



Chapter 7

Policy 711

<b>Chapter Topic</b>	Uniform, Duty Equipment, and Dress Codes		
<b>Policy Subject</b>	Use of Body-Worn and Car-Mounted Cameras		
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<b>Issuing Authority</b>	Burt Buchtinec, Chief of Police		
<b>Applicability</b>	Any personnel issued a BWC or operating a dashcam-equipped vehicle.		
<b>Replaces/Amends</b>	Amends the version of this policy issued on 07-01-2020. Replaces the version of SOP 16-8014 as published on 04-01-2014 by merging it with this policy.		

CHAPTER 7 – UNIFORM, DUTY EQUIPMENT, AND DRESS CODES

Policy 711 - Use of Body-Worn and Car-Mounted Cameras

711.1. PURPOSE

711.1.1. To govern the use of body-worn cameras (BWC) and car-mounted cameras (dashcams) by members of the Emory University Police Department (EPD) so that agency members may reliably record their contacts with the public in accordance with the law.

711.2. APPLICABILITY

711.2.1. This policy applies to personnel issued a BWC.

711.2.2. This policy applies to personnel operating an EPD vehicle equipped with mounted cameras.

711.3. POLICY

711.3.1. It shall be the purpose and intent of the Emory University Police Department to incorporate the use of car-mounted and/or body-worn audio/video devices by all sworn members of the agency. The organizational philosophy for this implementation is multi-faceted and incorporates: (CALEA-LE 41.3.8.a)

- a. Accountability and transparency: BWCs and dashcams can help make police operations more transparent and accountable to the public. They can also help resolve questions about encounters between agency members and the public.
- b. Improve agency member performance: BWCs and dashcams can be used to evaluate the performance of new agency members and identify areas for improvement. They can also help identify agency members who abuse their authority or commit misconduct.
- c. Build public trust: When citizens believe an agency shares their values, they are more likely to trust the department's leadership and agency members.
- d. Improve interactions between agency members and the public: the presence of BWCs and dashcams can help temper the behavior of both agency members and community members, which can lead to more respectful and lawful policing practices.

- e. Reduce complaints: BWCs and dashcams can help reduce complaints against law enforcement.
  - f. Document and preserve incidents: BWCs and dashcams can provide video documentation of incidents that can be used for investigations and prosecutions.
  - g. Improve training opportunities: BWCs and dashcams can be used to provide scenario-based training.
- 711.3.2.** It is the policy of the Emory University Police Department that agency members shall activate the BWC and dashcam when such use is appropriate to the proper performance of official police duties and where the recordings are consistent with this policy and law. (CALEA-LE 41.3.8.a)
- 711.3.3.** The BWC and dashcam equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment are the sole property of this Department.
- 711.3.4.** This policy shall be made public via a link on the Department’s website.

#### **711.4. DEFINITIONS**

- 711.4.1.** Body-worn camera or BWC: the audio/video camera and associated equipment provided to agency members by this Department.
- 711.4.2.** Car-mounted camera or dashcam: the audio/video camera and associated equipment mounted in certain Department vehicles.
- 711.4.3.** Data and files: mean all sound, images, and metadata created by, stored in, and/or downloaded from a BWC.
- 711.4.4.** Metadata: means data that describes other data. The video category, any tags, the case number, the size of the data, and the file name are examples of metadata.
- 711.4.5.** OGC: the Emory University Office of the General Counsel.  
<https://ogc.emory.edu/>.
- 711.4.6.** Redaction: the alteration of video, audio, or text data through deletion or obscuring designated portions of such data.
- 711.4.7.** Risk Office: the Enterprise Risk Management Program.  
<https://busadmin.emory.edu/departments/enterprise-risk/department/>.
- 711.4.8.** Senior Command: Captains, the Major, and the Deputy Chief.
- 711.4.9.** Specific authorization: clear authority to take a specific action or series of actions, at the time the action is taking place, in the manner the action is performed, and for the reason the action is performed.
- 711.4.10.** Video includes video, related audio, and any related data, as applicable, recorded on a BWC or dashcam; also see the definition of “data” and “files,” above.

