



Sarasota Police Department STANDARD OPERATING PROCEDURE

Title: BODY WORN CAMERA VIDEO SYSTEM

Number: 451.00

Established: February 2, 2015
Last Revised: February 2, 2015
Last Reviewed: February 2, 2015

Distribution: Sworn Employees

- Annex A: [Supervisor Report of BWC Activation Failure, Interruption, Termination](#)
B. [Supervisor BWC Monthly Review Report](#)
C. [BWC Category Retention List](#)

451.10 PURPOSE:

- 451.11 To establish guidelines and procedures for the usage of Body Worn Camera (BWC) videos system.

451.20 POLICY:

- 451.21 It shall be the policy of the Sarasota Police Department to provide officers with a BWC video system designed to record both audio and video and that when on-duty, officers **shall** use the BWC when such use is appropriate and consistent with this policy and state law.
- 451.22 BWC's shall be used to assist officers in the performance of their duties by providing an accurate and unbiased recorded account of an incident.
- 451.23 To maintain integrity of evidence and related documentation, all personnel must be trained in the operation of the BWC system before having authorization to use it.
- 451.24 All images and sounds recorded by a BWC are the property of the Department. Accessing, copying, or releasing files for non-law enforcement use is prohibited.
- 451.25 **Sustained violations of any section of this policy will result in disciplinary action up to and including termination.**

451.30 DEFINITIONS:

- 451.31 **BODY-WORN CAMERA (BWC):** A recording system that captures audio and video that is individually worn by officers and includes, at a minimum, a camera and recorder.
- 451.32 **BUFFERING:** The thirty seconds of video prior to activation of the BWC event mode held in temporary storage.
- 451.33 **BWC SYSTEM ADMINISTRATOR:** Department member with full administrator rights to the BWC system who assigns and tracks equipment, controls passwords, makes copies of recordings, and acts as liaison with BWC representatives.

451.40 OBJECTIVES:

- 451.41 BWC's will assist in accomplishing the following objectives:
- A. Allow for the accurate documentation of police-public contacts, arrests, and critical incidents.
 - B. Serve to enhance the accuracy of officer reports and testimony in court.
 - C. Enhance our ability to review probable cause for arrest, officer/suspect interaction, and evidence for investigative and prosecutorial purposes.
 - D. Help in providing information for officer evaluation and training needs.
 - E. Documenting crime and accident scenes or other notable events.

451.50 ACTIVATION & RECORDINGS:

451.51 BWC ACTIVATIONS:

451.51.1 **Officers shall activate their BWC units to record during all official police duties/actions and calls for service.** Examples include, but are not limited to, the following:

1. Citizen encounters related to an official police duty/action. For information on consensual encounters refer to section 451.56.
2. Enforcement/arrest actions.
3. Dispatched calls for service.
4. Self-initiated contacts/activities.
5. Traffic stops.
6. Crashes involving police vehicles.
7. Tactical activities such as structure searches, searches for suspects, pursuits, and building alarms.

451.52 NOTIFICATION OF RECORDINGS:

451.52.1 When the BWC is activated for an official police duty or action, officers making initial contact with the involved party(s) on-scene **shall** inform them that the situation is being recorded **unless circumstances exist that jeopardize officer safety upon arrival (ie. a fight in progress, tactical operations, armed subject, etc..)**. In such cases, the party(s) shall be informed as soon as practical.

451.52.2 This only applies to the officer's initial contact with the person(s) on-scene. They do not have to subsequently notify every other person who arrives.

451.53 RECORDING DURATION:

451.53.1 **As a general rule, once the BWC recording system is activated, it shall remain on until the incident/investigation has reached a conclusion or the BWC operator has cleared from the call.** Exceptions to this are as follows:

- A. If an officer is assigned a static post where he/she is not in contact with involved citizens or actively part of the investigation (ie. perimeter security, etc..).
- B. Situations as described in sections **451.55.1, 451.56.2 (B) & (C), and 451.57.1.**

451.53.2 **If at any point during an activation an officer has just cause to turn off the BWC prior to the normal conclusion of the call/incident, officers will verbally state the reason prior to deactivating the camera as well as document it in the offense/incident report.**

451.54 **FAILURE TO ACTIVATE:**

451.54.1 If an officer fails to activate their BWC during a required situation, part of a required situation, or interrupts/terminates the recording without cause, the following steps will be taken:

- A. The officer shall immediately notify their supervisor and document the reason for failing to activate or interrupting/terminating the recording in their report narrative.
- B. The supervisor will document the failure to activate or interrupting/terminating the recording on the Supervisor Report of BWC Activation Failure, Interruption, Termination (Annex A) and forward the form to the Division Commander.

