

<b>BODY-WORN VIDEO TECHNOLOGY</b>	<b>Operations Order 4.49</b>
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#### 4. OPERATIONAL GUIDELINES

##### A. Pre-Shift Inspection - Prior to each shift, users will:

- Ensure their body-worn camera is adequately charged.
- Inspect the body-worn camera and accessories to ensure there is no visible damage and the device is in good working order.
  - \* Any visible damage or concerns about the functionality of the equipment will be brought to the attention of the user's/employee's immediate supervisor as soon as it is practical to do so.
- Turn their body-worn cameras on to activate the Pre-Event Buffer Mode.

**NOTE:** When the camera is not in the Event Mode (recording), it must remain on/in the Pre-Event Buffer Mode during the shift.

##### B. Audio/Video Recording

- (1) The body-worn camera must be worn on the front of the uniform, above the duty belt, in a manner that maximizes the functionality of the camera.
- (2) Users will wear the body-worn camera **anytime** they may become involved in any enforcement activity while on duty or working off-duty, extra-duty, or any other uniformed assignment.
- (3) Users must activate the Event Mode upon receiving a call for service and/or prior to engaging in any investigative or enforcement contact, such as, but not limited to:
  - Vehicle stops
  - Pedestrian stops
  - Consensual encounters that are investigative in nature
  - Radio calls for service
  - On-view events requiring enforcement activity
  - Official suspect and witness statements and interviews
  - Vehicle and foot pursuits

**NOTE:** This requirement is not intended to be punitive in those situations where a reasonable justification can be made for the non-activation of a camera (user must take unforeseeable and rapid on-view enforcement action, user is randomly assaulted, etc.)

- (4) Anytime a recording must be interrupted during an investigative or enforcement contact: for example, to consult with another officer or supervisor, users shall verbally record the reason for interrupting the recording (mute function utilized or the recording is stopped and then started).
- (5) Users are not required to initiate or cease recording solely at the demand of a subject.
- (6) The Event Mode shall be deactivated upon the completion of the event or the user leaves the scene [the completion of the event is when activities such as those listed above in section 3.B.(3) have ended, or those activities have transitioned into a non-investigative crime scene security or traffic control (homicide scenes, traffic fatalities, etc.)]

**NOTE:** Users shall verbally record the reason for the deactivation prior to the deactivation ("Call has ended, I'm deactivating", "I'm deactivating while I wait for a tow," "I'm deactivating while I direct traffic," etc.).

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4. B. (7) Users may deviate from the activation directive if it is in the best interest of the Department and they are able to justify the deviation: for example, contact with victims of a crime where the details of the crime are sensitive in nature or interaction with citizens who wish to remain anonymous.

**NOTE:** The reason/s for the deviation **must** be documented in an Incident Report (IR)/Field Interview (FI).

- (8) Upon completion of the user's shift, all captured data will be impounded (see section 6 of this order for impounding procedures).
- (a) Users must categorize each video file by ensuring the corresponding radio code and incident number are assigned to each video file.
- (b) Once the videos are impounded, they may be reviewed to refresh a user's memory prior to completing required reports, preparing for court proceedings, etc.
- Employees may view video that is not their own if there is an investigative reason to do so.

**EXCEPTION:** An employee who is involved in a serious incident and/or the subject of an ongoing criminal investigation, including an officer involved shooting or in-custody death, will not access or view body-worn camera video relating to the serious incident and/or criminal investigation until the video is released by the criminal investigators (see Operations Order 3.1, Serious Incident Policy, for more information regarding serious incidents).

## 5. **PROHIBITED RECORDING**

### A. Users **will not**:

- (1) Knowingly activate the body-worn camera in a place where a reasonable expectation of privacy exists, such as precinct locker rooms and restrooms.
- (2) Intentionally activate the body-worn camera to record conversations of fellow employees without their knowledge during routine and non-enforcement activities.
- (3) Utilize the body-worn camera to surreptitiously record conversations of citizens and employees.
- (4) Knowingly record undercover officers or confidential informants.
- (5) Knowingly utilize the body-worn camera to record any personal activity.
- (6) Utilize personal recording devices, computer equipment or software programs to make copies of digital media.
- (7) Knowingly record while in a facility whose primary purpose is to provide medical and/or psychiatric services, unless responding to a call for service or when users are conducting investigatory follow up at the facility.

## 6. **REPORTING/DOCUMENTATION**

- ### A. All digital media captured using the body-worn camera will be considered property of the Department.
- Releasing captured video without the approval of the Police Chief or designee is strictly prohibited.

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6.
  - B. The release of video/s requested through a public records request will be handled in accordance with existing policy and public records laws (see Operations Order 4.6, Release of Records, for additional information).
  - C. If a Field Based Reporting (FBR) form (IR, FI, Arizona Traffic Ticket and Complaint (ATTC), etc.) is completed/required by Department policy, users will document the existence of any captured video in the FBR form (refer to the FBR User Manual for proper procedures).
    - Users shall not substitute “refer to video”, or similar language, for a detailed and thorough report.
  - D. The activation requirements in this policy do not negate the directives established in Operations Orders 4.26, Domestic Violence, regarding the requirements for audio recordings and photographs to be taken by a digital camera certified employee.
  - E. Citizens will not be allowed to review video captured by the body-worn camera unless there is an investigative reason to do so.
  - F. Users/employees will immediately report any loss of, or damage to, any part of the body-worn camera equipment to their immediate supervisor.
  
7. **IMPOUNDING**
  - (1) Users will dock their body-worn camera for uploading and charging, with the exception of off-duty or extra-duty work, at the end of each patrol shift.
  - (2) Users who capture video while working off-duty or extra-duty will dock their body-worn cameras for uploading at the end of their next patrol shift.
  - (3) Once uploaded, the digital media is considered to be impounded and the body-worn camera will be cleared of existing digital media.
  
8. **SERIOUS INCIDENT PROTOCOL**
  - In the event of a serious incident, see “Employees Wearing Body-Worn Cameras” in Operations Order 3.1, Serious Incident Policy.
  
9. **DEPARTMENT REVIEW**
  - A. Supervisors will ensure users assigned to their squad are wearing and activating their cameras in accordance with this policy.
    - Each work week, supervisors will inspect at least one video for each user assigned to their squad and record their findings in the user’s/employee’s supervisor notes.
  - B. Each calendar month, the precinct inspections lieutenant will randomly inspect at least six (6) body-worn camera videos and record their findings in the Monthly Inspections Report.
  - C. Detectives are responsible for reviewing digital media associated with their assigned cases.
  - D. The Department will have the ability to review captured video at any time to ensure compliance with policy, to investigate personnel complaints, for training purposes, etc.
  
10. **RETENTION OF RECORDINGS**
  - A. All captured digital media will be retained by the Department for 190 days following the date recorded.
    - Captured video may be retained for longer periods in the event the video is the subject of a litigation hold, a criminal case, part of discovery, etc.

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10. B. Requests for the deletion of a video recording: for example, inadvertent personal recordings/ materials that are unlawful or violate the rights of others, must be submitted in writing to the Police Chief or designee.

11. **GENERAL SUPERVISOR RESPONSIBILITIES**

- In accordance with Operations Order 2.3, Authority and Responsibility of Supervisors, supervisors will actively direct and supervise their subordinates to ensure they adhere to the directives of this policy.
  - \* Any supervisor who fails to comply with this policy may be subject to discipline as outlined in Operations Order 3.18, Discipline Policy and Review Boards, and Operations Order 3.18 Addendum A, Discipline Policy.