

**RECORDS INSPECTION AND/OR COPY RESPONSE
CITY OF WICHITA, KANSAS**

NAME: Ashley Arnold

ADDRESS: _____

CITY: _____

PHONE: _____

ZIP: _____

EMAIL: Ashley.arnold@ksn.com

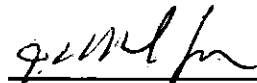
Response to your request dated December 4, 2014, for: _____ inspection
X copies of the following records:

Record Title/Date

Response

All current WPD body camera policies, including any instructional information, guidelines, etc.

Documents pursuant to your request are attached. The actual policy is still being drafted, so the SOP is all that is available at this time. This KORA is considered complete and closed.



Records Custodian

December 5, 2014

Date

Copies to: City Clerk/CFIO

AXON BODY WORN CAMERA SYSTEM/EVIDENCE.COM

Purpose

The AXON Flex System provides documentation of law enforcement interaction with the public by providing recorded evidence of actions, conditions and statements that may be used for court proceedings, internal review, or review by the public through formal request. Goals of a Flex system are for officer safety, to accurately document events during the course of an incident, to provide prosecutors with best evidence for court proceedings and to determine the accuracy of complaints made against a member of the Wichita Police Department.

Definitions

AXON Flex System The AXON Flex System is a wearable camera system incorporating an audio and video recording device to be worn by you while performing your job duties. The components are designed for use in tough environmental conditions encountered in law enforcement, corrections, military, and security activities. The Flex system is designed to record events in real-time for secure storage, retrieval, and analysis via the EVIDENCE.com website or to your storage solution via the secure Evidence Transfer Manager (ETM).

AXON Flex Features The primary AXON Flex components are the controller and camera.

They will work with a variety of mounting options.

AXON Flex Camera The camera is a digital video recorder (DVR) that offers high quality video and low-light gathering capabilities.

The recorder is designed to store at least 4 hours of video (and up to 13 hours based on the video setting). If the camera is full (has reached storage limit), the camera will not record over previous video but instead stops recording.

AXON Flex Controller The controller enables you to turn the unit on, begin recording of an

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event, stop recording, and turn the unit off. The controller features LEDs

to indicate the operating mode and battery capacity.

AXON Flex ETM The AXON Flex ETM is designed to upload data from the camera to the

EVIDENCE.com website and recharge the controller.

AXON Mobile AXON Mobile application enables playback of footage on the

department approved Samsung® MP3 player) for review prior to storing the data.

Equipment Connection The controller and camera connect with 2.5 mm to USB cable

Options specifically designed for the AXON Flex System.

Evidence.com Online Web-based digital media storage facility accessed at

www.evidence.com. The virtual warehouse stores digitally

encrypted data in a highly secure environment accessible to

personnel based on security clearance.

Data Includes photographs, audio recordings and video footage. The data is stored digitally.

Roles and Permission:

Agency Administrator Evidence.com system administrator with full access to user rights.

DUI Records Custodian AXON user with system administrator access and user rights.

Wichita Lieutenant AXON user with system administrator access and user rights.

Wichita Sergeant AXON user with the rights to view, download and share.

Wichita Investigator AXON user with rights to view and download.

Wichita Officer AXON user with individual account access rights to Evidence.com.

B.A.T Van Service Officer AXON user with individual account access rights to Evidence.com.

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Wichita City Attorney Only has rights to view AXON data.

Sedgwick District Attorney Only has rights to view AXON data.

Flex Operational Objectives

The Wichita Police Department has initiated a program to allow the use of AXON Flex by commissioned officers. The system will be used to document events and capture data to be preserved in a web-based digital storage facility at Evidence.com. Once captured, these recordings cannot be altered in any way and are protected with multiple layers of encryption. The Wichita Police Department has adopted the use of AXON Flex to accomplish the following objectives:

A. To enhance officer safety.

B. To accurately document statements and events during the course of an incident.

C. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/testimony.

D. To preserve visual and audio information for use in current and future investigations.

E. To provide an impartial measurement for self-critique and field evaluation during officer training or coaching and mentoring sessions.

F. To enhance the public trust by preserving factual representations of officer/citizen interactions in the form of video and audio recordings.

