
 Chicago Police Department BODY WORN CAMERAS		Special Order S03-14	
			
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I. PURPOSE

This directive:

- A. establishes the Body Worn Camera (BWC) policy and procedures.
- B. satisfies:
 1. the requirements of the Illinois Officer-Worn Body Camera Act ([50 ILCS 706/10](#)).
 2. CALEA standards in Chapter 41.

II. POLICY

The Department is committed to protecting the safety and welfare of the public as well as its members. Recordings from the BWC can provide members with an invaluable instrument to enhance criminal prosecution. Additionally, they can protect members from false accusations through the objective documentation of interactions between Department members and the public. Members issued a BWC will use it pursuant to this directive.

III. EQUIPMENT

The following equipment is utilized:

- A. A body-worn camera system consisting of a camera and controller/battery pack in one.
- B. Evidence.com—a web-based storage and retrieval system.

IV. GENERAL INFORMATION

A. Members will:

1. be trained prior to utilizing the BWC.
2. each be assigned a specific BWC that will be utilized by that member only.
3. follow the provisions of this directive when assigned a BWC.

B. Assignment of the BWC is intended for members assigned to field duties.

1. All field sergeants and field officers, including personnel assigned to casual dress, are mandated to utilize a BWC when assigned a camera.
2. Probationary Police Officers (PPO) will not normally be assigned a BWC, unless a BWC is available.

3. Department members above the rank of sergeant may be assigned a BWC when available.
 4. Members will not utilize a BWC when assigned to:
 - a. lockup;
 - b. administrative duties;
 - c. community policing office;
 - d. desk duty.
- C. The BWC records both video and audio.
- D. There is no expectation of privacy for Department members related to incidents recorded with BWCs. Supervisors, members of the Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from the BWC system to assist in the fulfillment of their investigative responsibilities. Any digitally recorded data created by the BWC system may be used without a Department member's permission for any official Departmental purpose.
- E. The [surreptitious](#) audio recording of a [private conversation](#) is prohibited by law.
- F. The BWC is manually activated. At the conclusion of an incident, Department members must manually disengage all recording processes.
- G. All recordings require an OEMC event number. If unable to obtain an event number when initiating a recording, the member will obtain one before disengagement. Only one event number will be obtained for each incident.
- H. The recordings are stored and viewed on Evidence.com. Evidence.com is a secured encrypted environment with all access tracked by individual user credentials. Department members are reminded not to share their unique access credentials with other users.
- I. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity. However, the recordings may be used as evidence in any administrative, judicial, legislative, or disciplinary proceeding.
- J. Any supervisor in the course of their duties who observes behavior that rises to the level of a complaint register investigation will take appropriate action.
- K. If a member assigned a BWC is in a vehicle equipped with an in-car video system, the member will follow both the [In-Car Video Systems](#) directive and this directive.
- L. Department members are reminded it is prohibited by law to hinder or prohibit any person who is not a law enforcement officer from recording a law enforcement officer in the performance of his or her duties in a public place or when the officer has no reasonable expectation of privacy. However, an officer may take reasonable action to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect the public safety and order.

V. RECORDING GUIDELINES

- A. Department members will use only Department-issued video/audio recording equipment.
- B. Upon initiating the recording, Department members will announce to the individual(s) that they are being recorded. If exigent circumstances exist which prevent the member from providing notice, notice must be provided as soon as practicable.

EXAMPLE: "The police camera is operating and you are being audibly and visually recorded."

- C. Department members are permitted to record individuals:
 - 1. if they are on the public way or in public view;
 - 2. in private residences or in other places where a reasonable expectation of privacy exists **and** there is a lawful reason for the presence of law enforcement officers;
 - 3. during routine calls for service.
- D. Department members assigned a BWC will:
 - 1. ensure it is on "buffering" mode during their tour of duty.
 - 2. activate the system to "event" mode to record an entire on-scene incident.

NOTE: When in buffering mode, the camera captures video only; no audio is captured and the video is not recorded to permanent memory. When the event mode is activated, the previous 30 seconds of captured video is recorded to permanent memory and the audio feature is initiated.

