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Last Reviewed: 02/17/2024			

I. Purpose

This policy is intended to provide police employees with instructions on when and how to use Axon Body Worn Cameras (BWCs).



II. Policy

- A. It is the policy of the Ann Arbor Police Department that police employees will activate and deactivate BWCs when appropriate to the proper performance of their official duties and consistent with this policy and any applicable laws. This policy does not govern the use of surreptitious recording devices used in undercover operations.

BWCs shall not be used for purposes that are counter to or inconsistent with the Ann Arbor Police Department's mission and core values, community policing, or in ways that are contrary to federal, state, and local law.



- B. The use of personally owned devices equipped with a camera is prohibited from being used in lieu of an assigned BWC.

1. If an employee is not assigned a BWC or is assigned one that is not accessible or operable, and out of necessity decides to use a personal device equipped with a camera to record a duty related event, the video will be treated as evidence and subject to the directives outlines in this policy.
2. A personal cell phone may be used to pair a BWC with the Axon View app as it does not create a recording or copy of existing video, but rather allows access to videos stored on the paired BWC.
3. All images and sounds recorded by a BWC or made in place of a BWC are the exclusive property of the Ann Arbor Police Department. Accessing, copying, or releasing files for non-law enforcement related purposes is strictly prohibited. Axon allows a Bluetooth connection with Axon Smartphone and computer apps (Axon View and Axon View XL) for the purpose of reviewing video, basic categorization, and labeling videos. Axon Manager is used for hardware assignment if necessary and requires administrative authority within Evidence.com.
4. Personnel will not make copies of any video or audio recording for personal use and are prohibited from using a recording device, such as a

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Smartphone camera or secondary video camera, to record media from a BWC no matter the circumstance. All videos will be duplicated by means of established Record Bureau procedures with Command approval.

- C. The Ann Arbor Police Department has adopted the use of BWCs to accomplish several objectives. The primary objectives are as follows:
1. To reduce use-of-force interactions, as well as complaints against police employees. When used properly, BWC enhance openness and help to foster positive community relations.
 2. BWCs allow for accurate documentation of police interactions in the public, to facilitate reviewing of use of force incidents and personnel complaints; and serve as evidence for investigative and prosecutorial purposes.
 3. BWCs also provide additional information for employee evaluation and training.
 4. BWCs may be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
- D. When evaluating the unique perspective of a BWC, the following must be considered:
- a. The BWC is mounted to the torso and does not follow the positioning of the eyes. Therefore, the recording may not capture what the person wearing the BWC is looking at in any given moment.
 - b. Some danger cues are experienced through senses other than vision and therefore cannot be visually recorded.
 - c. BWC recordings cannot provide direct evidence of what the operating officer is experiencing nor their experience prior to the moment being recorded.
 - d. BWC recording speed and human reaction time differ significantly.
 - e. BWC recordings may be visually distorted or enhanced to the point that the images captured appear different than what would be perceived by the human eye.

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- f. Extended hands and arms may block views at critical times.
- g. BWC's do not provide any non-visual information that may be detectable to other human senses.



III. Relationship to Vision, Mission and Values

In order for employees of the Ann Arbor Police Department to be able to deliver effective, efficient, and high-quality law enforcement services to the community, they must have access to the proper equipment. The provisions of this Policy and Procedure have significant correlation to the Ann Arbor Police Department's Mission and Vision Statements.



- A. Mission Statement: To provide protection and service to all.
- B. Vision Statement: All Ann Arbor police personnel are partners with the public and city administration to help the community successfully fulfill its desired destiny.

IV. Procedures



- A. General Use of BWCs
 - 1. Police employees shall activate BWCs to full record mode on all calls for service and during all enforcement-related encounters and activities.
 - a. The BWC shall be activated prior to arriving at the scene whether responding by vehicle or foot so that the beginning of the interaction is recorded. Early activation also prevents the need to think about turning the BWC on under stressful conditions or during an escalating event when an officer's focus is on safety and tactics. The BWC will remain activated until the encounter or activity is completed unless another part of this policy authorizes deactivation.
 - b. The Department recognizes that employees often become engaged in dynamic situations in which it may not be practical to activate the BWC (i.e. spontaneous foot chases, unexpected altercations, etc.). However, Employees shall make every attempt to comply with this procedure without compromising their safety or that of others.