**711.5. PROCEDURES, RULES, AND REGULATIONS****711.5.1. Administration****a. BWC Issuance**

1. The Quartermaster shall issue BWC equipment to agency members in the following priority, when available:
  - (a) Uniform patrol officers,
  - (b) Detectives,
  - (c) Uniform patrol sergeants,
  - (d) Detective sergeants,
  - (e) Investigations Unit Lieutenant,
  - (f) The Property & Evidence Custodian,
  - (g) Reserve officers,
  - (h) Sworn administrative staff, sworn command staff, and sworn executive/senior command staff in reverse order of rank (lowest rank to highest rank),
  - (i) CSO2s,
  - (j) CSO1s.
2. Should the Department encounter a shortage of BWC equipment, the Quartermaster may reallocate BWC equipment under a temporary alternate scheme by publishing a general order detailing the reallocation scheme; any such general order shall be published in the Department's policy management system and must include condition(s) for self-expiration of the general order. (See Policy 102 - Written Orders Format)

**b. Dashcam Installation**

1. The Quartermaster will ensure each Department vehicle marked for patrol use is equipped with a dashcam system.
2. The Quartermaster may equip other Department vehicles with dashcam systems with authorization from the Chief of Police or their designee.
3. Where a vehicle is equipped with both emergency vehicle lights and a dashcam system, the dashcam system will be configured to activate automatically when the front-facing emergency vehicle lights are activated.

**711.5.2. Inspection, Logging On, and Logging Out, and Maintenance** (CALEA-LE 41.3.8.e)

- a. At the beginning of each tour of duty, each BWC-equipped agency member will inspect and test their BWC; testing includes the following:
  1. Ensuring the device is properly secured to their uniform in an area that most closely captures the agency member's field of view,
  2. Turning the camera on,
  3. Performing a test recording.
- b. At the beginning of each tour of duty, each agency member operating a dashcam-equipped vehicle will inspect their car-mounted camera system; testing includes the following:
  1. Ensuring the microphone clip will securely clip the microphone to their uniform,

2. Turning the camera on,
  3. Logging in to the car-mounted camera,
  4. Performing a test recording.
- c. Agency members will report actual or potential problems with the equipment's operating condition to their immediate supervisor. The agency member will inform the Quartermaster or designee through a PowerAction report of malfunctioning or damaged recording equipment.
  - d. At the end of the agency member's shift, the agency member will place the camera in the charging/docking station located in their designated precinct.
  - e. At the end of the agency member's shift, the agency member will log out of the car-mounted camera and place the microphone back in the charging station located in the vehicle.
  - f. Should the agency member inspecting the recording equipment discover a disabling malfunction, the agency member shall report the malfunction in writing to their supervisor and the Quartermaster in accordance with the agency's equipment damage reporting procedures.
    1. If possible, the agency member should borrow another agency member's BWC if their issued BWC malfunctions.
    2. If fleet availability allows, patrol personnel should avoid using a vehicle without a functioning dashcam system for patrol purposes.
  - g. BWCs and dashcams are critical equipment; the Quartermaster/Fleet Manager shall prioritize the repair of malfunctioning BWCs and dashcams.

### **711.5.3. Procedures for Camera Use**

- a. Sworn personnel who are assigned BWC equipment in accordance with the requirements of this policy must use the equipment unless otherwise authorized by supervisory personnel or this policy.
  1. Sworn personnel who hold the rank of lieutenant or higher may wear their issued BWC at their discretion.
  2. Sworn personnel wearing the training/administrative duty uniform or plain clothes may wear their BWC at their discretion or supervisor's discretion.
- b. EPD personnel shall use only BWCs/dashcams issued by this department.
- c. Agency members are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
- d. Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of Police or their designee.
- e. Video recordings are not a replacement for written reports.

