




City of Richmond

Report to Committee

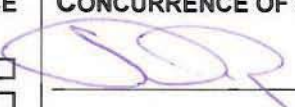

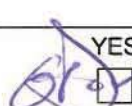
To: Community Safety Committee
From: Greg Scott, P. Eng., LEED A.P.
Director, Project Development
Date: May 30, 2011
File: 06-2052-25-CSB/Vol
01
Re: RCMP Community Safety Building: 2012 Video Surveillance Requirements in
Police Buildings

Staff Recommendation

1. That an increase to the project scope of for a video surveillance upgrade required for the RCMP Community Safety Building (CSB) project to meet the new 2012 proposed standards for police buildings valued at \$179,000, be approved as part of the RCMP CSB project; and
2. That an increase to the project scope for a secure room required for the RCMP's Live Scan system valued at \$20,000, be approved as part of the RCMP CSB project, and be funded from the Capital Building and Infrastructure Reserve; and
3. That the 5 Year Financial Plan (2011-2015) be amended accordingly.


Greg Scott, P. Eng., LEED A.P.
Director, Project Development
(604-276-4372)

Att. 1

FOR ORIGINATING DEPARTMENT USE ONLY			
ROUTED TO:		CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Budgets		Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
RCMP		Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
REVIEWED BY TAG	YES <input checked="" type="checkbox"/> 	NO <input type="checkbox"/>	REVIEWED BY CAO YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> 

Staff Report

Origin

In 2009/10 the City of Richmond pursued the relocation of the RCMP from the current location in the City Hall Precinct to the No. 5 Road location. During this period the City made assumptions regarding the standards the City would need to meet for this facility. In the case of video surveillance and recording systems, the assumption was that staff would relocate the existing system and modify, as needed. The estimated maximum budget figure of \$80,000 was allocated for this work in 2009.

In January of 2010, the City received a letter (Attachment A) stating that as result of a Coroner's inquest that the Police Services Division is proposing a standard that requires all municipalities to provide its police services with an operational digital video surveillance and recording system that meets new guidelines. The Draft Guidelines for Video and Surveillance systems was presented to the City this year and has a financial impact that is outside of current capital funding for RCMP building project.

In addition, this year City Council approved the purchase of a fingerprinting machine, referred to as Live Scan. Live Scan allows the RCMP to take fingerprints and submit them to Ottawa for verification electronically. The turnaround time for this is now approximately 10 days, where it used to take up to 180 days. RCMP is able to report that Live Scan is up and running for Civil Prints only and it came with no costs attached. However when the Live Scan machine arrived, it came with a Technician from Ottawa who explained that we were required to have the machine in a secured lockable room. The machine is essentially a computer and stores an abundance of very sensitive and very personal information. Therefore a room is needed to be constructed, complete with a security system in the new detachment for this equipment for which a budget has not been defined.

Analysis

As recent as two weeks ago we received the final requirements for the Video Equipment Program. The cost of this system is \$259,000. The Video Equipment Program that meets the Solicitor General proposed regulations and standards put forth by the BC Police Services Division is to be put in place by the end of 2012. To save overall capital funds and limit the operational impact on the RCMP, Staff propose completing this work before the RCMP occupies the facility in the Fall of 2011. The Video Equipment Program, that meets the Solicitor General proposed regulations and standards put forth by the BC Police Services Division, requires the following:

1. Closed Circuit Video Equipment (CCVE)

CCVE is the general term used to refer to video equipment used to view, record and display video images. Typical equipment includes cameras and recording devices.

Based on the current floor plan the new detachment requires the following number of cameras:

- 47 cameras under the Cell Block Policy program
- 8 cameras under the Interview Room Audio/Video Equipment Program
- 19 cameras under the Building Security Video Equipment Program

2. Cell Block Policy Video Equipment Program

The Cell Block Policy Video Equipment Program follows pending RCMP policy based on the request from the Ministry of Public Service and Solicitor General to meet the proposed regulations and standards put forth by the BC Police Services Division by the end of year 2012. The regulations and standards proposed are contained in the document Video Surveillance Recordings in Police Buildings.

