

JOHNSON COUNTY SHERIFF'S OFFICE IOWA CITY, IOWA	NUMBER 1-A 370-1	ISSUE DATE 09-29-2015
GENERAL ORDER		EFFECTIVE DATE 09-29-2015

SUBJECT BODY-WORN VIDEO RECORDING EQUIPMENT		
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PURPOSE

- A. It is the purpose of this policy to provide officers with guidelines for use of body-worn video recording equipment.

POLICY

- B. Body-Worn Video (BWV) recording equipment has been demonstrated to be of value in the prosecution of criminal offenses, resolving citizen complaints, improving the decorum of police-public interaction, training, and in the evaluation of officer performance. In order to maximize the utility of this equipment in these and related areas, officers should follow the procedures of BWV equipment as set forth in this policy when possible.
- C. The Sheriff shall designate a Control Officer to control digital recordings.

PROCEDURES

- D. Program Objectives
 - 1. This agency has adopted the use of a body-worn video recording in order to accomplish several objectives, including but not limited to:
 - a. Accurate documentation of events, actions, conditions and statements made during arrests, critical incidents, and other contacts, so as to enhance officer ability to complete reports, collect evidence, and prepare for court appearances.
 - b. The enhancement of this agency's ability to review officer procedures and officer and citizen interaction for training and evaluation purposes. It is also anticipated that use of this equipment will assist the officer and agency against frivolous complaints and/or legal action.
 - c. To promote officer safety through the deterrence of criminal activity and uncooperative behavior during police-public interactions.

E. Operating Procedures

1. Officers who have been assigned a BWV shall adhere to the following procedures When utilizing this equipment.
 - a. BWV equipment is the responsibility of the officer assigned to that equipment, and will be maintained according to manufacturer's recommendation.
 - b. Prior to each shift, officers shall determine whether the BWV equipment is working properly and attach it to their uniform. Problems at this or any other time shall be brought to the attention of their immediate supervisor as soon as possible.
 - c. The equipment may be activated at any time the officer deems appropriate. The equipment may be manually deactivated during non-enforcement activities or the officer feels it would be beneficial.
 - d. Officers assigned to BWV equipment shall record:
 1. traffic stops (including interacting with stranded motorists and Suspicious vehicle investigations);
 2. the taking of a person into custody outside of a secured facility, whether for civil commitment or criminal law enforcement purposes.
 3. pedestrian stops;
 4. any incident likely to result in the use of force.
 5. emergency responses and vehicle pursuits, regardless of whether the vehicle is equipped with mobile video recording equipment;
 6. foot pursuits;
 7. any use of force;
 8. transportation of prisoners; except transportation between secured facilities.
 9. witness and victim interviews (except as provided below);
 10. consent to search;
 11. any other incident or citizen contact the officer feels that would be beneficial.

- e. Officers may happen upon a situation requiring immediate action to prevent injury, destruction of evidence, or escape. In these situations, officers should activate the BWV as soon as it is safe and practical to do so.
- f. The BWV shall continue recording until the investigative enforcement activity involving a member of the public has ended. If enforcement or investigative activity with a member of the public resumes, the officer shall activate the BWV device and continue recording.
- g. Officers shall document any reason for being unable to activate or interrupting a BWV recording. Officers are not required to record encounters with the public when:
 - 1. a victim or witness refuses to provide a statement if recorded, or if the officer determines such recording may be insensitive (e.g., when interviewing a victim of rape, or at a domestic violence shelter);
 - 2. the safety of an undercover officer, confidential informant, or citizen informant may be placed at risk;
 - 3. requested by a victim or witness inside a private dwelling and enforcement or emergency response activity is not underway;
 - 4. at a school, daycare, hospital, or medical treatment facility, except when enforcement or emergency response activity is underway;
 - 5. the exposure of a genitalia or female breast.
- h. BWV equipment shall not be used to gather intelligence information based on First Amendment protected speech, associations, or religion, or to record activity that is unrelated to a response to a call for service or a law enforcement or investigative encounter between a law enforcement officer and a member of the public.
- i. BWV equipment shall not be used to record non-work-related personal activity. BWV equipment shall not be intentionally activated to record conversations of fellow employees during routine, non-enforcement-related activities without their knowledge or during rest or break periods, or in designated break areas, locker rooms, or office areas unless an active pre-existing investigation is underway and authorized by law.
- j. Officers shall not erase or in any manner alter BWV recordings.

