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## **Body Worn and In-Car Cameras**

### **I. Policy**

The department will use body worn cameras and in-car video systems to strengthen investigations, promote positive community relationships through transparency, and enhance officer training and accountability. This policy will establish guidelines for the use of body worn cameras and in-car video systems along with the storage and retention of videos they collect, and release of those videos to interested parties. Division commanders may grant exemptions to this policy.

### **II. Definitions**

Body worn camera (BWC) – The approved device, capable of recording audio and video, worn on the officer and used to capture official interactions with the public.

In-car video system – The approved video system, permanently mounted in designated vehicles, used to capture official interactions with the public within view of the fixed cameras.

Officer – As referred to in this policy, “officer” includes all employees, sworn and civilian, who have been trained and equipped with a video recording device to record interactions with the public in their official capacity.

### **III. General procedures**

#### **A. Training, equipment and use**

1. Only BWCs and in-car video systems issued and installed by the department are authorized for use in any official capacity. Training on this policy and related equipment are required prior to use.
2. The BWC or in-car video system shall only be used while working on or off-duty in an official capacity.
3. Officers are responsible for providing reasonable care of all video recording equipment, ensuring that it is functioning properly and promptly reporting any failure to a supervisor.
4. Pursuant to Iowa law, officers are not required to inform citizens of the presence of a BWC or in-car video system.
5. Officers shall document the presence of BWC and in-car video recordings in written reports. However, the recordings should not take the place of written reports or primary evidence documentation procedures, such as digital photographs.

#### **B. Policy compliance audits**

1. The Professional Standards office will perform quarterly audits to ensure officers are using the BWC and in-car camera systems in accordance with this policy.
2. Approximately ¼ of trip-responsive officers will be randomly selected for audit each quarter.
  - a. With a goal of full audit coverage for trip-responsive officers, audits will be structured so each officer is audited at least once per year.

3. Audits will be documented to include observations of compliance and any identified issues or discrepancies.

C. Issuance of BWC

1. A specific BWC and extra battery will be assigned to each officer for on or off-duty assignments.
2. The BWC battery shall be charged or replaced by the officer when needed to keep the camera functioning.
3. Officers shall only use a BWC that has been assigned in their name.
4. In the event a BWC becomes lost, stolen, damaged or defective, a limited number of temporary spares are available for check out by the on-duty records section supervisor with appropriate documentation.

**IV. Body worn cameras**

A. Mandatory wearing by officers:

1. In uniform and assigned to respond to calls for service during their on-duty shift (patrol, traffic, NBSD, airport, etc.)
2. Deployed during any Metro STAR operation for the duration of the operation (search warrants, entry, hostage, dignitary protection, etc.)
  - a. Supervisors may grant individual exemptions based on specific duties.
  - b. Outside agency officers assigned to the Metro STAR unit will follow their agency's policy on the use of BWCs.
3. In plainclothes, such as detectives and narcotics officers, during any field work related to their job function. Supervisors may grant temporary exceptions based on operational duties, such as undercover assignments.
4. While performing off-duty police work

B. Discretionary wearing by officers:

1. Assigned primarily to administrative, office or support functions
2. Assigned to or under the direction of any multi-agency task force or partnership at the direction and discretion of the Chief of Police or designee

C. Positioning

1. Officers shall be cognizant of the location of the BWC on their person to reduce the potential of anything blocking the camera lens. For those officers,
  - a. In uniform, the device will be positioned on the upper torso and the camera lens aimed level with the horizon.
  - b. In plainclothes, in addition to the upper torso, the device may be worn on the belt with the camera lens aimed properly.

**V. Recording protocol**

A. General application

1. Even when not required, an officer has discretion to activate the camera any time they believe it would be appropriate or valuable to document the interaction for legitimate law enforcement purposes. If an officer is unsure if activation is required or not, the officer should activate the camera.
2. Officers are not expected to jeopardize their safety in order to activate the BWC or in-car video system.
3. Officers who discover they failed to properly record an incident shall:
  - a. Begin recording immediately if the incident is still in progress.
  - b. Notify a supervisor at the conclusion of the incident.

