

# Los Angeles County Sheriff's Department



## Body Worn Camera System Test & Evaluation Project Implementation Plan

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## **BACKGROUND**

The Los Angeles County Sheriff's Department (LASD) is largest Sheriff's Department and second largest policing agency in the United States. Further, it is the largest contract policing agency and the second largest transit police force in the country. LASD manages the nation's largest county jail system and largest court security operation. LASD provides general law enforcement services for 42 contract cities, 130 unincorporated areas, nine community colleges, more than one million daily commuters of the Los Angeles County Metropolitan Transit Authority buses, light rail and Metrolink trains. LASD includes nearly 10,000 sworn personnel, 8,000 civilian personnel, over 800 reserve deputy sheriffs, and 4,300 civilian volunteers. Over four million people are protected by the LASD within its jurisdiction of 3,157 square miles.

The patrol operations of the LASD is performed through twenty three (23) patrol stations, Transit Services Bureau, Community Colleges Bureau, COPS Bureau, Parks Bureau, County Services Bureau and Operation Safe Streets Bureau. The LASD responds to more than 1,000,000 calls for service annually, while making more than 120,000 arrests.

## **PROBLEM**

The patrol operations of LASD cover a vast array of environments, both geographically and socially, that requires basic and specialized law enforcement services. The scope of services provided by LASD, and magnitude of responsibility, present challenges that are unique to only LASD. Patrol personnel in LASD perform law enforcement duties in an environment that is increasingly complex and challenging. Their actions are publicly scrutinized daily, while attempting to answer to misperceptions, false allegations, and civil liability claims. Meanwhile, the public expects greater transparency from LASD and evidence to support law enforcement's word or testimony.

## **SOLUTION**

In order to enhance documentation of law enforcement activities, more accurately address allegations of misconduct, and increase the public's trust, a Body Worn Camera System (BWCS) may provide a practical solution. A BWCS would provide a first person audio and video recording of interactions and events that may prove beneficial in criminal proceedings, administrative investigations, service complaints and civil liability claims.

## INTRODUCTION

The Los Angeles County Sheriff's Department (LASD) will implement a no-cost Test and Evaluation (T&E) of four (4) different manufacturers' products of Body Worn Camera Systems (BWCS), their video recorded file management software and their cloud-based storage systems.

The T&E will evaluate the feasibility of utilizing a BWCS for use by LASD patrol personnel to record interactions with citizens. At the end of the T&E, LASD will prepare an assessment report and recommendation. The assessment report may include the recommendation for potential future procurement and deployment of a BWCS by LASD patrol personnel.

The T&E will be a voluntary program offered at four (4) LASD patrol stations. Department members at each of the four stations will be asked to volunteer to participate in the BWCS for a period of no more than six (6) months. Department members choosing to volunteer will not be offered any incentive for their participation.

The T&E will be performed at one station within each Department patrol division. The patrol stations were selected by the respective Division Chiefs. They are identified as:

- LAN            Lancaster Station
- TEM            Temple Station
- CEN            Century Station
- CAS            Carson Station

BWCS devices will be issued to personnel at each station. The purpose of the T&E will be to identify the strengths and weaknesses associated with the use of a BWCS in a law enforcement patrol deployment. Additionally, the T&E will help identify the strengths and weakness associated with disparate digital recorder technologies and assist in the standardization of the technology for LASD. One of the primary goals of the project is to provide a record (video and audio recording) of interactions between LASD personnel and the public. It is believed that high quality audio/video recordings of such encounters will serve to provide nearly indisputable evidence about circumstances leading to misconduct complaints, arrests, and civil liability allegations against LASD personnel.

All of the body worn camera devices on the market today require the digital recordings be off-loaded to some type of media or storage. Options include a desktop computer, network storage, or off site "cloud" storage. Many of the cloud-based solutions allow for sharing of the video segments with supervisors, trainers, prosecutors, and the public, all with proper permissions, and without having to "burn" a copy to a disc. This also allows for categorizing, adding metadata and key words to video segments, and which makes searches for video segments across volumes of information faster, more efficient, and available for statistical analysis. With limited storage space and IT resources, indications are a cloud-based storage solution will reduce the cost of software implementation, maintenance and upgrades, eliminate risk during execution and implementation, and allow the LASD to be more efficient.

Participating BWCS manufacturers will provide designated BWCS devices, video management software and cloud-based storage at no cost or obligation to LASD for use in a test & evaluation. The evaluation will encompass a time period of six (6) months during which time the devices will be used and evaluated by LASD personnel. The six (6) month assessment period will start upon the first day of actual deployment of the designated BWCS device at each patrol station.

