

	<p>FOX CROSSING POLICE DEPARTMENT</p>
<p>TITLE</p>	<p>MOBILE VIDEO/AUDIO RECORDING & BODY WORN CAMERA POLICY</p>
<p>GENERAL ORDER</p>	<p>09-01</p>
<p>SECTION/CHAPTER</p>	<p>Section VI., Chapter IX</p>
<p>ISSUED BY: Chief Tim Seaver</p>	

A. PURPOSE

The purpose of this policy is to provide officers with guidelines for the use of in-car mobile & Body Worn Camera (BCW) video/audio recording equipment. It is the policy of the Fox Crossing Police Department to use video/audio recording equipment systems to provide accurate documentation of events, actions, conditions, and statements made during law enforcement contacts. In addition, the systems can provide unbiased documentation of incidents to support the actions of the department and its members.

B. Definitions

1. **In-car camera(s):** A video/audio system mounted inside a police vehicle, containing one or more cameras, used to accurately document incidents. The primary camera is pointed out of the windshield and is used to record traffic stops and other arrests/incidents near the vehicle. A second camera may be mounted inside the squad to document actions inside the vehicle. Examples of this would be; reading of the Informing the Accused/ Miranda, completing a statement, conversations, transports, etc.

2. **Body Worn Camera (BWC):** A video/audio system mounted on the officer’s person to accurately document incidents. The BWC can and often times should work in conjunction with the in-car camera system. The BWC can capture the perspective from the front of the officer and events in, near and away from the squad car. The BWC records events right ahead of it and may not include the totality of the field of vision the officer can see, as the officer can visually scan all around them.

C. PROCEDURES

1. Administration

- a. Video systems 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.
- b. Audio/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.
- c. Video/audio systems may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
- d. Audio/video equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.
- e. Officers must complete an agency provided training program on in-car and BWC systems to ensure proper use and operations.
- f. Officers are encouraged to notify their supervisors of any recordings that may be of value for training purposes.
- g. 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.

2. In-Car Camera Operation

- a. The proper care of the video systems is the responsibility of the officer operating them. Officers shall report any problems with the systems by advising an on-duty supervisor and filling out FCPD-99.
- b. Officers shall not in any way, dismantle or tamper with the system.
- c. At the beginning of a shift, officers should ensure the systems are powered up and the in-car system is displaying the correct date and time. If necessary, synchronize the transmitter/microphone to the system.

- d. Officers may carry the squad in-car microphone on their person in a location capable of recording audio clearly. The microphone shall be powered on prior to the start of the shift and remain on during the course of the shift.
- e. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner video/audio recordings. Officers can label the video file with the case number and category name/tag. This process does not alter the video itself.
- f. Officer shall note an incident, arrest, and related reports when recordings were made. However, recordings are not a replacement for a written report.

3. Required Operation in Car Camera

- a. In-car video/audio recording is automatically initiated when a squad's emergency lights are activated. The systems are not intended to be operated in the record mode continuously during routine patrol.
- b. In-car video/audio shall be used to record the following:

Official law enforcement contacts that take place inside or outside near the squad car to include;

- All emergency vehicle operations
- All traffic stops
- All vehicle pursuits
- Gaining evidence of a traffic violation, interviewing a subject or conducting surveillance of suspected criminal activity.
- Persons the officer reasonably suspects have committed, are committing, or are about to commit a criminal offense or ordinance violation.
- Transports of persons in custody that are argumentative or combative, assault the officer, or the subject is injured or claims to be injured.

- c. When responding to an emergency call, the in-car video/audio will be activated. Once the officer arrives and no law enforcement action is being taken, the officer is encouraged to stop recording. Some examples of this are an accident or directing traffic.

4. Body Worn Camera Operation

- a. Body worn cameras will be issued to each sworn officer, supervisor, and administrator.
 - b. The proper care of the video systems is the responsibility of the officer operating them. Officers shall report any problems with the systems by advising an on-duty supervisor and filling out FCPD-99.
 - c. Officers shall not in any way, dismantle or tamper with the system.
 - d. At the beginning of a shift, officers should ensure the systems are powered up and the BWC is synced with the current officer’s information.
 - e. Officers shall carry the BWC on their person in a location capable of recording clearly. The BWC shall be powered on at all times.
 - f. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner video/audio recordings.
 - g. Officers shall label the video file with the case number and classification prior to the ending of their shift.
 - h. Officers shall note in the incident, arrest, and related reports when recordings were made. However, recordings are not a replacement for a written report.
5. Required Operation Body Worn Camera
- a. Personnel assigned to uniformed field duty shall wear their BWC at all times while working. Uniformed officers and detectives shall record all enforcement, investigations, and active incidents.
 - b. All sworn personnel assigned a BWC will record all instances when engaged in pre-planned, high risk situations, such as drug raids, warrant executions, sting operations, etc.
 - c. Circumstances when a BWC may not be used include but are not limited to:
 - Officer safety prohibits due to sudden assault or unexpected altercation.
 - Speaking with an informant or community member providing information who request deactivation of BWC prior to providing information.

- A health care provider is discussing medical issues with a patient.
- While in the hospital waiting for a person in custody to be medically cleared unless their behavior dictates the need for continued activation of the BWC.
- While debriefing with other officers regarding specific details or tactics of a call for service.
- When developing a tactical plan or creating a safety plan for a victim.
- Personnel are prohibited from utilizing the issued BWC for personal use.
- Any other incident where the officer can articulate the necessity and totality of the circumstances that led to not activating the BWC.
- When on break or otherwise engaged in personal activities.
- General communications, non-incident related, with other police personnel without the permission of the chief.
- In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.
- If the BWC’s battery is low and the BWC is already in the charging unit when response to a call for service is necessary.

D. VIDEO/AUDIO RETENTION

1. Evidentiary video/audio

- a. Video containing the following types of incidents shall be classified as “evidence”.
- Operating while intoxicated arrests (civil and criminal)
 - Vehicle pursuits
 - Crime scene footage
 - Fatal or serious injury vehicle crashes
 - Use of any type of force

- Any other incidents where, in the officer’s discretion, the documented footage (audio, video or both) will supplement the officer’s written report.
2. Retention of Body Worn Camera & Squad Camera Media
 - a. Manual Purge (greater than 180 days) – all media classified as *evidence*
 - b. 180 days- all media classified as *recorded media & traffic stops*
 - c. Exception: 10 days- Squad Car Camera *squad checks*.
 3. Data Storage and access
 - a. Database is located on a secured server
 - b. Media can be accessed by sworn officers with certain security levels and can only be accessed on computers with the software program installed.
 - i. Media access is restricted by security levels set up in the software.
 - ii. Two software administrators have full access.
- E. Supervisory Responsibilities
1. Supervisory personnel shall ensure officers equipped with camera systems utilize them in accordance with policy and procedures defined herein.
 2. At least on a monthly basis, supervisors will randomly review video/audio recordings to ensure the equipment is operating properly and officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.

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