

LANSING POLICE DEPARTMENT

TITLE: Body Worn Camera

EFFECTIVE DATE: JAN 27

RESCINDS: OCT 15

NO: 600-63

O P E R A T I O N A L P R O C E D U R E

I. PURPOSE

The purpose of this procedure is to establish guidelines for the operation, use and management of Departmental body worn camera devices. The Department is providing body worn camera devices for officer protection and to: supplement written police reports; collect evidence; document officer activity; provide future training aids; facilitate investigation and provide feedback as to the device and its functioning.

II. POLICY

Officers will be assigned a body worn camera and use the equipment as intended.

III. GOALS

- A. To foster an environment that ensures civility and respect between the community and the LPD, improves transparency, and reduces liability.
- B. Body-worn cameras will be utilized to:
 - 1. Collect evidence for use in the prosecution of criminal offenses;
 - 2. Record contacts with the public to secure additional evidence in connection with criminal and internal investigations;
 - 3. Allow for supervisory review to ensure that Departmental policies and procedures are followed;
 - 4. Capture footage that will be useful for training officers;
 - 5. Protect officers from false claims of misconduct;
 - 6. Protect citizen privacy rights;
- C. To improve behavior by all individuals during police/citizen encounters.

IV. DEFINITIONS

- A. Body-Worn Camera (BWC): A camera system designed to be worn by police officers to capture Digital Multimedia Evidence.
- B. Digital Multimedia Evidence: All digital recordings captured by a body-worn camera, including but not limited too; audio, video, photographs, and any associated metadata.
- C. Metadata: Digital identifiers that are captured as a part of an actual recording, such as date/time, GPS coordinates, labeling, etc.

V. OPERATIONAL GUIDELINES

A. Training:

1. Prior to utilizing a body-worn camera officers will receive Department approved training on its proper operation and the Department's policy with respect to body-worn camera use.
2. Additional updates will be provided to ensure the continued effective use of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policies or equipment.

B. Use and Care of Equipment:

1. Officers will exercise reasonable care in the use of the body-worn cameras and related equipment to ensure proper functioning.
2. Officers will report malfunctions of cameras or related equipment to their supervisor as soon as possible so that a replacement unit may be assigned.
3. Officers will inspect and test body-worn cameras prior to each shift to verify proper functioning, and will notify their supervisors of any problems.
4. Officers immediately upon discovery that a body-worn camera has been lost, destroyed, or damaged will inform their supervisor.
5. Officers will wear body-worn cameras on their outer-most garment and above the mid-line of their torsos, in positions designed to produce effective recordings.
6. Officers will not use personally owned body-worn cameras while on duty.

C. Operation:

1. Officers will activate body-worn cameras during contact with the public to accomplish the goals of this policy as outlined above. This includes but is not limited to arrest situations, calls for service, field interrogations, vehicle stops, prisoner transports, investigative activity, or any other duty-related official contacts with the public. When within schools or hospitals and engaged in police activities, officers will initiate normal recording as outlined above.
2. Once activated, officers will not deactivate the body-worn camera system until he or she has disengaged contact with a witness, complainant, victim, or suspect, subject to the following exceptions:
 - a. De-activation is approved by a supervisor;

- b. When recording an event will compromise the safety of a civilian or an officer; or
 - c. When an officer is interacting with a member of the public in a matter of an exceedingly sensitive or private nature, including but not limited to the following:
 - i. An informant providing intelligence of criminal activity.
 - ii. Death notifications.
 - iii. Interviews of victims of suspected criminal sexual conduct, at their request.
3. Body-worn cameras will not be used to record:
- a. Communications with other police personnel;
 - b. Encounters with undercover officers or informants;
 - c. When an officer is on break, vehicle maintenance, court and other activities not outlined in C1;
 - d. Communications made in any location where an individual has a heightened expectation of privacy, unless responding to a call for service;
 - e. Communications to or from individuals with whom an officer has a privileged relationship, such as spouses, attorneys, labor representatives, and medical care providers.
4. When a body-worn camera is not activated or an entire contact is not recorded, the officer will document the reasons on the BCW device and daily log if the BWC is dysfunctional.
5. Officers will not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner body-worn camera images and information without the prior written approval of the Chief of Police or his/her designee.
6. All files from body-worn cameras will be securely uploaded no later than the end of the officer's shift. Each file will contain information related to the date, body-worn camera identifier, and assigned officer.
7. The BWC equipment, all data, images, video, and metadata captured, recorded, or otherwise produced by this equipment is the sole property of the agency.

Review of Recordings:

- 1. Officers may review recordings from their own assigned body-worn cameras at any time in connection with their official duties and are encouraged to review such recordings as necessary to refresh memory and ensure accuracy of reports.
- 2. Command officers may review body-worn camera recordings, in their discretion in support of the goals of this procedure.

3. Other sworn or civilian employees may review body-worn camera recordings when necessary to their assigned job functions.
4. No other review of body-worn camera recordings will be allowed without express written permission of the Chief of Police or his/her designee.

D. Retention and Destruction of Recordings

1. Body-worn camera equipment and all data, images, video, and metadata captured, recorded or otherwise produced by the equipment are the property of the City of Lansing.
2. All files from body-worn cameras will be securely stored in accordance with State law and City of Lansing policies. Such stored files will not be kept longer than is reasonably necessary for use in investigations or prosecutions (including appeals); for use in resolving civil claims and/or civil actions; for internal disciplinary investigations, or as useful for police training. In capital offense prosecutions, files will be kept until the alleged offender is no longer under the control of a criminal justice agency.
3. Digital multimedia evidence that is untagged as evidence will be auto-purged at 30 days. Digital multimedia evidence that is tagged as evidence will remain stored up to 42 months or retained and or destroyed pursuant to State of Michigan approved retention schedules or retention schedules developed pursuant to the City of Lansing retention schedules and as approved by the State of Michigan Office of the Great Seal.
4. Release of stored digital multimedia evidence to the public is subject to the requirements of State law, including the Freedom of Information Act, MCL 15.231, et seq., City of Lansing Administrative Policies, and the LPD FOIA procedures.
5. Requests for the deletion of portions of a recording from a body-worn camera (e.g., in the event of a privileged or personal recording) must be submitted in writing to the Chief of Police or his/her designee and will not be granted unless permitted by State law or approved retention schedules.

E. Prohibited Conduct:

1. Employees will not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner body-worn camera images and information except as authorized by this policy, by LPD policy or procedure, or without the prior written approval of the Chief of Police or his/her designee.

2. The use of body-worn cameras, all data, images, video and metadata captured, recorded or otherwise produced by the equipment for any purpose other than in accordance with this policy is prohibited.

VI. OTHER CONSIDERATIONS

This policy does not increase liability for the City of Lansing or its employees in any way. It will not be construed as the creation of a higher standard of safety or care in any sense, evidentiary or otherwise, with respect to third party claims insofar as the employer's or employee's respective legal duties as imposed by law. This policy does not vest any third-party rights that would not exist independent of this policy.

Adopted by the Board of Police Commissioners on 01/19/2016.