



# Charleston County Sheriff's Office Policy and Procedures Manual

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**Sheriff Carl Ritchie**

## 9-23 MOBILE & BODY-WORN VIDEO/AUDIO RECORDING EQUIPMENT

- ☐ NEW
- ☒ REVISED
- ☒ REVIEWED

ACA Standards Reference:  
CALEA Standards Reference: 41.3.8, 83.2.2  
SCLEA Standards Reference:  
SC Minimum Standards:

*This policy dated 1/28/2025 replaces prior policies cited above and supersedes all previously issued directives.*

**I. Purpose:**

To establish guidelines for the use, management, storage, and retrieval of audio/visual media recorded by mobile and body-worn video/audio recording equipment when utilized by the Charleston County Sheriff's Office.

**II. Policy:**

The Charleston County Sheriff's Office recognizes the use of mobile and body-worn video/audio recordings as valuable in the prosecution of criminal offenses, law enforcement investigations, in evaluation of deputy's performance, as well as training. In order to maximize the utility and benefits of this equipment, deputies will adhere to the procedures set forth in this policy.

**III. Definitions:**

- A. For purposes of this procedure, the word "deputy" applies to all agency employees with a certification classification of Class I, Class II, or Class III, as defined by the South Carolina Criminal Justice Academy.

The following terms are used interchangeably; however, they carry guidance to specific employees based on usage of the term:

1. Deputy, deputy sheriff, detention deputy, sworn employee, uniformed sworn employee, sworn administrative employee, and
  2. civilian, non-sworn employee.
- B. *Employee*: When used without further clarification, the term employee is inclusive of all agency members (sworn and non-sworn).
- C. *MVAR*: Mobile Video/Audio Recording (MVAR) utilizing a digital wireless format.
- D. *BWVAR*: Body-Worn Video/Audio Recording (BWVAR) capable of recording in a digital media format.
- E. *MVAR/BWVAR System Manager*: Logistics Lieutenant, or as appointed by the Sheriff or designee, to manage and oversee the MVAR/BWVAR program.
- F. *MVAR/BWVAR System Administrator*: Forensic Services Unit Sergeant, Information Technology Services Manager, and any other personnel designated by the System Manager to administer the MVAR/BWVAR

systems.

- G. *MVAR/BWVAR Server*: Computer database hardware located at the Law Enforcement Center (LEC) that is utilized for storage, tracking and history of MVAR and BWVAR recordings. There are forwarding servers located at the Detention Center, West and South District Sub-Stations, Judicial Center, and K-9 office.
- H. *Work Cycle*: The consecutive number of days a deputy sheriff works according to their assignment.

IV. Procedure:

A. Program Objectives:

The Charleston County Sheriff's Office has adopted the use of MVAR/BWVAR systems in order to accomplish several objectives, including but not limited to:

1. Accurate documentation of events, actions, conditions, and statements made during arrests and critical incidents, so as to enhance field reports, evidence collection, and court testimony.
2. Enhancement of this agency's ability to review probable cause for arrest, arrest procedures, deputy sheriff and suspect interaction, and evidence for investigative purposes, while also aiding the deputy for personal evaluation and training.
3. Enhances the Field Training and Evaluation Program by providing the trainee the opportunity to actually review their performance in a given situation.  
(Ref: CALEA 41.3.8 item a)

B. Equipment:

Sworn personnel shall adhere to the following procedures when utilizing MVAR/BWVAR equipment:

1. Agency issued MVAR/BWVAR equipment is intended for official use only and will not be used for unofficial, personal, or frivolous activities.
2. All recorded media, images, and audio are confidential and property of the Charleston County Sheriff's Office and will not be copied, released, or disseminated, in any form, outside the parameters of this policy or for unofficial purposes, without the expressed written

consent of the Sheriff or designee. Under no circumstances will any member of the Sheriff's Office make a personal copy of any recorded event without prior written permission of the Sheriff or designee.

3. MVAR/BWVAR equipment will be assigned to all uniformed deputies whose primary function is to interact with the general public or inmates of the Sheriff Al Cannon Detention Center (SACDC).
4. MVAR Equipment:
  - a. MVAR equipment installed in agency vehicles is the responsibility of the deputy sheriff to which the vehicle is assigned and should be maintained according to manufacturer's recommendations. (Ref: CALEA 41.3.8 item e)
  - b. Prior to the start of each shift, deputy sheriffs will determine whether their MVAR equipment is working satisfactorily and will bring any problems at this or other times to the attention of their immediate supervisor as soon as possible. Deputies at the SACDC will write an incident report and forward the report to the Information Technologies Department (IT).  
(Ref: CALEA 41.3.8 item e)
  - c. MVAR equipment will automatically activate when the vehicle's emergency warning devices are in operation. The equipment may be manually deactivated during non-enforcement activities such as when protecting accident scenes from other vehicular traffic. However, the MVAR will stay activated during and throughout all CODE 3 responses.
  - d. Deputies will ensure that MVAR equipment is operating in order to record traffic stops, the transportation of inmates or other enforcement actions. In so doing they will ensure that:
    - i. The video recorder is positioned and adjusted to record events;
    - ii. The MVAR is not deactivated until the enforcement action is completed; including until an arrestee's custody is transferred;
    - iii. The body camera is turned on before engaging the public or inmates during any incidents;

