

WOODSTOCK POLICE DEPARTMENT <i>RULES AND REGULATIONS</i>	
SUBJECT: Body Worn Audio/Video Camera Policy	NUMBER: 1-22
EFFECTIVE DATE: April 2, 2013	REVIEW DATE: Annually
VLEPSC STANDARDS:	APPROVED: _____ Chief of Police

NOTE

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

PURPOSE

The purpose of this policy is to establish guidelines and limitations for the use and management of the body worn audio/video camera system.

POLICY

The Woodstock Police Department shall utilize the TASER AXON FLEX body worn audio/visual recording system, to videotape and audio-record incidents involving law enforcement activity. The use of body worn audio/visual recording systems will accomplish several objectives including, but not limited to:

- Enhance officer safety
- Document statements and events
- Afford the officer the ability to review statements and actions for documentation/reporting purposes in the preparation of written reports
- Assist the officer in preparation for court appearances/testimony
- To preserve visual and audio information for use in current and future investigations
- To provide an impartial measurement for self-critique and evaluation for training purposes
- Enhance public trust by preserving factual representations of officer-citizen contacts in the form of audio/visual recordings
- Provide additional evidence for court and administrative proceedings
- Impact violent crime
- Assist in reducing officer complaints and internal investigations

DEFINITIONS

TASER AXON FLEX: A body worn audio/video recording system primarily consisting of a camera and a controller/battery pack, herein also described as the “body worn camera”..

EVIDENCE.COM: Online web-based digital media storage facility accessed at www.evidence.com. The secure virtual evidence room stores digitally encrypted data in a highly secure environment that is accessible to authorized law enforcement personnel. Accessibility is limited upon the level of security clearance assigned to each officer.

SYSTEM ADMINISTRATOR: Evidence.com administrator with full access to website. Assigns and tracks equipment, controls passwords, conducts quality checks of uploaded data, coordinates data retention, provides copies of data to requested/authorized requesting officer/individual.

END USER: TASER AXON FLEX user with individual account access to Evidence.com.

EVIDENCE TRANSFER MANAGER (ETM): A docking station that simultaneously recharges the controller/battery pack and uploads all data captured by the TASER AXON FLEX. The ETM ensures that evidence handling is secured and that data is not altered.

BUFFERING MODE: The TASER AXON FLEX continuously loops video recording for a (30) thirty second period. No audio is recorded while buffering.

EVENT MODE: When placed in Event Mode, the TASER AXON FLEX records audio and visual data. The previous (30) thirty seconds of buffered video is also saved.

PROCEDURES

A. Training

1. Only those sworn employees who have completed the prescribed training are authorized to use the TASER AXON FLEX audio/visual recording system.

B. Administration

1. Prior to each shift the officer shall inspect the equipment to ensure the system is fully charged and operational. Only fully operational systems shall be used.
2. Officers shall not attempt to make repairs to the TASER AXON FLEX system.
3. Malfunctions, damage, loss or theft of this equipment shall be immediately reported to a supervisor.

C. Operation

1. The TASER AXON FLEX body worn camera audio/visual recording system shall be operated in accordance with the manufacturer's guidelines and the training and policies of the Woodstock Police Department.
2. The body worn camera shall be worn at all times by the assigned officer while assigned to patrol duty, unless previously authorized by a supervisor.
3. The body worn camera shall be placed in Event Mode as soon as practical once it has been determined, in the officer's use of sound judgment, that an incident is to be recorded in accordance with this order.
4. Once the body worn camera has been placed into Event Mode, it shall remain on until the incident has reached a conclusion or the officer leaves the scene. The intention to stop recording should be verbally announced by the officer prior to stopping any recording or noted within a written report.
5. In any incident, investigation, or traffic stop that results in a incident report, summons, or other document the officer feels necessary and the body worn camera was used, the officer shall note its use in the appropriate report.
6. Whenever an officer records an incident or any portion of an incident, which that officer reasonably believes will likely lead to a citizen complaint, the officer shall bring it to the attention of his/her supervisor as soon as practical.
7. The recording of confidential informants or undercover officers/operations must be authorized by a supervisor.
8. Officers shall not allow citizens or members of the public to review recordings unless authorized by a supervisor.
9. For report writing purposes officers may review their own recording. Officers shall not review another officer's video recording for report writing, or any other reason, unless authorized by a supervisor.
10. Officers shall not make copies of any recording for their personal use and are prohibited from using a recording device (such as a camera phone or secondary video camera) to record media from Evidence.com or any device utilized to view recorded data directly from the TASER AXON FLEX.

D. Audio/Visual Recording

1. Officers will use sound judgment when utilizing the body worn camera system. Officers shall record the following types of incidents:

- a. Pedestrian and vehicular detentions and stops
- b. Observed unlawful conduct
- c. Use of force incidents
- d. High-risk situations
- e. Advising an individual of Miranda Warning
- f. Statements made by suspects, victims or witnesses
- g. Motor vehicle searches
- h. Area canvasses or K-9 searches
- i. Physical arrest of persons
- j. Serious or fatal motor vehicle accidents
- k. Property damage regarding motor vehicle accidents
- l. Observed items of evidentiary value
- m. Any other legitimate law enforcement activities

E. Prohibited Recordings

The TASER AXON FLEX shall not be used in the Event Mode to capture:

1. Whenever possible, officers will avoid capturing video media or sensitive exposure of private body parts.
2. Events which occur in Departmental areas where there would be a reasonable expectation of privacy (such as restrooms, or other dressing areas).
3. To record conversations of fellow employees without their knowledge during routine, non-law enforcement related activities.
4. Non-work related personal activity shall not be recorded.
5. Individuals who are lawfully engaged in a protest or other First Amendment protected right of speech or demonstration, unless there is at least reasonable suspicion of criminal activity, or to serve any other legitimate law enforcement purposes.

F. Data download/Media Storage

1. The TASER AXON FLEX shall be placed in the ETM docking station at the end of the shift for re-charging and downloading captured data to Evidence.com. The TASER AXON FLEX shall not be removed from the ETM docking station until all data has been downloaded and the battery has been fully recharged.
2. Data shall only be downloaded to Evidence.com
3. Officers may view downloaded data at www.evidence.com for official purposes only.

4. Downloaded data shall be maintained at Evidence.com for a minimum of 90 days in accordance with Department policy. Data that has evidentiary value in criminal cases and/or citizen complaints against officers shall be retained in accordance with existing policy and procedures.

5. Requests for copies of any data from Evidence.com shall be made to the System Administrator and must be approved by the Chief of Police.

AGENCY REVIEW OF RECORDED DATA

A. Recordings shall not be randomly reviewed to monitor officer performance, but supervisors may review specific incident recording for the purpose of training, critique, early intervention inquiries or for investigative purposes.

B. The Chief of Police or his designee may review specific incidents recorded by the TASER AXON FLEX on body audio/visual recording system when participating in an official departmental investigation of agency personnel.

C. Under no circumstances shall any recordings be used or shown for the sole purpose of bringing ridicule or embarrassment upon any person.

D. The release of recordings to any person shall be made in accordance with Department policy and procedures, and pursuant to requirements as established by applicable state law, including but not limited to, the Freedom of Information Act, and only upon authorization by the Chief of Police.