

**BLOOMINGTON POLICE DEPARTMENT
GENERAL ORDER BODY-WORN CAMERAS**

ISSUED: October 21, 2014

EFFECTIVE: October 21, 2014

Order/Insert

**THIS IS A NEW GENERAL ORDER AND DOES NOT SUPERCEDE AN EXISTING
GENERAL ORDER**

I. PURPOSE

The purpose of this General Order is 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.

II DEFINITION

BWCs consists of: a camera that is worn on the officer's uniform on the upper part of the body.

The BWC allows hands free audio and video recording of important or critical incidents from the perspective of the user. The officer has the ability to record in locations not available to in-car recording equipment.

III REFERENCE

Indiana Code 5-14-3 Access to Public Records

IV. POLICY

It is the policy of the Department that officers trained in the use of BWCs shall use and activate BWCs when such use is appropriate to the proper performance of his or her official devices and where the use of the BWC is consistent with this General Order. This General Order does not govern the surreptitious recording devices used in undercover operations. The wearing of personal video recorders is not authorized by this General Order.

V. PROCEDURES

A. Administration: the Department has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:

1. 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 courts.

2. Audio and video recording also 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 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 BWC

1. Officers shall activate the BWC to record all contacts with citizens in the performance of official duties.
2. Whenever possible, officers shall inform individuals that they are being recorded in locations where individuals have a reasonable expectation of privacy, such as a residence. In those circumstances 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 shall 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 General Order.
3. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated.

C. Procedures for BWC Use

1. BWC equipment shall only be issued to law enforcement officers. Officers who are assigned BWC equipment shall use the equipment unless otherwise authorized by supervisory personnel.
2. Police personnel 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 Bloomington.
3. Officers assigned BWCs must complete a Department approved 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.

4. BWC equipment is the responsibility of individual officers and will 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 repairs can be made and/or a replacement unit may be procured. The supervisor shall forward notifications of the problem or malfunction to the Day Shift Supervisors.
5. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify their supervisor as soon as possible of any problems.
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 or his or her designee.
7. Officers are encouraged to inform their supervisors of any recordings that may be of value for training purposes. If the supervisor believes a recording may be of value for training purposes, the supervisor shall advise the training coordinator.
8. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other use of force incident, the Chief, or his or her designee, reserves the right to limit or restrict an officer from viewing the video file.
9. Requests for deletion of portions of or an entire recording shall be submitted, in writing, to the Chief or his or her designee. Deletions of a portion of an entire recording shall only be done in accordance with the laws of the State of Indiana (I.C. 5-14-3) and approval by the City's Legal Department.
10. Officers shall note in incident, arrest, and related reports when recordings with the BWC were made. BWC recordings shall not be allowed to replace a written report.

D. Restrictions on Using the BWC: BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:

1. Communications with other police personnel without the permission of the Chief, or his or her designee;
2. Encounters with undercover officers or confidential informants;
3. When on break or otherwise engaged in personal activities; or
4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

E. Storage & Retention

1. All files (sounds, images and associated metadata) shall be securely downloaded periodically and no later than at the end of each shift. Each file shall contain information related to the date, BWC identifier.
2. All images and sounds recorded by the BWC are the exclusive property of the City of Bloomington. Accessing, copying, or releasing files for non-law enforcement purposes or absent a duly issued subpoena or court order is strictly prohibited.
3. All access to BWC files shall be specifically authorized by the Chief, 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. Files shall be securely stored in accordance with the State of Indiana's records retention and destruction laws I.C. 5-14-3. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under control of a criminal justice agency, unless the record is forwarded to the Prosecutor's Office and said Office has signed a form accepting responsibility for retaining the file.
5. When an officer believes they have video of an evidentiary nature they will inform a supervisor so that a hold can be placed on the video.

F. Supervisor Responsibilities.

1. Sergeants and Lieutenants shall ensure that officers equipped with BWC devices utilize them in accordance with this General Order.
2. At least on a monthly basis, Sergeants and Lieutenants shall randomly review 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.
3. In instances where there is a citizen complaint against an officer, the supervisor receiving the complaint shall ascertain if the action being complained about was recorded with a BWC. If so, the recorded material shall be reviewed and included with the documents pertaining to any resulting internal investigation.

Distribution:

All Divisions

Rules & Regulations

General Order: BODY-WORN CAMERAS