

	Effective Date 10/30/2014	Number 2.1.45
Subject BODY-WORN CAMERA	By Order Of Chief of Police Randall D. McKinley	

I. PURPOSE

This General Order provides a police officer (hereinafter, “officer”) with instructions on when and how to use a Body-Worn Camera (hereinafter, “BWC”) so that the officer may reliably record his or her contact with a person in accordance with the law.

II. POLICY

It is the policy of the Police Department (hereinafter, the “Department”) that an officer shall activate the BWC when such use is appropriate for the proper performance of 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 police operations.

III. PROCEDURES

A. Administration

The Department adopts the use of the BWC to accomplish several objectives. The primary objectives for the use of a BWC are as follows:

1. BWCs allow for accurate documentation of police-public contacts, arrests, and critical incidents. BWCs serve to enhance officer safety, the accuracy of officer reports and testimony in court.
2. Audio and video recordings 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 is useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

B. When and How to Use the BWC

1. The BWC shall be activated to record audio and video in the following situations:
 - a. all actions involving the enforcement of a law;
 - b. all detaining of persons;
 - c. traffic enforcement; and
 - d. any confrontational or controversial encounter;
2. The BWC is not required to be activated, but maybe, in the following situations:
 - a. taking an incident report when there is no suspect present;
 - b. during the interview of a witness or victim;
 - c. while conducting personal, non-law enforcement related business, while on duty.
 - d. while conducting a business check or
 - e. while engaged in conversations that do not involve a situation where activation of the BWC is required.
3. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording.
4. If an officer fails to activate the BWC, fails to record the entire event, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated consistent with this General Order.
5. Civilians shall not be allowed to review the recordings at the scene.

C. Procedures for BWC Use

1. BWC equipment shall be issued to officers as authorized by the Department. Officers that are assigned BWC equipment must use the equipment within the guidelines of this General Order.
2. Officers shall use only BWCs issued by the Department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the City of St. Charles, Missouri.

3. Officers assigned BWCs must complete a Department approved or provided training program to ensure proper use and operation. Officers may be required to additional training 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 each individual officer to which it is assigned and shall 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 replacement equipment may be procured.
5. Officers shall inspect and test the BWC at the start of each shift in order to verify proper functioning and shall notify their supervisor of any problem with the functioning or operation of the equipment.
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 shall inform their supervisor of any recordings that may be of value for training purposes.
8. 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.
9. Officers shall note an incident, arrest, and related reports when recordings were made during the incident in question. BWC recordings are not a replacement for written reports.

D. Restrictions on Using the BWC

1. BWCs shall be used only in conjunction with official law enforcement duties.
2. The BWC shall not be used to record:
 - a. communications with other Department personnel without the permission of the Chief of Police or his or her designee;
 - b. an encounter with a undercover officer or confidential informant;
or
 - c. personal activities.

E. Storage

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. For the purpose of this paragraph, the word “file” shall mean all sounds, images, and associated metadata.
2. All images and sounds recorded by the BWC are the exclusive property of the City of St. Charles, Missouri. The accessing, copying, or releasing of BWC files for non-law enforcement purposes is strictly prohibited except in accordance with the requirements of Chapter 610 of the Revised Statutes of Missouri, as amended.
3. All access to BWC files 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. BWC files shall be securely stored, preserved and maintained in accordance with the Missouri record retention statutes and scheduled until no longer useful for purposes of training or for use in an investigation or prosecution.
5. In capital punishment prosecutions, BWC files shall be retained permanently.
6. In any situation where a person is injured, the BWC files shall be placed into evidence.
7. All images and sounds recorded by the BWC may be public records pursuant to Chapter 610, Governmental Bodies and Records, of the Revised Statutes of Missouri, as amended.

F. Supervisory Responsibilities

1. Supervisors shall ensure that officers equipped with BWC devices utilize them in accordance with this General Order.
2. At least on a monthly basis, supervisors will review portions of each officer’s assigned BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with this General Order and to identify any areas in which additional training or guidance is required.