University of Central Florida Police Department
General Order-509
Body Worn Camera

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Policy Statement: The University of Central Florida Police Department is committed to protecting the constitutional rights of all people. The Department recognizes the benefit of employing equipment and technology that will assist us in our ethical, legal, and moral obligation to identify, collect, and preserve evidence. The use of BWC systems have been employed to assist in obtaining that goal and increase transparency and accountability to the University community the Department serves and protects.

509.01 General Provision: BWC Systems will be issued to every sworn law enforcement officer. Every officer issued a BWC will be responsible for the care, custody, and control of all issued equipment. The BWC will be operated in accordance with the manufacturer's recommendations and departmental regulations. Officers are required to ensure that their BWC is working properly and fully charged at the beginning of every shift. Officers will immediately notify a supervisor of any malfunctions that are discovered. Officers shall upload all BWC digital data at the conclusion of their shift by placing their BWC in the assigned docking stations or utilizing other department approved uploading procedures.
Officers shall categorize recorded events as appropriate, based on the options available under the classification and storage software on their department issued cell phones or PC application View XL.
Informing the Public that a BWC is in use should be done:

a. When feasible, officers are encouraged to inform members of the public that they are being recorded.
b. If asked, officers should inform those inquiring that audio-video recording equipment is in use, unless doing so would be unsafe for officer or members of the public.

509.02 Extra-Duty assignments: Officers shall use it during extra-duty work and shall comply with the BWC policy, including uploading BWC data from extra-duty shifts. Any audio/visual data regarding the use of force by or against an officer, or data that may be evidence in a criminal case, shall be uploaded in the same manner as if the data had been collected while on duty. All other BWC data recorded during extra-duty work shall be uploaded by the start of the next on-duty shift, as long as the shift begins within 72 hours of the extra-duty shift's conclusion. If the next on-duty shift begins more than 72 hours later the BWC data shall be uploaded at the conclusion of the extra-duty shift.

509.03 BWC Procedures: Officers shall wear the BWC and keep it powered on at all times during their shift when they can reasonably anticipate that they may become involved in a situation for which activation is appropriate in accordance with this policy. Officers must power off their BWCs:

a. When driving to or entering a center for domestic or sexual violence
b. For any courtroom proceeding, deposition or similar legal proceeding;

Officers shall power on and activate the BWC if a situation requiring activation occurs. Officers are not required to wear their assigned BWC when attending training, court, funerals, award ceremonies or any other event that is approved by their supervisor.

Plainclothes Officers (Detective) shall be responsible for the following:

a. Shall have the BWC readily available;
b. Do not need to wear the BWC during plainclothes operation in which displaying or indicating their status as a police officer would compromise the operation.
c. Are not required to wear it during their on-duty shift except when executing a search warrant in the field or when ordered to by a supervisor.
d. When working in uniform, detectives assigned a BWC shall wear it in accordance with this policy.

Supervisors shall be responsible for the following (9.1.7b):

a. Confirming that all officers assigned to their unit have uploaded their recordings at the end of their shift;
b. Reviewing recordings of all officers involved in an incident involving:
    1. Injury to prisoners,
    2. Response to resistance,
    3. Injury to officers,
    4. Vehicle pursuits,
    5. Response to Signal 43,
    6. Citizen complaints,
    7. Anytime it is deemed appropriate to review recordings, and
    8. As directed by the Chief of Police or designee;
c. Conduct a weekly audit. The Supervisor shall randomly select two (2) recordings to review in their entirety (These reviews will be conducted for training and integrity purposes);

BWC Coordinator shall be responsible for the following:

a. Overall BWC Program coordination of training,
b. Serve as the Department's administrator for approved database,
c. Maintenance and repair of BWC equipment, and
d. Conduct a bi-annual audit of BWC equipment and submit findings in memorandum format via chain of command to the Chief of Police.