**711.5.4. When and How to Use the BWC and Dashcam** (CALEA-LE 41.3.8.b)

- a. Agency members who have been issued a BWC or are operating a dashcam-equipped vehicle shall activate the BWC, dashcam, or, preferably, both and use them to record all portions of the following incidents:
  1. All contacts with citizens in the performance of official duties;
  2. Suspicious activity calls;
  3. Responding to emergency calls for service;
  4. All vehicle and foot pursuits;
  5. All traffic stops (this includes the investigation of a vehicle and occupants already stopped or parked);
  6. Consensual encounters for service;
  7. Responding to an in-progress call;
  8. Traffic enforcement;
  9. Prisoner transports;
  10. Courtesy escorts;
  11. All searches including but not limited to people, vehicles, buildings, and places;
  12. All requests for consent to search without a warrant, including searches of persons, vehicles, and buildings. Both audio and video recordings will be made of the request and consent when practicable. This type of recording is intended to enhance a documented consent; however, it is not intended to replace the use of any department form used to gain and/or record the consent to search without a warrant, when an officer obtains such consent;
  13. All requests for search by and deployment of a canine involving vehicles, when practicable;
  14. All arrests and/or citations;
  15. Any incident where an officer is acting under the color of law and it may become necessary for the officer to invoke their authority as a law enforcement officer;
  16. Any incident upon the direction of a supervisor, at the request of another police officer, or anytime an agency member deems it appropriate to activate the BWC in compliance with applicable law and policy;
  17. All domestic and relationship violence calls, including suspect and victim interviews.
  18. Calls for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a subject.
  19. Situations and circumstances including but not limited to armed encounters, acts of physical violence, felonious conduct, and crimes in progress.
- b. Nothing in this policy prohibits an agency member from activating their camera if the agency member deems its use appropriate, with the exception of the restrictions in paragraph 711.6 below.
- c. Once the dashcam system is activated, it shall remain on and shall not be turned off until the officer has cleared the scene of the incident or the transport is concluded.

1. For purposes of this section, the conclusion of an incident means, but is not limited to, the point at which all arrests have been made, arrestees have been transported, and all interviews have been conducted.
2. Audio and video recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations, or during the after-action review process. If it is necessary to stop recording, before doing so, the agency member shall record the following statement on the camera audio before terminating the recording, when practicable: “This is [rank] [last name], badge [4-digit badge number]. I am terminating this recording at [time] on [date].”
- d. Civilians shall not be allowed to review audio or video at the scene. Agency members shall not view video at the scene of an incident or vehicle crash without approval from the Chief of Police or their designee.
- e. Agency members will inform those who ask that audio/video recording is in use.

**711.5.5. Where Recording with the BWC/Dashcam is Permitted** (CALEA-LE 41.3.8.b)

- a. Notwithstanding the broad permissiveness of O.C.G.A. § 16-11-62(2)(D), agency members are cautioned that the use of a BWC and subsequent recordings must comply with the Prohibitions section found at the end of this policy (paragraph 711.6).

**711.5.6. Failure to Activate the BWC/Dashcam as Required**

- a. Failure to activate the BWC or dashcam in accordance with this policy can result in discipline up to and including termination. If an agency member fails to activate the BWC, fails to record the entire contact, or fails to comply with subparagraph 711.5.4.a above when interrupting a recording:
  1. The agency member shall document in an email to their immediate supervisor before the end of their shift why a recording was not made, was interrupted, or was terminated prematurely or why they did not comply with subparagraph 711.5.4.a above.
  2. The supervisor(s) in the agency member’s chain of command shall forward the email to the next-level supervisor until it reaches the agency member’s Captain (or the Deputy Chief if the agency member does not have a Captain in their chain of command).

### 711.5.7. Video Upload and Metadata Editing

#### a. BWC Docking

1. Each BWC operator shall dock their camera no later than the end of each shift to upload recorded videos.

#### b. Dashcam Upload

1. Newer dashcam systems will automatically upload to the cloud data server.
2. For legacy dashcam systems that record to a USB stick or writeable disc, the vehicle operator will ensure that the appropriate recording medium is in the recorder at the beginning of their shift. The removal of the recording medium shall only be done by a supervisor.

- c. No later than the end of the BWC/dashcam operator's next shift, the operator shall add the appropriate metadata to the uploaded videos. However, if the agency member expects to be out for leave or training, they shall add the appropriate metadata before leaving at the end of the shift.

### 711.5.8. Review of Videos

- a. All images and sounds recorded by the BWC and dashcam are the exclusive property of the Department. Accessing, copying, or releasing files without specific authorization is prohibited.
- b. When preparing written reports, agency members shall only review recordings as a resource. Agency members shall not use the fact that a recording was made as a reason to write a less-detailed report.
- c. If an agency member is suspected of wrongdoing or involved in an officer-involved shooting or other use of force, the Department reserves the right to limit or restrict an agency member from viewing the video file.
- d. Agency members are encouraged to review their own BWC and dashcam videos to aid in the completion of reports; (CALEA-LE 41.3.10.a)
- e. At the discretion of their supervisor, agency members writing an incident report or completing supplementary information for an incident report may review data captured by another agency member; (CALEA-LE 41.3.10.c)
- f. At the discretion of the investigator(s), agency members may be permitted to review their own BWC/dashcam recordings prior to making statements in administrative and criminal investigations; (CALEA-LE 41.3.10.b)
- g. Investigators may review any BWC/dashcam footage for investigative review during an organizational integrity or administrative investigation.
  1. However, if the investigator is conducting a *criminal* investigation regarding another agency member and the footage would be protected by Garrity rights at a public law enforcement agency, the criminal investigator is prohibited from reviewing the video without express written permission from the Chief of Police or Office of the General Counsel. (See Policy 602 - Internal Investigation Procedures); (CALEA-LE 43.1.10.d)

