Body Worn Cameras

Implementation of NCGS 132-1.4(A)

Tuesday, December 6, 2016

Sergeant Justin R. Flynt
Body Worn Cameras: Deployment

• 650 Cameras
  – Assigned to ALL officers at the rank of Sergeant and below

  ➢ The BWC shall be activated prior to arrival at a call for service, in anticipation of a self-initiated activity, or at the activation of emergency equipment (blue lights and/or siren), whichever occurs first. This shall also include citizen interactions that are related to or for the purpose of a law enforcement function.

  ➢ Plain clothes officers will wear the BWC mounted on their external ballistic vest carrier. Plain clothes officers are not required to wear the external vest and BWC throughout their duty day. However, the vest and BWC will be worn prior to any pre-planned tactical or enforcement situation.
Body Worn Cameras: Video Storage

During FY 15-16 the following amounts of video were captured via BWC:

- Total for the 12 month period:
  - 201,274 videos
  - 32,820 hours of video
  - 24.3 TB of video

- Average Daily:
  - 550 videos
  - 90 hours of video
  - 66 GB of video
Body Worn Cameras: Video Storage

Three-Year Trend
Increasing amounts of video being captured via BWC.
Body Worn Cameras: Video Retention

- All video captured by BWC is placed into one of five different primary categories.

- Each BWC category is associated with a retention time period in order to satisfy requirements set forth in Standard 9 of the N.C. Records Retention and Disposition Schedule for Municipalities. As prescribed by NCGS 132-1.4(A).

- A Retention Policy permits for the management of overall data storage quantities, which allows for budgetary predictions that are necessary for sustaining a BWC program.
Body Worn Cameras: Video Retention

Retention Categories

<table>
<thead>
<tr>
<th>Category</th>
<th>Retention Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citizen Contact, Non-Criminal</td>
<td>90 days</td>
</tr>
<tr>
<td>Criminal Investigation</td>
<td>3 years</td>
</tr>
<tr>
<td>Vehicle Stop/ Crash – Warning or Infraction</td>
<td>90 days</td>
</tr>
<tr>
<td>Vehicle Stop/ Crash – Criminal Charge</td>
<td>3 years</td>
</tr>
<tr>
<td>Non-Citizen Involvement</td>
<td>90 days</td>
</tr>
<tr>
<td>Field Training Video</td>
<td>1 Year</td>
</tr>
<tr>
<td>Administrative Investigation</td>
<td>Indefinitely</td>
</tr>
</tbody>
</table>

Any video that must be maintained longer than three (3) years is moved from cloud storage to one of two Records Management Systems.
Body Worn Cameras: NCGS 132-1.4(A)

Implementation of Disclosure:

• Public education handouts to assist individual officers in answering any questions about Disclosure / Release

• Website with additional details, links to full-text of NCGS 132-1.4(A), and links to submit a request for disclosure of BWC video.

• A “viewing room” to facilitate disclosure and maintain security of the data so that unintentional release does not occur.
Body Worn Cameras: NCGS 132-1.4(A)

Implementation of Disclosure:

• Public education handouts to assist individual officers in answering any questions about Disclosure / Release.
The Greensboro Police Department (GPD) was one of the first agencies to use body worn cameras to provide perspective of police-community interactions. Here are a few FAQs.

How do I know I'm being recorded?
You are recorded, per GPD policy, when police officers are responding to a call for service and/or conducting proactive policing activities (such as a vehicle stop). Police are not required to record the entire time they are at work; including casual conversations with members of the public.

Who can see the video?
Typically, only those captured on the video from an officer's Body Worn Camera can watch the video according to North Carolina law. State legislation also requires a verification process from the police department. This protects our residents. For additional specifics about who else is legally allowed to watch these videos, please go to the following website: www.greensboro-nc.gov/BWCvideo to get more details.

How can I watch the video?
To watch the video, you must complete a form online (www.greensboro-nc.gov/BWCvideo) or call or come to the Professional Standards Division for assistance with completing this form. Please allow three working days for processing.

THE OFFICER CANNOT SHOW YOU THE VIDEO IMMEDIATELY.

Need more help or have more questions?
Call or come see us. We can help you. If you have any additional questions, please call the Police Department’s Body Worn Camera Administrator at (336)-373-3468.