- iv. The wireless microphone is activated in order to provide narration with the video recording to explain the reason for their current or planned enforcement action if necessary. (Ref: CALEA 41.3.8 item b)
  - e. Deputies will also use their MVAR equipment to record:
    - i. The actions of suspects during interviews, when undergoing sobriety checks or when placed in custody as often the recording may prove useful in later judicial proceedings; and
    - ii. The circumstances at crime and accident scenes or other events such as the confiscation and documentation of evidence or contraband. (Ref: CALEA 41.3.8 item b)
  - f. Deputies will not erase or in any manner alter MVAR recordings.
  - g. Deputies will ensure that they are equipped with adequate media storage to complete their tour of duty.
  - h. All completed recordings, whether primary, secondary or a back-up unit, will be properly labeled and identified with the type of event upon stopping the recording and prior to being uploaded to the server.
  - i. Deputies are encouraged to inform their supervisor of any recorded sequences that may be of value for training purposes. (Ref: CALEA 41.3.8 item c)
  - j. Deputies will notate in the *Incident Report*, *Arrest Report*, or related reports when video/audio recordings were made during the incident in question.
5. BWVAR Equipment:
- a. Deputies will only use BWVAR equipment issued by the Charleston County Sheriff's Office while on duty. Wearing personal video/audio recorders while on duty is prohibited.
  - b. BWVARs will be worn by all uniform deputies whose primary function is to answer calls for service and interact with the

public, or who have a reasonable expectation to do so, to include all off-duty employment.

- c. The MVAR/BWVAR System Manager will be responsible for the issuance of the BWVARs to the selected deputy sheriffs and the issuance will be documented and inventoried by law enforcement Logistics and SACDC IT.
- d. The MVAR/BWVAR System Manager will ensure deputies are properly trained in the use of the BWVAR prior to being issued. IT and the SACDC Field Training Instructors will ensure detention deputies are properly trained in the use of the BWVAR prior to being issued. (Ref: CALEA 41.3.8 item f)
- e. The BWVAR should be worn in a manner and location to effectively record video and audio information.
- f. The BWVAR will not be rotated to another deputy without written permission of the MVAR/BWVAR System Manager. The BWVAR is the responsibility of the deputy to whom it was issued.
- g. The screen of the body camera should be facing the SACDC deputy's chest not facing the inmate, so the inmate is not seeing the recording and moving out of the video.
- h. Deputies who are issued a BWVAR will ensure the security of the equipment by controlling access and by maintaining possession of their assigned equipment, unless directed by a supervisor to relinquish control.
- i. Prior to the start of every shift, deputies who are assigned a BWVAR will conduct an operational readiness inspection, ensuring there is adequate media storage to complete their tour of duty, and a fully charged battery. Any problems preventing the use of the equipment will immediately be reported to their supervisor. Issues that cannot be remedied will be reported via email to the MVAR/BWVAR System Manager with the equipment removed from service until the problem is corrected. Patrol Division supervisors will maintain spare BWVAR's to be issued until the BWVAR can be returned to service or replaced. When a spare BWVAR is issued, it will be returned at the end of their shift only after charging and downloading all recorded media. Deputies will not keep the

- spare BWVAR while not on duty. (Ref: CALEA 41.3.8 item e)
- j. Deputies will dock their cameras at least once during each duty set, (once per week for those working Monday through Friday), to allow for the cameras to be downloaded and any updates to take effect. At this time, a test video will be made and downloaded. As part of the operational readiness inspection, deputies will ensure that the test video downloads properly.
  - k. BWVAR will be used to record and document all contact with the public under the following circumstances, to include but not limited to:
    - i. All violent crimes (i.e., Domestic Violence, Robbery, Aggravated Assaults, etc.);
    - ii. cell extractions
    - iii. motor vehicle stops and collisions;
    - iv. arrests;
    - v. any use of force;
    - vi. weapons are present or alleged to be present;
    - vii. field interviews;
    - viii. injuries to deputies, inmates, and/or staff;
    - ix. search of vehicles/residences or planned cell searches;
    - x. in-custody deaths;
    - xi. suicides (attempted or actual);
    - xii. emotionally disturbed persons;
    - xiii. missing persons;
    - xiv. K-9 activity to include searches and perimeter checks;
    - xv. suspicious persons, public intoxication;
    - xvi. Any interaction with the public that a deputy deems fit

or that may become confrontational or argumentative and the facts of the interaction could come into question. (Ref: CALEA 41.3.8 item b)

