



GENERAL ORDER

BODY WORN CAMERA SYSTEMS

GENERAL ORDER – 69

Implementation Date: May 09, 2018

Revokes: None

69.1 INTRODUCTION

The Coral Springs Police Department may equip officers with Body Worn Camera (BWC) systems. The cameras are intended to assist and compliment officers in the performance of their duties. The cameras are used to record certain duty related activities, thereby creating a visual and/or audio record of the incident as a supplement, not intended to replace an officer's report. It is the purpose of this policy to provide officers with guidelines for the use of cameras. This policy is not intended to describe every possible situation where the systems may be used but to provide examples and parameters where the cameras shall be required and others where they are left to officer discretion.

69.2 DEFINITIONS

Accidental Recordings – A BWC recording that occurred as a result of an officer unintentionally activating camera and/or leaving camera in record mode resulting in non-law enforcement activity being captured.

Body Worn Camera (BWC) – An approved portable electronic device that is worn on a law enforcement officer's person that records audio and video data of the officer's law-enforcement-related encounters and activities.

Case Report – Anytime a recording of evidentiary value has been made during an investigation and a case report has been generated. These recordings are subject to general policy and procedure regarding the retention of case related evidence.

Incident Only – Activation of the system where there may be some liability or possibility of a complaint or future action. Examples may include moving items from the roadway, motorist assists, traffic control, general citizen contacts, citizen contacts during off-shift details, contacts in which there was a violation of the law, but the officer has chosen to issue a verbal or written warning.

Investigative Encounter – Any incident or call for service in which an officer is investigating a possible act of criminal activity, violation of state law or city ordinance.

The following are intended to be examples and not an all-inclusive list of required recording situations:

- Alarm calls
- Noise violations

- Neighbor disputes
- Vehicle pursuits
- Suspicious person/vehicle
- When making an arrest
- Vehicle searches
- Domestic Violence Calls
- DUI investigations
- Traffic Stops

Non Event – A miscellaneous activation of a camera system which does not meet the requirements of any other classification.

Program Coordinator – A member (or members) of the Coral Springs Police Department assigned by the Chief of Police or his designee to oversee the department approved camera system or systems.

Restricted - Any recording that documents an incident that is deemed sensitive in nature, whether evidentiary or mutual accountability in nature, can have access restricted to select individuals. This status would be deemed necessary by a supervisor and entered by a camera system administrator. Examples could include cases involving use of force resulting in serious bodily injury, officer involved shootings, allegations of criminal actions by an officer or by a citizen with an officer as a victim, and investigations alleging misconduct. Access to a restricted camera recording must be approved by the division Captain (or designee) overseeing the investigation. These recordings are subject to general rules and policies regarding the retention of case related evidence.

69.3 POLICY/PROCEDURE

69.3.1 Operation and Authorized Use of BWC

- A.** Only members who have successfully completed department approved training will utilize the BWC.
- 1.** Members performing in a patrol function, working an off-shift detail, or an assignment, permanent or temporary (i.e., overtime), that consist of answering calls for service, conducting traffic enforcement, investigative stops, proactive patrolling and/or frequent contacts with citizens shall utilize a BWC.
 - 2.** Members performing in a role outside of 69.3.1.A.1, may deploy a BWC, if available.
 - 3.** Members assigned to a federal task force may deploy with their assigned BWC pursuant to the "U.S. Department of Justice Policy – Use of Body Worn Cameras by Federally Deputized Task Force Officers" and subject to any conditions set forth in the applicable Memorandum of Understanding (MOU) with the individual task force.
- B.** Members shall only use the BWC issued and approved by the agency. The wearing of personally owned audio/video recording devices is strictly prohibited.
- C.** BWC placement on the user shall be in accordance with manufacturer's instructions and that allows for a similar vantage point of the officer.
- D.** Officers shall verify the BWC system powers on in accordance with departmental training at the start of each shift.

1. If at any time, the BWC is found not to be functioning properly, it is to be removed from service and the officer shall notify his or her immediate supervisor in person immediately.
2. The supervisor who is made aware of the malfunctioning camera shall notify the program coordinator or designee via email as soon as reasonably possible.

