

**City of Forest Park
Department of Police Services**

<i>Subject:</i> Body Worn/In-Car Cameras		<i>Number:</i>
<i>Date Issued:</i>	<i>Effective:</i>	Revised Date:

I. Purpose and Scope:

- A. The purpose of this policy is to establish guidelines regarding the use of Body Worn Cameras (BWC) supplied by the Forest Park Police Department, In-Car Cameras (ICC), and the control of recorded media created by these devices. This policy shall apply to all officers who may utilize this equipment, mobile applications or software related to the equipment, or who may utilize and/or access media recorded from these devices.

II. Policy

- A. The Forest Park Police Department is committed to protecting the safety and welfare of the public as well as its members. Audio/Video recordings from Body Worn Cameras (BWC) and In-Car Cameras (ICC) can improve the quality and reliability of investigations and increase transparency.
- B. The Forest Park Police Department will provide Body Worn Camera (BWC) equipment for purposes of providing evidence in the prosecution of criminal offenses, to enhance officer safety, to gather evidence, to help resolve citizen complaints, verify officer actions, and for evaluating officer performance and determining training needs. In order to maximize the utility of this equipment in these and related areas, officers will follow the procedures for BWC, and related equipment use as set forth in this policy.
- C. It is the policy of the Forest Park Police Department (FPPD) that officers will use the BWC and related equipment to record video and audio interactions, in their entirety, that occur between officers and the public as described in this policy.
- D. All videos created using the FPPD BWC and related equipment are the sole property of the FPPD. Any portion of the video/audio recording that contains events surrounding a violation of the law is considered a record of a criminal investigation.

III. Program Objectives:

- A. BWCs are intended to improve the operational efficiency of the FPPD. The purpose of the Forest Park Police Department’s BWC program is to accomplish the following objectives:
 - 1. Promote transparency, accountability, and build community trust.
 - 2. Accurately document events, actions, conditions, and statements made during arrests, contacts, and critical incidents, to enhance officer reports, collection of evidence, and testimony in court; and
 - 3. The enhancement of this agency's ability to review probable cause for arrest, arrest procedures, officer interaction with the public and suspects, and evidence for investigative purposes, as well as for officer evaluation and training.

IV. Definitions

- A. Visual Labs– The vendor selected by the department to provide Body Worn Cameras (BWC), in-car cameras (ICC).

- B. Activate – To manually begin recording officers must intentionally start the BWC unless there is a triggering event.
- C. Trigger Event – An event that causes the ICC/BWC system to begin recording. Trigger events include activation of emergency lights, the police vehicle exceeding a preset speed or manual activation by the officer.
- D. Pre-Event Recording – ICC systems will retain the video recording made prior to the trigger event for a period of time determined by the system settings. Audio is not recorded until the trigger event occurs.
- E. Category – A term used in the Visual Labs system for video/audio that has been marked for retention for longer than the default retention period. Categories are also labels given to BWC or ICC data for classification. Note: changing the category does not automatically change the retention; those are two separate permissions.
- F. Bookmark – A bookmark is a place marker in the video. By marking a video with a marker, it will allow you to quickly advance to an important segment in that video later during playback.
- G. Visual Labs Administrator – A Visual Labs system user who has the authorized access to gov.visuallabsinc.com with the capability of utilizing functions beyond the basic user.
- H. Body Worn Camera (BWC) – Is defined as any device that can be worn on the body and capture recorded media in both audio and visual signals.
- I. In-Car Camera (ICC) – Is defined as any device that is mounted inside a marked patrol vehicle to capture recorded media in both audio and visual signals.
- J. Covert Mode – A setting for the BWC that will suppress all external indicators on the unit, audio, and visual indicators.
- K. Officers – For the purpose of this policy, officers could also include civilian personnel who wear a BWC during the performance of their duties.

V. Operating Procedures:

- A. BWC equipment is the responsibility of the officer assigned to it and will be maintained according to manufacturer's recommendations and the policy requirements of the Forest Park Police Department. Officers will follow the procedures listed below when utilizing BWC equipment.
 - 1. Based on availability of equipment, BWC will be primarily issued to those officers assigned to the patrol division in a non-supervisory role. However, should any sworn officer work in a uniformed patrol capacity they must wear a BWC if a BWC is available for use.
 - a. Such officers must contact a Visual Labs administrator prior to the duty assignment to be temporarily assigned a BWC.
 - b. Upon completion of the assignment, the BWC must be returned to the Visual Labs administrator.
 - 2. Prior to each shift, officers shall inspect and test BWCs to ensure that it is operational, and the battery is fully charged. The officer shall then sync their BWC with the ICC (if the vehicle is equipped with Visual Labs ICC) to determine whether their equipment is working satisfactorily according to the manufacturer's directions. Any failure of the equipment shall immediately be brought to the attention of their immediate supervisor.