451.54.2 Officers engaged in an incident who realize they failed to activate their BWC at the onset shall activate the camera as soon as safely practical.

451.55 **AREAS WITH REASONABLE EXPECTATIONS OF PRIVACY:**

451.55.1 Officers who are lawfully present in an area that is protected by the 4th Amendment (ie. private residence or other location where there is a reasonable expectation of privacy, etc..) and determine there is no reasonable suspicion that a crime is being committed, has been committed, is about to be committed, must turn off the BWC **if asked to do so** by a person with apparent authority over the constitutionally protected area.

Example: If an officer is dispatched to a disturbance call at a private residence, activates the BWC (pursuant to 451.51), informs the person of recording (pursuant to 451.52), and once inside determines that no crime has been committed, **if asked to do so by the resident or person with apparent authority over the residence,** they must deactivate the BWC.

451.56 **CONSENSUAL ENCOUNTERS:**

451.56.1 Officers shall remember that in consensual encounters, persons are free to not speak, voice objection to the encounter, and/or walk away at any time.

451.56.2 Officers will activate their BWC at the onset of all consensual contacts. Recording parameters will fall under the following categories:

- A. Gives Consent: Upon making initial contact with a subject and advising the situation is being recorded, if they continue conversation or do not otherwise object, recording may continue.
- B. Withdraws Consent: If, after initially consenting, the subject withdraws consent by voicing an objection to recording, officers must deactivate the BWC **unless reasonable suspicion or probable cause has been developed during the contact.**
- C. Refuses Consent: If, upon making initial contact with a subject and advising the situation is being recorded, the subject refuses consent, officers must immediately deactivate the BWC. However, if conversation continues and reasonable suspicion or probable cause is developed, the BWC may be re-activated.

451.57 SENSITIVE VICTIMS:

451.57.1 After making contact with victims of offenses that are sexual in nature (ie. sexual battery, lewd & lascivious, etc.) and advising them the situation is being recorded, officers **shall ask them** if they consent to the recording. If they refuse or request that the BWC be shut off, officers will comply and deactivate the camera.

451.60 PROCEDURES & RESPONSIBILITIES:
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451.61 Officers shall use only those BWC's issued and approved by the Department. The wearing of personally owned audio/video recorders is not authorized.

451.62 BWC's will be assigned to each officer and shall remain the responsibility of each assigned officer. Malfunctions will be immediately reported to a supervisor.

451.63 Training: All officers assigned a BWC shall be provided with adequate training and instruction by the Training Unit or designee in proper use of the BWC equipment

451.64 Requests for deleting any recordings (ie. officer makes a personal recording, etc..) must be submitted in writing and submitted to the Chief of Police through the chain of command for approval. All requests and decisions shall be kept on file.

451.65 The Department reserves the right to limit or restrict officers from viewing a video file if they are suspected/accused of wrongdoing **or** involved in a critical incident (ie. shooting, gross negligence, serious use of unnecessary force, etc..).

451.66 OFFICER RESPONSIBILITIES:

451.66.1 All officers assigned to wear a BWC system will adhere to the following:

- A. Prior to beginning each shift, officers assigned a BWC shall ensure it is charged and properly functioning.
- B. Officers shall ensure use of the BWC is documented in all written records such as reports, PCA's, citations, and FI's.
- C. **Officers shall dock their BWC for download at the end of every shift prior to going home.**
- D. Officers shall ensure all captured videos are labeled with the proper retention category and when applicable, agency case number. Refer to the BWC Category Retention List (Annex C) for category selection.
- E. Officers may review the incident recordings when preparing written reports to help ensure the accuracy and consistency of the incident.
- F. **If an officer believes a recorded incident may generate a complaint or has evidentiary value, they must notify their immediate supervisor and request the BWC administrator flag the incident for retention.**

451.70 PROHIBITED RECORDINGS & ACTIONS:

451.71 **Officers are strictly prohibited from using the BWC to record any activity that is not related to official police duties or actions as specified under section 451.50.** Specific examples of situations where officers may not use the BWC system unless related to an official duty or action include:

- A. Intentionally recording conversations of citizens or fellow employees without their knowledge.
- B. Intentionally recording confidential informants or undercover officers.