69.3.2 Required Activation/Use of Body Worn Camera

- A. The BWC will be activated for recording as soon as a member initiates activity that requires its use as defined in this policy or when en route to a dispatched call for service. At no time should a member jeopardize his/her safety in order to activate the BWC.
- B. Activation of the BWC system is **REQUIRED** during any investigative encounter, traffic stop or emergency response.

NOTE: In some circumstances, it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements.

- C. Officers are encouraged to inform members of the public that they are being recorded. If asked, officers should inform those inquiring that audio-video recording equipment is in use, unless doing so would be unsafe for the officer or members of the public.

69.3.3 Discretionary Activation/Use of Body Worn Camera System

An officer may activate either camera system any time the officer believes its use would be appropriate and/or valuable to document an incident.

69.3.4 Cessation/Muting of Recording for Body Worn Camera Systems

- A. Once activated, the camera system shall remain on and not be turned off until the initial incident that caused the activation has been concluded. For purposes of this section, conclusion of the incident occurs when the gathering of evidence or exchange of communication related to police enforcement activities are completed.
- B. An officer may choose to turn off the camera system device if its operation is inhibiting a victim or witness from giving a statement. It is up to the officer to make the determination as to what is best for the investigation or contact.
- C. An officer may choose to turn off the camera system if a subject wishes to provide confidential information and recording the exchange has the potential to compromise any future investigation.
- D. An officer may choose to use the muting function of the camera system while discussing tactical, investigative, and/or administrative strategies or options of a specific incident. The video shall remain activated.
- E. If a member utilizing a camera system becomes injured or incapacitated, any member of the department may stop the injured or incapacitated member's camera system.

NOTE: In all situations listed above in which the camera system is turned off temporarily, a reason should be stated verbally so it is captured on a recording prior to turning off the camera.

69.3.5 When Activation of a camera system is **NOT** Required

Activation of any camera system is not required during breaks, lunch periods, when not in service, or when the officer is otherwise involved in routine or administrative duties, unless otherwise required by policy.

69.3.6 Prohibited Use of Camera Systems and/or Recordings

A. Unless conducting official law enforcement business that requires the officer to utilize a camera system, the camera system **SHALL NOT**:

1. Be used to record personal activity.
2. Be activated to record conversations of fellow employees without their knowledge during routine, non-enforcement related activities.
3. Be used to intentionally or recklessly record confidential informants or undercover officers.
4. Be used during strip searches.
5. Unless the camera system is being used as part of a legitimate investigation or call for service, the camera system **SHALL NOT** be activated in places where a reasonable expectation of privacy exists, such as but not limited to:
 - Locker rooms;
 - Dressing rooms; or
 - Restrooms.

B. No member of this agency may surreptitiously record a conversation of any other member of this agency except with a court order or when authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal investigation.

C. Officers who utilize a camera system to record an incident shall not make copies of any recordings for their personal use and are prohibited from using a recording device (such as a phone camera or secondary or secondary video camera) to record media captured from the camera system.

D. In no event shall any recording be used or shown for the purpose of ridicule or embarrassing any employee.

E. Posting, distributing, or sharing of footage to ANY social media site or media entity, without prior written approval from the Chief of Police is **STRICTLY PROHIBITED**.

Exception: Department Public Information Officers and those authorized to share information.

69.3.7 Documenting Camera System Use

A. Any camera system recording/interaction shall be documented in departmental reports and/or supplements, field interview entries, or on traffic citations if that is the sole documentation of an encounter.

B. Accidental Recordings

If an officer accidentally initiates or leaves on their camera system and the recording is in no way related to their official duties/actions, the officer **SHALL**:

1. Notify his or her immediate supervisor immediately that they have had an accidental recording and the circumstances surrounding that led to the accidental recording.
2. If their immediate supervisor concurs that it was in fact an accidental recording, the officer will then send an email to the Patrol Captain or their designee with specifics as to what point of the recording was accidental. The Patrol Captain or their designee will redact the portion of the recording specified and create a "REDACTED" version.

