

Rowan University Public Safety GENERAL ORDER # 15-0401				Applicable: POLICE		
SECTION: LAW ENFORCEMENT OPERATIONS			EFFECTIVE DATE: APRIL 1, 2015			
SUBJECT: BODY WORN CAMERAS (BWC)			PAGES: 1 OF 8			
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SENIOR DIRECTOR REED LAYTON						

I. PURPOSE

To establish guidelines for the proper and lawful operation of the body worn audio/video camera systems worn by members of the Rowan University Police, and to define the media storage and retention system for the events recorded by the devices.

II. POLICY

Body Worn Cameras (hereinafter BWC) will be employed by department police officers in a manner consistent with the provisions outlined in this written directive. These cameras are viewed as a valuable asset intended to assist officers in the prosecution of certain offenders by augmenting an officer's testimony with a video/audio record of the incident. Additionally, this equipment will enable department administrators to conduct periodic reviews of officer-citizen contacts for quality control purposes and aid in the investigation of citizen complaints.

III. DEFINITIONS:

1. Body Worn Camera (BWC) – A camera worn on an individual officer's person that records and stores audio and video evidence.
2. Digital Evidence – Includes photographs, audio and video recordings that are stored daily.
3. Evidence.com – A secure, "cloud" based storage system which is externally hosted and available to users. Evidence.com is used to organize, classify, manage, view and archive

digital evidence. Evidence.com tracks and provides an audit of all activity to protect the chain of custody.

4. Evidence Transfer Manager (ETM) – A docking station for the Taser AXON Flex camera and battery. When the camera is docked, video data stored on the camera is automatically downloaded to Evidence.com. The ETM also charges the battery and camera.

IV. PROCEDURE

A. Administration

1. The department has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:
 - a. 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 court.
 - b. Audio and video recordings 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.
 - c. 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. Equipment

1. The department has purchased Taser AXON audio/video recording units. This shall be the only BWC authorized for use by members of 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 agency.
 - a. References to BWC shall include the Taser AXON wireless device, which houses a video camera, audio/video recording hardware, and a port for charging the device and downloading events.
2. All uniformed police officers who are assigned BWC's must complete the agency 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.
3. The BWC units are equipped with a clip and shall be affixed on center of the buttoned placket on the member's uniform shirt in the center chest/sternum area.
4. Each member assigned to Patrol has been assigned BWC and shall wear the device as an authorized component of the uniform of the day. Each BWC has a unique serial number

and has been assigned an internal tracking identification number. Officers assigned BWCs shall use the equipment unless otherwise authorized by supervisory personnel.

5. BWC equipment is the responsibility of individual officers and shall be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be immediately brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured.

C. Operation

1. Officers shall activate the BWC to record all contacts with citizens in the performance of official duties, including calls for service, motor vehicle stops, field interviews, investigative detentions, sobriety checkpoints and for any other action/incident where it is necessary or prudent to create a recording.
2. Officers shall announce upon entering an area of privacy expectations, that the BWC has been activated and the interaction is being recorded.
3. The use of BWC's allow for a clearly documented, first hand, and completely objective account of an incident. Therefore, officers shall activate their BWC immediately upon acknowledging dispatch to a call for service and officers shall activate their BWC for a proactive event and as soon as safely possible. This will allow the maximum amount of information regarding the incident to be captured, such as events that transcribe while en-route to a call for service and violations committed by a motorist during a motor vehicle stop.
4. BWCs shall remain activated for the entire duration of citizen contact until either the officer or citizen has departed the scene.
 - a. Any officer providing assistance or back up to an officer on a citizen contact is required to have their BWC activated until the citizen has departed the scene or their assistance is no longer needed.
5. Officers on extra-duty assignments shall also deploy their BWC during the traffic or security details. Officers shall utilize the BWC during the detail in accordance with Subsection 1 and 3 above.
6. When BWC is activated, officers are encouraged to provide narration where practical and appropriate in an effort to augment the value of the recording and to provide clarity for the viewer.
7. Manual deactivation of BWC is permissible in non-enforcement situations where prolonged recording from a stationary position is unlikely to result in any citizen contact or capture information that may be useful in any prosecution or civil proceeding.
 - a. Prior to deactivating BWC, officers shall record their intention to deactivate along with the reason for such action.
 - b. In the event that citizen contact is established, the BWC shall be manually reactivated.