- E. Department members assigned a BWC:
 - 1. will activate the system to event mode to record the entire incident for all:
 - a. routine calls for service;
 - b. investigatory stops;
 - c. traffic stops;
 - d. traffic control;
 - e. foot and vehicle pursuits;
 - f. emergency driving situations;
 - g. emergency vehicle responses to in-progress or just-occurred dispatches where fleeing suspects or vehicles may be captured on video leaving the crime scene;
 - h. high-risk situations, including search warrants;
 - i. situations that may enhance the probability of evidence-based prosecution;

- j. situations that the member, through training and experience, believes to serve a proper police purpose, for example, recording the processing of an uncooperative arrestee;
- k. any encounter with the public that becomes adversarial after the initial contact; and
- l. any other instance when enforcing the law.

NOTE: Department members responding as assist units will activate the BWC for all of the above-listed incidents.

- 2. will disengage event mode consistent with item V-G-1 of this directive when:
 - a. requested by a victim of a crime,
 - b. requested by a witness of a crime or a community member who wishes to report a crime,
 - c. the officer is interacting with a confidential informant.
- 3. will ensure a request to turn off the camera, unless impractical or impossible, is made on the recording.
- 4. may continue to record or resume recording a victim or witness:
 - a. if exigent circumstances exist; or
 - b. if the officer has reasonable articulable suspicion that a victim or witness or confidential informant has committed or is in the process of committing a crime.

NOTE: The Department member will indicate on the recording the reason for continuing to record despite the request of the victim or witness, unless impractical or impossible.

- 5. may utilize discretion to activate the BWC when the member is engaged in community caretaking functions, which includes, but is not limited to, participating in town halls or other community outreach; helping a child find his or her parents; providing death notifications; and performing in-home or hospital well-being checks on the sick, elderly, or persons presumed missing. However, the camera must be turned on when the member has reason to believe that the person on whose behalf the member is performing a community caretaking function has committed or is in the process of committing a crime.

NOTE: Sworn members will not unreasonably endanger themselves or another person to conform to the provisions of this directive.

- F. Department members are reminded to follow the directive [Custodial Interrogations](#) when conducting interrogations.
- G. During the recording of an incident, Department members will not disengage the BWC until the entire incident has been recorded or when further recording of the incident will not serve a proper police purpose. In the event of an arrest, the incident is concluded when the subject is transported to the district station.

Department members will:

1. verbally state the justification of any disengagement, including requests from the individuals listed in item V-E-2 of this directive, of the BWC system prior to the entire incident being recorded before disengaging the BWC, unless impractical or impossible.
2. in instances when the Department member failed to record an event listed in item V-E-1 of this directive, document the event by initiating the BWC to event mode and state the:
 - a. type of incident;
 - b. event number; and
 - c. reason for not recording the event.

H. Prohibited Recordings

The BWC will not be used to record:

1. in locations where a reasonable expectation of privacy exists, such as dressing rooms or restrooms, unless required for capturing evidence.
2. sensitive exposures of private body parts, unless required for capturing evidence.

NOTE: Department members will not engage the BWC to record strip searches.

3. personal activities or other Department members during routine, non-enforcement-related activities.
4. inside medical facilities, except when a situation arises that the member believes to serve a proper police purpose.

NOTE: Members will be aware of patient privacy rights when in hospital settings and follow the procedures consistent with item V-G of this directive when disengaging the BWC.

VI. OPERATIONAL PROCEDURES

A. Department members will:

1. at the beginning of the tour of duty:
 - a. sign-out their assigned BWC on the Personal Equipment Log ([CPD-21.919](#)) from the designated Department member.
 - b. visually and physically inspect the BWC and ensure that it is:

- (1) their assigned BWC;

NOTE: Members are reminded the BWC is linked with each member's department identifier. An assigned BWC will not be utilized by another member unless the BWC is

reassigned to the member in Evidence.com
by Information Services Division (ISD).

- (2) fully charged; and
- (3) operational.
- c. securely attach the BWC to the to the front of the member's person above the waist line facing forward with an unobstructed view that provides for the effective recording of an incident.
- d. ensure the BWC is on buffering mode prior to leaving the station.

NOTE: Members will immediately notify a supervisor if, at any time, the BWC is missing, lost, inoperable, or damaged.

2. during the tour of duty:

- a. record events consistent with this directive.
- b. engage their BWC while responding to incidents as an assist unit and:
 - (1) obtain the primary unit's OEMC event number for the incident; and
 - (2) ensure that event number is utilized for the recording.
- c. annotate all reports prepared for an event which has been recorded by listing "BWC Recorded Incident."
- d. if seeking approval of felony charges through the Assistant State's Attorney Felony Review Unit, inform the ASA that the incident was recorded using a BWC.

