

NUMBER: 21-001	Original Issue: April 19, 2021	Revised Date: June 1, 2023	Effective Date: June 13, 2023
SUBJECT: BODY WORN CAMERAS (BWCs)			Pages: 22

I. PURPOSE

The purpose of this policy is to establish Warren Police Department guidelines and limitations related to the use of body-worn cameras (BWCs) so that officers may reliably record their official law enforcement contacts with the public in accordance with policy and the law. This policy shall serve to establish guidelines associated with the secure management, storage, access and retrieval of the data stored on the department-issued BWCs to safeguard the integrity of the digital files and recordings.

II. POLICY

The Warren Police Department is committed to the belief that body-worn camera (BWC) technology is an important and valuable tool for law enforcement. Body-worn camera recordings are essentially audio-video documentation of a police officer's investigative and enforcement activities from the perspective of the officer's person. The use of body-worn camera systems enhances the services provided to the community by providing an additional layer of documentation of law enforcement interactions with the public and by providing recorded evidence of actions, conditions and statements made in accordance with the performance of official law enforcement duties that may be used for court proceedings, internal review, or review by the public through formal request. The use of BWCs is expected to promote officer safety, result in greater transparency, more effective prosecution, improve the investigation of public complaints and protect against false allegations of officer misconduct, including allegations of excessive use of force and racial profiling.

The Warren Police Department shall at all times employ and enforce this policy consistent with the interest of providing the best possible law enforcement services to the community. As technology advances, so do the concerns of encroachment on the right to privacy of both citizens and employees. This policy is intended to achieve an appropriate balance between the benefits of BWC devices and citizens' and officers' reasonable expectations of privacy.

It is the policy of the Warren Police Department that officers who are equipped with a BWC shall activate the BWC when such use is appropriate to the proper performance of his or her official duties and where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

III. DISCUSSION

When implemented correctly, body-worn cameras can strengthen the law enforcement profession overall. Body-worn cameras can assist in promoting agency accountability and transparency; they offer useful tools for increasing officer professionalism, improving officer training, capturing and preserving evidence and documenting encounters with the public.

It is recognized, however, that due to several uncontrolled variables and circumstances, video recordings do not always fully represent or capture the complete and entire encounter as experienced by the officer. Furthermore, body-worn cameras are not a substitute for an officer's reasonable beliefs and perceptions, and cannot account for an officer's physiological responses (i.e., visual tunneling, auditory exclusion, etc.) during critical incidents. Factoring in physiological reaction times, law enforcement training and knowledge of inherent dangers, and stress associated with particular encounters, persons reviewing recordings must be cautious before conclusions are reached about what the video shows. BWCs should not be viewed as the only measure of truth because they may show more or less than what the officer sees, hears, or observes. BWCs have an important, but limited, use as one of many policing tools.

It is further recognized that BWC equipment has the potential to malfunction, become disengaged from BWC accessory components, or otherwise become damaged if it is subjected to shock or physical impacts while an officer is engaged in physical contact or an altercation with a person, physically traversing terrain or landscape in pursuit of a person, or is otherwise engaged in a hazardous activity while performing a legitimate law enforcement function or duty.

Like other newer forms of technology, body-worn cameras have the potential to transform the field of policing. First and foremost, the ultimate purpose of these cameras is to help law enforcement protect and serve the people in the community through open communication and best practices.

IV. OBJECTIVES

The Warren Police Department has authorized the use of WATCHGUARD body-worn camera systems. The Department will use the body-worn camera systems to document events and capture data, which will be preserved in a secure server at the Warren Police Department. Once captured, these recordings cannot be altered in any way, and are protected with multiple layers of encryption. The Warren Police Department has adopted the use of body-worn camera systems to accomplish the following objectives:

- A. To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of video and audio recordings;
- B. To promote and enhance officer safety through the recognition that visible display of a BWC can assist in defusing potentially confrontational situations and improve behavior from all parties;

- C. To accurately document statements and events during the course of an incident or law enforcement encounter and to preserve visual and audio information for use in current and future investigations;
- D. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation, presentation and testimony;
- E. To enhance the documentation of crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband;
- F. To enhance the department's ability to review probable cause for arrest, officer-suspect interactions and interrogations, and evidence for investigations and prosecutorial purposes;
- G. To identify areas for continuous improvement, professional development, training and policy enhancement;
- H. To provide an impartial measurement for self-critique, officer evaluation, and field evaluation during officer training or coaching and mentoring sessions;
- I. To assist in resolving and determining the accuracy of complaints against officers including false allegations by members of the public; and
- J. To promote accountability.