8. If an officer fails to activate the BWC, fails to record the entire event contact, or interrupts the recording, the officer shall document in the applicable incident or case report why a recording was not made, was interrupted, or was terminated.
9. Officers shall note in incident and case reports when BWC recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports.
10. Civilians shall not be allowed to review the recordings at the scene of contact. Officer complaints shall be handled in accordance with the directives set forth in Professional Standards Policy #05-1206. All other requests to view and/or obtain footage by the public shall be handled in accordance with OPRA Procedures and request.
11. When an officer arrests someone suspected of driving while intoxicated, the BWC must be deactivated prior to conducting the Alcotest due to the possibility that the BWC will interfere with the Alcotest results and the BWC will be removed during the testing period. Please notify the subject of the Alcotest that it is conducted in a recorded area and that deactivation is due to possible interference with the Alcotest.
12. In cases involving Domestic Violence or Sexual Assault, the officer will announce his intent to record the interaction using the BWC. However, in recognition of the needs of victims in such situations, responding officers will make every effort to respect the needs of the victims and conduct any recording in a respectful manner. Where special circumstances dictate, the BWC may be deactivated after reminding victims of the need to preserve evidence where a second officer is able to be present during the interaction with the victim. The deactivation **MUST** be documented with the communications center.

D. Exceptions not to wear the BWC

1. If an officer, who has not officially reported for duty and has not signed out the assigned BWC for his/her shift comes upon an incident, the officer may respond even if he/she does not have in place his/her BWC. In that instance, the officer should respond to the incident in accordance with applicable policies and procedures and report the absence of the BWC to the shift supervisor, and note the encounter in the formal incident report, or have the communications center make a note in the calls for service.

F. Restrictions

1. BWC's shall only be used in conjunction with official law enforcement duties. The BWCs shall not be used to record the following:
 - a. Communications with other police personnel without the permission of the Commander of the Law Enforcement Division, or designee;
 - b. Encounters with undercover officers or confidential informants;
 - c. Break periods or other personal activities;
 - d. Any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room

- e. Circumstances unlikely to have any purposeful law enforcement usage, e.g. Public Safety Headquarters, general conversations with university personnel not involved in an official law enforcement encounter, etc.
- f. Any personal conversation of or between other department employees without the recorded employee's knowledge, see Department General Order # 10-0705 Electronic Video Monitoring.

G. Inspection and Maintenance

1. When not in use, BWCs shall be stored in the designated docking stations on each campus. The docking stations allow for the units to be charged and for the download of events to the secure storage site.
2. BWCs shall be inspected by officers at the commencement and conclusion of each shift to guarantee both video and audio recording readiness of the system.
 - a. When conducting the pre and post shift inspection, the officer shall activate the BWC and verbally state the date, time, whether a pre or post-shift inspection is being conducted, and that a test is being performed on the unit.
 - b. The officer shall then sync up the unit through the icon on the patrol vehicle mobile data terminal. This will allow the officer to view the event and tag it accordingly.
 - c. The results of the inspection, including any malfunctions or deficiencies, shall be noted on the Shift Roster and an email forwarded to the Administrative Lieutenant.
3. Officers are permitted to conduct a review of the contents of a BWC to ensure accurate reporting and to assist in articulation of probable cause prior to downloading the events to the digital storage site.
 - a. Viewing of BWC events is strictly limited to sworn officers of this Department. Viewing by any other person is prohibited unless authorized by the Commander of the Law Enforcement Division, or designee, or consistent with a provision of this written directive.
 - b. Under no circumstances may an incident that was recorded on a BWC be re-recorded onto another device, e.g. cell phone, video camera, etc.
4. Officers utilizing the BWC shall periodically, and no later than the end of each shift, download the contents of the unit by placing the unit in the designated charging station. Each file downloaded shall contain information related to the date, BWC identifier, and assigned officer.

H. Control and Management

1. Contents downloaded from BWCs will be stored on the secure Evidence.com site. All images and sounds recorded by the BWC are the exclusive property of the Department of