Each member volunteering to participate in the BWCS T&E will be provided training on the use of the devices, maintenance, uploading video files, retrieving video files for viewing and evidence, and T&E protocols for utilization of BWCS devices during the scope of the six months.

Each member will further be provided with weekly evaluations to complete of their opinions and experiences with the devices.

The BWCS devices are designed to capture video recordings after manual activation by a deputy wearing the camera. The captured video is retained in the device until downloaded. The video recorded files are not able to be deleted without administrative permissions. Each BWCS device and uploaded video file will provide an audit trail of the date and time a video was captured, uploaded and viewed. For the purpose of the T&E, the project director will maintain sole authority to remove a video file from storage. At the termination of the T&E, all video files will be downloaded from the offered cloud storage service and retained by the Department.

The Project Director will hold the minimum rank of Division Chief, and maintain full authority over the BWCS T&E.

The Project Manager will hold the minimum rank of lieutenant, and will maintain responsibility for the implementation, oversight of the BWCS T&E.

The On-Site Coordinator will hold the minimum rank of sergeant, and be appointed by the host station unit commander to serve as the BWCS T&E site supervisor. The On-Site coordinator will assist the Project Manager in implementing the BWCS, collecting weekly surveys, overseeing the daily operations of the BWCS and accountable for the equipment.

## DEPLOYMENT PLAN

Recognizing the significant diversities and geographies within Los Angeles County, the LASD has chosen to perform the T&E at one station in each of the four patrol divisions. The deployment of the four (4) selected BWCS manufacturers will be implemented in a sequential manner. This is due to the need for manufacturer training and site testing for cloud-based storage uploading.

Each BWCS tested will occur at a single patrol station for a six month duration. This will allow for a thorough evaluation of the product, software, storage services and manufacturer responsiveness.

The BWCS systems will be tested at the following stations:

Lancaster Station – TASER International will provide eighteen (18) AXON flex and eighteen (18) AXON body cameras paired with their digital evidence storage system EVIDENCE.COM.



The TASER AXON Flex is a point-of-view video system created for a multitude of flexible mounting options to meet specific needs. Law enforcement officers will be able to mount the AXON Flex on their eyewear, ball cap, collar, helmet, epaulette, or body.

The TASER AXON body is an on-officer camera designed for simplicity that mounts to a law enforcement officer's chest.



TASER offers a docking station for a drop and go type of video downloading and simultaneous charging.

Century Station – VIEVU will provide eighteen (18) devices paired with the digital storage evidence system VERIPATROL.



The VIEVU BWCS is similar to the TASER AXON body, being an on-officer camera designed for simplicity that mounts to a law enforcement officer's chest.

The downloading of video files requires the device to be connected to a computer via USB cable.

Temple Station – VidMic



The VidMic is a standard speaker microphone with an embedded video camera and audio recorder. The VidMic is compatible with any radio and does not draw power from the radio battery.

## Carson Station – Digital-Ally



The Digital-Ally FirstVu HD camera is a modular device. The camera is clipped to the officers chest, while the battery and storage fits into the chest pocket of the uniform.

One BWCS from each manufacturer will be provided to the Training Bureau – Tactics and Survival Unit (TAS). All guidelines will be in effect during training exercises. Use of the BWCS during TAS Training will be voluntary. The TAS will evaluate the use of BWCS during their tactical training for camera positioning, officer safety, interference with other equipment and the future development of training integration, should the LASD deploy the BWCS Department-wide.

The deployment of each BWCS system will be implemented in the following manner:

1. Compatibility Meeting – Support staff from Technical Services Division will host a conference call with the BWCS manufacturer to ensure LASD infrastructure is compatible with the selected manufacturer's software.
2. Site Survey – Technical Services Division will provide a site survey of the selected station and the BWCS system to ensure sufficient hardware is in place for supporting a BWCS.
3. Installation – The selected manufacturer will install the necessary software and hardware to support uploading of video files and battery recharging.
4. Training – The selected manufacturer will provide training to the personnel testing the BWCS system at the selected station.
5. Project Initiation – the BWCS T&E will be initiated.
6. Evaluation Process – Each participating member will complete a weekly evaluation of the BWCS.



## **BWCS T&E GUIDELINES**

### **PREAMBLE TO BODY WORN CAMERA SYSTEM GUIDELINES**

Each LASD member participating in the BWCS T&E has voluntarily agreed to evaluate the use of body worn cameras for the Department. In doing so, the LASD respects the rights of all persons privacy and in keeping with our Tradition of Service, has developed guidelines for members to follow during the T&E.

