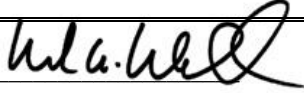
	ISLE OF WIGHT COUNTY SHERIFF'S OFFICE		GENERAL ORDERS
	SUBJECT: BODY WORN CAMERA (BWC)		NUMBER: 2-52A
	EFFECTIVE DATE: JANUARY 21, 2015		REVIEW DATE:
	AMENDS/SUPERSEDES: 2-52A Dated: AUGUST 19, 2014		APPROVED:  SHERIFF
	VLEPSC STANDARDS: OPR.01.11		

NOTE:

This rule or regulation is for internal use only, and does not enlarge a deputy's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this agency, and then only in a non-judicial administrative setting.

INDEX WORDS:

Equipment
BWC
Body worn camera

I. POLICY:

It is the policy of the Isle of Wight County Sheriff's Office that deputies shall activate the body worn camera (BWC) when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

II. PURPOSE:

This policy is intended to provide deputies with instructions on when and how to use BWCs so that officers may reliably record their contacts with the public in accordance with the law.

III. PROCEDURES:

A. Administration:

This agency has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:

1. BWCs allow for accurate documentation of law enforcement-citizen contacts, arrests, and critical incidents. They also serve to enhance the accuracy of deputy reports and testimony in court.

2. Audio and video recordings also enhance this agency's ability to review probable cause for arrest, deputy and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for deputy evaluation and training.
3. The BWC may also be useful in documenting crime and crash scenes or other events that include the confiscation and documentation of evidence or contraband.

B. When and how to use the BWC:

1. Deputies shall activate the BWC to record all law enforcement contacts with citizens in the performance of official duties.
2. If a deputy fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the deputy shall document why a recording was not made, was interrupted, or was terminated.
3. Civilians shall not be allowed to review the recordings at the scene.

C. Procedures for BWC use:

1. BWC equipment is issued primarily to uniformed personnel as authorized by this agency. Deputies who are assigned BWC equipment must use the equipment unless otherwise authorized by a supervisor.
2. Deputies shall use only BWCs issued by the Isle of Wight County Sheriff's Office. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Isle of Wight County Sheriff's Office.
3. Deputies who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operations. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
4. BWC equipment is the responsibility of individual deputies and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the duty supervisor as soon as possible so a replacement unit may be issued.

5. Deputies shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify the duty supervisor of any problems.
6. Deputies shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior permission from the Sheriff or his designee.
7. Deputies are encouraged to inform their supervisors of any recordings that may be of value for training purposes.
8. If a deputy is suspected of wrongdoing or involved in an officer involved shooting or other serious use of force, the agency reserves the right to limit or restrict a deputy from viewing the video file.
9. Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Sheriff or his designee in accordance with Virginia record retention laws. All requests and final decisions shall be kept on file.
10. Deputies shall note in incident, arrests, and related reports when recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports.

D. Restrictions on using the BWC:

BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:

1. Communications with other law enforcement personnel without the permission of the Sheriff.
2. Encounters with undercover officers or confidential informants.
3. When on break or otherwise engaged in personal activities.
4. In any location where individuals have a reasonable expectation of privacy, such as a locker room or restroom.
5. As a general matter, the body camera shall be rendered inactive while a SRO is on school grounds or at a school-related activity or event, unless there is a legitimate, law enforcement need for a SRO to activate the body camera.

E. Storage:

1. All files shall be securely downloaded periodically at least once every two weeks (14 days) or when the BWC hard drive is full, whichever is first. Each file shall contain information related to the date, BWC identifier, and assigned deputy.
2. All images and sounds recorded by the BWC are the exclusive property of this agency. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
3. All access to BWC files shall only be done by a supervisor.
4. Files will be securely stored and in accordance with Virginia record retention laws and no longer than for a useful purposes of training or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under the control of a criminal justice agency.
5. Deputies will notify the shift supervisor as soon as practical of a taped incident that has evidentiary value. The shift supervisor will determine if the recorded incident should be removed immediately to preserve evidence.
6. Recorded incidents that are determined to be of evidentiary value will be treated as evidence. Refer to 2-18 Property and Evidence Control for evidence procedures.

F. Supervisory Responsibility:

1. Supervisory personnel shall ensure that deputies equipped with BWC devices utilize them in accordance with policy and procedures defined herein.
2. At least on a monthly basis, supervisors will randomly review BWC recordings to ensure that the equipment is operating properly and that deputies are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.