- l. Deputies should provide preparatory narration with each video activation or usage if time and situation allow. Narration should include date, time, and nature of interaction. The deputy's safety should never be compromised to provide this narration. (Ref: CALEA 41.3.8 item b)
- m. There is no obligation to obtain consent from victims, witnesses, suspects, or inmates prior to using a BWVAR during an interview. However, if asked, deputies will be forthcoming about its use. At that time, the deputy will have discretion on whether to continue recording. If the deputy discontinues the recording, the reason for discontinuation must be documented either on the BWVAR or within a written report.
- n. Once a deputy has activated the BWVAR, the recording will remain activated until the incident has been resolved. The recording should begin when the deputy reports to Charleston County Consolidated 911 Center (911 Center) that they are on scene.
- o. Deputies should use discretion where there is a victim of sexual assault, however, does not preclude the deputy from recording. Additionally, to respect the dignity of others, unless articulable exigent circumstances exist, officers shall try to avoid recording persons who are nude or when sensitive human areas are exposed. (Ref: CALEA 41.3.8 item b)
- p. Hospitals and medical facilities are bound by the Health Insurance Portability and Accountability Act (HIPAA) and privacy laws that safeguard the identity of patients and their health information. Therefore, deputies shall not activate their BWVAR in a hospital or medical facility, to include patient waiting areas, without first notifying and obtaining consent from the medical facility clinician who can coordinate with the deputy to arrange a secure area to ensure patient information is not compromised. This does not prevent deputies from recording official interaction within custody individuals under previously described incident types and circumstances.
- q. BWVAR shall be used only in conjunction with official law



enforcement duties. BWVAR shall not generally be used to covertly record conversations or activity with other deputies or agency personnel without the permission of the Sheriff or designee, or encounters with undercover deputies or confidential informants, when on break or otherwise engaged in personal activities, unless for a direct law enforcement purpose such as a crime in progress or the recording of the location is material to a criminal investigation.

This does not prohibit more than one deputy responding to a location initiated by a call for service to record on scene activity simultaneously. Nor does it prohibit deputies from routine use as required by this policy to inadvertently record other deputies or agency personnel during the course of activities outlined in this policy.

- r. Sergeants and above will label or flag any video where there has been a use of force. Also, any video of evidentiary value (showing a crime, etc.) will be required by policy to be labeled and retained.
- s. Deputies are encouraged to inform their supervisor of any recorded sequences that may be of value for training purposes.  
(Ref: CALEA 41.3.8 item c)

6. Supervisor Responsibilities:

- a. Supervisory personnel who manage deputies equipped with MVAR/BWVAR equipment will ensure:
  - i. all deputies follow established procedures for the use and maintenance of MVAR/BWVAR equipment, handling of video/audio recordings, and the completion of proper documentation;
  - ii. repairs and replacement of damaged or non-functional MVAR/BWVAR equipment is performed; and
  - iii. any statistical reporting requirements are being completed as required to ensure adequate program evaluation.
- b. Supervisors of deputies assigned MVAR/BWVAR equipment, their Captain, or designee of the Sheriff, will conduct and

document random reviews of recordings to assist in periodic assessment of deputy's performance, determine whether MVAR/BWVAR equipment is being fully and properly utilized according to procedures, and to flag videos which may be appropriate for training purposes.

- i. Random review and assessments shall be at a minimum quarterly, with a minimum of two public interactions that would not have been viewed or assessed otherwise.
- ii. Random review and assessments of deputies who are under probationary status shall be conducted monthly with a minimum of two public interactions that would not have been viewed or assessed otherwise.
- iii. The random review and assessments shall be documented on the *Mobile & Body-Worn Camera Video/Audio Review Form* (CCSO form-160) and retained in the deputy's chronological file.

(Ref: CALEA 41.3.8 item g)

- c. If a complaint is associated with a recorded event, or a deputy believes an incident may generate a complaint, the supervisor will flag the recording for retention. (Ref: CALEA 41.3.8 item c)

C. Video Evidence:

The MVAR/BWVAR system used by the Charleston County Sheriff's Office is designed to operate without the necessity of physical transfer of digital media. Physical access to the digital media is restricted to the MVAR/BWVAR System Manager and Administrators.

