POLICY AND PROCEDURE NO. 403

Body Worn Cameras

Massachusetts Police Accreditation Standards:
41.3.8

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1. PURPOSE:

The purpose of this policy is to establish guidelines for the proper use, management, storage, and retrieval of video and audio recordings made by Body-Worn Cameras (BWCs) issued by the Worcester Police Department. BWCs are an effective tool for preserving factual representations of officer-civilian interactions and for capturing evidence for use in criminal investigations, internal investigations, and officer training.

The BWC is intended to record anything that the BWC officer could have potentially heard and observed using their senses. This does not mean that the BWC officer is required or expected to have seen or heard everything captured in the footage. Likewise, there may be information the BWC officer obtains through their senses that is not captured by the BWC. Each incident should be evaluated based on the totality of the circumstances when reviewing the video for any purpose.

2. POLICY:

It is the policy of the Worcester Police Department to utilize BWCs to promote transparency, accountability, and professionalism while respecting the legitimate privacy interests of all persons. BWC footage shall be managed in accordance with applicable law, including public records requirements and constitutional protections against unreasonable search and seizure. MPAC 41.3.8 [a]

3. SCOPE:

This policy applies to all employees of the Worcester Police Department. Provisions governing the operation of a BWC apply to sworn employees assigned or issued a BWC, and the supervisory responsibilities described herein apply to all supervisors of units whose officers are assigned BWCs. Provisions governing the viewing, use, and dissemination of BWC recordings apply to all employees.

4. TRAINING:

All officers and supervisors shall attend Department training on the operation of the BWC system and this policy prior to being issued a BWC. MPAC 41.3.8 [f]

Training on BWC operation and related policy shall be provided to recruits at the Academy. Training shall also be provided when any officer who has not previously received BWC training is transferred to a unit employing BWCs from a unit without BWCs.

All supervisors of the rank of Sergeant and above who supervise BWC-equipped officers shall receive BWC training, including training on the supervisory responsibilities described in this policy and on the review of BWC recordings required by Policy 400 Use of Force.

Refresher training on BWC policy and operation should be provided periodically as directed by the Training Division. Training records shall be maintained in accordance with Policy 145 Departmental Training.

5. ACTIVATION:

An officer equipped with a BWC shall activate its recording functions as soon as practicable upon: dispatch to or arrival at any call for service, whether emergency or non-emergency; any police-initiated investigative or enforcement contact, including motor vehicle stops, field interviews, pursuits, searches, arrests, and service of process; any encounter in which the officer exercises police authority or in which a use of force is reasonably foreseeable; and when ordered to activate by a supervisor.

Officers are not required to activate the BWC for a casual encounter. A casual encounter is a voluntary conversation in which the officer is not responding to a call for service, is not conducting an investigation, is not directing or restraining the person's movement, and is not taking or contemplating enforcement action, such as community engagement, giving directions, or informal conversation with residents or business owners. If a casual encounter develops into any circumstance listed above, the officer shall activate the BWC as soon as practicable.

BWC officers shall not compromise their safety or the safety of others to obtain BWC recordings when activation is not tactically feasible.

6. RECORDING IN RESIDENCES AND SENSITIVE AREAS:

A. Recording Within a Residence

If an officer is dispatched to a residence to handle a call for service, the officer is permitted to record while lawfully inside the residence. If a resident asks police to cease recording while inside the residence, the officer may exercise discretion to deactivate the BWC, weighing the considerations in Sections 6.C and 7.C. The request and the officer's decision should be captured on the recording before any deactivation, and the officer shall note the deactivation and the reason in the incident report. The officer shall reactivate the BWC if circumstances change such that recording is required under Section 5, including where a use of force, arrest, or other enforcement action becomes reasonably foreseeable.

When a BWC officer seeks consent to enter and search a home, or other place where there exists a reasonable expectation of privacy, based on a justification of consent only, the officer should give verbal notice. The entirety of any consent-based search shall be recorded. Officers shall record when entering a residence under exigent circumstances.

