I. PURPOSE:

The purpose of this policy is to provide guidelines for the use of Body Worn Cameras (BWCs) by Canton police officers, to ensure the efficient operation of the program, to maintain evidentiary integrity and to provide a chain of custody which will ensure proper preservation of evidence that may be required in court proceedings.

Use of audio/visual recordings is intended only for official department business. Any other use is expressly prohibited without the authorization of the Director of Police Services or their designee.

II. POLICY:

It is the policy of the Canton Police Department that body worn cameras shall be used by all Canton police officers in the normal course of operations. Body worn cameras shall be operated and maintained in compliance with this Policy.

The Canton Police Department recognizes that video images do not always reflect the full story, nor do they capture the entire scene. Accordingly, the use of body worn cameras does not reduce or eliminate the requirement to provide thorough written documentation of an incident. Persons reviewing recordings must be cautious before conclusions are reached about what the recordings show.

III. DEFINITIONS:

BODY WORN CAMERAS (BWCS) – are camera systems designed to be worn by police officers to capture digital multimedia evidence.

DIGITAL MULTIMEDIA EVIDENCE (DME) – Consists of all digital recordings to include but not limited to audio, video, photographs and their associated metadata.

METADATA – Includes any digital identifiers that are captured as part of an actual recording, such as date, time, GPS coordinates and labeling, etc.

IV. PROCEDURES

A. Requirements and Restrictions for Activation/Deactivation
   1. Activation
      a. Body worn cameras shall be utilized by uniform officers during every shift worked, unless otherwise authorized by a supervisor.
      b. Officer and citizen safety shall be taken into consideration when activating the body worn camera. In such an instance, the body camera shall be activated as soon as it is safely possible to do so.
      c. When an officer fails to activate the camera, fails to record an entire contact or interrupts a recording, the officer shall document the reason why a recording was not made, was interrupted or terminated.

d. In cases of an intentional video deactivation or audio muting of a recording after an incident is stabilized but before the conclusion of the event (i.e. conferring with a command or other officers), the reason shall be documented by the officer in the form of a verbal announcement prior to deactivating the recording. The recording will be subsequently re-activated for the conclusion of the event.
e. Officer(s) are encouraged to verbally narrate with the recording while preparing to make a stop or have contact with an individual or vehicle. Describing details that are not readily apparent from the captured audio or video is intended to assist in supporting probable cause for the stop or contact, and further, to aid in report writing.
f. Except as otherwise provided in this Policy and with limited exceptions, officers shall be required to activate their body worn cameras when responding to all calls for service and during all law enforcement-related encounters and activities that occur while the officer is on duty.

2. Activation
   a. Officers may deactivate their body worn cameras in the following circumstances:
      1. The event has concluded.
      2. Contact with the victim/witness has concluded.
      3. All persons detained have been released.
      4. Once an arrestee is placed under arrest and into a patrol car for transport to the Canton Police Department.
      5. Communications with other police personnel that involve case strategy or tactics.
      6. Any place where recording may be prohibited by law.

3. Expectations
   a. Cameras shall not be activated during the following unless there is criminal activity taking place:
      1. When speaking with an informant providing intelligence concerning criminal activity.
      2. Encounters with or conversations concerning undercover officers.
      3. Communication with other personnel during daily, routine, non-law enforcement activities.
      4. Administrative activities, including meetings with supervisors.
      5. Death notifications.
      6. Interviews with witnesses and victims that specifically request to not be recorded, persons refusing entry to a home or other location, or in areas where recording is prohibited. In these situations, the officer may cover the lens or turn the camera around so that video is not captured.

      7. Communication with other police personnel that involve case

strategy or tactics.

