

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Policy Name: Use of Video Recording Equipment		
Policy Number: 204.11	Effective Date: 3/9/2020	Page Number: 1 of 8
Authority: Commissioner	Originating Division: Facilities Division	Access Listing: Level I: All Access

I. Introduction and Summary:

The Georgia Department of Corrections (GDC) strives to accurately document and visually record contact between offenders, the public, and critical incidents. Video documentation of contacts with offenders, the public, and critical incidents may enhance the accuracy of officer reports and testimony in court, as well as enhance the department's ability to capture statements from offenders and witnesses, verify officers' compliance with legal and procedural directives, identify security threats or weaknesses, and provide additional information for officer evaluation and training. Additionally, video documentation may also be useful in documenting crime and accident scenes or other events, including confiscation and documentation of evidence or contraband.

II. Authority:

- A. O.C.G.A. §50-18-96;
- B. GDC Board Rules: 125-1-1-.03; 125-3-1-.01; and 125-3-2-.07;
- C. GDC Standard Operating Procedures (SOP): 103.10, Evidence Handling and Crime Scene Processing; 203.02, Document Flow; 203.03, Incident Report; 209.06, Administrative Segregation; 209.04, Use of Force and Restraint for Offender Control; 209.07, Segregation - Tier I; 209.08, Administrative Segregation; 209.09, Special Management Unit Tier III Program; 209.45, Tier II Segregated Transition Education Program (Tier II STEP); 209.55, Special Management Unit - Tier III Segregated Transition Education Program (Tier III STEP), 218.02, Control of Tools and Equipment; 224.01, Control, Storage and Issuance of Firearms-Ammunition, Chemical Agents & Other Security Equipment; 508.27, Time Out and Physical Restraint; 507.04.23, Medical Classification and Profiling; and 507.04.69, Women's Health Services; and
- D. ACA Standards: 2-CO-3A-01, 4-4173, 4-4200, 4-4201, 4-4202, 4-4206 (MANDATORY), 4-4403, 5-ACI-2G-03, 5-ACI-3A-29, 5-ACI-3A-30, 5-ACI-3A-31, 5-ACI-3A-35, and 5-ACI-6C-10.

III. Definitions:

- A. **Body Worn Camera** - A video camera that is worn on clothing that can be used to record activity in front of the wearer. For purposes of this SOP, this definition does not include the camera on a Taser.

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- B. **Anticipated Use of Force** - A planned use of force in which time and circumstances allow for the preparation of the use of force and there is not an immediate threat of injury to staff or other offenders or damage to state property.
- C. **Spontaneous Use of Force** - An unplanned use of force in which there is immediate action necessary to prevent injury to staff or other offenders or damage to state property.
- D. **Use of Force** - Use of Force shall be defined as physical force used to compel an offender to take action against his or her will, or to prevent an offender from taking action that would be damaging to themselves, other persons, or property. The use of force may include the use of hands, batons, chemical agents, water pressure, firearms, or other instruments. The use of physical force shall be restricted to instances of justifiable self-defense, protection of others, protection of property, prevention of escapes, to maintain or regain control of an offender and deadly force will only be utilized as the last resort. Refer to Section IV.G.2.a. and b. of this policy, which governs the Use of Deadly Force.
- E. **Offender** - A person who has been placed under the supervision of Georgia Department of Corrections.

IV. Statement of Policy and Applicable Procedures:

- A. **Video Recording:** The department issues and utilizes camcorders and body worn cameras (BWC's) to record contact with offenders, the public and during critical incidents. Officers shall activate a camcorder and BWC when such use is appropriate to the performance of his or her official duties, including during a use of force. BWC's shall also be activated during shakedowns, search of an offender or location, movement of an offender into segregation or isolation, or as otherwise directed by the Warden, Superintendent or designee. This policy does not govern the use of surreptitious recording devices used in undercover operations. Video recordings may be subject to the Open Records Act.
- B. **General Use and Maintenance of the Camcorder or BWC:**
 - 1. Camcorders and BWC equipment are issued primarily to CERT Team Officers. Officers who are assigned camcorder or BWC equipment must use the equipment pursuant to this policy unless otherwise directed by supervisory personnel.