Early plans for the new Richmond Detachment called for 33 cameras, based on the floor plans and designs reviewed on 2010.12.13. Upon further review of the detachment design in early 2011, the following changes were required:

- 10 camera location changes, of the original 33 cameras planned
- 14 camera additions, increasing the total camera count to 47

Rationale for the 14 additional cameras follows criteria outlined by the policy to cover areas where routine interactions with detained persons are likely to occur. This requires interview rooms located near the reception area of the detachment each contain a dedicated camera separate and distinct from any other camera used in the interview room to record audio and video statements. Further, pathways from an interview room through the detachment area to the cellblock entrance must also be viewed and recorded by CCVE equipment.

Note: procurement, installation and operation of the 14 additional cameras are not required until end of year 2012; however, the construction rough in and wiring should be installed during the current construction phase.

3. Building Security Video Equipment Program

These cameras augment the safety and security of personnel and assets inside the detachment building and outside on the detachment property. Early plans specified 20 cameras to serve this purpose.

The existing equipment is deemed not suitable for use in the Cell Block Policy Video Equipment program due to the following:

Suitability of the Existing DVR Equipment. The existing DVR can only accept input from up to 16 cameras. The new cellblock will require 47 cameras to complete the coverage required at the new detachment location. This requires the purchase of two additional recording devices to provide enough camera connections to meet the 47 cameras required.

Support and Maintenance of Existing DVR Equipment. The DVR equipment is considered "legacy" by the manufacturer and it is difficult and costly to source and procure compatible equipment to expand this system. Costs spent on purchasing the additional legacy recording devices can be offset by purchasing recording devices with updated technology, where one recording device can replace the requirement for three legacy-recording devices.

Retention of Video Data. The existing system, due to its legacy status, is not capable of expanding to meet the requirement of 2 years worth of recorded video data. A new recording device can take advantage of current data storage technology, by allowing the use of larger capacity hard drives and by using data redundancy methods that allow the system to reliably meet the 2 year storage requirement.

Condition of existing cameras. The cameras installed at the existing detachment range in service time, from a few years to several years in service. As most cameras have an average service life of 5 to 7 years, a number of the existing cameras are already at or nearing their expected service life.

Type of existing cameras. The cameras currently installed in the existing cells (referred to as the in cell cameras) are not approved for installation and use as an RCMP in cell camera. These cameras cannot be used as in cell cameras at the new detachment.

The video surveillance system, that will meet the requirements of the Solicitor General, has a total cost of \$259,000. There is currently \$80,000 allocated for this work in the project budget resulting in a required increase of \$179,000. The RCMP has recently offered to the respective municipalities to fund such improvements as a result of the new requirements coming into place in 2012 from the current municipal contract. Therefore, E-Division will fund this expense by granting the equivalent amount back to the City from the annual operating funds it receives from the City through the current contract.

Live Scan

Live Scan is not to be used or accessed by anyone who is not trained on its use nor have a member of the public viewing the personal data and information of a person who has come in and is getting their fingerprints taken. Once all the personal information is input, prior to fingerprints being taken, the client is asked to verify that all is correct, leaving information on the screen for some time as a conversation between the client and the person taking the fingerprints takes place. Again, for privacy reasons, this can not be done where members of the public could overhear the conversation or see the screen.

Also, the biometric and operational software data of the Live Scan must be safe guarded at all times when not in use. Therefore, the room needs to be locked, and only those trained on its use are to turn it on and submit prints (there is a cost associated to each submission).

The municipality charges a fee for most of these services (\$55, except for volunteers). In the case of a citizenship application the applicant is given 60 days to submit their fingerprints, obtain a response and then return them. Under the old process we, at Richmond, could not process these in the allotted time frame so they went elsewhere. The potential income from this equipment is estimated at \$34,320 annually for the City. The capital cost of constructing a room for this equipment is \$20,000. The City has the option of using an interview room, however in a short amount of time the demands on the interview room will be such that the level of service will require the Live Scan room to be built.

Budget Amendments

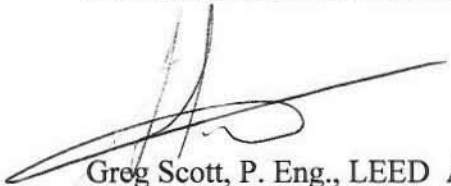
As per City Policy 3001, an increase of this value to the project scope requires a resolution from Council.