**711.5.9. Usage of BWC and Dashcam Data** (CALEA-LE 41.3.8.c)

- a. EPD personnel shall not access recorded data for personal use.
- b. Department personnel shall not upload recorded data onto public and social media websites without express permission from the Chief of Police
- c. In no event shall a recording be used or shown for the purpose of ridiculing or embarrassing the Department, a member of the Department, or a member of the public.
- d. Recordings will be provided to the appropriate prosecuting office when requested as part of discovery for a criminal case.
- e. Recordings will be proactively provided to the appropriate prosecuting office when the video contains exculpatory evidence.
- f. In addition to data reviews covered above, recordings may also be viewed in any of the following situations:
  1. To assess properly functioning BWC and dashcam systems.
  2. By a designated Department investigator who is participating in an official investigation, such as a supervisory investigation, internal affairs investigation, or a criminal investigation.
  3. By an agency member who is captured on or referenced in the video, audio, or metadata and reviews and uses such data for any purposes related to their agency affiliation.
  4. For training purposes. Involved agency member(s) must be notified prior to use, and if an involved agency member objects to showing a recording, their objection shall be submitted to the Training Committee to determine if the training value outweighs the agency member's objection.
  5. By an agency member's legal representative who is involved in representing the agency member in a criminal investigation.
  6. By the Office of the General Counsel or other legal representative of the University.

**711.5.10. Retention** (CALEA-LE 41.3.8.d)**a. Standard Retention**

1. Files shall be securely stored in accordance with applicable University and Department policy.
  - (a) Unless extended retention is authorized, files shall not be kept beyond the time such files are useful for training, performance review, criminal or civil litigation, or risk management purposes.
  - (b) Although the Department is not subject to the provisions of the Georgia Open Records Act, the Department elects to incorporate retention periods in accordance with state law and University Records Retention schedules: <https://records.emory.edu/records-retention-schedules>.

- b. Extended Retention (CALEA-LE 41.3.8.d)
1. Extended retention based on categories of video, if any, shall be established by order or policy. (Examples: categories could include all traffic stops, all incidents between x time and y time on the z day of each month, etc.)
  2. The Chief of Police or senior command may also approve extended retention on a case-by-case basis. For example, in unsolved cases, although litigation is judged to be only a remote possibility, it may be determined that extended retention is appropriate.
  3. Attorneys in the OGC and authorized personnel in the Risk Office are authorized to require extended retention.

#### **711.5.11. Destruction/Deletion**

- a. The Department is not required to destroy video after the minimum retention period.
- b. All destruction/deletion shall be done consistent with any University policy regarding permanent deletion of data unless the Chief of Police or their designee, in consultation with OGC, determines otherwise.

#### **711.5.12. Redaction**

- a. There is no duty to redact or obscure people, objects, or information that appear in a video recording from any law enforcement body-worn device or device located on or inside of a law enforcement vehicle. However, the Chief of Police or their designee may authorize redaction on a case-by-case basis. The scope of the redaction shall be specified in the documentation approving the redaction.
- b. When redaction is requested or desired, the decision whether to approve redaction shall be based upon, but not limited to, considerations of personal privacy, the purpose for which the recording is kept, whether the request is from an individual captured in a recording or an attorney retained by such individual, whether civil or criminal litigation is more or less likely to occur, and other reasonable considerations.
- c. The Office of the General Counsel shall be consulted on all requests to redact video.

