

Section XXX

Clare Police Department
BODY-WORN CAMERAS
December 2014

30.1 PURPOSE

This policy is intended to provide officers with instructions on when and how to use body-worn cameras (BWCs) so Certified and Reserve Officers (Officers) may reliably record their contacts with the public in accordance with the law.¹

30.2 POLICY

It is the policy of this department that officers shall activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

30.3 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 accurate 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.
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. When and How to Use the BWC

1. Officers shall activate the BWC to record all official and investigative contacts with citizens in the performance of official duties. Everyday non official contact with citizens does not need to be recorded but may be at the discretion of the Officer.

2. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy (see items D.1-4).
3. 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.
4. Civilians shall not be allowed to review the recordings at the scene.

C. Procedures for BWC Use

1. BWC equipment is issued primarily to uniformed personnel as authorized by this agency. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.
2. 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.
3. 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.
4. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning including checking the date and time accuracy. If a problem is found the Officer shall notify their supervisor of any problems, take the unit out of service and use a different BWC.
5. BWC's will be worn on the front of the upper half of the Officers chest in order to obtain the best possible view for recording. Requests to wear the camera in a different location must be approved by the Chief of Police.
6. BWC's may be placed in other locations if the officer feels that the placement will provide a better view on a case by case basis. examples of this would be on the dash of the patrol unit facing backward to record the interior of the car, on a shelf to record an interview.
7. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior authorization and approval of the Chief of Police or his or her designee.

8. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
9. If an officer is suspected of wrongdoing or 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.
10. 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 Chief of Police or his or her designee in accordance with state record retention laws. All requests and final decisions shall be kept on file.
11. 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.

D. Restrictions on Using the BWC

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

1. Communications with other police personnel without the permission of the Chief of Police;
2. Encounters with undercover officers or confidential informants;
3. When on break or otherwise engaged in personal activities; or
4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

E. Storage

1. All sounds, images, and associated metadata should be securely downloaded periodically and/or no later than the end of each shift if possible. If a BWC is not downloaded at the end of Officers shift, the Officer shall notify Command Staff that it was not downloaded so that if a review of a file is needed, it can be found in a timely matter. Each file shall contain information related to the date, BWC identifier, and assigned officer. At the time of download the officer will indicate if the file is evidential or non-evidential. A complaint/incident and or ticket number will be noted along with the suspects last name.
2. All images and sounds recorded by the BWC are the exclusive property of this department. Accessing, copying, or releasing all sounds, images, and

associated metadata for non-law enforcement purposes is strictly prohibited.

3. All sounds, images, and associated metadata 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. 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.