509.04 Activation (32.02M): Nothing in this procedure shall prohibit an officer from activating their BWC system whenever the officer deems the use to be appropriate, unless directed by a supervisor. An officer will document in his/her report if the entire incident or any portion is not recorded. Officers providing assistance to other law enforcement agencies, will notify them that the incident is being recorded. Officers

will only use Department-issued BWC systems to record official Department activities. All recordings are the property of the University of Central Florida Police Department. The BWC system may be manually deactivated during non-enforcement activities such as protecting an accident scene from vehicular traffic or during personal time (e.g., using the restroom etc.). Consideration should be given as to whether to record incidents of a sensitive nature, including but not limited to, interviewing victims of crimes, situations involving minors, and recording the interior of a victim's residence, etc. Officers, when possible, shall make victims aware of the presence and/or recording of an incident. Nothing in the activation procedure precludes an officer from using the BWC to record phone calls the officer deems to be of evidentiary value or that otherwise require activation. Officers shall activate their BWC for the following circumstances (9.1.7a, 14.1.3):

a. Shall be immediately activated when dispatched to a Code 3 call; this includes assisting officers.
b. Before disobeying any traffic control device in a code 2 call response.
c. Prior to arrival, when responding to a Code 1 or Code 2 call.
d. When self-initiating a call, as soon as possible and prior to contacting a person or exiting a patrol vehicle.
e. Prior to taking any law enforcement action.
f. When directed to activate the BWC by supervisor.
g. Note: BWC will start recording when lights and sirens are activated. Officers who have been issued auto-activation holsters for the firearm will have the BWC start recording when the weapon is drawn. Tasers will activate BWCs in range when the taser is powered on. If an officer finds their vehicle module or holster does not activate their BWC, they shall immediately notify their supervisor and the BWC Coordinator.
h. Any incident upon the direction of a supervisor or at the request of another law enforcement officer.

Every officer should restrict recording under the following circumstances:

a. Undercover officers,
b. Confidential informants,
c. Law enforcement intelligence,
d. Other law enforcement sensitive information, and
e. Events in restrooms, dressing rooms, or other areas where there is a reasonable expectation of privacy, unless special circumstances exist.

In the event a video is recorded of any of the specific restrictions, the officer shall categorize the video in Evidence.com™ as "Exempt."

If there is a failure to activate the BWC or a late activation in any of the above situations the officer shall document the reasons for the failure in the officer's report. If a report is not required, the reason(s) for the failure to activate the BWC shall be documented via added remarks in CAD, as soon as practical. Documentation shall begin with the following prefix: "BWC:" followed by the reason for the documentation.

509.05 False Signal Dismissal: The False Signal Dismissal feature allows an officer to report a Signal event and the associated recording as a false detection. Users can dismiss a false signal activation by pressing the select button within ten seconds of the auto activation. Every officer should ensure there is not

a nearby event taking place which would legitimately activate the BWC. Examples of false signal activation would be an officer adjusting or removing their firearm for administrative or maintenance purposes, DART training, or BWC and/or Signal Vehicle testing in progress. Recording will automatically cease, and the event will auto categorize as "For Deletion."

509.06 Deactivation Once activated, the BWC shall be left in the record mode until the conclusion of the event. The conclusion of the event occurs when either the officer or citizen(s) has left the scene, or a detention or transport has concluded. If a transport involves a transfer of custody, the event is not concluded until the transfer is complete. When transporting arrestees to the county jail the transfer may be considered complete at the intake door from the secure garage unless custody has been transferred prior to that point, and the BWC may be deactivated in line with county jail policy. The BWC may be deactivated if an event has otherwise concluded but the officer remains at the scene to prepare reports or for another similar reason not involving a situation requiring activation.

All officers in a critical incident shall leave their BWCs activated while on scene, until directed by the Incident Commander. When the BWCs have been deactivated in accordance with this section on Critical Incidents, officers may reactivate if they feel it is appropriate and shall reactivate if otherwise required by the BWC policy.