V. DEFINITIONS

A. AUDIO RECORDING

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

B. AUTHORIZED USER

Warren Police Department designated personnel with a direct job-related function/responsibility regarding BWC footage to include BWC operators, BWC operator supervisors, detectives; command staff; Internal Affairs investigator; Public Information Officer; Director of Training; System Administrator; and/or personnel specifically designated by the Chief of Police in furtherance of legitimate law enforcement purposes.

C. BODY-WORN CAMERA (BWC)

A camera worn on an individual officer's person that records and stores audio and video.

D. BODY-WORN CAMERA (BWC) OPERATOR

An authorized and trained representative of the Warren Police assigned to operate the BWC equipment.

E. CITIZEN

Any person.

F. DIGITAL EVIDENCE

Digital recordings, including but not limited to audio, video, photographs, and their associated metadata.

G. MEDIA OR DATA

For the purposes of this procedure, references to media or data include photographs, audio recordings and video and audio footage captured by the BWC device. The media is stored digitally and encrypted.

H. MEMBERS OF THE PUBLIC

Any person.

I. METADATA

Metadata includes any digital identifiers that are captured as part of the actual recording, such as date/time, GPS coordinates, labeling, etc.

J. RECORDED EVENT

An incident captured on an officer's BWC.

K. STORAGE SERVER

A computer server for the storage of data to include audio / video recordings.

L. SYSTEM ADMINISTRATOR (SA)

Department member responsible for inventory, control, and operational maintenance of the BWC system equipment with full access to user rights; assigns and tracks master inventory of equipment; controls passwords and end-user security access rights; is responsible for quality checks of uploaded data, video, audio, and sound quality; coordinates data retention; provides copies of requested data to requesting officer/person;

and serves as liaison to the BWC manufacturer's representatives on operational and equipment- related matters.

M. TRANSFER STATION (docking station)

A router with built-in docking stations that simultaneously recharges the BWC device while uploading all digitally encrypted data to the storage server.

N. VIDEO RECORDING

The electronic recording of visual images with or without audio recordings.

VI. PROCEDURES

A. Administration

1. Body-worn cameras shall be operated in accordance with the manufacturer's guidelines and Warren Police Department policies and training.
2. Officers who are assigned a BWC must complete a department-approved training program to ensure proper use and operation of the BWCs. Only officers who have successfully completed departmentally-approved training are authorized to use body-worn cameras.
3. Officers shall use only department-issued body-worn cameras. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Warren Police Department.
4. Body-worn camera equipment is issued primarily to on-duty uniformed personnel as authorized by this agency. Body-worn cameras shall be worn at all times by the assigned officer while on-duty. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by a supervisor (see Section XI.A).
5. Body-worn camera equipment is the responsibility of the assigned officer and will be used with reasonable care to ensure proper functioning. The general care, inspection and maintenance of BWC equipment shall be the responsibility of the assigned officer.
6. Malfunctions, damage, loss, or theft of any part of the body-worn camera equipment shall be immediately reported to a supervisor and immediately reported to the System Administrator.

- a. Upon notification, the supervisor shall promptly determine if the malfunctioning or lost/damaged/stolen equipment was the result of normal wear and tear or negligence.
- b. The supervisor shall immediately forward the identified issue or malfunction to the System Administrator documenting the suspected cause of equipment failure or loss along with corrective action initiated related to possible misuse.
- c. The supervisor will ensure that the malfunctioning or damaged BWC equipment is promptly returned to the System Administrator for repair based upon the request or recommendation of the System Administrator.

