



**GREENWOOD POLICE DEPARTMENT**

**15-G-1**

**General Order: 15-G-1**

**TITLE:** Body Worn Cameras

**First Issued Date: 12/11/2014      EFFECTIVE DATE:**  
**Last Revision Date:                      December 11, 2014**

**I. Introduction**

The purpose of this policy is to establish guidelines for the proper use, management, storage and retrieval of video and audio data recorded by body worn cameras (BWC).

It is the policy of this department to use body worn cameras as an effective law enforcement tool thereby reinforcing the public's perception of our professionalism and transparency. BWC's have the potential to improve community relations, lower the number of citizen complaints, defend officers against false accusations, increase agency accountability, and improve officer training and evaluation.

BWC's record officer-citizen contacts, arrests, and critical incidents. BWC's also serve to enhance the accuracy of officer reports and testimony in court. Audio and video recordings enhance this department's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes. BWC's may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband. This policy does not govern the use of surreptitious recording devices used in specialized operations.

All officers and sergeants who are assigned to the road division are required to wear their assigned BWC any time they report for regular duty. This does not include part time work.

It is the policy of the department to respect the legitimate privacy interests of the citizens and visitors of the City of Greenwood, while ensuring professionalism in its work force.

Body Worn Cameras (BWC) are an effective tool to preserve factual representations of officer-citizen interactions. BWC are effective in capturing video and audio evidence for use in criminal and internal investigations, enhanced officer training and to ensure public trust.

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

**II. DEFINITIONS**

*Body Worn Camera (BWC)* – A mobile audio and video capture device that allows an officer to record what is seen and heard. The Taser Axon Flex camera system is the only department authorized and approved BWC for the Uniform Division.

*Categorizing* – A method to mark and store a BWC recording for a specific purpose and period of time.

*Digital Evidence* – Includes photographs, audio, and video recordings that are stored digitally.

*Evidence Transfer Manager (ETM)* – A docking station for the Axon Flex camera and battery. When the camera is docked, video data stored on the camera is automatically downloaded to Evidence.com. The ETM also charges the battery and camera.

*Labelling* – The process of attaching case number in the “ID” field of a BWC recording.

*Greenwoodpdin.evidence.com* – A secure, “cloud” based storage system which is managed by the Chiefs Office, externally hosted by Taser International, and available to all users. Evidence.com tracks and provides an audit log of all activity to protect chain of custody.

*“Sync” Application* – A stand-alone program that accomplishes the same function as the ETM.

### **III GENERAL PROCEDURE**

Officer will activate the BWC when such use is appropriate to the proper performance of duties, where the recordings are consistent with this policy and law, as soon as practical and safe, to record all contacts with citizens in the following occurrences:

1. Vehicle stops;
2. Person stops: consensual, articulable reasonable suspicion, or probable cause;
3. Detentions, investigations pursuant of an arrest, arrests, suspect interviews, and post-Miranda interrogations (in the field only);
4. Search of persons incident to arrest (if not already activated);
5. Search warrants of structures or vehicles;
6. K9 searches requested by an officer;
7. Emergency driving (lights or lights and sirens);
8. Pursuits: primary and secondary officers;
9. Any contact that becomes adversarial when body camera had not been activated;
10. Any other citizen contact or official duty circumstance at the officer’s discretion.

Officers are not required to obtain consent to video/audio record (except in the case of victims or witness as addressed below). Whenever possible and practical, officers should inform individuals that they are being recorded. Officers should restrict recording to areas and persons necessary in order to obtain evidence and information relevant to the incident and should attempt to minimize collateral intrusion to those not involved.

Activation of the BWC is not required during periods of unassigned time, breaks or lunch periods, or when not in service.

Once the BWC is activated, recording will continue until the event has concluded; the following are exceptions:

1. The event is of a sensitive nature, i.e. child sexual assault, presence of child pornography, etc., and the absence of a BWC recording will not affect the investigation;
2. The incident has concluded prior to the arrival of the officer;
3. The incident or event is of such duration that deactivating the BWC is necessary to conserve available recording time;
4. The officer has a reasonable belief there will be no loss of critical documentary information (for example, completing reports at the conclusion of an event, etc.);

5. A citizen has requested the officer stop recording. Officers have no obligation to stop recording in response to a citizen's request if the recording is pursuant to an investigation, arrest, lawful search, or the circumstances clearly dictate that continued recording is necessary. However, officers should evaluate the situation and when appropriate, honor the citizen's request. The request to turn the camera off should be recorded, as well as the officer's response.
6. A citizen with standing has requested the officer stop recording within their residence and the officer's presence is not pursuant to an investigation, arrest, lawful search, or the circumstances clearly dictate that continued recording is necessary. As a general rule, if an officer must legally ask permission to enter a premise, the officer should also ask the resident with standing if they will allow recording. The request to turn the camera off should be recorded, as well as the officer's response.