If a BWC is deactivated prior to the conclusion of an event, officers shall describe the reason by narration prior to deactivation. Supervisors deactivating to perform administrative functions shall describe the reason by narration prior to each deactivation or following reactivation. Audio may be muted during an event by pressing and holding the select button. Video will still record, but no audio will be captured. Instances where this is acceptable include, but are not limited to, discussing police tactics or intelligence which would normally be exempt from public record, Supervisor/Subordinate or FTO/OIT conversations about policy and/or performance during the call. To aid in transparency, narration should occur before enabling the mute audio function.

If a report is prepared, the early deactivation and the reason shall also be documented in the officer's report or supplement. If a report is not required, the reason for the early deactivation shall be documented via added remarks in CAD, as soon as practical. Documentation shall begin with the following prefix: "BWC:" followed by the reason for the documentation. Supervisors performing administrative functions may summarize their associated deactivations in any required documentation.

If an accidental deactivation is discovered, the BWC shall be immediately reactivated. The officer shall narrate the cause of the accidental deactivation as soon as practical, and shall follow the other reporting requirements for early deactivations. Notwithstanding the above, once an event has been stabilized and if the officer reasonably believes there is no longer audio or visual evidence to capture, and that none of the circumstances requiring activation will likely occur, the BWC may be deactivated during activities such as:

a. Monitoring assigned traffic posts.
b. The incident or event is of such duration that it is necessary to deactivate the BWC to conserve power or storage.
c. When guarding suspects/arrestees at a hospital, if no other activation conditions are met (it must be activated if there will be contact with the suspect, if the suspect becomes combative, etc.).

When an event is still in progress, the BWC may be temporarily deactivated in the following situations, but shall be reactivated as soon as the temporary situation has concluded or if ordered to by a supervisor, and the required documentation shall be made according to the Early Deactivation section:

a. To protect the identity of an officer in an undercover capacity or during a plainclothes operation.
b. To protect the identity of a confidential informant.
3. When not in contact with a suspect, arrestee, victim or witness, officers may temporarily deactivate their BWC if it is necessary to discuss issues surrounding the incident with another employee or an outside agency, in private.

This includes discussions between Field Training Officers with officers in training that are specific to training issues. If the BWC is deactivated by this clause, it must be reactivated prior to any contact with a suspect, arrestee, victim, or witness, including any transportation. If a request is made for a BWC to be turned off by a party being contacted, the officer should take into account the overall circumstances and what is most beneficial to all involved, before deciding to honor the request. For example, an officer may choose to turn off the BWC if its operation is inhibiting a victim or witness from giving a statement. Factors to consider may include the type of call and the vulnerability of the victim, such as the victim of a sexual assault. When ordered to by a supervisor. Both the officer and supervisor shall document the reason for the deactivation as described in the Report Writing section of this policy.

509.07 Restrictions (32.02M): The BWC shall not be used for the purpose of intimidating or discouraging an individual from observing police activity, making appropriate inquiries to the police, or making a complaint. Officers shall not use the BWC to record interactions solely with or among other department employees, except in circumstances for which activation is appropriate in accordance with this policy. Officers shall not use the BWC for personal use or for any other reason inconsistent with this policy. Employees shall only use BWCs and BWC equipment authorized by the Department. Disabling BWC equipment, intentionally interfering with audio or video recording capabilities, and altering, duplicating, deleting, or destroying BWC recordings are prohibited, except by Authorized Personnel in the course and scope of their lawful job duties and in accordance with record retention laws and policies and the provisions of this policy. Only the Chief or his or her designee can designate such Authorized Personnel. The BWC shall not be activated solely for the purpose of surveillance of, or identification of individuals engaged in constitutionally protected activities conducted in a lawful manner.

509.08 Report Writing (32.02M): To ensure the accuracy of reports, an officer should review audio and video data before making a report or statement. An officer shall document the following in his or her report (9.1.7b):

a. Whether audio or video evidence was gathered relating to the events described in the report.
b. If the BWC was not activated as required and the reason(s) why not, in accordance with the Activation section.
c. Early or accidental deactivations, in accordance with the deactivation section.
d. Any malfunction of the BWC equipment in either the recording or the uploading of the event.
e. Maintenance, Repair, and Replacement of BWC Systems.
f. The contents of this document are based on my observations of the incident and a review of the recordings captured by BWC.

