COLUMBIA POLICE DEPARTMENT

Policy and Procedure Manual

BODY WORN CAMERAS

Approved By: Kenneth Burton Chief of Police
CALEA 6th Edition Standard: 17.5.2**;** 41.3.8

447 BODY WORN CAMERAS

447.1 PURPOSE AND SCOPE

This policy is intended to provide officers with instructions on when and how to use body-worn cameras (BWCs) so that officers may reliably record their contacts with the public in accordance with the law.

447.2 POLICY

It is the policy of this department that officers shall activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

447.3 PROCEDURES

a. ADMINISTRATION

1. BWCs allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
2. Audio and video recordings also enhance this agency's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
3. The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

b. **WHEN AND HOW TO USE THE BWC**

1. Officers who are issued a BWC shall activate the BWC to record all contacts with citizens in the performance of official duties while working either regular-duty or extra-duty employment in CPD uniform (official duties does not refer to normal greetings and conversations with citizens that are friendly, non-confrontational, and do not regard a police matter).
2. **All contact includes recording telephone conversations made or received in the performance of official duties.** If possible and feasible for the conditions, the officer may use the speaker phone option to record both parties involved in the conversation. If not feasible, the recording will be used to capture the officer's portion of the conversation**.** To prevent the unintended recording of sensitive information, the officer should make sure that background noise or nearby conversations of a sensitive nature are not taking place prior to making telephone contact.
3. If an officer fails to activate the BWC, fails to record the entire contact, interrupts the recording, or experiences an equipment malfunction, the officer shall document, in a Blue Team entry, why a recording was not made, was interrupted, was terminated prior to the end of the contact or describe

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the circumstances of the malfunction. The Blue Team entry is in addition to any documentation that should be included in an incident, offense or supplemental report.

4. Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording.
5. Any other circumstance where the officer believes that a recording of an incident would be appropriate.

c. PROCEDURES FOR BWC USE

1. BWC equipment is issued primarily to uniformed personnel as authorized by this agency. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.
2. Police personnel shall use only BWCs issued by this department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.
3. Police personnel who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operation. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
4. BWC equipment is the responsibility of individual officers and will be used with reasonable-care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured.
5. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify their supervisor of any problems.
6. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief of Police or his or her designee. There are times when an officer, due to equipment malfunction or other unforeseen circumstances, is required to use a spare BWC or the camera of an off-duty officer. This section does not pertain to situations under these circumstances where a supervisor must reassign video to the correct recording officer.
7. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
8. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the video file.
9. Officers shall note in incident, arrest, and related reports when recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports or evidentiary photographs.
10. Officers conducting investigations inside a hospital or other medical facility shall have their BWC on and recording to document statements from involved parties and associates as well as to record the discovery, seizure and collection of potential evidence. If requested by medical personnel to stop recording, the officer should explain the importance of the recording to their investigation. If asked, the officer may elect to stop the recording to prevent a disturbance which would distract from the

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investigation. Prior to stopping the recording the officer shall record the request by the employee to include the employee's full name, position and employer. The employee shall be included in the corresponding report.

d. RESTRICTIONS ON USING THE BWC

BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:

1. Communications with other police personnel without the permission of the chief of Police;
2. Encounters with undercover officers or confidential informants;
3. When on break or otherwise engaged in personal activities; or
4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.
5. In the event an accidental recording of non-evidentiary content is made (e.g. While using the restroom), the officer should contact his/her Lieutenant and request the recording be reclassified to an internal affairs/internal use only status to limit access. An appropriate member of Command Staff (Lieutenant or above) will review the recording for other content that may be of evidentiary value. Decisions on retention/redaction will be made on a case by case basis. All requests and final decisions shall be kept on file with Internal Affairs.

e. STORAGE

1. Prior to leaving work at the end of their shift, officers shall properly dock their BWC to begin the recharging and downloading process for the digital files. The software in use at the time will ensure each file contains information related to the date, BWC identifier, and assigned officer.
2. All images and sounds recorded by the BWC are the exclusive property of this department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
3. All access to BWC files must be specifically authorized by the Chief of Police or his or her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
4. Files should be securely stored/retained in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under control of a criminal justice agency.
5. Files should be retained in such a manner as to be searchable and easily located by all who may need access at a later date (e.g. supervisors, investigators, prosecuting attorney…). To accomplish this, the following instances, at a minimum, will require the recording officer to tag and properly categorize their BWC video for retention in the evidence system in use at the time. It is the responsibility of the recording officer to ensure their BWC recording is properly tagged and categorized as follows:

    a. Any time an officer is involved, at any level, in an investigation in which a case number was assigned.

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b. Any time an officer is involved in an incident in which a citation is issued.
c. Any time an officer is involved in an incident that mandates a Blue Team entry.
d. Any time an officer requests a consent search **(policy 322)**.
e. Any time an officer is involved in a situation where the officer believes a complaint is likely to be generated.

f. SUPERVISORY RESPONSIBILITIES

1. Supervisory personnel shall ensure that officers equipped with BWC devices utilize them in accordance with policy and procedures defined herein.
2. At least on a monthly basis, supervisors will randomly review BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.

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