8. When an officer is on break or is otherwise engaged in personal activities.
9. Locker rooms and bathrooms.
10. Privileged conversations; including those with legal counsel, clergy, victim's advocate, confidential safety planning during LAP screening, etc.
11. During strip searches unless:
    i. The search turns into criminal behavior such as assaultive in nature towards the officer.
    ii. The subject is not assaultive but non-compliant and the search is forced.
    iii. Recording should occur of all attempts to gain voluntary compliance, refusal of same and the forced search should become necessary.
12. When recording in hospitals, ambulances or other medical facilities, officers should be careful to avoid recording persons other than the ones involved in the event being investigated. This does not prohibit the recording of medical events as a direct response for call for service; i.e., overdoses, accidents, if the patient becomes adversarial with the officer, etc.
    i. Additionally, officers will take into account HIPAA considerations when dealing with medical and psychiatric patients. Officers should normally turn their camera off when at a medical facility, and when a clinician is interviewing a subject regarding matters unrelated to a criminal investigation.
13. BWC shall not be remotely activated by dispatch or a command officer solely for verifying policy compliance or to inquire on a user's current actions.
    i. This provision does not prohibit dispatch or a command officer from using technological capabilities to locate an employee who is feared to have been harmed and/or incapacitated and who may need immediate aid.
    ii. Use of remote activation features shall be employed judiciously and solely for employee safety or in a circumstances when employees would likely know their devices are being activated, e.g. active threat incident, officer involved shooting.
    iii. Remote activation of the body camera will be performed by a Dispatch Supervisor when conducting their monthly inspections of said system. Prior to the inspection taking place the officer will be advised, by the Dispatch Supervisor, that their body camera will be remotely activated and viewed.

4. SROs and their usage of body cameras

a. SROs are not to record casual conversations between themselves and students, teachers or district staff. SROs may record under the following circumstances:
    1. Whenever they feel a criminal act has or is taking place. Audio/video of criminal activity is evidence and shall be treated accordingly.
    2. Whenever asked to do so by a member of the school administration for the purposes of documenting interviews or violations of district policy that may or may not be used in disciplinary matters. Officers are encouraged to secure a recording of the school administrator formally making the request.
b. Audio/video recorded by an SRO within a school or upon its property that is not deemed to be criminal in nature shall become the property of the school district. Federal Educational Rights & Privacy Act (FERPA) governs the release and distribution of all records involving students in schools.
c. SROs shall:
    1. Download their body camera in accordance with policy at the end of their shift.
    2. The SRO shall communicate to a command officer whether or not the audio/video is of a criminal/evidentiary nature and flag the video as such.
    3. The audio/video shall be exported and given to the school district.
    4. All non-evidentiary audio/video shall be the sole property of the school district and the audio/video shall be deleted from the department's network server.

5. Non-Uniformed Detectives/Officers
    a. Non-uninformed officers and/or detectives shall activate their body worn cameras whenever there is a reasonable expectation that enforcement action will be taken. This includes the execution of search warrants.

B. Criminal and Administrative Use of Camera Captured Data
1. Body worn camera equipment and data, images, video, audio and metadata captured, recorded or otherwise produced by the equipment is the property of the Canton Police Department. The personal use of information recorded by body worn cameras shall only be permitted upon the prior written approval of the Director of Police Services or their designee.
2. Use of body worn cameras for any purposes other than in accordance with this Policy is prohibited.
3. All data, images, video, audio and metadata captured by body worn cameras are subject to state statute regarding retention of records.
4. Officers are expressly prohibited from altering, reformatting or erasing any recording made by the body worn camera.
5. Officers shall not edit, alter, erase, share or otherwise distribute in any manner, duplicate, or copy in any manner (including the use of a personal cell phone or recording device to record off of a computer monitor) recordings without authorization or approval from the Director of Public Safety or their designee, other than department owned devices for

official business.

a. Any recording (video/audio or photographic) captured on personal or departmental recording devices such as, but not limited to, cellphones, tablets, laptops, etc., that are used during any departmental activity, is the property of CPD. OPERATIONS POLICY - MOBILE AUDIO/VIDEO RECORDER O: 60.