- Public Safety. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
- a. Copies of an event captured on Digital Video System will not be released to other criminal justice agencies, other than the Gloucester County Prosecutor's Office for the Glassboro campus or the Camden County Prosecutor's Office for the Stratford campus, without the express permission of the Commander of the Law Enforcement Division, or designee or unless required by applicable law.
 - b. On occasions, there may be an incident that could present a training opportunity for law enforcement personnel. If there is particular incident that was recorded from a BWC that is requested to be used as a training tool, authorization must be obtained from the Law Enforcement Commander. If permission is granted, the recording may be viewed through Evidence.com website.
2. BWC recordings containing information that may be of value for case prosecution or in any criminal or civil adversarial proceeding shall be safeguarded as other forms of evidence. As such, these recordings will:
- a. Be burned to a disk and placed into evidence. The disc will be subject to the same security restrictions and chain of evidence safeguards and documentation as outlined in the Control of Property & Evidence policy, #06-0914
 - b. Not be released to any person without proper written approval and;
 - c. Will not be released to any person or agency without having a duplicate copy made and returned to safe storage.
3. BWC recordings not utilized for court proceedings or other departmental uses shall be maintained 90 days and purged in accordance with directives set forth by the New Jersey Division of Archives and Records Management.
4. All access to downloaded BWC files must be specifically authorized by the Law Enforcement Commander or designee, and all access will be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
5. All recordings are maintained within the BWC system on Evidence.com and are authenticated by an internal audit program with the BWC system.
6. The BWC system is administered by the Professional Standards Commander. Only the Law Enforcement Commander and the Professional Standards Commander will have access to delete video/audio segments.
7. Under no circumstance shall any officer of this department erase, reuse or alter the recording of any Digital Video System. It is a fourth degree crime to purposely and knowingly alter, destroy, conceal, remove or disable any camera or monitoring device including any videotape, film or other medium used to record sound or image that is installed in a police vehicle (N.J.S.A. 2C:28-7c).
8. Officers shall inform their supervisor of any recordings that may be of value for training purposes.

9. If an officer is suspected of wrongdoing the Department reserves the right to limit or restrict an officer from viewing the video file.

I. Supervisory Review

1. Supervisory personnel shall ensure that officers under their command equipped with BWC devices utilize them in accordance with policy and procedures defined therein.
2. The Professional Standards Commander is responsible for reviewing, on average, two hours of non-evidential BWC events per month in an effort to ensure the equipment is operating properly, to assess officers' performance and adherence to written directives and established professional standards, and to identify other training needs.
 - a. In order to maintain fairness in the selection of videos reviewed, the Professional Standards Commander will access the County's Pro Phoenix System, and use the system to randomly select a list of individual officers to observe for each particular week.
 - b. Upon completion of the monthly review, the Professional Standards Commander shall prepare a Video Review Form documenting any positive or negative activities observed. This Form should include any recommendations for training and/or discipline resulting from the observations.
3. All Completed Video Review Forms shall be retained by the Professional Standards Commander and a copy will be forwarded to the Commander of the Law Enforcement Division, or designee for review.
4. The Professional Standards Commander is responsible for conducting a quarterly review of all Video Review Forms to determine if any individual or group patterns of non-compliance exist. If a pattern of non-compliant behavior is identified, the Commander of the Law Enforcement Division shall be notified and the Professional Standards Commander will address the individual officer or the appropriate group through training.
4. Separate from the above mentioned monthly review of randomly selected officers, the Professional Standards Commander may review specific BWC footage if circumstances arise that requires an investigative effort to commence.

J. External Access – New Jersey's Open Public Record Act

1. Pursuant to the Open Public Record Act ("OPRA"), the public may request inspection and/or copies of public records. Recordings obtained through the use of a BWC may not constitute public records. In making this determinations several factors will be considered.
 - a. Evidence is not public record;
 - b. Video recordings (photographs) of juvenile offenders are confidential and protected;
 - c. Video/audio recordings obtained within a non-public area home or non-public area of a business are generally considered confidential;
 - d. Video/audio recordings obtained depicting a victim of sexual assault in such a

- way that his/her identity may be ascertained are not a public record;
- e. Video containing information or data about a report or investigation of abuse, neglect, exploitation of vulnerable persons is not public record;
- f. Where any other laws require that the identity shall not constitute a public record;
- g. Where the person(s) depicted has a legitimate privacy interest in not having video/audio data released, such information shall not constitute a public record.

K. Juvenile Recordings

1. It is recognized that video images of juvenile offenders will at times be recorded by the BWC when responding to calls for service or during the course of an investigation. Officers shall protect video recordings of juveniles the same as still photographs of juveniles. If a department employee has a need to use BWC recorded images of juvenile offenders as part of an investigation, the department employee shall strictly adhere to the policy governing Photographing/Fingerprinting of Juveniles.

J. Accountability

1. Officers shall comply with all applicable laws, policies, and procedures in connection with the use of the BWC, including rules governing recording, viewing of recordings, and communications with citizens. Failure to comply with applicable laws, policies, or procedures shall subject any officer in violation to disciplinary sanctions.