B. Review of Footage Captured Inside a Residence

Review of BWC footage that was recorded inside a residence or other location where there exists a reasonable expectation of privacy shall be limited in scope to the call for service, investigation, or law enforcement action that was the basis for the officer's lawful presence at the time of recording. Review of such footage for purposes unrelated to the original call, investigation, or law enforcement action requires a warrant or court order, unless an exception to the warrant requirement applies. See Commonwealth v. Yusuf, 488 Mass. 379 (2021). Personnel reviewing BWC footage shall not use observations from footage recorded inside a residence to initiate or further an unrelated investigation without first obtaining appropriate legal authorization. Questions regarding the scope of permissible review should be directed to the on-call supervisor or the Law Department.

C. Sensitive Areas

When recording in areas where there may be a reasonable expectation of privacy, BWC officers should be mindful of their location, as BWC recording may be considered insensitive, inappropriate, or prohibited by privacy considerations. Such locations may include locker rooms, places of worship, religious ceremonies, or certain locations in hospitals or clinics. Based on the circumstances encountered, the officer may deactivate the BWC at such a location and shall note the deactivation and the reason in the incident report. The officer shall reactivate the BWC if circumstances change such that recording is required under Section 5, including where a use of force, arrest, or other enforcement action becomes reasonably foreseeable.

D. Strip Searches and Visual Body Cavity Searches

At a strip search or visual body cavity search conducted at any location other than the holding facility, at least one officer present shall record audio only of the entirety of the search on a BWC, including all instructions given to the individual before the search begins. A search conducted in the holding facility is recorded on the audio portion of the holding facility monitoring system in accordance with Policy 720 Strip Search and Body Cavity Search, and a BWC recording is not required. When a BWC recording is required, the recording officer shall position the BWC so that only audio of the search is captured and the individual being searched does not appear on video; the BWC may be removed and placed off body for this purpose, and the chest placement required by Section 7.A does not apply during the search. Officers shall not use the mute function during a search recorded under this Subsection. No video image of the individual being searched shall be intentionally captured by a BWC at any location. If a BWC unintentionally captures video of the individual being searched, the recording shall be classified as confidential in the Evidence.com system, the officer shall note the unintentional capture in the incident report or a supplemental report, and a Program Administrator shall be notified. Where a BWC recording is required and no officer present is equipped with a BWC, the searching officer shall document that fact and the reason in the incident report or a supplemental report.

7. NOTICE AND CONSENT:

A. Notice of Recording

BWC officers are not required to notify civilians that they are being recorded, but it is recommended that they do so during the interaction. Officers may take into account tactical

considerations as to if or when to notify a civilian of the recording. All BWCs shall be conspicuously placed on the officer's chest area to allow the camera to be immediately noticeable to those interacting with the officer.

B. Consent to Record

BWC officers are not required to obtain consent to record. If a civilian requests the BWC officer to stop recording, the officer has no obligation to stop recording if the recording is pursuant to the activation circumstances identified in Section 5. When evaluating whether to continue recording, officers should weigh the considerations specified in Section 6.C. Any request to deactivate the BWC should be recorded, as well as the officer's response to that request.

C. Recording of Victims and Witnesses

If a BWC officer is aware that the BWC is in range of a victim or witness giving an account of a crime, the officer may record the encounter but should be considerate of the privacy concerns of the individual. If the individual is unsure of the need for the recording or is uncomfortable with being recorded, the officer should determine whether deactivation of the camera or muting of the audio is appropriate. Requests to deactivate the BWC should be recorded.

8. DEACTIVATION AND MUTING:

A. Deactivation

Once a BWC is activated, recording should continue until the event has concluded or until the officer is ordered to deactivate by a supervisor. When an officer's interaction with a civilian has ended, the officer has left the scene, or an arrestee has been secured in a transport vehicle, the officer may end the recording. If an officer deactivates the BWC before the end of the incident, the officer shall note the reason in the incident report.

B. Muting

Officers may utilize the BWC's mute function instead of deactivating the camera when the incident is ongoing but audio should not be captured, including: tactical or strategic discussions among officers; conversations with a victim or witness who requests privacy; and circumstances involving personal or medical privacy. Whenever practicable, the officer should state on the recording the reason for muting before activating the mute function. Officers shall restore audio recording when the circumstance justifying the mute has concluded. An officer who completes an incident report or supplemental report for the incident shall note in that report each mute of the officer's BWC and the reason. An incident report is not necessary solely to document a mute whose reason was stated on the recording; where the reason was not stated on the recording, the officer shall document the mute and the reason in a supplemental report.