NOTE: Department members may review the BWC recording of an incident prior to writing any report related to the incident. The member will document this fact in the narrative portion of the report. This includes but is not limited to case reports, arrest reports, and investigatory stop reports.

3. at the conclusion of a tour of duty:

- a. return the BWC to the designated Department member who will ensure it is placed in the assigned slot on the docking station for uploading of captured media to Evidence.com and charging of the power unit; and

NOTE: The designated member will dock the BWC in the assigned docking station in a timely manner to ensure the uploading and charging is complete prior to the assigned officer's next tour of duty.

- b. sign-in the BWC on the Personal Equipment Log.

- B. Supervisors assigned to oversee Department members using a Department-issued BWC will ensure:

1. Department members are utilizing the BWC consistent with this directive.
2. recordings are reassigned in Evidence.com to the member who created the recordings, if a member utilizes a BWC that is not assigned to him or her.
3. the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the BWC or download digitally recorded data due to technical problems.
4. an investigation is initiated when notified of a missing, lost, or damaged BWC.
5. to manually flag recordings, in Evidence.com, of encounters listed in item IX-B-2,3, and 4 of this directive.

NOTE: Actions taken regarding items VI-B-2 and 3 will be documented on the Supervisor's Management Log ([CPD-11.455](#)).

C. District station supervisors (DSS) will ensure:

1. the distribution, charging, and uploading of the BWCs are consistent with this directive.
2. the daily assignment roster sent to OEMC and entered in the PCAD identifies members who are issued a BWC by placing the letter "K" next to the members' names.
3. members who reviewed a BWC recording prior to writing an arrest report document this fact in the narrative portion of the arrest report prior to approving preliminary probable cause for any arrests.

D. The watch operations lieutenant (WOL) will randomly review the recordings to ensure digitally recorded data is properly downloaded and there is an OEMC event number for each recording.

E. District commanders/unit commanding officers or their designee will regularly review BWC information in Evidence.com to ensure each recording has an OEMC event number assigned to it.

NOTE: An event number is required to ensure the video is flagged for the Department to abide by the state law requirements for retention.

F. The Bureau of Internal Affairs will establish procedures to ensure the manual flagging of recordings that involve the incidents listed in items IX-B-5 and 6 of this directive is conducted.

G. The Information Services Division:

1. will ensure all authorized Department members and any authorized outside-agency personnel have access, limited to their specific role, to view recordings on the Evidence.com database that relate to their official duties.
2. is responsible for assigning, reassigning, and replacing BWCs.

H. The Inspections Division will conduct random audits to ensure compliance with the policy and procedures of this directive consistent with their standard operating procedures.

VII. OFFICER INVOLVED SHOOTING OR OTHER INCIDENT THAT INVOLVES BODILY HARM TO A PERSON

- A. Department members involved in an officer-involved shooting or other incidents that involve a person's bodily harm will turn the BWC over to their supervisor when directed to do so.
- B. Department members who engage their BWC while responding to this category of incidents will obtain the primary units OEMC event number from the involved member's immediate supervisor.
- C. Department members will disengage the BWC consistent with item V-G-1 of this directive once the scene is secured and upon the arrival of investigative personnel or at the direction of the street deputy.
- D. Supervisors will:
1. take control of the BWC(s) once the scene is secured and upon the arrival of investigative personnel or at the direction of the street deputy and
 2. ensure:
 - a. the video is available for immediate viewing by authorized personnel investigating the incident; and
 - b. the BWC is returned to the docking station in accordance with item VI-A-3 of this directive.
- E. The lieutenant or above responsible for approval of a Tactical Response Report (CPD-11.377) will review all relevant videos of a BWC-recorded incident and document the results in the narrative portion of the TRR. If unable to view a BWC-recorded incident, the reviewing supervisor will notify the Crime Prevention Information Center (CPIC) and request assistance from a designated member of ISD.

NOTE: Upon notification from CPIC, a designated member of ISD will respond to the requesting supervisor and assist in the viewing and preservation of the BWC-recorded incident.