1. Unless directed otherwise, MVAR/BWVAR digital media files will be transferred and stored on the MVAR/BWVAR server prior to the end of a deputy's work cycle, or as needed for MVAR/BWVAR media storage. In the event that the MVAR equipment cannot be physically placed within range of a wireless transfer, such as a vehicle accident involving an agency vehicle, digital media cards will be removed from the MVAR equipment by a MVAR/BWVAR System Administrator and uploaded manually.
2. Deputies shall properly identify and label those videos which are identified for evidentiary retention. The deputy will submit a *Digital Video Request form* (CCSO form-197), to Forensic Services Unit to have

a copy placed in evidence. Recordings to be copied for evidence are to be copied by a MVAR/BWVAR System Administrator.

When an OCA is issued for an incident, the deputy will attach the assigned OCA in the "incident #" field when the camera is downloaded. The incident number must be entered exactly like it is entered in RMS.

3. MVAR/BWVAR recordings containing information that may be of value for case prosecution or in any criminal or civil adversarial proceeding will be safeguarded and treated as any other form or evidence. As such, these recordings will:
  - a. be subject to the same security restrictions and chain of evidence safeguards as detailed within Procedure [15-01 Property and Evidence Control](#);
  - b. not be released to another criminal justice agency for trial or other reasons without having a duplicate copy made and returned to safe storage; and
  - c. will not be released to other than bona fide criminal justice agencies without prior approval of the respective chain-of-command. (Ref: CALEA 41.3.8 item c and 83.2.2)
4. Once a criminal incident has been recorded, the recording will be saved on the MVAR/BWVAR server for the length of time needed for court proceedings. When a recording is needed for court, the incident recording will be written to a DVD for evidentiary purposes. Involved deputies are responsible for obtaining these DVDs for court. (Ref: CALEA 41.3.8 item c)
5. If a DVD is used as evidence, it should be held for 10 days to allow for an appeal, after which time it may be processed for destruction or if applicable transferred to the Training Unit for use as a training tool. (Ref: CALEA 41.3.8 item c)
6. Recordings identified by supervisors as appropriate training tools, and are no longer evidentiary, are to be copied and forwarded to the Training Unit for consideration. (Ref: CALEA 41.3.8 item c)
7. Recorded DVDs will be held for a minimum of 30 days provided they are not necessary for prosecutorial purposes.

**D. Retention and Release of Data:**

1. All digital MVAR/BWVAR files with no evidentiary value will be maintained by the agency for a minimum of 60 days from the date the file was transferred onto the MVAR/BWVAR server. Digital MVAR/BWVAR files of evidentiary value will remain on the MVAR/BWVAR server for a minimum of 180 days before being archived for future use. The only exception to this provision is any video that is flagged for indefinite retention.  
(Ref: CALEA 41.3.8 item d)
2. Recordings not scheduled for court proceedings or other adversarial or agency uses will be maintained for a minimum period of 60 days. All recordings will be maintained in a manner that allows efficient identification and retrieval. (Ref: CALEA 41.3.8 item c & d)
3. Recordings of any arrests or violations of offenses listed in the [South Carolina Preservation of Evidence Act, S.C. Code 17-28-320](#), the [Expungement Statute of S.C. Code 17-1-40](#), or any other statute, regulation, or case law will follow the retention requirements outlined therein. (Ref: CALEA 41.3.8 item d)
4. All unarchived MVAR/BWVAR recordings/files are subject to be purged (deleted) after one year from the MVAR/BWVAR server.
5. Data recorded by a BWVAR is not a public record subject to disclosure under the Freedom of Information Act; however,
  - a. The State Law Enforcement Division, the Attorney General, and a circuit solicitor may request and must receive data recorded by a BWVAR for any legitimate criminal justice purpose;
  - b. A law enforcement agency, the State Law Enforcement Division, the Attorney General, or a circuit solicitor may release data recorded by a BWVAR in its discretion;
  - c. A law enforcement agency may request and must receive data recorded by a BWVAR if the recording is relevant to an internal investigation regarding misconduct or disciplinary action of a law enforcement officer; (Ref: CALEA 41.3.8 item c)
  - d. Also entitled to receive data recorded by a BWVAR pursuant to the South Carolina Rules of Criminal Procedure, the South

Carolina Rules of Civil Procedure, or a court order:

- i. A person who is the subject of the recording;
- ii. a criminal defendant if the recording is relevant to a pending criminal action;
- iii. a civil litigant if the recording is relevant to a pending civil action;
- iv. a person whose property has been seized or damaged in relation to, or is otherwise involved with, a crime to which the recording is related;
- v. a parent or legal guardian of a minor or incapacitated person described in sub item (i) or (ii); and
- vi. an attorney for a person described in sub items (i) through (v).