

# Sullivan County Sheriff's Office



## General Order

G.O. Number: <b>128.03</b>	Effective Date: <b>October 8, 2012</b>	Date Issued: <b>October 8, 2012</b>	Review Date: <b>Annually</b>
Subject: Pages: 3 <b>Body-Worn Video Recording Devices</b>	C.A.L.E.A. #	Supercedes: <b>All Others</b>	Revised Date: <b>New</b>

### 1. PURPOSE

The purpose of this policy is to further the agency's intent to promote a safe work environment for its employees and to present a professional public appearance through the use of personal video recording devices to record certain activities. The recorders are intended to assist officers in the performance of their duties by providing an unbiased visual and audio record of the incident and to supplement the officer's report.

### 2. GENERAL

Video cameras worn by officers are used to record the audio and visual elements of pedestrian checks, traffic stops, and other events of criminal or evidentiary significance. The audio/visual record of these events also protects officers and the agency from unsubstantiated claims. The Sheriff retains the right to waive any or all parts of this General Order.

### 3. PROCEDURE

#### 3.1. Beginning of Shift Procedures

3.1.1. At the beginning of each shift, an officer that is issued a body-worn video recording device will be responsible for making sure that the device is not damaged and is in good working order. The care of the issued device is the responsibility of the officer the device is assigned to. The device will be operated and maintained according to the manufacturer's instructions and recommendations.

3.1.2. If the device is found to be damaged or not working properly, the officer will notify an on-duty supervisor as soon as possible.

3.1.3. The officer will also ensure that the device is equipped with sufficient memory and battery power to complete their tour of duty.

#### 3.2. Use of the Device

3.2.1 Officers using a body-worn video recording device shall ensure that the device is properly worn and positioned to record events.

- 3.2.2 Officers will make every effort to record all enforcement contacts such as arrests and traffic stops.
- 3.2.3 Officers will make every effort to record non-enforcement contacts should they become confrontational, assaultive or enforcement – oriented.
- 3.2.4 It is recommended that officers record any pedestrian contacts and other events when the recording could have value such as evidence, to limit liability, to resolve citizen complaints or as a training tool.

### 3.3 End of Shift Procedures

- 3.3.1 If a recording device contains evidence, the data should be downloaded in a timely manner. Once downloaded, the copied file should be saved to a CD or DVD and submitted into evidence.

## 4. **PROHIBITED VIDEO RECORDINGS**

- 4.1. To respect the dignity of others, officers will try to avoid recording persons who are nude or when sensitive human areas are exposed.
- 4.2. Recording devices shall not be used to record non-work related personal activity and will not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms or restrooms.
- 4.3. The recording devices will not be activated to record conversations of or with fellow employees without their knowledge during routine, non-enforcement related activities.
- 4.4. Recording of individuals who are picketing or engaged in a protest or First Amendment demonstration will be avoided unless an obvious violation of criminal law is occurring or the officer is in the same vicinity for other legitimate law enforcement purposes.

## 5. **STORAGE AND RETENTION**

Media that contains evidence for a criminal case shall be placed in evidence and stored by the evidence custodian. Media that does not contain evidence will then be erased and returned to the rotation. It will be the officers responsibility once court cases are finished, including all appeals, to fill out a destruction order and turn in to the evidence custodian. The evidence custodian will then destroy the applicable CD or DVD.

## 6. **GENERAL PROCEDURES FOR HANDLING RECORDINGS**

- 6.1. Officers shall not tamper with, or in any other manner, alter the data stored on the recording device.
- 6.2. No recording may be copied for unauthorized reasons. Copies may only be made for court, training, or other approved purposes.
- 6.3. Recordings may be reviewed in any of the following situations:
  - 6.3.1 By an officer viewing their own recordings,
  - 6.3.2 By a supervisor investigating a specific act of officer conduct,

- 6.3.3 By an Internal Affairs investigator who is conducting an official investigation,
  - 6.3.4 By an investigator conducting a criminal investigation,
  - 6.3.5 By personnel of the Sullivan County District Attorney's office with permission of the Sheriff or his designee,
  - 6.3.6 By media personnel with permission of the Sheriff or his designee,
  - 6.3.7 In a courtroom during an official judicial proceeding,
  - 6.3.8 For approved training purposes. If the officer involved in the recording objects to the showing of the recording, the objection will be reviewed by the Sheriff to determine if the training value outweighs the officer's reason for not showing the recording.
  - 6.3.9 Employees desiring to watch a recording made by another officer shall submit a request in writing to the Sheriff.
  - 6.3.10 No copies of recordings will be made for unauthorized purposes.
- 6.4. In no event shall any recording be used or shown for the purpose of ridicule or embarrassing any employee or member of the public.

**7. RETENTION OF DOWNLOADED DATA**

- 7.1. It is the responsibility of the officer to regularly download recordings to an agency computer to ensure the device contains sufficient memory for duty use.
- 7.2. The officer shall be responsible for making duplicate copies of any footage for evidentiary purposes. All copies made for evidentiary purposes must be properly logged into evidence.

So ordered, this the 8th day of October 8, 2012.

Signature on original document

J. Wayne Anderson, Sheriff