

**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

Effective Date August 12, 2015		Amended Date July 5, 2022		Directive 7.23.1	
Subject Body-Worn Camera					
Reference				Approved Chief of Police	
Distribution All Personnel City Manager City Attorney		TPCA Best Practices Recognition Program Reference None		Review Date June 26, 2022	
				Pages 6	

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

This policy is intended to provide instructions on when and how to use body-worn cameras (BWC) so that officers may reliably record their contacts with the public. The BWC will serve as an aid to assist the department in capturing contacts with citizens during the performance of an officer's official duties.

SECTION 2 POLICY

It is the policy of this department that officers shall activate the BWC to record all contacts with citizens in the performance of official duties. The BWC recordings are intended to provide an objective visual/audio record of the incident and to augment the officer's report.

The BWC equipment is to accurately document all contacts with citizens in the performance of the officer's official duties in order to verify the accuracy of crime reports, collection of evidence and testimony in court. Recordings also enhance the ability to review procedures for the purpose of employee evaluation and training. This policy does not govern the use of surreptitious recording devices used in undercover operations. Officers found to be in violation of this policy will be subject to disciplinary action, up to and including termination.

SECTION 3 PROCEDURES

A. ADMINISTRATION

1. This department has adopted the use of the body-worn camera to accomplish several objectives. The primary objectives are as follows:
 - a. BWC allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
 - b. Audio and video recordings also enhance this agency's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.

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- c. The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

B. WHEN AND HOW TO USE THE BODY-WORN CAMERA

1. Officers who have been assigned a BWC recording system and deployed with it during the course of their respective shift shall wear and use it pursuant to the provisions outlined in this directive.
2. Officers shall activate the BWC to record all contacts with citizens in the performance of official duties.
3. BWC can be activated manually, or by a trigger event on Digital Mobile Video/Audio Recording device the BWC is synced to. The BWC does not need to be recording during normal shift activity, such as patrolling an area, shift briefing, report writing, etc. However, if the BWC is intentionally activated to record an incident, it shall remain on until the incident has reached a conclusion.
4. Officers are not required to advise or obtain consent from a citizen when in a:
 - a. public place; or
 - b. detention facility or temporary holding facility;
 - c. location where there may be an expectation of privacy but the officer is lawfully present.
5. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated.
6. Civilians shall not be allowed to review the recordings at the scene.

C. PROCEDURES FOR BODY-WORN CAMERA USE

1. BWC equipment is checked out primarily by uniformed personnel and CID personnel as authorized by this agency. Officers who check out BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.
2. Uniformed personnel and CID personnel will be assigned BWC mounts.
3. Officers shall wear BWC above the midline of their torso and in position designed to produce an effective recording.
4. Police personnel shall use only BWC issued by this department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.

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5. Police personnel who check out BWC must complete an agency approved and/or provided training program to ensure proper use and operations. The training will consist of a review of the recording system, its functions, usage and recommended activation. 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.
6. BWC equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured.
7. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify their supervisor of any problems. Officers shall be certain that a BWC recording system is fully charged at the start of the officer's shift.
8. Officers shall monitor the battery life and memory usage of their BWC during their tour of duty. Officers shall check out a new BWC as needed during their tour of duty. This shall be done before the battery is completely depleted or memory is full.
9. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief of Police or designee.
10. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes or if they believe a complaint might be filed against an officer. The supervisor who is informed will tag the video so it is not purged from the system after the normal one hundred eighty (180) day time period.
11. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the video file.
12. Officers shall note in incident, arrest, and related reports when recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports.

D. RESTRICTIONS ON USING THE BODY-WORN CAMERA

1. BWC shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:
 - a. communications with other police personnel without the permission of the Chief of Police;
 - b. encounters with undercover officers or confidential informants;
 - c. when on break or otherwise engaged in personal activities; or
 - d. in a location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

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2. Officers shall not be required to activate BWC when engaged in conversations with individuals who the officer is in a privileged relationship (e.g., spouse, attorney, police peer counselor, labor representative, minister, etc.)
3. BWC equipment shall not be activated during routine inmate strip searches, unless the situation becomes combative and/or violent.