Financial Impact

The financial impact of this change in project scope will increase the project's budget by \$199,000 with \$179,000 funded by the operating surplus of the contract between the City and RCMP, resulting in the City receiving a 10% savings (\$17,900) and the remaining \$20,000 funded by the City's Capital Building and Infrastructure Reserve. The 5 Year Financial Plan (2011-2015) will need to be amended accordingly.

Conclusion

Staff recommend that the scope and budget of the RCMP Community Safety Building project be increased to include an upgraded video surveillance system to meet the requirements of the Solicitor General and a secure room for the Live Scan system.



Greg Scott, P. Eng., LEED A.P.
Director, Project Development
(604-276-4372)

GS:gs

Attachments - 1

Attachment A

January 20, 2010 letter from the Solicitor General



RECEIVED

381489
JAN 21 2010

MINISTRY OF PUBLIC SAFETY
AND SOLICITOR GENERAL
POLICE SERVICES DIVISION

January 20, 2010

To: Mayors of ~~RCMP~~ Municipal Contracts with Jurisdictions Over 5,000 in Population
(Distribution list enclosed)

Dear Mayors:

Following the death of Mr. Ian Bush, formerly of Houston, British Columbia, the Coroners Service, Ministry of Public Safety and Solicitor General, announced that there would be an inquest into the shooting. On July 6, 2007, the results of the findings of the five member jury were released. One of the jury's recommendations pertained to the installation and mandatory use of audio and visual recording equipment in police buildings.

In August of 2007, former Solicitor General John Les announced that Police Services Division (PSD) would develop standards regarding the installation and mandatory use of video recording equipment in interview rooms and areas of police buildings where detained persons routinely interact with police personnel. Since that time, PSD staff has conducted research, site visits, consultation with police jurisdictions, and led a working group of individuals from both the RCMP and several independent municipal police departments.

Based on these activities, PSD is proposing a standard that requires that **each municipality provide its police service with an operational digital video surveillance and recording system** in the following locations:

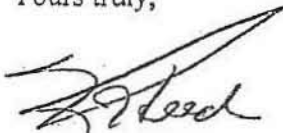
- Sally port;
- Outside locations that may be used for unloading or for release of prisoners;
- Prisoner booking area;
- Hallways and elevators inside cell block;
- Cells and holding rooms;
- Interview rooms (inside *and* external to the cell block);
- Fingerprint rooms (used for compelled or in-custody persons); and
- Breathalyser Test Apparatus (BTA) rooms.

.../2

I am submitting the proposed standards for consideration as a *Police Act* regulation under section 74(2)(g). The regulatory process may take some time. In the meantime, I have written to the Chiefs of Police for the independent municipal police departments requesting that their agencies begin to implement the proposed standard, pending regulation.

Please be advised that the RCMP participated in the development of the standard and have been requested to work towards implementation. Please consider this correspondence confirmation of my Ministry's request that your municipality meet the proposed standard. Details of the proposed standards are attached in this letter, as is a copy of the accompanying guideline which provides further information and policy suggestions. I thank you in advance for your support and compliance with this very important public safety initiative.

Yours truly,



Kash Heed
Solicitor General

Enclosure

pc: David Morhart
Mr. Kevin Begg
Ms. Lynne McNally
Ms. Tanya Allen

Video Surveillance Recordings in Police Buildings *Proposed Standards*

AUTHORITY

Police Act section 74 (2)(g):

"Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:

(g) prescribing requirements respecting offices buildings, places of detention, and equipment and supplies to be provided by municipalities;"

RATIONALE

The intent of the proposed *Video Surveillance Recordings in Police Buildings* standards is to (1) increase the safety of officers and the public; (2) provide evidence for any investigation; and (3) contribute to the consistent application of this technology throughout the province.

The principle behind the proposed standard is to ensure a digital video surveillance and recording system is present in all interview rooms and areas of police buildings where detained persons routinely interact with police personnel.

