

Cocoa Beach Police Department Standard Operating Procedure



Effective Date:	Replaces:	Number:
January 28, 2025	Amends: August 8, 2024	200.53
Subject:		Re-Evaluation:
Body Worn and In-Car Camera Systems		2027
Distribution:	Related CFA Standards:	
All Members	32.02M	
Approving Authority:		
Wes Mullins	1 mn nh	
Chief of Police	nde Multi	
Approval Date:		
January 14, 2025		

1. PURPOSE

The purpose of this policy is to establish procedures for the use of Body Worn Camera and In-Car Camera devices for the Cocoa Beach Police Department.

2. SCOPE

This standard operating procedure shall apply to all members of the Cocoa Beach Police Department.

3. POLICY

It shall be the policy of the Cocoa Beach Police Department to utilize Body Worn Cameras and In-Car Cameras as a support tool to assist enforcement efforts, document interactions with the public, obtain evidence, and protect officers from false allegations.

4. **DEFINITION(S)**

- A. <u>BODY WORN CAMERA (BWC)</u>: A department-issued portable electronic recording device that is worn on a designated member's uniform or clothing and records audio and video data in the course of the performance of his or her official duties and responsibilities.
- B. <u>IN-CAR CAMERA SYSTEM (ICC)</u>: Audio/video recording equipment designed for fixed installation in Department-issued vehicles.
- C. <u>TRAINING POINT OF CONTACT (POC)</u> Personnel that oversee and facilitate the training of all members that are issued BWC and ensure appropriate account level access. The Training Point of Contact is also responsible for initiating repairs and or returns of malfunctioning BWC and associated equipment through the vendor.
- D. <u>CALL FOR SERVICE (CFS)</u>: Any dispatched or self-initiated activity by any Officer or designated member to resolve, correct or assist a particular situation or incident.
- E. <u>EVIDENTIARY VALUE</u>: Property, items, artifacts, or any other resource(s) which plays a role during an investigation, hearing, or trial.
- F. <u>F.S. §119.071</u>: Florida State Statute 119.071 pertains to general exemptions from inspection or copying of public records.
- G. <u>PERSONAL MOBILE VIDEO RECORDER (PMVR)</u>: Audio/video recording equipment personally owned by members of the Department designed to record video and/or audio.
- H. <u>PERSONAL COMMUNICATION DEVICE</u>: All cell phones, personal e-mail devices, personal digital assistants, smart phones, "tablet" style computers and other similar devices.
- I. <u>WI-FI BASE STATION</u>: A base station for the BWC that is installed inside a vehicle equipped with a 4RE ICC. The base station allows the BWC to sync with the ICC and enable wireless uploading as well as charge the device battery.

Cocoa Beach Police Department SOP 200.53 – Body Worn and In-Car Camera Systems Page 1 of 6

- J. <u>TRANSFER STATION</u>: A base station that charges the BWC batteries and transfers recorded events to the secure evidence server.
- K. <u>USB BASE STATION</u>: A base station for the V300 BWC that is connected through USB, primarily used for administrative purposes to create a record of after-the-fact events.
- L. <u>APOLLO VIDEO SYSTEM</u>: ICC comprised of a forward-facing zoom camera, panoramic camera, cabin camera, wireless microphone, and a self-contained DVR manufactured by Apollo Video Technology.
- M. <u>DIGITAL VIDEO RECORDER (DVR)</u>: an electronic device that records video in a digital format to a hard drive or other local or networked mass storage device.
- N. <u>EVIDENCE LIBRARY EXPRESS</u>: A local-based administrative version of the Evidence Library Viewer software that incorporates additional features such as creating camera configuration files and specified event triggers.
- O. <u>RASPLUS</u>: Software used to view and transfer video and audio from the Apollo Video System DVR to a Mobile Data Terminal.
- P. <u>WATCHGUARD 4RE</u>: An ICC utilizing, but not limited to, the following devices: Panoramic X2, Infrared Cabin Camera, and additional cameras, HiFi Wireless Microphone, Wireless Radio, and display utilizing a self-contained DVR manufactured by WatchGuard Video.
- Q. <u>WATCHGUARD V300</u>: A continuous operation BWC that integrates with the 4RE system.
- R. <u>EVENT</u>: The combination of video and audio recorded through an ICC or BWC that is created by starting a recording and completing the recording. Events are categorized by the Officer or designated member using the ICC system or BWC and can also later be categorized through the cloud-based system.
- S. <u>VIDEO MANAGER EL CLOUD</u>: Cloud-based evidence management system that stores digital evidence such as BWC/ICC videos, pictures and digital evidence obtained from a 3rd party. From Motorola.
- T. <u>LENSLOCKER</u>: Cloud-based evidence management system that stores digital evidence such as BWC/ICC videos, pictures and digital evidence obtained from a 3rd party.
- U. <u>LENSLOCK GENESIS 12.5</u>: A BWC that integrates with the Hawk 6 ICC.
- V. <u>LENSLOCK HAWK 6</u>: ICC manufactured by Lenslock.

