

<b>MESA POLICE</b> Department Policy Manual	<h1>On-Officer Body Camera Program</h1>	<b>DPM 3.4.35</b> Effective Date 6/07/2016
Approved by: <b>Chief of Police</b>	Chapter: Forensic Protocols	Page: <b>1 of 7</b>

## 1. PURPOSE

This order establishes the Mesa Police Department (MPD) operational and evidence submission, storage and retrieval guidelines for the "On-Officer" Body Camera (OBC).

## 2. DEFINITIONS

### On-Officer Body Camera

- The only approved on-officer body camera authorized by the Mesa Police Department is the Taser **Axon Flex unless otherwise directed by the Chief of Police.**
- The on-officer body camera is an audio/video recording system worn and used by officers to document law enforcement activities.
- Any other video cameras used by officers for law enforcement activity:
  - Will be approved by the Division Commander or affected Assistant Chief.
  - Will adhere to protocols outlined in **DPM 3.4.15 Evidentiary Recordings.**
  - Irrespective of the source, the video or audio recordings to include, images, meta-data and sound remain the property of the Mesa Police Department.

### Operation Mode Definitions

- **Normal (Buffering) Mode:** The on-officer body camera continuously loops video recording for up to thirty (30) seconds before recording is started by officer. Records video only (no audio) while buffering.
- **Event Mode:** The mode which activates the on-officer body camera.
- **DVR/Camera:** Primary component that contains a memory chip where all videos are stored.
- **Controller:** The Controller is the battery pack which also contains the on/off and activation switch.
- **ETM:** Evidence Transfer Manager. The docking station that uploads data and recharges the camera and controller.

## 3. GENERAL GUIDELINES

### Operational Guidelines

- The On-Officer Body Camera and accessory kit will be assigned by the Department Program Administrator and maintained by the individual officer.
- Officers will inspect the On-Officer Body Camera for any physical damage and ensure the device is in working order at the beginning of the shift. Any damage will be reported and documented as outlined in **DPM 1.8.5 MPD Buildings and Property.**

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- Prior to going into service with an On-Officer Body Camera, officers will ensure they are wearing an authorized uniform, clearly identifying them as a Mesa Police Officer, unless otherwise authorized by Division Commander.
- Officers will make every effort to place the On-Officer Body Camera in the Event Mode as soon as practical during law enforcement activities.
- On-Officer Body Camera users shall be cognizant of their camera's location when utilizing jackets, traffic control vests, personal protective equipment, or any other equipment which may hinder video and /or audio capture.
- Any malfunctions and/or damage that occur to the camera system throughout the shift shall be documented. A supervisor will be notified as soon as practical.
- On-Officer Body Camera recordings will be used for official Department purposes only.

### Use Guidelines

#### Activation:

- Officers **will** activate the On-Officer Body Camera when responding to a call or have any contact with the public. This includes, **but is not limited to** the following events:
  - All calls for service.
  - Code 3 Driving, Failure to Yield incidents and Vehicle Pursuits.
  - Traffic stops and citizen contacts.
  - Impaired driver investigations.
  - Accident scenes.
  - Transportation of any prisoner(s) or citizens for any reason.
  - Any time an officer deems it is appropriate to record.
  - All searches (Persons, Vehicles, Structures, etc.)
  - Statements made by subjects, victims, and witnesses.
  - Advising an individual of his/her Miranda Rights.
  - During interrogations.
  - Other official law enforcement activity.
- Once activated, officers will continue to record until the completion of the event, except for instances outlined in the order.
- Officers will document the reasons for any non-activations or interruptions in recordings prior to the completion of an event in CAD or RMS.
- Additional arriving units to a scene assigned an On-Officer Body Camera will begin recording as soon as practical, and continue to record until the completion of the event, or they have left the scene (this includes recording of statements).

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- Consideration may be given when a victim requests not to be recorded. The request to stop recording an event should be recorded.
  - Contact an on-duty supervisor for resolution, if needed.

