

	Number: CCSO 3.22 Pages: 4
CLAY COUNTY SHERIFF'S OFFICE	CALEA Standard Number:
MEMORANDUM	
Chapter: Personnel	Subject: Body Worn Cameras (BWC)

Warning: This directive is for departmental use only. This administrative order should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this memorandum will form the basis for departmental administrative sanctions. Violations of the law will form the basis for civil and/or criminal sanction(s) in a recognized judicial setting.

POLICY:

It is the policy of the Clay County Sheriff's Office that deputies shall activate the body worn camera (BWC) when such use is appropriate to the proper performance of his/her official duties where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

PURPOSE:

This policy is intended to provide deputies with instructions on when and how to use body worn cameras (BWCs) so that deputies may reliably record their contacts with the public in accordance with the law.

PROCEDURES:

A. Administration

The Clay County Sheriff's Office has adopted the use of the body worn cameras (BWCs) to accomplish several objectives. The primary objectives are as follows:

1. BWCs allow for accurate documentation of police/public contacts, arrests and critical incidents. They also serve to enhance the accuracy of deputy reports and testimony in court.
2. Audio and video recordings also enhance this agency's ability to review probable cause for arrest, deputy and suspect interaction and evidence for investigative and prosecutorial purposes and to provide additional information for deputy evaluation and training.

3. The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

B. When and How to Use the BWC

1. Deputies shall activate the BWC to record all contacts with citizens in the performance of official duties.
2. Whenever possible, deputies should inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as a residence, they may decline to be recorded unless the recording is being made pursuant to an arrest or search of the residence or the individuals. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy (See Items D. 1 through 4 below).
3. If a deputy fails to activate the BWC, fails to record the entire contact or interrupts the recording, the deputy shall document why a recording was not made, was interrupted or was terminated.
4. Civilians shall not be allowed to review the recordings at the scene.

C. Procedures for BWC Use

1. BWC equipment is issued primarily to uniformed personnel as authorized by the Clay County Sheriff's Office. Deputies who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.
2. Sheriff's Office personnel shall use only BWCs issued by this 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 Clay County Sheriff's Office.
3. Sheriff personnel who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operations. 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.
4. BWC equipment is the responsibility of individual deputies and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the deputy's supervisor as soon as possible so that a replacement unit may be procured.
5. Deputies shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify his/her supervisor of any problems.

6. Deputies shall not edit, alter, erase, duplicate, copy, share or otherwise distribute in any manner, the BWC recordings without prior written authorization and approval of the Clay County Sheriff or his designee.
7. Deputies are encouraged to inform his/her supervisor of any recordings which may be of value for training purposes.
8. If a deputy is suspected of wrong-doing or is involved in a deputy-involved shooting or other serious use of force, the Clay County Sheriff's Office reserves the right to limit or restrict a deputy from viewing the video file.
9. Requests for deletion of portions of the recordings (*e.g.*, in the event of a personal recording) must be submitted in writing and approved by the Sheriff or his designee in accordance with state record retention laws. All requests and final decisions shall be kept on file.
10. Deputies shall note in incident, arrest and related reports when recordings were made during the incident in question. **However, BWC recordings are not a replacement for written reports.**

D. Restrictions in Using the BWC

BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:

1. Communications with other law enforcement personnel without the permission of the Clay County Sheriff;
2. Encounters with undercover officers or confidential informants;
3. When on break or otherwise engaged in personal activities; or
4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

E. Storage

1. All files* shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, BWC identifier and assigned deputy.
2. All images and sounds recorded by the BWC are the exclusive property of the Clay County Sheriff's Office. Accessing, copying or releasing files for non-law enforcement purposes is strictly prohibited.
3. All access to BWC data (images, sounds and metadata) must be specifically authorized by the Clay County Sheriff or his designee and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.

4. Files should be securely stored in accordance with the state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under control of a criminal justice agency.

F. Supervisory Responsibilities

1. Supervisory personnel shall ensure that deputies equipped with BWC devices utilize them in accordance with policy and procedures defined herein.
2. At least, on a monthly basis, supervisors will randomly review BWC recordings to ensure that the equipment is operating properly and that deputies are using the devices appropriately, in accordance with policy and to identify any areas in which additional training or guidance is required.

Approval Authority Title and Signature

Issue Date

**For the purpose of this document, the term "file" refers to all sounds, images and associated metadata.*