B. Operational Use

1. Prior to each shift, officers assigned a BWC shall properly equip themselves with a BWC. Officers assigned a BWC shall inspect the body-worn camera for any physical damage and ensure it is fully charged and that all recorded video from the previous shift has been off-loaded.
2. Prior to each shift, officers assigned a BWC shall “check out” a BWC by using the appropriate manufacturer software or application to ensure that the BWC that the officer is preparing to use is properly assigned under that officer’s name.
3. Prior to each shift, officers shall sync their BWC to the in-car mobile video recorder (MVR), if compatible. If officers change cruisers during their shift, they shall ensure that their BWC is properly synced to the MVR in the cruiser that they are using, if compatible.
4. Prior to each shift, officers assigned a BWC shall test the equipment according to manufacturer’s guidelines and testing procedures to ensure that the BWC is functioning properly and fully operational in accordance with the manufacturer’s guidelines.
 - a. Only fully charged and fully operational systems shall be used. When fully charged and properly functional, BWC have a battery life of approximately 12 hours.
 - b. If problems are encountered with any component of the system, the BWC equipment will not be used.
 - c. Officers shall immediately report insufficient recording media or malfunctioning BWCs to an immediate supervisor.
5. Body-worn cameras shall be worn in a manner consistent with the

manufacturer's recommendations.

- a. Officers shall wear all supplied components of the BWC and ensure the BWC is properly positioned to clearly record police activities regardless of uniform attire.
- b. Officers shall position the body-worn camera in a manner to facilitate optimum recording field of view while also ensuring the ability to safely activate the camera prior to or during an incident.
- c. Officers shall position the BWC on the outside of their uniform, on the front of their chest area, facing forward, located from the sternum to the neckline with the camera directed away from the centerline of their body pointing toward the horizon. Officers shall position the BWC so as not to cover or obstruct the front or side microphones of the BWC.
- d. Throughout their shift, officers shall periodically check the position of the BWC based on its mounting location and officer activity to ensure proper camera alignment and to ensure that the front and side microphones on the BWC are not covered or obstructed.
- e. Throughout their shift, officers shall periodically check the BWC to test the battery level and ensure that the BWC is functioning properly.

C. Privacy Expectations

1. While it is generally implied that words and/or actions performed in the presence of a police officer have no expectation of privacy, if asked, the officer will inform the person they are being recorded unless it is unsafe, impractical, or impossible to do so.
2. Officers are not required to obtain consent from members of the public when the officer is lawfully in the area where the recording takes place.
3. Officers are not required to initiate or cease recording an event, situation or circumstance solely at the demand of a member of the public.
4. In locations where individuals have a reasonable expectation of privacy, such as a residence, they may decline to be recorded unless the recording is being made pursuant to an arrest or search of the residence or the individuals.

D. General Activation Protocol

1. Officer safety shall remain the primary consideration when contacting members of the public and/or conducting vehicle stops, not the ability to record an event.
2. Officers shall follow all existing officer safety policies and practices when conducting enforcement stops as outlined in Warren Police Department policies and procedures and in accordance with Warren Police Department training.
3. It is understood that not all situations clearly start out as a law enforcement encounter requiring documentation by the BWC, nor do all recorded events have a clear ending for when the BWC is no longer required. When officers are unclear about whether or not to record an incident, officers shall activate their BWC to record events.
4. The Warren Police Department recognizes certain limited circumstances where officers in a proactive capacity may become involved in a situation requiring immediate action to prevent injury, make an arrest and/or prevent the destruction of evidence or escape. When these situations occur, officers shall activate the BWC if doing so does not place them, or others, in danger. If the immediate activation of the BWC is not feasible due to an immediate risk to the safety of the officer or others, the officer will activate the BWC at the first available opportunity after the immediate threat is addressed. The officer will notify their supervisor and document the reason for the delayed activation in a report (i.e., Level One Narrative, Blue Team report, etc.) (see Section VI.G).
5. These incidents should be rare, and supervisors shall closely review documentation of such incidents to ensure such circumstances did in fact exist.

E. Required Activation

1. There are many situations where the use of the body-worn camera is appropriate. This policy is not intended to describe every possible circumstance. In addition to the required conditions, officers assigned a BWC may activate the equipment any time they feel its use would be appropriate and/or valuable to document an incident, except as provided in Sections VI. C, F, G & Section VII.