DEFINITIONS

In the proposed *Video Surveillance Recordings in Police Buildings* standards,

"Sally Port" means the secure driveway or parking bay that is immediately adjacent to a police building where a detained person is loaded or unloaded into and out of transporting vehicles.

"Cells and holding rooms" includes cells; holding rooms; observation rooms; and/or "drunk tanks."

"Interview rooms (inside *and* external to the cell block)" includes:

- All investigative and patrol interview rooms whether identified as a "hard" or "soft" interview room; and whether or not they have existing cameras for *investigative* recording;
- Multi-purpose rooms that may be used for interviews, legal consultation, telephone access, visit and/or bail hearings;
- Polygraph rooms (used for detained persons); and/or
- Statement and bail hearing rooms.

"Fingerprint rooms (used for compelled or in-custody persons)" means any room in a police building used for compelled fingerprints or for fingerprinting in-custody persons. Fingerprint rooms used exclusively for volunteer fingerprinting are not included in these standards.

LEGISLATIVE REQUIREMENTS

That each municipality provide its police service with an operational digital video surveillance and recording system that has the capacity to record at a sufficient rate of speed to provide seamless coverage of movement.

That each of the following locations within or immediately around a police building have an operational digital video surveillance and recording system in place with the capacity to record at a sufficient rate of speed to provide seamless coverage of movement all persons within each location:

- Sally port;
- Outside locations that may be used for unloading or for release of prisoners;
- Prisoner booking area;
- Hallways and elevators inside cell block;
- Cells and holding rooms;
- Interview rooms (inside *and* external to the cell block);
- Fingerprint rooms (used for compelled or in-custody persons); and
- Breathalyser Test Apparatus (BTA) rooms.

COMING INTO FORCE PROVISIONS:

- For immediate implementation:
 - Prisoner booking area.
- Year 1 ~ Fall 2010:
 - Sally port;
 - Outside locations that may be used for unloading or for release of prisoners; and
 - Interview Rooms (external to the cell block).
- Year 2 ~ Fall 2011:
 - Hallways and Elevators inside cell block;
 - Cells (including "Drunk Tanks", holding rooms & observation rooms); and
 - Interview Rooms (inside the cell block).
- Year 3 ~ Fall 2012:
 - Fingerprint Rooms (used for compelled or in-custody persons); and
 - Breathalyser Test Apparatus (BTA) rooms.

Video Surveillance Recordings in Police Buildings Guidelines to Accompany Proposed Standards

AUTHORITY

Police Act section 74 (2)(g):

"Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:

(g) prescribing requirements respecting offices buildings, places of detention, and equipment and supplies to be provided by municipalities;"

LEGISLATIVE/REGULATORY REQUIREMENTS

The proposed standards pertaining to *Video Surveillance Recordings in Police Buildings* require that each municipality provide its police service with an operational digital video surveillance and recording system that has the capacity to record at a sufficient rate of speed to provide seamless coverage of movement.

The proposed standards also require each of the following locations within or immediately around a police building have an operational digital video surveillance and recording system in place with the capacity to record at a sufficient rate of speed to provide seamless coverage of movement all persons within each location:

- Sally port;
- Outside locations that may be used for unloading or for release of prisoners;
- Prisoner booking area;
- Hallways and elevators inside cell block;
- Cells and holding rooms;
- Interview rooms (inside *and* external to the cell block);
- Fingerprint rooms (used for compelled or in-custody persons); and
- Breathalyser Test Apparatus (BTA) rooms.

British Columbia Independent Municipal Police Departments are subject to the provisions of the *Freedom of Information and Protection of Privacy Act* [RSBC 1996] Chapter 165. A central tenet of this Act is that an individual who is the subject of surveillance has a right to request access to his or her recorded personal information under s. 5 of the *Act*. As such, the *Act* requires agencies to retain recorded information for one year if it contains personal information about an individual that is used to make a decision that directly affects the individual (s. 31 of the *Act*).

The legislation also contains: provisions for the collection and security of recorded information, parameters surrounding use and disclosure of such information, and exceptions to disclosure. Department personnel who oversee, use, or draft policy regarding the surveillance system should consult the *Act* directly for further information. The Office of the Information and Privacy Commissioner for British Columbia has also created *Public Surveillance System Privacy Guidelines* which may aid in interpreting the Act and drafting related policy.