**Review:**

- Officers may use media captured via the On-Officer Body Camera to assist with the investigation and completion of reports.
- Officers involved in an OIS incident (involved and witness officers) may review media captured from an On-Officer Body camera; however, officers shall not review media until approved by the Homicide Unit Sergeant or designee. Officers will be provided an opportunity to review the media, if they choose, prior to making any statements in accordance with **DPM 2.1.10 Police Incidents Involving Death/Serious Injury**, unless otherwise decided by the Chief of Police (COP) or designee or unless it hinders the investigation..
- Officers may review media captured from an On-Officer Body Camera before making any statements in an Internal Affairs investigation unless otherwise decided by the Chief of Police (COP) or designee or unless it hinders the internal investigation.
- With Division Commander approval, officers may use media captured via the On Officer Body Camera for training purposes unless otherwise decided by the Chief of Police (COP) or designee or it hinders an administrative, criminal or internal investigation.

**Restrictions**

- In accordance with **DPM 1.4.30 Tape Recording Protocols**, members **shall not** make surreptitious recordings of conversations with other Department member except:
  - When necessary in a criminal investigation; or
  - Unless approved by the Chief of Police.
- In accordance with **ARS 13-3005** (intercept of wire, electronic and oral communication), members shall not intentionally intercept a conversation or discussion at which he or she is not present, or aid, authorize, employ, procure or permit another to do so, without the consent of a party to such conversation or discussion.
- The On-Officer Body Camera will not be intentionally activated to record conversation(s) of fellow employees with or without their knowledge during routine, non-enforcement related activities.
- Members will advise other Department members and/or other criminal justice personnel (prosecutors, judges, or other law enforcement personnel) when an On-Officer Body Camera is recording.

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- Do not record:
  - While on employee breaks.
  - Report writing.
  - Discussing a case with other officers.
  - During other administrative functions.
  - During general discussions with employees.
  - During personal activities.
- The On-Officer Body Camera will not be activated in places where a reasonable expectation of privacy exists, such as dressing rooms or restrooms.
- Officers shall only record a juvenile “during or as part of a law enforcement investigation” as prescribed in the Parents Bill of Rights outlined in **ARS 1-602(9)**.
- Members shall not record confidential informants or undercover officers.
- Accessing, copying, posting or releasing on-officer body camera recordings for other than official law enforcement purposes are prohibited and subject to discipline.
- Dissemination of information will be:
  - For criminal justice purposes only.
  - For training purposes only when approved by a Division Commander.
  - Officers shall not make copies of any On-Officer Body Camera recording for their personal use.
- Recording copies can be requested through public records request as outlined in **DPM 3.3.70 Public Records Request**.

#### 4. STORAGE, DOCUMENTATION & RETENTION PROTOCOLS

##### **Storage/ Evidentiary Guidelines**

- All On-Officer Body Camera recordings shall be retained and stored in **www.Evidence.com**.
- At the end of shift, officers shall place the Camera and Controller into the docking station called an Evidence Transfer Manager (ETM) to transfer the data into **www.Evidence.com**.
  - Do not remove camera from docking station (ETM) until data is uploaded and the battery is fully charged.
  - This clears the camera memory from existing data.
- Do not erase, alter or tamper with any camera or collected data.

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- Once the data is uploaded into **www.Evidence.com** in its entirety, the officers assigned the body camera (Axon Users) will tag the segments of **evidentiary value** with:
  - The applicable category type; and
  - The Department Report (DR) or event number.
- All other On-Officer Body Camera data of **non-evidentiary** value will be:
  - Tagged in **www.Evidence.com** by the Axon User with the applicable category type.
  - Disposed of in accordance with **DPM 3.4.15 Evidentiary Recordings**.
- Evidentiary copies of On-Officer Body Camera digital recordings can be copied at **www.Evidence.com**.

