BODY-WORN VIDEO TECHNOLOGY		Operations Order 4.49
PHOENIX POLICE DEPARTMENT	Rev. 05/17	PAGE 1

#### 1. PURPOSE

- To establish guidelines for the use and management of body worn video technology provided by the Department
  - \* The use of body-worn cameras for any purpose other than in accordance with this policy is prohibited.

## 2. **GENERAL INFORMATION**

- A. 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.
- B. <u>Training</u> Employees will receive requisite training commensurate with the level of participation (camera wearer, detective, administrator, etc.).
- C. <u>Equipment</u> The body-worn camera and related equipment will be issued at the Police Chief's discretion and will remain in the user's possession.

**NOTE**: Only body-worn cameras issued by the Department will be utilized.

D. <u>Activation</u> - Although Arizona is a "one party consent" state and there is no requirement to inform other parties they are being recorded, users are encouraged to make the presence and activation of the body-worn camera known when it is practical to do so (existing research indicates such an advisement can have a civilizing effect, leading to the safe resolution of the matter at hand).

### 3. **OPERATIONAL GUIDELINES**

- A. Pre-Shift Inspection Prior to each shift, users will:
  - Ensure their body-worn camera is adequately charged.
  - Inspect the body-worn camera and accessories 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 user's/employee's immediate supervisor as soon as it is practical to do so.

## B. Audio/Video Recording

- (1) The body-worn camera must be worn on the front of the uniform, above the duty belt, in a manner that maximizes the functionality of the camera.
- (2) Users will wear the body-worn camera during their assigned shift anytime they may become involved in any enforcement activity.
  - The camera must be worn during any shift worked by the user; to include any supplemental shift and/or holdover.
- (3) Users who arrive on a scene or engage in any enforcement contact must activate their body-worn camera as soon as it is safe and practical to do so by placing the camera in the "On/Record" mode.

**NOTE**: To ensure all relevant activity is captured, users are strongly encouraged to activate their cameras **prior** to arrival.

BODY-WORN VIDEO TECHNOLOGY		Operations Order 4.49
PHOENIX POLICE DEPARTMENT	Rev. 05/17	PAGE 2

- 3. B. (3) (a) The body-worn camera must be activated during all investigative or enforcement contacts such as, but not limited to:
  - Vehicle stops
  - Pedestrian stops
  - Consensual encounters that are investigative in nature
  - Radio calls for service
  - On-view events requiring enforcement activity
  - Official suspect and witness statements and interviews
  - Vehicle and foot pursuits
  - (4) The body-worn camera shall be deactivated upon the completion of the event or the user leaves the scene.
  - (5) Users may deviate from the activation directive if it is in the best interest of the Department and they are able to justify the deviation: for example, contact with victims of a crime where the details of the crime are sensitive in nature or interaction with citizens who wish to remain anonymous.
    - **NOTE**: The reason/s for the deviation <u>must</u> be documented in an Incident Report (IR)/Field Interview (FI).
  - (6) Upon completion of the user's shift, all captured data will be impounded (see section 6 of this order for impounding procedures).
    - (a) Users must assign/ensure the corresponding radio code and incident number are assigned to each video file.
    - (b) Once the videos are impounded, they may be reviewed to refresh a user's memory prior to completing required reports, preparing for court proceedings, etc.
      - Employees may view video that is not their own if there is an investigative reason to do so.

#### 4. PROHIBITED RECORDING

# A. Users will not:

- (1) Activate the body-worn camera in a place where a reasonable expectation of privacy exists, such as precinct locker rooms and restrooms.
- (2) Intentionally activate the body-worn camera to record conversations of fellow employees without their knowledge during routine and non-enforcement activities.
- (3) Utilize the body-worn camera to surreptitiously record conversations of citizens and employees.
- (4) Knowingly record undercover officers or confidential informants.
- (5) Utilize the body-worn camera to record any off duty or personal activity and will not wear the camera while working in an off-duty capacity.

#### 5. **REPORTING/DOCUMENTATION**

- A. All digital media captured using the body-worn camera will be considered property of the Department.
  - Releasing captured video without the approval of the Police Chief or designee is strictly prohibited.

BODY-WORN VIDEO TECHNOLOGY		Operations Order <b>4.49</b>
PHOENIX POLICE DEPARTMENT	Rev. 05/17	PAGE 3

- 5. B. 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).
  - C. If a Field Based Reporting (FBR) form (IR, FI, Arizona Traffic Ticket and Complaint (ATTC), etc.) is completed/required by Department policy, users will document the existence of any captured video in the FBR form (refer to the FBR User Manual for proper procedures).
  - E. Citizens will not be allowed to review video captured by the body-worn camera unless there is an investigative reason to do so.
  - F. Users/employees will immediately report any loss of, or damage to, any part of the body-worn camera equipment to their immediate supervisor.

## 6. **IMPOUNDING**

- At the end of each shift, users will dock their body-worn camera for uploading and charging.
  - \* Once uploaded, the recorded data is considered to be impounded and the body-worn camera will be cleared of existing data.

### 7. SERIOUS INCIDENT PROTOCOL

- A. In the event of a serious incident, nothing in this policy will supersede the directives established in Operations Order 3.1, Serious Incident Policy.
- B. In the event of a serious incident (officer involved shooting, serious injury or death, serious use of force incident, serious police equipment accident, etc.), employees are prohibited from viewing the recorded body-worn camera video until the detail/s responsible for the investigation arrive/s on scene and the viewing can be done in conjunction with current serious incident protocols.
  - This will not prohibit employees from viewing the recorded body-worn camera video 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.
- C. When involved in a serious incident, users will not be permitted to view body-worn camera video captured by other users.
- D. Following a serious incident, supervisors will be responsible for docking an involved user's/employee's camera to ensure the recorded data is uploaded in a timely manner.

## 8. **DEPARTMENT REVIEW**

- A. Supervisors will ensure users assigned to their squad are wearing and activating their cameras in accordance with this policy.
  - Each work week, supervisors will inspect at least one video for each user assigned to their squad and record their findings in the user's/employee's supervisor notes.
- B. Each calendar month, the precinct inspections lieutenant will randomly inspect at least one video per squad equipped with body-worn cameras, and will record the findings in the Monthly Inspections Report.
- C. 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.

BODY-WORN VIDEO TECHNOLOGY		Operations Order 4.49
PHOENIX POLICE DEPARTMENT	Rev. 05/17	PAGE 4

## 9. **RETENTION OF RECORDINGS**

- A. All captured digital media will be retained by the Department for 190 days following the date 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.
- B. Requests for the deletion of a video recording: for example, inadvertent personal recordings/ materials that are unlawful or violate the rights of others, must be submitted in writing to the Police Chief or designee.

# 10. **GENERAL SUPERVISOR RESPONSIBILITIES**

- In accordance with Operations Order 2.3, Authority and Responsibility of Supervisors, supervisors will actively direct and supervise their subordinates to ensure they adhere to the directives of this policy.
  - \* Any supervisor who fails to comply with this policy may be subject to discipline as outlined in Operations Order 3.18, Discipline Policy and Review Boards, and Operations Order 3.18 Addendum A, Discipline Policy.