

**SCOTT COUNTY SHERIFF'S OFFICE**  
**Law Enforcement**  
**Policies and Procedures**

<b>Subject:</b> Body-Worn Cameras	<b>Policy Number:</b>
<b>Issue Date:</b> 04-12-2016	<b>Revision Date:</b>
<b>Approval Authority</b> <b>Title and Signature:</b>	

**I. POLICY:**

- A.** Body worn cameras are an effective law enforcement tool that can reduce violent confrontations and complaints against deputies. Body worn cameras provide additional documentation of police public encounters and may be an important tool for collecting evidence and maintaining public trust.
- B.** This policy is intended to provide deputies with instructions on when and how to use body worn cameras
- C.** The Scott County Sheriff's Office has adopted to use body worn cameras to accomplish several objectives, including:
  - 1.** Body worn cameras allow for accurate documentation of deputy public contacts, arrest, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony.
  - 2.** Audio and video recordings enhance the Scott County Sheriff's Office 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.** Body worn cameras may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
- D.** The Scott County Sheriff's Office recognizes that video images cannot always show the full story nor do video images capture the entire scene. The use of body worn cameras does not reduce the requirement to provide thorough written documentation of an incident. Persons reviewing recordings must also be cautious before conclusions are reached about what the recordings show.

**II. Overview**

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- A. The body worn cameras should be utilized to (1) collect evidence that can be used in the prosecution of criminal offenses, (2) record contacts with the public in order to secure unbiased evidence in connection with investigations. (3) allow for supervisory review to ensure that sheriff department policies and procedures are followed, and (4) capture footage that would be helpful for training.

### III. Definitions

- A. Body worn cameras are camera systems designed to be worn by deputies to capture digital multimedia evidence.
- B. Digital Multimedia Evidence or DME consist of all digital recordings, to include but not limited to audio, video, photographs, and their associated metadata. Metadata includes any digital identifiers that are captured as part of the actual recording, such as date/time, GPS coordinates, labeling, etc.

### IV. Legal Issues

- A. Body-worn camera equipment and all data, images, videos, and metadata captured, recorded, or otherwise produced by the equipment is the property of the Scott County Sheriff's Office. The personal use of all information recording by body worn cameras shall only be pursuant to the prior written approval of the sheriff.
- B. Use of body-worn cameras for any purpose other than in accordance with this policy is prohibited.
- C. All data, images, video, and metadata captured by body-worn cameras are subject to state statutes and Scott County Sheriff's Office policies regarding retention of records.

### V. Procedures

- A. Prior to using a body-worn camera, deputies shall receive Department-approved training on its proper operation and care and the Departments policy with respect to the use of the body-worn camera. Additional training shall be provided at periodic intervals to ensure the continued effective use of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policies or equipment.
- B. Body-worn cameras and equipment should 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

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replacement unit may be assigned. Deputies shall inspect and test body-worn cameras prior to each shift to verify proper functioning, and shall notify their supervisor of any problems.

- C. In the event that a body-worn camera is lost, upon discovery the officer shall immediately notify his/her supervisor.
- D. Deputies shall wear body-worn cameras above the midline of their torso and in a position designed to produce an effective recording.
- E. Deputies shall not use personally-owned body-worn cameras while on duty without authorization from the sheriff.
- F. Deputies assigned a body-worn camera may use the camera at approved off duty employment, but only in connection with the Scott County Sheriff's Office duties. If used for the purpose, the officer shall download all DME during their regularly assigned on-duty shift.

## VI. Operation of Body Worn Cameras

- A. Except as otherwise provided in this policy, deputies shall activate body-worn cameras to record all contacts with citizens in the performance of official duties.
- B. Unless the interaction with a citizen is an undercover assignment, wherever possible deputies should inform individuals that they are being recorded. Deputies have no obligation to stop recording in response to a citizen's request if the recording is pursuant to an investigation, arrest, lawful search, or circumstances clearly dictated that continued recording is necessary. However deputies should but may evaluate the situation and when appropriate, honor the citizen's request. The request to turn the camera off should be recorded, as well as the deputies' response.
- C. Deactivation of the body-worn camera shall occur when:
  - 1. The event has concluded;
  - 2. Victim and or witness contact has concluded;
  - 3. All persons stopped have been released;
  - 4. Once an arrestee has been placed into a vehicle to be transported to a detention facility shall keep the deputies body-worn camera activated until custody of the individual is transferred to the detention facility.
- D. If a deputy fails to activate a body worn camera, or fails to record the entire contact, the deputy shall document the reasons for doing so.

