



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: February 2, 2015	REVISED DATE:	NO. PAGES: 1 of 11	NUMBER: 3.2.20
SUBJECT: WEARABLE CAMERA SYSTEM (WCS)			
ASSOCIATED MANUAL:		RELATED ORDER: 1.1.23, 1.3.01, 1.3.02, 1.3.27, 1.3.39, 3.4.03	
CHIEF OF POLICE: <i>Calvin D. Williams, Chief</i>			

PURPOSE: To establish guidelines for the use, management, storage, retrieval, and supervision regarding the Taser International Inc.’s Wearable Camera System (WCS).

POLICY: The Cleveland Division of Police has adopted the use of Taser’s WCSs (video and audio), captured media management, and storage system to provide for supplemental documentation of events, actions, conditions, and statements made during officer-involved events, including but not limited to arrests, uses of force, and other critical incidents; presentation in court as evidence; protection of members against false or inaccurate complaints, accusations, or claims; and as a training and evaluation aid. WCSs have been demonstrated to be of significant value in the prosecution of criminal offenders and reducing violent confrontation, officer’s use of force, and complaints against officers.

DEFINITIONS:

Taser AXON camera: A WCS with secured internal memory for storage of recorded video and audio. This camera system operates in two modes (Buffering and Event).

Buffering Mode: After the WCS is powered on, it continuously loops 30 seconds of VIDEO ONLY. Once placed into EVENT Mode, only 30 seconds of pre-event video (no audio) recording will be captured along with the video and audio captured after entering Event Mode.

Event Mode: Activated when the WCS is in Buffering Mode and the event button is pressed two times within one second. The indicator light will begin blinking red giving users a visible indicator that the WCS is now actively recording video and audio. An audible tone will also alert members that the WCS is activated.

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Evidence.com: The online web-based digital storage medium facility accessed at <https://clevelandohpd.evidence.com>. This virtual warehouse stores the digitally encrypted data in a highly secure environment accessible to personnel based on their security clearance.

Evidence Sync: Desktop or Mobile Data Computer (MDC) application that allows WCS users to view captured media from their WCS via a standard USB cable. Users may also tag, categorize, add notes, and/or RMS numbers to captured media and will allow for upload to their Evidence.Com account.

Evidence Transfer Manager (ETM): The docking unit used to recharge the WCS and upload the encrypted captured media (video and audio). The ETM then transfers the encrypted data digitally to Evidence.com.

PROCEDURES:

- I. All captured media is an official record of the Cleveland Division of Police. Accessing, copying, or releasing any captured media for any purpose other than law enforcement related is strictly prohibited and subject to discipline.
- II. Members shall not be able to edit, delete, or alter captured media. The security features of Evidence.com ensure compliance and track all access to captured media.
- III. The existence of captured media shall not replace a thorough, accurate, and complete RMS report or Form-1.
- IV. Members using a WCS shall:
 - A. Successfully complete training on all WCS directives and instructions (e.g. inspection, start up, use, shutdown, and upload).
 - B. Be responsible for all equipment assigned to them. A member whose issued WCS is damaged, lost, or stolen shall immediately notify their supervisor and complete a Form-1 and RMS report.
 - C. Document the existence of captured media when completing any police reports or documents (e.g. daily duty report, Uniform Traffic Tickets (UTT), Multipurpose Misdemeanor Complaints (MMC), and RMS reports) by using the acronym “WCS” and adding the RMS number on UTTs and MMCs.

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- D. Notify a supervisor when a WCS was not placed into event mode in compliance with this Order.

- E. At the start of a tour of duty:
 - 1. Inspect the WCS and related equipment to ensure there are no visible or obvious signs of damage.
 - 2. Place the WCS in a location that will most closely capture the member's field of view.
 - 3. Turn on the WCS, press the activation button twice, and listen for the audible signal to verify the unit is receiving power and functioning properly.
 - 4. Log the WCS unit serial number on their Daily Duty Report.
 - 5. During the 360 degree walk around inspection of their assigned police vehicle make a WCS recording and verbally note any fresh damage discovered and report same to their immediate supervisor as per the General Police Order (GPO) 8.1.01.