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- c. Community Standards: CSO's **shall** activate their BWC's during their shift under the following circumstances:
1. To record community standards violations where a citation was issued such as the buildup of trash or snow accumulation.
 2. To record evidence of parking violations where the CSO believes that video documentation may prove beneficial should the citation be contested.
 3. When/if CSO's are approached by citizens who wish to converse about a citation they've received.
 4. CSO's may activate their BWC's at any point in their shift when they feel that their safety may be compromised or when they feel that having an incident recorded could be beneficial.
2. Once the BWC is activated employees are encouraged to narrate an incident. The intent of narration is to assist in necessary written documentation and to provide an explanation of recorded events.
 3. Police employees are encouraged, but not required to inform others that the interaction is being actively recorded. The mere knowledge that one's actions are being recorded is often enough to encourage civil behavior and may prevent conflict or deescalate a situation that is tense upon the police employee's arrival.
 4. If a police employee stops the BWC recording during a call for service or enforcement encounter or activity (e.g., to interview a victim of a sensitive crime or a confidential informant *subsection "C" part "1" below*), the employee should verbally indicate their reason before stopping the BWC, and upon reactivation, state that the BWC was restarted. Deactivation of the BWC during a call for service or enforcement encounter or activity must be documented, and the reasoning documented in an incident report.
 5. Axon Body 3 and 4 body worn cameras (BWC)s are to be left powered on, in buffering mode during an officer's entire shift, and are to be only powered off during specific times as listed in this policy, *see subsection "C" PART "2".

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- A. Axon Body 3 and 4 BWCs provided a 30 second buffering phase prior to activation that captures video only.
 - B. Upon activation of the BWC audio is captured as well as video.
- B. Specific Circumstances/Considerations:
1. **Requests to turn off the BWC.** If BWC activation is authorized under this policy, police employees have no obligation to stop recording in response to a request from a member of the public. However, the police employee has the discretion to stop recording in response to a request if the situation warrants it. Examples may include conversations with victims, witnesses, or persons who may have information regarding a suspected crime, but who are reluctant to be recorded. The request to turn the BWC off should be recorded and the police employee should verbally confirm the reason before stopping the BWC.
 2. **In a residence.** There is a heightened expectation of privacy in a residence. If a police employee is present at a residence for a reason other than a call for service or enforcement, the employee should inform any occupant(s) present if the BWC is recording. If an occupant expresses a desire not to be recorded, the employee may turn the BWC off but is not required to.
 3. **Escalating encounters or activities.** If a police employee begins an encounter or activity that does not require the BWC to be activated, but the encounter or activity escalates to involve potential enforcement, the employee should activate the BWC. The employee may inform any persons present that the BWC has been activated but is not required to do so.
- C. Restrictions and Exceptions Regarding the Activation and Deactivation of BWCs
1. BWCs shall not be used to record:
 - a. Communications with other police personnel not related to a police investigation without the permission of the Chief of Police

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- b. Encounters with undercover police employees or confidential informants
 - c. Legally privileged conversations (i.e. legal counsel, clergy, etc.)
 - d. Court proceedings
 - e. For personal use on or off duty
 - f. During circumstances of an exceedingly sensitive or private nature:
 - i. Death notifications
 - ii. Interviews with sexual assault victims, but does not preclude interviews with witness in sexual assault cases
 - iii. Interactions inside medical and mental health facilities
2. Authorized Deactivation of BWCs while on duty
- a. Periods when a police employee is on break/lunch or otherwise engaged in personal activities
 - b. When the police employee is in a location where there is reasonable expectation of privacy i.e. a restroom, locker room, or personal office

D. Use and Handling of BWC Equipment

- 1. Police personnel will use only BWCs issued by the Ann Arbor Police Department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Ann Arbor Police Department.
- 2. BWC equipment will be assigned to uniformed personnel assigned to patrol, traffic enforcement, to Community Standards, and any personnel assigned to work special event detail.
- 3. Detective Bureau personnel or any other sworn department member not personally assigned a BWC, will utilize a spare BWC kept in the

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Quartermaster room when working a uniform assignment or when requested to do so by a supervisor and in accordance with this policy.

