

TITLE: BODY WORN CAMERAS (BWC)	NUMBER 15.11
EFFECTIVE DATE: 10-01-2016	PAGE 1 OF 8
REVISION HISTORY: (Adopted 08-30-2013) R4/10-01-2016	

15.11.1 PURPOSE

In an effort to enhance services to the community a Body Worn Camera is assigned to an officer as an additional means of documentation for evidentiary and administrative purposes of events, actions, conditions and statements made during certain police encounters. Additionally, Body Worn Cameras are utilized by officers to promote accountability for officers and the community through objective evidence. The purpose of this policy is to establish guidelines related to the use, management, storage, and retrieval of the audio and video recordings from the departmentally issued Body Worn Camera.

15.11.2 DEFINITIONS

Citizen Contact: An encounter with a citizen that has no criminal or investigative purpose. (i.e. Stopping to say hello to someone or interacting with persons to obtain information that is non-criminal in nature.)

Law Enforcement Function: Any action which may only be performed by a person having the legal authority of a law enforcement officer.

Pre-Event Buffering: The BWC is continually capturing video, but is not committing it to memory. When the BWC is activated, the previous 30 seconds of video is recorded and committed to memory on the system. However, during the 30 seconds of buffering, no audio is captured.

Body Worn Camera Administrator: An assigned sergeant within the Professional Standards Division, responsible for:

- Maintaining user accounts for the remote digital storage system for BWC recordings;
- Assigning permission levels within the remote digital storage system;
- Overall maintenance of the BWC system; acting as a liaison with the BWC vendor;
- Completing departmental random audits of BWC recordings;
- Redacting or deleting any video;
- Ensuring automation of the retention schedule with the remote digital storage system;
- Receiving, reviewing and responding to request for disclosure of BWC recordings.

15.11.3 TRAINING

The Body Worn Camera (BWC) will be utilized only by personnel who have been properly trained in its use. The BWC issued by the Department will be the only BWC authorized for use. Any use of a BWC will conform to the current methods and techniques as approved by the Professional Standards Division.

BWC recordings created during training or orientation of BWC equipment will be retained for no longer than 30 days.

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15.11.4 DEPLOYMENT OF BODY WORN CAMERAS

- A. Body Worn Cameras (BWC) will be assigned to officers at the rank of Lieutenant and below and will be required to be utilized by officers working in a uniformed capacity, including secondary employment, in an assignment that necessitates regular contact with citizens.

Individual officers are responsible for its use and maintenance. Any apparent problems with the BWC will be immediately brought to the attention of a supervisor. The officer or supervisor will make contact with the Body Worn Camera Administrator for any needed troubleshooting or repairs, and to arrange for issuance of replacement equipment if necessary.

- B. Uniformed officers will wear the BWC mounted in one of the departmentally approved methods, utilizing only the mounting equipment provided by the manufacturer of the BWC. It shall be the responsibility of the officer to ensure the BWC remains in a position to allow the recording of an encounter or incident that most closely replicates the perspective of the officer.
- C. Plain clothes officers will wear the BWC mounted on their external ballistic vest carrier. It shall be the responsibility of the officer to ensure the BWC remains in a position to allow the recording of an encounter or incident that most closely replicates the perspective of the officer.

Plain clothes detectives are not required to wear the external vest and BWC throughout their duty day. However, the vest and BWC will be worn prior to any pre-planned tactical or enforcement situation such as those described in D. D. 15.11.5 – Use of the Body Worn Camera.

15.11.5 USE OF THE BODY WORN CAMERA

- A. Activation:

The Body Worn Camera (BWC) shall be activated prior to arrival at a call for service, in anticipation of a self-initiated activity, or at the activation of emergency equipment (blue lights and/or siren), whichever occurs first. This shall also include citizen interactions that are related to or for the purpose of a law enforcement function.

It is the responsibility of the officer to periodically ensure that the BWC is still recording during the required activation. The indication that the BWC is recording can be confirmed either audibly or visually.

If not already activated, the BWC shall be activated to record any citizen contact that becomes adversarial or in any situation that the officer believes its use would be appropriate or valuable to document the incident or encounter.

- B. Special Circumstances:

Special circumstances are recognized that necessitate different guidance for when to activate the BWC. Absent one of the circumstances listed in this section, officers shall follow the direction of the remainder of this policy. Special circumstances include:

- Traffic Checking Station:
 - Once an officer determines there is reasonable suspicion or probable cause to detain the driver beyond the initial encounter, the officer shall activate their BWC.

