



Body-Worn Cameras

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PURPOSE

This policy provides members with guidelines for using State Patrol-issued [Body-Worn Cameras](#) (BWC). These guidelines include camera function testing and operation, data identification and storage responsibilities, retrieval and review of digital recordings captured by the BWC, and records administration of the audio-visual digital recordings.

POLICY STATEMENT(S)

The State Patrol will use BWCs pursuant to C.R.S. § 24-31-902.

While it is difficult to account for every possible circumstance, this policy will guide troopers in the proper use of the BWC. State Patrol will utilize BWCs to:

- Accurately capture all [contact](#) information.
- Document events for courtroom presentation.
- Provide additional information about complaints made against troopers.
- Mitigate potentially confrontational interactions with the public by the presence of the BWC and
- Provide training opportunities and institutional learning.

Troopers working in assignments that require the wearing of a Class A or Class B uniform and who have been trained in the operation of the BWC are required to wear the BWC. Troopers working assignments that do not require the wearing of a Class A or Class B uniform may be exempt from wearing a BWC unless directed to by a supervisor. Troopers who are on duty not in a Class A or Class B uniform will wear a BWC anytime that they take enforcement action and clearly identify themselves as State Patrol Troopers.

Troopers will activate their BWC to allow for buffering time prior to initiating and making [contact](#). When it is safe and practical to do so, troopers are encouraged to notify citizens that they are being recorded at the beginning of a contact. Activation of the BWC will not compromise trooper safety. In exigent circumstances, the BWC will be activated as soon as it is safe and practical. A trooper shall activate the BWC upon direction from a supervisor or whenever they feel that it is in their best interest or the best interest of the State Patrol.

Troopers should be aware of the circumstances surrounding the usage of the BWC, which may include privacy and consent considerations to those involved in any incident; examples include but are not limited to, victims, witnesses, and private businesses and residences. Training will include State Patrol policy and legal obligations as outlined in C.R.S. § 24-31-902 concerning the proper use of BWC systems.

Failure to activate a functioning BWC during any incident required by policy creates a rebuttable presumption of inadmissibility of evidence regardless of the trooper's intent. Failure to activate a functioning BWC as required may lead to corrective and/or disciplinary action, up to and including termination.

Port of Entry personnel should refer to the POE [Body-Worn Camera](#) policy.

OPERATIONAL PROCEDURES

A. Body-Worn Camera Activation

1. Troopers will activate their BWC prior to initiating a [contact](#).
 - a. Contacts include, but are not limited to:
 - Traffic stops.
 - Motorist assists.
 - Pedestrian stops.
 - Commercial vehicle contacts; and
 - Consensual contacts.
 - b. Troopers will activate their BWC prior to arrival when dispatched to a call for service.
 - c. Troopers will ensure their BWC is activated when conducting:
 - Crash investigations.
 - Investigative detentions.
 - A protective frisk for weapons.
 - Any search (consensual or otherwise).
 - Arrests.
 - Suspect interviews, including Miranda advisements.
 - Victim and witness interviews.
 - Custodial interrogations of suspects.
 - Transporting suspects or other members of the public.
 - Handling and inventorying currency.
 - Building and vehicle searches, including the execution of a warrant

- K-9 searches.
- d. Troopers will activate their BWC when euthanizing an injured animal.
 - e. Troopers will activate their BWC as soon as practical when involved in a crash involving a state-owned vehicle.
 - f. Troopers will activate their BWC when a non-initiated contact rises to the level of investigating possible violations of the law.
 - g. Troopers will activate their BWC when involved in any planned or spontaneous crowd control situation or actively engaged with an individual or group.
 - An Incident Commander has the authority to direct the activation of BWCs during civil unrest disturbances.
 - h. Troopers will activate their BWC when responding to active threat situations.
 - i. Troopers have the authority to activate their BWC in any situation where a trooper believes the use of the BWC would be appropriate or would provide valuable documentation if not already activated per policy.
 - j. Troopers will activate their BWC when directed to by a supervisor.
2. Troopers may use discretion in activating their BWC in instances where public [contact](#) is not likely, such as removing road debris. Troopers will document the rationale for non-activation in CAD when clearing the event.
 3. If a trooper unintentionally fails to activate the BWC as required by this policy, they shall note the reason in their incident report, if applicable, as well as submit a CSP Body-Worn Camera Memorandum to the troop commander describing the incident and the reason for not activating the BWC.
 4. If a trooper is found to have intentionally failed to activate their BWC when required, they will be subject to an investigation that may result in corrective and/or disciplinary action, up to and including termination.