As reference, the California Penal Code, Section 632, prohibits an individual from surreptitiously recording a conversation in which any party to the conversation has a reasonable belief that the conversation is private or confidential. However, Penal Code Section 633 expressly exempts law enforcement from this prohibition during the course of a criminal investigation.

Members of this department participating in the T&E are still prohibited from surreptitiously recording a conversation with any other member of this Department without the express knowledge and consent of all parties. Nothing in this section is intended to interfere with an sworn member's right to openly record any interrogation pursuant to Government Code § 3303(g).

Members of this Department are permitted to surreptitiously record any conversation during the course of a criminal investigation if the member reasonably believes that such a recording will be beneficial to the investigation.

For the purpose of this guideline, any Department member contacting an individual suspected of violating any law or during the course of any official law enforcement related activity shall be presumed to be engaged in a criminal investigation. This presumption shall not apply to contacts with other employees conducted solely for administrative purposes.

At no time should a Department employee jeopardize his/her safety in order to activate a BWCS or change the recording media.

Employees are prohibited from utilizing Department issued BWCS devices and recording media for personal use.

## **RECORDING PROTOCOLS:**

Members participating in the BWCS pilot program will not be subjected to discipline for failing to record an incident. Although participation in this pilot program is voluntary, Department members participating in the BWCS are expected to follow the established guidelines as closely as possible without compromising officer safety.

### **BWCS Recording Activation**

Department personnel should initiate a recording prior to, or at the earliest opportunity, of any person who is detained in the course of their duties. Once a recording is initiated, a continuous recording of the event should take place until completion of the detention.

Personnel equipped with a BWCS should initiate a recording of the following types of events: traffic stops, pedestrian stops, pursuits; calls for service involving violence, domestic violence; disputes; alcohol; drugs; mental illness; or any other law enforcement action the BWCS equipped deputy deems appropriate. The recording should not be prematurely terminated. If it is necessary to terminate a BWCS video recording during an event or detention, the BWCS equipped deputy should verbally note the reason for terminating the video prior to turning the BWCS off. For example, Department members discussing case strategies or planning tactical operations at a scene or during an investigation would serve as justifiable reasons to stop a recording.

Department members should document the use of a BWCS, and the existence of a video file in the narrative when authoring any report or memorandum.

Department personnel participating in planned search operations or tactical operations involving the Special Enforcement Bureau personnel, should not activate the recording.

### **Informing Persons:**

Personnel are not obligated to inform members of the public that a recording has been initiated. If a member of the public requests not to be recorded, the Department member shall consider the necessity to record the event. Any decision to stop a recording upon request from a member of the public, should be made after careful consideration of the video's potential evidentiary value, liability protection, and protection of the Department, as well as the requesting person's privacy and good of the Department.

## **EXPECTATION OF PRIVACY:**

### **Prohibited Recordings**

Department members are prohibited from knowingly recording other Department members without their knowledge unless they are engaged in official enforcement duties, contacting a member of the public, in response to a call for service or capturing evidence through the use of the BWCS. If a member accidentally records another member of the Department in an employee privacy protected environment, the member shall notify a supervisor of the recording. That supervisor shall view the video and ensure there is not sufficient reason to store the video. The supervisor should advise the employee who was recorded and allow them to view the video if requested. If removing the video from storage would not interfere with the integrity of a recording or is not related to an investigation or citizen contact, the reviewing supervisor should make a written request for removal of the video to the Unit Commander. If the unit commander approves the need for removal, the written request will be forwarded to the Project Director. Only the Project Director may approve the removal of a recorded incident.

### **Locations of Privacy:**

*Residences* - Due to the intrusive nature of video recordings made while inside a citizens home, Department personnel should not initiate a recording when entering a residence unless they are entering in response to an emergency, crime in progress, a suspect inside a location, exigent circumstances, domestic violence disputes, or a residence associated with violence, drug use, gang activity, complaints against Department members, or anticipate encountering uncooperative persons or persons causing a disturbance.

*Medical Facilities* – Department personnel should avoid initiating a recording in a medical facility where persons are receiving treatment unless they are responding to an emergency, crime in progress, exigent circumstances, call for service, performing a criminal investigation, or anticipate encountering uncooperative persons or persons causing a disturbance.

*Restrooms, Dressing Rooms, Locker Rooms* – BWCS recordings should not be initiated inside restrooms, dressing rooms, or locker rooms unless they are entering in response to an emergency, crime in progress, a suspect still inside the location, exigent circumstances, call for service or a domestic violence dispute.

