

City of Johns Creek Police Department

<i>Subject:</i> Body Worn Cameras		<i>Number:</i> 02-57
<i>Reference:</i> 02-15 Audio Visual and Digital Recording		<i>Amends:</i>
<i>Effective:</i> 09/19 12/20 03/21	<i>Review Date:</i> Annually	<i># of Pages:</i> 7

I. Purpose

The purpose of this policy is to establish rules and regulations regarding the use, and officer responsibility for use of, body worn cameras (BWC), and the storage and handling of recorded data. BWCs are a valuable resource for law enforcement in the delivery of services. Information collected through this technology can be critical in the investigation of criminal incidents and complaints against employees.

II. Policy

Officers assigned Body Worn Cameras shall activate the BWC during each law enforcement-public encounter related to a call for service, law enforcement action, subject stop, traffic stop, and/ or police service, provided such activation does not interfere with officer safety or the safety of others. Additionally, the BWC shall be activated for tactical activities, such as searches of buildings and vehicles, searches for suspects and missing persons, and building checks as a result of security alarms.

All Officers assigned a BWC will be required to utilize body worn cameras when working designated special details, when working extra-duty jobs, and when participating in events that may lead to enforcement actions.

Officers assigned to off-site task forces will operate in compliance with applicable task force policies regarding video and audio recording devices.

III. Procedure

A. Body Worn Camera Procedures

1. All officers assigned a BWC will be required to wear the camera while on duty or working extra-duty jobs. The camera systems must be fully charged at the beginning of the officer's tour of duty. Only departmental issued cameras are approved for use by personnel. BWCs may only be used in an official capacity, all other use is prohibited.
2. It is understood that officers assigned to administrative or non-uniform assignments/ activities (i.e. - positions assigned to headquarters, training events, etc.) may not be wearing the BWC, during the course of their shift or training activity. These officers will maintain their BWC in a state of operational readiness and will utilize the BWC in accordance with this policy, if they engage in a pre-planned activity which would likely lead to enforcement action.
3. Body Worn Cameras will be worn in a manner that allows for maximum recording coverage.
4. Every officer on a scene shall activate his or her BWC and leave it on for the duration of the incident. Encounters with undercover officers, task force officers, and confidential informants will also be recorded.
5. BWCs assigned to K9 Officers will be activated any time the canine is removed from the vehicle in anticipation of it being used in an enforcement nature. Once activated, the officer shall not turn off the device until the call for service has been completed.
6. Officers shall note in the report, the date and time when video recordings were made; however, BWC recordings shall not be a replacement for written reports.
7. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document the reason in the associated report (incident report, accident report, etc.)
8. Audio may muted during discussions between officers related to training and tactics.
9. Officers shall not attempt to, nor shall they, edit, alter, erase, duplicate,

copy, share, or otherwise distribute in any manner BWC recordings without the prior written authorization and approval of the Chief of Police or a designee.

10. Officers shall not allow civilians to review recordings except by authorization of the Chief of Police or a designee.
11. All enforcement personnel will receive training on the use of and proper wearing of the body worn cameras during the FTO training program. All newly promoted personnel will receive training on the administrative use of recordings. Additional training may be required at periodic intervals to ensure the continued effective use and operation of equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in Department policy and equipment.
12. In general, BWCs will **not** be used in the following circumstances:
 - a. Communications with other law enforcement personnel without the permission of the office of the Chief of Police or a designee;
 - b. Communications involving law enforcement tactical and strategic policy, procedures, or plans;
 - c. During Court appearances;
 - d. When officers are on break or otherwise engaged in personal activities;
 - e. In restrooms or locker rooms.

B. Storage and Access to Recordings

1. The BWC equipment and all data, images, sounds, video, and metadata captured, recorded, or otherwise produced by the equipment shall be the exclusive property of the Johns Creek Police Department.
2. Video data that has been recorded and the classification verified by the assigned officer will be off loaded through an approved method and stored on the evidence.com platform. Each officer is required to download all data before the end of each work rotation. If unusual circumstances prevent an officer from being able to download data before the end of his/her work rotation, the officer will notify their supervisor in writing, and complete the download as soon as possible.
3. Officers are allowed to review video footage of an incident in which they were involved, prior to preparing a report or making a statement about the incident.
4. If an officer is suspected of wrongdoing in an incident or involved in an officer-involved shooting or other type III use of force, the Department

reserves the right to limit or restrict an officer from viewing the audio/video file.

5. Once the video is transferred to the evidence.com platform, that data can be accessed from departmental computers for criminal investigations or administrative use. The security settings will not allow previously recorded video to be overwritten or erased.
6. Audio/Video recordings may be used as training aids for other officers or to refute a possible complaint. The recordings may also be used for internal investigations or other purposes. The Chief of Police, his/her designee, and the officer's supervisor and/or other authorized personnel will have access to review such recordings.

