
POLICY & PROCEDURES**SECTION: OPERATION**

SUBJECT:**EFFECTIVE DATE: 3/1/2015****USE AND DEPLOYMENT OF BODY WORN
RECORDING SYSTEMS**

ACCREDITATION STANDARD: N/A**HALIFAX POLICE DEPARTMENT**

I. PURPOSE

To establish policy regarding the use of Body Worn Recording Systems (BWRS) by members of the Halifax Police Department and to establish a policy regarding the storage, release and retention of BWRS audio/video (A/V) files maintained in department approved storage devices. BWRS are intended to enhance the police services provided by the Halifax Police Department.

II. POLICY

It is the policy of the Halifax Police Department that each law enforcement officer assigned to patrol shall begin his/her shift by placing the BWRS on the uniform and ensuring it is in proper working condition. In the event, a BWRS fails the pre shift inspection the officer shall substitute said camera for one of the general use or back up units.

III. PROCEDURES**A. GENERAL USE**

1. Each patrol officer shall have a BWRS assigned specifically, by serial number, to him/her. Excluding the use of the unassigned/backup BWRS officers shall not manipulate unassigned BWRS equipment. All BWRS will be operated according to manufacturer's recommendations and department regulations.
2. Only officers who have been issued and trained in the operation of a BWRS may operate/wear a device.
3. Officers shall use only department-issued body worn recording devices to record official department activities. Duty-related recordings of any police department activity are the property of the police department. The use of a privately owned BWRS is prohibited while on duty or within the police department, not generally accessible to the public or while in any department or town owned vehicle. BWRS shall only be stored at police headquarters.

4. The BWRS will be worn on the strong hand shoulder or sunglasses.
5. In situations where a recording was made and a case report is required, the existence of the recording shall be documented in the report. In situations where no case report is required, (excluding traffic stops) and the officer chooses to write an incident report, the existence of the recording shall be documented in the incident report.
6. If the BWRS is worn but not activated in a situation that is required by department policy, the officer will immediately report the circumstances to their supervisor at the conclusion of the related event, incident, or contact. The officer will also document the reason why the event was not recorded in a case report.

B. PRE-SHIFT INSPECTION

1. Each BWRS is individually assigned. Officers are not permitted to wear a unit that has not been assigned to them unless the assigned BWRS malfunctions. However, in no case shall an officer use a BWRS assigned to another officer without the approval of the chief or his/her designee.
2. Officers are required to check their BWRS for proper functioning prior to beginning their shift. Should a malfunction or other problem with the system be identified, the officer shall report the issue to the chief in writing denoting the malfunction.
3. Officers are required to wear the BWRS during their entire tour of duty. Should a malfunction occur during their tour the officer shall return to police headquarters and deploy the unassigned/backup BWRS. In addition, he/she shall notify the chief in writing denoting the malfunction.

C. RECORDING PROTOCOLS

1. Officers must activate their BWRS during the following situations unless doing so would be impractical or unsafe:
 - a. Traffic stops and accident investigations
 - b. Foot Pursuits
 - c. Response or Pursuit driving
 - d. Terry stops and pat downs
 - e. All vehicle and subject searches (including vehicle inventories)
 - f. All law-enforcement-related interactions where criminal activity is being actively investigated

2. Officers have discretion in whether or not to record informal, non-law enforcement-related interactions with members of the community.
3. Under normal circumstances, once a decision has been made to record an event, an officer may not stop the recording prior to the completion of the event/citizen encounter, unless directed to do so by a supervisor. In rare cases, circumstances may dictate that an officer inhibit the video portion by shielding the lens for modesty/privacy concerns. However, only if practical and only when safety permits. If officer safety does not permit such an action, the officer shall continue recording.
4. Officers may inform subjects that they are being recorded unless doing so would be unsafe or impractical.
5. Officers are NOT required, nor should they terminate a recorded interaction with a suspect in a criminal investigation or investigatory detention.
6. If asked whether they are recording an event, officers are required to be truthful.
7. Officers ARE NOT permitted to record:
 - a. Other agency personnel during routine, non-law enforcement related activities
 - b. In restrooms or locker rooms, unless activation is required during the official performance of an officer's duties
 - c. Discussions that involve pre-planned operational strategies or police tactics

D. TAGGING VIDEO RECORDINGS

1. Tagging videos should occur at the conclusion of the needed video. The use of the phone application is the preferred method.
2. The following tags are to be used when identifying videos:
 1. No category
 2. Call for Service
 3. Criminal Arrest
 4. Criminal Traffic Stop
 5. Investigation
 6. Non Evidentiary

7. Pending Review
8. Traffic Accident
9. Traffic Stop

E. VIDEO DOWNLOAD AND STORAGE

1. At the conclusion of the tour of duty officers shall place the BWRS into the docking hub in the police headquarters.

The following list consists of the recording retention times in days:

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|----|-----------------------|------------------------|
| 1. | No category | Until Manually Deleted |
| 2. | Criminal Arrest | Until Manually Deleted |
| 3. | Criminal Traffic Stop | Until Manually Deleted |
| 4. | Investigation | Until Manually Deleted |
| 5. | Non Evidentiary | 14 Days |
| 6. | Pending Review | Until Manually Deleted |
| 7. | Traffic Accident | 14 Days |
| 8. | Traffic Stop | 120 Days |

F. RECORDED DATA ACCESS AND REVIEW

1. Audio/Video files will be retained only in department approved storage devices. Currently this is accomplished by the department's contract with Evidence.com
2. Officers using a BWRS should review audio/video footage prior to writing case reports or providing courtroom testimony. Unless detrimental to an investigation, officers should be provided an opportunity to review BWRS footage prior to giving a statement related to an administrative investigation or in response to other supervisory inquiries.
3. The chief may access and review audio/video file footage of officers as part of the department's ongoing inspections and audits program. BWRS reviews will be conducted to investigate complaints, for training purposes or to ensure compliance with department policy and recording protocols.

4. Access to file footage by department personnel for personal use and/or for uploading recorded data onto public and social media websites is strictly prohibited.
5. Access by officers and supervisory personnel will be limited to read-only files.
6. Officers requesting copies of video files for court purposes are to submit the request in writing denoting the reasons and the files to be accessed.
7. Release of audio/video data to external entities is strictly limited to law enforcement purposes only. Subpoenas or Freedom of Information requests will be handled by the chief of police.

G. Training:

1. BWRS training is required for all agency personnel who may use or otherwise need a detailed knowledge of the BWRS.
2. Before agency personnel are equipped with BWRS devices, they must receive mandated training which will include the following:
 - a. Related policies and recording protocols
 - b. Procedures for operating the equipment
 - c. Practical, scenario-based exercises that replicate situations that officers may encounter in the field
 - d. Procedures for downloading and tagging recorded data
 - e. Procedures for accessing and reviewing recorded data
 - f. Procedures for preparing and presenting digital evidence for court
 - g. Procedures for documenting and reporting any malfunctioning device or supporting system.

Kevin Lands, **CHIEF**

This policy supersedes all previous administration directives.