

LONGWOOD
UNIVERSITY

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June 17, 2015

Jason Miller
Volunteer
ACLU of Virginia
701 E Franklin St., Ste. 1412
Richmond, Va. 23219

Dear Mr. Miller

Enclosed you will find documents in regards to your FOIA request to Longwood University.

Sincerely,



Elizabeth Seaborn
Public Relations Specialist II
Marketing and Communications

enc: LUPD SOP Body Worn Cameras





LONGWOOD UNIVERSITY POLICE DEPARTMENT
STANDARD OPERATIONAL PROCEDURES

TITLE: Body Worn Cameras	
TYPE OF DIRECTIVE: General Order	
ORDER NUMBER: 310	REVIEW DATE: 07/01/2015
DATE: 02/15/2012	DATE AMENDED:
EFFECTIVE DATE: 05/20/2013	VLEPSC STANDARD:
AMENDS/SUPERSEDES:	
AUTHORIZED BY: Colonel Robert Beach	SIGNATURE: <u>Robert R.</u>
<u>Beach</u>	
<p>Note: This directive is for internal use only, and does not enlarge an Officer's 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 any third party claims. Violations of this directive, if proven, can only form the basis of a complaint by the Longwood University Police Department and then only in a non-judicial administrative setting.</p>	

I. Policy

Officers of the Longwood University Police Department shall use body worn cameras when available, when interviewing suspects of crimes, field sobriety tests, traffic stops, any interaction with students when handling complaints or investigating complaints, establishing probable cause for pedestrian stops and detentions, or any situation, condition, or event having a potential for loss of life, injury, or damage to property. OPR.01.11A

II. Purpose

To establish policy and guidelines for electronic data collection resulting from the use of body worn audio/visual camcorders (BWC). It also serves to direct officers and supervisors in the proper use and maintenance of the BWC. The purpose of the BWC is to provide an accurate, unbiased audio/visual record of enforcement related and non-criminal incidents that will enhance criminal prosecution and limit civil liabilities.

Legal Authority

In *Pennsylvania vs. Muniz*, the U.S. Supreme Court held that an officer has the right to observe what the officer can see as long as the officer has a legal right to be present. It follows that if an officer may observe, an officer also has the right to photograph or videotape. A recording is considered to be "one party consent".

III. Prohibitions

- A. Any use of the BWC for any purpose other than official law enforcement business is a violation of this policy. Non-law enforcement business includes but is not limited to:
 1. Covertly recording other law enforcement personnel with **any** electronic device (tape recorder, telephone application, etc.,) except at the express direction of the Chief of Police or his/her designee.
 2. Recording a conversation with a supervisor, department personnel, or Longwood employee without the express consent of the Chief of Police or his/her designee outside of specific purposes outlined in this policy.
 3. **Personal use of the BWC.**
 4. Recording a conversation that the officer is not party to, unless the officer handling a law enforcement incident and is in lawful position when recording.
- B. Officers shall not use the BWC to record a particular person based solely on the person's race, color, age, sex, marital status, sexual orientation, gender identity, creed, religion, ancestry, national origin, or physical disability.

IV. Procedures

1. General guidelines for the use of BWC:
 - a. The BWC is intended to supplement reports and investigations and ultimately aid in prosecuting traffic and related offenses, to improve officer performance through training, and promote officer safety.
 - b. The BWC is to be used to document events, actions, or statements made during arrests, interviews, traffic stops, prisoner transports and critical incidents in order to enhance report preparation and investigation.
 - c. The BWC is meant to enhance the Department's ability to review probable cause for arrests, searches and seizures, arrest procedures, officer and suspect interaction, and evidence for investigative purposes, as well as for officer evaluation and training.
2. The BWC shall be activated anytime an officer is handling a complaint, doing follow-up investigations involving students, faculty/staff or members of the general public.
3. The BWC shall not be deactivated until the enforcement action is completed.

4. Officers shall record (both visual and audio) all traffic stops and any other incident that falls into the receiving range of the video unit. The body worn camera gives officers and command staff the ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, and evidence for investigative purposes, and officer evaluation and training.
5. Officers responding to calls or assistance with lights and sirens shall activate their BWC while enroute and while on scene.
6. Employees using a Department body worn camera while in the performance of their duties, shall record the entire conversation with the subject, unless the conversation transitions to a restricted nature, such as the identification of a confidential informant.
7. If an officer fails to record an entire conversation, the officer will note the failure, with an explanation within the narrative of their incident report. This will not apply if the conversation with the subject is a non-reportable incident.

V. Data Management OPR.01.11B

- A. BWC recordings shall be downloaded only to computers designated, operated and maintained by Longwood University Police Department.
- B. Before going off-duty, the Administrative Sergeant will download all recordings to the designated secure computer. The Administrative Sergeant will copy any data that is deemed to be evidentiary value on a media storage device and entered into evidence. Officers will note in incident reports when video/audio recordings were made during the incident in question. Other data not copied to disc will remain on the designated secured computer for 90 days at which time it will be erased. OPR.01.11C
- C. Data will not be released to another criminal justice agency or non-criminal justice agency for trial or other reasons without authority from the Chief of Police or his/her designee.

VI. Care of Cameras and Recordings

A. All officers are to inspect the body worn audio/visual recording system for damage and functionality. Officers are not authorized to make repairs or adjustments.

1. Officers shall notify their supervisor if any damage is found, repairs are needed, or if the unit is not working.

B. Officers are to exercise reasonable care with video equipment. Cameras should be checked periodically to insure that they are properly worn and adjusted, and that the lanyard is attached to uniform.