




COLUMBIA POLICE DEPARTMENT

"Policing Excellence through Community Partnerships"

Directive Type: General Order	Effective Date: 05/19/2025	General Order Number: 05.16
Subject: <i>Body Worn Cameras</i>		
Amends/Supersedes: <i>Body Worn Cameras, published 08/07/2023</i>	Chief of Police: 	
Distribution: All Personnel	Review Date: July 1	# of Pages: 6

1.0 PURPOSE

This directive is intended to provide sworn officers and authorized non-sworn staff with instructions on when and how to use the department issued body-worn camera (BWC).

This directive does not govern the use of surreptitious recording devices used in undercover operations.

2.0 POLICY

It is the policy of the Columbia Police Department that police personnel who are issued Body Worn Cameras (BWC) will activate their BWCs when such use is appropriate in the proper performance of their official duties, in compliance with this policy and SC Code of Laws, 1976, as amended, §23.1.240. Police personnel shall use only BWCs issued by the department. The wearing or use of personal video/audio recorders while on duty is prohibited.

BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment, is the sole property of the Columbia Police Department.

Under no circumstances will any member of the Department make a personal copy of any recorded event without prior written permission of the Chief of Police.

3.0 BODY WORN CAMERA ISSUE

BWCs will be issued to all sworn personnel whose primary function is, or there is a reasonable expectation they will be called upon, to answer calls for service and interact with the public. BWCs may also be issued to other police department personnel at the direction of the Chief or his designee.

Body worn cameras may only be used by the individual to whom they are assigned unless exigent circumstances exist.

3.1 TRAINING

All department personnel (sworn and non-sworn) who are assigned BWC equipment will complete training to ensure the proper use and operation of this equipment, prior to issuance.

This training will include how and when to activate and deactivate the camera system, in accordance with department policy. Additional training may be required at periodic intervals to maintain operator proficiency with the equipment.

4.0 USE OF BODY WORN CAMERAS

BWCs shall only be used for law enforcement purposes. BWCs will be used with reasonable care to ensure proper functioning. Intentional misuse or abuse of the devices can result in disciplinary action.

4.1 Equipment Responsibilities

BWC equipment is the responsibility of the individual to whom the unit is issued. Personnel issued a BWC shall be responsible for ensuring the BWC is properly charged and in working condition.

Officers shall inspect the BWC prior to each shift in order to verify proper function. Equipment damage and/or malfunctions shall be brought to the attention of the officer's supervisor as soon as possible. Supervisors will initiate the appropriate action in order to bring officers back into compliance with this policy as soon as possible.

- Malfunctioning or damaged BWCs should be brought to the CPD's Real Time Crime Center (RTCC) as soon as possible (during RTCC business hours) for assistance in getting the device repaired or replaced. On nights and weekends, the officers are to immediately contact the on-duty Watch Commander, who should have access to spare BWCs in their office.

4.2 Wearing Body Worn Cameras

Police personnel are required to wear their issued BWC while on duty and while performing any uniformed law enforcement functions. The BWC will be worn on the front of the uniform shirt or the outermost layer of the uniform using the provided mount in a position designed to produce an effective recording.

Non-patrol personnel issued a body worn camera shall use/wear BWCs as prescribed by their chain of command.

4.3 Recording Body Worn Camera Videos

Officers are not required to notify or seek permission to record while taking law enforcement action. However, if asked about its use, the officer will be forthcoming about its use.

BWC's **must** be **activated** and **used** to record the following:

- Dispatched calls for service (crimes in progress, motor vehicle accidents, alarms, etc.)
- Officer initiated calls (including field interviews, traffic stops, warrant execution, etc.)
- Public contacts that require law enforcement response (public drunk, disorderly conduct, etc.)
- Use of Force encounters

BWCs recordings will be activated at the inception of the above, and will remain **ON** until the call is cleared.

This activation requirement will **include** recording the transportation of all non-department person(s) in CPD care or custody, to and from any law enforcement associated facilities (including detention centers) as part of our official duties.

In addition to the activation of BWCs during transportation of non-department person(s), all CPD vehicles equipped with In-Car Video Equipment, must also use these video cameras to record the **uninterrupted entirety** of the transporting, until the subject(s) are removed from the vehicle at the final destination.

This is in accordance with GO 01.04 Use and Operation of Police Department Vehicles, Section 7.6 Use of In-Car Video Equipment.

****Prior to ending a BWC recording, the authorized personnel must verbally state why they are ending the activated recording (e.g. "call has been cleared, recording over").**

4.4 Restrictions On The Use Of Body Worn Cameras

Accessing, copying, or releasing BWC video and/or audio files for non-law enforcement purposes is strictly prohibited.