### **Deleting Body Camera Recordings**

#### **Destruction or Deleting:**

Members requesting a file to be deleted will submit a memo of explanation to their Division Commander.

- The affected Division Commander will make a determination and forward the memo to the Department Program Administrator to complete the request through **www.Evidence.com**.
- The memos will be retained by the Department Program Administrator.

### **Documentation & Reporting**

#### **General Guidelines:**

- On-Officer Body Camera recordings are intended to supplement Department Reports (DRs). Submitted reports are still required to capture the totality of the event.
- When the On-Officer Body Camera is used in any investigation or during a police contact:
  - Its use will be documented on any citation and/or report prepared regarding the contact.
  - The primary officer (whether assigned a camera or not) will document the presence of the camera anytime a Department Report (DR#) is generated from that contact (Incident or Accident Report).

#### **Primary Officer (Non-Axon and Axon Users):**

- When preparing an RMS Incident Report, Supplemental Report, Accident Report, Civil Process Report, Citation Report, or Field Interview (FI) Card, in connection with an investigation or police event, the following details of the On-Officer Body Camera recording should be included in that report/contact card.

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- Check "On-Body Camera" in the RMS module.
- Indicate that an On-Officer Body Camera recording was made in first line of the narrative, and include:
  - The date and time of the recording.
  - The person(s) recorded.
  - The reason for the recording. (i.e.: traffic stop, criminal investigation, field contact, etc.).

### Backup Officer (Axon User):

- When an investigation or police contact, resulting in an Incident Report, Accident or Supplemental Report by the primary officer, is recorded by a backup officer with an On-Officer Body Camera, the backup officer will:
  - Be responsible for transferring the data from the camera into **www.Evidence.com**.
  - Tag the video recording with the DR# and select the proper category in **www.Evidence.com**.
- The backup officer will notify the primary officer of the existence of the On-Officer Body Camera recording and its storage in **www.Evidence.com**.

### Retention & Public Release

- On-Officer Body Camera recordings captured as part of a Department member's duties shall be the property of the Mesa Police Department (MPD).
- All images, meta-data and sounds recorded by the On-Officer Body Camera are the exclusive property of the department. Accessing, copying, or releasing files for non-law enforcement purposes is prohibited.
- The release of information requested through a public records request will be subject to the same statutory exemptions from disclosure as any other departmental records.
- Prior to releasing any On-Officer Body Camera recordings, officers and affected members will ensure proper redaction is completed.
- Retention of evidentiary On-Officer Body Camera recordings will be handled in accordance with **DPM 3.4.15 Evidentiary Recordings**.

### Care and Equipment

- On-Officer Body Cameras will be issued to individual officers by the Department Program Administrator or designee.
- A record of the inventory will be maintained by the Department Program Administrator.
- Only officers who have completed the approved training will be assigned an On-Officer Body Camera.

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- Officers are responsible for the proper care of all Department property and/or equipment assigned to them as outlined in **DPM 1.8.5 MPD Buildings and Property**.
- Officers will immediately report any loss of, or damage to, any part of the On-Officer Body Camera equipment to their chain of command.

#### **Inspection and Audit**

- Supervisors will conduct random reviews of On-Officer Body Camera recordings to ensure camera is functioning properly and use is consistent with Department policy. Audits will be conducted as necessary by supervisors or as directed by District Coordinator per **DPM 1.1.75F3, Monthly Line Inspection Report** submitted to Professional Standards.

#### **References:**

- [DPM 1.4.30 Tape Recording Protocol](#)
- [DPM 1.4.10 Disciplinary Process](#)
- [DPM 1.8.5 MPD Buildings & Property](#)
- [DPM 3.3.70 Public Records Requests](#)
- [DPM 3.4.15 Evidentiary Recordings](#)
- [DPM 3.4.35A1 On-Officer Body Camera Procedures Checklist](#)
- DPM 1.1.75F3, Monthly Line Inspections Report
- [www.Evidence.com](http://www.Evidence.com)