VIII. VIEWING DIGITALLY RECORDED DATA

All digitally recorded data created with the BWC are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

- A. Unauthorized duplicating, deleting, altering, capturing, or disseminating of audio or video from BWC footage is strictly prohibited. For example, Department members are authorized to view their own BWC footage on a Department workstation but may not record this footage with a cell phone, camera, or other method.
- B. If the digitally recorded data requires viewing before it is uploaded to Evidence.com, the BWC in question will be taken to a department facility equipped with a computer designated by ISD as compatible to view the video.
- C. Department members assigned a BWC are authorized to view their own recordings on Evidence.com using their unique user access credentials from a Department computer at a Department facility.
- D.

Department supervisors are authorized to view recordings on Evidence.com, using their unique user access credentials from a Department computer at a Department facility, for the following reasons:

1. To investigate a complaint against an officer or a specific incident in which the officer was involved;
2. To identify videos for training purposes and for instructional use;
3. When Department members are probationary police officers;
4. When Department members have had a pattern of allegations of abuse or misconduct;
5. When a Department member has been placed in the Behavioral Intervention System or Personnel Concerns Program;
6. To approve a report that indicates a member viewed the video prior to writing the report; or
7. For any other reason consistent with this directive.

E. When inquiries seeking access to examine or obtain copies of recordings from a BWC are made of the Department:

1. the Records Division will ensure the:
 - a. record is flagged, changing its retention date according to this directive;
 - b. document causing the record to change is scanned into Evidence.com; and
 - c. video is produced as necessary.
2. the directive entitled [Freedom of Information](#) will be followed.

NOTE: All applicable laws including the Freedom of Information Act (FOIA) (5 ILCS 140/1) and exceptions in the Illinois Officer-Worn Body Camera Act (50 ILCS 706/10), will be followed when a FOIA request is made.

IX. RETENTION

All digitally recorded data created by the BWC will be retained in accordance with the Department's [Forms Retention Schedule \(CPD 11.717\)](#) and the Illinois Officer-Worn Body Camera Act (50 ILCS 706/10).

- A. Recordings made on BWCs must be retained for a period of ninety days unless any encounter captured on the recording has been flagged.
- B. Under no circumstances will any recording made with an officer-worn body camera relating to a flagged encounter be altered or destroyed prior to two years after the recording was flagged. If the flagged recording was used in a criminal, civil, or administrative proceeding, the recording will not be destroyed except upon a final disposition and order from the court. An encounter must be flagged in Evidence.com when:

1. the encounter resulted in a detention or an arrest, excluding traffic stops which resulted in only a minor traffic offense or business offense;

NOTE: *The above encounters in item IX-B-1 are automatically flagged by ISD utilizing completed Computer Aided Data.*

2. the officer discharged his or her firearm or used force during the encounter;
3. death or great bodily harm occurred to any person in the recording;
4. a supervisor, prosecutor, defendant, or court determines that the encounter has evidentiary value in a criminal prosecution;

NOTE: *The above encounters in items IX-B-2,3, and 4 are to be flagged manually by the involved members' supervisor.*

5. a complaint regarding a Department member has been filed;
6. the officer is the subject of an internal investigation or otherwise being investigated for possible misconduct;

NOTE: *The above encounters in items IX-B-5 and 6 are to be flagged manually by the Bureau of Internal Affairs.*

7. the recording officer requests that the video be flagged for official purposes related to his or her official duties.

NOTE: *The above encounter in item IX-B-7 is to be flagged manually by the recording member.*

- C. Following the 90-day storage period, recordings may be retained if a supervisor designates the recording for training purposes. If the recording is designated for training purposes, the recordings may be viewed by officers, in the presence of a supervisor or training instructor, for the purposes of instruction, training, or ensuring compliance with agency policies.

Authenticated by: KC

Eddie T. Johnson
Superintendent of Police

16-013 CMF

GLOSSARY TERMS:

1. Surreptitious - Obtained or made by stealth or deception, or executed through secrecy or concealment (720 ILCS 5/14-1).
2. Private Conversation - Any oral communication between two or more persons, whether in person or transmitted between the parties by wire or other means, when one or more of the parties intended the communication to be of a private nature under circumstances reasonably justifying that expectation. A reasonable expectation shall include any expectation recognized by law, including, but not limited, to an expectation derived from a privilege, immunity, or right established by common law, Supreme Court rule, or the Illinois or United States Constitution (720 ILCS 5/14-1).

3. Community Caretaking Function - A task undertaken by a law enforcement officer in which the officer is performing an articulable act unrelated to the investigation of a crime.