

City of East Ridge Police Department

Subject: Body Worn Cameras		Number: 11.19
Reference:		Amends:
Effective: 6-10-2015	Review Date: Annually	# of Pages: 6

PURPOSE:

This policy is intended to provide officers with instructions on when and how to use body-worn cameras (BWCs) so that officers may reliably record their contacts with the public in accordance with the law.

POLICY: (11.19)

The routine use and recordings of the department's video and audio equipment is an impartial witness to events as they actually occur. It is the policy of the East Ridge Police Department that officers shall activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not apply to the use of surreptitious recording devices used in undercover operations.

PROCEDURES:

Administration (11.19-01)

The East Ridge Police Department has adopted the use of the BWCs to accomplish several objectives. The primary objectives are as follows:

1. BWCs allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
2. Audio and video recordings also enhance the department's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
3. The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

When and How to Use the BWC (11.19-02)

1. The cameras shall be worn in a location and manner as specified by the Chief of Police, taking into account the camera's field of view, the officer's comfort, functionality of the camera, ease of use, and the type of camera system being used.
2. Officers shall activate the BWC to record all contacts with citizens in the performance of official duties.
3. Whenever possible, officers should inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as a residence, they may decline to be recorded unless the recording is being made in pursuant to an arrest or search of the residence or the individuals. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy (see 11.19-04).
4. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated.

Procedures for BWC Use (11.19-03)

1. BWC equipment is issued primarily to uniformed personnel as authorized by ERPD. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel. Personally owned body worn cameras shall not be worn by an officer while on duty.
2. Police personnel shall use only BWCs issued by this department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of ERPD.
3. Police personnel who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operations. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
4. BWC equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured.

5. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify their supervisor of any problems.
6. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief of Police or his or her designee.
7. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
8. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the video file.
9. Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of Police or his or her designee in accordance with state record retention laws. All requests and final decisions shall be kept on file.
10. Officers shall note in incident, arrest, and related reports when recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports.

Restrictions on Using the BWC (11.19-04)

BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:

1. Communications with other police personnel without the permission of the Chief of Police;
2. Encounters with undercover officers or confidential informants;
3. When on break or otherwise engaged in personal activities; or
4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.
5. Whenever possible, officers shall avoid recording people who are unrelated to the police or Department purposes. Additionally, Officers shall take into account HIPAA considerations when dealing with medical and psychiatric patients. Officers should normally turn their cameras off when at a medical facility and when a clinician is interviewing a subject. Victim and witness interviews will generally not be recorded by BWCs. Body worn cameras shall not be used during Sex Crime and Child Abuse Investigations.

EXCEPTION: Domestic Violence victims often recant their statements as early as the following morning after a crime. Such victims may also make their children unavailable for investigations or court to avoid their providing statements. For these reasons, a domestic violence victim with serious injuries are exceptions and their statements should be recorded if the victim so consents. Officers should also record the statements of children of domestic violence victims who are witnesses in these types of cases if the children are willing and the parent consents.

Storage (11.19-05)

1. All files shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, BWC identifier, and assigned officer.
2. All images and sounds recorded by the BWC are the exclusive property ERPD. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited. Files may never be disseminated via the internet such as Facebook, YouTube, twitter, etc.
3. All access to BWC data (images, sounds, and metadata) must be specifically authorized by the Chief of Police or his or her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
4. Files should be securely stored in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under control of a criminal justice agency.
5. Copying and releasing digital evidence obtained from the use of the department's cameras to the public shall be treated like any other official record and handled accordingly pursuant to existing department policies and procedures and any applicable state or federal laws. All requests for video or other evidence obtained from the use of the cameras shall be approved in advance by the Chief of Police or the Chief's designee after consultation with legal counsel and/or the District Attorney's office overseeing any criminal prosecution to which such evidence, data, or information is, or may be, relevant.

Supervisory Responsibilities (11.19-06)

1. Supervisory personnel shall ensure that officers equipped with BWC devices utilize them in accordance with policy and procedures defined herein.
2. At least on a monthly basis, supervisors will randomly review BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.
3. It is not the intent of the department to review digital evidence for the purpose of general performance review of, or policy violations by, its officers. Administrative review is limited to the following instances:
 - a. Officer injury or death
 - b. Use of force by a member of the department
 - c. In-custody deaths
 - d. Police pursuits
 - e. Intentional or unintentional discharges of a firearm
 - f. Officer involved traffic crashes
 - g. Internal Affairs investigation relating to a citizen complaint

Policy Review Questions:

1. Officer shall record citizen contacts;
 - a. At the officer's discretion
 - b. Only on traffic stops
 - c. All citizen contacts
 - d. All of the above

2. Officers will never inform citizens they are being recorded.
 - a. True
 - b. False

3. Officers shall document reasons for;
 - a. Not recording a contact
 - b. A recording is interrupted
 - c. A recording is ended
 - d. All of the above

4. All files shall be securely downloaded periodically and no later than;
 - a. The next day
 - b. The next shift
 - c. The end of their shift
 - d. Whenever there is no space left on the camera

5. Officers may not record communications with other police personnel without the permission of the Chief of Police.
 - a. True
 - b. False

6. Officer are allowed to share video files on;
 - a. Facebook
 - b. YouTube
 - c. Twitter
 - d. Never