2. While in the performance of official duties, officers assigned a BWC shall activate the equipment to record all encounters with the public, prior to contact, except as provided in Sections VI. C, F, G & Section VII. The activation of the BWC is required in the following situations:
 - a. All contacts with citizens in the performance of official duties.
 - b. All calls for service.
 - c. All traffic stops, OVI investigations and field sobriety tests.
 - d. All investigatory stops, suspicious persons or vehicle calls.
 - e. All jail booking of prisoners.
 - f. Responding to domestic disputes.
 - g. Responding to disorderly conduct or disturbing the peace calls.
 - h. Vehicle searches and / or inventory search.
 - i. Miranda warnings and responses from in custody suspects.
 - j. Physical or verbal confrontations or use of force situations.
 - k. Any contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording;
3. The body-worn camera shall be used during incidents that create reasonable suspicion in the mind of a reasonable police officer that a crime has been committed, is being committed, or will be committed in the future.
4. If an officer witnesses an event occur, such as a criminal act or traffic crash, the officer shall immediately activate the BWC in an attempt to capture the events that lead to the incident.
5. Officers shall activate their BWC (as required in Section VI.E.2) while providing backup to another officer or another agency.
6. Officers working City-paid overtime (i.e., manpower shortages, traffic grants, parades, etc.) or police-related secondary employment when required to wear a Class "B" uniform (as defined in 91-001 Clothing and Appearance) shall activate their assigned BWC for any activities that fall under the definition of required use within Section VI.E.2. Body-worn cameras shall be used for City-paid overtime or police-related secondary employment if a fully charged and functional BWC is available, and its use does not interfere with the BWC being uploaded and charged, or as ordered by a supervisor.

F. Deactivation

1. Once a body-worn camera is activated, it shall remain on and shall not be turned off until an investigative contact, enforcement contact

or incident has concluded. For purposes of this section, conclusion of an incident has occurred when an officer has terminated contact with an individual, cleared the scene of a reported incident, or has completed transport of a citizen or an arrestee.

- a. If it becomes necessary to discuss issues surrounding an investigation with a supervisor or another officer in private, the officer may deactivate their body-worn camera thereby preventing their private conversation from being recorded.
 - b. Officers shall record victim and/or witness statements while responding to and investigating crimes. However, if the victim and/or witness is unwilling to give a statement while the BWC is activated and the encounter is non-confrontational, the officer may deactivate their BWC thereby preventing their private conversation from being recorded.
2. If an interruption occurs, the officer will document the reason for the interruption or termination of the recording. If an officer feels it is necessary to stop recording (i.e., talking to a victim of sexual assault, confidential informant, another officer or supervisor, etc.) within the constraints of policy, the officer will verbally indicate their intent to stop recording before stopping the device.
 3. As soon as the private conversation is completed, the officer shall activate the BWC and continue recording so long as the situation still falls under the definition of required use (see Section VI.E). Upon reactivation, the officer shall state that the camera was restarted.

G. Failure to Record

1. There may be circumstances when an officer fails to record an event or activity that is otherwise required by policy to be recorded, including but not limited to:
 - a. Conditions make it unsafe or impossible to activate the camera;
 - b. The BWC malfunctions; or
 - c. Otherwise fails to capture the event/activity.
2. If an officer fails to activate the BWC or fails to record the entire contact (other than verbally-documented interruptions; see Section VI.F), the officer shall document the reason why a recording was not made in Blue Team on the "Failure to Activate BWC/MVR report".

3. Documenting the reasons for not recording in a particular circumstance helps to maintain agency transparency and accountability, ensures supervisory review of recording irregularities for quality assurance, and explains the absence of such video footage for investigations and court proceedings.