- From this point forward this encounter shall be treated in the same manner as a traffic stop; and shall be recorded in its entirety, which is until the vehicle has left the stopped location or a person is placed under arrest and has been transported to the magistrate's office.
- Except as listed above, officers are not required to record during the entire duration of the checkpoint.
- If available, BWC will be utilized during tactical activities, including the execution of search warrants
- Officers will utilize BWC during the initial seizure, counting, or inventorying of seized money or any high value property
- It is recognized that officers utilizing a take home vehicle may need to make enforcement stops or respond to a law enforcement need while traveling to and from work, which may result in activities not being recorded. When this occurs the officer shall document their actions and reason for not having their BWC within the CAD notes of the associated event.
- Certain specialized units may request deviation from the BWC requirements of this Directive with the express written approval of the affected personnel's Bureau Commander. The unit's Commanding Officer or his designee must submit the request to deviate from the BWC directive to their respective Bureau Commander. The request should include clear articulation of the necessity to deviate from the directive, how the use of the BWC would negatively impact operations or any other relevant factors for consideration. The Bureau Commander will respond in writing their concurrence or non-concurrence. The written request and response will be attached in the appropriate format to any subsequent case reports in RMS. Furthermore, the investigating officer should document in the narrative of the case report that approval was given for this special consideration by his Bureau Commander. The request must be made for specific individual operational periods and no wholesale or "blanket" deviation permissions will be allowed.

C. Deactivation:

Once the BWC is activated, officers will continue to record until the conclusion of their involvement in an event. In most situations conclusion of involvement in an event would be signified by leaving the scene. Only under the following circumstances may an officer deactivate their BWC prior to concluding their involvement in an event:

- Circumstances covered within D.D. 15.11.5(B)-Traffic Checking Station exceptions.
- When the officer's on-scene investigation is complete and he/she is prepared to begin typing the appropriate report(s).
- When directed by the on-scene supervisor or with supervisory approval.
- Prior to conducting a strip search, the officer will record a 360-degree video of the location where the strip search will be conducted. During the actual strip search, the BWC shall be utilized to only capture audio of the event by positioning the camera away from the subject of the search.
- When an officer receives an assignment such as traffic direction, crime scene security, or while awaiting other services such as crime scene processing or medical examiner transportation, etc. It is common for these assignments to last for extended periods of time, with minimal citizen contact. The officer may deactivate their BWC, without awaiting direction from a supervisor. If the officer becomes engaged in any citizen contact that becomes adversarial they shall activate their BWC.
- When taking statements from/conducting interviews of persons who are victims of a crime of a sexual nature or medical professionals providing information pertaining to related

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examination(s) of the victim. Upon completion of the interview, the BWC should be reactivated until completion of the event.

- When taking statements from juvenile witnesses/victims. Upon completion of the interview, the BWC should be reactivated until completion of the event.
- When requested to do so by victims or witnesses prior to beginning an interview, taking a statement, or gathering information (this applies only once the scene is orderly and the situation is under control and **NOT** to the relaying of initial suspect information to be disseminated to other officers or for the purpose of initial alerts).The citizen’s request to deactivate the BWC shall be captured on the BWC recording prior to deactivation. Upon completion of the interview, the BWC should be reactivated until completion of the event.
- When continuing to record would hinder the cooperation of a non-suspect.
- When an officer can articulate that continuing to record could compromise the safety or security of a witness or victim.
- If it is determined that the interaction is involving a known confidential informant while they are providing information regarding an investigation or potential investigation as an informant.
- When officers are relaying/discussing preliminary information amongst themselves, in the absence of any parties to the incident, witnesses or citizens. The BWC should be reactivated at the conclusion of this interaction.

Officers deactivating their BWC for any reason other than one of those listed above must indicate on the BWC recording their reason for deactivating prior to ending the recording. Additionally, the officer must notify their supervisor of the deactivation and be able to articulate the reason for doing so.

15.11.6 RESTRICTED USES

Citizens are not allowed to view BWC recordings unless permission has been obtained from the Chief of Police, in accordance with NCGS 132-1.4A and as prescribed by Departmental Directive 17.6.

Officers shall not use a BWC recording as a means to conduct a field show-up of a suspect.

Body Worn Cameras (BWC) shall be used only for legitimate law enforcement purposes in accordance with applicable law, departmental policy, and City Personnel Policy H-1.

