

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES

POLICY: 6.6 Body Worn Cameras

ISSUE DATE: 05.20.2015

REVISED: 06.16.2021

I. PURPOSE

This policy is intended to provide officers with instructions on when and how to use body-worn cameras (BWCs) so that officers may reliably record their contacts with the public in accordance with the law and goals of this department.

II. POLICY

It is the policy of this department that officers shall activate the BWC in all civilian interactions which may generate an official law enforcement response or action, in a manner describe herein, where the recording will be consistent with current law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

III. PROCEDURES

A. Administration

This agency has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:

1. BWCs allow for documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
2. Audio and video recordings also enhance this agency'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.

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3. 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. Directives for Use of the BWC

1. Officers shall record all contacts with citizens while on duty.
2. BWC equipment is used primarily by uniformed personnel as authorized by this agency. Officers who are required to use BWC equipment will do so unless otherwise authorized by supervisory personnel in writing.
3. Police personnel shall use only BWCs issued by this 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.
4. Police personnel who are assigned BWCs must complete an agency approved and/or 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 performance, and to incorporate changes, updates, or other revisions in policy and equipment.
5. Officers are under no obligation to inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, every attempt will be made to ensure that right, but officers will not turn off video cameras or stop recording unless verbally ordered by a supervisor to do so, and such order must be recorded. Supervisors shall not order, and officers shall not end a recording if the recording is being made pursuant to an arrest or search of the residence or individuals. The BWC shall remain activated until the event is completed to ensure the integrity of the recording unless the contact moves into an area restricted by this policy (see items D.1-4). Officers may “mute”

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the audio on their BWC when consulting with a supervisor as allowed by law but must state their intent to do so before muting the camera mic.

6. **Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings** without prior written authorization and approval of the director of public safety.
7. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated.
8. Officers shall not allow civilians to review the recordings but must be give the name of a supervisor to request to view the recording.

C. Procedures for BWC Use

1. Officers shall power up the BWC at the beginning of their shift and it will not be powered down until the officer is off duty. The BWC will be always in a state of readiness while on-duty.
2. BWC equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured. Officers shall in no way alter the settings of any BWC.
3. Officers shall inspect and test the BWC prior to each shift to verify proper functioning and shall notify their supervisor of any problems. Officers shall wear the BWC in a manner and location where the video will clearly record all incidents which the officer may become involved in.
4. Officers will begin recording when notified of a call or as soon as possible when enroute to a call.

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5. Officers are encouraged to inform the Director of any recordings that may be of value for training purposes.
6. If an officer is suspected of wrongdoing, involved in an officer involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the video file and in the event of such an incident the camera must be collected from the officer as soon as possible.
7. Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the director in accordance with state record retention laws. All requests and final decisions shall be kept on file.
8. Officers shall note in incident, arrest, and related reports when recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports or in-car video.

D. Restrictions on Using the BWC

BWCs shall be used by patrol personnel only in conjunction with official law enforcement duties. The BWC shall not be used to record:

1. Communications with any other department personnel without the written permission of the director of public safety;
2. Encounters with undercover officers or confidential informants; or
3. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

E. Storage

1. All Cameras shall be securely downloaded periodically and no later than the end of each tour of duty. Each file shall contain information related to the date, BWC identifier, and assigned officer.

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2. All images and sounds recorded by the BWC are the exclusive property of this department. Accessing, copying, or releasing files for non law enforcement purposes is strictly prohibited.
3. All access to BWC data (images, sounds, and metadata) must be specifically authorized by the director or his designee.
4. Files should be securely stored in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under control of a criminal justice agency.

F. Supervisory Responsibilities

1. Supervisory personnel shall ensure that officers equipped with BWC devices utilize them in accordance with policy and procedures defined herein.
2. At least monthly, supervisors will randomly review BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.

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Adopted Date:05.20.2015