B. Body-Worn Camera Deactivation

1. Troopers will only deactivate the audio or video functions of the BWC system when their law enforcement interaction or contact has concluded, and they clear from the incident on CAD.
2. Troopers shall not actively seek a request from an individual to deactivate the BWC system.
3. The BWC may be deactivated or muted prior to the conclusion of an incident and clearly articulated on the [recording](#) and documented in the incident report and CAD. The BWC may only be deactivated or muted in the following situations:

- a. When privacy concerns outweigh legitimate law enforcement interests (e.g., victims of crime, witnesses, nudity, child sexual assault, presence of child pornography, etc.).
 - b. The incident has concluded prior to the arrival of the trooper.
 - c. While on the scene of an incident, all evidence has been collected, all law enforcement interactions have concluded, and the trooper is waiting for the recovery of a vehicle by a tow company. A notification to the regional communication center will be given prior to the deactivation.
 - d. The incident or event is of such duration that deactivating the BWC is necessary to conserve battery life and recording time. Supervisor approval will be obtained prior to deactivation.
 - e. Investigators arrive on the scene and take over the investigation.
 - f. The trooper determines that the recording must be temporarily stopped or muted based on clearly articulable reasons, such as discussing sensitive intelligence or investigative information. The reason for temporary deactivation or muting will be stated on the recording prior to deactivation or muting.
4. Intentionally deactivating the BWC without clearly articulable reasons in accordance with this policy may result in corrective and/or disciplinary action, up to and including termination.
 5. If a trooper deems reactivation of the BWC necessary after deactivation during an incident, the trooper shall reactivate their BWC. The reason for reactivation will be recorded on the BWC when it is safe and practical to do so. The reason for reactivation of the BWC will also be documented in any reports and CAD.

C. Special Circumstance Recording

1. Victims and Witnesses

- a. BWC [recordings](#) do not replace formal written statements from victims or witnesses.
- b. Troopers are encouraged to notify victims or witnesses about the use of a BWC prior to any interviews.
- c. If a victim or witness does not wish to be recorded, troopers should ask if the person would permit an audio-only recording. Troopers can then move their BWC to a position to capture audio but not video of the interview.
- d. Troopers shall not allow a victim or witness to review the recording.

2. Consensual Situations

- a. In circumstances when a trooper requests consensual entry into a private residence or private business area, consent to record must also be obtained.

- b. The consent to record may be withdrawn at any time by the person, even if the trooper has been given consent to be inside the location. Troopers must audibly state the revocation of consent prior to the deactivation of the BWC and document the revocation in the incident report and on CAD.
3. Crime Scenes
 - a. The BWC will not be used as a replacement for photographing crime scenes.
 - b. For outside agencies taking over any investigation, troopers shall notify any lead investigators of the presence of a BWC recording, the possible extent and content of the recording, and the CSP case number, if applicable.
4. Incident Command Posts
 - a. A BWC shall not be activated in or around the vicinity of an Incident or a Tactical Command Post.
 - b. The Incident Commander or designee shall advise assigned troopers of the parameters of BWC usage for the duration of the incident.
5. Officer Involved Shooting (OIS) or Use of Force Resulting in Serious Bodily Injury (SBI) or Death
 - a. When any trooper is involved in an Officer Involved Shooting (OIS) or use of force resulting in serious bodily injury (SBI) or death, the BWC shall remain on and recording until the lead investigator or a supervisor directs that the BWC be deactivated and has taken custody of the BWC.
 - An audible explanation of the deactivation will be given prior to deactivation.
 - b. If a trooper is severely injured or deceased, a supervisor or another trooper, if a supervisor is not present, may remove the BWC, give an audible explanation for the deactivation, and then turn off the BWC.
 - The removing supervisor or trooper starts the chain of custody for the BWC and should only release the BWC to the lead investigator.
 - c. Troopers will not be allowed to view the BWC [recording](#) prior to making a formal statement following an OIS or critical incident where potential criminal charges may be filed.
6. Detention Facilities
 - a. A BWC may be deactivated after transporting a detainee to a secured detention facility and physical custody has been transferred to the personnel within that facility.
 - b. Troopers will deactivate their BWC if the detention facility does not permit recording inside the facility.

