

WEST JORDAN POLICE DEPARTMENT

GENERAL DIRECTIVE

No. 105

REVISION DATE: February 5, 2015
TO: All Police Department Personnel
SUBJECT: On-Body Audio/Video Recording Equipment
ORIGINATION DATE: May 6, 2013

PURPOSE

On-Body Camera (OBC) systems are effective tools that can be used to enhance officer safety, document evidence for use in criminal/civil investigation, protect officers from claims of improper conduct and enhance public trust by preserving factual representations of officer-citizen interactions.

The purpose of this policy is to establish guidelines for the use, management, storage and retrieval of video and audio data recorded by worn video systems.

DEFINITIONS

On-Body Camera (OBC): Any device used to record audio/visual documentation of an incident or citizen contact that is carried on a person. Such devices may include but are not limited to the AXON Flex, spy pen, Go Pro, cell phone, etc.

AXON: OBC system made by TASER.

Spy Pen: OBC system housed in a covert covering to look like a ballpoint pen.

Recording: The data recorded by OBC systems.

POLICY

Only Department issued body camera systems are authorized by this policy. Some spy pen or personally owned device usage is allowed when an OBC is unavailable, impractical or authorized by the Chief of Police or his designee. Employees utilizing a body camera system shall adhere to the operational objectives and protocols outlined in this policy to maximize the effectiveness of the body worn camera system and to preserve the integrity of evidence to video and audio data.

Recordings shall be treated as evidence. Recordings generated are, and shall remain, the property of West Jordan Police Department. Recordings shall not be duplicated, altered, erased or released outside of the department without authorization from the Chief of Police or his designee. Personnel shall only view recordings when there is an investigatory purpose or other authorization by the Chief of Police or designee. Unauthorized alteration, destruction, dissemination of recordings or other violations of this policy may result in disciplinary actions and/or criminal prosecution.

NOTICE OF CONFIDENTIALITY: *The contents of all West Jordan Police Department directives, policies and procedures are confidential and for the WJPD use only. The contents shall not be viewed by, or distributed by any method to, anyone outside the WJPD unless prior approval is given by the WJPD Chief of Police or designee.*

PROCEDURES

The West Jordan Police Department issues OBC systems and where practical and safe to do so, officers issued an OBC shall utilize the body worn camera system in the following instances, but are not limited to:

- All vehicle stops, to include vehicle pursuits and DUI investigations including field sobriety tests.
- All consensual person stops and self-initiated activity where an officer would normally notify dispatch.
- Domestic violence calls.
- Vehicle searches.
- Suspect contacts.
- Interviews (subjects and Miranda rights, etc.)
- Use of force situations or confrontational individuals.
- Unless otherwise prohibited by Department policy, officers may record any citizen contact or call for service, at their discretion.

DATA STORAGE, SECURITY AND ACCESS

1. Recordings generated are, and shall remain, the property of West Jordan Police Department. Recordings shall not be duplicated, altered, erased or released outside of the department without authorization from the Chief of Police or his designee.
2. Officers utilizing an OBC system shall make every effort to download the recordings by the end of shift. If this is impractical, the officer may download the recording(s) on the following day with supervisor approval.
3. Recordings related to a specific case number will be tagged, by the officer uploading the recording, with the case number.
4. Unusual or exceptional events related to law enforcement activities generate the interest of many groups or individuals. In our effort to cooperate with other law enforcement agencies and interested parties with legitimate needs, the department may provide copies of recordings, subject to this policy and upon the approval the Chief of Police or his designee.
5. OBC systems may record events which can be useful as training aids. When officers feel that a recording might be valuable as such, the following shall apply:
 - a. The officer responsible for generating the recording shall arrange to review it with the Division Commander and Training Sergeant.
 - b. If the recording is considered to be of value for training purposes, and the recording segment is not subject to further judicial review (the case to which the segment is relevant has been adjudicated or otherwise disposed), the Training Sergeant shall be authorized to request reproduction of the recorded segment.
 - c. Unless specifically authorized in this policy, no other reproduction of any recording segment is permitted without written approval of the Chief of Police or his designee.
6. Creating, disseminating or keeping personal copies of any image, video or audio file related to department business without the express authorization of the Chief of Police or his designee is prohibited.

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Accessing Data

Once data is uploaded to the server, personnel may view their own recordings by going to the appropriate evidence storage system. Storage systems will automatically time/date stamp and log each access by officer name.

For evidence.com, go to westjordanpdut.evidence.com and log in.