- F. Maintain the WCS in the Buffering Mode so that it can easily be placed into Event Mode for the capture of video and audio evidence.

- G. Place the WCS into Event Mode prior to taking any police related action including, but not limited to:
 - 1. Encounters with victims, witnesses, and suspects including those that involve or may involve a stop or investigation based on reasonable suspicion or probable cause.
 - 2. All citations, uses of force, detentions, and arrests.
 - 3. All searches including, but not limited to, people, vehicles, items, buildings, and places.
 - 4. All domestic violence calls including suspect/victim interviews.
 - 5. All interactions with persons known or suspected of having mental illness or in crisis.

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6. Assisting other members engaged in a police related action, whether or not the other member has a WCS in event mode.
 7. Pursuits (vehicle and foot) and emergency response driving.
 8. When asked to by a citizen during the interaction with the citizen.
 9. While en route to crimes in progress or just occurred where fleeing suspects or vehicles may be captured on video leaving the crime scene.
 10. Crime or accident scenes where captured media can help document, enhance and support members: written reports, evidence collection, investigations, and court testimony.
 11. Other events, situations and circumstances including but not limited to armed encounters, acts of physical violence, civil disturbances, and criminal or suspicious activity
 12. Any situation that a member believes captured media may be of use.
- H. After the WCS unit is placed into the Event Mode:
1. Record events in accordance with this Order.
 2. Advise citizens that a camera is on and recording audio and video at the first reasonable opportunity keeping member safety a priority.
 3. Not stop the recording until the contact has concluded or when ordered by a Cleveland Division of Police supervisor.
- I. Be permitted to return the WCS to Buffering Mode from Event Mode after a citizen has been notified that a WCS is recording in the following situations. Members may need to explain the difference between Buffering and Event Modes in these circumstances.
1. Entering a private home or building where consent of the owner or person with authority to consent to the entrance is required and that person expressly declines to permit video and/or audio recording inside the home or building. This will not apply to entrance where consent is not required or no longer required once inside the home/building including entrances related to a search warrant, arrest warrant, domestic violence calls, and emergency or exigent circumstances. If

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possible, members shall request that the citizen step outside or, depending on the circumstances and with supervisory approval, return the WCS to Buffering Mode.

2. When interacting with a victim or witness who refuses to cooperate if the WCS is in Event Mode. Members shall notify and obtain approval from their immediate supervisor or the sector supervisor and document by stating, while the WCS is in event mode, the reason the WCS is being returned to Buffering Mode. If practicable and reasonable, record the victim or witness requesting the WCS be turned off.
- J. Document the reason that a WCS unit has been activated to Event Mode and is then returned to Buffering Mode. Documentation shall take the form of making a recorded announcement on the WCS.
1. Contact complete.
 2. Ordered by supervisor (name) to end recording.
 3. Incident complete.
- K. At the end of a tour of duty:
1. Complete a 360 degree walk around inspection of their assigned police vehicle making a WCS recording and verbally noting any new damage discovered and report same to their immediate supervisor as per the General Police Order (GPO) 8.1.01.
 2. Inspect the WCS and related equipment to ensure there are no visible or obvious signs of damage.
 3. Place the WCS into the ETM slot for uploading of captured media and charging of the unit, unless using the WCS for secondary employment.
- V. The WCS shall not be used in Event Mode to capture the following, unless capturing evidence related to activities described in IV. G. of this Order:
- A. Divisional administrative investigations without the express consent of the commanding member of the involved district/bureau/section/unit.