7. Sensitive Locations

- a. Troopers should restrict recording to areas and persons necessary to obtain evidence and information relevant to the incident and should attempt to minimize collateral intrusion to those not involved.
 - The BWC shall be used in a health or mental health care facility while in patient care areas when the recording is for official purposes.
 - Care should be used to limit recording to the parties involved in the event being investigated.
- b. Troopers will not activate a BWC while on the grounds of any public, private, or parochial elementary, middle school, high school, or college unless required for official law enforcement action.

8. Community Events

- a. Troopers are not required to activate a BWC while engaged in State Patrol-related duties, such as public relations or community service events, meetings with community groups or with public officials, funerals, promotion ceremonies, or honor guard details unless directed by a supervisor or when required by law or policy.

9. Overtime and Off-Duty Events

- a. Troopers shall activate their BWCs during overtime and off-duty events as required by policy and law or directed by a supervisor.
- b. The assignment supervisor will direct BWC use for dignitary protection assignments.

10. Ceremonies

- a. Members required to wear a BWC per policy are not required to wear them for any formal ceremony or event, to include but not limited to:
 - Funerals
 - Graduation Ceremonies
 - Promotion Ceremonies

D. Restricted Recording

1. Troopers shall not use the BWC in the following situations:
 - a. To make [recordings](#) for any use unrelated to official law enforcement duties.
 - b. To record private conversations with other members or members of outside agencies.
 - Conversations during an active investigation are not considered private.
 - c. During encounters with undercover officers or confidential informants.

- d. During meal breaks.
 - e. During official work briefings.
 - f. During administrative conversations with supervisors (e.g., counseling, professional development, discipline, etc.); or
 - g. In places where a reasonable expectation of privacy exists (e.g., detox, medical and/or healthcare facilities, locker rooms or restrooms, etc.) unless the activation is for official law enforcement activity, such as a call for service, or if policy requires the activation.
2. A BWC will not be activated during training events unless the use of the camera is outlined in the lesson plan. BWC use is authorized as part of Academy Training and Field Training.
 3. If a trooper records activity or is aware of another member who has recorded activity prohibited by this subsection, they shall immediately notify their supervisor.
 4. As defined in this section, BWC [recordings](#) made inadvertently or accidentally will be reported to a supervisor immediately upon discovery.
 - a. Troopers can request the [recording](#) be deleted by submitting a CSP Body-Worn Camera Memorandum to their immediate supervisor.
 - b. Supervisors will forward the requests through their Troop Commander to the BWC Program Administrator.
 - The recording will be moved to [restricted access](#) status.
 - c. The [BWC Program Administrator](#) will review the request and make a deletion determination.
 - The BWC Program Administrator has the sole authority to authorize the deletion of a recording in [Evidence.com](#).
 - d. The trooper will be notified through channels of the final disposition of the recording.

E. Reports

1. Troopers using a BWC shall indicate that the BWC was activated in their reports or citation notes.
2. Troopers shall document the existence of BWC recordings by other troopers or officers involved in the incident in their incident report, including the assisting officer's rank, first and last name, and agency.

F. Equipment Use and Maintenance

1. Troopers will only use BWCs that the State Patrol issues. Privately owned cameras are prohibited.

2. Troopers shall not use a BWC unless they have completed formal State Patrol training.
3. Troopers are required to maintain the BWC per DPA, CDPS, and CSP policy.
4. Troopers shall ensure that their BWC is functioning properly at the beginning of every shift by performing a function check that includes:
 - a. Verifying adequate battery life.
 - b. Ensure adequate storage capacity.
 - c. Ensuring proper fit on the trooper's uniform.
 - d. Ensure BWC displays Ready on the LCD; and
 - e. Document the BWC function check with a 5-second test recording prior to going on duty. This recording will be tagged and categorized as a "Test" for retention purposes.
5. Once the BWC function check is complete, the BWC should remain in [Buffering Mode](#) for the duration of the shift apart from times of activation into [Event Mode](#).
6. Troopers will wear the BWC affixed to the uniform using the issued mounts.
 - a. Troopers in Class A, B, Executive Security Bicycle, Motor Trooper, STAR Team, SOAR Team, or CAT Team uniform will wear the BWC on the chest, at a height, to ensure the BWC lens isn't obstructed during the use of a taser or firearm.
 - Members should verify their BWC is positioned correctly using the viewer program on either an MDC or a state-issued cell phone.
 - Troopers with the rank of Captain or above may wear the BWC in the same manner as listed above or on the belt line facing forward.
 - b. Troopers in Class C, D, E, or other uniform may wear the BWC in the same manner as listed above or on the belt line facing forward.
 - c. Any request for alternate uniform mounting locations must be approved, in writing, by the troop/section commander.
7. When the BWC is not in use, it must be stored in a secure location at either the troop office, the vehicle's trunk or other secure container out of public view, or the trooper's residence.