Operational Use

It is recommended that the AXON Flex System be utilized to record the following types of events whenever possible: Traffic stops; pursuits; vehicle searches; confrontational citizen contacts; use of force situations; statements made by suspects, victims and witnesses; advising an individual of their Miranda rights; during interrogations; preserving crime scene evidence; or other legitimate law enforcement contacts. To respect the dignity of others, officers will try to avoid recording videos of person who are

nude, or when sensitive human areas are exposed.

Prohibited Video Recordings

The AXON Flex System shall not be used to record personal activity and not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms or restrooms. The AXON system will not be intentionally activated to record conversations of fellow employees without their knowledge during routine, nonenforcement related activities.

Operational Procedures

1. Law Enforcement officers shall receive mobile video training prior to being deployed with AXON Flex.

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2. The Wichita Police Department will ensure officers; investigators, supervisors and non-law enforcement court personnel have access to the recorded events for legitimate law enforcement purposes or other articulated reasons.

3. Law Enforcement officers will not make copies of any recordings for their personal use and are prohibited from using a recording device (such as a phone camera or secondary video camera) to record media from Evidence.com or the AXON Flex System. Refer to City of Wichita Acceptable Use Policy.

4. Law Enforcement officers will typically not allow citizens to review the recordings; however, officer discretion is allowed to replay the recording to citizens at the scene in order to mitigate possible complaints.

5. Law Enforcement officers will not enable a password protected lock on the device in case a situation arises that another officer or Supervisor needs to retrieve recorded evidence from the device.

6. Law Enforcement officers will be prohibited from using their personal phone or smart device for the Axon application.

AXON Body Camera Modes of Operation

1. **Normal Buffering Mode:** In the “normal” mode the AXON shall be configured to record for 30 seconds prior to an event. Audio is not recorded during buffering.

2. **Event Mode:** In the “event” mode the AXON saves the buffered video and continues recording audio and video for up to eight hours or the life of the battery. Pressing the “event” button will place a marker on the media segment for later viewing on Evidence.com.

Operational Protocols

1. Inspection and general maintenance of the AXON Flex System shall be the responsibility of the officer assigned to the equipment. AXON equipment shall be operated in accordance with the manufacturer’s recommended guidelines and department training and SOP.

2. Prior to beginning each shift, the assigned officer shall perform an inspection to ensure that the AXON is performing in accordance with the manufacturer’s recommendations. If problems are encountered with any component of the system, the Axon system will not be used.

3. Malfunctions, damage, loss or theft of the AXON system shall be reported to the officer’s immediate supervisor as soon as the malfunction, damage, loss or theft is discovered.

a. The supervisor will ensure that the officer’s Bureau Commander and the AXON Administrator (the North Bureau Commander) is notified promptly by email memo describing the malfunction, damage, loss or theft and the recommendation for corrective action.

4. Once the AXON is activated it should remain on until the incident has reached

a conclusion or the officer leaves the scene. Once an event has been stabilized,
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if it is necessary to discuss issues surrounding the investigation with a supervisor or another officer in private, the officer may turn off their remote transmitter thereby preventing their private audio conversation from being recorded. The intention to stop the recording will be noted by the officer either verbally on the AXON or in their incident report.

5. When the AXON is used in any investigation or during a traffic stop, this fact will be documented on any citation and/or incident report. It is recommended the officer document the use of the AXON in the synopsis portion of the incident report.

6. The AXON system does not replace the need for an incident report. All incident reports will be filled out regardless of the video evidence that has been captured.

7. Officers wearing the Axon system can use the camera and audio recording device to capture victim, witness and suspect statements in place of utilizing a digital recorder. Ensure this event is documented in the incident report and AXON used in the synopsis of the incident report.

8. Officers may have access to review the recordings when preparing written reports or statements of events to help ensure accuracy and consistency of accounts. This can be done directly from the AXON worn by the officer.

9. Officers shall not erase, alter, reuse, modify or tamper with audio-video recordings. Upon approval of the Bureau Commander only a System Administrator may erase previously recorded digital recordings.

