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| <b>BODY WORN VIDEO TECHNOLOGY – PILOT</b> |             | Operations Order<br><b>4.49</b> |
| <b>PHOENIX POLICE DEPARTMENT</b>          | New 04/2013 | PAGE 1                          |

1. **PURPOSE**

The purpose of this policy is to establish guidelines for the use and management of body worn video technology worn in conjunction with the Maryvale Precinct Smart Policing Initiative (SPI) pilot program.

2. **GENERAL INFORMATION**

The SPI is being implemented by the Phoenix Police Department to assign officers with a body worn VIEVU PVR-LE2 audio/video recording system. This system will be used to document various events that occur during the duty shift of a user officer/supervisor. Upon completion of the user officer's or supervisor's shift, all captured data will be preserved in a secure video storage location. Once captured, these recordings are protected with multiple layers of encryption and cannot be altered in any way.

Body worn video technology facilitates the Department's objectives to collect evidence for criminal prosecutions, ensures both officer and citizen accountability, provides administrative inspection functions, and has the potential to provide a valuable training aid by allowing for the evaluation of officer safety and tactics.

3. **SCOPE**

These policies and procedures will apply to all employees involved in the Maryvale Precinct SPI pilot program, to include all user officers and supervisors, investigative personnel, and support staff responsible for preparing cases for criminal prosecution and the release of public records.

4. **GENERAL GUIDELINES**

**A. TRAINING**

Personnel participating in this pilot program will receive requisite training prior to participation. The training provided will be commensurate with the level of participation (i.e. camera wearer, detective, administrator, etc).

**B. EQUIPMENT**

The VIEVU PVR-LE2 camera and related equipment will be issued to user officers/supervisors and will remain in the possession of these officers/supervisors for the duration of the program.

5. **OPERATIONAL GUIDELINES**

**A. PRE-SHIFT INSPECTION**

Prior to each shift, user officers/supervisors will ensure their VIEVU PVR-LE2 camera is adequately charged. Prior to each shift, user officers/supervisors will inspect the VIEVU PVR-LE2 camera and the charging cable/s to ensure there is no visible damage and the device is in good working order. Any visible damage or concerns about the functionality of the equipment will be brought to the attention of the employee's immediate supervisor as soon as it is practical to do so.

**B. AUDIO / VIDEO RECORDING**

1. The VIEVU PVR-LE2 camera must be worn vertically on the shirt placket (the double layer of fabric attaching the buttons and button holes) at or above the center of the shirt

|   |             |                                  |
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| <b>PHOENIX POLICE DEPARTMENT</b>          | New 04/2013 | <b>PAGE 2</b>                    |

pockets on the outside of the Class C uniform shirt or at or above the center of the “shirt style” pockets of the Class C outer vest carrier. If a uniform jacket or authorized sweater is worn, the camera will be affixed to these clothing items in a similar fashion so that the functionality of the camera is not compromised in any way.

2. The VIEVU PVR-LE2 camera must be worn at all times that the user officer/supervisor may become involved in any enforcement activity during their assigned shift.
3. The Department recognizes that officer safety is paramount for both user officers/supervisors and management. Bearing this in mind, all user officers/supervisors who arrive on a scene or engage in an enforcement contact must place their VIEVU PVR-LE2 camera in the “On/Record” Mode as soon as it is safe and practical to do so.
4. The VIEVU PVR-LE2 camera must be activated during all investigative or enforcement contacts such as, but not limited to, the following examples:
  - a. Vehicle stops
  - b. Pedestrian stops
  - c. Consensual encounters that are investigative in nature
  - d. Radio calls for service
  - e. On-view events requiring enforcement activity
  - f. Suspect and witness statements and interviews
  - g. Vehicle and foot pursuits
  - h. Emergency response to critical incidents
5. Once the VIEVU PVR-LE2 camera is in the “On/Record” mode, employees must continue to record until either the completion of the event or until they leave the scene.
  - a. Employees may deviate from this directive if it is in the obvious best interests of the department to do so and they are able to justify such a deviation.
6. User officers/supervisors can view captured video utilizing provided software once the data has been downloaded from the camera. This will allow for user officers and supervisors to refresh their memories prior to the completion of departmental reports or while preparing for court proceedings.
7. After videos are downloaded, officers/supervisors must assign the appropriate category to each individual video utilizing the corresponding radio code.
8. After videos are downloaded, officers/supervisors must add detailed comments in the corresponding comment section. Examples include incident number, citation number, or departmental report number when applicable.

