



Prince George's County Police Department Body-Worn Camera Test and Pilot Program

I. BACKGROUND

The purpose of this order is to outline the policy and procedures for the use of body-worn cameras (BWCs) by members of the Prince George's County Police Department (PGPD) during the Test and Pilot phases of the proposed BWC implementation. BWCs have proven effective in reducing violent confrontations, uses of force, and complaints against officers. For the purposes of this program, BWCs will be deployed to a selection of officers from various units within the department, including the Special Operations Division (SOD). Participating members of the Pilot Group will be governed by the policy and procedures outlined in this order. A Control Group which will not be assigned BWCs will also be identified and tracked in order to assess this BWC program.

II. POLICY

1. Officer Safety takes Precedence over Recording Events

- a. It is the policy of PGPD to use BWCs to enhance service to the community by accurately documenting all law enforcement-related encounters including – but not limited to – traffic stops, field observations, and arrests while also ensuring officer and public safety. The BWC Committee will evaluate how much discretion an officer will be given in making his or her decision to record non law-enforcement-related encounters after the conclusion of the BWC pilot program.
- b. Officers shall follow existing officer safety policies when conducting enforcement stops as outlined in Department policies and procedures. Officer safety shall be the primary consideration when contacting citizens or conducting vehicle stops, not the ability to record an event.
- c. The PGPD BWC Test / Pilot Program is structured to evolve as the Department learns about these devices and they will be used in real-world situations. As this is a nascent technology, it is understood that equipment, strategies and laws will change, and the Department will need to adapt as it progresses in the use and implementation of BWCs.

III. DEFINITIONS

1. Body Worn Camera (BWC): a camera system with secure internal memory for storage of recorded audio and video, designed to be worn on an individual.
2. Body-Worn Camera Committee: an internal PGPD Committee designated by the Office of the Inspector General to study, propose and facilitate PGPD's possible adoption of BWCs.
3. Metadata: Descriptors used to identify digital evidence.
4. Officer: PGPD personnel actively participating in the BWC test or pilot phases.
5. Pilot Phase / Program: That period of time during which the BWC Program will be assessed during regular PGPD operations
 - a. Pilot Group: a selection of PGPD officers who will be issued BWCs for the duration of the Pilot Program.
 - b. Control Group: a selection of PGPD officers which is equal in size and assignments to the Pilot Group. The Control Group will not be issued BWCs.
6. Test Phase: That period of time during which BWCs, policies and operational tactics are assessed, selected and set forth in anticipation of the Pilot Phase.

IV. REGULATIONS

1. Only officers designated by their commander shall participate in the BWC Test and Pilot programs.
2. Officers shall complete training for the use of the BWC; training shall be specific to the model(s) that each officer is issued.
3. The various BWC models may be tested and utilized during the BWC Test and Pilot programs, as determined by the Body-Worn Camera Committee.
4. Officers must follow PGPD officer safety policies while conducting enforcement stops. Officer safety will take priority over the ability to record an event during a citizen contact or vehicle stop; however officers must be able to articulate why any decision was made to fail to record.
5. Officers shall mount the BWCs in a manner approved by the Department; members must only use the equipment that they are issued by the Department. The BWC must be worn for the entire shift.
6. BWCs must be functional at all times during a shift.
7. BWCs must be activated at the initiation of a law enforcement or investigative encounter between the officer and a member of the public, or when the officer is responding to a call for service.

8. All recordings associated with BWC are the sole property of PGPD.
9. Officers shall only use PGPD-issued BWCs while on-duty, working in an official law enforcement capacity, and during secondary employment assignments.
10. Officers **shall not:**
 - a. Remove or tamper with the BWCs.
 - b. Destroy, alter, or release any recordings without permission of the Chief of Police.
 - c. Copy or share a recording without approval; recordings should be shared for official law enforcement purposes only.
 - d. Use the BWCs while off-duty.
 - e. Record personal activity.
 - f. Record conversations of members without their knowledge during non-enforcement related activities.
 - g. Record in places where a reasonable expectation of privacy exists unless the activation is required for the performance of official duties.
 - h. Post recordings to any social media site.
11. Recordings shall only be stored on a PGPD-approved server or storage device.
12. Recordings should not be seen as a substitute for written reports; officers must continue to complete written reports in conjunction with the BWC recordings.
13. During the Test and Pilot phases, officers issued BWCs must return the BWC at the end of their shift. Devices must be stored in designated, secure storage locations at PGPD facilities when devices are not in use.
14. When an officer fails to record a law enforcement-related encounter or according to other recording protocols as determined by PGPD, the officer shall document his or her reasons for failing to record.

