

GO 2-60 Body Worn Cameras

EFFECTIVE DATE: 02/10/15
REVIEWED/REVISED DATE: 05/13/15
NEXT REVIEW DATE:
AMENDS/SUPER-CEDES:
APPROVED BY: B.K. ROBERTS, Sheriff



V. L. E. P. S. C. STANDARDS: NONE

Note: This directive is for internal use only and does not enlarge a deputy's liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidential sense with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by the Brunswick County Sheriff's Office and then only in a non-judicial administrative setting.

I. POLICY

The Body Worn Camera (BWC) will be utilized by deputies as an evidential aid to document any situation where the video recording of conduct or a crime scene may be useful in court, civil litigation, or the resolution of a citizen complaint. It will be used to its fullest extent to provide a fair and accurate representation of an incident. Video footage may also be utilized by supervisory personnel for reviews of deputy performance and as a training tool.

II. PURPOSE

To establish policy and procedures for the utilization of body worn cameras.

III. DEFINITIONS

- A. BWC – Body Worn Camera
- B. MVR – Mobile Video Recorder
- C. Recording media - storage device capable of capturing video images and audio.

IV. PROCEDURE

A. Operation of Body Worn Camera Equipment

1. Only deputies who have received a period of instruction by the agency training officer or his designee on the operation of Body Worn Camera Equipment and have demonstrated a satisfactory level of efficiency in its use and knowledge of this General Order shall operate the Body Worn Cameras.
2. At the beginning of each shift, the deputy shall inspect the BWC equipment and determine whether the equipment is functioning satisfactorily, that the time and date are correct, there is ample storage remaining on the BWC, and ample battery life on the BWC to complete the deputies shift. Any problem with the equipment initially, or at any time shall immediately be brought to the attention of the on-duty supervisor. The supervisor shall ensure that the Patrol Lieutenant or his designee is notified of the malfunction. The shift supervisor shall periodically inspect the BWC equipment of all officers on his watch to insure compliance of this general order.

B. Use of the Camera System

1. The BWC system shall be powered on and in standby mode and ready for recording until the completion of their shift. The BWC will be activated on:

- a) All traffic stops (This excludes Selective Enforcement when there is a MVR already in use and functioning properly. If a traffic stop begins to escalate, both the MVR and BWC should be used.)
- b) All calls for service
- c) Any other situation the deputy deems appropriate to give an accurate depiction of an event

2. The deputy shall ensure that the BWC is worn on the body in the chest or shoulder area and is positioned and adjusted properly to maximize the scene and the area to be recorded

3. The deputy will ensure that the BWC equipment is operating correctly and recording at the time of:

- a) Arriving on scene for all calls for service
- b) All Traffic stops – beginning at point of a deputy initiating a traffic stop and continuing for the duration of the stop. Recording will be concluded as the violator drives away.
- c) Vehicle Pursuits;
- d) Vehicle Searches;
- e) Suspected DUI – Recommended when the deputy first observes erratic driving and concluding when the police action is finished. If field sobriety tests are administered, where safety permits, the performance of the sobriety test shall be within view of the camera; and,
- f) Interviewing all suspects/witnesses of a crime
- g) Any other law-enforcement actions.

4. Once the system is recording, it shall continue to record until the completion of the incident. The deputy will manually stop the recording at the completion of each incident.

5. Deputies shall record and not cease the video/audio recording of a required incident unless one of the following conditions exists and the reason must be documented on the video before recording is stopped.

- a) The deputy receives an order from a supervisor to stop recording;
- b) The deputy is directing traffic or assisting in some other type of traffic control;
- c) The deputy is parked behind a disabled vehicle or waiting for a wrecker following an accident investigation;
- g) The deputy is providing a funeral escort;
- e) The deputy initiated the recording and no longer sees a legitimate purpose for documenting the activity because it was determined to be a civil issue; whenever recording equipment is deactivated, deputies shall articulate verbally "**Civil Issue**" on the BWC recording.
- f) When conditions make it unsafe or impossible to activate the camera.

6. In addition to the above, whenever possible, deputies should utilize their BWC equipment to record:

- a) Any acts of hostility or violence when feasible;
- b) Any confrontational citizen or violator contact;
- c) The circumstances at a crime scene, accident scenes, or other events, such as the confiscation and documentation of evidence or contraband.
- d) During the transportation of combative prisoners, juveniles, or members of the opposite sex of the deputy if the vehicle is not equipped with a MVR or the MVR is not working properly.

7. If as deputy has a reportable incident and the incident was not recorded the deputy shall give a detailed reason in the IBR narrative.

8. Deputies are prohibited from the following:

- a) Attempting to erase or alter the video recordings.
- b) Recording during strip searches or any bathroom encounters
- c) Other employees unless it is due to violation of the law or policy
- d) On informal, non-law enforcement related encounters with the public unless the encounter becomes adversarial.

9. Unauthorized use of BWC equipment or digital media may result in disciplinary action.

C. Training

1. Instruction in the proper use of the Body Worn Camera shall be the responsibility of the Patrol Lieutenant or his designee.
2. BWC instructors who also act as Field Training Deputies shall instruct trainees in the proper use of the BWC system.

D. Care of Video Equipment

1. The Patrol Lieutenant or his designee shall have overall responsibility for the BWC systems. The responsibility of storage of unknown evidential recordable media and evidential recordable media shall be assigned to the Patrol Lieutenant or his designee. This individual(s) shall also be responsible for replacing BWC components, as needed, inspections of the BWC and scheduling training.
2. Deputies will report all malfunctions of the video equipment to their shift supervisor. The shift supervisor will immediately notify the Patrol Lieutenant so they can fix the malfunction or issue another BWC to the deputy.

E. Media Download of Recordable media for BWC Equipment

1. The media download of the BWC will be the responsibility of the deputy. They shall only download their BWC to the designated computer located in the evidence receiving area. This shall be done before the recording counter reaches **5000 MB** remaining on the device, whether the deputy is issued one or two units.
2. Deputies shall notify the Patrol Lieutenant or his designee in a timely manner if a video is needed for evidentiary reason. This shall be noted in the deputies IBR narrative.

F. Storage and Retrieval of Recordable Media when its value as evidence is not known

1. The recordable media will be downloaded and stored by the Patrol Lieutenant or his designee for a period of three (3) months. At the end of the three (3) months the recordable media will be overwritten. If during this time period it is determined that the recordable media may be used as evidence it will be downloaded to a disk for court purposes.

G. Ownership, Custody and Control of Recorded Disk

1. It is the policy of this agency that the recordings generated by the body worn camera are the property of the Brunswick County Sheriff's Office.
2. The recorded media is subject to continuing judicial review. The Commonwealth's Attorney will have a strong influence on the dissemination of digital media that contain evidential value.

H. Use of Recordings for Training Purposes

1. Periodically, the body worn cameras record events that may prove useful as training aids. Therefore, when these cameras record unusual, exceptional or felony

incidents and the incidents recorded are perceived to be of value as a training aid, the following procedures should apply:

- a) Members are encouraged to bring to the attention of their supervisor any recordings they feel may be useful as a training aid.

- b) Supervisors should arrange a time to view the recorded incident with the member responsible for generating the recording.

- c) Upon viewing the recorded segment and upon reaching the conclusion that it is of value as a training aid, the supervisor will request the Sheriff or his designee to duplicate the segment for training.