

Salt Lake City Police Department Policies and Procedures Manual

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III-535 MOBILE VIDEO RECORDERS

Definitions

Audio recording: The electronic recording of sounds, conversation, or other spoken words.

Battery Controller Pack: Enables control of the body camera through simple commands to place the camera in the various operational modes.

Body Camera System Administrator: Department employee with authority to:

- Maintain/assign Department user groups in video storage system;
- Conduct appropriate training for user groups within the Department;
- Address network and hardware issues with the City IMS team; and
- Interface with vendor on hardware/software performance issues.

Event Mode: The mode of operation in which the body camera captures the buffered video and is recording video images with an audio component.

Evidence.com: An on-line web-based media storage facility which stores digitally encrypted data such as photographs and video recordings and which is accessible to authorized personnel based upon a security clearance and which maintains an audit trail of user activity.

Camera Dock: A docking station, which simultaneously recharges the controller and uploads all data captured on the camera to Evidence.com.

Mobile Video Recorder: A body worn digital video camera and recorder, which may be worn in various mounting configurations on an officer's uniform.

Normal (Buffering) Mode: The mode of operation in which the Camera continuously loops video without an audio component for 30 seconds.

Privacy Mode: The mode of operation in which the Camera is not recording at all.

SYNC: A computer program, which allows officers to view but not alter video recordings captured by the Camera on the MDT screen. The program also allows officers to attach meta-data such as a video title and the incident case number to the video file and to upload video files to Evidence.com.

Law Enforcement Encounter: A law enforcement encounter means any of the following:

- an enforcement stop
- a dispatched call
- a field interrogation or interview
- use of force
- execution of a warrant
- a traffic stop, including a traffic violation, stranded motorist assistance, and any crime interdiction stop
- any other contact that becomes adversarial after the initial contact in a situation that would otherwise not require recording

Video recording: The electronic recording of visual images either with or without an audio component.

Mobile Video Recordings

The body camera is utilized to record law enforcement encounters, as defined above, which is to include, but not be limited to, the following types of events: traffic stops; pursuits; vehicle searches; confrontational citizen contacts; use of force situations; statements made by subjects, victims and witnesses; advising an individual of their Miranda rights; during interrogations.

In order to capture the above types of contacts and events, officers wearing a camera shall activate the body camera whenever they interact with the public and/or at the time dispatched to a call for service, with the exceptions noted below.

Officers who are found to have a pattern of not recording interactions will be subject to disciplinary action.

Prohibited Mobile Video Recordings

The body camera shall not be used to record non-work related personal activity and will not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms or restrooms. The body camera will not be intentionally activated to record the conversations of fellow employees without their knowledge during routine, non-enforcement related activities.

Officers will not record undercover officers or confidential informants.

Officers shall not use privately owned body cameras.

Exceptions to Recording Requirement

Officers have the discretion to turn off the camera during conversations with sensitive crime victims/witnesses and members of the community who wish to report or discuss criminal activity but officers should be mindful of the protections a video would provide against unwarranted accusations of misconduct. Any decision to turn off the camera and reasons why should be documented in the written report.

Camera Assignment and Wear

Body cameras will be issued to officers whose primary duties include responding to calls for service, traffic enforcement, and members of SWAT, Public Order and other units as determined by the department.

Only those officers who have completed approved training will be allowed to operate the body camera system.

Officers who have been issued the body camera system shall wear it at all times the officer may become involved in an enforcement situation, including secondary employment. Officers shall activate the camera whenever they interact with the public, with the noted exceptions.

Officers may only wear the body camera in the following locations so that it is clearly visible to the person being recorded:

- Glasses Mount
- Epaulet/TAC Vest Mount
- Collar Mount
- Helmet Mount
- Cap Mount
- Shirt Mount
- Headband Mount

Officers will inspect the body camera system for any physical damage and to ensure the device is in working order at the beginning of their shift. Any problems noticed at any time during the officer's shift will be immediately reported to their supervisor.

Officers will immediately report the loss of or damage to any part of the body camera equipment to their supervisor, the Department Quartermaster, and the Body Camera System Administrator. If available, a replacement camera will be issued. The officer will complete a G.O. report. Supervisors will forward associated reports and notifications to their chain of command.

Camera Use Procedures

Once activated, the body camera shall remain in recording mode until the conclusion of the incident/encounter, the officer has left the scene or a supervisor has authorized that a recording may cease. The authorizing supervisor must be identified on camera or in a written report.