5. PROCEDURES

- A. EQUIPMENT PROCEDURES
 - 1. Police Officers and designated members will perform a function check of the video and audio recording system at the start of their tour of duty, which will include:
 - a. Testing of the video and audio recording functions to ensure proper working order
 - b. Confirm accurate display of day, date, and time
 - c. Ensure camera(s) are facing the proper direction and adjusted accordingly
 - d. Ensure the battery is fully charged
 - 2. Members shall only utilize their assigned log in credentials to access Video Manager EL Cloud or Lenslocker.
 - 3. A member may view their own recordings from a BWC and/or ICC when preparing and categorizing incident reports to ensure the accuracy and consistency of their documentation.
 - 4. When a member has completed the recorded event and has pressed the STOP button on the BWC camera or the ICC system, the member shall select the appropriate CATEGORY for the recording (i.e.: Traffic Warning, Field Interview, Felony Arrest, Incident or Crime, etc.).
 - 5. When uploading events through Video Manager EL Cloud or Lenslocker, members will make any necessary corrections to tags and will also specify the case report number (i.e.: 22-0000). Members are also encouraged to add any pertinent notes using Video Manager EL Cloud or Lenslocker.
 - 6. If the event was not correctly tagged, initially or due to starting another video, this shall also be corrected when the event is uploaded.

Cocoa Beach Police Department SOP 200.53 – Body Worn and In-Car Camera Systems Page **2** of **6**

- 7. Members shall ensure that all BWC and/or ICC events are labeled the same as other members for each incident with the same categorization and case number.
- 8. If a member does not have a Watchguard 4RE-enabled or a Lenslock Hawk 6 vehicle to sync with their BWC they will be limited to the first category selection. Any notes and the case number will need to be added through the Command Central Evidence or Lenslocker cloud-based system.
- 9. In the event the BWC or ICC is not functioning properly, the member will immediately notify the On-Duty Shift Supervisor. An email will be sent to the Training POC to troubleshoot the issue. If the Training POC is unable to fix the issue, a Helpdesk ticket will be completed.
 - a. The member should attempt to utilize a spare vehicle with a functioning ICC.

B. CRITERIA FOR ACTIVATION (CFA 32.02MB)

- 1. This policy cannot account for all scenarios or possibilities; therefore, Officers and designated members are expected to use good/ethical judgment when activating and deactivating their BWC and ICC. As a basic rule, members engaged in, or about to engage in, enforcement action or investigatory action will activate their BWC and/or ICC. BWC and/or ICC shall be used to document the following non-exhaustive types of events:
 - a. Traffic stops, to include driving patterns of suspected impaired drivers prior to stop and any subsequent Standardized Field Sobriety Exercises
 - b. Vehicle apprehensions
 - c. Vehicle searches
 - d. Surveillance of structure entry/exit points while perimeter checks are being conducted, if applicable
 - e. Capturing evidence of disturbances and/or large crowds, etc.
 - f. Monitoring arrestee(s) being detained and transported in police vehicles
 - g. Confrontational contacts with the public
 - h. Documentation of crimes in progress, ordinance violations, crime scenes, crash scenes, damage to property and/or other evidence as appropriate.
 - i. Vehicle crashes the member is involved in, or which the BWC and/or ICC may have recorded.
 - j. Upon direction of a supervisor, at the request of another member, or anytime a member deems it appropriate to activate a BWC and/or ICC.
 - k. Any incident where it may become reasonably necessary for member to take enforcement action. These include, but are not limited to:
 - (i) Calls for service
 - (ii) Requests for service
 - (iii) Self-initiated activity
 - 1. Officers and designated members may record other events at their discretion when they believe it would further the law enforcement mission.
- 2. Officers shall document the known use of the BWC and/or ICC in all arrests or related reports.
- 3. Upon the conclusion of any video, it shall be categorized consistent with member's training. Members in need of assistance with categorizing videos should contact their supervisor immediately.
- 4. Members shall acknowledge the BWC and/or ICC is recording, if asked by a citizen.
- 5. Members who fail to activate the BWC and/or ICC when required shall:
 - a. Notify their immediate supervisor via email as soon as possible, but no later than the end of their shift.
 - b. The case number, type of call, and reason for failure to activate the BWC and/or ICC shall be provided in the email to the member's supervisor. If the member does not have a city email account, they will notify their supervisor in person before the end of their shift.