### **C. PROHIBITED RECORDING**

1. In keeping with the Department’s value of respecting the dignity of all human beings, user officers/supervisors will adhere to the following guidelines:
  - a. The VIEVU PVR-LE2 camera will not be activated in a place where a reasonable expectation of privacy exists, such as dressing rooms, precinct locker rooms and restrooms.
  - b. The VIEVU PVR-LE2 camera will not be intentionally activated to record conversations of fellow employees without their knowledge during routine and non-enforcement activities.
  - c. The VIEVU PVR-LE2 camera will not be utilized to surreptitiously record conversations of citizens and employees.

|   |             |                                  |
|---|-------------|----------------------------------|
| <b>BODY WORN VIDEO TECHNOLOGY – PILOT</b> |             | <b>Operations Order<br/>4.49</b> |
| <b>PHOENIX POLICE DEPARTMENT</b>          | New 04/2013 | <b>PAGE 3</b>                    |

- d. User officers/supervisors will not knowingly record undercover officers or confidential informants.
- e. The VIEVU PVR-LE2 camera will not be utilized to record any off duty or personal activity and will not be worn while working in an off-duty capacity.

**D. REPORTING / DOCUMENTATION**

- 1. All digital media that is captured using the VIEVU PVR-LE2 camera will be considered property of the Phoenix Police Department. Accessing, copying, or releasing captured video without the approval of the Police Chief or his designee is strictly prohibited.
- 2. The release of video/s requested through a public records request will be handled in accordance with existing policy and public records laws. See Operations Order 4.6, Release of Records, for additional information.
- 3. The use of the VIEVU PVR-LE2 camera will be documented on the face sheet of all departmental reports.
- 4. When the VIEVU PVR-LE2 camera is used on a traffic stop that results in an arrest or citation, this fact will be documented in a departmental report (if applicable) and/or on the court copy of the citation. If a citation is issued, the words “On Officer Video” will be written in the upper right hand corner of the court copy of the citation.
- 5. Officers/supervisors will not allow citizen’s to review video captured by the VIEVU PVR-LE2 camera unless there is an investigative reason to do so.
- 6. Officers/supervisors will immediately report any loss of, or damage to, any part of the VIEVU PVR-LE2 camera equipment and/or data captured to their immediate supervisor.

**E. IMPOUNDING**

- 1. At the end of each shift, officers/supervisors must connect their VIEVU PVR-LE2 camera to a precinct computer and download all recorded data utilizing the provided VERIPATROL Software. The recorded data is considered to be impounded at this point and the VIEVU PVR-LE2 camera will be cleared of existing data.

**F. SERIOUS INCIDENT PROTOCOL**

- 1. In the event of a serious incident, nothing in this pilot policy will supersede the directives established in Operations Order 3.1, Serious Incident Policy.
- 2. In the event of a serious incident, (i.e. officer involved shooting, serious injury or death, serious use of force incident, serious police equipment accident, etc.), user officers/supervisors will refrain from viewing the recorded data until the detail responsible for the investigation arrives on scene and it can be done in conjunction with current serious incident protocols that are in place. This will not prohibit officers from viewing the recorded data captured by the VIEVU PVR-LE2 camera in the event of an exigency where viewing will assist with critical details pertinent to the investigation such as the description of outstanding suspects, suspect vehicles and direction of travel.

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|---|----------------------------------|
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| <b>PHOENIX POLICE DEPARTMENT</b>          | New 04/2013<br><b>PAGE 4</b>     |

**G. DEPARTMENT REVIEW**

The Precinct Inspections Lieutenant will randomly inspect six videos each calendar month, one from each squad participating in the pilot program, and will record findings in the Monthly Inspections Report. Additionally, the Department will have the ability to review captured video at any time to ensure compliance with policy, to investigate personnel complaints, for training purposes, etc.

**H. RETENTION OF RECORDINGS**

All media that is captured during the pilot program will be retained by the Phoenix Police Department for a minimum of one year following the date it is recorded. Captured video may be retained for longer periods in the event the video is the subject of a litigation hold, a criminal case, part of discovery, etc.