An officer may place the body camera into Privacy Mode, during a law enforcement encounter, in the following situations:

- to consult with a supervisor or another officer
- during a significant period of inactivity
- during a conversation with a sensitive victim of a crime, a witness of a crime, or an individual who wishes to report or discuss criminal activity, if:
 - the individual who is the subject of the recording requests that the officer deactivate the officer's body camera; and
 - the officer believes that the value of the information outweighs the value of the potential recording and records the request by the individual to deactivate the body camera

The intention to stop the recording will be noted by the officer verbally on the video and as soon as the private conversation has ended the camera will be returned to Event Mode. Officers will verbally note the date and time the video is reinitiated. The officer shall also document the reason for placing the body camera into Privacy Mode in a written report.

When an officer with a body camera enters a private residence, the officer shall give notice, when reasonable under the circumstances, to the occupants of the residence that a body camera is in use by either: (1) wearing a body camera in a clearly visible manner, or (2) giving an audible notice that the officer is using a body camera.

In the event of a critical incident requiring the immediate retrieval of a digital recording a supervisor shall respond to the scene to secure the body camera system and maintain chain of custody. The detectives that will be investigating the case shall coordinate the download minimizing the chain of custody.

Officers will document in their written reports whether or not the body camera system was used to record an incident and will attach the appropriate case number and video category to the video either by accessing the

video on Evidence.com or through the MDT via the Sync system.

If an officer fails to record an incident or activity that is required to be recorded, the officer shall articulate on camera or in a written report or street check the reason for the failure to record.

While it is understood that the use of the body camera will capture scenes of evidentiary value, these video recordings will not be used in lieu of Crime Lab personnel for photo or video-graphic incident documentation.

Supervisors may view recordings in the field in order to mitigate citizen complaints.

At the end of each shift, officers will place the camera and controller into the docking station for charging and uploading of media.

The camera should not be removed from the dock until all data has been uploaded.

In addition to attaching a case number to recorded media as required above, Officers must select a video category to allow for proper retention of the video. Recorded media captured by the camera will be retained according to the Department's retention schedule.

Retention Schedule

- Arrests - 1 year, unless categorized as evidence.
- Contacts and Detentions - 1 Year
- Critical Incidents (Non Arrest) - 2 Years
- Evidence - Until adjudication or final disposition. The case agent or initial officer (if no case agent is assigned) is responsible to ensure video is not deleted before adjudication or final disposition.
- Pursuits (Non Arrest) - 1 Year
- Traffic Stops/no citation issued - 1 Year
- Use of Force - 1 Year
- Miscellaneous - 1 Year
- Video footage of interactions where no arrest or citations were made shall be kept for 1 year.
- Accidental camera activations will only be retained for 60 days.
- When an IA Complaint or Notice of Claim against the City is received by the Internal Affairs Unit, the IA Lieutenant is responsible to change the video category to Evidence.

Copies of Video

The media captured will only be uploaded to Evidence.com and will only be used for official purposes. Officers will not make copies of any audio or video recordings for personal use and are prohibited from using a recording device such as a telephone camera or secondary video camera to record media from Evidence.com or the MDT if video is viewed through the sync system. Officers are also prohibited from retaining a recording of any activity or information obtained while on duty or acting in an official capacity as a law enforcement officer, duplicating or distributing a recording except as authorized by the employing law enforcement agency, and altering or deleting a recording.

Video may be downloaded and copied for training purposes, but must be approved by the officers Lieutenant. The reason for download and approving authority's name shall be noted in the notes section in the on-line storage system. No further copies should be made and all copies should be destroyed once no longer needed.

Review of Body Camera Media

Officers should use captured media to assist with investigations and in the completion of reports.

Officers involved in any significant use of force incident or accident resulting in injuries will be permitted to review their own camera video or audio recordings prior to completing a report or interview.

All other access to body camera media will be governed by Salt Lake City Police Department Policy **IV-320 RECORDS (Guidelines for Accessing Official Records)**.

Release of Body Camera Media to Third Parties

The release of media captured by body cameras to defense counsel in pending criminal proceedings will be processed like any other discovery request. Detectives/Investigators will be assigned to the Investigator user group in Evidence.com. Detectives/Investigators shall provide discovery access to prosecutorial agencies as requested. The Department Body Camera System Administrator shall assist Detectives/Investigators, when needed, in facilitating these requests.

Requests for body camera video from the news media and other third parties must be made in writing and will be routed to the Records Unit Government