- Members who continually fail to activate their BWC and/or ICC in accordance with this policy are subject to additional training and/or progressive disciplinary action, in accordance with <u>SOP 050.30</u> <u>Code of Conduct</u> and <u>SOP 005.10 Internal Investigations</u>.
- 7. Deactivation Members shall deactivate their BWC when:
 - a. Contact is completed
 - b. An incident is concluded
 - c. Instructed by a supervisor to end recording
 - d. A discussion deemed to be sensitive in nature
- 8. After a member deactivates their BWC, it is the member's responsibility to ensure the BWC is reactivated should the circumstances require it.
- 9. Members shall have the ability to terminate a recording when there is no likelihood of additional evidentiary or law enforcement value occurring. It shall be deemed a "Non-Event".
- 10. Members shall have the ability to terminate a recording if engaging in activities such as directing traffic, working a special event, or using the restroom.
- 11. Members assigned to the Criminal Investigations Division and working in that capacity in reference to an investigation will not be required to activate their BWC if they believe it will possibly compromise or hinder the case in any manner.
- 12. Members assigned to a Federal or County Task Force are not permitted to use their issued body-worn cameras (BWC) while performing duties in this capacity. However, they will use their assigned BWCs when operating in a patrol capacity.
- C. RESTRICTIONS
 - 1. BWC and ICC will only be used in conjunction with official law enforcement duties or duties as assigned. Members shall not record the following: (CFA 32.02MC)
 - a. Personal activity
 - b. Communication with other police personnel without their knowledge when not conducting official law enforcement duties
 - c. In any location where individuals have a reasonable expectation of privacy
 - 2. Members shall not:
 - a. Except as permitted by this policy, disengage, interrupt, or mute a recording at any time during interactions with the public. This includes the prohibition of placing a hand, or similar item, over the recording microphone or camera during an encounter.
 - b. Erase, attempt to erase, alter, deface, or destroy any digital recording. Members shall be held to a high degree of accountability for the security, processing, care, and maintenance of their recordings.
 - c. Tamper with the BWC or ICC, its wiring, software, or audio equipment.
 - d. Intentionally or knowingly record undercover officers, confidential informants, or other sources of confidential information.
 - e. Intentionally record conversations of fellow employees without their knowledge during routine, nonenforcement related activities.
 - f. Unlawfully utilize the equipment in a covert manner in violation of Florida wiretapping laws, as outlined in *F.S. § 934.03*.
 - g. Utilize the BWC in an area where there is a reasonable expectation of privacy unless it is lawfully being used as part of a legitimate call for service or investigation. These areas include, but are not limited to, locker rooms, dressing rooms, restrooms, personal residences, etc.
 - (i) If a BWC is accidentally activated during any of these activities, the member shall immediately de-activate the BWC and label the event as "Exempt".
 - h. Touch, handle, or otherwise molest another member's BWC or ICC. Exceptions include the following:

Cocoa Beach Police Department SOP 200.53 – Body Worn and In-Car Camera Systems Page **4** of **6**