Officers will only use the departmentally issued BWC. No personally owned cameras (video or still image) shall be used to record anything within the scope of an officer’s duties, except in circumstances as described in Departmental Directive 17.4.2.

Officers will not record any Court proceedings, pre-trial conferences or any other judicial proceedings, including those at the Magistrate’s Office.

The BWC will not be used to record fellow city employees except during an investigation of a suspected violation of criminal, traffic, or local law.

Unless present in an official capacity, the BWC should not be used in bathrooms, locker rooms, or other places where there is an expectation of privacy.

For the purpose of protecting their identity, the BWC will not be used while interacting with known confidential informants or undercover officers. In situations where the recording of an

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interaction with an informant is of important evidentiary value, an officer may choose to capture audio recordings of the interaction by positioning the camera away from the informant.

Officers will not use the BWC to record personal activity.

Officers shall only use the BWC while in patient care areas of a health care facility when the recording is for official purposes and care should be used to record only the parties involved in the event being investigated.

The viewing of any recording for anything other than approved Departmental purposes is prohibited.

No officer shall attempt to erase, edit or otherwise alter any data captured by a BWC.

The downloading or converting of any recording captured by a BWC for any type of personal use is strictly prohibited.

15.11.7 COLLECTION OF BODY WORN CAMERA DATA

Prior to the end of the assignment in which the recording was made, officers will categorize (in accordance with 15.11.8) and label each recording captured by the Body Worn Camera (BWC).

The labeling will be consistent with the format of: officer’s last name and initial of first name, followed by the associated case number or event number, when available. When an officer has multiple recordings from the same event, the labels will also include parentheses containing a numeral, beginning with the number 1. Each subsequent recording from the same event will be labeled in the same manner, with the numerals continuing sequentially.

If a BWC recording is made that does not coincide with a CAD event or case number, the recording will be titled with the officer’s last name and initial of first name, followed by the associated timestamp. If the application used for labeling does not automatically generate a timestamp, the officer will type in the timestamp in the format of: Month, Day, Year, Time. For example a recording captured on October 7, 2016 at 0930 hours would be titled “smithj 10072016 0930”.

Each officer is responsible for ensuring that the recordings captured by their BWC are uploaded to the remote digital storage system prior to the end of their shift on the last regular duty day each week. Sometimes events will receive immediate follow-up, and officers will be required to upload the recordings specific to that event immediately. Recordings captured while working a secondary employment assignment will be uploaded no later than the end of their shift on the next regular duty day following the secondary employment assignment.

Recordings may be uploaded to the remote digital storage system via one of two approved methods. Officers may place the BWC into a vendor provided dock, located at each substation. Additionally, Officer can upload BWC recordings through directly connecting the BWC to a computer and using the vendor provided software to manually upload videos that are on stored on the BWC.

Officers shall note in any incident reports and/or citations that there is a BWC recording of the incident, to include a brief description of what was captured by the BWC.

Officers may use media captured via the BWC to assist with an investigation and to aid in the completion of reports.

Officers are encouraged to inform their supervisors of any recordings that may be of value for training purposes.

15.11.8 RETENTION

The Body Worn Camera (BWC) and all video files are the property of the Greensboro Police Department and are to be used for official purposes only.

NCGS 132-1.4(A) defines BWC recordings in their collective, as neither public records nor personnel records.

Any portion of a recorded image that records an event surrounding a violation of the law, which includes an infraction or a crime or offense prosecutable in the criminal courts in this State or the United States, is considered a record of a criminal investigation, as described by NCGS 132-1.4. Such video shall be maintained in compliance with the Records Retention and Disposition Schedule developed by the Department of Natural and Cultural Resources, Division of Archives and Records.

Uploaded recordings will be retained on the remote digital storage system based upon the retention schedule established for each category of recording. The following is the retention period for each category:

Category	Retention Period
Citizen Contact, Non-Criminal	90 days
Criminal Investigation	3 years
Vehicle Stop/Crash – Warning or Infraction	90 days
Vehicle Stop/Crash – Criminal Charge	3 years
Non-Citizen Involvement	90 days
Field Training Video	1 Year
Administrative Investigation	Indefinitely

Category Descriptions:

- Citizen Contact, Non-Criminal: Video of an interaction with a citizen that is not part of a criminal investigation, nor results in a criminal charge.
- Criminal Investigation: Video of an interaction, or otherwise of evidentiary value, to any case that has resulted in, or could result in, a criminal charge being made.
- Vehicle Stop/Crash – Warning or Infraction: Video of a vehicle stop resulting in a verbal or written warning, or resulting in a citation being issued for an infraction, regardless of the reason for the stop.