- a. If the BWC must be pulled from service, the officer and/or supervisor shall immediately report the defective item to the Visual Labs system administrator.
 - b. If there is noticeable damage to the BWC, do not attempt to charge the device. Doing so could damage the device or its battery, cause serious personal injury, or result in smoke or fire.
3. Except as otherwise provided in this policy, officers shall activate their BWC equipment to record.
- a. All contacts with citizens in the performance of his/her official duties (i.e., calls for service, vehicle stops, execution of search and/or arrest warrants, observed events).
 - i. Officers have discretion on whether or not to record casual non-enforcement contacts.
 - b. Once a body-worn camera is activated, the device shall remain on until the event is completed to ensure the integrity of the recording.
 - c. If an officer fails to activate his/her body-worn camera, fails to record the entire event, or interrupts the recording, the officer shall document in his/her report why the recording was not made, interrupted, or terminated.
 - d. If an officer purposely de-activates his/her body-worn camera without justified cause, he/she may be subject to disciplinary action. Below are some examples where an officer needs to keep recording and are NOT justifiable reasons to turn off a BWC:
 - i. When an officer is in an area open to the public, and a citizen objects to the recording, the officer shall not stop recording.
 - ii. When an officer is in an area where an individual has a reasonable expectation of privacy (such as a private home), pursuant to a valid search warrant, and the individual objects to the recording, the officer shall not stop recording.
 - iii. When an officer enters an area where an individual has a reasonable expectation of privacy (such as a private home), without a valid search warrant, but where exigent circumstances exist (hot pursuit of fleeing felon; imminent destruction of evidence, need to prevent suspect's escape; or a risk of danger to the police or others), and an individual objects to the recording, the officer shall not stop recording.
 - e. If multiple officers are on scene with a BWC, all officers with a BWC will record.
 - f. While not required by policy or state law, officers assigned a BWC may inform other parties that they are being recorded. This has proven to be influential in garnering cooperation of subjects and has been shown to reduce incidents of use of force.
 - g. Officers should use their assigned BWC to record crime scenes prior to the arrival of crime scene technicians if possible, especially if the scene may change or be compromised.
 - h. Officers shall make a verbal notation on the recording anytime he or she plans to intentionally stop or mute a recording prior to the completion of an event or incident. The verbal notation must include the reason why the member is stopping the recording.

4. Video will automatically upload to the Visual Lab cloud after the video is captured and saved. Officers will charge their BWC phone between shifts and can manually upload using the VL Android application.
5. BWC equipment will automatically activate when a Triggered Event or Remote Triggering occurs. When the event has concluded, the officer will manually stop the recording. The equipment may be manually deactivated during non-enforcement activities such as when protecting accident scenes from other vehicular traffic.
6. As soon as practical, the officer shall classify the recordings with the appropriate category. This is accomplished through gov.visuallabsinc.com. Categories include:
 - a. Uncategorized – System category that is default for all new evidence.
 - b. Citizen Contact - to be utilized when an officer contacts a citizen, but no enforcement action is taken.
 - c. Crash Investigation to be used during a traffic accident investigation.
 - d. Sensitive not for release – If the video is sensitive in nature, the officer can request consideration for viewing of the video, such as same gender, etc. In this event the Visual Labs administrator will designate a person to review the video who will report the contents of the video to the administrator.
 - e. DWI/DUI/DRE – When the officer arrests a person for DWI or DUI. Also, for DRE evaluations.
 - f. Felony Offense/Arrest – to be used when a person is arrested and/or transported in a patrol unit for a felony.
 - g. Incident – To be used for situations beyond casual citizen encounters but do not rise to the level of enforcement action as listed above, including civil matters. These typically will be cleared as stat 4 Cad notes.
 - h. Misd. Offense/Arrest – to be used when a person is arrested and/or transported in a patrol unit for a misdemeanor.
 - i. Pending Review – System category for supervisors only. DO NOT USE.
 - j. Person/Vehicle Search - when a vehicle search or pat down search is recorded but no arrest occurs.
 - k. Pursuit – to be used when the patrol unit is involved in a vehicle pursuit.
 - l. Accidental - to be used to classify an accidental activation, or other situation where there is no need to retain the video recording beyond the default period. This category is to be used for video that may have been accidentally recorded in a situation in which BWC usage is not mandated. The video is not viewable to anyone other than a designated review supervisor.
 - m. Test/Training – to be used during a pre-shift inspection of the BWC/ICC to ensure the proper operation of the camera systems. Also, to be used when the BWC/ICC is utilized for training.
 - n. Traffic Stop - to be used for all traffic stops.
 - o. VIOLENT Felony Offense/Arrest – the same as above but for violent crimes (homicides, terroristic acts, etc.).