4. Police personnel will be trained in the use and proper operation of department BWCs prior to deploying such in the field or being assigned to a uniformed assignment. Those who have not completed such training are not eligible for voluntary assignment to any roll which would require a BWC be used as part of normal function under this policy. This does not preclude forced assignment if dictated by operational necessity as deemed by Ann Arbor Police Command.
5. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration, and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
6. BWC equipment is the responsibility of individual police employees and should be used with reasonable care to ensure proper functioning. Equipment malfunctions should be brought to the attention of the supervision as soon as possible so that a replacement unit may be assigned. An email to the BWC program supervisor and a Helpdesk ticket to IT should be made by the individual department member documenting the malfunction.
7. Police employees should inspect and test their assigned BWC prior to each shift in order to verify proper functioning and shall notify their supervisor immediately if their BWC is not functioning properly.
8. Any person who intentionally disables or damages any part of a recording system or who fails to activate or deactivate the system when required by this policy without a legitimate, justifiable reason is subject to corrective action.

V. BWC Review and Reporting

A. Reviewing of Axon Body Camera recordings

1. The Axon BWC video recording may be reviewed by officers and supervisors to refresh the officer's memory, and to facilitate the accurate writing of police reports.

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2. During the reviewing of any BWC video, personnel will maintain a secure viewing environment.
3. The officer in charge of the case may request to review any portion of the recorded incident they are investigating with supervisory permission.
4. The review of recordings is intended for official department business. Officers shall not allow anyone other than authorized employees of the department to view recordings produced in the performance of their duties or by a departmental recorder except when authorized by the Chief, Deputy Chief and/or designee.

B. Reporting Requirements for BWC Recordings



1. Police employees must note in the incident report and related reports when BWC recordings were made. However, BWC recordings are not a replacement for a written report. It is not acceptable to make a reference in a report to the effect of “*see video for details*” in lieu of articulating what occurred in writing.
2. Any stopping of a BWC recording during a call for service, enforcement encounter, or activity which allows such action, shall be documented in the case report.
3. If a police employee fails to activate the BWC as prescribed in this policy, he or she must document why a recording was not made in an incident report and by making a notation on their activity log under the BWC note category. If no activity log is available sending an email to their immediate supervisor and Section Lieutenant is acceptable.
4. Police employees are permitted and encouraged to review their own BWC recordings prior to submitting the final version of their reports for supervisory review and approval. The Chief and/or their designee may restrict any employee's viewing of BWC recordings at his/her discretion.

VI. Storage/Retention and Handling of BWC Recordings

- A. The Axon Body 3 and Axon Body 4 BWCs use the web-based application, Evidence.com, as the video management and storage platform. Department members should login to this program regularly to ensure proper downloading and function of their assigned BWC.