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2. Officers shall only use camcorders and BWC's issued by this department. The camcorders, BWCs, and all data, images, video, and metadata captured, recorded or otherwise produced by the equipment is the sole property of the department. The use of private-owned BWC's is prohibited. Additionally, camcorders and BWC's shall not be used for secondary employment.
3. Officers assigned camcorders or BWC's must complete a department-approved and/or provided training program to ensure proper use and operation.
4. Camcorders and BWC's shall be stored in the main control room of the facility. Camcorder and BWC's will be issued using the chit system by the assigned control room officer. All chits received shall contain the name of the person receiving the camcorder or BWC. A log book entry shall be made to document officer's name, camcorder or BWC signed out/signed in.
5. The Chief of Security shall ensure a system is in place to maintain the camcorder and BWC equipment, including charged batteries, extra disks, and that the equipment is functioning properly.
6. Officers shall inspect and test camcorder and BWC equipment prior to each shift to verify proper functioning and shall report equipment malfunctions to the Chief of Security or designee as soon as possible.
7. Officers shall use reasonable care to prevent damage to the camcorder or BWC.
8. Officers shall not edit, alter, or erase camcorder or BWC recordings. However, the Office of Legal Services may approve editing of video copies for training or other authorized purposes.
9. Videos may not be duplicated, copied, shared, or otherwise distributed in any manner without authorization and approval by the General Counsel, or a designee from the Office of Legal Services.
10. Officers are encouraged to inform their supervisor of any recordings that may be valuable for training.
11. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use-of-force, the department reserves the right to limit or restrict an officer from viewing the video file.

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C. **When and How to Use the Camcorder or BWC:** A video recording with a camcorder shall be a routine supplemental report for ANY use of force, consistent with the following provisions. Use of the camcorder is **not** optional. If an officer has a BWC, this video shall also be provided. Officers shall note in Use of Force Incidents and related Reports when recordings were made during an incident.

1. **Anticipated Use of Force:** All Anticipated Use of Force shall be video recorded utilizing two (2) camcorders and any personnel issued a BWC shall activate and record the Anticipated Use of Force. **If an officer fails to activate the camcorder or BWC, fails to record the entire event, or interrupts the recording, the officer shall explain and justify the circumstances on the Use of Force Incident Report.**

- a. Officers shall record the Anticipated Use of Force on two (2) Camcorders. The use of two camcorders provides additional documentation of the incident and ensures coverage is continuous in case of malfunctions. The exception to this rule is small centers, such as ITFs, RSATs, TC's, and PDC's. When staffing is limited and does not permit the use of two camcorders, Centers shall use at least one (1) camcorder.
- b. Officers assigned a BWC shall also activate the device to record the Anticipated Use of Force.
- c. Begin recording **BEFORE ANY** contact occurs. This **INCLUDES** hands-on contact. This practice shall document the offender's behavior and the degree of force used to restrain the offender.
- d. Before entering the area where filming of the offender will occur, the staff member recording the incident must record a narration by the Senior Officer present. The Senior Officer shall be the sole narrator throughout the filming of an incident. The narration shall include:
 - 1) Name of the officer/staff narrating this incident (Senior Officer present);
 - 2) Date;
 - 3) Time;
 - 4) Place (building, cell, etc.);

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- 5) Name and number of all offenders involved;
 - 6) Circumstances;
 - 7) Name of the officer or staff member recording this incident;
 - 8) Name of all involved officer(s)/staff; and
 - 9) Plan of action.
- e. Once filming begins, do not release the action trigger or turn off the Camcorder or BWC until **AFTER** staff leaves the scene. The officer should film the exit, showing a closed cell door or other evidence that the action is over. Do not edit by stopping the camera or pointing away from the offender. Try to obtain a continuous stream of action. Let the camera tell the story. If the camera gets jostled, continue filming and quickly point it back on the offender.
2. **Unanticipated Use of Force:** An incident may require immediate action to prevent injury to staff or other offenders or damage to state property. A BWC shall be activated whenever possible during an unanticipated Use of Force. As soon as possible, a handheld Camcorder shall be used to record the incident, to include the filming of a closed cell door or other evidence that the action is over.
- a. Officers shall adhere, as closely as possible, to the same procedures as recording an anticipated use of force.
 - b. The Senior Officer present shall summarize the incident on the video, including the circumstances leading up to the unanticipated use of force and what was done to gain control of the offender. The summary shall include the following narrative:
 - 1) The name of the officer giving the narration (Senior Officer present);
 - 2) Date;
 - 3) Time;
 - 4) Place (building, cell, etc.);