City Hall (MMOB): 300 W. Washington Street, UG level (Open M-F, 8 am - 5 pm)
Police Headquarters: 100 Police Plaza (Open 24/7)
Police District 3: 300 S. Swing Rd. (Open M-F, 8 am – 5 pm)
Police District 4: 1106 Maple St. (Open M-F, 8 am – 5 pm)
Body Worn Cameras: NCGS 132-1.4(A)

Implementation of Disclosure:

• Website with additional details, links to full-text of NCGS 132-1.4(A), and links to submit a request for disclosure of BWC video.
VIEW BODY WORN CAMERA VIDEO

What is Recorded?

Greensboro police officers are required to record interactions using their body worn camera when responding to calls for service and conducting proactive policing activities (i.e., vehicle stops). Police are not required to record the entire time they are at work, such as during casual conversations with members of the public.

- Read GPD’s Departmental Directive about [when police interactions are recorded](#).

Who Can View the Video?

[NC law](#) regulates who is allowed to watch video recordings made with police body worn cameras. Typically, if you are on the video from an officer’s body worn camera, the law would allow for you to watch the video. There are other specifics about who is legally allowed to watch these videos.

- Read GPD’s Departmental Directive about [when recordings may be released](#).

How to Request to View the Video?

By state law, your request to watch recordings from a body worn camera must be approved by the Chief of Police or his designee. The police officer who made the recording cannot show you the video.

- Use this form to [request to watch a video](#).

If you are unable to access the above form, visit one of the following locations for help with your request:

Police Headquarters: 100 Police Plaza - Open 24/7
Police District 3: 300 S. Swing Rd. - Open 8 am to 5 pm Mondays through Fridays
Police District 4: 1106 Maple St. - Open 8 am to 5 pm Mondays through Fridays

Within three working days of submitting your request, the chief’s designee will contact you and let you know whether or not you are permitted to view the video and how to proceed.

Questions?

Read these [frequently asked questions](#).

If you have additional questions, call GPD’s Body Worn Camera Administrator at 336-373-2468 from 8 am to 5 pm Mondays through Fridays.
Request to View Video from Police Body Worn Camera

TODAY'S DATE:

PERSON REQUESTING TO VIEW VIDEO:
FIRST NAME: ____________________ MIDDLE INITIAL ________
LAST NAME: ____________________ SUFFIX (Jr., Sr., III) ________
DATE OF BIRTH: ________________
HOME ADDRESS: ____________________________
TELEPHONE NUMBER: ______________________
EMAIL ADDRESS: ____________________________

INFORMATION TO LOCATE VIDEO
FULL NAME OF PERSON IN VIDEO: ____________________________
DATE OF INTERACTION WITH OFFicer: ________________
APPROXIMATE TIME OF INTERACTION: ________________
LOCATION OF INTERACTION: ____________________________

DESCRIPTION OF THE ACTIVITY/INTERACTION:

IF YOU ARE NOT IN THE VIDEO, PLEASE CHECK THE BOX THAT REPRESENTS YOUR RELATIONSHIP TO PERSON IN THE VIDEO:

☐ Personal representative of a minor (below age 18)
☐ Personal representative of an adult person (check one):
  ☐ who has given consent to disclosure;
  ☐ lawful guardian of an adult person;
  ☐ who is incapacitated and unable to provide consent; or
☐ Personal representative of a deceased person who is in the video

Submit

REQUEST FOR DISCLOSURE HAS BEEN:

☐ Approved
☐ Denied for the following reason(s)
  ☐ Requester did not provide sufficient information to identify specific recording
  ☐ Requester not authorized to receive disclosure.
  ☐ The recording contains information otherwise confidential or exempt from disclosure.
  ☐ The disclosure would reveal information about a person that is of a highly sensitive personal nature.
  ☐ The disclosure may harm the reputation or jeopardize the safety of a person.
  ☐ The disclosure would create a serious threat to the fair, impartial, and orderly administration of justice.
  ☐ Confidentiality is necessary to protect an active or inactive internal or criminal investigation or potential internal or criminal investigation.
  ☐ Other

☐ Other

APPEAL PROCESS: If GPD has not permitted you to view a video within three business days of the request, or has denied your request to view the video you may apply to the Superior Court in any county in which any portion of the video was recorded for an order compelling GPD to allow you to view the video, or to release a copy of the video.

VERIFICATION OF IDENTITY OF REQUESTER
I, (name/rank) ____________________________, have verified the identity of the person who is viewing the video, and confirmed he/she has standing. The verifications was ____________________________

Signature ____________________________

Signature of person providing consent for disclosure: ____________________________

ACKNOWLEDGEMENT OF DISCLOSURE OF BODY WORN CAMERA VIDEO

Name: ____________________________
Date: ________________ Time: ________________ Place: ________________

I acknowledge that the video of the Body Worn Camera recorded on ________________ was disclosed to me on the above date and time.

