

# DALTON POLICE DEPARTMENT

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<i>Subject</i> <b>Body Worn Cameras</b>			
<i>Reference</i> <b>CALEA Standard – 41.3.8</b>		<i>Revised</i> <b>June <del>23, 2020</del> 28, 2022</b>	
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## I. Policy

It is the policy of the Dalton Police Department to provide guidelines for the proper use of body worn cameras (BWCs). The use of BWCs provides an unbiased audio / video recording of events that are encountered by Officers and can be an important tool for collecting evidence and maintaining public trust. BWC recordings serve a number of purposes, such as improving the accuracy of incident reports and future court testimony, as well as protecting Officers from false allegations of misconduct. BWC recordings can also be useful as training aids. BWCs are issued to Officers based on availability of the devices.

## II. Definition

*Body Worn Camera (BWC)* – A digital camera worn on an individual Officer's person that records and stores audio and video.

## III. Procedures

### A. Training

BWCs shall be utilized only by Officers that have had training on the proper use and operation of the device. This training shall include:

1. Setup and maintenance procedures
2. Guidelines for proper use
3. Legal issues involving the use of BWCs

### B. General Guidelines

1. Officers shall only use BWCs issued by the Department and / or approved by the Chief of Police or his / her designee. All data, images, video, and audio captured, recorded, or otherwise produced by the equipment is the sole property of the Department.

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2. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval from the Chief of Police or his / her designee, except in accordance with this policy.
3. BWCs and related equipment shall be used with reasonable care to ensure proper functioning. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify their Supervisor of any problems.
4. Officers shall wear the BWC above the midline of their torso and in a position that provides for effective recording. The BWC shall be clearly visible and in plain view of the public.
5. Officers shall note in incident, accident, citation, or other reports when BWC recordings were made during the encounter.

C. Procedures for BWC Use / Recording

This section is not intended to describe every possible situation where a BWC system may be used. In some circumstances, it may not be possible to record an incident due to uncontrollable factors, such as unforeseen, rapid escalation of actions by another party. In such instances, Officers shall activate the BWC when safe to do so.

1. Officers shall utilize BWCs in the performance of their duties when there is no or low reasonable expectation of privacy and the BWC is in plain view.
2. Officers shall record all enforcement-related contacts, when possible. This includes, but is not limited to:
  - a. Investigatory stops / encounters
  - b. Arrests / detentions
  - c. Responses to resistance and / or aggression
  - d. Searches
  - e. Statements from suspects, witnesses, and / or victims, as appropriate
3. Officers shall also record non-enforcement contacts should they become confrontational, assaultive, or enforcement-oriented.
4. Generally, Officers need not record informal or casual encounters with members of the public, considering that recording people in some circumstances may inhibit the sharing of information and / or the development of working relationships in the community.
5. Officers shall activate their BWC prior to initiating any activity where its use

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is anticipated / appropriate or at the earliest practicable opportunity once it becomes apparent that its use is needed. Once a recording begins in any activity, as previously described, Officers shall not deactivate the BWC until the action has ended. If the Officer deactivates the BWC during such an encounter, he / she must articulate the reason(s) for doing so in the incident report for the encounter.

6. Officers are not required to give notice that they are using a BWC. However, if asked, Officers shall advise ~~citizens they are being recorded~~ that a recording is being made.
7. Officers are not required to initiate or cease recording an event solely at the demand of ~~a citizen~~ a non-Department member.
8. Officers shall not use a BWC while engaged in off-duty employment. However, Officers that are wearing the duty uniform while engaged in extra-duty employment may choose to wear their assigned BWC, depending on the type of job duties being performed.
9. Officers are encouraged to inform their Supervisor of any video sequences that may have a value for training or might provide a better tactic for other Officers to use.
10. Any data captured by a BWC may be used during criminal or legal processes if the data meets required legal guidelines. All data captured by a BWC is the property of the Department and can be used in administrative reviews and functions.

**D. Restrictions**

1. BWCs shall only be used in conjunction with official duties, primarily including, but not limited to, the investigation of crime or other violations of the law. Officers shall not activate the BWC to surreptitiously record:
  - a. Communications with other Department personnel, without the permission of the Chief of Police or his / her designee
  - b. Conversations that concern matters over which the person being recorded would have a reasonable expectation of privacy.
2. When possible, Officers shall avoid recording persons with exposed areas of the body that would cause embarrassment or humiliation. If the Officer deactivates the BWC during such an encounter, he / she must articulate the reason(s) for doing so in the incident report for the encounter.

**IV. Recording Control and Management**

- A. The security of BWC recordings is the responsibility of the Officer maintaining the recordings. All BWC recordings shall be safeguarded / handled in the same manner as other forms of evidence.

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B. Download / Storage Procedure

1. Officers shall periodically download all BWC recordings and files from their device to an approved data storage system. If the system is a Departmental computer then **the recordings and files shall be** immediately transferred ~~them~~ to a DVD. This disc shall then be entered into the Property and Evidence Section as a new item number under that Officer's MVR case number (see directive GO03.7.9, Overt Electronic Recording and Monitoring).
2. Officers shall reference the MVR case number in the narrative of any relevant incident, accident, citation, or other report in order to retrieve the BWC recording for use in court or training.
3. Data shall be stored in compliance with O.C.G.A. 50-18-96.
4. Video recordings from BWCs shall be retained for 180 days from the date of such recording. If the recording is part of a criminal investigation, shows a vehicular accident, shows the detainment or arrest of an individual, or shows an Officer's response to resistance **and / or aggression**, it shall be retained for a minimum of thirty (30) months from the date of such recording.

V. **Supervisory Responsibilities**

- A. Supervisors shall ensure that Officers equipped with, or responsible for, BWC devices utilize them in accordance with the procedures outlined in this policy.
- B. The Professional Standards Unit shall review BWC ~~DVDs~~ **recordings** each quarter to determine compliance with policy and training. The Professional Standards Unit shall submit a memorandum to the Chief of Police and the Patrol Division Commander indicating:
  1. The recordings that were reviewed
  2. The name of the Officers reviewed
  3. A description of any policy violations, rudeness, or training needs associated with the recordings

*This policy supersedes any policies previously issued.*

**BY ORDER OF**

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**CHIEF OF POLICE**

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