

**Attachment #55**

**Austin Police Department- PVRD Policy**



Austin Police Department  
**Special Order #2011-02**

**Personnel affected:** All APD Employees

**Reason for Special Order:** Replaces Special Order #2011-01, Body Worn Digital Recording Systems

**Effective Date:** September 19, 2011.

All APD personnel will electronically acknowledge receipt of a Special Order through the Master Work Schedule ([http://coacprod.coacd.org/apd\\_mws/default.cfm](http://coacprod.coacd.org/apd_mws/default.cfm))

**Steps to electronically acknowledge receipt of Special Order 2011-02:**

1. Log in to the Master Work Schedule using your personal Employee Number and Password.
2. Click on 'Read Orders' in the left column
3. Click on 'Read' to acknowledge you have received Special Order 2011-02

**Commanders (or their designee) will ensure their employees have electronically acknowledged any Special Order currently available on the Master Work Schedule by October 1, 2011.**

# Body Worn Digital Recording Systems

## 1.1 PURPOSE AND SCOPE

The use of Body Worn Digital Recording (BWDR) system provides an unbiased audio/video recording of events that employees encounter. These recordings can be useful for the documentation of evidence, the preparation of offense reports, and future court testimony. These recordings can also protect employees from false allegations of misconduct and be of use when debriefing incidents or evaluating performance.

## 1.2 BWDR SYSTEMS

Whether the BWDR is purchased by the department or the employee, employees shall adhere to this policy.

- (a) Employees will notify their supervisors that they have a body worn recording device and will surrender the device upon demand of a supervisor.
- (b) Employees will not knowingly record other employees without their consent.
- (c) All recordings made while working in any capacity as an Austin Police employee are subject to review by the Austin Police Department.
- (d) Employees only need to submit recordings of an evidentiary value as evidence when using a BWDR system. Recordings will be copied onto a DVD or CD and submitted as outlined in Policy 701 (Property and Evidence Collection Procedures).

## 1.3 BODY WORN DIGITAL RECORDINGS AS EVIDENCE

- (a) Employees will download all audio and/or recordings captured on the BWDR system they are carrying by the end of their tour of duty if they are evidentiary in nature.
- (b) Employees will also copy the following audio and/or video recordings onto a DVD or CD and submit them as evidence as outlined in Policy 701 (Property and Evidence Collection Procedures):
  - 1. Any criminal investigation, regardless of whether an arrest was made; or
  - 2. Any critical incident as defined in Policy 901 (Administrative Investigations); or
  - 3. Any Level 1 or Level 2 response to resistance incident.
- (c) The types of incidents listed above are not all inclusive. Other incidents may be captured on video and downloaded on the BWDR system if an officer believes maintaining the video will be in the department's best interest. For example, a video of an incident that an officer believes may result in a complaint may be downloaded. Downloaded incidents not needed as evidence or for other official APD business will be erased after 45 days from the date of the recording.

## 1.4 REVIEW OF ALL BWDR SYSTEM RECORDINGS

This section outlines the review of department issued and personally owned BWDR system recordings.

(a) Recordings may be reviewed:

1. By an employee to make sure the BWDR system is working.
2. By an employee to assist with the writing of a report, supplement, or memorandum.
3. By authorized persons for the purpose of reviewing evidence.
4. By a supervisor investigating a specific act of employee conduct.
5. By authorized Department personnel participating in an official investigation, such as a personnel complaint, administrative inquiry, or a criminal investigation.

(b) Recordings may be shown for the purpose of training. If an involved employee objects to showing a recording, his objection will be submitted to his commander to determine whether the training value outweighs the employee's objection.

(c) In no event shall any recording be used or shown to ridicule or embarrass any employee.

(d) Employees shall not obtain, attempt to obtain, or convert for their personal use or for the unauthorized use of another person, any information obtained by a BWDR system. Employees shall not make personal copies or attempt to upload recordings to social networking sites (e.g., YouTube, Facebook)