- k. Digital recordings taken as evidence should be documented as such and handled as any other item of evidence.
- l. Officers are encouraged to inform their supervisor of any digital recording that may be of value for training purposes.
- m. Officers shall note in their incident report when video/audio recordings were made of the incident in question.
- n. In the event of an unintentional activation of BWV equipment during non-enforcement or non-investigative activities (e.g., in the restroom, during a meal break, or in other areas where reasonable expectation of employee privacy exists), an officer may request the deletion of a recording. An interoffice correspondence detailing the circumstances of the unintentional recording will be forwarded via the chain of command to the officer's appropriate supervisor. Any request for the deletion of records shall be documented.
- o. Officers shall remove and turn off the BWV while performing strip searches during the jail booking process.

F. Digital Video Management

- 1. Digital recordings containing information that may be of value for case prosecution or in any criminal or civil adversarial proceeding shall be safeguarded as any other form of evidence. As such, digital recordings will:
 - a. Be subject to the same security restrictions and chain of custody considerations as other forms of evidence;
 - b. Not be released to another criminal justice agency for trial or other reason without having a duplicate copy made and returned to safe storage.
 - c. Not be released anyone other than bona fide criminal justice agencies without approval of the Sheriff. It is further recognized that some recordings may be considered confidential, such as recordings related to an ongoing investigation, which threaten the safety of an individual, or which contain certain communications made to the officers by members of the public who would be discouraged to make such statements if they were made available for public examination.
- 2. Files shall be securely stored for a period of three (3) years. After three years, the video system will automatically prevent the ability to restore a backed up video to live status. Then, on a quarterly basis, the Property and Evidence Custodian or designee will destroy all backed up files that reside on physical storage such as DVD or Blu-ray discs that have reached their retention limits.

3. Video files will be stored on the server located within the Johnson County Sheriff's Office. Backup DVD/Blue-ray discs are created automatically when there is enough data to fill a disk. Files that are marked as evidence or for review will be kept live and accessible on the server for a period of one (1) year. Files not tagged as evidence are kept on the server for a minimum thirty (30) days. If a video is needed after thirty (30) day period, it must be re-activated from the backup DVD/Blue-ray disc. All backup discs are to be stored in the evidence room and under the control of the Evidence Custodian.
4. Digital recordings needed as evidence or for training purposes shall be copied by the Control Officer or designee. Any recordings copied as evidence shall be turned over to the Evidence Custodian to be placed into the case file.
5. Officer will be required to securely download all files from the BWV in a timely matter to ensure enough storage to perform your duties. The BWV is downloadable by the use of a docking station.
6. It is recommended that at the end of each officer's shift the BWV shall be placed in charger to be fully charged.

G. Review of BWV Recordings

1. Supervisory personnel who manage officers equipped with BWV equipment shall ensure that:
 - a. All officers follow established procedures for the use and maintenance of BWV equipment, and the handling of video/audio recordings.
 - b. randomly review digital recordings to assist in the periodic assessment of officer performance, determine whether BWV equipment is being fully and properly used and to identify material that may be appropriate for training purposes.
2. If an officer is involved in a use of force incident subject to investigation, such as an officer-involved shooting, an officer shall not review his or her BWV recording until authorized by the assigned investigator. Once authorized, the officer may review his or her BWV recording, prior to providing a recorded statement or completing a report. An officer may have an employee representative present during the review of BWV recordings without an investigator present. Officers involved in such an incident may be separated during the review of BWV recordings.

Approved _____
SHERIFF