

<b>SMITHFIELD POLICE DEPT.</b>	<b>GENERAL ORDERS</b>
<b>SUBJECT: Body worn audio/visual camera (BWC)</b>	<b>NUMBER: 2-44</b>
<b>EFFECTIVE DATE: 4/12</b>	<b>REVIEW DATE: 5/9/12</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: _____</b> <b>Chief of Police</b>
<b>VLEPSC STANDARDS:</b>	

**NOTE:**

This rule or regulation is for internal use only, and does not enlarge an officer'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 department, and then only in a non-judicial administrative setting.

**INDEX WORDS:**

Equipment, BWC, body worn camera

**I. POLICY:**

The Smithfield Police Department has adopted the use of body worn audio/visual cameras (BWC) to aid in the accurate documentation of violations, citizen contacts, officer performance evaluations and training. In order to maximize the usefulness of the equipment in these and related areas, officers shall follow the procedures for BWC set forth in this policy.

**II. PURPOSE:**

The purpose of this policy is to provide officers with guidelines for electronic data collection resulting from the use of body worn audio/visual cameras (BWC)

**III. PROCEDURES:**

A. General Operations of BWC:

1. An officer issued a BWC shall be responsible for its use and care. The BWC shall be maintained in accordance with the manufacturer's recommendations.
2. Each officer shall check that the BWC is functioning properly prior to

each shift. It shall be the responsibility of the officer to immediately report any malfunction to the duty supervisor.

3. When the BWC is recording a police contact, it will not be turned off until the contact has concluded.
4. Officers will not attempt to erase or alter any data recordings.
5. Battery life on the Taser Axon Flex is approximately 12 hours of recording time.
6. When possible, the operator shall attempt to provide a narration to explain the contact or enforcement action.

**B. Data Management:**

1. The BWC and all data recordings are considered to be property of the Smithfield Police Department and shall not be copied or transmitted without the permission of the Chief of Police.
2. A supervisor shall be responsible for the retrieval of the recorded media. Officers will notify the shift supervisor as soon as practical of a recorded incident that has evidentiary value. The supervisor will determine if the recorded incident should be removed immediately to preserve evidence.
3. Recorded incidents that are determined to be of evidentiary value will be treated as evidence and **NOT** stored in the case file. Refer to G.O. 2-18 Property and Evidence for evidence procedures.
4. Recorded data that is not of evidentiary value will be maintained for 30 days from its origination date.
5. Copies and dissemination of any recorded data shall be requested through the Chief of Police or his designee.
6. If an incident report is completed for a recorded event, officers will document that fact in the narrative of the IBR.

**III. PROCEDURES – PATROL ACTIVITIES**

This procedure is not intended to describe every possible situation in which the BWC may be used, although there are many situations where its use is appropriate. The officer may activate the BWC any time the officer believes its use would be appropriate and valuable to document an incident.

A. BWC Activation

1. Every attempt shall be made to ensure all citizen contacts are recorded with the BWC to include, but not limited to:
  - a. Traffic stops
  - b. Priority responses
  - c. Vehicle pursuits
  - d. Suspicious vehicles
  - e. Arrests
  - f. Vehicle searches
  - g. Physical or verbal altercations
  - h. Use of force incidents
  - i. DUI/DUID investigations including field sobriety tests
  - j. Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect.
2. Transport of any person of the opposite sex the BWC shall be activated.
3. Any other circumstances where the officer believes that a recording of an incident would be appropriate.

B. BWC Activation Not Required

1. Activation of the BWC is not required during breaks, when not in service or actively on patrol, and/or when driving to a non-emergency situation.
2. No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when authorized by the Chief of Police or designee for the purpose of conducting a criminal investigation or as an administrative function.

**IV. TRAINING**

All officers and supervisors shall be trained on the use of the BWC and shall become familiar with this procedure prior to deployment of the BWC.