When a BWC is recording and the officer is a party to a telephone conversation, the officer shall advise all parties to the call that the conversation is being recorded, or shall mute the BWC for the duration of the call. A party to a telephone call cannot observe the BWC, and Massachusetts law prohibits the secret recording of wire and oral communications. Where notice is given, the officer should state on the recording that notice was given. Where the

officer mutes, the officer shall restore audio at the conclusion of the call and shall document the mute as required by this Subsection.

9. REPORT WRITING:

BWC officers may review their BWC recordings before preparing their reports. Reviewing the recording helps ensure that reports are accurate and consistent. MPAC 41.3.8 [b]

An officer who uses force constituting a Serious Use of Force, as defined in Policy 400 Use of Force, shall write the initial report before reviewing any recording of the incident. This requirement does not apply where the force is a Serious Use of Force only because it resulted in treatment at a hospital or other medical facility, since treatment may not be known when the initial report is written. A display of force alone does not trigger this requirement. After writing the initial report, the officer shall review the recording and shall document in a supplemental report any additional relevant facts learned from the footage or recollections refreshed by it. No supplemental report is required where the review reveals no additional relevant information.

When an officer reviews BWC footage in connection with report preparation, the officer should distinguish in the report: facts recalled independently of the recording; recollections refreshed by viewing the recording; and facts not previously known but learned by viewing the recording. Discrepancies between an officer's initial report and BWC footage are a normal product of human memory under stress and should not, standing alone, be treated as evidence of untruthfulness. BWC officers should continue to prepare reports with the same level of detail and thoroughness as prior to BWC implementation.

10. BWC DEPLOYMENT:

A. Officer Responsibilities

At the beginning of each shift, the BWC officer shall ensure the issued BWC has a fully charged battery and is functioning properly, and shall notify a supervisor if the BWC is malfunctioning or damaged. MPAC 41.3.8 [e]

During the shift, the BWC officer shall: activate the BWC as outlined in Section 5; document the existence of a BWC recording in all appropriate documents; ensure the incident number is assigned to every recording; and utilize a personalized key fob to enter the secure room in which all BWC devices are stored and docked. MPAC 41.3.8 [i]

At the end of each shift, the officer shall return the BWC device to the base station, examine it to ensure the device is properly functioning, verify it is in uploading status by checking indicator lights, and leave the device docked in the assigned secure storage area. An officer assigned to a unit designated by the Chief of Police or designee to respond from home may retain the assigned BWC off duty once the device has been docked and all recordings have been uploaded.

If a BWC officer becomes aware that the officer failed to activate the BWC, failed to record the entirety of an interaction, interrupted a recording, muted a recording without a justification recognized by Section 8.B, or the BWC malfunctioned or was damaged, the officer shall document the circumstances in an incident report or supplemental report.

Officers assigned a BWC shall wear their assigned BWC while on duty. If during a tour of duty the BWC's battery becomes depleted, or the BWC malfunctions or is damaged and cannot be immediately replaced, the officer shall notify and consult a supervisor for direction.

B. Supervisor Responsibilities

Supervisors assigned to units whose officers are assigned BWCs shall: remove a malfunctioning BWC from service when notified by an officer and provide direction regarding completion of the tour of duty; and ensure the BWC is properly affixed and placed correctly on the officer's uniform. Review of BWC recordings following a use of force is governed by Policy 400 Use of Force.

C. Off-Duty Assignments

Officers who are assigned a BWC shall wear it whenever working in an official capacity, including overtime shifts and off-duty assignments, except construction details. At the conclusion of the assignment, the officer shall return the BWC to its docking station. If the BWC was activated at any point during the assignment, the officer shall return and dock the BWC before going off duty. If the BWC was not activated and immediate return is not feasible, the officer shall return the BWC no later than the officer's next tour of duty.

D. Plain Clothes Personnel

Plain clothes officers engaged in primarily information-gathering activity, including neighborhood canvass, interviewing victims or witnesses, retrieving video evidence, routine licensing checks, and conducting searches of electronic devices, may exercise discretion regarding BWC activation. The decision to activate during these circumstances shall be at the discretion of the officer and the unit supervisor based on the nature and needs of the particular investigation.