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- B. Internal non-investigative staff meetings, hearings, and encounters with other members, supervisors, command staff, or City-employed civilians assisting the Division.
 - C. Conversations of fellow members or civilian employees without their knowledge during routine, non-enforcement related activities.
 - D. Protected health information and treatment when requested by the patient, or on-scene Emergency Medical Service or Division of Fire personnel.
 - E. Gratuitous captured media (i.e. effects of extreme violence or injury, exposed genitalia or other erogenous areas, etc.).
 - F. Any place where there is a reasonable expectation of privacy (i.e. dressing rooms, restrooms, etc.).
 - G. Images of confidential informants or undercover members, unless requested by the undercover member, their supervisor, or commanding member.
 - H. Conversations of citizens and/or members (i.e. administrative duties, court, community meetings, etc.).
 - I. Sporting events, entertainment venues, or similar. Venues or organizations may have prohibitions against recording the event or within the facility.
- VI. Members are encouraged to use Evidence Sync to categorize and tag captured media prior to uploading. Evidence Sync shall only be used from city-owned computer equipment. Members shall not install Evidence Sync on non-city-owned computers. Once captured media is uploaded or through Evidence Sync, members shall:
- A. Log into their Evidence.com account or Evidence Sync account and place all captured media into the appropriate category. If multiple categories apply, place the captured media into the category with the longest retention period.
 - B. Add RMS numbers to corresponding captured media.
 - C. Add notes or mark captured media as needed to assist investigative units with use of the captured media.

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- VII. Members shall surrender their WCS to the officer-in-charge (or designee) of the Use of Deadly Force Investigation Team (UDFIT), Accident Investigation Unit (AIU), Bureau of Integrity Control Call-up Group, or any supervisor upon request.
- VIII. The Division reserves the right to limit or restrict a member's ability to view captured media based on the circumstances surrounding the incident.
- IX. Secondary Employment.
- A. Use of WCS while working authorized secondary employment is recommended but not required.
 - B. Members using the WCS at secondary employment shall:
 - 1. Return the WCS to the ETM at the earliest convenience keeping in mind the WCS needs to have the captured media uploaded.
 - 2. Ensure the WCS is charged for their next tour of duty.
 - C. Members shall adhere to all WCS requirements.
- X. Media Storage:
- A. All captured media will be uploaded from the ETM and stored at Evidence.com according to the City of Cleveland records retention policy.
 - B. Members may access WCS captured media via Evidence.com or Evidence Sync and view it to assist with investigations or reports.
 - C. Members shall not use any recording device to record captured media from Evidence.com or Evidence Sync.
 - D. Members shall add notes to captured media stating the reason for each view of captured media (i.e. completing report, court prep, random review, etc.).
- XI. Supervisors shall:
- A. Ensure members assigned a WCS are using them in compliance with this order and determine the level of investigation for violations of this order.

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- B. Document in their Daily Duty Report any incident in which a member notifies them about an incident in which the WCS should have been activated, but was not.
 - C. Review all captured media related to a complaint or incidents resulting in a supervisory investigation.
 - D. Reference the existence of captured media in a distinct and separate heading in supervisory investigation Form-1s, including:
 - 1. All officers on scene and their badge numbers.
 - 2. All captured media reviewed.
 - 3. Any discrepancies between the captured media and reports.
 - E. Be able to view captured media from Evidence.com or by having the member log into Evidence.com and viewing from the member's account.
 - F. Complete a supervisory investigation (including involved members' Form-1s and RMS reports) into the damaged, lost, or stolen WCS and forward it through the chain of command.
 - G. When notified that a member is unable to complete the categorizing or tagging of captured media, determine if immediate attention is required or if the task can be completed at the start of the member's next tour of duty. Supervisors shall note on their Daily Duty Report any permission and justification for overtime or delay in tagging or categorizing recorded events.
 - H. Contact the Mobile Support Unit OIC for the pick-up or drop-off of a WCS.
 - I. During random review, move captured media into correct categories if needed.
- XII. Mobile Support Unit shall:
- A. Assist supervisors with investigations into damaged, lost, or stolen WCS.
 - B. Assist members with any questions about the WCS and related orders.

