



**Town of Gordonsville, Virginia
Agenda Item Summary
January 23, 2012**

<p><u>AGENDA ITEM 12c</u> New Business</p> <p><u>AGENDA TITLE:</u> Consideration of Body Camera Policy</p> <p><u>PRESENTER:</u> Mayor Robert Coiner</p>	<p><u>DISPOSITION:</u> <input checked="" type="checkbox"/> Action Required [] For Discussion [] Consent Agenda [] Closed Session [] Informational</p> <p><u>ATTACHMENTS:</u> <input checked="" type="checkbox"/> yes [] no</p>
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BACKGROUND:

Attached for consideration by Council is a policy regarding the Police Department use of body cameras. The policy has been reviewed by the Town Attorney and is reflective of her comments.

STAFF RECOMMENDATION:

Staff recommends the adoption of the body camera policy as presented.

MOTION FOR CONSIDERATION:

“Motion to approve the body camera policy, as presented.”

Gordonsville Police Department – GENERAL ORDER		Effective Date:
GO 66	Body Worn Camcorder	Revised Date:
<hr/> Clayton D. Corbin, Chief of Police		VLEPSC Standards:

I. PURPOSE

To establish policy and guidelines for electronic data collection resulting from the use of body worn audio/visual camcorders (BWC). It also serves to direct patrol officers and their supervisors in the proper use and maintenance of the BWC. The purpose of the BWC is to provide an accurate unbiased audio/visual record of enforcement related and non-criminal incidents that will enhance criminal prosecutions and limit civil liabilities.

II. POLICY

Patrol Officers of the Gordonsville Police Department shall use the issued BWC when interaction with the public will potentially result in further enforcement action, or any situation, condition, or event having a potential for loss of life, injury, or damage to property.

III. PROCEDURE

A. General guidelines for the use of BWC:

1. The BWC is intended to supplement reports and investigations and ultimately aid in prosecuting traffic and related offenses, to improve officer performance through training, and promote officer safety.
2. The BWC is to be used to document events, actions, or statements made during interviews, arrests, and critical incidents. All recorded interactions will be kept in accordance with GO 31, Property and Evidence Control and GO 32, Evidence Collection and Preservation.
3. The BWC is meant to enhance the Department's ability to review probable cause for arrests, searches and seizures, arrest procedures, officer and suspect interaction, and evidence for investigative purposes, as well as for officer evaluation and training.
4. The BWC shall be activated at the initiation of any interaction having the potential to result in enforcement actions taken by GPD Patrol Officers.
5. The BWC shall not be deactivated until the enforcement action is completed or the camera reaches the end of battery life, whichever comes first.
6. Patrol Officers shall not erase any audio and/or video on the BWC, remove the micro SD memory card from the unit except to complete daily download process, or tamper with the unit in any way.
7. Patrol Officers are responsible for maintaining operational readiness of the BWC in a likewise manner as outlined in GO 51, Mobile Video Recording.

B. Use of Force Calls

It is highly recommended for an officer who files a use of force report, to burn a copy of the footage from the Mini Video Security Camera to a CD, and attach it with the use of force report.

C. Domestic Calls

For liability purposes it is highly recommended that officers responding to domestic calls record the incident using the Mini Video Security Camera. A copy of the footage should be copied to a CD and it should become part of the officer's case file.

D. Interviews (Opposite Sex)

It is mandatory for an officer who interviews someone of the opposite sex to record the interview using the Mini Video Security Camera, with the exceptions of when another officer is present, or if the officer is recording the interview in the department's interview room.

1. The interview should be saved to a CD and made part of the officer's case file.

E. Prohibitions

1. Any use of the BWC for any purpose other than official law enforcement business is a violation of this policy. Non-law enforcement business can include, but is not limited to:
 - a. Covertly recording other law enforcement personnel;
 - b. Recording a conversation with a supervisor, council member, or other government employee;
 - c. Personal use of the BWC; and
 - d. Recording a conversation that the officer is not party to, unless the officer is handling a law enforcement incident and is in a lawful position when the taping occurs.
2. Patrol Officers shall not use the BWC to record a particular person based solely on the person's race, color, age, sex, marital status, sexual orientation, gender identity, creed, religion, ancestry, national origin or physical disability.
3. Any violation to this policy will result in disciplinary action as outlined in the Town of Gordonsville Employee Manual; verbal reprimand to termination depending on the severity of the individual offense.

F. Data Management

1. BWC recordings shall only be downloaded to computers operated and maintained by the Gordonsville Police Department.

2. Before going off-duty, patrol officers will exchange Micro SD cards with the designee responsible for downloading and recycling memory cards of all recordings to a designated secure server/computer. The designated agency system administrator will be contacted by the patrol officer to copy any data that is deemed to be of evidentiary value on a media storage device (MSD) (i.e. CD-Rom, flash drive, etc.) and entered into evidence. Officers will note in incident, arrest and related reports when video/audio recordings were made during the incident in question. Other data not copied to disc will remain on the secure server/computer for 90 days at which time it shall be erased.
3. Replacement, Storage and Retrieval of Recordable Media that will be used as **Evidence**:
 - a. An officer that has recorded any activity that they feel may be needed in court as evidence, shall notify the supervisor requesting the removal of recordable media and placement into evidence. The supervisor will notify the Chief of Police.
 - b. Evidentiary recordable media will be transferred to the appropriate case file.
 - c. Recordable media containing evidence of a crime or civil litigation will be held until the case is disposed of and all appeals are exhausted, or until released by the courts, the prosecutor and/or Town attorney.
4. Storage and Retrieval of Recordable Media **when its value as evidence is not known**:
 - a. The Chief of Police or his/her designee will remove recordable media that have been recorded to its maximum from the recorder. (*Mobile video recorders are controlled by a locking system for which the Chief of Police will have the only keys/pass codes.*)
 - b. The recordable media will be stored and secured in the Chief of Police's office for a minimum period of ninety (90) days. At the end of the ninety (90) days the recordable media can then be (reused) erased and recycled back into service. This is conducted by the Chief of Police, who has a designated computer for extra security. If during this time period it is determined that the recordable media may be used as evidence it will be transferred to the appropriate case file.
5. Request from the media or other non law enforcement agencies may be charged a fee of \$25.00 per event made payable to the Town of Gordonsville. All such requests are asked to be in writing and from persons entitled to view such recordings.
6. Digital copies for purposes not associated with the investigation or prosecution of a violation of law will only be made and or created subject to one of the following:
 - a. Permission from the Chief of Police or his designee;
 - b. Expressed written permission by the Commonwealth Attorney's Office;
 - c. Required by court order.