BWCs shall not be used for personal, unofficial or frivolous activities.

BWCs shall not be used to record City employees outside of law enforcement encounters.

BWCs shall not be used to record communications with other police personnel without the permission of the Chief of Police or designee.

BWCs shall not be used to record communications with undercover officers or confidential informants.

Furthermore, officers should use discretion when interacting with a victim of sexual assault. Additionally, to respect the dignity of others, unless articulable circumstances exist, officers will try to avoid recording persons who are nude or when sensitive human body parts are exposed.

4.5 Uploading/Reviewing Video Files

BWC video files should be uploaded **no later than the end of each shift**. Personnel will utilize the designated software application (e.g. evidence.com) to categorize their recorded videos and input any issued case number, ticket number and suspect information.

- Officers will have access to review all BWC files, for the purpose of assisting with preparing reports, with the exception of files that have been designated Restricted, Confidential, or as specified in (**Section 4.7**) of this **GO** regarding restrictions.
- Supervisors will have access to the BWC video files of their respective area of responsibility.
- Internal Affairs, Command Staff and Video System Administrators are granted access to review **all BWC** video files.

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

4.6 Supervisor Responsibilities

As part of regular line inspections, supervisors will conduct random inspections of the issued BWC equipment to ensure operational readiness. Supervisors are responsible for providing personnel with feedback and coaching based on their performance, by using BWC footage as a tool.

Supervisors are to conduct random equipment inspections to ensure the following:

1. Ensuring that personnel are uploading and tagging their videos in evidence.com and that all recorded events are documented by their personnel in the required incident reports, citations, Blue Team Reports, etc.
2. Ensuring that personnel are docking their BWCs for charging at the **end of each shift**.
3. Supervisor will ensure that all BWC units are accounted for and immediately report any discrepancies to their chain of command.

If an employee separates from the agency or is on extended leave (including military leave) for more than 21 days, the employee's supervisor will watch and categorize all uncategorized videos.

Supervisory Video Reviewing/Auditing

The reviewing/auditing of BWC videos are required by supervisory personnel to assess their personnel's performance in the field, and to identify incidents for commendation, improvement, and to address possible misconduct.

Supervisory Audits: Department supervisors who supervise personnel who are issued BWCs and utilize the cameras consistently in the performance of their assigned duties (e.g. Patrol Bureau, SROs, Traffic Unit, Code Enforcement, Court Services Unit, Telephone Response Unit, etc.) are required to conduct **monthly** reviews of selected **random video** recordings that were captured by their personnel, in order to assess their personnel's performance, to ensure that the BWC is being utilized and operating properly, and to identify videos that may be appropriate to enhance training programs or

experiences.

- These reviews will be randomly assigned and tracked as “audits” by the department’s designated AXON video software application.
- The Chief of Police will designate which supervisory personnel will be responsible for conducting these required audits, as well as the number of videos the supervisors are required to view, and the required time period. This information will be provided to the department’s application manager for programming into the AXON system.
 - The application manager will provide detailed guidance to the affected supervisors regarding the steps necessary to conduct their assigned audits.
- All review audits will automatically be documented by the AXON system, and the results will be forwarded electronically through the chain of command and to the Office of Professional Standards.

4.7 Restrictions for Viewing Videos

Departmental personnel who could be asked to provide statements regarding Officer Involved Shooting incidents, will not be permitted to review videos prior to making an official statement to either the investigating agency or this Department’s Office of Professional Standards. Exceptions to this policy must be granted by the Chief of Police, or his designee.

Citizens are not permitted to view BWC video recordings (or any other department generated recording) unless permission has been obtained from the Chief of Police or his designee.

4.8 Video Retention

All BWC video/audio files will be maintained on a secure server for a period no less than 60 days.

Recordings of any arrests or violations of offenses listed in the S.C. 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. (See attachment #1)

Recording of evidence will be uploaded to the system cloud space to be preserved as prescribed by law.

Body worn camera video/audio files will be expunged as required by S.C. Code 17-1-40.

4.9 Release of Body Worn Camera Video

Body worn camera video and/or audio files are not subject to release via Freedom of Information Act (FOIA) requests.

Body worn camera video and/or audio files may be released at the discretion of the Chief of Police (or his designee) or via legal discovery as prescribed by SC Codes of Laws §23-1-240(G). (See attachment #2)

Attachment #1

SC CODE OF LAWS

SECTION 17-28-320 Offenses for which evidence preserved; conditions and duration of preservation.

