Subject: Audio/Visual Record-Capture Digital Camcorders

Effective Date:

Supersedes/Amends:

Approved By:

Purpose

To establish policy and guidelines for electronic data collection resulting from the use of body worn audio/visual camcorders (BWC). It also serves to direct officers and supervisors in the proper use and maintenance of the BWC. The purpose of the BWC is to provide an accurate unbiased audio/visual record of enforcement related and non-criminal incidents that will enhance criminal prosecutions and limit civil liabilities.

Policy

Officers of the _____Police Department shall use the issued BWC when interviewing suspects of crimes, field sobriety tests, traffic stops, establishing probable cause for pedestrian stops and detentions, or any situation, condition, or event having a potential for loss of life, injury, or damage to property.

Procedure

    I.   General guidelines for the use of BWC:
- a. The BWC is intended to supplement reports and investigations and ultimately aid in prosecuting traffic and related offenses, to improve officer performance through training, and promote officer safety.
- b. The BWC is to be used to document events, actions, or statements made during arrests, interviews, and critical incidents in order to enhance report preparation and investigation.
- c. The BWC is meant to enhance the Department's ability to review probable cause for arrests, searches and seizures, arrest procedures, officer and suspect interaction, and evidence for investigative purposes, as well as for officer evaluation and training.

    II.   The BWC shall not be deactivated until the enforcement action is completed.

    III.   Officers shall not erase any audio and/or video on the BWC.

Prohibitions

I. Any use of the BWC for any purpose other than official law enforcement business is a violation of this policy. Non-law enforcement business can include, but is not limited to:
   a. Covertly recording other law enforcement personnel;
   b. Recording a conversation with a supervisor, council member, or other government employee;
   c. Personal use of the BWC; and
   d. Recording a conversation that the officer is not party to, unless the officer is handling a law enforcement incident and is in a lawful position when the taping occurs.
II. Officers shall not use the BWC to record a particular person based solely on the person's race, color, age, sex, marital status, sexual orientation, gender identity, creed religion, ancestry, national origin or physical disability.

Data Management

I. BWC recordings shall only be downloaded to computers operated and maintained by the Town/City of _____.
II. Before going off-duty, officers will download all recordings to a designated secure server/computer. The designated agency system administrator will be contacted by the officer to copy any data that is deemed to be of evidentiary value on a media storage device (i.e. CD-Rom, flash drive, etc.) and entered into evidence. Officers will note in incident, arrest and related reports when video/audio recordings were made during the incident in question. Other data not copied to disc will remain on the secure server/computer for 90 days at which time it shall be erased.
III. Data will not be released to another criminal justice agency for trial or other reasons without having a duplicate copy made and returned to safe storage; and
IV. Data will not be released to any outside non-criminal justice entity, regardless of the content, without explicit authority from the Chief of Police or their designee.
V. The media storage device shall be retained for 3 years or until the case is resolved or evidence is released, whichever is longer, and then the media storage device or its contents shall be destroyed.
VI. Digital copies for purposes not associated with the investigation or prosecution of a violation of law will only be made and or created subject to one of the following:
   a. Permission from the Chief of Police or his designee; or
   b. Required by court order.