NOTE: The content of the accidental recording will not be reviewed unless it is in accordance with this policy, official investigation, or applicable state law.

69.3.8 Uploading and Storage of Video Recordings

- A. Uploading of a video recording will be done in accordance with departmental training into the approved evidence management system.
- B. All recordings shall be uploaded at the end of an officer's shift. In situations deemed critical to an investigation, a member may be required to upload video immediately.
- C. If an officer is unable to turn in their assigned BWC prior to the end of their shift, they must receive approval from the Lieutenant/Shift Commander.

69.3.9 Retention and Classification of Video Recordings

- A. All recorded imagery shall be stored and retained in accordance with legal requirements, task force MOUs, and State scheduled retention periods.
- B. Video related to an investigation shall be treated as any other property/evidence and therefore its collection, chain of custody, storage, distribution, and disposal will be processed in accordance with Department policies.
- C. When an officer has completed the use of the video recording device, the officer shall classify the recording and tag recording with appropriate call, case, or citation number. These classifications will serve to assist in locating the recording and each classification will have an established retention time. Any camera system recording in any classification can be changed to another classification or have its retention status changed for the benefit of an investigation or organizational needs.

69.3.10 Ownership, Dissemination and Review of Videos/Recordings

- A. All recording media, recorded images and audio recordings are the property of the Coral Springs Police Department.
- B. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by policy and law.

1. Full, unredacted duplicate copies of BWC recordings related to a federal task force operation shall be provided to the lead agency pursuant to a MOU.
 2. All Task Force Officer BWC recordings made during a task force operation shall not be disseminated without advanced, written notification to the task force along with an unredacted copy of the recordings being released.
- C. To prevent damage or alteration of the original recorded media; it shall not be copied, viewed, or otherwise inserted into any device not approved by the agency, program coordinator or forensic media staff.
- D. Recordings may be reviewed in any of the following situations:
1. For use when preparing reports, statements, or for court testimony.
 2. By a supervisor investigating a specific act of alleged officer conduct.
 - a. Reviews shall only be done as part of audit checks or with justifiable cause.
 - b. Supervisors will not be permitted to randomly search or review camera system videos with the sole intent to search for policy violations.
 3. To assess the camera is functioning properly.
 4. By an investigator who is participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation.
 5. By an officer who is captured on or referenced in the video or audio data for any purpose relating to his/her employment, unless restricted at the time of request.
 6. By court personnel through proper process or with permission of the Chief of Police or the authorized designee.
 7. -By a Field Training officer, a Training Unit Officer or Command to assess and discuss a call for service that was handled by a trainee during field training process.
- E. Public release of video recordings will be in accordance with current departmental evidence release policies, Florida Statute Chapter 119 (Public Records), and the Federal Records Act..
- F. Recordings may be shown for training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the Chief of Police who will determine if the training value outweighs the officer's objection.

NOTE: Anyone found to be in violation of this policy will be subject to disciplinary action up to and including termination.

69.3.11 Training and Supervisor Responsibilities

- A. Users of the camera systems and supervisors shall be trained on the proper use of the system and associated equipment and shall become familiar with this policy prior to deployment with the specific device.

- B. Supervisors shall ensure that camera system units assigned to their officers are in working order and the officer using the camera system has been properly trained.
- C. Supervisors will monitor, verify and document that their officers are properly using the camera system as required by departmental policy and training. This will consist of completing random audits on a monthly basis of two traffic stops, one self-initiated call and one dispatched call for service (if recordings are available).
 - 1. The purpose of the audit is to confirm that the member is utilizing the camera system in accordance with policy.
 - 2. Supervisors will verify video was created but not view for policy violations unless an allegation of misconduct is reported.

69.3.12 Corrective Action and Discipline

- A. Officers who fail to activate their camera system may be subject to corrective action and/or disciplinary action. Corrective action deemed appropriate should be the first step utilized to address an officer's failure to activate their camera system. Any action taken shall be documented.
- B. Officers who intentionally interfere with the operation of their camera system or that of another officer will be subject to disciplinary action up to and including termination.

APPROVED


Clyde H. Parry
Chief of Police