

GENEVA POLICE DEPARTMENT POLICY		TITLE: Body Worn Cameras	
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I. PURPOSE

The purpose of this policy is to establish a uniform procedure on when and how to use body worn camera, (BWC), so that officers may reliably record their contacts with the public, in accordance to the law.

II. POLICY

The Town of Geneva Police Department has adopted the use of Axon (video and audio), captured media and storage system to provide supplemental documentation of events, including but not limited to arrest, uses of force and other critical incidents; presentation in court as evidence, protection of officers against false and inaccurate complaints, accusations or claims, and as a training and evaluation aid. BWCs have been demonstrated to be of significant value in prosecution of criminal offenders and reducing violent confrontation, officer's use of force and complaints against officers.

III. DEFINITIONS

- A) **Body Worn Camera (BWC):** Device able to be worn by the officer and capable of recording both audio and video.
- B) **Buffering mode:** After the BWC is powered on, it continuously loops 30 seconds of video only. Once placed in Event Mode, only 30 seconds of pre-event video (no audio) recording will be captured along with the video and audio captured after entering Event Mode.
- C) **Event Mode:** Activated when the BWC is in Buffering Mode and the event Button is pressed two times within one second. The indicator light will begin blinking red giving users a visible indicator that the BWC is now actively recording video and audio. An audible tone will also alert officers that the BWC is activated.

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- D) **Evidence Sync-** Desktop or Mobile Data Computer (MDC) application that allows BWC users to view captured media from their BWC via a standard USB cable. Users may also tag, categorize, add notes and/or RMS numbers to captured media and will allow for upload to the video evidence manager software.

IV. PROCEDURES

- A) All captured media is an official record of the Town of Geneva Police Department. All captured media is subject to the open records law. However, no captured media is to be released pursuant to open records request until the incident is fully investigated by the Town of Geneva Police Department or any agency appointed to investigate the incident.
- B) Officers shall not be able to edit, delete or alter captured media. The security features Axon software ensures compliance and track all access to captured media.
- C) The existence of captured media shall not replace a thorough, accurate and complete RMS report or equipment condition report.
- D) Officers using a BWC shall:
 - 1. Successfully complete training on all BWC directives and instructions(e.g. inspection, start up, use, shutdown, and upload).
 - 2. Be responsible for all equipment assigned to them. An Officer whose issued BWC is damaged, lost or stolen shall immediately notify his/her supervisor and complete an equipment condition report and RMS report.
 - 3. Document the existence of captured media when completing any police Reports or documents(i.e. daily duty report, Uniform Traffic Citations (UTC), Non Traffic Citations (NTC), and RMS) reports by using the acronym BWC and adding the RMS number on UTCs and NTCs.
 - 4. Notify a supervisor when a BWC was not placed into event mode in compliance with this order.
 - 5. At the start of a tour of duty
 - a. Inspect the BWC and related equipment to ensure there are no visible or obvious signs of damage
 - b. Place the BWC in a location that will most closely capture the officer's field of view.

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- c. Turn on the BWC, press the activation button twice and listen for the audible signal to verify the unit is receiving power and functioning properly.
6. Maintain the BWC in the Buffering Mode so that it can easily be placed into Event Mode for the capture of video and audio evidence.
7. Place the BWC into Event Mode prior to taking any police related action, including but not limited to
 - a. Encounters with victims, witnesses and suspects, including those that involve or may involve a stop or investigation based on reasonable suspicion or probable cause.
 - b. All citations, uses of force, detentions and arrests.
 - c. All searches, including but not limited to, people, vehicles, items, buildings and places.
 - d. All domestic violence calls including suspect/victim interviews.
 - e. All interactions with persons known or suspected of having mental illness or in crisis.
 - f. Assisting other officers engaged in a police related action, whether or not the other officer has a BWC in event mode.
 - g. Pursuits (vehicle and foot) and emergency response driving.
 - h. When asked by a citizen during the interaction with the citizen.
 - i. While en route to crimes in progress or just occurred where fleeing suspects or vehicles may be captured on video leaving the crime scene.
 - j. Crime or accident scenes where captured media can help document, enhance and support officers; written reports, evidence collection, investigations and court testimony.
 - k. Other events, situations and circumstances including but not limited to armed encounters, acts of physical violence, civil disturbances and criminal or suspicious activity.
 - l. Any situation that an officer believes captured media may be of use.
8. After the BWC unit is placed into Event Mode
 - a. Record events in accordance with this order.
 - b. Not stop the recording until contact has concluded or when ordered by a Town of Geneva Police Supervisor.

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9. Document the reason that a BWC unit has been activated to Event Mode and is then returned to Buffering Mode. Documentation shall take the form of making a recorded announcement on the BWC.
 - a. Contact complete
 - b. Ordered by a supervisor (name) to end recording
 - c. Incident complete

10. At the end of a tour of duty
 - a. Inspect the BWC and related equipment to ensure there are no visible or obvious signs of damage.
 - b. Place the BWC into the Axon loading dock station for uploading of captured media and for charging the unit.