Officers shall not be required to wear a BWC during assignments involving acting in an undercover capacity, including covert surveillance, undercover purchases, meetings with informants, or any other activity where the need to protect the integrity of the investigation exists.

Officers who are assigned a BWC shall activate the camera during the execution of a search warrant and keep the BWC activated during the initial securing of the scene. Officers may deactivate the BWC at the discretion of the unit supervisor once the scene is secure and the likelihood of any use of force scenario has subsided. Interactions in which the search warrant or Miranda rights are presented should be recorded.

Plain clothes officers shall activate the BWC when engaging in law enforcement activities as detailed in Section 5 unless an applicable exception identified in this section applies. Special consideration shall be given to the manner of BWC placement on plain clothes attire at the discretion of the unit commander.

Special consideration shall be given to plain clothes officers assigned to a federal task force. The decision to wear and activate a BWC during task force operations shall be made at the discretion of the officer, unit supervisor, and task force supervisor, taking into consideration any cooperation agreement between the Department and the outside agency. Any directive

from a task force supervisor to not activate a BWC during an operation should be documented by the officer.

E. Livestreaming

Livestreaming of real-time BWC footage shall be permitted under the following conditions: during a preplanned event with an operations plan approved by the Chief of Police or designee, members of the command staff may livestream from one or more BWCs; during a critical incident, the Incident Commander, a member of the command staff, or any supervisor may livestream from one or more BWCs where doing so would enhance situational awareness or officer safety; and any supervisor may livestream from an officer's BWC when the officer is unresponsive, cannot be located, or may need aid.

11. INTERNAL ACCESS AND REVIEW:

A. Officer Access to Footage

BWC officers may review their own BWC recordings as they relate to: involvement in an incident for the purposes of completing an investigation, preparing official reports, and any supplemental reports required; preparation for testimony in court or other legal proceedings to refresh recollection; providing a statement (oral or written) pursuant to a Bureau of Professional Standards investigation or Commander's investigation; and any call in which the officer was involved, including footage from other officers' BWCs assigned to the same call. MPAC 41.3.8 [c]

If a BWC officer is rendered incapacitated or unresponsive while on duty, other officers may view the BWC video in order to identify a possible suspect or aid in the apprehension of a possible suspect.

It is recommended that officers make a notation in Evidence.com when viewing other officers' videos.

B. Supervisor Access to Footage

Authorization to view BWC footage is governed by this Subsection, regardless of an employee's technical ability to access footage in the Evidence.com system. The following viewing is authorized: a supervisor within the BWC officer's chain of command may view the officer's footage for supervisory purposes under this policy; a supervisor outside the chain of command may view footage with the approval of a chain-of-command supervisor or a Program Administrator; the Bureau of Professional Standards may view any footage relevant to a complaint or investigation; personnel conducting a review required by Policy 400 Use of Force may view footage of the use of force under review; detectives may view footage for investigative purposes; and the Training Division may view footage for training purposes. All viewing is logged in the Evidence.com system. Viewing outside these authorizations violates this policy and is subject to Section 16.B.

C. Officer Access Following an Officer-Involved Shooting

Following an officer-involved shooting or other use of deadly force, involved officers, including supervisors, shall not view the BWC recording on any device prior to the designated Detective Bureau supervisor viewing the footage and uploading it into the system. If exigent

circumstances exist, such as a BWC officer being rendered incapacitated or unresponsive while on duty, other officers may view the BWC video in order to identify a possible suspect and aid in apprehension.

BWC officers involved in or who witnessed an officer-involved shooting or other use of deadly force shall be permitted to view all incident BWC recordings after writing their initial report and before providing any additional statement or supplemental report. This provision does not relieve the officer of the supervisor notification requirements of Policy 400 Use of Force. See also Policy 501 Officer Involved Shootings, In-Custody Deaths and Serious Uses of Force.

12. COLLECTING, STORAGE, AND RETENTION:

A. Officer-Involved Shooting or Deadly Force Evidence

Following an officer-involved shooting or other use of deadly force, the collection, securing, and uploading of BWCs from involved officers is governed by Policy 501 Officer Involved Shootings, In-Custody Deaths and Serious Uses of Force, which assigns those responsibilities to authorized Detective Bureau personnel.