H. Additional Operational Provisions

1. The use of body-worn cameras does not replace the need for mobile video recorders (MVRs). Officers shall use MVRs in conjunction with BWCs while on-duty (see 02-004 Mobile Video Recording Policy).
2. The use of a body-worn camera does not replace the need for written reports and required documentation. All incident and supplemental reports shall be completed, regardless of the video that has been captured.
 - a. Officers should continue to prepare reports in the same manner as prior to the implementation of the BWCs.
 - b. Officers should not substitute “refer to video” for a detailed and thorough report.
 - c. Officers are not required to use exact quotes, but may represent statements in their report as a summary of what is contained in the statement/video.
3. Whenever an officer records an incident or any portion of an incident, which that officer reasonably believes will likely lead to a public complaint, the officer shall immediately bring it to the attention of his/her supervisor as soon as possible.
 - a. The supervisor shall review the recording.
 - b. The supervisor shall conduct any further investigation and/or follow-up as required by 07-001 Public Complaint Policy.

VII. OPERATIONAL PROHIBITIONS/RESTRICTIONS

A. Prohibited/Restricted Actions

1. Officers shall not modify, tamper, dismantle, or attempt to make repairs to the body-worn cameras.
2. Officers shall not intentionally block or impede the audio or visual recording (BWC camera or microphones) during an event or

investigation (other than verbally-documented interruptions; see Section VI.F).

3. Officers shall not use any other electronic devices or other means in order to intentionally interfere with the capability and professional intent of the BWC system.
4. Department-issued body worn cameras are intended for official Departmental use only and are not to be used for frivolous or personal activities.
5. Officers shall not use BWCs for the purpose of intimidating an individual or to discourage an individual from observing police activity, making appropriate inquiries of an officer, or making a public complaint.
6. Officers shall not allow citizens to review BWC recordings at the scene, in the field, or without the appropriate public record request in accordance with law and policy.

B. Prohibited/Restricted Recordings

1. Body-worn cameras shall not be used in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms, or restrooms, unless for direct law enforcement purpose such as a crime in progress, call for service, arrest, search or pursuant to an on-going investigation.
2. Officers shall not use the BWC to record any court proceedings unless confronting a violent or assaultive suspect, or in an anticipated use of force situation.
3. Officers shall not use the BWC to record any privileged conversations that the officer would otherwise not be privy to, such as: patient/doctor conversations; discussions with attorneys, peer support counselors, clergy, etc.
4. Officers shall not use the BWC to record while in patient-care areas of a healthcare facility, unless an enforcement action is taking place in these areas or unless the patient becomes adversarial with the officer.
5. While assigned to guarding prisoners in patient-care areas of a healthcare facility, officers shall not continuously record unless the prisoner becomes adversarial and/or enforcement action becomes necessary.
6. Officers shall not use the BWC to record situations where the

recording would risk the safety of confidential information, citizen informant(s), or undercover officer(s) unless the recording is conducted specifically for the purpose of documenting a sting, drug purchase/sale, or other undercover operation in furtherance of a criminal investigation as authorized by a supervisor.

7. Officers shall not use the BWC to record during a strip search or body cavity search.
8. Officers shall not use the BWC to record administrative investigations unless authorized by the Chief of Police. However, this requirement shall not restrict Internal Affairs investigators access to or review of BWC recordings when conducting investigations or administrative inquiries.
9. Officers shall not use the BWC to record pre-shift roll call, conferences, briefings, tactical planning or training unless authorized by a supervisor.
10. Officers shall not use the BWC to record during routine administrative tasks where there is no interaction with the public (i.e., report writing, range detail, office work, etc.).
11. Officers shall not use the BWC to record during prolonged enforcement actions (i.e., traffic control, crime scene perimeter, hospital guard duty, etc.) unless there is public contact that becomes adversarial after the initial contact or unless otherwise directed by a supervisor.
12. Officers shall not use the BWC to make covert or surreptitious recordings of other department members, except as necessary in the course of a criminal investigation or for department administrative investigations, and only with the consent of the Chief of Police. These situations should be considered extremely rare and limited.
13. Officers shall not use the BWC to record fellow employees without their knowledge during any of the following:
 - a. routine, non-enforcement related activities;
 - b. administrative tasks;
 - c. personal activities;
 - d. rest or break periods, or in designated break areas;
 - e. non-law enforcement discussions; or
 - f. peer-to-peer discussions;