B. Malfunctions

1. Any damage or malfunction of the BWC shall be reported to the on-duty or on-call supervisor immediately.
 - a. The trooper shall notify the regional communications center of any damage or malfunction of the BWC, and documentation shall be made in CAD and any incident report, if applicable.

- b. The trooper will submit an OIT ServiceHub repair ticket.
2. When advised of a damaged or malfunctioning BWC, the supervisor will advise the [troop BWC administrator](#) as soon as practicable. The supervisor may issue or authorize the issuance of the troop's spare BWC and ensure it is properly assigned to the trooper with the damaged or malfunctioning BWC.
 - a. If no replacement BWCs are available, the supervisor shall immediately notify the troop BWC administrator and document the non-use.
 - b. The regional communications center will be updated on the trooper not having a BWC for the duration of the shift.
3. The troop BWC administrator shall notify the [BWC Program Administrator](#) or designee of the damaged or malfunctioning BWC to coordinate the repair or replacement of the BWC.
 - a. The troop BWC administrator shall document the serial number of the damaged or malfunctioning BWC and send the BWC to the BWC Program Administrator.
 - b. The troop BWC administrator should log the replacement BWC's serial number in the Issued Equipment Log.

C. Upload Procedures

1. Troopers will tag each [recording](#) with the appropriate ID, Title, and Categories or verify CAD has auto-tagged as soon as practical after recording, but no later than the end of their work week, including any overtime or special events worked.
2. All recordings attached to a felony or critical incident, or those deemed necessary by a supervisor, will be uploaded before the end of the shift. All other recordings must be uploaded before the end of a trooper's weekly shift.
 - Exceptions to this requirement may be granted by a supervisor based on operational requirements.
3. Supervisors shall upload a trooper's BWC [recordings](#) when the trooper is unable to do so due to unforeseen circumstances.
4. [Troop BWC Administrators](#) will be trained in the process of receiving BWC media from other agencies and to properly categorize and label that media within their case files on Evidence.com.
5. The [Evidence.com](#) Case ID shall be titled with the Case Number. If no case number is associated, then use the CAD ID number.
6. Only the specific number will be used in all cases, i.e., 1A238888, 1A231009000251632. No dashes, descriptions, or other text will be used in the Case ID field. Additional information can be added to the description field below the Case ID. Access to and Viewing of BWC Recordings
7. General Access

- a. All [recordings](#) from BWCs and any additional media uploaded to the State Patrol's Evidence.com account are the sole property of the State Patrol. Access to the stored media shall be restricted to and audited by State Patrol members only.
- b. [Evidence.com](#) automatically documents and logs any access to stored media, including the member's name and terminal that accessed the media.
- c. Only [authorized](#) users shall access the BWC files in Evidence.com.
 - Authorized users shall not provide their login or password information to other members.
- d. Access to stored media is only permitted through authorized mobile devices, mobile data terminals, and agency computer workstations.
- e. All BWC recordings may not be used, printed, copied, scanned, emailed, posted, shared, reproduced, or distributed in any manner unless for official law enforcement purposes.
 - This prohibition includes the posting or sharing of any State Patrol photographs or recordings on personal websites or social media applications, including, but not limited to, Facebook, Twitter, YouTube, other public safety agency websites, or emails or text messages sent to any person outside of the State Patrol.
- f. BWC recordings shall not be edited (other than redaction by an authorized member), deleted, re-recorded, obstructed, [tampered](#) with, or disseminated to or shared with someone who does not have a direct interest in the case surrounding the recording. Chain-of-custody and retention schedules shall be followed in accordance with CSP Policy 3.05.0201 (Release and Disposition of Records).