The RCMP detachments within the Province of British Columbia are subject to the provisions of the federal *Access to Information Act* (R.S., 1985, c. A-1), *Privacy Act* (R.S., 1985, c. P-21) and *Privacy Regulations* (SOR/83-508); which encompass similar provisions to BC's information and privacy legislation with one main exception: that records used to make a decision that directly affects an individual must be retained for two years (see *Privacy Regulations* 4(1)(a)).

DEFINITIONS

In the proposed *Video Surveillance Recordings in Police Buildings* standards,

"Sally Port" means the secure driveway or parking bay that is immediately adjacent to a police building where a detained person is loaded or unloaded into and out of transporting vehicles.

"Cells and holding rooms" includes cells; holding rooms; observation rooms; and/or "drunk tanks."

"Interview rooms (inside and external to the cell block)" includes:

- All investigative and patrol interview rooms whether identified as a "hard" or "soft" interview room; and whether or not they have existing cameras for *investigative* recording;
- Multi-purpose rooms that may be used for interviews, legal consultation, telephone access, visit and/or bail hearings;
- Polygraph rooms (used for detained persons); and/or
- Statement and bail hearing rooms.

Note: Interview rooms used exclusively for internal investigations and/or for legal consultation are not required to have surveillance cameras.

"Fingerprint rooms (used for compelled or in-custody persons)" means any room in a police building used for compelled fingerprints or for fingerprinting in-custody persons. Fingerprint rooms used exclusively for volunteer fingerprinting are not included in these standards.

RATIONALE

The intent of the proposed *Video Surveillance Recordings in Police Buildings* standards is to (1) increase the safety of officers and the public; (2) provide evidence for any investigation; and (3) contribute to the consistent application of this technology throughout the province.

The principle behind the proposed standards is to ensure a digital video surveillance and recording system is present in all interview rooms and areas of police buildings where detained persons routinely interact with police personnel.

COMING INTO FORCE PROVISIONS

Timelines for compliance with the proposed standards will be staggered over three years to allow departments time to prepare internal policy and procedures that will result from this proposal and in recognition that implementation may be costly for some departments.

- For immediate implementation:
 - Prisoner booking area.
- Year 1 ~ Fall 2010:
 - Sally port;
 - Outside locations that may be used for unloading or for release of prisoners; and
 - Interview Rooms (external to the cell block).
- Year 2 ~ Fall 2011:
 - Hallways and Elevators inside cell block;
 - Cells (including "Drunk Tanks", holding rooms & observation rooms); and
 - Interview Rooms (inside the cell block).
- Year 3 ~ Fall 2012:
 - Fingerprint Rooms (used for compelled or in-custody persons); and
 - Breathalyser Test Apparatus (BTA) rooms.

EXPLANATORY NOTE ON DIRECTOR'S GUIDELINES

Guidelines are issued by the Director of Police Services to assist in the coordination of policing and law enforcement within the province. The Director's Guidelines supplement the provincial policing standards. They are based on research and best practices, and developed in consultation with subject matter experts within policing and other relevant fields.

In addition to the provisions of the proposed *Video Surveillance Recordings in Police Buildings* standards, police services are advised to follow the Director's Guidelines outlined below or a comparable equivalent that is determined to better reflect local needs. A rationale documenting such a determination is recommended. Compliance with both the legislative and regulatory requirements and the Director's Guidelines may be considered during audits and inspections by Police Services Division.

1 POLICY & PROCEDURES

Every police service should maintain policy and procedures that:

- Limit locations for release procedures and entry/exit routes for detained persons;
- *When inside police buildings*, restrict locations of interaction with detained persons – including booking, interviews, detention, signing paperwork, and release – to areas under surveillance.
- Minimize contact with civilian staff and facilities when escorting detained persons through hallways and passageway inside the police building;
- Are in compliance with FOIPPA provisions regarding monitoring, access, security and retention of recordings; and
- Ensure appropriate safeguards are in place so solicitor-client privilege is not breached during legal consultation (i.e., cover the camera).
- Ensure appropriate safeguards are in place to protect the safety of confidential sources (i.e., cover the camera).
- Allow for interviews of police members to take place without surveillance;
- Allow for a declaration to be signed if a victim or witness refuses to participate in an interview with surveillance recording. The victim or witness must sign a declaration stating that they have requested no surveillance coverage – then the interview may take place without surveillance (this includes interviews for internal investigations purposes).

