



# Alcoa Police Department

## General Order – 600.08



<i>Written Directive Subject:</i> <b>Body Worn Camera (BWC)</b>	<i>Type/Action:</i> <input checked="" type="checkbox"/> <i>New</i> <input type="checkbox"/> <i>Amends</i> <input type="checkbox"/> <i>Rescinds</i>	<i>Issued:</i> 09/18/14 <i>Effective:</i> 09/18/14 <i>Last Revision:</i>
<i>CALEA Reference:</i> 41.3.8		<i>Distribution</i>  <i>All personnel</i>
<i>By order of:</i>  <i>Philip K. Potter, Chief of Police</i>	<i>Subject Index</i>  <i>BWC Procedures, BWC Restrictions, Storage, Supervisory Responsibilities, BWC Recordings as Evidence</i>	

### 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

It is the policy of the Alcoa Police Department that officers will activate the Body Worn Camera (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 govern the use of surreptitious recording devices used in undercover operations.

### RELATIONSHIP TO VISION, MISSION, AND VALUES

In order for officers and employees of the Department to be able to deliver effective, efficient, and high quality law enforcement services to the community they must have access to the proper equipment. The provisions of this General Order have significant correlation to the Department's basic Vision, Mission, and Values.

### PROCEDURES

#### A. ADMINISTRATION

This agency has adopted the use of the Body Worn Camera (BWC) to accomplish several objectives. The primary objectives are as follows:

1. Body Worn Cameras (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 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.

3. The Body Worn Camera (BWC) may also be 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 BODY WORN CAMERA**

1. Officers will activate the Body Worn Camera (BWC) to record all calls for service and during all law enforcement-related encounters and activities.
2. Whenever possible, officers should inform individuals that they are being recorded unless doing so would be unsafe, impractical, or impossible. 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 will 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 items D. 1-4)
  - a. If interruption occurs, the officer will document the reason for the interruption or termination of recording in a report. If an officer feels it is necessary to stop recording (e.g., talking to victim of a sexual assault, or a confidential informant) within constraints of policy, the officer will verbally indicate their intent to stop recording before stopping the device, and upon reactivation of camera, state that the camera was restarted. Documentation can be in the form of an incident report, arrest report, or other electronic means approved by the Chief of Police.
3. If an officer fails to activate the Body Worn Camera (BWC), the officer will document why a recording was not made. Documentation can be in the form of an incident report, arrest report, or other electronic means approved by the Chief of Police.
4. Civilians are not allowed to review the recordings at the scene of an incident.
5. Personal use of the Body Worn Camera (BWC) equipment on or off duty is prohibited.

## **C. PROCEDURES FOR BODY WORN CAMERA USE**

1. Officer should obtain consent prior to recording a victim/witness of a crime. In doing so, this balances the privacy concerns of the victim/witness with the need to accurately document the incident or event.
2. In a residence, there is a heightened degree and expectation of privacy. If the resident wishes not to be recorded, this request will be documented by recording the request before the Body Worn Camera (BWC) is turned off. However, if an officer enters a dwelling without the consent of the resident, such as when serving a warrant, or when the officer is there based on an exception to the warrant requirement, recordings should be made of the incident until its conclusion.
3. Body Worn Camera (BWC) equipment is issued primarily to uniformed personnel as authorized by this agency. Officers who are assigned Body Worn Camera (BWC) equipment must use the equipment unless otherwise authorized by supervisory personnel.
4. Police personnel will use only Body Worn Cameras (BWCs) issued by this department. The Body Worn Camera (BWC) equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.

5. Police personnel who are assigned Body Worn Cameras (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.
6. Body Worn Camera (BWC) equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions will be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured.
7. Officers will inspect and test the Body Worn Camera (BWC) prior to each shift in order to verify proper functioning and will notify their supervisor of any problems.
8. Officers assigned the Body Worn Cameras (BWCs) for field use, will not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner Body Worn Camera (BWC) recordings.
9. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
10. 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.
11. Officers will note in incident, arrest, and related reports when body worn camera (BWC) recordings were made. The report notation should contain the body worn camera ID number (i.e. Body Worn Camera # 2 utilized). However, Body Worn Camera (BWC) recordings are not a replacement for in car video camera or written reports.
12. Recordings from body worn cameras (BWCs) are considered evidence and will be treated as such.

#### **D. RESTRICTIONS ON USING THE BODY WORN CAMERAS**

Body Worn Cameras (BWC) will be used only in conjunction with all law enforcement-related encounters and activities. The Body Worn Camera (BWC) will not 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. The Body Worn Camera (BWC) will not be activated when the officer is on break or otherwise engaged in personal activities or when the officer is in a location where there is reasonable expectation of privacy, such as restroom, locker room, squad room.
4. Body Worn Cameras (BWCs) will not be used for purposes that are counter to or inconsistent with the Alcoa Police Departments mission and core values or in ways that are contrary to federal, state, and local law.

## **E. STORAGE**

1. All Body Worn Camera (BWC) files will be securely downloaded periodically and no later than the end of each shift. Each file will contain information related to the date, BWC identifier, and assigned officer. The procedures for downloading files from the BWC to the server are as follows:
  - a. Plug the BWC into any computer in squad room,
  - b. Log into L-3 program,
  - c. Click on "Media Reader" in home screen,
  - d. Follow on screen instructions about computer recognizing BWC device,
  - e. Open shutter door, green light should illuminate,
  - f. Assign video to correct officer,
  - g. Wait for software to finish uploading videos, click ok
  - h. Close shutter door,
  - i. Unplug unit from computer.
2. All images and sounds recorded by the Body Worn Camera (BWC) are the exclusive property of this department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
3. All access to Body Worn Camera (BWC) data (images, sounds, and metadata) must be specifically authorized by the Chief of Police or 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 are 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.

## **F. SUPERVISORY RESPONSIBILITIES**

1. Supervisory personnel are responsible and have discretion for the assignment of Body Worn Cameras (BWCs) based upon the availability of the equipment and the needs of the agency.
  - a. Priority of assignment is to the Patrol Division personnel, including Traffic Safety Unit, first, based upon equipment availability, except when CID or other components have high risk operations where the need for Body Worn Cameras (BWCs) are of greater priority.
2. Supervisory personnel will ensure that officers equipped with Body Worn Camera (BWC) devices utilize them in accordance with policy and procedures defined herein.
3. Supervisors will periodically review a sampling of Body Worn Camera (BWC) recordings of traffic stops and citizen contacts in accordance with General Order 11-J – Patrol Digital Video Recorder System as well as reports generated as a result of these incidents and activities. (Refer to General Order [11-J – Patrol Digital Video Recorder System](#)) to ensure that the equipment is operating properly, 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.

## **G. RELEASE OF BODY WORN CAMERA RECORDINGS**

1. Any request for the release of body worn camera recordings will be directed to the Support Services Division Commander or designee. The release of recordings will be consistent to General Order 17-F – Retention and Release of Records and the Tennessee Open Records Act.

By Order of:

Philip K. Potter, Chief of Police