


# AURORA POLICE DEPARTMENT DIRECTIVES MANUAL

<b>16.04</b>	<b>Title: BODY-WORN CAMERAS</b>	
	<b>Approved By: Nick Metz, Chief of Police</b>	
	<b>Effective: 03/01/2014</b>	<b>Revised: 10/03/2017</b>
	<b>Associated Policy: DM 16.03</b>	
	<b>References:</b>	
<b>Review: Electronic Support Section Lieutenant</b>		<b>Duty Honor Integrity</b>
		<b>Page 1 of 9</b>

## 16.4 Body-worn cameras

The Department Philosophy regarding body-worn cameras (BWC) is that their use is to enhance safety, accountability, transparency, the preservation of evidence, and documentation.

The purpose of this policy is to provide guidelines for the use, management, storage and retrieval of audio-visual body-worn digital recordings for evidentiary, training, and complaint purposes from the body-worn cameras.

Officers assigned a vehicle with the in-car camera system and wearing a body-camera are expected to activate both systems as required by policy. Directive 16.03 outlines the in-car camera system procedures.

Members are discouraged from using any video recording device not issued by the Department. Should members use a video recording device not issued by the Department, the member will:

- Upload the video to the Digital Media Management System (DMMS) as soon as practical.
- Delete the recording from the private device and any external storage/cloud immediately upon uploading to the DMMS. Such recording is the property of the department.
- Document the above actions in a general offense report related to the event.

This policy does not apply to surveillance equipment covertly installed for the purposes of monitoring and capturing video evidence of illegal activities nor camera systems mounted in patrol vehicles.

The body-worn cameras are managed and maintained by the Electronic Support Section.

The evidence obtained by the cameras is managed by the Crime Lab Section.

#### 16.4.1 General

The Aurora Police Department uses body-worn cameras to accomplish the following:

- Accurately capture statements and events during the course of an incident.
- Enhance an officer's ability to review and document statements and actions for reports.
- Provide an accurate depiction of events for courtroom presentation.
- Provide an impartial measurement for self-critique and field evaluation useful in a training environment.
- For use as an investigative tool to capture visual and audio evidence

Audio / video files that are captured are categorized by the nature of the incident.

The body-worn camera system is designed to interface with CAD/RMS to automatically associate each video with the incident assigned to the member in CAD. The disposition code used to close the incident in CAD will determine the video retention period.

Members are responsible for ensuring that all video downloaded from their assigned body-worn camera is associated with the proper disposition code for retention. Any video involving an arrest must also include a case number.

#### 16.4.2 Training

The Electronic Support Section (ESS) provides training for all users of the body-worn cameras. Only those members who have received training in the use of the body-worn cameras are authorized to carry a body-worn camera.

### 16.4.3 Body-Worn Camera Operation

- a. Body-worn cameras are assigned to individual members or units. It is activated manually by the wearer and should be worn so that clothing or other equipment does not block the camera lens. Members issued a body-worn camera will wear the camera while:

- On duty
- Working city overtime
- Working off duty/secondary employment jobs.

Members working city overtime or off duty/secondary employment must plan ahead to have the camera ready and available for their job as no overtime compensation (pay or time) will be allowed to retrieve, charge or download a camera.

Court and administrative hearings are exempt from the requirement of camera activation

- b. Body-worn camera activation:

- Each body-worn camera is capable of a 30 second pre-event video buffer. No audio is recorded during the 30 second buffer period. The camera shall be turned to the on position at the beginning of the shift. Audio and video recording requires a second camera activation.
- On duty officers shall activate the camera's recording capabilities as soon as practical when;
  - (1) Contacting a citizen or confronting an incident unless such activation is not feasible;
  - (2) Anytime the officer determines that a video or audio file needs to be captured for evidentiary purposes such as a member-involved critical event;

(3) When actively involved in a pursuit.

- Uniformed off duty/secondary employment officers will activate the camera when they are in contact with a citizen regarding official business or when confronting a situation that would merit camera activation.

#### 16.4.4 Special considerations

- Department members will not record casual or non-call related conversation between Department employees except those instances involving an approved criminal or internal investigation.
- The body-worn camera will not be activated in public places where a reasonable expectation of privacy exists, such as locker rooms, changing rooms, or restrooms unless the activation is for the purpose of official law enforcement activity.
- Members should avoid using the body-worn cameras to record confidential informants or undercover officers.
- Members will only use the body-worn cameras in patient care areas of a healthcare facility when the recording is for official purposes and caution should be used to record only the parties involved in the event being investigated.
- Members have the authority to record inside a private property as long as the member has legal authority to be there. If a member enters private property in response to a call for service, pursuant to a valid search warrant, lawfully without a warrant, or with consent of a resident or person with lawful authority, members should activate their body-worn cameras.

#### 16.4.5 Body-worn camera de-activation

Body-worn cameras may be de-activated when:

- The contact is completed.
- An articulable reason exists prior to the completion of the contact or incident. The wearer should record the reason verbally, just prior to de-activating the equipment.

- A citizen requests that the recording stop. Deactivating the camera is at the discretion of the member operating the camera. If the member chooses to deactivate the body-worn camera, the request from the citizen must be recorded. If the camera is deactivated, the camera should be reactivated to record the conclusion of the citizen contact.

#### 16.4.6 Video Download

- Officers will download the files from the camera within 72 hours of recording the video, unless an immediate download is directed by a supervisor. Any problems noted during the download process will be reported immediately to the member's supervisor. Additionally, the member will send an email to the Electronic Support Section (ESS) documenting the problem.
- A supervisor may authorize a delay of up to an additional 24 hours for downloading files.
- Officers are responsible for downloading each file captured by the body-worn camera, except when the officer is involved in a critical event.
- Based on the nature of the Member-involved critical event, a Supervisor or a detective assigned to Major Crimes Unit or a member of the Crime Lab Section will take custody of the body-worn camera of any member involved in a critical event. The Supervisor or Crime Lab Section member will download all video contained on the body-worn camera.