(1) Determine whether a record-after-the-fact recovery should be attempted.

**B. Mandatory recording**

1. Officers are expected to record the following interactions:
  - a. Upon arrival at the scene of a call for service or other activity
  - b. Any encounter that is investigative, enforcement-related, or confrontational in nature
  - c. In police vehicles equipped with an in-car video system, anytime:
    - (1) The vehicle is being operated in emergency mode.
    - (2) A suspect or prisoner is in the police vehicle, or when transporting a citizen during a public assist.

**C. Discretionary recording**

1. There are situations where the officer may use discretion to record the interaction, such as:
  - a. When interviewing a victim of sensitive crimes such as sexual assault, child abuse, etc.
  - b. While inside a medical facility to prevent sensitive, private, or unnecessary recordings
  - c. During a non-confrontational situation if the person says they are unwilling to provide a recorded statement or if requested to not record in sensitive places
  - d. When conducting tactical planning or discussing charging decisions
  - e. While performing non-enforcement activities where no law enforcement action is anticipated
  - f. During routine conversations with citizens that are unrelated to any official duties or when no adversarial events are ongoing
  - g. When there is no evidentiary value or with supervisor approval

**D. Prohibited recording**

1. There are situations where intentionally recording the interaction is prohibited. These may include, but are not limited to, the following:
  - a. During casual or administrative conversations with other employees
  - b. Encounters with undercover officers or confidential informants
  - c. When on break or otherwise engaged in any nonwork-related activity
  - d. In restrooms, locker rooms, or other places where there is an expectation of privacy and there is no call for service reason to be present
  - e. Recording confidential discussions between individuals, such as attorneys, members of the clergy, peer support counselors, and medical professionals
  - f. During a strip or body cavity search

**E. Ending a recording**

1. Once initiated, officers shall continue recording until:
  - a. The event or circumstance that prompted the activation concludes and/or the officer has physically left the scene or;
  - b. They enter one of the department's designated interview rooms and the recording system is activated.

**VI. Review of recordings**

**A. Officers:**

1. Are responsible for periodically reviewing in-car and BWC videos to ensure their:
  - a. Camera is operating correctly and the camera lens is clear, clean, and aimed appropriately.
  - b. Name is attached to the video.
  - c. Videos are categorized correctly, regularly correcting "unknown" category and officer videos.
  - d. Case numbers are being added when appropriate in the standardized eleven-digit format.

2. Involved in a critical incident are restricted from viewing videos until the officer has provided a formal statement or has received supervisor approval.
    - a. After viewing the video, the officer will be allowed to offer a second formal statement.
    - b. A critical incident may include, but is not limited to:
      - (1) A fatal vehicle accident
      - (2) An officer involved shooting
      - (3) A use of force involving serious or critical injury
      - (4) Any other incident as determined by a supervisor
  3. May review their own videos at any time, subject to the above restrictions, to:
    - a. Prepare accurate reports.
    - b. Assist in any investigation or for legitimate official purpose.
    - c. Prepare for court proceedings.
  4. Implicated in allegations being investigated by Professional Standards will be allowed to view their own video prior to providing a formal statement.
  5. Shall not permit citizens, family, attorneys, etc. to view videos in a police vehicle or on a body camera unless deemed necessary by a supervisor.
  6. Assigned to specific job roles, such as investigations, may be granted access to review recordings of other employees.
    - a. This access is provided to support legitimate investigative needs or to fulfill duties specific to their assignment.
    - b. All such reviews must be for official departmental purposes and in accordance with policy.
- B. Supervisors:
1. Are authorized to review specific officers' videos in the following circumstances:
    - a. Evaluate progress during field training or probation
    - b. Identify videos for training or instructional purposes
    - c. Identify a potential pattern of misconduct
    - d. Monitor progress toward agreed-upon corrective action
  2. Shall review all relevant videos when investigating:
    - a. Use of force incidents, vehicle pursuits or accidents while driving city-owned vehicles.
    - b. Inquiries and complaints and may review the video with citizens, family, attorneys, etc. as necessary.
  3. May restrict or authorize access to any video containing a critical or other particular incident involving any officer.
- C. Public Safety Telecommunicators & other specifically designated personnel:
1. Are authorized to access live video streams from in-car camera systems through the Command Central Aware platform for legitimate department purposes, which include:
    - a. Monitoring officer safety
    - b. Supporting active investigations
    - c. Assisting with ongoing operations or critical incidents
    - d. When requested by an officer
    - e. Other legitimate law enforcement functions
  2. Do not have the capability or authority to remotely activate or deactivate in-car camera recordings.
  3. Are prohibited from creating, saving, or distributing copies, screenshots, or recordings of live video streams, except when specifically required for legitimate departmental purposes and in compliance with applicable policy.
- D. Audit and Accountability