C. Prohibited/Restricted Use of Recordings

1. Officers shall not use the BWCs for any purpose that is contrary or inconsistent with the Department's mission and core values or in any way that is contrary to federal, state and local law.
2. Officers shall not use or show any recordings for the sole purpose of bringing ridicule or embarrassment upon any person.
3. Officers shall not make copies of any recording for their personal use and are prohibited from using a recording device (such as a camera phone or secondary video camera) to record media from the server or any device utilized to view data recorded on body-worn cameras without the permission of the Chief of Police.
4. Officers are prohibited from using their personal phone, personal video recorder or smart device for body-worn camera applications. Officers shall not use any device that is not department-issued to record official law enforcement duties.
5. Officers are prohibited from uploading or converting digital recordings for use on any type of social media without authorization from the Chief of Police (see 10-002 Social Media policy).
6. Officers shall not edit, alter, erase, reuse, modify, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief of Police or his/her designee.
7. Officers shall not utilize personal devices (i.e., phones, tablets, computers, etc.) when accessing digital evidence. ONLY Warren Police Department issued equipment may be used to access BWC equipment, unless authorized by the Chief of Police or his/her designee.

VIII. CLASSIFICATION, DOWNLOAD AND RETENTION OF VIDEO

A. Classification

1. Once video is recorded, officers shall identify the recorded file by selecting the appropriate category as one of the following:
 - a. "Test" category shall include tests of the BWC system to ensure that the system is functioning properly.
 - b. "Public Contact" category shall include all calls for service, citizen contacts and proactive patrols that do not properly fit into any other category.

- c. “Stops” category shall include traffic stops, pedestrian stops, and any detentions where a citizen would likely feel that he/she is not free to leave. Most proactive patrol activities will fit into this category.
- d. “Crash” category shall include all vehicle crashes whether on public or private property.
- e. “Arrest” category shall include all physical arrests and all detentions involving citizens being placed into handcuffs. Incidents involving the issuance of citations and summons where the citizen is not placed into handcuffs will likely fit into the “Stops” category.
- f. “Critical Incident” category shall include incidents involving serious physical injury or death, uses of deadly force, uses of force resulting in death, uses of force resulting in serious physical injury, in-custody deaths, administrative investigations and public complaints.

2. In the event more than one category is applicable, the category with the longer retention rate shall be selected (see also Section VIII.C).
3. In the event that a recording is taken that does not fall into a listed category and has no apparent evidentiary or administrative value, the officer shall categorize the file as “Public Contact”.

B. Download

1. The procedure for downloading files from BWC to the server shall be in accordance with manufacturer and agency agreements on file. Officers shall download video utilizing the Watchguard software and server.
2. At the end of their shift, officers shall place the body-worn camera into an open slot on the docking station (aka. transfer station). This will allow remaining evidence to be transferred from the BWC device to the server, and for the battery to be charged. Under normal use, the recharge/upload cycle can be expected to take up to four hours to complete.

C. Retention

1. After recorded files are classified and downloaded, recordings will be retained based upon the date of download and for different periods of time depending on their classification. Watchguard retention software will automatically delete any video after the prescribed retention period unless otherwise marked. Videos

marked as evidence will be maintained according to the listed retention schedule and no longer than useful for purposes of training, investigation and prosecution.

2. Categories and Retention Periods:

- a. Test (30 days / 1 month)
- b. Public Contact (90 days / 3 months)
- c. Stops (180 days / 6 months)
- d. Crash (180 days / 6 months)
- e. Arrest (550 days / 1.5 years)
- f. Critical Incident (1095 days / 3 years)

3. On a case-by-case basis, individual recordings that are determined to be needed for more than 3 years shall be downloaded and/or exported from the Watchguard server with permission of the Chief of Police or his/her designee.

IX. ACCOUNTABILITY and REVIEW

A. Accountability

- 1. All body-worn camera operators will be responsible for monitoring system effectiveness and making recommendations for operational improvement and policy revision.
- 2. Images on the BWC may contain footage of an evidentiary nature and shall therefore be treated and safeguarded as such. Good security practices provide the foundation for the chain of custody and ensure the integrity of evidence. Preventing unauthorized access and eliminating any perception that unauthorized access may have occurred, reduces the potential for accusations of tampering.