V. PROCEDURES

1. BWC Equipped Officers

- a. Officers are responsible for the maintenance and function of their BWC at all times during their shift.
 - b. Prior to deployment, officers shall:
 - i. Test their BWCs to ensure that are functioning correctly. If a BWC is damaged or not working properly, the officer must notify an official immediately.
 - ii. Make sure that the BWC is fully charged and empty of any previous data at the beginning of each shift.
2. If a BWC becomes inoperable during the course of a shift, whether through damage or general malfunction, the officer must immediately notify a BWC program official and take the camera out of use. A supervisor will meet with the officer to provide a replacement as soon as practicable.
3. Officers will record the following police activity:
- a. Response to 911 or priority calls, starting when the officer begins travel to the call and ending consistent with Paragraph 5 (below),
 - b. Terry stops
 - c. Traffic stops
 - d. On-View Criminal Activity
 - e. Arrests and seizures
 - f. Searches and inventories of vehicles or persons
 - g. Transports (excluding ride-alongs and passengers for meetings)
 - h. Vehicle Eluding/Pursuits
 - i. Questioning suspects or witnesses
4. Once activated, a BWC shall continue recording until:

- a. The conclusion of the incident or encounter;
- b. The officer has left the scene; or
- c. An on-scene supervisor has authorized the recording to cease; or
- d. It is apparent that the involved person(s) are refusing to cooperate unless recording ceases.

5. Notice of Recording

- a. With the exception of circumstances described in item #c, below, when an officer begins recording with his/her BWC, that officer shall notify the person(s) with whom they make initial contact that they are being audio and video recorded. This notification shall be given at the earliest practical time during the interaction.
- b. The primary officer is not required to make repeated notifications when other persons arrive at the scene. Backup officers with actively recording BWCs are not required to give additional notifications merely because an additional BWC is now recording.
 - i. Private citizens do not have a reasonable expectation of privacy when talking with police officers during the scope of an officer's official duties, even when the contact is in a private residence.
- c. Officers are authorized to withhold the above notification when, in their best judgment, making the notification would be unsafe, impossible, impractical, or if doing so would interfere with the officer's objective (e.g. questioning suspicious persons). Officers will justify and document their decision to withhold notification in an event report.
- d. Officers are not required to initiate or cease recording an event, situation or circumstance solely at the demand of a citizen.

6. Category and Retention

- a. At the end of each shift, officers in the Pilot Phase utilizing BWCs shall identify each video by category. In the event a video is taken that does not fall into a listed category and has no apparent evidentiary or administrative value, the officer may leave the video as "Uncategorized".
 - i. Arrests
 - ii. Citizen Complaint

- iii. Critical Incidents
- iv. Evidence
- v. Firearm Discharge
- vi. Pursuits
- vii. Traffic Collisions
- viii. Training
- ix. Use of Force
- x. Uncategorized

VI. **ROLES AND RESPONSIBILITIES**

1. Officer Responsibility

- a. Officers will be responsible for their assigned BWC.
- b. Officers must report any problem with the BWC to their supervisor immediately.
- c. At the conclusion of each work shift, officers must “dock” their BWC at the designated location to upload all data and to recharge the BWC battery. (Exception: In the event that an officer has been involved in a shooting, an in-custody death, or an incident resulting in the death or injury of another person, a supervisor will immediately take physical custody of the BWC and will be responsible for downloading the data).
- d. When a BWC recording exists related to any reportable event, officers shall state at the end of the written narrative that a BWC recording exists.
- e. Officers shall notify the BWC Manager by email whenever they have generated a BWC recording that should be retained indefinitely.
- f. Officers must notify the BWC Manager by email as soon as they receive a court date for which they will need an evidentiary BWC recording.

2. BWC Manager Responsibility

- a. The BWC Manager is responsible for ensuring adherence to this policy, and for the following specific items:
 - i. Marking recordings for indefinite retention;
 - ii. Producing copies of recordings in accord with this policy;
 - iii. Troubleshooting hardware and software problems;
 - iv. Randomly reviewing BWC recordings in accord with this policy;
 - v. Conducting automatic reviews of recordings consistent with this policy;
 - vi. Including a summary of the above in the Manager's monthly report to the BWC Committee; and
 - vii. Provide an annual review of the BWC program to include:
 - 1. Evaluation of officer compliance with policy;
 - 2. Successes;
 - 3. Problems identified and recommended solutions;
 - 4. Workload issues (for BWC manager and others);
 - 5. Software performance;
 - 6. Review of files on indefinite retention (delete? retain?)
 - 7. Space used and remaining on server; and
 - 8. Any anticipated problems or costs.
- b. The BWC Manager will notify the BWC Committee of the following by the next business day unless otherwise noted:
 - i. Hardware or software problems related to BWCs;
 - ii. Policy issues related to the use of BWCs ;
 - iii. Recordings that show outstanding performance, heroism, initiative, work beyond the call of duty, or other examples of excellence ;

- iv. Recordings that may be useful in training other officers or in coaching an officer to improve safety, knowledge or other performance ;
- v. Criminal wrongdoing or serious misconduct discovered on a BWC recording (immediate notification).