10. When an incident arises that requires the immediate retrieval of a digital recording (e.g., serious crime scenes, agency shootings, department-involved crashes) a supervisor shall respond to the scene to secure the AXON system and maintain chain of custody.

AXON Body Camera System Submittal of Evidence

1. Officers are to select a category (Incident Report, Citation, Miscellaneous, Training, and Garbage, etc.) for each digital recording. Pick the category that fits and place the incident number in the Case ID number location. If the incident does not fit one of the drop down categories then place the incident number or citation number (if applicable) in the Case ID number location. Any miscellaneous report or 6100 report should be categorized as an incident report.

2. If the Citation category is selected then place the citation number in the Case ID number location. If the police call or traffic stop did not generate a case number or citation number then document with address and submit the video into the Miscellaneous category. All training videos or videos that a supervisor believes would benefit in the training of officers shall be placed in the training category. Any other video shall be placed in the Garbage section.

3. At the end of their shift, officers shall place the AXON Flex System into any open slot on the Evidence Transfer Manager (ETM). This will allow evidence to be transferred from the AXON Flex System to Evidence.com. The AXON Flex

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System should not be removed from the docking station until the data has been uploaded and the battery has been fully charged.

4. Investigations Administrators and/or the DUI Records Custodian will be responsible for obtaining the data evidence and sharing the information with investigators and prosecutors.

5. For deletion purposes, the Miscellaneous, Training and Garbage sections will be

set to delete every 90 days. The Field Crime Analysts will be the administrator for the Bureau. The Crime Analyst will be tasked with conducting 90 day audits of the Citation categories. The Crime Analyst will be responsible for researching the citation and identifying if the citation has been disposed of from the court system.

6. The crime analysts will also research the Incidents category. If a case is closed and not assigned to a detective then the crime analysts will set the incident to be deleted in 90 days.

7. All AXON camera evidence submitted with a case number assigned to a detective will not be deleted by crime analysts. The evidence becomes the responsibility of the case detective to delete from Evidence.com. When purge reports are sent to the detective, he/she will also check Evidence.com for a video. If a video exists and can be deleted the detective will notify an AXON Administrator who will ensure the video is deleted.

Accessing and Security of Data

1. Evidentiary copies of digital recordings will be accessed and copied from Evidence.com using department-approved equipment and for official law enforcement purposes only. Temporary access rights may be given to the Sedgwick Co. District Attorney's Office, City of Wichita Municipal Court and City of Wichita Law Department. The release of requested digital media through a written public records request will be subject to the same statutory exemptions from disclosure as any other department records classified as public under Kansas State Statute.

2. All digital media collected using AXON is considered a record of the Wichita Police Department. Access to digital recordings shall be granted to authorized users only. It is the responsibility of authorized users to keep their user name and password confidential. Accessing, copying, or releasing any recordings for other than official law enforcement purposes is strictly prohibited, except as required by law.

Command Accountability

1. Department personnel may review their own digital recordings for report writing and/or training purposes.

2. An investigator who is designated by the Chief of Police and participating in an official department investigation of a personnel complaint, claims investigation, administrative inquiry or criminal investigation, may review specific incidents

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contained on digital recordings. Any other review will require the express approval of the Chief of Police.

3. A supervisor may review a specific incident contained on digital media for the purpose of training, critique, early intervention inquiries, civil claims, administrative inquiry, or other articulated reasons.

4. In no event shall any digital recording be used or shown for the purpose of officer ridicule or embarrassment. This includes submission of any portion of a video recording to a media organization, unless previously authorized by the Chief of Police.

5. The Wichita Police Department's Evidence.com administrator will audit active user accounts bi-annually, and may audit more often to verify and deactivate users who are no longer authorized.

6. The Wichita Police Department's Evidence.com administrator will audit AXON Flex devices bi-annually to verify usage and deactivate devices lost, stolen or no longer in service. The Administrator will provide a list of out of service devices

to Taser International Customer Service and Technical Support and request the out of service devices be changed to inactive, lost or stolen status, as is applicable.

7. The Wichita Police Department Evidence.com administrator should verify Taser International's Evidence.com CJIS compliance annually, in concert with the Wichita Police Department's Local Agency Security Officer (LASO).