(A) A custodian of evidence must preserve all physical evidence and biological material related to the conviction or adjudication of a person for at least one of the following offenses:

- (1) murder (Section 16-3-10);
- (2) killing by poison (Section 16-3-30);
- (3) killing by stabbing or thrusting (Section 16-3-40);
- (4) voluntary manslaughter (Section 16-3-50);
- (5) homicide by child abuse (Section 16-3-85(A)(1));
- (6) aiding and abetting a homicide by child abuse (Section 16-3-85(A)(2));
- (7) lynching in the first degree (Section 16-3-210);
- (8) killing in a duel (Section 16-3-430);
- (9) spousal sexual battery (Section 16-3-615);
- (10) criminal sexual conduct in the first degree (Section 16-3-652);
- (11) criminal sexual conduct in the second degree (Section 16-3-653);
- (12) criminal sexual conduct in the third degree (Section 16-3-654);
- (13) criminal sexual conduct with a minor (Section 16-3-655);
- (14) arson in the first degree resulting in death (Section 16-11-110(A));
- (15) burglary in the first degree for which the person is sentenced to ten years or more (Section 16-11-311(B));
- (16) armed robbery for which the person is sentenced to ten years or more (Section 16-11-330(A));
- (17) damaging or destroying a building, vehicle, or property by means of an explosive incendiary resulting in death (Section 16-11-540);
- (18) abuse or neglect of a vulnerable adult resulting in death (Section 43-35-85(F));
- (19) sexual misconduct with an inmate, patient, or offender (Section 44-23-1150);
- (20) unlawful removing or damaging of an airport facility or equipment resulting in death (Section 55-1-30(3));
- (21) interference with traffic-control devices or railroad signs or signals resulting in death (Section 56-5-1030(B)(3));
- (22) driving a motor vehicle under the influence of alcohol or drugs resulting in death (Section 56-5-2945);
- (23) obstruction of railroad resulting in death (Section 58-17-4090); or
- (24) accessory before the fact (Section 16-1-40) to any offense enumerated in this subsection.

(B) The physical evidence and biological material must be preserved:

- (1) subject to a chain of custody as required by South Carolina law;
- (2) with sufficient documentation to locate the physical evidence and biological material; and
- (3) under conditions reasonably designed to preserve the forensic value of the physical evidence and biological material.

(C) The physical evidence and biological material must be preserved until the person is released from incarceration, dies while incarcerated, or is executed for the offense enumerated in subsection (A). However, if the person is convicted or adjudicated on a guilty or nolo contendere plea for the offense enumerated in subsection (A), the physical evidence and biological material must be preserved for seven years from the date of sentencing, or until the person is released from incarceration, dies while incarcerated, or is executed for the offense enumerated in subsection (A), whichever comes first.

HISTORY: 2008 Act No. 413, Section 2, eff January 1, 2009.

Code Commissioner's Note

Sections 16-3-30, 16-3-40, and 16-3-430, referenced in subsections (A)(2), (A)(3), and (A)(8), were repealed by 2010 Act No. 273, Section 22.

Attachment #2

SC CODE OF LAWS

23-1-240 Body worn cameras; definition; guidelines; policies and procedures; fund; data release.

(G) (1) Data recorded by a body-worn camera is not a public record subject to disclosure under the freedom of information act.

- (1) The State Law Enforcement Division, the Attorney General, and a circuit solicitor may request and must receive data recorded by a body-worn camera for any legitimate criminal justice purpose.
- (2) A law enforcement agency, the State Law Enforcement Division, the Attorney General, or a circuit solicitor may release data recorded by a body-worn camera in its discretion.
- (3) A law enforcement agency may request and must receive data recorded by a body-worn camera if the recording is relevant to an internal investigation regarding misconduct or disciplinary action of a law enforcement officer.
- (4) In addition to the persons who may request and must receive data recorded by a body-worn camera provided in item (2), the following are also entitled to request and receive such data pursuant to the South Carolina Rules of Criminal Procedure, the South Carolina Rules of Civil Procedure, or a court order:
 - (a) a person who is the subject of the recording;
 - (b) a criminal defendant if the recording is relevant to a pending criminal action;
 - (c) a civil litigant if the recording is relevant to a pending civil action;
 - (d) 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;
 - (e) a parent or legal guardian of a minor or incapacitated person described in sub-item (a) or (b); and
 - (f) an attorney for a person described in sub-items (a) through (e)."

HISTORY: 2015 Act No. 71 (S.47), Section 1, eff June 10, 2015.