3. Training and Education Division (TED) Responsibility

- a. TED is responsible for ensuring adherence to this policy, and for the following specific items:
 - i. Officers will be trained on this policy, the BWC hardware, and the BWC software before they will be permitted to use a BWC.

VII. TEST PHASE

- 1. The Body-Worn Camera Committee shall review national, regional, and local experts regarding the following areas of concern:
 - a. Model & Specimen Policies
 - b. Reports & Studies
 - c. Legislation & Interpretations
 - d. General Litigation
 - e. Privacy Issues
 - f. Freedom of Information Requests & Litigation
 - g. Training Documents
 - h. Scholarly Articles
 - i. Disciplinary Actions
 - j. Eavesdropping / Wiretap Laws
- 2. The Body-Worn Camera Committee shall obtain for review and testing various BWCs to evaluate for use by the Department.

3. The Body-Worn Camera Committee shall determine the appropriate BWC hardware specifications needed by the Department in order to serve its mission and the goals of a Pilot Program.
4. The Body-Worn Camera Committee shall determine the appropriate BWC software requirements which would best integrate with the Department's existing and future software and hardware capabilities.
5. The Body-Worn Camera Committee shall determine the appropriate BWC accessory equipment needed to implement a BWC Pilot Program.
6. The Body-Worn Camera Committee shall determine the appropriate BWC storage solutions compatible with existing and future software and hardware capabilities.
7. The Body-Worn Camera Committee, in coordination with the Office of the Chief, will identify PGPD Departmental members who will be assigned BWCs.
8. The Body-Worn Camera Committee, in coordination with the Office of the Chief, will identify PGPD Departmental members who will be assigned to the Control Group.

VIII. PILOT PHASE

1. The Chief shall announce a date certain when the Department moves from the Test Phase to the Pilot Phase.
2. The end date for this Pilot Program will be determined in coordination with the Body-Worn Camera Committee and the Office of the Chief.
3. During the Pilot Phase, officers issued BWCs will conduct normal operations and will deploy BWCs as per this document and as trained by TED.
4. The Body-Worn Camera Committee shall track both the Pilot and the Control Groups throughout the Pilot Program.
5. At the end of this Pilot Program, the Body-Worn Camera Committee will issue a report to chronicle the following information:
 - a. Number of Officers trained on the BWC systems and procedures
 - b. Number of calls to IT / BWC Manager by month and type
 - c. Technical / operational issues identified by BWC Manager / support staff

- d. Number of requests for video downloads for review
 - e. Officer satisfaction with operation / technical aspects of BWCs
 - f. Assessment Factors of BWC Pilot Program (list is not exclusive):
 - i. Pilot Group vs. Control Group comparisons:
 - a. officer perception of safety
 - b. officer perception of less aggressive / confrontational behavior in people with whom officers interacted
 - c. number of complaints against officers
 - d. uses of force
 - e. number of complaints found to be unsubstantiated or withdrawn
 - f. number of officers exonerated
 - ii. increased public awareness of BWCs
 - iii. officer perception that training was useful / relevant
 - iv. increased public perception of police accountability
 - v. media reports on this Pilot Program
 - vi. BWCs perceived as valuable / beneficial by officers, prosecutors / defense bar / judges.
6. At the end of this Pilot Program, should the Body-Worn Camera Pilot Program prove to the PGPD that a further investment in BWCs is desirable, the Body-Worn Camera Committee, in collaboration with the appropriate Departmental divisions and sections, will spearhead the following deliverables:
- a. Proposed General Order and/or SOPs regarding BWCs
 - b. Proposed training and documentation / reference guides
 - c. Proposed processes within the Department for the ongoing operation and maintenance of BWCs
 - d. Parameters for the establishment of a separate BWC Unit which will support the ongoing operation and maintenance of BWCs
 - e. Proposed practices for the storage, archiving and retrieval of BWC videos, as well as the dissemination of requested videos for prosecutorial purposes and in responses to MPIA requests.