Prior to the disclosure of the video, I agreed that pursuant to City Policy/ North Carolina General Statute 132 1.4A (c) I would not record or copy the recording and I affirm that I did not record or copy the video which I was shown. Signature ____________________________

IA# ____________________
Implementation of Disclosure:

- A “viewing room” to facilitate disclosure and maintain security of the data so that unintentional release does not occur.
Body Worn Cameras: NCGS 132-1.4(A)

Remote Monitor in Unsecured Area

Cell Phone / Tablet Lockboxes

Computer Without Network or WiFi Connections, in Secure Area
Body Worn Cameras: NCGS 132-1.4(A)

Process for reviewing and deciding on request for disclosure:

• Each request is routed to BWC Coordinator who searches for any relevant video; then reviews all of the video

• Next, the request and any relevant video is evaluated based on the provisions permitted by NCGS 132-1.4(A)
Disclosure Flow Chart

Appendix A - Body Worn Camera - Disclosure Flow Chart

STEP 1:
- Does the request contain reasonable particularity?
  - Yes
    - Who is the requester? AND Does that person have legal standing to make the request?
  - No
    - Is the requested video part of any of the following investigations:
      - Criminal investigation
        - Proceed to Process A
      - Administrative investigation
        - Proceed to Process B
  - No disclosure permitted. Send response detailing reason for denial of request.

Process A:
- Criminal investigation
  - Proceed to Option A

Option A:
- Is there concern that the disclosure of the video could prejudice the investigation?
  - Yes
    - Disclosure of recording is permitted
    - Proceed to STEP 2
  - No
    - Proceed to STEP 3

Note: Proceed to option A if there is concern that the disclosure of the video could prejudice the investigation.

Process B:
- Administrative investigation
  - Proceed to Option B

Option B:
- Is the entity, or is it being likely to be an administrative investigation?
  - Yes
    - Disclosure of recording is permitted
    - Proceed to STEP 2
  - No
    - Proceed to STEP 3

Note: Proceed to option B if the entity, or it is being likely to be an administrative investigation.

STEP 2:
- Have the disclosure occurred in order to vitiate but part of the request involving recording shall be redacted, as allowed by NCDS 152.1.4.A.d.
  - Yes
    - Disclosure of recording is permitted
    - Proceed to STEP 3
  - No
    - Proceed to STEP 3

Note: Have the disclosure occurred in order to vitiate but part of the request involving recording shall be redacted, as allowed by NCDS 152.1.4.A.d.

STEP 3:
- The Chair of Police resolves the authority to allow any disclosure. Request denial is in STEP 2.
  - Yes
    - Disclosure of recording is permitted
    - Proceed to STEP 3
  - No
    - Send response detailing reason for denial of request.

Note: The Chair of Police resolves the authority to allow any disclosure.
STEP 1:

Does the request contain reasonable particularity?

- **NO**
  - NO disclosure permitted.
  - Send response detailing reason for denial of request.

- **YES**
  - Who is the requester? AND Does that person have legal standing to make the request?
    - **NO**
      - Disclosure of recording is permitted
      - Move to STEP 2
    - **YES**
      - Is the requested video part of any of the following investigations:
        - **NO**
        - Disclosure of recording is permitted
        - Move to STEP 2
        - **YES**
**Disclosure Flow Chart**

**STEP 2:**

Have the BWC Coordinator review the requested recording in order to ensure that no part of the requested recording should be restricted, as allowed by NCGS 132-1.4A (d).

Does the requested recording violate Departmental Directives, HIPPA, or any other Privacy Laws?

- **NO**
  - Disclosure of recording is permitted
  - Schedule disclosure

- **YES**
  - NO disclosure permitted at this point...
  - Move to **STEP 3**

**STEP 3:**

Have the Chief of Police perform a case-by-case evaluation of request.

- **NO**
  - NO disclosure permitted.
  - Send response detailing reason for denial of request.

- **YES**
  - Disclosure of recording is permitted
Body Worn Cameras: Moving Forward

Future Considerations:
• Disclosure to Non-Law Enforcement, Public Safety Partners?
  ➢ School Principals
  ➢ Public Housing Management
  ➢ Fire Investigators
  ➢ Citizen Review Boards