1. All access to video recordings in Watchguard or live streams through Command Central Aware are electronically logged within the respective systems.
  - a. Any misuse or unauthorized access in violation of this policy may result in revocation of access and is subject to disciplinary action.

**VII. Equipment maintenance and inspection procedures**

- A. Employee responsibility
  1. Officers assigned a BWC are responsible for inspecting the device at the beginning of each shift to ensure it is fully functional. This includes checking the battery charge, proper mounting, lens cleanliness, and ensuring the device powers on and records as intended.
  2. If a BWC becomes nonfunctional or is damaged at any point during a shift, the officer shall notify their immediate supervisor as soon as reasonably practical.
    - a. The Digital Evidence Unit must also be notified promptly to initiate a repair or replacement of the camera.
- B. Docking and data transfer
  1. Officers shall regularly dock their BWCs into a transfer station to ensure any required firmware or software updates are downloaded onto the device.
- C. Technology maintenance
  1. The Digital Evidence Unit is responsible for overseeing all BWC technology updates, including software and firmware maintenance. Officers shall not attempt to modify, update, or repair any part of the BWC independently.

**VIII. Storage, retention and release of recordings**

- A. Storage
  1. Officers shall upload all videos no later than the end of every scheduled work shift if involved in a case with evidentiary value.
  2. All videos and associated metadata are the exclusive property of the department and will be stored in cloud-based software maintained by the department's authorized vendor.
  3. Officers shall not attempt to modify in any manner, copy, edit, alter, or erase videos except as authorized by state law and department policy. Accessing, copying, or releasing sounds, images, and associated metadata for non-law enforcement purposes is strictly prohibited.
- B. Retention
  1. All videos will be retained in accordance with applicable laws and department policy. Officers shall categorize each video based on the circumstances of the incident, choosing the longest retention period when an incident could be categorized in multiple ways:
 

a. Death Investigation	Indefinite
b. Felony Arrest	5 years, 45 days
c. OWI	5 years, 45 days
d. Pursuit	5 years
e. Accident Investigation	2 years, 100 days
f. Misdemeanor Arrest	2 years, 100 days
g. Case Made	2 years, 100 days
h. Summons	2 years, 100 days
i. Advisal	2 years, 100 days
j. Equipment Check	30 days
k. Unknown	Indefinite (until categorized properly)
- C. Release

1. Any request for video should be referred to the Digital Evidence Unit.
  - a. The Chief of Police will designate a supervisor to oversee the unit and in partnership with the Public Safety Technology section, they will be responsible for:
    - (1) Management and release of video files
    - (2) System updates and access rights
  - b. There is no expectation of privacy for officers related to incidents recorded by a BWC or in-car video system and any video created may be used without the officer's permission for any official purpose.
2. Videos will be released when required by court order or as otherwise deemed appropriate by the Chief of Police or designee. In addition, videos may be released pursuant to the Iowa open records law. However, consideration will be given to all its exceptions as provided for in the Iowa Code such as, but not limited to:
  - a. Confidential, intelligence and juvenile information
  - b. Videos connected to ongoing investigations

## **IX. Periodic review**

### **A. Annual review**

1. The Digital Evidence Unit supervisor shall conduct an annual review of the body worn and in-car camera program and policy, which may include:
  - a. Audit results and policy compliance
  - b. System usage and performance
  - c. Data storage and security
  - d. Need for any additional user training
  - e. Recommendations for equipment or policy updates
2. The annual review will be forwarded to the Chief of Police for final review and consideration.