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- C. Make copies of captured media as required for law enforcement purposes, public information requests, and the Chief of Police.
- D. Be the point of contact with the WCS vendor.
- E. Ensure new accounts are created as needed into Evidence.com, existing accounts are kept up to date, and proper account authority is maintained.
- F. Maintaining spare WCS units as needed.

XIII. Random reviews of captured media shall occur regularly.

- A. Supervisors shall randomly review a minimum of 1 hour per week of recordings created by members under their command and make recommendations through the chain of command about potential changes needed to the WCS program or related orders. Supervisors shall also:
 - 1. Confirm proper use of equipment.
 - 2. Compliance with this Order.
 - 3. Identify areas where additional training or guidance is needed.
- B. Mobile Support Unit OIC shall randomly review a minimum of 4 hours of video per week for compliance with this order and any potential changes needed to the WCS program or related orders.

XIV. Requests to view or receive copies of captured media.

- A. Captured media needed for any law enforcement purpose (i.e. court, case files, supervisory investigations, etc.) shall be requested through the Mobile Support Unit by clicking on the Track-It icon and following the instructions.
- B. All requests for copies of captured media for non-evidentiary reasons shall be made by Form-1 request through the requestor's immediate supervisor.
- C. Members are encouraged to note video that they feel may have training value. A Form-1 shall be completed stating the reason, and faxed to Mobile Support Unit for supervisory approval.

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- D. Unusual or exceptional incidents related to law enforcement activities are often the subject of heightened public curiosity and interest. However, members are strictly prohibited from allowing persons outside of law enforcement to view or listen to any media captured by the WCS or any other Divisional evidence capture system without prior authorization from the Chief of Police.
 - E. Unless otherwise directed by the Chief of Police, all video and/or audio recordings (including personal) recorded on duty shall not be disseminated outside of law enforcement.
 - F. Members shall advise all non-Divisional requests for captured media to file a public records request.
- XV. All requests to exhibit, display, or demonstrate the WCS to outside parties shall be directed to the Chief's Office.
- XVI. Successful court challenges to the use or appropriateness of captured media shall be detailed in a Form-1 and forwarded to the Chief's Office and the Mobile Support Unit. The Form-1 shall include a summary of the ruling as well as a description of any restriction or sanction resulting from the ruling.
- XVII. Members shall use the following categories to assist in maintaining and filing captured WCS media. Captured media that members suspect needs to be retained longer than the retention period shall be documented in a Form-1 describing the reason and forwarding it through the chain of command to the Mobile Support Unit.
- A. Homicide/Sex crimes (permanent retention).
 - 1. Dead Body Investigations & Crime Scene Video.
 - 2. Sexual Assault Investigations & Crime Scene Video.
 - B. Critical Incidents (retention of 5 years).
 - 1. All Motor Vehicle Crashes.
 - 2. Any Use of Force incident.
 - 3. All Arrests.

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4. Complaints.
 5. Search warrant video.
 6. Felony crime scene video.
 7. Investigative detentions.
 8. Accidents involving city property (Injury to person/City Property report).
 9. Pursuits (vehicle & foot).
- C. Misdemeanors (retention of 1 year).
1. Misdemeanor reports.
 2. Misdemeanor crime scene video.
- D. Traffic Stops and Citations (retention of 180 days).
1. Citations issued without an arrest (UTT & MMC).
 2. Citizen encounters where none of the other category criteria apply.
 3. Traffic stops where no citation is issued.
- E. Possible complaints (retention of 180 days).
1. Member believes the incident may result in a complaint.
 2. Captured media that does not fall into any of the above circumstances.
- F. Administrative (retention of 90 days).
1. Start of tour WCS functionality test footage.
 2. Start and end of tour vehicle inspection footage.