8. Trooper Access

- a. Troopers may view their [recordings](#) to prepare official reports and investigations except when involved in a critical incident.
- b. Troopers may view their recordings prior to court appearance or testimony to refresh recollection or in cooperation with the prosecuting attorney in pre-trial.
- c. Troopers may only access recordings of other troopers who had direct involvement in their incident. A supervisor must approve permission to view these recordings.
- d. Troopers are not authorized to play back a BWC recording for citizen viewing. Troopers will direct citizens who request a copy of a BWC recording to the State Patrol website for instructions on filing an open records request.

9. Supervisory Access

- a. Supervisors will have access to view BWC recordings for the troopers within their span of control except for cases that have [restricted access](#).
- b. Supervisors are required to review all BWC recordings in the following circumstances:
 - Use of force.
 - Display of force.
 - All pursuits.
 - On-duty injuries.
 - Suspect injury, whether before or while in custody.
 - Forced entry into a vehicle or building.
 - All trooper involved crashes; and
 - Allegations of misconduct.
- c. Supervisors must also complete the monthly video review goal given to them in Axon Performance; the Technology Services Unit (TSU) will set this goal in the Axon Performance application.
 - On the first day of each month, the Axon Performance application will select videos for each Supervisor to review.
 - These videos will be selected by Axon Performance based on the categories set by TSU.
 - Each video review will be at a minimum of 10 minutes in duration.
 - TSU can adjust this time requirement during the year to accommodate a video review of a DUI or other arrest.
 - Each video must be reviewed using one or more of the 12 criteria listed in Axon performance. Supervisors will check the appropriate review criteria box(es). Multiple boxes can be checked for each review.
 - The criteria selections of (Recommendation for Agency Action) and (Action Rising to Agency Review) will be entered into BlueTeam.
 - Recommendation for Agency Action: is for videos when a supervisor observes a concern with policy, procedure, practice, training, or equipment that is of statewide concern and should be reviewed by the Agency. A BlueTeam entry (Video Review) shall be created.
 - Action rising to Agency Review: is for videos when a supervisor observes a required BlueTeam entry, i.e., pursuit, use of force, that have not been reported.

1. Commanders are responsible for establishing procedures for transferring BWC recordings between the State Patrol, other law enforcement agencies, and district attorney offices in their districts.
2. Procedures for inter-agency transfers shall be documented at the troop level and available to the BWC Program Administrator upon request.

E. Training

1. The [BWC Program Administrator](#) is responsible for ensuring that each [Troop BWC Administrator](#) is properly trained on the duties and responsibilities of BWC administration.
2. Commanders shall ensure that each trooper assigned a BWC receives formal State Patrol training in its care and operation prior to using it.
3. Training shall be coordinated among the Training Services Branch (TSB), the BWC Program Administrator, and the Troop BWC Administrators.

F. Retention

1. All BWC recordings shall be retained in accordance with the State Patrol records retention schedule within CSP policy 3.06.0103 Digital Property and Evidence.
2. The retention period for a BWC recording begins from the date the recording is categorized in Evidence.com.
 - Unclassified recordings will be auto deleted in 2 years.
3. Troopers are required to categorize their BWC recordings with the appropriate tag based on the disposition of the incident.
4. The troop BWC administrator and the BWC Program Administrator or designee may change the categorization of any recording within Evidence.com as needed.
5. BWC recordings related to a criminal case may be retained for longer periods than outlined in the retention schedule if required by the local district attorney's office.
 - BWC recordings related to a criminal case may be deleted upon receipt of a case disposition notice from the district attorney's office.
6. BWC recordings related to a civil lawsuit against State Patrol or the member shall be retained until the Attorney General's Office approves destruction.

G. Public Records Requests

1. BWC [recordings](#) may be released in accordance with the Colorado Open Records Act (CORA) and the Colorado Criminal Justice Records Act.
 - Some BWC recordings may be exempt from release by law.
2. The process to request BWC recordings is outlined in CSP Policy 3.05.0201 (Release and Disposition of Records).

H. Program Administration

1. The [BWC Program Administrator](#) has the sole authority in the State Patrol to authorize the deletion of BWC recordings.
 - The BWC Program Administrator will coordinate any audits of BWC recordings, including audits with the Office of Information Technology (OIT).
2. The [Troop BWC Administrator](#)'s role is to:
 - a. Act as the BWC subject matter expert for the troop/section.
 - b. Track and maintain a log of BWCs within the troop/section.
 - c. Schedule maintenance and replacement of BWCs; and
 - d. Submit, through channels, any CSP Body-Worn Camera Memorandum requests to the BWC Program Administrator for the deletion of accidental and/or inadvertent recordings.
3. The BWC Program's training and policy shall be reviewed annually by TSU, TSB, and the Accreditation Unit.
 - The TSB Branch Commander, in coordination with the BWC Program Administrator, may determine the use of BWC recordings for training purposes with the approval of the Executive Command Staff.
 - Troopers' permission to use BWC recordings for training should be obtained prior to being used for training.