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- Vehicle Stop/Crash – Criminal Charge: Video of a vehicle stop resulting in a criminal charge being made, when either a citation was issued for a misdemeanor criminal charge or an in custody arrest was made, regardless of the reason for the stop.
- Non-Citizen Involvement: Video that does not contain an interaction with a citizen, suspect or associated with any other category.
- Field Training Video: Video journals made in accordance with the guidelines outlined by the Police Training Officer program and the Board of Evaluators. Except for video journals, all other videos within this category should be additionally categorized based on the original activity. Except for video journals, only videos capturing other activities that are directly discussed during journaling, and that need to be reviewed by the Training Division, should additionally receive this categorization.
- Administrative Investigation: Video associated with an internal administrative investigation. Should only be added in addition to a video’s original categorization.

It shall be the assigned case officer’s responsibility to ensure that all recordings which constitute evidence, or are required to be included in the case file, for any incident that resulted in, or could later result in, a felony charge are downloaded and stored within the Records Management System as an attachment to the corresponding investigative report prior to their scheduled purge date from the remote digital storage system.

It shall be the initiating supervisor’s responsibility to ensure that all recordings which have bearing on an administrative investigation have the additional category of “Administrative Investigation” assigned to the BWC recording within the remote digital storage system and are downloaded and stored within the Department’s administrative reports system prior to their scheduled purge date from the remote digital storage system. Digital files associated with an investigation shall be purged in conjunction with other evidence associated with that case.

In the event of an unintentional activation of the BWC, an officer may request the recording be deleted. A memorandum detailing the circumstances of the unintentional recording will be forwarded to the Commander of Professional Standards Division. If approved, the deletion will be made by the Body Worn Camera Administrator.

15.11.9 SUPERVISORS’ RESPONSIBILITIES

Supervisors are responsible for ensuring that affected officers are equipped with a functioning BWC at the beginning of each shift.

Upon receiving notification of any damage or malfunction of a BWC that would render the BWC no longer operational, the supervisor will notify the Body Worn Camera Administrator in order to obtain a replacement BWC.

In the event an officer loses or damages their BWC or any of the issued accessories, the supervisor will initiate a lost equipment memorandum. A copy of this memo should be sent electronically to the Body Worn Camera Administrator. In the case where an officer had or should have had video on the BWC that had not yet been uploaded to the remote digital storage system, the Professional Standards Division may investigate the loss or damage of the BWC, if not already included within another administrative investigation.

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Supervisors will ensure that all recorded events are being documented by the officer in the associated reports and citations.

Supervisors will ensure that any recordings relating to an administrative investigation are downloaded and stored for inclusion in the investigative file prior to their scheduled purge date from the remote digital storage system.

15.11.10 SUPERVISOR REVIEW AND AUDITING

Officers assigned to utilize BWC are expected to be in complete compliance with Departmental policy and training concerning the use, management, storage and retrieval of the audio and video recordings from the departmentally issued BWC.

All supervisors are expected to routinely review BWC recordings created by their direct subordinates. Monthly, a review shall be completed for the previous month, ensuring that videos are being labeled and that the labeling is of the correct formatting. Additionally, during this review supervisors shall be viewing multiple videos from each officer under their supervision, looking at the content of the video. While viewing these videos supervisors should be looking for any videos that would be beneficial to other officers in terms of training videos. Supervisors will complete the “Monthly Squad BWC Review Form” and save an electronic copy within the appropriate folder on GPDNET. Additionally, an electronic copy of this form shall be forwarded through the chain to the supervisor’s Commanding Officer for review.

Notifications of the existence of recordings which may be beneficial for training purposes shall be forwarded via the chain of command to the Commanding Officer of the Training Division for determination of training value and use. If an involved officer objects to the use of a recording for training purposes, he may submit his objection, in writing, via the chain of command to both the Commanding Officer of the Training Division and the Deputy Chief of the Management Bureau to determine whether the training value outweighs the officer’s objection.

Monthly, the Body Worn Camera Administrator will audit randomly selected squads. The number of squads selected for auditing, and the frequency of the selection process, will be determined by the Professional Standards Division to ensure that the number of employees audited each month represents a minimum of ten (10) percent of the total number of employees eligible for auditing.

In addition to the random auditing process, the Professional Standards Division will review BWC audio and video recordings on an “as needed” basis to conduct internal investigations and inquires.