

	<b>Waynesboro Police Department</b>		
	<b>General Order</b>		
	<b>TITLE:</b> Body-Worn Camera (BWC)		
	<b>Effective:</b>	<b>Rescinds:</b> New Policy	<b>Pages:</b> 6

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

**Policy:** It is the policy of this department that officers will activate the BWC when such use is appropriate to the proper performance of their 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.

**Procedure**

**A. Administration**

This agency has adopted the use of BWC to accomplish several objectives. The primary objectives are as follows:

1. BWCs allows for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and court testimony.
2. Audio and video recordings may also enhance the agency's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
3. The BWC may also be used in documenting crime and accident scenes or other events that include the confiscation and documentation of contraband or evidence.

**B. When and How to Use the BWC**

1. Officers will activate the BWC to record all contacts with citizens in the performance of official duties. Officers will activate the BWC prior to exiting his/her vehicle and deactivate the camera after getting back into his/her vehicle. Officers will use the BWC to record all portions of the following incidents:
  - a. Responding to emergency calls for service.
  - b. All vehicle and foot pursuits.

- c. All traffic stops including the investigation of a vehicle and occupants already stopped or parked.
- d. All searches including, but not limited to, people, vehicles, buildings and places.
- e. All requests for consent to search without a warrant will be recorded, including searches of persons, vehicles and buildings. Both audio and video recordings will be made of the request and consent when practical. This type of recording is intended to enhance a documented consent; however, it is not intended to replace the use of any department form used to gain and/or record the consent to search without a warrant, when an officer requests such permission.
- f. All requests for search and deployment of detection canine involving vehicles, when practical.
- g. All arrests and/or citations.
- h. Any incident where an officer is acting under color of law and it may become necessary for the officer to invoke their authority as a law enforcement officer.
- i. Any incident upon direction of a supervisor, at the request of another police officer or anytime an officer deems it appropriate to activate the BWC.
- j. All domestic & relationship violence calls including suspect and victim interviews.

Nothing in this procedure will prohibit an officer from activating his/her BWC if the officer deems its use appropriate with the exception of the restrictions in section D below.

- 2. In locations where individuals have a reasonable expectation of privacy, they may decline to be recorded unless the recording is being made in pursuant to an arrest or search of the residence or the individuals. The BWC will remain activated until the event is completed in order to ensure the integrity of the recording unless contact moves into an area restricted by this policy (see section D below).
- 3. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer will document why a recording was not made, was interrupted, or was terminated.
- 4. Civilians will not be allowed to review the recordings at the scene.

#### C. Procedures for BWC Use

- 1. Officers working a scheduled shift or perimeter detail are required to wear a BWC at all times while on duty unless otherwise directed by a supervisor. An officer assigned to a special detail, like football game, is required to wear a BWC.

2. Officers will only use department BWCs. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the department.
3. Officers must complete the department's training program to ensure proper use and operation. 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/or equipment.
4. Officers will inspect and test the BWC prior to each shift in order to verify it is properly functioning, fully charged and cleared of all previous recordings. BWC malfunctions will be brought to the attention of the officer's supervisor as soon as possible so corrective action may be initiated.
5. The BWC will be worn in a position that permits recording, as closely as possible, that which an officer is looking at during and intervention in which the officer is involved or present. It will be worn on the outermost uniform shirt or jacket and not worn on the duty belt.
6. Officers will not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner the BWC recordings without prior written authorization and approval from the Chief of Police or his or her designee.
7. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
8. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or serious use of force, the department reserves the right to limit or restrict an officer from viewing the recordings.
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 Chief of Police or his or her designee in accordance with state record retention laws. All requests and final decisions will be kept on file.
10. Officers will document an incident, arrest, and related report narratives when recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports and documentation.

#### D. Restrictions on Using BWC

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

1. Conversations with other department personnel without the permission of the Chief of Police or his or her designee;
2. Encounters with any undercover officers or confidential informants;
3. When on breaks 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 recordings will be securely downloaded periodically and no later than the end of each 4-day shift. Each file will contain information related to the date, BWC identifier, and assigned officer.
2. All images and sounds recorded by the BWC are the exclusive property of this department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
3. All access to BWC recordings must be specifically authorized by the Chief of Police or his/her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate purpose.
4. Recordings will be securely stored in accordance with 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 will be kept until the offender is no longer under control of a criminal justice agency. Files not associated with a judicial, internal, or criminal process (not flagged) will be retained for no more than 90 days from the date of the recording and automatically deleted in the system.
5. Access to BWC recordings is restricted to supervisors, investigators, and other specifically designated personnel on a read only basis for official purposes.

#### F. Duplicates and Copies

1. The Chief of Police or his designee will direct duplicate recordings as needed. Officers needing copies for court will make their request to the Assistant Chief no later than one week prior to their court date, if time permits.
2. Requests for duplicate recordings from the Prosecutor's Office will be directed to the Chief of Police or his designee. Any request for a duplicate recording from a defense attorney will be referred back to the Prosecutor's Office.
3. Any request for duplicate recordings other than described above will be made in

writing to the Chief of Police or his designee. No employee is permitted to release or display any recordings to anyone other than members of this department without the permission of the Chief of Police.

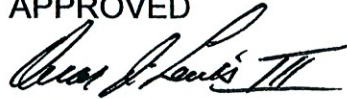
#### G. Supervisory Responsibilities

1. Supervisors will follow established procedures for the use and maintenance of BWC equipment, recordings and storage devices, inspect equipment in accordance with department protocol, and ensure the completion of all required BWC documentation.
2. Supervisors will ensure officers are utilizing the devices in accordance with this policy, the user's guide, and training.
3. Review of Recordings
  - a. At least on a monthly basis, supervisors will randomly review recordings to:
    - Periodically assess officer performance
    - Ensure personnel are using the devices appropriately
    - Ensure equipment is functioning properly
    - Determine if equipment is being operated properly
    - Identify material that may be appropriate for training
  - b. Chief, Assistant Chief, Investigations Commander and Supervisors will review any recording flagged, involving use of force, a citizen complaint, or crash involving a departmental vehicle.
  - c. Chief, Assistant Chief and the Investigations Commander will periodically view random recordings.
  - d. Minor infractions (not criminal in nature) discovered during the routine review of recorded material should be viewed as training opportunities and not as routine disciplinary actions. Should the behavior or action be repeated after being informally addressed, the appropriate disciplinary or corrective action will be initiated.

EFFECTIVE DATE

The General Order is effective September 29, 2015 (revised)

APPROVED



Oscar J. Lewis, III  
Chief of Police

Distribution: Sworn

Index:        Body-Worn Camera