B. Review

- 1. Officers authorized under this policy may review video as it relates to the following:
 - a. Their involvement in an incident for the purposes of completing a criminal investigation and preparing official reports, except for critical incidents (i.e., officer-involved shooting, use of deadly force, in-custody death, etc.) (see Section IX.B.4-5).
 - b. Prior to courtroom testimony or for courtroom presentation.

- c. Providing a statement pursuant to an administrative inquiry/investigation, except for critical incidents (i.e., officer-involved shooting, use of deadly force, in-custody death, etc. See Section IX.B.4-5).
 - d. For training purposes and instructional use. All recommendations and requests to use a BWC recording for training purposes must be approved by a supervisor prior to use. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
 2. A supervisor may review a specific incident contained on digital media for the purposes of training, uses of force, early intervention inquiries, public complaints, administrative investigations, civil claims, officer-involved traffic crashes, performance evaluations or other articulated reasons.
 3. In incidents involving an officer's use of force (as defined in 96-007 Use of Force Policy), officers may review their BWC recording of the incident before the officer has completed his/her force investigation report. Once the officer has completed his/her use of force report, the officer may also view the recording with the supervisor conducting the force investigation. Any discrepancies or additional information determined by the review of the BWC recording will be documented and explained by the Turn Commander in his/her use of force investigation report.
 4. Officers involved in a critical incident (i.e., officer-involved shooting, use of deadly force, in-custody death, etc.), whether as primary, backup or as a witness, should not view the related BWC recordings and shall secure their respective BWC as evidence pending arrival of a supervisor in accordance with established procedures (see Section XII.A).
 5. If an officer is suspected of wrongdoing or involved in a critical incident (i.e., officer-involved shooting, use of deadly force, in-custody death, etc.), the department reserves the right to limit or restrict an officer from viewing the video file.

X. SECURITY, AUDIT and RELEASE

A. Security

1. Watchguard automatically time/date stamps each recording and upload of same by the assigned officer name. Uploaded video that is deemed to be evidentiary in nature can be transferred to the Crime Scene server at the discretion of the System Administrator. Evidentiary copies of digital recordings shall be accessed and

copied from the Crime Scene server for official law enforcement purposes only.

2. All digital media collected using body-worn cameras is considered a record and exclusive property of the Warren Police Department. Access to recordings shall be granted to authorized users only. It is the responsibility of authorized users to keep their username and password confidential.
3. Accessing, copying, forwarding or releasing any recordings or files for other than official law enforcement purposes is strictly prohibited, except as required by law.
4. Officers shall not utilize personal devices (i.e., phones, tablets, computers, etc.) when accessing digital evidence. ONLY Warren Police Department issued equipment may be used to access BWC equipment, unless authorized by the Chief of Police or his/her designee.

B. Audit

1. All activities related to BWC footage (accessing, viewing, downloading, exporting, etc.) are recorded, monitored, and subject to audit to ensure that the activity is authorized. The Watchguard system documents and stores this information as part of the metadata related to each recording.
2. The System Administrator will conduct audits for the following reasons:
 - a. To ensure that only authorized users are accessing the data for legitimate and authorized purposes.
 - b. To verify and deactivate users who are no longer authorized to access the BWC system.
 - c. To ensure the proper retention of BWC recordings in accordance with this policy.
 - d. To facilitate the timely disposal of BWC recordings contained in long-term storage that have surpassed the record retention period and have no further evidentiary or administrative value in accordance with this policy.
 - e. To make recommendations for any policy changes and training if needed.
3. The Chief or his/her designee will review BWC captured data and

conduct a documented annual analysis of the data, frequency and use.

C. Release

1. Chief of Police or his/her designee may access and/or release BWC recordings as necessary to provide accurate, timely release of public information.
2. Any request for the release of body-worn camera recordings, including public records requests, will be directed to and subject to approval by the Chief of Police or his/her designee.
3. All public records requests, including media inquiries, shall be accepted and processed in accordance with federal, state and local statutes, including department policies and procedures.
4. The release of BWC recordings will be consistent with and subject to Ohio Public Records laws (149.43) and Warren Police Department policies and procedures.
5. No employee of the Warren Police Department will disseminate any information that he/she is not authorized to do so.