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- B. Recordings from BWCs are considered evidence and will be treated as such. Police employees will not edit, alter, erase, duplicate, copy, share, or otherwise distribute BWC recordings.
- C. All images and sounds recorded by a BWC are the exclusive property of the Ann Arbor Police Department. Accessing, copying in any manner, or releasing files for non-law enforcement purposes is strictly prohibited.
- D. BWCs must be securely placed in a docking/charging cradle no later than the end of each shift so that all recorded videos can upload to Evidence.com, the battery can recharge, and unit receive necessary system updates.
- E. Retention periods for BWC video footage varies in accordance to policy guidelines. A feature of Axon BWCs is Auto Tagging, this links Computer Aided Dispatch (CAD) information to the individual videos generated for that particular incident. The information from CAD populates as follows:
1. The ID or call for service number (CFS)
 - a. Call for service numbers will appear as ten-digit number when downloaded and linked via CAD, (for example 2000012345 not 20-12345).
 - b. Linking videos with CAD information is based on the time a BWC is activated and dispatch placing the officer on scene. The approximate window is two minutes before and after the officer being placed on scene in CAD.
 2. The Title or offense type. This area can include details regarding what is recorded as part of a larger investigation, such as documentation of the scene or individual witness statements.
 3. Category or incident tag
- F. Department personnel may also enter the CFS, offense type, and incident tag to their recorded videos prior to upload with the Axon View Smartphone application, Axon View XL in-car or desktop computer application.
1. Department personnel assigned a BWC are required to verify that mandatory categorized videos are categorized by logging into Evidence.com at the conclusion of each week work.



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2. After upload field modifications to videos can only be made in Evidence.com.

G. Video Categories and Retention Periods

1. All videos will default to a 180 days retention period unless otherwise indicated. Retention periods are subject to change at the discretion of Police Administration in concert with IT management.
2. Mandatory Categorization Incidents:
 - a. Arrest
 - b. OWI Arrest
 - c. Injured Officer
 - d. Use of Force

Name	Retention Duration	Category Restrictions
Uncategorized	180 days	None
Arrest	4 Years	None
Crime Scene Tech/Evidence Gathering	1 Year	None
Interview	1 Year	None
Officer Injury	1 Year	None
OWI Arrest	6 Years	None
Pending Review	Until manually deleted	Administrative Category
Search	180 Days	None
Traffic Stop	180 Days	None
Training Demo	90 Days	None
Use of Force	4 Years	None

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NOTE: Use the concept of the "Hierarchy Rule" when deciding which category to assign to a video. Select the category with the highest retention based on the specifics of the event. For example, if an OWI arrest is made and force is used while taking the suspect into custody, the video should be categorized as "OWI Arrest" as the retention period is the longest for that category

VII. Supervisory Responsibilities

- A. Supervisors shall ensure that officers who use the Axon BWC system adhere to established procedures and policies.
- B. Supervisors shall be responsible for the investigation of all incidents of misuse, tampering or non-compliance of this order that may occur on their shift. All investigations shall be forwarded, in writing, to the appropriate Division Commander.
- C. If an employee is involved in a serious incident, the command officer in charge of the incident shall immediately take possession of the BWC and ensure the video is uploaded to Evidence.com. Examples of significant events include, but are not limited to:
 - 1. An Officer-involved shooting
 - 2. An in-custody death or serious injury of a person
 - 3. An injury to the employee that renders them incapable of downloading the data.
- E. Supervisors will periodically review a sampling of BWC recordings of traffic stops and public contacts in accordance with Policy and Procedure 035-004 to ensure that the equipment is operating properly, that police employees are using the devices appropriately and their conduct is in accordance with policy, as well as to identify any areas in which additional training or guidance is required.

VIII. Use of Axon BWC recordings for Criminal or Civil Hearings by officers

- A. If an officer needs to request a DVD, the officer will e-mail the Section Lieutenant or his/her designee with the following information:

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1. Case Report Number (CR#) and/or Call for Service Number (CFS#)
2. Time and Date of the incident
3. Person(s) assigned to the needed video(s)

B. A DVD can be requested from AAPD Records and logged into property as evidence at the discretion of the Officer In charge of the case or their supervisor.



IX. Departmental Review, Use and Release of Axon BWC Recordings

A. Only the Chief's office, City Attorney, County Prosecutor and/or their designee shall authorize:



1. A request to view any portion of video footage by non-Ann Arbor Police personnel
2. Release of Axon BWC footage for a criminal or civil proceeding
3. Release of Axon BWC footage to the news media
4. The reproduction of a departmental Axon BWC footage beyond the means and purposes prescribed herein
5. The use of Axon BWC footage that contain material that is deemed beneficial for training purposes

B. The Chief, Deputy Chief and/or designee, documenting the release shall be noted in the case report or case details. The case report or case detail notes shall contain the following information:

1. Type of video footage being released, i.e. BWC, Fleet, etc.
2. Name of person authorizing the release of the recording
3. Reason for release
4. Name of person to whom the media is released to
5. Date and time of release/return of the media
6. Name of person releasing/receiving the media

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- C. The department retains all property rights, including copyright, to all images recorded by or on behalf of the department, including released copies. Any original media copy and/or segment released outside the department shall be appropriately identified as ‘property of the Ann Arbor Police Department and for official use only’. The original recording and/or segment shall be labeled as to its contents including date and time of recording. These recordings shall remain the property of the department.
 - D. Duplication or release of department audio/visual recordings is prohibited without a court order or the authorization of the Chief, Deputy Chief and/or designee, with the exception of copies made for the prosecutor, defense attorney, and FOIA requests.
 - E. Use of audio/visual recordings is intended only for official departmental business. Any other use is expressly prohibited without the authorization of the Chief, Deputy Chief and/or designee.
 - F. All recordings, while in the performance of an employee's duties made with departmental Axon BWC equipment shall remain the property of the department.
- X. Requirements for Compliance
- A. [Public Act 85 of 2017](#), Law Enforcement Body-Worn Camera Privacy Act, requires a minimum retention duration (from the date of recording) of 30 days for evidentiary audio and video recordings and 3 years if the recording is relevant to formal complaint against A law enforcement officer or agency.
 - B. Recordings made by the Axon BWC system of this department are considered official reports of the department. Any abuse, misuse, alteration, sabotage, intentional obstruction or intentional destruction, theft, intentional misplacement, of any recording or recording device is prohibited and will result in disciplinary action. The editing or distribution of any recording device or recording assigned to an officer without the consent of the Chief, Deputy Chief or designee will be considered a falsification of an official police record, evidence tampering, or other rule violation that will result in disciplinary action up to and including dismissal.
 - C. Any recording made, no matter what the method or electronic device used, by an employee of this department while in the performance of their duties or when acting in the capacity of their employment, is considered an official record of the department. Any theft, misuse, intentional misplacement or destruction,

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alteration, sabotage of any recording device or recording is prohibited and will result in disciplinary action up to and including dismissal.

- D. Violations of this policy, or portions thereof, may result in disciplinary action.
- E. Officers will be trained on the use of the Axon body Worn Camera system and Axon View XL during the in-house training period or during periodic shift level training. Additional training may be provided to staff by supervisors and/or trainers as technological advances are made with the video equipment.
- F. This order constitutes department policy and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by the law.



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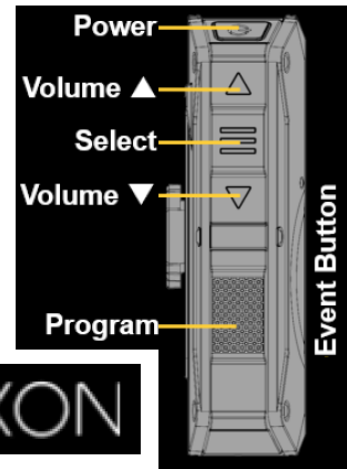
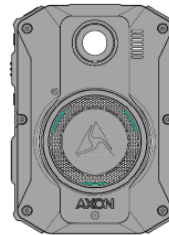
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Attachment A

Ann Arbor Police Department

Axon Body 3 Cheat Sheet

Action	Operation	Display	Vibration Sound
Power On	Press Power button	Axon logo and then READY	One long Two short
Power Off	Press & hold Power button for 3 seconds	Axon logo and then blank	One long Three short
Pairing	Press & hold Event and Program buttons for 3 seconds	Link icon when complete	Three short Three short
Start recording	Double-press Event button		Two short Two short
Stop recording	Press & hold Event button for 3 seconds	READY	One long One Long
Add marker	Press Select button	None	One short None
Change audio prompt volume	Press Volume ▲ and ▼ buttons	Speaker icon with volume bar	None One short
Change Lights	Press & hold Volume ▲ button for 3 sec	On or Dimmed Off Lights Icon	One Short One Long None
Axon Aware Live Streaming connected			One long Three short
Recording reminder			Two short Two short
Low battery		Battery indicator	One long Four short