C. Release of Electronic Media (02-15-07)

Requests for duplication of audio/video recordings and other electronic media will be handled as follows:

1. Recordings and other electronic media that contain evidence of a crime will be handled as any other evidence and will remain in the evidence/property section of the department or the Evidence.com platform.
2. Open records requests made pursuant to Georgia law, and media requests of electronic media shall be handled as follows:
 - a. Requests for copies of recorded events will be forwarded to the Records Unit for approval.
 - b. Requests for L3 recordings will then be forwarded to the Evidence Custodian.
 - c. He/she will be responsible for duplicating the specific incident from the L3 platform onto a DVD and logging it in the evidence release log.
 - d. The Evidence Custodian will forward the DVD to the Records Unit for Release.
 - e. Requests for electronic media stored on the Evidence.com platform will be approved and released by the Records Unit.
 - f. Electronic media associated with an active/ open case shall only be released with the approval of the OPS Captain or CID Lieutenant.
 - g. The cost for completion of open records requests will be in accordance with the current GA Law and HB 976.
 - h. Media requests for recordings or other electronic media shall only be released with the approval of the Chief of Police or OPS Captain.
 - i. The following information will be documented for all released recordings:
 - i. Name of releasing employee
 - ii. Date of release

- iii. Evidence ID number (for evidence.com items)
 - iv. Name of recipient
 - v. Reason for release
3. Officers may ONLY access and release electronic media for the following reasons:
- a. To store electronic media in applicable case files
 - b. To provide electronic media to solicitors and/or prosecutors for criminal cases
 - c. To provide electronic media to Training personnel for use in departmental training
 - d. To provide electronic media to other law enforcement agencies, to assist with active case investigations
4. Recordings which include undercover officers, task force officers, confidential informants, and any other content as prescribed in the Georgia Open Records Act shall be redacted prior to release.

C. Maintenance and Inspection Procedures

1. Officers will conduct an operational inspection of body worn cameras at the beginning of their shift, to ensure that the equipment is functioning correctly. If the equipment is not functioning correctly, the shift supervisor will be notified, so a temporary replacement will be issued, if available.
2. The supervisor will notify the Video Systems Coordinator of any BWC malfunctions.
3. Maintenance will be in accordance with manufacturer's recommendations, and overseen by the Video Systems Coordinator.

D. Review of Digital Recordings

1. Quarterly, supervisors will conduct random reviews of at least three videos per officer, in order to ensure BWC equipment is being used in accordance with policy and procedures, assess officer performance, and to identify videos that may be appropriate for training.

E. Classification and Retention Schedule

1. Video classifications will be assigned automatically based off of the CAD event documented by dispatch. It will be the responsibility of the assigned officer to verify the correct classifications are assigned to each video. This may require officers to contact dispatch and request the CAD classification to be updated (i.e. - a dispatched Alarm Call must be updated to a Burglary classification).

2. Records retention periods are assigned to videos based on the specific classification. If an incident occurs which carries more than one classification/ category (i.e. - a Robbery incident involving a Use of Force and a Pursuit), the officer shall ensure the video is classified under all applicable categories, so that the video will be stored for the required amount of time.
3. Officers will be required to classify and store BWC recordings as outlined in this policy. All video files shall be securely stored in compliance with the State of Georgia Records Retention Schedules. If a video is re-classified to a different category, the video will be retained based on the new category and the original date of the recording.

F. Authority and Use of Digital Mini-Recorders

The Johns Creek Police Department recognizes the seriousness of citizen complaints filed against the Department and/or individual officers for conduct which may appear to be improper. We also recognize the importance of the public's perception when encountering a law enforcement officer as it may be different from what actually transpired. Therefore, it is necessary to consider every method available to document contacts with citizens, when no other way exists to video record the traffic stop, interviews, etc a digital mini recorder can be utilized to document all traffic stops, interviews, etc. Digital mini-recorders or other recording devices may be issued to specific police officers, employees during his/her shift or authorized assignment.

1. Following procedures, officers may receive authorization to carry recorders for the purposes of this chapter. This does not preclude, prohibit or inhibit the use of recorders for any lawful investigative purpose by personnel.
2. Officers assigned or authorized a digital recorder or other recording device shall:
 - a. Conduct a test of the recorder prior to the beginning of his/her shift to ensure the recorder is in proper working order.
 - b. Make a voice documented recording of the date and time.
 - c. Activate the recorder when initiating a vehicle pullover or when interaction in an enforcement or investigatory capacity with a juvenile or adult.
 - d. De-activate the recorder upon completion of the traffic stop or upon

completion of the interaction or interview.

- e. Not review, erase or tamper with the micro digital recorder, unless authorized to do so by a supervisor.
- f. In the event a citizen's complaint is received, the recordings will be available to be reviewed by the supervisor assigned to the complaint.

Loss, damage, or theft of this property shall be reported immediately through the chain of command. A written report is to be filed of the incident.

Citizen Contact (02-15-09)

If the officer is assigned a micro digital recorder, he/she will conduct citizen approaches (traffic stops), in the same manner as prescribed in "Traffic Stops and Pullovers". If asked, tell the citizen that their conversation is being recorded as a matter of record, for both the officer's and citizen's protection.

Personal Equipment and Personal Use of Equipment (02-15-10)

- A. The policies and procedures listed above apply to any employee using personal audio visual equipment to record any on-duty events or authorized assignments.
- B. No officer shall utilize the Department's audio/visual recorder equipment or the recorded events for their own personal use. All recordings may be subject to Open Records and in accordance to HB 976.
- C. Privately owned recording devices shall not be used without the authorization Chief of Police, his or her designee. Personal recording devices shall not be used in conjunction with any recording equipment which is owned by the Johns Creek Police Department.
- D. Recordings of any conversation with departmental and or city personnel is prohibited without specific authorization from the Chief of Police. The Office of Professional Standards is the only exception to this policy, during the course of conducting Internal Affairs Investigations.