



**GOODYEAR
POLICE
DEPARTMENT**
Commitment to Excellence

Policy and Procedure Manual

**POLICY 2.31
BODY WORN CAMERAS**

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10/24/2016

Approved:
Santiago Rodriguez

1. PURPOSE AND SCOPE:

1. The purpose of this policy is to establish guidelines and limitations for the use and management of body worn camera systems. The purpose of the body worn cameras is to:
 - A. Promote greater transparency and accountability.
 - B. Assist in resolving complaints against officers, including false allegations by members of the public.
 - C. Document evidence for criminal investigations and prosecutions, internal or administrative investigations, and civil litigation.
 - D. Enhance training.
2. Officers assigned a Body Worn Camera shall utilize this device in accordance with the provisions in this policy and any related Standard Operating Procedures to maximize the effectiveness of the audio/video documentation to achieve operational objectives and to ensure evidence integrity.

2. DEFINITIONS:

1. BODY WORN CAMERA (BWC) - A camera worn on an individual officer's person that records and stores audio and video.
2. BWC PROGRAM ADMINISTRATOR - Police Department program administrator for digital evidence storage and camera system, with full access to user rights and sets user access and parameters.
3. CRITICAL INCIDENT - An incident in which an officer or officers observe and/or are involved in potentially life threatening circumstances or when serious physical injury occurs.
4. DIGITAL EVIDENCE - BWC files, including photographs, audio recordings and video footage captured by a BWC and stored digitally.
5. DOCKING STATION - A multi-part docking station installed in the Goodyear Police Facility that simultaneously recharges the BWC while uploading all digitally encrypted data from the device. The docking station then transfers the digitally encrypted data to the digital evidence storage medium.
6. METADATA - General departmental report numbers and other descriptors used to identify digital evidence. Identifying and classifying information that describes the video.
7. MODE (PRE-EVENT BUFFERING) – BWC is powered on but the user has not activated the event recording function. The camera is in a pre-event buffering mode at this point that will include thirty seconds of video only (no audio) recording preceding the officer activating Event Recording Mode.
8. MODE (EVENT RECORDING) – BWC is turned on and the user has intentionally activated the recording function.
9. POWERED OFF – Power has been removed from the BWC by pushing the slide switch on the top of the device. When powered off, the device is not buffering or recording anything.
10. POWERED ON – Power has been applied to the BWC by pushing the slide switch on the top of the device. When powered on, the device defaults to the Pre-Event Buffering Mode.
11. SERIOUS PHYSICAL INJURY - Physical impairment which creates a reasonable risk of death, or which causes serious and permanent disfigurement, or serious impairment of health, or loss or protracted impairment of the function of any bodily organ or limb.

3. GENERAL CONSIDERATIONS:

1. Video footage obtained from the BWC may not depict everything in an officer's field of vision at the time of an incident. Additionally, everything depicted on video footage may not have been seen by the officer at the time of the incident.
2. Digital evidence captured by the BWC is not all inclusive. The system captures a less broad and less detailed image than the totality of the human senses. An officer's recollection of specific details may be different than what is captured in digital evidence.
 - A. Officers should review digital evidence prior to completing reports to ensure accuracy.
 - B. Officers may review digital evidence prior to providing testimony at hearings, trial or depositions.
3. Officer safety takes precedence over recording events and shall be the primary consideration when contacting citizens or conducting vehicle stops.
4. Officers are encouraged to advise citizens they are being recorded, when practical. When asked, officers should inform individuals that they are being recorded.