XI. SUPERVISOR and SYSTEM ADMINISTRATOR RESPONSIBILITIES

A. Supervisory Responsibilities

1. Supervisors shall be responsible for the assignment of BWCs. Supervisors shall only have discretion of assigning of BWC based upon availability of equipment and the needs of the agency.
2. Supervisors shall ensure that BWCs are utilized by officers when BWCs are available for use. Body-worn cameras will be primarily assigned to uniformed officers in the Emergency Services Divisions.
3. Supervisors shall ensure that officers equipped with body-worn cameras utilize them in accordance with policy and procedures defined herein.
4. Supervisors shall periodically review BWC recordings to ensure videos are properly categorized. Supervisors may reclassify BWC recordings as appropriate and in accordance with established law and policy.
5. On a monthly basis, ESD Lieutenants shall conduct documented random reviews (as prescribed by the Chief of Police) of BWC

recordings (no more than 30 days old) of citizen contacts, traffic stops, arrests and the associated reports in order to:

- a. Ensure that the BWC equipment is operating properly;
 - b. Ensure that officers are using the devices appropriately and in accordance with policy; and
 - c. Identify any areas in which additional training or guidance is required.
6. When a critical incident occurs, as defined by 18-001 Critical Incidents, a supervisor shall respond to the scene. The involved officer(s) shall continue recording until advised by the supervisor to deactivate the BWC. The supervisor shall secure the body-worn camera and maintain chain of custody. The supervisor is responsible for the care and custody of the BWC until it is properly docked and recordings are downloaded.
7. In a critical incident, serious crime scene or whenever deemed necessary by any supervisor, a supervisor may view BWC recordings by utilizing the "Smart Control" application to obtain identifying suspect information or other pertinent information. This access shall be documented in the reviewing supervisor's report.

B. System Administrator Responsibilities

The System Administrator is designated by the Chief of Police and has oversight responsibilities and full access to use rights, including but not limited to, the following:

1. Contacting and coordinating as a liaison with the BWC manufacturer for all technical, repair, replacement, maintenance, installation, purchase and other related BWC issues.
2. Coordinating with City of Warren I.T. regarding BWC system-related issues.
3. Operations and user administration of the system.
4. Assigning and tracking inventory of equipment.
5. End-user security access rights & password controls.
6. Ensuring BWC files of evidentiary value are secure and retained per this policy.
7. BWC system evaluation.

8. BWC system training needs.
9. Policy and procedure review and evaluation.

XII. TRAINING

A. Initial Training

1. Officers who are assigned a BWC must complete a department-approved training program to ensure proper use and operation of the BWCs.
2. Only officers who have successfully completed departmentally-approved training are authorized to use body-worn cameras.
3. Supervisors shall receive training as BWC operators as well as additional training on accessing and reviewing BWC recordings.
4. Select personnel, as designated by the Chief of Police, shall receive training on the redaction, release and public records laws (Ohio Public Records laws 149.43) as they pertain to BWCs and recordings.

B. Annual Training

All body worn camera operators and supervisors will complete an annual review of this policy and complete knowledge testing on the proper use of the equipment. Testing may include the following topics:

1. All practices, provisions and protocols of this policy;
2. An overview of relevant state and federal laws governing consent, evidence, privacy, and public disclosure;
3. Procedures for the proper inspection and care of the BWC equipment in accordance with the manufacturer's guidelines;
4. Procedures for operating the BWC equipment safely, effectively and in accordance with the manufacturer's guidelines;
5. Scenario-based exercises that replicate situations officers might encounter in the field, including the limitations of BWC footage;
6. Procedures for downloading and classifying recorded data;
7. Procedures for accessing and reviewing recorded data (restricted to personnel authorized to access the data);

8. Procedures for preparing and presenting digital evidence for court; and
9. Procedures for documenting and reporting any malfunctioning device or supporting systems.

C. Additional Training

1. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
2. Relevant BWC training bulletins may be issued covering operational scenarios, new/emerging trends, legislative changes, court cases, etc.

END OF POLICY 21-001