11. The BWC shall not be used in Event Mode to capture the following, unless capturing evidence related to activities described in IV.D.7.
 - a. Administrative investigations without the express consent of the commanding officer of the involved.
 - b. Internal non-investigative staff meetings, hearings and encounters with other officers, command staff or township employed civilians assisting the division.
 - c. Conversations of fellow officers or civilian employees without their knowledge during routine, non- enforcement related activities.
 - d. Protected health information and treatment when requested by the patient or on-scene emergency medical service or division of fire personnel.
 - e. Gratuitous captured media (i.e. effects of extreme violence or injury, exposed genitalia or other erogenous areas, etc.)
 - f. Any place where there is a reasonable expectation of privacy (i.e. dressing rooms, restrooms, etc.)
 - g. Images of confidential informants or undercover officers, except requested by the undercover officer, their supervisor or commanding officer.
 - h. Conversations of citizens and/or officers (i.e. administrative duties, court, community meetings, etc.)

12. Officers are encouraged to use Axon Video Management Software to categorize and tag captured media prior to uploading. Axon Video Management Software shall only be used from Town of Geneva owned computer equipment. Officers shall not install Axon Video Management Software on non -Town of Geneva computers. Once captured media is uploaded through Axon Video Management Software, officers shall:

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- a. Add RMS numbers to corresponding captured media.
 - b. Add notes or mark captured media as needed to assist investigative units with the use of the captured media.
13. Officers shall surrender their BWC to the officer in charge (or designee) in cases of use of force.
14. The officer in charge (or designee) reserves the right to limit or restrict an officer's ability to view captured media based on the circumstances surrounding the incident.

V. MEDIA STORAGE

- A. Officers shall add notes to captured media stating the reason for each view of the captured media (i.e. completing report, court prep, random review, etc.)

VI. SUPERVISORS SHALL

- A. Ensure officers assigned a BWC are using them in compliance with this order and determine the level of investigation for violations of this order.
- B. Document in their incident report (IR) any incident in which an officer notifies them about an incident in which the BWC should have been activated but was not.
- C. Review all captured media related to a complaint or incidents resulting in a supervisory investigation.
- D. Reference the existence of captured media in a distinct and separate heading in supervisory investigation, including:
 1. All officers on scene and their badge numbers
 2. All captured media reviewed
 3. Any discrepancies between the captured media and reports.
- E. Complete a supervisory investigation (including involved officers' condition report and RMS reports) into damaged, lost or stolen BWC and forward it through the chain of command.
- F. During random review, move captured media into correct categories if needed.

VII. RANDOM REVIEW OF CAPTURED MEDIA

- A. Chief, Sergeant, or Designee shall randomly review a minimum of 1 hour per week of recordings created by officers under their command and make recommendations through the chain of command about potential changes needed to the BWC program or related orders. Supervisor shall also
 1. Confirm proper use of equipment
 2. Comply with this order

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3. Identify areas where additional training or guidance is needed.

VIII. REQUESTS TO VIEW OR RECEIVE COPIES OF CAPTURED MEDIA

- A. Captured media needed for any law enforcement purpose (i.e. court, case files, supervisory investigations, etc.) shall be requested through the formal open records request procedure, performed by only those designated by the department head to do so. Copies obtained must follow instructions on Axon Video Management for retrieval purposes.
- B. All requests for copies of captured media for non-evidentiary reasons shall be made through the same process as listed in VIII-B.
- C. Officers are encouraged to note video that they fell may have training value.
- D. Unusual or exceptional incidents related to law enforcement activities are often the subject of heightened public curiosity and interest. However, officers are strictly prohibited from allowing persons outside of law enforcement to view or listen to any media captured by the BWC or other evidence capture system without prior authorization from the Chief of Police.
- E. Unless otherwise directed by the Chief of Police, all video and/or audio recordings (including personal) recorded on duty shall not be disseminated outside of law enforcement.
- F. Officers shall advise all non-divisional requests for captured media to file a public records request.
- G. All requests to exhibit, display or demonstrate the BWC to outside parties shall be directed to the office of the Chief of Police.
- H. Successful court challenges to the use or appropriateness of captured media shall be detailed in a report form on a Microsoft Word document and forwarded to the office of the Chief of Police. The report should include a summary of the ruling as well as a description of any restriction or sanction resulting from the ruling.
- I. Officers shall use the following categories to assist in maintaining and filing captured BWC media. All captured media shall be retained from the date of the final disposition of a case/incident. Captured media that officers suspect needs to be retained longer than the retention period shall be documented, describing the reason and forwarding it through the chain of command.
 - A. Homicide/Sex Crimes- permanent retention
 1. Dead body investigation and crime scene video.
 2. Sexual assault investigations and crime scene video.
 - B. Critical incidents-retain 5 years
 1. All motor vehicle crashes
 2. Any use of force incident
 3. All arrests
 4. Complaints

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5. Search warrant video
 6. Felony crime scene video
 7. Investigative detentions
 8. Accidents involving township property (injury to person/township property)
 9. Pursuits-vehicle and foot
- C. Misdemeanors-retain 1 year
1. Misdemeanor reports
 2. Misdemeanor crime scene video
- D. Traffic stops and citations-retain 90 days
1. Citations issued without an arrest (UTC and NTC)
 2. Citizen encounters where none of the other category criteria apply
 3. Traffic stops where no citation is issued.
- E. Possible complaints-retain 90 days
1. Officer believes the incident may result in a complaint
 2. Captured media that does not fall into any of the above circumstances.
- F. Administrative-retain 90 days
1. Start of tour BWC functionality test footage
 2. Start and end of tour vehicle inspection footage.