## **INTERVIEWS:**

*Suspect Interviews* – BWCS recordings should be used for preliminary investigative interviews and formal interviews of persons when there is a reasonable belief the person has committed a crime.

*Victim Interviews* - Department members should generally avoid using a BWCS recording during a controlled and formal interview of a victim, unless it is apparent the victim may recant their story at a later time or there is a need to protect the interest of the Department.

*Witness Interviews* - Department members should generally avoid using a BWCS recording during a controlled and formal interview of a witness, unless it is apparent the witness may recant their story at a later time or there is a need to protect the interest of the Department.

*Confidential/Anonymous Informants* - Maintaining the trust of citizens to provide information to our Department is paramount. Department members should not record persons who confidentially provide information for law enforcement purposes.

## **OPERATOR PROCEDURES:**

Prior to the beginning of each shift, personnel shall test the equipment to ensure it is operating properly. If a problem is identified, the employee shall notify the on-site BWCS coordinator and the manufacturer if appropriate. The problem shall be documented in the weekly evaluation regardless of the outcome.

BWCS personnel will wear the BWCS system on their uniform in a manufacturer suggested location. The BWCS device shall be maintained in a mode that will immediately record upon a single activation.

BWCS personnel shall report any loss of BWCS equipment immediately to the Station BWCS on-site coordinator.

### **Uploading Protocols**

Department members will be required to upload the recordings from their particular BWCS at the end of each shift. Due to the variations of manufacturer's devices and uploading configurations, specific procedures will not be detailed. Personnel should allow themselves sufficient time to upload video files at the end of their shift to avoid incurring unnecessary overtime expenditures. All Department policies regarding the use of overtime will apply.

Department members shall not copy or possess BWCS recordings for any reason other than for evidentiary purposes. Members shall not obtain or attempt to obtain, BWCS recordings for their personal use, unauthorized use by another person, or any information from the BWCS.

Employees shall not make personal copies or attempt to upload recordings or data from the BWCS to social networking sites.

### **VIEWING OF RECORDINGS**

In no event shall a BWCS recording be viewed for the purpose of embarrassment, ridicule, or entertainment.

Department members will be allowed to review recordings from a BWCS for the following reasons:

- By the member assigned to test the device to ensure it is properly working.
- By the member assigned to test the device to review video for evaluating the device.
- By the member assigned to test the device to assist in the writing of a report or in furtherance of a criminal investigation, with the exception of incidents involving a use of force or allegation of misconduct.
- By an authorized supervisor investigating a specific allegation of misconduct.
- By an investigator for the purposes of a criminal investigation.
- By an authorized supervisor participating in an official investigation or inquiry of a personnel complaint, administrative investigation or criminal allegation.
- By an authorized supervisor for the purpose of performing a service audit.

Department members shall adhere to MPP 3-10/115.00 VIDEO REVIEW AND ADMONISHMENT when any BWCS recording is believed to have captured a use of force. The involved supervisor shall restrict access to any recording once the video file has been downloaded.

Supervisors receiving an allegation of misconduct shall determine if a BWCS recording exists and restrict access to the downloaded video file. If the video file has not been downloaded, the supervisor should direct the involved personnel to download the video and not view the recording.

BWCS recordings may be used for training purposes. Prior to the use of any BWCS video for training, any involved Department member shall be given the opportunity to object to its viewing. The unit commander will determine if the objection will be granted.

Anytime a member reviews a BWCS recording pursuant to a criminal investigation or in authoring a report or memorandum, the viewing member shall document in a report the fact that a BWCS recording was viewed.

BWCS recordings shall not be shown to members of the public. In order to show any BWCS recording to the media, the BWCS Project Director and the SHB unit Commander must provide written approval.

Department personnel are not permitted to make copies of any recording for personal use, and are prohibited from using a recording device to record media from the BWCS or the software playback.

### **EVIDENCE**

Any BWCS recording that is part of, or related to a criminal investigation, shall be downloaded from the cloud-based storage server, via the manufacturer's software, and placed on a DVD drive and retained as evidence pursuant to Department Evidence Policies.

### **Retention**

All BWCS recordings will be stored by the cloud-based services from the manufacturers for the term of the T&E. All recordings taken from a T&E BWCS will be downloaded upon conclusion of this project. The recordings will be stored on an external drive provided by the manufacturers and stored pursuant to County retention policy.

### **Confidentiality**

All recordings from a BWCS system, including media, images, and audio, are a record of the Los Angeles County Sheriff's Department. Copies, in any format, shall not be made outside the parameters of this guideline without the written approval of the Sheriff or the unit commander of SHB.