Activity Area Icon	Description
READY	Ready (buffering) mode
	Recording
	Recording started by Axon Signal
	Axon Aware Live Streaming
	Recording started by gunshot detection
	Microphone off
Status Bar Icon	Description
58%	Battery capacity
	Camera paired
	Lights off
	Stealth mode on
	Battery low warning (to the right of battery capacity)



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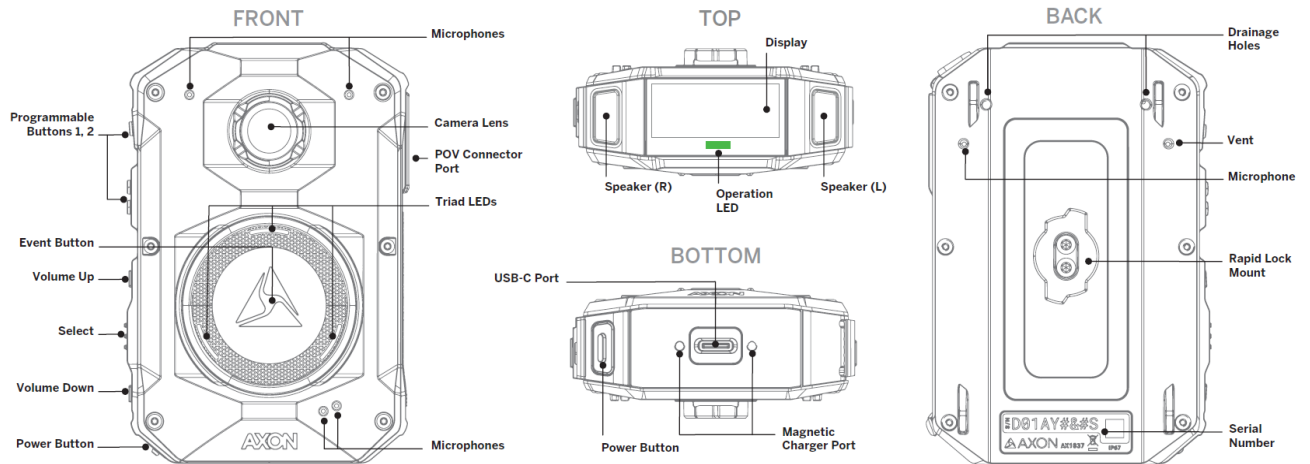
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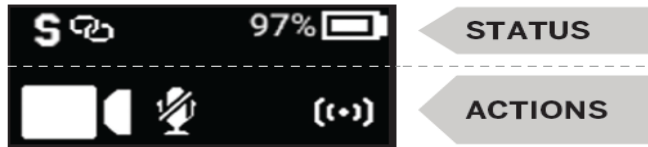
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Attachment B





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


CAMERA DISPLAY



Status Icon	Description
97% 	Battery capacity
	Battery charging
	Low battery (battery level is 10% or less)
	Battery not charging due to high temperature. The camera will continue to operate normally and resume charging when the camera cools down.
	Paired with Axon View mobile app
	Moisture detected in the side POV port or bottom USB-C port. Camera will continue to operate normally, but ensure it is dry before docking or connecting a POV module.
S	Stealth mode on
	Lights off

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IN-FIELD CAMERA DISPLAY

Mode or Action	Display	Top LED
Buffering	READY	Blinking green
Buffering with POV (R/L orientation)	L-READY or R-READY	Blinking green
Recording		Blinking red
Recording with POV (R/L orientation)		Blinking red
Livestreaming		Blinking purple
Watch Me		Blinking red
Voice Comms		Blinking red
Axon Signal Activation		Blinking red
Audio mute during recording		Blinking blue
Sleep mode		Off
Pairing mode	PAIRING	Blinking blue