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- 5) Name and number of all offenders involved;
 - 6) Circumstances leading up to the Use of Force;
 - 7) Name of the officer or staff member filming this incident; and
 - 8) Name of all involved officer(s) or staff member;
3. **Public Citizen Notification of use of BWC:** An incident may require interaction with a public citizen.
- a. Officers assigned a BWC shall activate the device to record an interaction with a public citizen on state property.
 - b. Begin recording **BEFORE ANY** contact occurs. This **INCLUDES** hands-on contact. This practice shall document the offender’s behavior and the degree of force used to restrain the public citizen.
 - c. Officers shall announce to the public citizen that they are wearing a BWC and that the interaction is being recorded.
 - d. Before entering the area where filming of the public citizen will occur, the staff member recording the incident must record a narration. The narration shall include:
 - 1) Name of the officer;
 - 2) Date;
 - 3) Time;
 - 4) Place (building, cell, etc.);
 - 5) Circumstances for interaction;
 - 6) Name of all involved officer(s)/staff; and
 - 7) Plan of action.

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e. Once filming begins, do not release the action trigger or turn off the BWC until **AFTER** the public citizen leaves the scene. Do not edit by stopping the camera or pointing away from the public citizen. Try to obtain a continuous stream of action. Let the camera tell the story. If the camera gets jostled, continue filming and quickly point it back on the public citizen.

D. **Restrictions of Use:** Camcorders and BWC's shall only be used in performance of an officer's official duties. Unless an officer is recording for a purpose authorized by this policy, the following situations generally should not be recorded:

1. Communications with other department personnel;
2. Encounters with confidential informants;
4. When on break or otherwise engaged in personal activities;
5. Situations that would unreasonably invade an offender's privacy; or
6. Encounters with visitors.

NOTE: During offender medical examinations, the camcorder shall be turned on to capture audio but pointed away from the offender.

E. **Storage:**

1. Camcorder and BWC recordings shall be securely downloaded periodically or no later than the end of each shift.
2. Each video recording shall be identified and labeled on a disk with information relating to the date, camcorder or BWC identifier, assigned officer, and if applicable, corresponding Use of Force or Incident Report number. The video recordings shall be retained in a secure location at the facility where the incident occurred for a period of three (3) years. A single disk may not contain multiple uses of force incidents or videos from different cameras.

Electronic tagging of videos by category shall be done if supported by the BWC system.

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- Chain of Custody requirements shall govern possession of the disk. (See SOP 103.10, Evidence Handling and Crime Scene Processing.)

F. Review of Video Recordings:

- The Chief of Security, Deputy Warden and Warden or Superintendent shall review each Use of Force Video and its corresponding Use of Force Report/Incident Report using Attachment 3, Use of Force Cover/Checklist from SOP 209.04. If any procedure was not following during filming, the Warden or Superintendent shall cite the reasons for the policy violation and whether corrective action was or will be taken.
- At least on a monthly basis, the Chief of Security, Deputy Warden, Warden, or Superintendent shall randomly review video recordings to ensure the equipment is operating properly, that officers are using the devices appropriately and in accordance with policy, and to identify any additional training or guidance required.
- The Office of Professional Standards (OPS) shall review each Use of Force Video and its corresponding Use of Force Report/Incident Report in accordance with the procedures in SOP 209.04, Use of Force and Restraint for Offender Control. Additionally, OPS shall have access to all BWC recordings, regardless of whether a Use of Force occurred.
- Employees involved in any incident in which a BWC recording was made shall be provided access to review said recordings, prior to completing any written statements, in order to ensure the accuracy of their statements. The access to review said recordings shall be handled by the Chief of Security or higher. The Chief of Security or higher official providing access to the records shall not leave an employee unattended with any recordings.

V. Attachments: None.

VI. Record Retention of Forms Relevant to this Policy:

Video recordings shall be retained in a secure location at the facility where the incident occurred for a period of three (3) years.