All malfunctioning equipment shall be submitted to the BWC Coordinator for service/repair.

509.09 Buffering Mode: With the camera turned on, the system is in the BUFFERING mode. When BUFFERING begins:

a. The Operation LED on the camera will blink green.
b. The camera will capture video but no audio and will not record to permanent memory while in BUFFERING mode.
c. Buffered video duration is 60 seconds.

Because the system does not capture audio in BUFFERING mode, the first 60 seconds of a recorded event will be video-only. Buffering mode starts only after the camera is turned on. The system does not record when the camera is turned off.

509.10 Live Stream Procedures (9.1.7b)**:** Body Worn Cameras have built-in capabilities, which will provide real-time alerts, real-time location, and live streaming. Location and livestreaming are only available while the BWC is on and recording. Livestream can only be accessed by authorized users with proper permissions. These are three features that will alert an officer the livestream function has been activated:

a. The LCD display screen will show the "Livestream" icon while livestream is on.
b. If the officer has the volume on, the camera will provide three short rising pitch tones and one long vibration.
c. The Operation LED will change colors and blink purple.

509.11 Training (32.02M, 14.1.3): All sworn employees shall receive initial training during Phase 1 of the Field Training Program. Periodic training will be completed based on updates to policy, procedure, or manufacturer recommendations, as needed.

509.12 BWC Data Retention and Dissemination (32.02M, 9.1.7c): All video recordings collected using the BWC system are official records and the exclusive property of the University of Central Florida Public Safety and Police. Data will be maintained in a storage system designated and approved by the Department. All data will be backed up by the storage system vendor. Data will be retained in accordance with applicable law (14.1.3).

BWC recordings shall have any captured Criminal Justice Information (CJI) redacted prior to public release. BWC recordings released pursuant to this policy are subject to the restrictions found established in §119 "Public Records," and section 24 Article I, of the Florida Constitution.

BWC recordings shall be maintained, at a minimum, in accordance with Section 119.071(2)(1)1-8 of Florida Statutes and the State of Florida General Records Retention Schedules (9.1.7b).

When members of the department are involved in certain incidents to include, officer involved shootings, any in-custody death and any other incident where the Chief of Police determines that release of video recordings is required to promote transparency, that is being investigated by an outside agency, such as the Florida Department of Law Enforcement ("FDLE"), all related body worn camera video shall be released, to the extent permissible under applicable law, and consistent with the Officer's Bill of Rights upon notification from the outside entity that the initial interviews are complete. The public release of the video recordings in these circumstances shall occur no more than 30 days after the date of the incident, unless the Chief of Police, or the Chief's designee, determines there are extraordinary circumstances which dictate

that the release of the video be delayed. If a video cannot be released within 30days, the reason for the delay will be disclosed. Public records request shall follow the procedures outlined in General Order 406.

509.13 Definition:

Activation - Any process that causes the BWC system to record audio or video data. Activation will be done manually. Activation can only occur when the BWC is already powered on.

Authorized Personnel - Personnel designated by the Chief or his or her designee, to manage data recorded by the BWC.

Body Worn Camera (BWC) - Portable audio-video recording equipment designed to be worn on a person.

Buffer - A vendor-configured component of the BWC that records 60 seconds of video only, without audio, prior to a BWC activation. The buffer records only when the BWC is powered on. Audio recording begins when an officer activates recording

BWC Uploading - The act of transferring recorded data from the BWC to the storage server.

CAD (Computer Aided Dispatch) - CAD is the electronic system used to manage law enforcement resources in relation to calls for service.

Deactivation - Any process that causes the BWC system to stop recording. Deactivation can be done manually or can occur accidentally.

Robin Griffin Kitzerow
Chief of Police