## **CAMERA DEPLOYMENT**

- A. At the beginning of shift, the officer will:
  1. Ensure that the issued equipment has a fully charged battery and is functioning properly;
  2. Notify a supervisor whenever there is a malfunction or damage to the BWC.
- B. During shift, the officer will:
  1. Activate the BWC and record as outlined in GENERAL PROCEDURE above; NOTE: The TASER Axon Flex camera system is configured with a 30 second pre-event video buffer recording. When the BWC is activated, the preceding 30 seconds of video (no audio) will be captured and become part of the event recording. Audio recording will begin at the time the BWC is activated.
  2. All BWC recordings will initially be unlabeled and uncategorized and will be auto-deleted by the system unless the officer does one of the following:
    - a. If a recording needs to be retained the recording officer will label the recording with the case number in the "ID" field. The recording will then be categorized by one of the following:
      1. Arrest Felony – 5 Year retention
      2. Arrest Misdemeanor – 3 Year retention
      3. Homicide – Indefinite retention
      4. Non-Criminal Case – 1 Year retention
      5. Officer Injury – Indefinite retention
      6. Pending Review – Indefinite retention
      7. Traffic Citation – 1 Year retention
      8. Training Demo – 4 Week retention
      9. Use of Force – 5 Year retention
      10. Vehicle Crash Property Damage – 90 Day retention
      11. Vehicle Crash with Injury – 3 Year retention
    - b. If a recording needs to be retained, either for the officers reference or for investigative or follow-up purposes, the officer shall put the case number in the "ID" category and label the recording "Pending Review". If applicable, the officer is then responsible to contact the appropriate detective, investigative detail or specialized unit to advise them that a recording exists;
 

NOTE: Recordings should be labeled and/or categorized as soon as practical after the conclusion of the event but no later than the end of the shift in which the recording occurred.
  3. Document the existence of a BWC recording in all of the appropriate documents, ie., PCA, Report Narrative, etc. Officers will select "BWC" from the choices in the "Circumstances" section in Spillman when completing their case report.

4. Not allow citizens to review BWC recording in the field. Citizens requesting to view BWC recording will be referred to the Office of the Chief of Police.
  5. Continue to record for a short period after the event to demonstrate clearly to a subsequent viewer that the incident has concluded and the officer has resumed other duties or activities;
  6. If an officer fails to activate the BWC, fails to record the entire contact, interrupts the recording, or the BWC malfunctions, the officer will notify their immediate supervisor who will document the circumstances and reason for that action.
- C. Supervisor responsibilities
1. Ensure all officers utilize the cameras in accordance with this policy;
  2. Ensure any malfunction or damage to a BWC unit is documented. The supervisor will remove the BWC from service and contact the Assistant Chief of Police to have the unit repaired.
- D. Restrictions
- BWC shall be used only in conjunction with official law enforcement duties. The BWC shall not be used to record:
1. Any personal conversation of or between other department employees without the recorded employee's knowledge;
  2. Non-work related personal activity and will not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms or restrooms;
  3. Known encounters with undercover officers or confidential informants;
  4. Departmental meetings, workgroups, in-service training, or assignments of an operational or administrative nature. Using body cameras for training purposes is not a violation of this restriction but shall be cleared through the Office of the Chief of Police prior to using the BWC for training.

## **INTERNAL ACCESS/VIEWING**

All access and activity on Evidence.com is logged and subject to audit at any time. Access to Evidence.com and the data stored in the system is permitted on a right to know, need to know basis. Personnel authorized under this policy may only view video data according to the provisions of this policy and as designated by the Chief of Police or his designee.