#### **711.5.13. Supervisory Responsibilities**

- a. Supervisory personnel shall ensure that agency members equipped with BWC devices or using dashcam-equipped vehicles use the camera systems in accordance with the policy and procedures defined herein.
- b. Each week, supervisors shall ensure that their team members are adding metadata to uploaded videos as required. This metadata quality check applies to all videos uploaded by the supervisor's direct reports. (CALEA-LE 41.3.10.e)
- c. At least monthly, supervisors shall review a sample of at least 5% of BWC recordings and at least 5% of dashcam recordings made in the previous calendar month by agency members whom they supervise to ensure that the

equipment is operating properly, that agency members are using the devices appropriately and in accordance with policy, and to identify any areas in which additional training or guidance is required. The videos reviewed may be random or targeted selections. (CALEA-LE 41.3.10.e)

#### **711.5.14. Training** (CALEA-LE 41.3.8.f)

##### **a. BWC Training**

1. Upon the initial distribution of a bodycam to an agency member, the Department Training Manager (DTM), Quartermaster (QM), or their designee shall provide training to the agency member. The training:
  - (a) Shall include familiarization with this policy.
  - (b) Should ensure comprehension of the organization's philosophy on the use of recording devices, including limitations involving special circumstances, such as contacts with juveniles or other agency employees; and
  - (c) Should familiarize the agency member with the operation and maintenance of the camera.
2. The DTM, QM, or their designee will provide training to supervisors regarding:
  - (a) Selecting, reviewing, and documenting the reviews of videos recorded by their team members.
  - (b) Conducting quality control checks for the metadata added to their team members' videos after upload.

##### **b. Dashcam Training**

1. Each agency member's field training officer or the Quartermaster will ensure all sworn agency members receive familiarization training for each dashcam type used by the agency. This training will consist of documented familiarization with:
  - (a) the basic recording functions,
  - (b) log-in/out procedures,
  - (c) dashcam/bodycam synchronization process (if applicable),
  - (d) functions to review video (if applicable),
  - (e) the method to transfer recorded data to storage, and
  - (f) the contents of this policy.
2. The Quartermaster and Department Training Manager will ensure that other agency members who are expected to routinely operate dashcam-equipped vehicles receive the same dashcam familiarization training as sworn personnel.

**711.5.15. Annual Administrative Review** (CALEA-LE 41.3.10.f)

- a. The Major and Captains shall review the BWC program, dashcam program, and related data at least annually during the summer semester. This command-level review should include a sufficient amount of data collected across the organization and from relevant external sources to assess the alignment of policy, training, and operational practices consistent with the organization's mission, vision, and values.
- b. The results of the review shall be provided to the Chief of Police in writing. Upon receipt, the Chief of Police shall provide a copy to the Accreditation Manager.

**711.6. PROHIBITIONS** - In addition to the prohibitions above:

**711.6.1.** BWCs and dashcams shall be used only in conjunction with agency members' official duties. Agency members shall not knowingly use BWCs/dashcams to record the following unless specifically permitted by the Chief of Police or their designee: (CALEA-LE 41.3.8.b)

- a. Communications or interactions with or between other police personnel unless the recording of such communications or interactions is clearly within the scope of the agency member's official duties at the time of the recording;
- b. Encounters with undercover law enforcement or confidential informants;
- c. Activity when on break or otherwise engaged in personal activity; or,
- d. Administrative or non-law enforcement activities or actions unless otherwise specified by the Chief of Police or their designee.

**711.6.2.** EPD personnel shall not use any device to record a prisoner while a detainee/prisoner is discussing their case with their attorney.  
(O.C.G.A. § 16-11-62(2)(A))

**711.6.3.** EPD personnel shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC/dashcam recordings without written authorization of the Chief of Police except in the performance of their official duties.

**711.7. REFERENCES**
**711.7.1. State Law, Regulations, & Resources**

- a. O.C.G.A. § 16-11-62. Eavesdropping, surveillance, or intercepting communication which invades privacy of another; divulging private message

**711.7.2. EPD and University Policies & Resources**

- a. EU Record Retention Schedule for Public Safety, Surveillance: Surveillance: Body and Vehicle Cameras (<https://records.emory.edu/records-retention-schedules>)
- b. EPD Policy 102 - Written Orders Format
- c. EPD Policy 1615 - Use of Car-Mounted Cameras
- d. EPD Policy 1705 - Surveillance Cameras

**711.7.3. Accreditation Standards:**

- a. CALEA-LE v6.22 Basic: 41.3.8, 41.3.10
- b. GLECP v7.0: 1.22
- c. IACLEA v2.0: 9.1.7