

# SEPTA Transit Police Department

*Service, Integrity, and True Professionalism*



## Directive

620. Body Worn Camera Pilot Program | 7/1/2015 | Total Pages: 5

### 620.1 PURPOSE:

620.1.1 The purpose of this directive is to establish guidelines for the body worn camera (BWC) program.

### 620.2 POLICY:

620.2.1 BWC equipment has been obtained to enable audio and video recording of contacts with police officers. Protecting civil liberties has been and continues to be a primary function of the Transit Police. BWCs are expected to verify that Constitutional rights are ensured, improve the documentation of evidence seizures, enhance prosecution case files, reduce complaints of misconduct and excessive force by police officers, change negative behaviors of the police and the public, and decrease the number of incidents where police are forced to respond to resistance.

### 620.3 PROCEDURES:

#### 620.3.1 General Guidelines

- (a) A supervisor will assign the BWC and accessories to the officers.
- (b) The assigned officer will inspect the BWC for any physical damage. The officer will ensure the device is in proper working order with the audio switch on at the beginning of the shift. The officer will audibly record his/her name, badge number, beat assignment and tour of duty as the first recording.
- (c) Officers are responsible for the proper care of all Department property and/or equipment assigned to them. Officers will immediately report to their supervisor any loss of, or damage to, any part of the BWC.

- (d) Prior to going into service with a BWC, officers will ensure that they are wearing an authorized uniform which clearly identifies them as a SEPTA Transit Police Officer, unless otherwise approved by the Chief of Police.
- (e) The assigned officer will note on his/her patrol log "Assigned BWC #(and the property number)".
- (f) The BWC recordings will be used for official Departmental purposes only.

#### 620.3.2 Equipment Operation

- (a) Personnel equipped with a BWC must activate the record mode when: initiating (or earlier, if possible) the following events:
  - 1) assigned to a radio call
  - 2) notifying radio of response to a radio call assigned to another unit
  - 3) observing another unit engaged in a contact
  - 4) observing criminal, disorderly, suspicious or unsafe behavior
- (b) Personnel equipped with a BWC must activate the record mode as soon as possible for:
  - 1) any and all citizen contacts
  - 2) protection of crime or accident scenes
  - 3) transportation of prisoners or citizens
  - 4) searches of persons, vehicles, structures, etc.
  - 5) statements made by suspects, victims and witnesses
  - 6) Miranda warnings
  - 7) interrogations of suspects
  - 8) any legitimate law enforcement purpose
- (c) Once the record function of the BWC is activated, the officer will continue to record until either the subject being recorded or the officer has disengaged and communication between the two is no longer likely to occur.

- (d) Officers are required by law to deactivate the BWC recording function when entering a private residence. Officers shall request from those present permission to record inside private residences. The approval to do so must be recorded.
- (e) Recordings shall be made in close proximity to the individual's oral communication
- (f) Officers shall inform, as soon as reasonably practicable, the individuals present that s/he is recording their conversation
- (g) An individual cannot demand that the BWC recording function be deactivated
- (h) All reports documenting police action recorded by a BWC will include the notation "BWC". BWC video does not take the place of normal documentation
- (i) The recording officer will advise any additional arriving police/fire/EMS units that the incident is being recorded with a BWC
- (j) Supervisors will ensure that personnel download recorded files using the established process at the end of each tour of duty

### 620.3.3

#### Restrictions

- (a) Officers shall not make surreptitious recordings of conversations with any person (civilian or police officer) unless it is part of a criminal investigation AND prior approval has been obtained from the Chief of Police
- (b) The following are examples of events that should not be recorded:
  - 1) Lunch break
  - 2) Report writing
  - 3) Administrative functions
  - 4) Discussions with police officers that are not related to an ongoing incident
- (c) Recordings should not occur in places that possess a higher expectation of privacy such as dressing rooms or restrooms unless police contact is occurring inside those locations

- (d) Only officers designated by the Department are permitted to utilize a BWC. The only authorized BWC is the department issued equipment.
- (e) Officers who intentionally erase, alter, reuse, modify or tamper with the BWC recordings will be subject to discipline that may result in discharge
- (f) Officers shall not interfere with the video or audio function of the BWC. The unit should be affixed to the officer's uniform in a manner that provides the best unobstructed view of incidents occurring in front of the officer
- (g) Handset microphones should be placed on the uniform in a manner that does not interfere with the BWC recording of conversations between the officer and members of the public
- (h) When response to resistance occurs, the officer will prepare the R2R report without reviewing the BWC video. This is in compliance with our normal procedures that also exist for station and vehicle video.

#### 620.3.4

#### Video Storage, Retention and Release

- (a) Accessing, copying or releasing BWC recordings for other than law enforcement purposes is prohibited and will subject the member to discipline that may result in discharge
- (b) Viewing of video is to be documented and maintained by the Commander of the Communications and Technology Unit. Viewing of video should be done on a need to know basis.
- (c) Public requests for viewing of video will be handled using the existing Right to Know protocol.
- (d) All BWC video is to be retained and considered as evidence and the property of the SEPTA Transit Police Department.

- (e) Video will be stored in a secure manner at Transit Police Headquarters for a minimum of 30 days but not more than 90 days from the date of recording with the exception of evidentiary, investigative, or training material which will be held until ordered purged by the Chief of Police.
- (f) By use of email, an officer will notify the Commander of the Communications and Technology Unit of the date/time of video that should be retained and the reason for retention
- (g) By use of email, an officer will notify the Commander of the Communications and Technology Unit of the date/time of video that should not be available for public review such as sensitive information, HIPAA data, unduly embarrassing situations for the recorded individual, etc. All such requests must be approved by the Chief of Police.

#### 620.3.5

#### Building Public Trust

- (a) The BWC pilot program has been initiated to help improve public trust in policing. Failure to activate or turning off the BWC during police activity will lead to suspicion on the part of the public and will undoubtedly affect our credibility. Consistent and professional use of the system is expected and required. Failure to do so will subject the member to discipline that may result in discharge.
- (b) The BWC pilot program will enable officers to establish video and audio documentation of incidents as they occur. By doing so, officers will be able to accurately depict behavior and scenes confronted by the police.
- (c) Terminating recording during an incident is not recommended. If a need exists to cease audio/video recording, approval of a supervisor should be obtained and the reason for termination documented on the incident report.

Thomas J. Nestel, III  
**Chief of Police**