6. Any theft, intentional misplacement, alteration, sabotage, abuse, misuse, intentional destruction or obstruction of any recording device or recording is prohibited and will result in disciplinary action up to and including discharge.
   Body worn cameras shall be utilized by uniform officers during every shift worked, unless otherwise authorized by a supervisor.
   a. Officer and citizen safety shall be taken into consideration when activating the body worn camera. In such an instance the body camera shall be activated as soon as it is safely possible to do so.

C. Data Storage and Retention Requirements
   1. Digital recordings and retention
      a. At the beginning of their tour of duty, each officer shall activate the camera and record themselves stating their name on camera unless the officer is assigned a permanent camera.
      b. Recorded audio/video files are to be securely uploaded to the department server network no later than the end of the officer's tour of duty by placing the camera in the charging/docking station.
      c. Prior to the end of their shift, officers shall log into the camera software on the computers in the report writing room to electronically tag any media that may be needed at a later date which shall include all of the following:
         - O.W.I. arrests
         - Any arrests resulting from a felony stop.
         - Any pursuit.
         - Any incident involving an assault on a police officer.
         - Any incident where physical force is necessary and used in order to affect an arrest.
         - Any video that may be of evidentiary value in a criminal or civil proceeding.
         - Any citizen encounter that, in the opinion of the officer, may result in the filing of a complaint against the officer, agency or Township, i.e. criminal and civil rights violations, profiling etc.
         - Any emergency vehicle operation that results in an accident in which the officer is involved or that is recorded during the emergency operation.
         - When a supervisory officer orders an incident tagged.
         - Any recording an officer deems a supervisor should review and items an officer is mandated to report under this or any other policy.
         - Any time an officer knows they are being recorded by a citizen.
      d. Officers will not have access rights which will allow deletion or modification of any part of the recorded audio/video files.
      e. Tagged media will be saved in the server for a minimum of 90 days. Tagged

videos are then stored in (digital) format by the system. All other media that has not been identified as evidence or electronically tagged shall remain in the system for 90 days.

f. Recordings that are needed for court shall be requested through the property clerk. The property clerk shall then create a DVD of the file for the officer.

g. Information on tagging of videos that are not to be released to the public and are set for disposal due to their sensitive nature; such as accidental recordings in restrooms, etc.

1. Requests for deletions of recordings shall be made in writing and signed by the Deputy Chief. The final decisions shall be kept on file.

D. Equipment Maintenance and Inspection Procedures

1. The BWC shall be checked for proper operation before the start of each shift and the condition shall be logged on the officer's daily. Any malfunction or related problem shall be reported immediately to a command officer.
2. Officers shall maintain the body worn camera in a state of operational readiness. Operational readiness means the camera has adequate battery life, available storage and is properly affixed to the uniform. Uniform coats and/or sweaters shall not be worn in such a fashion as to cover or obstruct the camera lens.
3. In situations when the officer knows they will utilize the body worn camera for evidentiary purposes, the officer will attempt to position the subject(s) involved within the viewfinder of the camera in order to tape record the subject's actions/statements.
4. Except as otherwise provided in this policy or any other policy, rule or regulation of the Canton Police Department, all enforcement activity shall be recorded continuously from beginning to end.

E. Training Requirements for Users and Supervisors

1. Prior to utilizing a body worn camera, officers shall be trained in their usage by a department trainer or command officer, to include:
   a. Beginning and stopping recording functions.
   b. Uploading videos to the server.
   c. Reviewing videos.
   d. Tagging of videos.
   e. Department policy on the considerations and usage of body worn cameras.

F. Requirements for Documented Review of Camera Captured Data

1. Each platoon is to conduct three (3) monthly inspections of their body worn camera systems utilizing CPD-257, to ensure the equipment is working and officers are abiding by department policy. Administrative Policy A:10 INSPECTION PROGRAM PERSONNEL, BUILDING, AND VEHICLES.

G. Penalty

1. Violations of this Policy may subject the employee to progressive discipline as set forth in their respective Collective Bargaining Agreement or the Merit Policy, whichever is applicable, up to and including discharge.

Review Date: November 2027