



Sheriff Timothy C. Carter
SHENANDOAH COUNTY SHERIFF'S OFFICE
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23 June 2015

Jason Miller
ACLU of Virginia
701 E. Franklin Street, Suite 1412
Richmond, VA 23219

Re: FOIA Body Camera Equipment and Policy

Dear Mr. Miller,

I am in receipt of your request for records regarding law enforcement worn body cameras. As you may be aware, requests for records of and information in the possession of the Commonwealth, its agencies and political subdivisions is governed by the Virginia Freedom of Information Act (FOIA), §§2.2-3700 *et. seq.* of the *Code of Virginia*.

Records Requested:

- #1 - The Shenandoah County Sheriff's Office (SCSO) has thirty three (33) body cameras currently in service.
- SCSO Officers collect criminal incident information/data with body cameras.
- #1, #2, #3, #4, #7- Enclosed is the SCSO Policy regarding body worn cameras and their use/training.
- #5- All dissemination regarding data/recordings are dependent upon rules, laws, and policies pertaining to evidence and criminal incident information (see also SCSO Policy).
- #6- Not Applicable.

If you have any further questions regarding this matter, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy C. Carter".

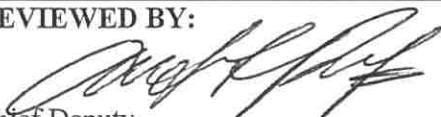
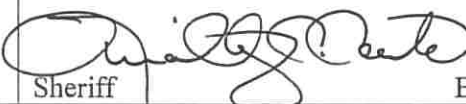
Timothy C. Carter
Sheriff

Enclosure



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DIRECTIVE: Standard Operating Procedure (SOP)		NUMBER: 4-9
SUBJECT: Field Camera Systems		REVISED DATE: 2-10-14
REFERENCE: VLEPSC – Opr. 01.11		TOTAL PAGES: 3
REVIEWED BY:  Chief Deputy	APPROVING AUTHORITY:  2/10/2014 Sheriff Effective Date	

Note: Camera systems used in the field record criminal activity and have therefore proven to be a valuable evidentiary tool that enhances public safety. These systems also provide a certain level of protection for both citizens and Shenandoah County Sheriff's Office (SCSO) personnel by offering a very effective method to capture and document the conduct, training, and activities of agency personnel while in the performance of their duties.

I. Purpose:

The purpose of this directive is to establish guidelines for the proper utilization of field camera systems.

II. Policy:

It is the policy of the SCSO to use field camera systems as directed to ensure that activities are recorded appropriately and the associated recorded data is properly controlled.

III. Procedures - General:

Note: Field cameras systems for the purposes of this directive are defined as portable or mobile electronic recording equipment deployed in such a manner to capture law enforcement activity in the field that is to be stored in an agency server.

A. These systems include the following:

1. Body Cameras
2. In-Car Cameras

B. Field camera systems will be issued to authorized personnel based on their assigned duties.

C. Personnel outfitted with such equipment either on their person or mounted in their assigned vehicle will be trained by supervision or other authorized personnel. The training shall include proper use of equipment and a thorough understanding of this directive.

D. Personnel will inspect and test the equipment on a routine basis (daily) and immediately forward any deficiencies through the chain of command. Personnel shall also comply with any manufacture's recommendations as it relates to proper utilization, care and maintenance of the equipment.

E. Equipment shall be worn and/or kept on (powered) at all times while in the performance of one's normal duties.

- F. Equipment shall not be altered or modified from its original condition excluding updates to normal settings (date/time) and adjustments to the aiming or placement of camera(s).
- G. Unless out of service, the equipment should be utilized (activated) for the following activities:
- Note: Although some systems may activate automatically, it is still the operator's responsibility to ensure that the equipment is recording the required activities.
1. Traffic Stops
 - a. All traffic stops shall be recorded.
 - b. The operator shall activate the system as soon as possible when observing probable cause or a traffic violation. Then continue recording the entire stop, concluding as the violator drives away.
 2. Suspected DUI Stops
 - a. The operator shall activate the system at the point when they first suspect a violation.
 - b. If field sobriety tests are administered and safety permits, the visual performance of such tests shall be included. Regardless, the audio shall remain on.
 - c. If arrested, the recording shall conclude when the subject is removed from the patrol vehicle at the jail.
 3. Motor Vehicle Searches
 - a. All vehicle searches should be recorded.
 - b. The operator shall activate the system as soon as possible and continue recording the entire search until conclusion of the incident.
 4. Motor Vehicle Crashes
 - a. At the discretion of the deputy, a crash scene can be recorded if it will assist in the investigation and/or adjudication of the case, or there are special circumstances that warrant the recording.
 - b. The operator can conclude recording at their discretion.
 5. Other Calls for Service
 - a. The operator should record situations or incidents where the use of such recordings (audio or video) will aid in the documentation of the actions of involved parties.
 - b. The operator can stop recording upon the conclusion of the incident or upon arrival at the jail, if an arrest occurs.
 6. Transports
 - a. At their discretion, the operator can record the transport of an adult or juvenile detainee, arrestee, or prisoner.
 - b. Recording shall conclude when the subject is removed from the patrol vehicle at the destination.

IV. Procedures - Data Control and Access:

Note: The recorded data identified in this directive is the exclusive property of the SCSO. Any release or dissemination of any portion of a recording (either audio or video), excluding the authorized release of recorded data for court proceedings, is strictly prohibited without the expressed consent of the Sheriff.

A. Access to any recording unit and/or installed hard drive shall be controlled.

1. The unit shall be in a secure box in each vehicle and the keys to those boxes maintained by authorized supervisors and the Patrol Division Chief.
2. Only an authorized supervisor is allowed to physically remove the installed hard drive from the recording unit. In such cases the supervisor is also responsible for ensuring that the hard drive is immediately entered into property and evidence as outlined below and for replacing the removed hard drive as soon as possible.

B. Recorded data is also considered a control item and will be accounted for through the agency's property and evidence control procedures as follows:

Note: Additional procedures related to property and evidence are further outlined in SOP 4-18; Property and Evidence Control.

1. Only authorized personnel shall have access to recorded data to include the data stored in the property/evidence room's records management system. The system shall also be kept secure and password protected in accordance with SOP 4-8-C; Computer Technology.
2. Any removed hard drives that contain data will be treated as evidence and accompanied by the proper documentation shall be placed into temporary storage or turned directly over to a property officer who will enter and/or download the data into the records management system as soon as possible.
3. Data that is automatically downloaded wirelessly or by other means into the system will also be treated as evidence and handled appropriately.
4. Data downloaded into the records management system can also be retrieved through the property and evidence control procedures in accordance with established procedures.
5. All recorded data downloaded into the system will be retained for at least 30-days consistent with the Code of Virginia as outlined in SOP 1-14-A; Records Retention, unless flagged/held for evidentiary or other internal purposes.

V. Procedures – Random Reviews:

- A. The Patrol Division Chief will ensure that supervisors are periodically conducting random reviews of recorded files to ensure that personnel are adhering to agency procedures.
- B. Supervisors shall take corrective measures for any noted deficiencies. This action shall be documented and forwarded through normal channels.