- p. Critical Incident – Homicide, officer involved shooting, etc.
7. Recorded data will be retained and archived based on the applied category for the following minimum periods:
- a. Uncategorized – 180 days
 - b. Citizen Contact – 180 days
 - c. Crash Investigation - 30 months
 - d. Sensitive not for release – 30 months
 - e. DWI/DUI/DRE – 30 months
 - f. Felony Offense/Arrest – 30 months
 - g. Incident – 30 months
 - h. Misd. Offense/Arrest – 30 months
 - i. Pending Review – Until Manually Deleted (system category)
 - j. Person/Vehicle Search – 30 months
 - k. Pursuit – 30 months
 - l. Accidental – 180 days
 - m. Test/Training – 180 days
 - n. Traffic Stop – 30 months
 - o. VIOLENT Felony Offense/Arrest – 30 months
 - p. Critical Incident- Permanent
 - q. Officer Injury- 30 months
 - r. Officer Use of Force- 30 months
8. The officer is responsible for ensuring that equipment is operating to record every citizen and/or enforcement action. In so doing, officers will ensure that:
- a. The BWC is affixed to their department-issued uniform in the chest area, above the belt line and below the neck, to optimally capture all recordings and to optimize the field of view.
 - b. The BWC shall not be deactivated until the enforcement action is completed and;
 - c. The use of the BWC will be recorded in all department reports. This notation of the use of BWC does not replace the officer’s responsibility to fully complete departmental reports.
 - d. Whenever an officer obtains a recording of a statement, the event shall be documented in all department reports. A video statement is a supplement to, and not a replacement or substitute for, a written statement.
 - e. An officer may not exclusively use “please see video” or any similar language on any department-mandated reports.

B. Restrictions on Use of Body-Worn Cameras

1. BWCs shall be used only in conjunction with official law enforcement duties. However, BWCs shall NOT be used to record the following:
 - a. Secretly record conversations that are not investigative in nature or are unrelated to official police activities (i.e., casual “shop-talk” conversations between officers).
 - i. A violation of this prohibition would be considered serious in nature and could result in discipline, up to and including termination.
 - ii. If such a conversation is recorded, the officer shall immediately notify a supervisor. The supervisor shall take all necessary steps to ensure that the recorded conversation is not repeated or played unless required by law.
 - b. Performance of non-enforcement functions or administrative duties within a department facility.
 - c. During departmental investigations and/or interviews involving any of the following: Command-level interviews, Response to Use of Force Interviews, and/or Office of Professional Standards interviews.
 - d. Intentional recording of undercover officers or their confidential informants.
 - e. When on break or otherwise engaged in personal activities.
 - f. Locations where department personnel have a reasonable expectation of privacy, including, but not limited to, hospital rooms or emergency rooms, locker rooms, and restroom facilities.
 2. Officers shall utilize body-worn cameras while on secondary employment. BWC’s will be activated whenever an officer working secondary employment takes any type of law enforcement action.
- C. Officers shall only use department issued BWC’s. Officers shall not use personally owned body-worn cameras while on duty.
- D. Special circumstances.
- a. When an officer enters an area where an individual has a reasonable expectation of privacy (such as a private home), without a valid search warrant, and where exigent circumstances do not exist, but person with authority over the premises, such as a renter, objects to the recording, this shall be regarded as a revocation of the consent to enter, and the officer should (after recording the objection) exit the location to a public area outside the structure, such as a yard, side walk, street etc. Revoking consent for BWC’s does not constitute probable cause to arrest.
 - b. When an officer is taking a witness statement from a victim of a sexual assault, or if there is a rational belief by that officer that the recording would place the witness in danger of harm, the video should be tagged as sensitive not for release. This discretion is solely left to the responding officer.
 - c. Any interruption of a BWC recording under this section must be properly documented in the officer’s report.
 - d. Officers shall not attempt to erase, alter, or tamper with any BWC data/recording or in any way interfere with the recording system, or intentionally cause the unit to malfunction.