451.72 Officers **shall not** lead a person to believe the BWC has been deactivated when in fact the BWC is left active.

451.73 **Officers are prohibited from editing, altering, erasing, duplicating, copying, or distributing any BWC recordings without written authorization from the Chief of Police.**

451.74 Officers **shall not** make copies of any recordings for their personal use and are prohibited from using a recording device, such as a phone camera or secondary video camera, to record media captured from the BWC recording system.

- 451.75 Officers shall not:
- A. Tamper with, modify, or alter the camera in any way.
 - B. Use any other electronic devices or other means in order to intentionally interfere with the capability of the BWC recording system.
 - C. Allow any other person to sync with their assigned BWC.
- 451.76 Under no circumstances will an officer use a BWC camera that is assigned to another officer.
- 451.77 **Posting of BWC footage to ANY social media site, without prior written approval from the Chief of Police, is STRICTLY PROHIBITED.**
- 451.78 Officers shall not allow citizens to view any BWC recordings. See section 451.80 for more information.
- 451.79 No user shall access BWC files that are not recorded by them **unless** authorized by the Chief of Police or designee.

451.80 PUBLIC RECORD REQUESTS:

- 451.81 All requests for public viewing of BWC recorded video shall be handled according to the public record request guidelines established in SOP 709.00, Media Relations & Public Information.

451.90 SUPERVISOR RESPONSIBILITY:

- 451.91 Supervisors will ensure officers utilize BWC's according to policy guidelines.
- 451.92 If a complaint is associated with a recorded event, the immediate supervisor shall request the BWC administrator flag the video for indefinite retention and document the action in the complaint paperwork.
- 451.93 Supervisors and/or IAC personnel investigating an inquiry or complaint may view BWC files relevant to their investigation.
- 451.94 MONTHLY REVIEWS:
- 451.94.1 On a monthly basis, Internal Affairs & Complaints (IAC) will randomly select, at a minimum, the names of **two** BWC operators. The names will be forwarded to each operator's supervisor who will conduct a review of **4 random recordings that have been assigned a case number** from each officer, from the prior month. During the reviews, supervisors will ensure the following:
- A. That the equipment is operating properly.
 - B. That officers are using the BWC's appropriately and in accordance with policy.
 - C. Identify any areas in which additional training is required.

- 451.94.2 Supervisors will document their review findings on a the Supervisor BWC Monthly Review Report (Annex B) to include when applicable any identified equipment problems, policy violations, or training needs and forward it to the Chief of Police through the chain of command.
- 451.94.3 After review by the Chief, the Review Report will be forwarded to IAC for storage and tracking purposes.

451.100 FILE STORAGE/RETENTION:
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- 451.101 All imagery recorded by a BWC shall be retained according to the guidelines established in the Florida Law Enforcement General Records Schedule.
- 451.102 Video related to an investigation shall be treated as evidence and therefore its collection, chain of custody, storage, distribution, and disposal will be processed in accordance with internal Department policies.
- 451.103 If other law enforcement agencies were involved with the Department in a joint operational investigation, the agencies shall be contacted prior to the destruction of the recordings to ensure that they do not need the recording(s).
- 451.104 BWC file access shall be periodically audited by the BWC administrator to ensure that only authorized users are accessing the data for legitimate purposes.
- 451.105 BWC files shall be securely stored in accordance with state records retention laws and no longer than useful for purposes of training or use in an investigation.

THIS IS A NEW STANDARD OPERATING PROCEDURE.

Approved and issued by order of,

Original Signature in File

BERNADETTE DIPINO
CHIEF OF POLICE