- (i) To render first aid
- (ii) Requested by the member's chain of command
- (iii) Requested by the Chief of Police or designee
- i. Release, post, or share any BWC or ICC recording on the internet, social media platform or similar, or share externally for unofficial use, unless authorized by the Chief of Police or designee.
- j. Make copies, distribute, or possess any BWC or ICC recording for unofficial or personal use, without prior approval from the Chief of Police or designee.
- k. Allow citizens to review the recordings, unless authorized or done so by a supervisor to investigate and/or attempt to resolve a complaint on a member, or other investigative purpose deemed appropriate by a supervisor.
- 1. Utilize a personally owned BWC or ICC, or other Personal Communication Device to record incidents or events that otherwise could have, and/or should have been, recorded on an BWC or ICC, unless there is an articulable exigency.
- 3. Officers may use a department-issued cellular phone in exigent circumstances; however, not in lieu of a BWC or ICC.
 - a. Any time a department-issued cellular phone is used to record incidents or events that otherwise could have, and/or should have been, recorded on a BWC or ICC, the circumstances surrounding the inability to capture the event with a BWC or ICC shall be articulated in the related reports, and the images and/or videos shall be uploaded consistent with agency policy.

D. DOCUMENTATION

- Recordings that are evidentiary in nature shall be transferred to department-issued digital medium and documented and secured in accordance with <u>SOP 206.00 Property and Evidence Management</u>. (CFA 32.02MD)
- E. TRAINING
 - 1. All officers and designated members who are authorized and equipped with a BWC and/or ICC shall be trained in its use, care, and the procedure for handling recorded materials. All members who have access to the BWC System must complete a department approved training program to include: (CFA 32.02MA)
 - a. Camera operation (Activation and Deactivation)
 - b. Proper placement of the camera on the uniform
 - c. Department policy and relevant state/federal laws on camera usage
 - d. Review of procedures for recordings to be used as evidence
 - e. Basic maintenance
 - f. Procedures for documenting and reporting malfunctions of their issued BWC
 - g. Procedures for downloading and classifying recorded data
 - h. Procedures for accessing and reviewing recorded data
 - i. Applicable online training
 - 2. Videos copied for training purposes require the approval of the Chief of Police or designee.
- F. UPLOADING OF VIDEO EVIDENCE
 - 1. If a member's vehicle is equipped with the Watchguard 4RE system or Lenslock Hawk 6 and a compatible BWC Wi-Fi Base in the vehicle, they shall utilize the wireless uploading method.
 - 2. If a member is issued a BWC and not assigned to a vehicle with a 4RE system and compatible BWC docking station, they will utilize the transfer station upload method.
 - 3. The use of the Transfer Station is also permitted if it would be deemed faster to upload a BWC video using this method as opposed to through the 4RE system.
 - 4. Apollo Video System–When needed, video and audio evidence can be transferred from the DVR via an Ethernet cable attached to a Mobile Data Terminal using RASplus. The video and audio evidence can then be transferred to a CD or DVD.

Cocoa Beach Police Department SOP 200.53 – Body Worn and In-Car Camera Systems Page **5** of **6** 5. Members shall ensure videos on their issued BWC or ICC are uploaded prior to the device reaching its maximum storage capacity. This shall be completed prior to the end of their shift at a minimum and before any scheduled days off or training, unless permitted by a supervisor. If approval is granted, the video will be uploaded at the start of the next tour of duty.

G. DATA RETENTION

- 1. All recordings will be retained in accordance with current and applicable Florida public records retention laws. (CFA 32.02ME)
- 2. All digital medium associated with a recording will be securely stored in accordance with current and applicable Florida public records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution.
- H. SUPERVISORY RESPONSIBILITIES
 - 1. Shift Supervisors will ensure that officers equipped with a mobile recording device utilize them in accordance with policy and identify any areas in which additional training or guidance is required.
 - 2. Shift Supervisors, once made aware of a member complaint associated with a recorded event, will follow the complaint procedure as outlined in *SOP 005.10 Internal Investigations*.
 - 3. In the event a member is involved in an officer-involved shooting, an in-custody death or serious bodily injury, or pursuit that results in serious bodily injury or death, the shift supervisor or higher level of authority shall be responsible for taking custody of the BWC, ensuring the upload is completed, and their chain of command is notified.