E. REVIEW OF RECORDINGS

1. Recordings may be reviewed in any of the following situations:
 - a. By a supervisor reviewing an officer's performance;
 - b. By a department detective who is engaged in an official investigation;
 - c. By a supervisor assigned to investigate a formal or informal complaint filed with the department;
 - d. By the recording officer who needs to review the officer's own recording for report preparation or sworn testimony;
 - e. Recordings may be shown for the purposes of training value with prior review and approval of the Chief of Police. If an involved officer objects to the showing of a recording, the officer's objection will be submitted in writing to the Chief of Police. The Chief of Police will determine if the training value outweighs the officer's objection to showing the recording;
 - f. In no event shall any recording be used or shown for the purpose of entertainment or ridicule;
 - g. Recordings will not be posted to any social media internet site without the approval of the Chief of Police.

F. DOCUMENTING USE

1. Any incident recorded by a BWC system shall have a notation in the synopsis of the report indicating that there is video/audio evidence

G. VIDEO MEDIA STORAGE AND INTEGRITY

1. All files shall be securely **uploaded** periodically and no later than the end of the officer's tour of duty. Each file shall contain information related to the date, BWC identifier, and assigned officer.
2. All images and sounds recorded by the BWC are the exclusive property of the department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.

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3. All BWC recordings will be retained on the server/cloud storage for **one hundred eighty (180)** days;
4. All access to BWC data (images, sound, and metadata) must be specifically authorized by the Chief of Police or designee, and all access will be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
5. Files will be securely stored on the **cloud on WatchGuard's Evidence Library website** in the same manner as the digital in-car camera videos.
6. The Chief of Police will assign a **System Administrator**. The **System Administrator** shall maintain control of all media storage resources and will be the point of contact with the manufacturer of the BWC systems.

H. SUPERVISORY RESPONSIBILITIES

1. Supervisors will conduct random checks of their assigned officer's BWC to verify they are working properly.
2. Supervisor personnel shall ensure that officers equipped with BWC devices utilize them in accordance with this directive and procedures defined herein.
3. Supervisors upon learning a BWC is inoperable, **will have the officer check out a replacement body-worn camera**. If a replacement BWC is not available to provide the officer, the supervisor will provide the supervisor's BWC to the officer. After the videos are downloaded at the end of the shift, the supervisor will log into the video system and attach the videos to the officer's account.
4. The supervisor shall notify the **System Administrator** about the inoperable BWC. The supervisor shall also provide the inoperable BWC to the **System Administrator** so it can be fixed or replaced.
5. Supervisors are responsible for ensuring officers download all video files at the end of their tour of duty.
6. Supervisors may review video recordings at any time for approved purposes, such as training, reviewing an officer's performance, resolving citizen complaints, or during any necessary administrative inquiry. If, after reviewing a recording, a supervisor has developed cause for further inquiry (officer safety, use of proper procedures, or other administrative or operational issues); the recording may be used for such authorized inquiries or investigations.

I. COPIES OF BODY-WORN CAMERA RECORDINGS

1. BWC recordings shall not be used for any purpose other than as outlined in this directive.
2. Stored recording media copies may only be released in response to a valid court order, subpoena, the District Attorney's Office, or upon approval by the Chief of Police.
3. BWC recordings shall not be released under the Texas Public Records Act where the subject recording is a part of a law enforcement investigation.

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4. BWC recordings may be released to the public and to the media upon the specific approval of the Chief of Police where such release will assist the interest of justice.
5. The department does not have the ability to redact any part of a BWC recording.

J. REQUEST FOR DELETION OF ACCIDENTAL RECORDINGS

1. In the event of an activation of a BWC where the resulting recording contains personal and/or private conversations of an officer unrelated to any ongoing criminal or Internal Affairs investigation, or otherwise has no valid official purpose, and which has no apparent evidentiary value, an officer may request the deletion of the accidentally recorded BWC video file by submitting a written request on a memorandum to the Chief of Police. If the Chief of Police determines the BWC recording meets the above criteria, the video file may be deleted after thirty (30) days.
2. All request for deletion of body-worn camera recordings, whether approved or not will be kept on file.

K. SCOPE OF RESPONSIBILITY

1. All members of the department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.