The BC Office of Information and Privacy Commissioner (OIPC) have drafted *Public Surveillance System Privacy Guidelines* (January 26, 2001), which includes suggestions for creating surveillance system policies (Section 4.2 and 4.4). The Director of Police Services supports and anticipates compliance with the OIPC Guidelines. Department personnel who oversee, use, or draft policy regarding the surveillance system should consult the OIPC Guidelines directly for further information.

For clarification, some of the guidelines pertaining to departmental policies include (but are not limited to) the following. Departments should develop comprehensive written policies that:

- Govern the use of video surveillance equipment, including:
 - Locations of cameras;
 - Location of monitors and storage equipment (in a controlled area);
 - Personnel authorized to access and/or operate the system;
 - Times when surveillance will be in effect.
- Govern the use and retention of recorded information, including:
 - Who may access the information (whether for monitoring purposes, retrieving copies or extracts, and/or reviewing for investigative purposes).
 - Circumstances information may be accessed.
 - Minimum and maximum retention periods for extracts and general storage.
- Specify that authorized personnel maintain a log of all instances of access to and use of recorded material.

- Specify the use of a record release form to be completed before disclosure of recorded material to members of the police department.
 - This release form should include the purposes for disclosing the recording, who it is being disclosed to, when disclosure occurred and if the recording will be returned or destroyed after use. Recordings should be numbered and monitored to ensure safeguards are in place.
- Dictate the secure disposal of old storage devices and recordings by shredding, burning or magnetically erasing the device.

2 EQUIPMENT

Recording speed: A minimum of 7.5 frames per second is recommended but not mandatory provided that recorded motion appears fluid.

Camera housing: A department may select any style of camera housing provided that the entire scope of the location is covered to comply with the standards.

- Box-style housing and/or cameras within box-style housing may need to be adjusted to ensure there is no blind spot or gap immediately under the camera housing.
- Pan tilt zoom cameras should be accompanied by additional cameras to ensure the recording of seamless coverage of movement across the entire scope of the room.

Activation: The recording mode for all locations listed in the standards should be motion-start or continuous 24/7 activation, with the following exceptions:

- Cells and holding rooms that are equipped with motion-start activation must have an automatic or manual 24/7 override.

An override is necessary to ensure continuous recording of detained persons even if they are sleeping or if they remain still for a period of time. An override is to be used anytime a person is detained inside the cell or holding room.

An example of an effective automatic override mechanism is one that begins anytime a sensor detects that the cell or holding room door is closed.

- Interview rooms may be equipped with a manual activation instead of motion-start or continuous 24/7 activation.

However, if a police service opts for manual activation, policies and procedures must be in place to ensure that the system is recording anytime a person is interviewed and/or detained inside the interview room.

An example of an effective manual activation mechanism is one that is connected to the light switch to ensure that anytime a person turns on the light to enter the room the

surveillance camera will begin recording.

- Appropriate mechanisms must be in place within interview rooms so that solicitor-client privilege is not breached during legal consultation.

An example of an appropriate mechanism is a magnetic or a Velcro flap which may be used to cover the face of the camera during the interview or consult.

Computer software: To facilitate extraction and sharing of recordings in appropriate circumstances (e.g., for use as evidence), the recording system's software platform should be compatible with any media player and extracts should be able to be viewed without the procurement of additional proprietary and/or specialized software. The software should enable the time and date stamp on original recordings and any copies or extracts that are made.

3 MONITORING AND EVALUATION

The department should review the functionality, use and security of its digital video surveillance and recording system – including recording equipment, monitors, storage devices and accompanying policies and procedures. This review should be conducted at least once per annum to ensure the integrity of the system and compliance with the proposed *Video Surveillance Recordings in Police Building* standards and FOIPPA requirements. The results of each review should be documented in detail and any concerns should be addressed promptly and effectively.