usually involve the images and identifying information of persons who are considered dangerous and are at large or identified persons whom the police are seeking. A recording of police misconduct in the possession of the police would not be released to the public under this section.

Pursuant to s. 8 of the *Municipal Freedom of Information and Protection of Privacy Act*, the police may but, in practice, invariably will, refuse to “*deprive a person of the right to a fair trial or impartial adjudication*”. BWC recordings will not be disclosed by the HPS should a member be under investigation for a criminal offence or by the Professional Standards Branch.

To illustrate the point, assume George Floyd were murdered in Hamilton by HPS officers wearing body cameras. This is what would happen:

1. A death in the course of an “interaction” with the police would be made known through local media.
2. The HPS would not release the names of the officers involved in the fatal interaction.
3. Some additional information might enter the public sphere if citizens had captured some or all of the incident on their recording devices and published it on social media.

4. The Special Investigations Unit (SIU) would be notified and take over the investigation.
5. The HPS, as it is required to do in such circumstances, would go silent.
6. The SIU would take months to conduct an investigation.
7. Should the SIU decide to charge, the names of the officers would be released.
8. Should the SIU decide not to charge, the names of the officers would not be released
9. A criminal trial would take place 18 months to 2 ½ years after the incident.
10. A mandatory inquest would take place years after the incident, regardless of whether charges are laid.
11. BWC recordings would be released only at trial or at the inquest if they become evidence in the proceeding.

That is not transparency. It is patently absurd to suggest it is.

The Approach the Board should Take

Former Senator Murray Sinclair’s comments in his report on the Thunder Bay Police Services Board provide useful guidance on how this Board should deal with body-worn cameras: *“Boards must always be mindful that they are providing civilian oversight and develop policies cognizant of the whole of the community’s best interests.”*

Ms. Lynda Bordeleau stressed and expanded on this aspect of the Board’s duty in her presentation to the Board on September 26, 2023.

After carefully reviewing the outline of principles, it should be clear that **it would be contrary to the whole of the community’s best interests to allow the HPS to use BWCs at this time.** The reasons supporting this position are:

1. Allowing the HPS to override the refusal of a citizen to be recorded could constitute an infringement or denial of the citizen’s right to privacy which is protected by the *Charter*.
2. The proposed implementation of BWCs does not meet the standards set out in the *Guidance for the Use of Body-Worn Cameras by Law Enforcement Authorities (2015)*.
 - a. No specific operational need has been articulated.
 - b. There is no demonstrated specific enhancement to “adequate and effective policing”.
 - c. Excessive and unacceptable costs of the implementation of BWCs are not offset by a benefit to the community.
 - d. The inability to process BWCs in a timely fashion will lead to criminal cases being terminated for delay contrary to the *Charter*.
 - e. The reputational cost to the police of recording vulnerable, injured and traumatized citizens is immense.
 - f. The intrusion on the privacy of hundreds of thousands of citizens is not justified by the questionable benefits the use of BWCs may bring.

- g. No consideration has been given to alternatives to the use of BWCs.
- 3. Suggesting that BWCs increase transparency is at best, disingenuous, and, at worst, dishonest.

I thank the Board for considering these comments.

Yours truly,

Andrew Bell

Stoney Creek, ON



Outlook

Body cameras

From Jacklin Weatherill [REDACTED]

Date Sun 10/20/2024 10:22 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Hi,

I support the use of body cameras for police in Hamilton. They add transparency and will hopefully encourage more trust between police and Hamiltonians.

Thanks

Jackie Weatherill
[REDACTED]

HPS BWC

From [REDACTED]

Date Mon 10/21/2024 11:05 AM

To Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>

Greetings:

I served 30 years and 4 months with HPS, starting from July 12, 1971 as a cadet and then from May 18, 1973 to November 18, 2001 as a Constable. During those times, I served in patrol, as a breath technician, surveillance and in my chosen forte as a traffic enforcement specialist. The OACP awarded me a lifetime achievement in this field in June, 2018. Upon my retirement in 2001, with full honour, I immediately began employment with the Ontario Provincial Police, where again, I specialized in traffic enforcement and as a master instructor in radar and lidar speed measuring equipment. I also served as media relations officer spokesman.

My interactions with the public in 47+ years of policing are myriad in number; thousands upon thousands.

In all those years, I established a rock-solid reputation for my honesty, work ethic and professionalism. Public complaints against me were perhaps a handful in all those years and none was substantiated. I established an unimpeachable reputation in the courts, where credibility is of tantamount importance and if lost, even slightly just once, it is irretrievable.

For me, a BWC was totally unnecessary as my integrity was and remains, my utmost concern.

What seems to be an ever increasing percentage of current police officers, however, have less regard for personal integrity and honesty than in the past. It is my opinion that the more stringent hiring processes used now in police services have inflated the egos of many more officers resulting in some adopting what can only be described almost as "god complexes". This can be exacerbated by high testosterone levels -

artificially enhanced or natural. All this can conspire to bring out the “beast” in some officers, which results in the usual headlines.

It is a recognized fact that the mere presence of a camera will invariably alter the behaviour of anyone who knows that they are being recorded, whether for the better or the worse. In my last 10 or more years of my profession, I always assumed that I was being video and or audio recorded.

If BWCs are adopted for use in Hamilton, the officer should be allowed full discretion of when to turn them on or off while in their cruisers but the BWC should be programmed to automatically activate upon egress of the cruiser.

Digital preservation is a costly aspect of this project. The costs can be affected by actual personnel assigned to the tasks, the methods, the location of the storage etc. This is of personal concern for me as I am a property owner in our city.

OUR service has been blessed with 62 years of officer safety. The last uniformed officer to be lost on duty occurred in 1962 with Constable David Gregory making the ultimate sacrifice. All he needed was a portable radio to receive and exchange information from the Communication Centre. That exchange could have saved his life. 12 years later, portable radios were introduced.

In December of 1968, under questionable circumstances, a Hamilton police officer AND a citizen were killed in a confrontation on Upper Sherman and Crockett Ave. A constellation of circumstances occurred to bring about their demise which, could have been prevented with the use of a BWC - but that was 56 years ago. The digital revolution hadn't yet been imagined.

The salient point of this is that BWC's certainly have a future in policing. Privacy issues are a huge concern but all concerns can be overcome.
Sincerely,

Graham Williamson

