



## CHESAPEAKE POLICE DEPARTMENT

### POLICY & PROCEDURE

2.3.2



**Subject:** Wearable Video Recorders

**Effective Date:** 03/09/2015

**CALEA Standard(s):** 41.3.8

**Revision Date:** 06/15/2015

**Issuing Authority:** *Colonel Kelvin L. Wright*

**Reviewing Authority:** *Dana Sanford*

#### I. PURPOSE

The purpose of this policy is to set forth guidelines for the use, management, storage, and retrieval of audio-visual media recorded by wearable video recorders (WVR's).

#### II. POLICY

WVR's shall be used to assist Department personnel in the performance of their duties by providing an accurate and unbiased recorded account of an incident. Additionally, to maximize effectiveness of the WVR and maintain integrity of evidence and related documentation, all personnel utilizing these devices shall adhere to the procedures outlined within this policy. All sworn personnel shall be trained with the operation and use of the WVR, as well as limitations and special circumstances as detailed in this policy.

#### III. CONFIDENTIALITY

**All recording media, images, and audio are property of the Chesapeake Police Department and will not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the expressed written consent of the Chief of Police. Under no circumstances will any member of the Chesapeake Police Department make a personal copy of any recorded event without the permission of the Chief of Police.**

#### IV. PROCEDURE

##### A. Equipment

1. Department issued WVR's are intended for official Departmental use only and are not to be used for frivolous or personal activities. Intentional misuse or abuse of the units shall result in disciplinary action.
2. Officers shall use only those WVR's issued to them by the Department. The wearing of personal video recorders, or cameras assigned to other officers, is not authorized.

##### B. Officer Responsibility

1. Prior to beginning a shift, all sworn officers that are assigned a WVR shall select the WVR, ensure it is assigned to them, and conduct an operational inspection. Officers are to periodically check the angle of the camera to ensure it hasn't

shifted to a position where it renders the video useless (i.e. video only shows the ground, the citizen's feet, officer's shirt, etc.).

- a. Any problems preventing the use of the unit during the shift shall be reported to the immediate supervisor.
  - b. Problems with WVR's are handled by the Uniform & Equipment Officer.
2. Officers shall activate the unit to record during each citizen encounter related to a call for service, enforcement action, traffic stop, and/or police service. Additionally, tactical activities such as, building searches, vehicle searches, searches for suspects, missing persons, handling of evidence, and building checks at alarms shall be recorded. Officers shall inform the subjects involved they are being video and audio recorded as soon as it is practical and safe to do so. Additional guidelines specific to School Resource Officers (SRO's) are outlined in sub-section C below.
3. Every officer on a scene shall activate their camera and leave it on for the duration of the incident. This will include transporting to and processing a person at the jail.
4. Exceptions:
- a. WVR's must be turned off when appearing before a magistrate. When business has concluded, turn on the camera. Officers shall record all other contact with a person in their custody while at the jail.
  - b. Officers must ensure their cameras are turned off when inside any medical facility in order to protect the privacy of patients, their medical treatment and information. In the event an officer takes law enforcement action in the limited circumstances defined below, the officer shall turn on the camera to record the event.
  - c. For purposes of this policy, "law enforcement action" means only:
    - (1) taking someone into physical custody;
    - (2) officer use of force;
    - (3) taking a deathbed confession; or
    - (4) taking a victim or suspect statement in any criminal matter.
- This policy does not apply to any Sentara medical facility due to their policy prohibiting any type of video/audio recording.**
5. Officers shall dock the equipment at the end of their shift. Officers shall mark any video related to a criminal or traffic case (if a physical arrest was made), or that may be useful to the Department for training purposes (this includes arrests, search warrants, and traffic stops conducted by other officers). When marking the video, ensure the appropriate category is selected (i.e. evidentiary, non-

evidentiary, or training demo). All evidentiary video for criminal cases shall include the message number as the Video ID.

6. Officers preparing incident reports are to ensure that they include the following information in the report:

- a. All police personnel on scene to include civilian personnel (photographer, Identification Technicians, etc.)
- b. The names of police personnel wearing WVR's
- c. Whether or not the police personnel wearing cameras had them turned on

C. School Resource Officer (SRO) Specific Responsibilities

1. While on school grounds SROs are restricted to activating their WVR **only** in cases of suspected criminal activity or when assisting school personnel with matters that may result in disorderly or otherwise disruptive behavior in the school environment.
2. SROs shall inform the subjects involved they are being video and audio recorded as soon as it is practical and safe to do so.
3. SROs will not activate their WVR when present during meetings between students and school personnel that are of an administrative nature not involving suspected criminal activity or the potential for disruptive behavior.
4. SROs shall upload their WVR data to the approved software program on their issued laptops at the end of their shift. As stated above, SROs shall also mark any video related to a criminal or traffic case (if a physical arrest was made), or that may be useful to the department for training purposes (this included arrests, search warrants, and traffic stops conducted by other officers). When marking the video, ensure the appropriate category is selected (i.e. evidentiary, non-evidentiary, or training demo). All evidentiary video for criminal cases shall include the message number as the Video ID.

D. Supervisor Responsibility

1. It is incumbent on supervisors to ensure officers utilize WVR's according to policy guidelines.
2. Supervisors shall conduct random weekly reviews of selected recordings in order to assess officer performance as well as mark videos that may be appropriate for training purposes.
3. If a complaint is associated with a recorded event, or an officer believes an incident may generate a complaint, the supervisor shall categorize the video for indefinite retention (evidentiary).

E. Video Evidence

1. Officers requesting videos for trials must make such request through the Department's Video Evidence Coordinator at least five (5) business days prior to the trial date. (Situations where circumstances outside the officer's control prevent such notification will be handled on a case-by-case basis.)
2. Videos not previously labeled by the responsible officer cannot be retrieved by the Department Video Evidence Coordinator.
3. All requested videos must be picked up in person.

F. Video Purge

Videos will be automatically purged from the server no later than thirteen (13) months from the date of download. The only exception will be that video which has been categorized for indefinite retention (evidentiary).