B. Retention

The Department shall retain all BWC recordings indefinitely, unless otherwise required by law or the Municipal Records Retention Schedule issued by the Secretary of the Commonwealth. MPAC 41.3.8 [g]

No BWC recording shall be deleted or destroyed while any related investigation, including criminal, civil, or administrative investigation, or court proceeding is still open or pending, or for the same period of time that evidence is retained in the normal course of the investigation, or for the same period of time that evidence is retained in the normal course of the court's business for a recording related to a court proceeding. No BWC recording shall be destroyed until all appeals and related litigation are exhausted and closed.

BWC recordings shall be stored in Evidence.com software and secured with password protection. MPAC 41.3.8 [h]

BWC equipment may be used for training purposes. BWC footage of internal police training may be deleted at any time.

13. PUBLIC ACCESS:

The City of Worcester shall respond to public records requests for BWC footage in accordance with all applicable laws and regulations. Under the public records laws of Massachusetts, BWC footage is considered a public record, subject to applicable exemptions and statutes which restrict or prohibit the dissemination of certain information. Public records requests for BWC footage are processed by the Law Department. MPAC 41.3.8 [d]

14. AUDIT AND REVIEW:

Each unit commander, or designee, shall be responsible for conducting monthly random audit and review of BWC footage; through the use of the BWC Performance Software, these reviews shall be standardized for all commanders with the approval of the Chief or designee. The Bureau of Professional Standards Commander or designee shall perform a monthly audit and

review from randomly selected footage using the BWC Performance Software. The purpose of the audit function is to assist the Chief in maintaining professionalism by identifying deficiencies in adherence to policies, procedures, rules, regulations, and directives implemented by the Department or by the City of Worcester.

15. PROPERTY RIGHTS:

All BWC recordings and footage are the sole property of the City of Worcester and are maintained and controlled by the Worcester Police Department. The recordings obtained from agency body-worn camera systems are not owned by the vendor and shall not be used by the vendor for any purpose inconsistent with the policies and procedures of the Worcester Police Department. MPAC 41.3.8 [j]

16. RESTRICTIONS:

A. Improper Recording

BWCs shall not be activated to record: breaks, lunch periods, or time periods when the officer is not responding to a call or is out of service; personal conversations of or between other Department employees without the recorded employee's knowledge; non-work-related personal activity, especially in places where a reasonable expectation of privacy exists, such as locker rooms or restrooms; investigative briefings; encounters or communications over secured radio channels with undercover officers or confidential informants; departmental meetings, in-service training, or assignments of an administrative nature (the use of BWCs for training purposes is not a violation of this provision); and First Amendment-protected political activity for the sole purpose of identifying protestors when no crime has been committed. No BWC shall be used to intentionally capture a video image of an individual during a strip search or visual body cavity search; audio recording of such searches and the handling of unintentionally captured video are governed by Section 6.D of this policy.

B. Improper Use of Footage

BWC recordings and footage shall not be: used for the purpose of ridiculing or embarrassing any individual depicted on the recording; randomly reviewed for any purpose not consistent with this policy; disseminated by any Department employee unless approved by the Chief of Police or designee, or disseminated in the course of official duties; or copied by any employee using personal electronic devices or any other unauthorized method.

Per:

Paul B. Saucier
Chief of Police

Revisions:

September 11, 2026–

Retitled from Body Worn Camera Policy and reformatted to the ADA-compliant template, with Policy and Scope sections added. Expanded activation to any exercise of police authority or foreseeable use of force. Replaced supervisor approval for deactivation at a resident's request with documented officer discretion, and replaced the muting and sensitive-area provisions. Added limits on review of footage recorded inside a residence under Commonwealth v. Yusuf, and audio-only recording of strip searches outside the holding facility. Replaced the Use of Force Model reference with a report-before-review requirement for a Serious Use of Force, followed by review and any supplemental report. Removed the supervisor and commander use of force footage review, now in Policy 400 Use of Force. Replaced the off-duty wear requirement with wear in any official capacity except construction details. Replaced the training, audit, livestreaming, internal access, retention, and ownership provisions, and replaced the officer-involved shooting collection procedures with a cross-reference to Policy 501 Officer Involved Shootings, In-Custody Deaths and Serious Uses of Force. Added Law Department processing of public records requests. Removed the tagging requirement and the spare-camera provision.

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