4. REQUIRED USE

1. The primary function of the BWC system is to document contact between Department employees and citizens. Users shall place the BWC into Event Recording Mode to record the following events as soon as practical:
 - A. Upon Code 3 activation.
 - B. During citizen contacts in an investigative or enforcement capacity (.e.g. traffic stops, detentions, arrests, Miranda advisement, use of force incidents, critical incidents, field interviews, or consensual contacts where the officer is attempting to develop reasonable suspicion).
 - C. Motor vehicle collisions.
 - D. During transport of suspects or members of the public.
 - E. Any time the user feels it is appropriate or necessary to create a video record.
 - F. When ordered by a supervisor.
 - G. During suspect and building searches.
2. Once placed into Event Recording Mode, users will continue to record until the completion of the incident, encounter or action, or until they have left the scene, except as provided in this order.
 - A. For purposes of this section, conclusion of an incident has occurred when an officer has terminated contact with an individual, cleared the incident with a call disposition code, or has completed transport of a civilian or an arrestee.
3. BWC users involved in an incident where serious injury or death occurs, (e.g. an officer-involved shooting) shall not take the device out of Event Recording Mode or otherwise stop recording until directed to do so.
 - A. In such circumstances, instructions to take the device out of Event Recording Mode shall only be issued by the on-scene supervisor or Incident Commander when the scene is secured and there is operational or administrative need to remove or clear the officer(s) from the incident.
 - B. As soon as practical, the on-scene supervisor or Incident Commander shall provide direction to the specific officer(s) being removed or cleared from the incident regarding taking the BWC out of Event Recording Mode, powered off, and physically removed from the officer. The BWCs shall be turned over to and secured by the investigative detail.
4. While working off-duty assignments, officers who have been assigned a BWC are not required, but are strongly encouraged, to wear and utilize the device in accordance with the provisions of this policy.
 - A. Any time spent obtaining or returning the device to the Department is not compensable time.
5. When recording a victim contact, consideration may be given if the victim asks not to be recorded.

- A. Alternative means of operating the BWC can be used to audio record but not video record victims (camera in pocket or lens blocked while in Event Recording Mode).
- B. The request by a victim to stop recording an event should be recorded.

5. RECORDING EXCEPTIONS

1. Officers shall only record a juvenile “during or as part of a law enforcement investigation” as prescribed in the Parents Bill of Rights outlined in the Arizona Revised Statutes.
2. In situations involving juveniles, victims of sex crimes, and other incidents of a sensitive nature, officers shall use discretion in the activation of the BWC.
 - A. Officers may choose not to place the BWC into Event Recording Mode during other situations where warranted, for example when a citizen wishes to give anonymous crime information, or when an officer encounters a reluctant witness.
 - B. Officers will document the reason the BWC was not placed into Event Recording Mode in their incident or case report as appropriate.
3. Placing the BWC into Event Recording Mode in the midst of a dynamic event (e.g., pursuit) will only be expected if/when it can be done safely.
4. Officers, who are not directly involved in an investigation or incident, should ensure their BWCs are NOT in Event Recording Mode unless specifically told otherwise by the on-scene supervisor or Incident Commander.
 - A. Example: Officers in a crime scene security role or inside the County Jail do not need to have their camera in Event Recording Mode.

6. RESTRICTIONS

1. Accessing, copying, forwarding or releasing any digital evidence for other than official law enforcement use and contrary to this policy is strictly prohibited.
2. Public release of digital evidence is prohibited unless approved by the Chief of Police or designee.
3. Personal computer equipment and software programs shall not be utilized when making copies of digital evidence. Using a personal recording device such as a video camera, cell phone or other device to record or capture digital evidence from a BWC is strictly prohibited.
4. Officers shall not use the BWC in place of digital photographs for evidentiary purposes (e.g., a traffic accident, crime scene, etc.).
5. Officers shall prepare thorough and detailed incident reports. "Refer to video" or similar language shall not be utilized as a substitute.
6. Not all situations can be identified as to when officers should or should not record; therefore, an officer's good judgment must always be used in addition to policy.
7. In accordance with Department Policy, BWC users shall not surreptitiously record other Department employee(s) unless approved by the Chief of Police.
8. Officers shall not use recording devices in West Valley Advocacy Center or hospital patient care areas except when used for official police business.
9. Officers shall not place the BWC into Event Recording Mode during the following activities:
 - A. While on employee breaks.
 - B. While in briefing.
 - C. While writing a report.
 - D. While attending or testifying in court.
 - E. During other administrative functions.