ADMINISTRATIVE PROCEDURES

A. Trooper Using the BWC

1. Ensure the BWC [recordings](#) are tagged and uploaded to [Evidence.com](#).
2. Continually ensure adequate storage is available on the BWC during a work week.
3. Document the use of a BWC on citations, reports, and any other applicable documents, as well as if or when the BWC was deactivated or muted.
4. Report all damaged or malfunctioning BWCs immediately to a supervisor and complete an OIT ServiceHub ticket.
5. Complete a CSP Body-Worn Camera Memorandum for any incidents of failure to activate or to reactivate.
 - Do not document damaged or malfunctioning BWCs in the CSP Body-Worn Camera Memorandum that are not directly related to the failure to activate or to reactivate the BWC for the incident.

B. Supervisors

1. Ensure members are appropriately classifying and using the BWC system.

2. Review required incidents.
 3. Ensure broken or damaged equipment is documented correctly and issued a replacement BWC if necessary.
 4. Forward any CSP Body-Worn Camera Memorandum for non-maintenance-related failure to activate or reactivate the BWC to the troop/section commander.
- C. Troop/Section Commander
1. Review the CSP Body-Worn Camera Memorandum for non-maintenance-related failure to activate or deactivate the BWC and forward it to the district/branch commander.
- D. District/Branch Commander
1. Review the CSP Body-Worn Camera Memorandum for non-maintenance-related failure to activate or deactivate the BWC and determine disciplinary action, if necessary.
- E. Command Staff
1. Evaluate any high-profile recorded incidents for potential training or equipment needs and organizational learning and growth opportunities.
- F. [Troop BWC Administrator](#)
1. Maintain a log of all BWCs within the span of control.
 2. Manage all damage and malfunction reports and forward them to the BWC Program Administrator.
 3. Ensure OIT and ServiceHub tickets are completed for all damaged and malfunctioning BWCs.
- G. [BWC Program Administrator](#)
1. Maintain and distribute all inventory related to the BWC Program.
 2. Handle all requests to delete BWC media.
- H. Central Records Unit
1. Ensure all requests for BWC digital media are in accordance with CSP Policy 3.05.0201 (Release and Disposition of Records).
 2. Process any CSP 402 (Request for Criminal Justice Information) or other submitted written records for BWC digital media.
 3. Assess and receive fee payment for the requested and provided digital media.
 4. Provide a revenue receipt as required.
- I. Professional Standards Section

1. If applicable, only PSS will complete and submit P.O.S.T. Form 13C – Notification of Unlawful Use of Body-Worn Camera or Dash Camera.

RELATED RESOURCES AND FORMS

- [CSP 224 - CAD Dispo Codes/Evidence.com Category](#)
- [CSP 402 - Request for Criminal Justice Information](#)
- [CSP Body-Worn Camera Memorandum](#)
- Form 13C - Notification of Unlawful Use of Body-Worn Camera or Dash Camera

APPENDIX A

TROOP/SECTION Special Recording Consideration

Any uniformed member who is not acting within the scope of the duties listed below and who is on duty and clearly identifiable as a law enforcement officer shall abide by the policy guidelines listed above.

A. Training Academy

1. Uniformed members assigned to the Training Services Branch are not required to wear a BWC while instructing or training on academy grounds. Those members should have access to their BWC in the event they are called to perform enforcement action, and putting on a BWC is safe and practical.
2. BWC [recordings](#) created by cadets are training aids only and will be retained for the duration of that cadet's training period.
 - Any recordings that rise to the level of member discipline may be restricted and retained until the disciplinary action is adjudicated.

B. Aircraft Section

1. Pilots are not required to wear a BWC while performing duties regularly associated with the Aircraft Section.
2. Any law enforcement officer who is riding in the aircraft shall not have an LTE-enabled BWC on or activated for the duration of the flight.
 - If a law enforcement officer from another agency is on a State Patrol aircraft and performing law enforcement duties, they may be given a State Patrol BWC that does not have LTE capabilities.