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- E. Non-department personnel shall not be allowed to review the recordings unless pursuant to written consent of the sheriff.
- F. Deputies shall not be required to activate body-worn cameras when engaged in conversations with individuals with whom the deputy is privileged relationship (e.g. spouse, attorney, minister, etc.)
- G. Deputies shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner body-worn camera images and information without the prior approval of the Sheriff or the Sheriff's designee.
- H. Deputies shall be allowed to review the recordings from their deputy-worn body cameras at any time. To help ensure accuracy and consistency, deputies are encouraged to review their recordings prior to preparing reports. If the deputy is giving a formal statement about the use of force or if the deputy is the subject of a disciplinary investigation, the deputy shall (1) have the option of reviewing the recordings in the presence of the officers attorney and (2) have the right to review recordings from other body-worn cameras capturing the deputies image or voice during the underlying incident.
- I. Body-worn cameras shall not be used to record:
  - 1. Communications with other law enforcement personnel.
  - 2. Encounters with undercover agents or informants.
  - 3. When a deputy is on break or is otherwise engaged in personal activities.
  - 4. In any location where individuals have a reasonable expectation of of privacy, such as a restroom, locker room, or break room.
  - 5. When a deputy would be recording a patient during a medical or psychological evaluation by a clinician or similar professional, or during treatment. When recording in hospitals or other medical facilities, deputies shall be careful to avoid recording persons other than the suspect.
  - 6. Communications made in a psychiatric facility, unless responding to a call involving a suspect who is thought to be present in the facility.

## VII. Handling of Digital Multimedia Evidence

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- A. All files from body-worn cameras shall be securely downloaded no later than the end of the deputy's shift. Each file shall contain information related to the date, body-worn camera identifier, and assigned deputy.
- B. All files from body-worn cameras shall be securely stored with state records retention laws and for no longer than useful for purposes of training, or for use in an investigation or prosecution (including appeals), or for use in resolving a claim pending litigation, or disciplinary investigation. In capital punishment prosecutions, files shall be kept until the alleged offender is no longer under control of a criminal justice agency.
- C. It is not the intent of the Department to review DME for the purpose of general performance review, for routine preparation of performance reports or evaluation, or to discover policy violations. The Sheriff or his designee may access DME for administrative investigations. Other than periodic supervisory reviews to ensure that equipment is functioning properly, the scope of the review of DME should be limited to the specific complaint against the deputy. In advertent discovery of other allegations during this review shall require the supervisor to articulate the purpose of expanding the scope.
- D. Request for the deletion of portions of a recording from a body-worn camera (e.g., in the event of a privileged or personal recording) must be submitted in writing to the Sheriff in accordance with state records retention laws.
- E. Recordings from body-worn cameras may be shown for training purposes upon completion of a criminal case. All such use shall be pursuant to the written authority of the Sheriff. Deputies shall be provided with at least thirty days' notice if recordings intended for use for training purposes were either made by them or captured their image or voice.

**VIII. Retention and Destruction of Digital Multimedia Evidence**

- A. The retention and destruction of DME shall be pursuant to state public records retention laws.
- B. All stored DME is subject to release in accordance with the state public records retention laws. Deputies shall be provided with at least one week's notice of any public request made to review DME from their body-worn cameras.

**BY RECEIVING THIS I AGREE TO THE POLICIES AND PROCEDURES DESCRIBED AS ABOVE.**

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DEPUTY SIGNATURE \_\_\_\_\_

SHERIFF/CHIEF DEPUTY \_\_\_\_\_

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