- e. Officers shall not attempt to duplicate videos for any purpose other than legitimate department matters, nor shall any officer attempt to or upload videos not authorized by the Chief of Police or the Chief's designee to any social media platform.
- f. Officers may review video/audio recordings created under their own profile to aid in reviewing details or in completing documentation of events.
- g. Supervisors may review video/audio recordings created by another officer to aid in training.
- h. Officers will note in incident, arrest, and related reports when video/audio recordings were made during the incident in question.

VI. Video Control and Management:

A. BWCs containing information that may be of value for case prosecution or in any criminal or civil adversarial proceeding shall be safeguarded as other forms of evidence. As such, these will:

- 1. Be subject to the same security restrictions and chain-of-evidence safeguards as detailed in this agency's evidence control policy. Whenever possible, the case can be made digitally available by those with permissions through email links. If needed a DVD copy can be utilized.
- 2. Not be released to another criminal justice agency for trial or other reasons without the approval of the Evidence Custodian.
- 3. Not be released to the public, the media, or any other entity outside law enforcement without prior approval of the Chief of Police or the Chief's designee.
- 4. Media or citizen requests for a video recording shall be made in accordance with the Georgia Open Records Act and shall be directed to the City Clerk for processing.

B. The Training Unit, Office of Professional Standards, or other unit as approved by the Chief of Police or the Chief's designee, may request a copy of a video segment for use in training, review, investigation of a complaint, or other legitimate purpose pertaining to the function of that unit. Upon approval by the Chief of Police or the Chief's designee, these recorded copies may be retained by the requesting unit for the use of that unit. Such recorded copies will be subject to the same restrictions from release to non-law enforcement entities or uploading to social media network.

VII. Supervisory Responsibilities:

Supervisory personnel who manage officers equipped with BWCs shall ensure that:

- 1. All officers follow established procedures for the use and maintenance of BWC equipment, handling of video/audio recordings, and the completion of BWC documentation.
- 2. The supervisor shall, on a weekly basis, also ensure that the correct classification of the "event" is selected for the incident. A report may be run in gov.visuallabs.com to list those officers who have not properly categorized their evidence.
- 3. On a monthly basis, supervisors shall randomly review recordings to assist in an assessment of officer performance, determine whether BWC equipment is being fully and properly used, and to identify material that may be appropriate for training. Supervisors shall conduct this assessment on each officer under their command and should review at least one video per officer during each month. Supervisors shall keep documentation of this assessment recording, the date of the assessment, the system ID of the video reviewed, the type of video reviewed, and any observations made by the supervisor. The video that is reviewed should be from the same month the assessment is being made and may be a review of any type of officer/citizen contact.
- 4. Repairs and replacement of damaged or non-functional BWC equipment is performed.

VIII. Training

All officers must receive training, including policy review, on BWC equipment prior to use. This training will include the unit nomenclature, mounting options, and operation procedures of the BWC. This training will also include a documented overview of the gov.visuallabs.com software system.

IX. Critical Incident Protocol

Critical Incident for the Purpose of this SOP is any police action or activity that directly or indirectly results in great bodily harm or death to a department member and/or civilian.

1. In the event of a critical incident, members assigned a body worn camera will refrain from viewing the recorded data until the investigative entity responsible for the investigation arrives on scene.
2. The Chief of Police or his designee shall make the determination if the involved officer(s) will be permitted to view the recorded data.
3. This section does not prohibit members in critical incidents with ongoing exigency from viewing body worn camera recordings that may aid the present investigation (e.g., suspect descriptions, suspect vehicles, direction of travel, etc.)

X Data Privacy/ Records Request

1. Members will not allow citizens to review video captured by a BWC unless there is an investigative reason to do so and such viewing has been approved by a supervisor. Members shall advise civilians that they may request a copy of the recording through the public records process.
2. The release of video requested through a public records request will be handled in accordance with existing policy and public records laws. Reproduction fees for duplication of recordings will be established by the City of Forest Park.
3. Prior to the release of any BWC recordings to the public, the Records Division will ensure that proper redactions have been made in accordance with state law.