#### 16.4.7 Maintenance

- Members will inspect their body-worn camera and any associated equipment at the beginning of their shift. Members will report any issues or damage to their supervisor and will return all damaged equipment to ESS for repair or replacement.
- Members are responsible for care and maintenance of any Department issued body-worn camera and equipment issued to them.

#### 16.4.8 System Administrator

---

The Crime Lab Lieutenant is designated the System Administrator. The system administrator is responsible for:

- Setting user permission levels within the system.
- Retrieval of data from the main storage server.
- Creation of case DVD or electronic video access for courtroom preparation /presentation.
- Classification of data for long term storage.
- Assisting supervisors with the management / retrieval of complaint data.

#### 16.4.9 Member Responsibility

- Members will not erase or attempt to erase, alter, reuse, modify, copy or tamper with any recording. All audio and visual recordings will be treated as evidence and the appropriate chain of custody will be maintained.
- Members will not modify or attempt to modify the body-worn camera. Modifications include covering the lens, microphone, or LED lights with any object or material.
- Members are encouraged to review recordings when preparing reports to ensure accuracy and consistency.
- Members will not log in to the system utilizing another member's log in.
- Members shall document the use of the body worn camera or any other recording device in all reports.

#### 16.4.10 Retention, Storage and Duplication

- Body-worn camera video, other than test video, is considered a Criminal Justice Record and will be retained for a minimum of 60 days. The retention period is based upon the disposition code category. Supervisors may mark video for extended retention. Any video marked for retention will be retained according to Crime Lab Section Standard Operating Procedures.

- APD members may request copies for court purposes by filling out a lab request with date and time or summons/case number.
- All recorded files associated with body-worn cameras, or any other recording device are the property of the Aurora Police Department. Dissemination outside the agency is strictly prohibited without specific authorization from the Media Relations Detail or the Chief of Police. Members cannot use any part of recorded files for personal use.
- The Aurora Police Department Crime Lab Section Lieutenant is the administrator of the storage and duplication of all recorded media. Members will not copy, alter, modify or tamper with original recordings without permission of the Crime Lab Section Lieutenant or his/her designee. Destruction of any recorded media will be in accordance with the Department retention schedule based on statutes of limitation as outlined in the Crime Lab Section Standard Operating Procedure.
- The Aurora Police Department Crime Lab Section Lieutenant is responsible for the issuance, retrieval, storage and duplication of all recorded media. Copies of the original media may be made available for investigative and training purposes.

#### 16.4.11 Periodic Review of Body-Worn Camera Video Recordings

The Force Review Board will review, and document, any body-worn camera recordings that are viewed while conducting the UoF investigations. Supervisors may periodically review the video recording of members utilizing the body-worn camera. The purpose of the review is to:

- Ensure the body-worn camera equipment is functioning properly.
- Ensure the body-worn camera equipment is being operated properly / within directives.
- Ensure downloads are being completed in a timely fashion.
- Identify potential training materials.
- Enhance incident debriefings.

16.4.12 Failure to properly utilize the body worn camera system

If the body-worn camera was not utilized as required by this policy, an entry into the AIM system will be done under the incident type of Body-Worn Camera Violation (BWCV).

Process

Supervisors will document the incident in a Body-Worn Camera Violation (BWCV) entry in AIM when the member:

- Failed to activate the camera.
- Activated the camera late.
- Activated camera late and did not record a use of force.
- Turned off the camera early.
- Turned off the camera upon request, but failed to re-activate the camera at conclusion of contact.

Please note that these entries are for when the member does not follow the directive. Should the camera be turned off or become detached during a struggle or other incident, this AIM entry will not be used.

When a supervisor is entering a BWCV incident in AIM, the supervisor will check the specific member's history for prior BWCV entries. The supervisor will apply progressive discipline for multiple BWCV entries in a 24-month period.

1. First incident is a BWCV entry only.
2. Second incident is a BWCV entry forwarded to a Command Officer for a Corrective Action.
3. Third incident is a BWCV entry forwarded to the appropriate Chief for a Written Reprimand.
4. Fourth Incident is a BWCV entry forwarded to the Internal Affairs Bureau for investigation.

For purposes of the 24-month period, the date of the incident is used, not the date of the entry into AIM.



In addition to the information on the first page of the AIM entry, and entering the employee's name in the employee tab in AIM, supervisors will add notes briefly describing the violation into their tracking, and are encouraged, but not required to add any reports related to the incident.

Supervisors may periodically review the video recording of members utilizing the BWC. The purpose of the review is to:

- Ensure the BWC equipment is functioning properly.
- Ensure the BWC equipment is being operated properly and within directives.
- Ensure downloads are being completed in a timely fashion.
- Identify potential training materials.
- Enhance incident debriefings.

If a violation is discovered due to a complaint, use of force, or brought to the supervisor's attention in some fashion, the supervisor will document the incident. The BWCV entry will be in addition to and related to any other AIM entries surrounding the incident such as the complaint, use of force, etc.

The Force Review Board is scheduled to meet weekly and will review, and document, any BWC recordings that are viewed while conducting the UoF investigations. Should the Force Review Board find a violation of directive 16.04, the chair will notify and/or send the UoF entry back to the appropriate commander for creation of, and, if appropriate, investigation of the failure to activate the BWC.