

FERRUM COLLEGE POLICE DEPARTMENT	Operational Directive: 2-16.5
Subject: <i>Body Worn Cameras</i>	Review Date: 4/8/15
Effective Date: April 8, 2015	Approved: _____ Chief JF Owens
Amends/Supersedes: N/A	

NOTE:

This policy is for Departmental use only and shall not apply in any criminal or civil proceedings. The Department policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this Directive will be basis for Departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

I. PURPOSE

To establish procedures and guidelines for the operation, maintenance and/or special utilization of the portable hard drive equipment body worn cameras (**BWC**) by sworn officers.

II. PROCEDURE

A. At the start of each shift officers' will power up **BWC** to insure it is functional. If the **BWC** is not operational the officer will immediately notify a supervisor so it can be replaced. Supervisors will periodically check the operational readiness of the **BWC** as part of their line inspection process. Non-operational equipment will be noted and sent for repair as soon as possible.

B. The **BWC** will be utilized by officers as an evidentiary aid to document any conduct or traffic and/or crime scene situation where the **BWC** would be useful in court, civil litigation or the resolution of a citizen complaint. The electronic media storage capacity for the **BWC** is 32GB. The **BWC** are to be turned on during all calls for service and law enforcement-related encounters and activities. Only deactivate the **BWC** at the conclusion of the event or with supervisor approval. **BWC** may also be deactivated at the request, when interviewing victims, witnesses or obtaining information from persons who wish to remain anonymous.

**** If the BWC is deactivated for any reason by the officer this reason will be noted on the recording before it is turned off and documented in the report.**

- C. **The BWC will be utilized by officers only for its intended purpose in the performance of their official duties and in accordance with established Department policies. The unauthorized use, tampering, editing of Department BWC or BWC recordings and/or audio tapes will result in discipline up to and including termination.**
- D. The following are required uses when an officer is issued a **BWC**:
- 1 Interacting with a visibly intoxicated person(s)
 - 2 Interacting with a Person(s) who are using abusive or profane language.
 - 3 Interacting where a person(s) is acting aggressively or abusive towards the officer or others.
 - 4 Handling a situation where there is disorderly conduct.
 - 5 Conducting a field interview with suspicious person or trespasser
 - 6 When it appears that a physical arrest may have to be made.
 - 7 Conducting a lawful search subsequent to a violation of law.
 - 8 Responding to a serious emergency or crisis situation that should be documented.
 - 9 All traffic stops
- E. Video/DVD/Portable Hard Drive **and BWC** Security and Access
1. The **BWC** will utilize Department issued **electronic media**. Each **electronic media** will be assigned a specific control number that will correspond with the Video/DVD/Portable Hard Drive log sheet. Each **BWC** will be assigned a specific officer that will correspond with the **BWC** Log Sheet.

2. The Video/DVD/Portable Hard Drive Log Sheet and the **BWC** Log Sheet will be utilized to document the location of each **BWC** placed into service or removed from service. The following items will be recorded on the Video/DVD/Portable Hard Drive Log Sheet and **BWC** Log Sheet:
 - a. *Supervisors issued **BWC** for assignment to officers*
 - b. The officer assigned the **BWC**;
 - c. The date the **BWC** is placed in service or the date and the officers' name who is issued a **BWC**;
 - d. The date the **BWC** is removed from service;
 - e. The reason for the replacement of the **BWC** and a brief description leading to the replacement;

F. Responsibility and Chain of Custody

1. All personnel will assure that the chain of custody associated with **BWC** is maintained.
2. Shift supervisors will be accountable for the completeness of the **BWC** log sheets and security of the *electronic media* file.
3. Supervisors will be responsible for ensuring that all officers are instructed in the proper operation of the **BWC**.
4. **BWC** may be reviewed by a supervisor to ensure that Department procedures are being followed.
5. Officers can, for report writing purposes, review the electronic media in the **BWC**.
6. Officers can, for report writing purposes in the presence of a supervisor, review **BWC** that has been removed from a DVD/CD copy made from electronic media that has been removed from a **BWC**.

G. *Electronic Media* Storage and Retention

1. **BWC** containing information that may be of value for case prosecution, a special report or in any criminal or civil adversarial proceeding will be safeguarded as other forms of evidence pursuant to Operational Directive 2-15 / 2-16. Electronic media will be removed by a supervisor who will make a copy of the required

data on a DVD/CD. The electronic media will then be placed back in the portable hard drive deck.

2. The DVD/CD copy made by the supervisor will serve as the original and will be placed in an envelope with all required information completed. The supervisor will then submit the DVD/CD copy to the property room. Evidence control procedures will be followed pursuant to Operational Directive 2-15 / 2-16.
3. The **BWC** will be downloaded to an external hard drive by a supervisor once a week or as needed. The external hard drive is located in the supervisor's office. Supervisors downloading data to the external hard drive will comply with all requirements of Operational Directive 2-15 / 2-16.
4. The storage will be set to delete data based on the designation assigned to the data. Non-evidentiary electronic media files stored for the 90 day time period will be deleted. Evidential data will be stored for 90 days past appeal deadline dates before being deleted.
5. Once the **BWC** is downloaded to the external hard drive the BWC will be placed back in service.
6. No electronic media DVD/CD will be released to non-supervisory personnel or another criminal justice agency or organization for trial without an order of discovery request from the Commonwealth Attorney or other reasons without prior approval from the Chief or his designee. If approved, only a duplicate copy is to be released and the original is to be retained in the Property Room. No information contained on any DVD/CD will be released to any other person absent the prior approval of the Chief, his designee or mandated legal request.
7. **Electronic media** or **BWC** data not required to support known investigations, litigation, scheduled court proceedings or other legal uses will be maintained for a minimum period of **90** days. At the end of **90** day period the supervisor will be responsible for ensuring the erasing of the **BWC** recordings has occurred automatically by the system.
8. ***At no time will an officer remove or download any part of the electronic media stored in the BWC removable media. Only a supervisor is authorized to remove or download any part of the electronic media from the BWC electronic media. The supervisor will log each time any part of the electronic media is removed or downloaded from a BWC.***

