

BODY CAMERA SAMPLE POLICY



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BODY WORN CAMERA POLICY

PURPOSE

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

POLICY

It is the policy of this department that officers shall activate the body worn camera 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 govern the use of surreptitious recording devices used in undercover or other approved covert operations.

PROCEDURE

Bodycams allow for accurate documentation of police-public contacts, arrest, and criminal incidents. Audio and video recordings also enhance this agency'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.

The bodycam may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband. If asked officers should inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as inside 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.

BASIC OPERATION

Every officer will be issued a body-worn camera (video and audio recording device, aka "bodycam"). Once issued you are responsible in properly taking care of the equipment issued (charging, cleaning, and reporting any malfunctions). Officers shall inspect and test the bodycam prior to each shift to

verify proper functioning. All malfunctions or missing equipment shall be immediately reported to their supervisor. Police personnel shall use only bodycams issued by this department.

It is the department's responsibility to properly train and document every officer in the use and maintenance of issued bodycam equipment. Additional training may be requested and or 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.

All uniformed officers that encounter the public on an everyday occurrence (patrol, street crimes, and traffic) shall be required to wear their bodycam on their person during work and extra/off-duty hours. The body of the bodycam should be secured to the officer (bodycam belt pouch, vest pocket, etc.). The camera should be secured to the center line of the officer's chest or in a location where frontal optimum viewing and recording will occur.

All non-uniformed officers (detectives, administration, etc.) are required to have their bodycam equipment available to them during work hours; and it should be properly worn in a location where frontal optimum viewing and recording will occur if they know or have a reasonable expectation that they will encounter or will be interacting with the public in the capacity of their law enforcement duties.

The bodycam must also be powered on in the ready state when worn during the officer's normal duty and extra/off-duty work. The ready state is defined as: the unit is powered on and connected to its camera, is affixed to the uniform and ready to start recording at the click of the record button while in an optimal recording location.

All officers shall make every attempt to record every interaction with the public while in the performance of their law enforcement duties. The bodycam shall remain activated until the interaction or event is concluded but shall be stopped or discontinued if further recording would constitute a violation of the law, department policy, expectation of privacy. When this occurs, the recording officer must verbally note on the recording before it is stopped as to why the recording was stopped. The recording must be started back immediately when cleared from the restricted area and stopped after each independent investigation or incident.

Upon recording completion of an incident, officers must categorize each incident by using the LCD screen on bodycam body or by using the available phone app. Categorization must include the specific category type and applicable incident number.

If a recording failure occur, officers shall immediately notify their supervisor via email and verbal communication and shall include the reference number, incident and category type.

All reports generated while using a bodycam should have: "Bodycam Available" (meaning recording activated) or "Bodycam Unavailable" (meaning failure to activate recording) as the last line of their narrative.

Any supervisor checking and approving officer's reports shall make sure the last line contains the bodycam status. If the status states unavailable, then the supervisors shall determine the cause and take appropriate action.

The officers on duty are not required to activate the bodycam system under the certain conditions: If recording would constitute a violation any state, local or federal law, department policy or a person's expectation of privacy, off duty, restrooms, employees home, doctor's appointment, break times, personal activities, encounters with undercover officers or confidential informants, etc. Communications with other police department employees while not in performance of their official duty, or with the consent of the Chief of Police.

The docking (downloading) of the bodycam shall be done at the beginning of the officers on duty work shift and the end of the work week and before the beginning of the officers regular assigned days off. Daily docking should eliminate long download times.

RECORD-AFTER-THE-FACT FUNCTION

The bodycam is equipped with a recording function (Record-After-the-Fact) that captures events that occur while the unit is inactive, or if the officer failed to activate the record mode. This feature will primarily be accessed only during critical incident type situations such as officer involved shooting, bodily injuries involving but not limited to death, life threatening, permanent disfigurement to officer or suspect, gross negligence. If this occurs, the recording officer shall immediately notify his supervisor of the occurrence. The responding supervisor shall immediately notify the technology unit supervisor who shall immediately notify the Chief of Police or his designee with the information of the incident. The Chief will either approve or disapprove the accessing of the recording by the technology division based on the aforementioned criteria. If the Chief approves the retrieval, the technology officer will retrieve the bodycam from the officer. After-the-fact recordings have a limited time saved or stored on the device of 0-16 hours before it is automatically re-written over by the device.

VIEWING OF BODY CAM FOOTAGE AND INTERVIEW ROOM FOOTAGE

Stored bodycam and Interview room video can be viewed by officers but with restrictions. All recordings both audio and visual, virtual or real remains and is the exclusive property of the _____ Police Department. No recording shall be reproduced, copied, released, forwarded, described or simulated either virtual or real without the expressed written consent of the consent of the Chief of Police of the _____ Police Department.

Officers: Can only review their own video for report purposes.

Detectives: Can only review their own video for report purposes. Detectives may review other officer's footage that pertains to their case they are working.

Supervisors: Can review their own video and subordinate's videos for report purposes. Can review subordinate's videos of officers for justifiable cause as it pertains to complaints, suspicion of wrong doing or to verify proper functioning and or use according to policy.

Internal Affairs: Can review their own video and any video associated with the direct performance of their official duties as an Internal Investigator. Can review videos of officers for justifiable cause as it pertains to complaints, suspicion of wrong doing or to verify proper functioning and or use according to policy.

Technology Division: Can review their own video for report purposes. Can only review, research, retrieve, copy or redact any video as authorized by the Chief of Police. No request designation is required from the Chief of Police for general system servicing, repair, maintenance, upgrade or update of the systems hardware or software.

DESIGNATING FOOTAGE AS EVIDENCE

Any bodycam video that is designated as evidence shall be dock as normal. The officer logging the video as evidence shall notify the evidence officer by email of the evidentiary designation of the video and provide him with the incident number, date, time, officer(s) name, suspect name, date of birth and address of incident. After the video has been retrieved and designated as evidence, the evidence officer shall immediately contact the technology unit supervisor by email, who will remove the video file from the bodycam server. Following this, the evidence officer shall reply to the sender of the original email; noting that the video has been received and is now evidence. After removing the video from the camera server, the technology unit supervisor shall also send an email to the evidence officer indicating that the evidentiary video has been removed for the camera server; thereby, indicating that the video is only retrievable and viewable based on the rules of evidence processing and handling according to police policy. The bodycam evidence may be accessed by any duly authorized City Attorney, District Attorney, investigators or those authorized by court or court order.