Evidentiary recordings may be copied from the appropriate storage system and attached as a file to the incident report or booked into evidence.

Recordings may be viewed in any of the following situations along with other guidelines in this policy:

- By a department detective who is participating in an official investigation.
- By command staff or supervisors investigating an allegation of misconduct, administrative inquiry or criminal investigation.
- By prosecution or court personnel with the permission of the Chief of Police or his designee.
- By media personnel with the permission of the Chief of Police or his designee.
- Training officers for the purpose of training value.

OFFICER RESPONSIBILITIES

1. Officers are not required to advise or obtain consent from a private person to record in a public place or where the officer is lawfully present.
2. Officers shall ensure their OBC equipment is maintained and operational. Officers are to report any problems with recording equipment to their supervisor immediately, and those problems are to be resolved as soon as possible.
3. When an OBC is used in any investigation, statement, contact, traffic stop etc., this fact shall be documented on any report and/or citation prepared regarding the contact.
4. Officers may review a recording to verify information for accuracy.
5. Officers shall not allow citizens to review the recordings.
6. Recordings related to a specific case number will be tagged, by the officer uploading the recording, with the case number.

SUPERVISOR RESPONSIBILITIES

1. Supervisors will ensure officers utilize the OBC systems according to policy guidelines. In no event shall any recording be used or shown for the purpose of ridicule or embarrassing any person.
2. Supervisors will ensure that officers keep their OBC systems maintained and operational.
3. In the event of an allegation of misconduct by an employee assigned an OBC system; the supervisor may review the recording, if available, to determine if misconduct occurred. If a statement of complaint will be initiated, the supervisor will attach and tag the appropriated recorded data to IAPro or Blue Team to become part of the investigation.

4. Digital recordings may be reviewed by supervisors to:
 - a. Monitor officer performance for both positive and negative incidents.
 - b. Ensured the OBC system is being operated and utilized properly.
 - c. Identify training issues.
 - d. For early intervention inquiries.
 - e. On allegations of misconduct.
 - f. Upon receipt of a commendation or complaint.

5. Any display or viewing of a recording other than that normally required in conducting police duties, must be approved in advance by the Chief of Police or his designee.
 - a. All recordings are subject to criteria imposed by the rules of evidence and GRAMMA Laws.
 - b. Requests must be in writing to the Chief of Police on official letterhead of the requesting agency.
 - c. Requests must be signed by the chief administrative officer of the requesting agency.
 - d. Duplicated recordings are furnished to the requesting agency for the express use of the requestor. Further duplication and/or distribution are prohibited without the express written authorization of the Chief of Police. Duplicate recordings shall be labeled in a manner consistent with the intent of this policy.

JUVENILE RECORDINGS

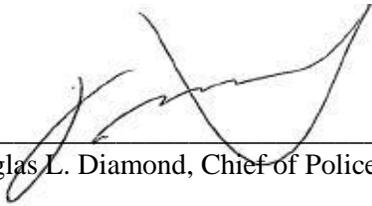
It is recognized that video images of juvenile offenders will at times be recorded by OBC systems when responding to calls of service and investigations. Officers shall protect recording of juveniles the same as still photographs of juveniles. Rules of juvenile photographs as set by state statute shall be strictly adhered to.

PROHIBITED RECORDING

1. Any issued OBC shall not be used to record non-work related personal activity.
2. Any OBC will not be activated in places where a reasonable expectation of privacy exists, such as dressing rooms, locker rooms or rest rooms unless enforcement action is being taken in those areas.
3. Under no circumstances, except those instances involving criminal or administrative investigations of department personnel, will a personal conversation between employees be recorded without all parties to the conversation being aware of the fact that it may be recorded.
4. Employees should not record confidential informants or undercover officers.
5. Officers will not make copies of any recordings for their personal use, and are prohibited from using any recording device (such as another video camera) to record OBC system data.
6. Posting any recordings on any media or social networking sites is strictly prohibited without authorization from the Chief of Police or his designee.

PERSONALLY OWNED OBC SYSTEMS

1. Employees may purchase and use their own video/audio recorders, employees choosing to use a personally owned system shall adhere to this policy.
2. All recordings on personal devices used in the course and scope of employment with the West Jordan Police Department are the property of the Department.
3. Employees will notify their supervisors that they have a personally owned OBC system and will surrender the device with its recordings upon demand of a supervisor.
4. Downloading and storage requirements are the same for personally owned OBC systems as for the department issued OBC systems.



Douglas L. Diamond, Chief of Police