- F. During general discussions with Department employees.
 - G. During personal activities.
10. The BWC shall not be placed into Event Recording Mode in places where privacy would be expected, such as locker/dressing rooms or restrooms, except in the official performance of a law enforcement function.
 11. Officers shall not intentionally record confidential informants or undercover officers.
 12. Department employees shall not allow citizens to review the recordings, unless approved by a supervisor. Members of the public requesting to view a recording shall be directed to utilize the public records process to obtain video.
 13. Employees shall not alter, remove, dismantle, or tamper in any way with any BWC related hardware and or software. Agency employees shall not delete or alter BWC recordings.
 14. Accessing, viewing, copying, or releasing BWC recordings for other than the official law enforcement purposes set forth in this Policy is strictly prohibited. Any deviation must be approved by a supervisor.

7. REVIEW OF BWC VIDEO

1. BWC recordings may be reviewed in any of the following situations:
 - A. To assist with the investigation and completion of reports by the officer who originally recorded the incident.
 - B. Field Training Officers (FTO) and the FTO Program Coordinator may view BWC videos while performing official duties, to help evaluate and train the officer trainee.
 - C. For training purposes upon authorization of a Deputy Chief of Police.
 - D. By a supervisor investigating a specific act of officer conduct.
 - E. For preparation of statements in an Internal Affairs investigation.
 - i. In this situation, the video reviewed by the officer should only be the video captured on that officer's BWC.
 - F. By an agency investigator who is participating in an official investigation, personnel complaint, administrative inquiry, or a criminal investigation.
 - G. The Chief of Police or his designee has the authority to review an officer's BWC recordings for any purpose.

8. TRAINING

1. BWCs will only be utilized by officers who have attended and successfully completed prescribed training in the operation and lawful use of the issued BWC. These officers are responsible for the care and maintenance of the equipment. All care and maintenance will comply with the manufactures' recommendations and guidelines.
2. All BWC operators will receive documented training in the proper use of the equipment. This training shall include the following topics, at a minimum:
 - A. All contents of this policy.
 - B. Procedures for operating the equipment safely and effectively.
 - C. Scenario-based exercises that replicate situations that officers might encounter in the field.
 - D. Procedures for downloading and tagging recorded data.
 - E. Procedures for accessing and reviewing recorded data (restricted to the users authorized access level).
 - F. Procedures for preparing and presenting digital evidence for court.
 - G. Procedures for documenting and reporting any malfunctioning device or supporting systems.
3. Supervisors and those other personnel deemed appropriate shall receive additional training on:

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- A. Procedures for accessing and reviewing recorded data for the purpose of required inspections.
- B. Restrictions and procedures for accessing and reviewing recorded data for the purpose of researching/resolving complaints including restrictions on playback of recordings to complainants.

9. SYSTEM MANAGEMENT

- 1. Department Program Administrator
 - A. The Administrative Services Manager shall be the Program Administrator for the Department. The Program Administrator shall maintain all records and information related to the BWC program and shall act as liaison for any issues except for hardware associated with the program.
 - B. The Support Services Manager shall be the Administrator for the hardware associated with the BWC program.
- 2. Storage
 - A. All BWC recordings shall be retained and handled as evidence.
 - B. Officers assigned a BWC shall upload data from their cameras in accordance with the BWC Operations Manual and the related SOP.
 - i. Officers will tag the files of evidentiary value with case numbers when applicable.
- 3. Record Retention And Public Record Requests
 - A. All BWC recordings and information captured as part of a BWC user's duties shall be the property of the Goodyear Police Department and be considered a record of the Goodyear Police Department.
 - B. The release of information requested through a public records request will be subject to the same exemptions from disclosure as any other Departmental records.
 - C. Prior to releasing any BWC recordings, the Department will ensure proper redaction is completed.
 - i. Any questions relating to redaction should be directed to City Attorney's Office.