C. ISS/ STIS

1. Troopers assigned to ISS and STIS do not need to wear a BWC while performing undercover or plain-clothes detail.
2. Troopers assigned to ISS and STIS do not need to activate a BWC during lengthy investigations where enforcement action or interaction with the public is not likely;

this includes vehicle processing and CIRT/OIS crime scenes unless requested to do so by a lead investigating agency.

- a. ISS and STIS Troopers should have their BWC available and mounted to an external vest in the event they need to take enforcement action.
- b. If the trooper is in plain-clothes but taking enforcement action, a BWC should be worn if safe and practical to do so.

D. VCU

1. Troopers assigned to VCU do not need to activate a BWC while performing crime scene investigations and [contact](#) with a member of the public is not likely. This includes during drone operations or mechanical inspections either on scene or at a tow yard.

E. HAZMAT

1. Troopers assigned to HAZMAT do not need to activate a BWC on scenes that they deem unsafe.
 - a. HAZMAT Technicians are the subject matter experts and may direct other law enforcement personnel to remove or turn off BWCs at unsafe scenes.
 - b. An audible explanation must accompany any deactivation of a BWC that is actively [recording](#).
2. If performing a roadside inspection or checkpoint, a BWC shall be worn.

F. MCSAP

1. Troopers assigned to MCSAP do not need to activate a BWC while in a place of business (including a private residence where a company operates) while performing a safety audit or compliance review.
2. If a MCSAP Trooper is called to or happens upon an active HAZMAT scene and their BWC is activated, an audible explanation of the deactivation must occur prior to turning the BWC off.
3. If performing a roadside inspection or checkpoint, a BWC shall be worn.

G. ESB

1. Troopers assigned to or assisting ESB will not use BWCs to gather intelligence based on First Amendment-protected activities where there is no reason or suspicion of violation of law, and there is no direct interaction between a member of the public and a trooper (ref 28-CFR-23).
2. Due to the sensitive nature and information surrounding the legislative body, the Governor, the Lieutenant Governor, and the rest of the Executive Branch of the State of Colorado, ESB Troopers will evaluate each situation separately when determining

whether to record an interaction with any of these persons, unless it falls under mandatory recording criteria.

3. CRT (Critical Response Team) Troopers are required to wear a BWC during normal day-to-day operations except in the following circumstances:
 - a. While performing undercover functions or operations; and
 - b. While performing duties when assigned to a dignitary protection detail or the Governor's Executive Protection detail.
 - I. STAR (Special Tactics and Response) Troopers are required to wear BWCs. STAR troopers will be required to activate their BWC under Operational Procedure activations or when directed by the STAR Team Commander (Captain or OIC).
 - II. CATT (Counter Assault Tactical Team) Troopers that are assigned to specialized training, a dignitary protection detail (i.e., POTUS, VPOTUS, etc.), or to the Governor's Executive Detail will not utilize a BWC due to the sensitive nature of the assignment. If the CATT is assigned to a STAR component or any other assignment, a BWC will be utilized.
 - III. Governor's Executive Protection Detail (GPD) assigned troopers will not be required to wear a BWC.
4. Explosive detection canine handlers assigned to ESB will not be required to activate their BWCs during daily security sweeps of the Capitol, capitol complex, Judicial building, or while performing sweeps for the Governor's Executive Protection detail or requested motorcade and venue security sweeps for visiting dignitary protection details. If, during a routine security sweep, the explosive detection canine handler encounters a situation that falls outside the scope of the routine security sweep, they will be required to activate their BWC for that incident. For any dispatched call for a canine sweep (unattended bags, bomb threats), the explosive detection canine handlers will activate their BWCs.
5. ESB Security Officers
 - a. The security officer must observe and report information.
 - b. Security Officers will check out a BWC at the beginning of their shift from the docking station at the Power Plant. They will wear their BWC any time they are on duty.
 - c. Security Officers will return their BWC at the conclusion of their shift to the docking station. Security Officers will not take home a BWC for any reason.
 - d. Security Officers will activate their BWC in the following circumstances:
 - I. Any time a pedestrian [contact](#) is made:
 - II. Any time a volatile person or situation is encountered.

- III. Any time they feel threatened.
- IV. Any time a mentally unstable person is encountered or
- V. Any time a crime is being committed. Security Officers will observe and report from a safe distance and will not act.