

## BODY WORN CAMERA

### Section

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**10.1 POLICY:** The use of a body worn camera system will provide documentation of the interactions between City of Miami Police Officers and the public by video recording evidence of actions, conditions and statements that may be used by judicial, internal review, or by the public through a formal public records request. The primary use of the body worn camera is to enhance officer safety, public safety, and promote accountability and transparency. The equipment will allow us to accurately document statements and events during the course of an incident, enhance the police officer's ability to document and review statements and actions for internal reporting and preserve visual and audio information

**10.2 ORGANIZATION:** This policy shall be applicable to all employees. The issuance of body worn camera equipment, storage of data, and maintenance will be handled by the Office of Emergency Management (OEM).

**10.3 RESPONSIBILITIES:** Officers utilizing body worn camera equipment shall ensure the device is in working order prior to starting his tour of duty and shall activate the body worn camera at all times when they become involved in enforcement action, or engaged in any interactions with citizens. Supervisors will be held strictly accountable, and subject to disciplinary action, for any failure on a subordinate's part to adhere to this policy.

### **10.4 PROCEDURES:**

**10.4.1** Officers utilizing body worn camera equipment shall wear the device at all times when on duty.

**10.4.2 Initial Use:** Prior to starting his tour of duty the officer shall verify the body worn camera equipment is operating properly.

**10.4.2.1** The officer shall verify the body worn camera is operating properly by taking a brief recording of himself that includes the officer's name tape, assigned unit number, date, and time. If any issues with the body worn camera equipment are detected the officer will notify personnel in the Virtual Policing Detail.

**10.4.3** The officer shall ensure that they are starting their tour of duty with a battery that is fully charged and that the body worn camera has all previous recording uploaded onto the server.

**10.4.4 Camera Position:** The body worn camera shall be worn in a position that permits recording, as closely as possible to an officer's perspective during an interaction. The body worn camera will be worn on the officer's strong side (gun hand).

**10.4.5 Body Worn Camera Activation:** The body worn camera shall be activated to record all portions of the following type incidents:

- a) Responding to call for service in an emergency mode
- b) All vehicle pursuits, or foot pursuits
- c) All traffic stops to include the investigation of a vehicle and vehicle occupants
- d) All searches including, but not limited to, people, vehicles, and buildings
- e) All requests for a consent to search without a warrant, including searches of persons, buildings, or vehicles
- f) All requests for searches and deployments of drug detection canines involving vehicles, when practical
- g) All arrests and/or citations
- h) Statements from victims/witnesses after their consent
- i) Any incident upon the direction of a supervisor, at the request of another police officer, or anytime the officer deems it appropriate to activate the body camera
- j) Officers shall only use the department issued body worn camera equipment to record official departmental activities
- k) Any other legitimate law enforcement contacts

Officers responding to these types of incidents shall activate the body worn camera equipment prior to exiting their vehicle.

**10.4.5.1** All duty related recordings of departmental activity shall remain property of the City of Miami Police Department. Recordings shall be stored on secured servers.

**10.4.5.2** Miscellaneous recordings will be maintained for a period of ninety (90) days. Requests for recordings will be handled under current public records request laws. For recordings that need to be retained for a longer period of time a request may be made with the OEM/Virtual Policing Detail.

**10.4.5.3** Officers shall preserve any video recording that he knows, or should know may become part of a criminal, or internal investigative record.

**10.4.6 Body Worn Camera Restrictions:** Officers shall not record conversations with other department employees except when necessary in a criminal investigation, or unless approved by the Chief of Police.

**10.4.6.1** Officers shall not activate the body worn camera equipment:

- a) While on breaks (e.g., rest room breaks, meal breaks)
- b) Report writing
- c) Discussing a case with other officers
- d) During administrative functions.
- e) During general discussions with departmental employees.
- f) Locations where a reasonable expectation of privacy exists (e.g., locker rooms, restrooms). Except while handling a legitimate call in one of these locations.

- g) While confidential informants are being interviewed, or when undercover officers are present.
- h) To document any deaths for crime scene purposes, unless directed by a supervisor.

**10.4.6.2** Officers using body worn camera equipment may use the body worn camera equipment to obtain statements, confessions, utterances, etc. However, an officer not equipped with body worn camera equipment shall not call an officer with body worn camera equipment to record any statements without prior approval from a supervisor and/or exigent circumstances.

**10.4.6.3** Employees accessing, copying, altering, deleting, reusing, or releasing body worn camera recordings for other than departmental requirements shall be subject to discipline and/or criminal prosecution.

**10.4.6.4** Employees shall not make copies of body worn camera recordings for personal use.

**10.4.6.5** Recordings shall not be used for non-enforcement purposes.

**10.4.7 Uploading:** Officers shall upload the body worn camera recordings at the end of their tour of duty.

**10.4.8** If an incident arises that requires the immediate retrieval of a recording (e.g., use of force investigation, police shooting, or any other potential criminal investigation of an officer) the first supervisor to arrive on the scene will immediately take custody of the body worn camera equipment and secure it for the appropriate investigator.

**10.4.8 Reports:** When a body worn camera is used it shall be recorded in the evidence section on all incident reports.

**10.4.9 Personally Owned Body Worn Camera Equipment:** The use of personally owned body worn camera equipment, or other video recording device is prohibited. Any use of personally owned body worn camera equipment, or other video recording device shall result in discipline, up to and including termination.

**10.4.10** Once the officer has uploaded the recordings from the body worn camera he will be responsible for reviewing the recordings, and assigning it to one of the following categories:

- a) Use of Force
- b) Traffic Stops
- c) DUI
- d) Crash Investigation (THI)
- e) All Domestic Calls
- f) Field Contacts
- g) Felony Arrests
- h) Misdemeanor Arrests
- i) Death Investigations
- j) Crime Scenes (e.g., Burglaries, Robberies, etc.)
- k) Victim/Witness Interviews
- l) Intelligence
- m) Any citizen confrontation or encounter
- n) Miscellaneous (All calls that do not fall under one of the categories listed above shall be categorized as "miscellaneous")

**10.4.11** Supervisors or authorized Training Section personnel may review recorded incidents for the purpose of training or critique. In no event shall any digital recording be used or shown for the purpose of officer or citizen ridicule or embarrassment. This includes submission of any portion of video recording to a media organization, unless previously authorized by the Chief of Police.