- A. Officer Access – Officers may view their own BWC recordings as they relate to:
1. Their involvement in an incident for the purposes of completing an investigation and preparing official reports. To help ensure accuracy and consistency, officers are encouraged to review the BWC recording prior to preparing reports;
  2. Prior to court to refresh recollection.
  3. Providing a statement pursuant to an internal investigation, including officer involved shooting investigations and other critical incidents. NOTE: Following an officer involved shooting or other critical incident, involved personnel shall not view their BWC recording on any device or computer prior to the BWC recording being uploaded into Evidence.com.
- B. Supervisor Access – Supervisors do not have direct access to an officer's BWC video through greenwoodpdin.evidence.com. Supervisors may view BWC recordings from personnel under their supervision in the following instances:
1. Supervisory investigation following the application of reportable force (except use of deadly force).
  2. Supervisory response to a citizen request to file a statement of complaint. Supervisors will first interview the complainant before reviewing any available BWC video that recorded the alleged violation. Initial review of the recording will not happen in the presence of the complainant.

3. To assist in appropriately addressing a clearly documented performance issue.
- C. Access at critical incidents
1. When safe and practical to do so, an on scene supervisor shall retrieve the BWC from involved and witness officers at the scene. The supervisor will be responsible for assuring the BWC is docked and uploaded into Evidence.com.
  2. Following an officer involved shooting, use of deadly force or other critical incident, BWC recordings may only be viewed prior to being uploaded in Evidence.com when exigent circumstances exist, such as an officer being injured and in order to obtain identifying suspect information or other pertinent information from the BWC recordings;

## **EXTERNAL ACCESS**

- A. Requests for video/audio -- All external requests for video shall be forwarded to the Assistant Chief of Police. After reviewing the request video/audio shall be released in accordance with Indiana law. This includes requests by the Prosecutors Office, defense attorneys or the media. Officers shall not copy, share or release any video without the written approval from the Office of the Chief of Police. Whether a BWC recording is a public record will depend on several factors. Additionally, the character of a recording may change from non-public to public. As general guidance for release of video/audio please note the following:
1. Evidence is not a public record;
  2. Video recordings (photographs) of juvenile offenders are confidential pursuant to State law;
  3. Video/audio recordings obtained within a non-public area (home or non-public area of a business) are not public record;
  4. Video/audio recordings obtained depicting a victim of sexual assault in such a way that their identity may be ascertained is not public record;
  5. Any other laws making the identity of the person(s) depicted confidential;
  6. Any other privacy concerns giving the person(s) depicted a legitimate privacy interest in not having video/audio data released.

The release of any BWC recordings to the media outlets will be strictly handled through the Office of the Chief of Police.

## **DATA STORAGE, SECURITY AND ACCESS**

- A. General
1. Any and all images, video, and/or audio generated by any BWC are the sole property of the Greenwood Indiana Police Department;
  2. Unauthorized use, duplication, and/or distribution of BWC recordings files are prohibited;
  3. Employees shall not download, copy, or record BWC recordings from Evidence.com onto any computer, device, drive, CD/DVD, or any other format without the express written consent of the Chief of Police or his designee. Only trained Greenwood PD personnel shall operate the BWC;
  4. Employees shall not remove, dismantle or tamper with any hardware/software component or part of the BWC. Employees shall not attempt to erase or alter in any manner, BWC recordings;
  5. Employees shall not publish or display BWC recordings to the internet or social media sites without the express written consent of the Chief of Police or his designee.
  6. Supervisors conducting internal investigations may allow citizens, arrestees or violators to view BWC recordings as part of an investigation into an allegation of misconduct;

7. BWC recordings shall not be used or shown for the purpose of ridicule or embarrassment.

B. Category/Retention Schedule

The retention period begins from the date the BWC recording was labeled or categorized. Unlabeled or uncategorized recordings will be auto-deleted in 30 days. Department administrators, in addition to the recording officer, may label or categorize recordings for retention.

Category/Retention Schedule

- |                             |            |
|-----------------------------|------------|
| • Arrest Felony             | 5 Years    |
| • Arrest Misdemeanor        | 3 Years    |
| • Homicide                  | Indefinite |
| • Non-Criminal Case         | 1 Year     |
| • Officer Injury            | Indefinite |
| • Pending Review            | Indefinite |
| • Traffic Citation          | 1 Year     |
| • Training Demo             | 4 Weeks    |
| • Use of Force              | 5 Years    |
| • Vehicle Crash Prop Damage | 90 Days    |
| • Vehicle Crash with Injury | 3 Years    |

**This directive shall be considered conclusive on all matters herein discussed. With respect to the use of equipment not specifically discussed here, the policies, procedures, and guidelines outlined herein shall be utilized to provide general direction to officers. If an officer is in doubt about the use, modification, or maintenance of any particular piece of equipment, he/she should refer all questions to the Training Coordinator or the Assistant Chief of Police.**

By order of the Chief of Police.