



Davidson Police Department

Professionalism – Ethics – Accountability – Teamwork

Volume Number: 500	Section Number: 226
Title: PATROL OPERATIONS	Title: Authorized Personal Equipment: Body Worn Cameras
New: 09/03/2014	
Amended:	
Effective: 09/05/2014	
Approved by: Jeanne A. Miller	Date: 09/05/2014

I. PURPOSE

A Body Worn Camera (BWC) is an "on-the-body" video and audio recording system assigned to an officer as an additional means of documenting specific incidents in the field. 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 BWC.

II. TRAINING

The Body Worn Camera (BWC) will be carried 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 the BWC will conform to the current methods and techniques as approved by the Davidson Police Policy and Procedure.

III. DEPLOYMENT OF BODY WORN CAMERAS

Body Worn Cameras (BWC) will be assigned to officers primarily working in a uniformed capacity in a field assignment. All BWC assigned to patrol should be utilized on a daily basis.

Immediate supervisors are responsible for ensuring that affected on-duty officers are equipped with a functioning BWC at the beginning of each shift. The supervisor will record the officer and the assigned camera to the officer onto a daily line-up sheet to enable properly labeled video uploading into the remote digital storage system, L3 Mobile.

Upon being assigned the BWC, individual officers are responsible for its use and maintenance during their shift. Any apparent problems with the BWC will be immediately brought to the attention of a supervisor.

Officers will wear the BWC on their uniform shirt or jacket near the center of their chest, utilizing only the mounting equipment provided by the manufacturer of the BWC - VIEVU. It shall be the responsibility of the officer to ensure that their BWC remains in a position which allows for the recording to closely replicate the perspective of the officer using the equipment.

IV. USE OF THE BODY WORN CAMERA

The Body Worn Camera (BWC) shall be activated to record during any field contacts involving actual or potential violations of law to include:

- Traffic stops
- Suspicious vehicles or persons
- Arrests
- Voluntary contacts of an investigative nature

The BWC shall also be activated when responding to the following calls for service:

- Disturbances or disorders
- Calls involving emotionally or mentally disturbed subjects
- Offenses involving weapons or violence

Additionally, the BWC shall be activated during the following situations:

- During tactical activities, including the execution of search warrants
- During warrantless searches of individuals, vehicles, buildings, and other places
- During the initial inventorying of seized money or any high value property

If not already activated, the BWC shall be activated to record any encounter that becomes adversarial. The BWC should remain on throughout the duration of the encounter or until otherwise instructed by a shift supervisor.

Once the BWC is activated, officers will continue to record until the conclusion of their involvement in an event. If working an event that becomes investigative in nature, an officer should activate his/her BWC and record the event throughout its duration. When utilized during the execution of a search warrant, an officer may deactivate their BWC after the initial sweep of the location when the incident transitions from tactical in nature to investigatory where they will not be the lead investigator. Additionally, an officer may deactivate the BWC at any point he reasonably believes that doing so will not result in the loss of critical documentary information, or when directed to do so by a supervisor.

V. ACTIVATION OF BODY WORN CAMERAS

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

The BWC will not be used to record fellow town 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 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 BWC should be deactivated prior to discussing a case on scene with other officers or during on scene tactical planning.

Citizens are not allowed to view BWC recordings unless permission has been obtained from the Chief of Police or his/her designee.

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.

VI. COLLECTION OF BODY WORN CAMERA DATA

Prior to the end of an officer's duty day, officers, utilizing the designated BWC, will give their BWC to their on duty supervisor for uploading. The supervisor will use the provided USB cable to upload the video into the L3 system. The video shall be assigned to the officer using the camera prior to finalizing the upload onto the department's server.

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

VII. RETENTION

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

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, and not a public record, as deemed in NCGS 132-1.

Any portion of a recorded image that may be used to subject an employee to Departmental disciplinary action is a part of that employee's personnel file as defined in NCGS 160A-168, and is open to inspection only as provided by that statute unless otherwise required to be disclosed as evidence in a criminal proceeding.

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

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 to be deleted. A memorandum detailing the circumstances of the unintentional recording will be forwarded to the Chief of Police. If approved, the deletion will be made by the L3 Mobile Vision.

VIII. SUPERVISOR RESPONSIBILITIES

Supervisors will ensure that all uniformed officers are equipped with available Body Worn Cameras (BWC) prior to the beginning of their shift. When issuing cameras, the BWC should not be removed from its charging location before the transfer of data is complete.

Upon receiving notification of any damage or malfunction of a BWC, the supervisor will remove the BWC from service and notify the Chief of Police of the need for repair.

Supervisors will ensure that all recorded events are 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.

Supervisors shall conduct routine reviews of selected recordings captured by officers assigned to them in order to assess officer performance, ensure that the BWC is being utilized properly, and to identify videos that may be appropriate to enhance training programs or experiences.

Notification of the existence of recordings which may be beneficial for training purposes shall be forwarded via the chain of command to the Training Coordinator for determination of training value and use. If an involved officer objects to the use of a recording for training purposes, he/she may submit their objection in writing via the chain of command to both the Sergeant and the Training Committee. The Chief of Police and Training Committee will determine whether the training value outweighs the officer's objection.

Supervisors will be responsible for ensuring that all assigned BWC are collected at the end of their shift and all video is uploaded prior to leaving at the end of their shift. The BWC's shall be placed on charge and made available for other officers' use.

IX. 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. An officer's video may be randomly inspected by a shift sergeant to ensure that the equipment is being properly used and is in compliance with the police department's standards.