



## **POLICY AND PROCEDURES MANUAL**

### **(GENERAL ORDERS)**

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**GENERAL ORDER:** 8.2

**TITLE:** Body Cameras

**ISSUE DATE:**

**EFFECTIVE DATE:**

**DISTRIBUTION:** All Departmental Personnel

**PAGES:** 6

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**A. PURPOSE:** The Clinton Police Department has implemented a Body Camera program to accomplish several objectives that include, but are not necessarily limited to:

- A. Allowing for the accurate documentation of police-public contacts, arrests, and critical incidents; and, to serve to enhance the accuracy of officer reports and courtroom testimony;
- B. Enhancing the agency's ability to review probable cause for arrests, officer and suspect interactions, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training, and;
- C. Improving an officer's ability to document crime and crash scenes or other events that include the confiscation and documentation of evidence or contraband.

This directive is intended to provide officers with instruction and procedures on when and how to use body-worn cameras (BWCs) so that officers may reliably record their interactions & communications with individuals within the community.

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**B. SCOPE:** This General Order shall apply to sworn uniformed police department members.

**C. POLICY:** Uniformed officers assigned BWCs shall activate their cameras during most encounters with individuals while carrying out the official duties of their position, including all encounters that result from an enforcement action such as a traffic stop, reasonable suspicion stop, or encounter of any individual. This policy does not govern the use of any covert recording devices used in undercover operations. Any employee that violates this directive will be subject to disciplinary actions up to and including termination of employment.

**D. Procedures:** Body-worn cameras are issued to sworn uniformed patrol officers of the Clinton Police Department. Personnel will only use BWCs issued by the department and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Clinton Police Department. Officers are prohibited from maintaining personal copies of data. Issued cameras are the responsibility of the individual officer(s) and will be used with reasonable care to ensure proper functioning. Equipment malfunctions, damage and/or loss to equipment shall be immediately reported to the officer's supervisor for replacement and/or repair.

**A. When to use Body Worn Cameras**

1. BWCs shall be charged and ready for use prior to the beginning of the officer's shift.
2. Officers shall activate the BWC to record enforcement interactions & communications with citizens in the performance of official duties and continue to record until either the completion of the event or until the officer leaves the scene. BWC's can be manually activated through the issued Bluetooth device and/or voice recognition.
3. Whenever possible, officers should inform individuals that they are being recorded; especially in locations where a person may have a reasonable expectation of privacy, such as a residence, restroom, dressing room, etc. *Concerning privacy issues, BWCs shall be used during enforcement/investigative actions in places the officer has the legal authority and right to be. When individuals are present and are not relevant (juveniles, bystanders, etc.) to the enforcement action at hand, those individuals may be informed of the recording and asked to move to a position away from the camera's view.*

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4. When multiple officers are present, all officers shall activate their BWCs to capture the different perspectives of the incident.
5. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall complete a supplemental report in the departmental report management system (*ADSI*) and document why a recording was not made, was interrupted, or was terminated.

B. Prohibited Use/Recording

1. BWCs will not be activated to record conversations of fellow officers, supervisors, or employees without their knowledge during routine and non-enforcement activities;
2. BWCs may not be activated to record investigative interactions with approved Confidential Informants when more than one officer is present;
3. BWCs will not be used to secretly or covertly record conversations of citizens, officers, or supervisors; and,
4. BWCs will not be used to record any off-duty or personal activity and shall not be worn off-duty.

C. Uploading Recordings to Cloud Based Storage

- A. Uploading of documented recording(s) are automatically uploaded to the Cloud-Based storage.

D. Reporting & Documentation

Recordings from body-worn cameras do not replace documented incident report(s) however the existence of the recordings does not automatically necessitate a written report. Reports will be completed in accordance with other General Orders and written directives of the Clinton Police Department. All written reports shall include a notation that body-worn camera recordings exist and all officers that made the recordings.

**F. Storage:** All media recorded and collected by the BWC is property of the Clinton Police Department. Accessing, copying, or releasing any captured recordings without the approval of the Chief of Police or his designee is strictly prohibited.

A. Storage

All recordings are stored and maintained in Body Worn Cloud Based Storage for the Clinton Police Department in accordance with guidelines established by the Mississippi Department of Archives and History and any other applicable state or federal laws.

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Uploading and storage of BWC audio/video recordings is automated via cellular or Wi-Fi connections and requires no human interaction. Video storage is cloud-based and is therefore immediately secured and accessible.

Classification of video is vitally important and directly tied to how long a video is retained by the department. Each classification is assigned a retention period that will trigger the deletion of a video once that time period is reached. Therefore, it is vitally important for officers to use care when classifying videos. These classifications also serve to assist in locating the recording within *AVail Web*.

#### Classification and Titling

1. Titling - All videos shall be Titled with the Agency case number (ie 17-1 or 17-2, etc.) in the appropriate box.
2. Manual Classification – Videos will need to be classified manually. This is accomplished by accessing the **BODYWORN** application loaded directly on the **BODYWORN** device, or by accessing the *AVail Web* application via computer. In either case, classification is accomplished by selecting the appropriate classification from a drop-down menu. Select all Classifications that apply.
3. Any video that results in a formal complaint against the department, or an officer of the department, shall be retained for a minimum of two years.
4. Any video that is part of a civil, criminal or administrative complaint will be retained until all appeals and court orders are exhausted.

#### G. Review of Video

##### 1. Citizen Review

Officers will NOT allow citizens to review video unless there is an articulable investigative reason to do so.

Citizens that wish to review video for their own court appearance shall make their requests via the appropriate open records request procedures or through legal discovery via the City Attorney or Prosecutor for the City of Clinton.

##### 2. Officer Review

Officers are given access to their respective videos uploaded from the body-worn cameras. Officer shall review their recordings and assign to the appropriate categories as needed. Officers may review video prior to the

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preparation of written reports (except in the case of Use of Force discussed below) or preparation for court appearances.

Officers needing recordings made available for court shall make their requests to the Administrative Captain or his designee. Media will be provided in a format that can be used in court. All media provided for court on any portable format shall be returned to the Captain immediately following the court session. Video may also be made available across network connections to a computer in the courtroom for the prosecutor and officers to review and present as evidence.

### 3. Use of Force Incidents

Officers use force based on their individual perceptions of circumstances presented to them in any specific moment in time and place. Although video will record actual events, those recordings will not necessarily reflect what the officer perceives during an incident when police force is used. In any situation where force is used and recorded by the BWC, the officer shall notify their immediate supervisor as soon as reasonably possible. The supervisor will review the uploaded video.

In the event serious bodily injury or death occurs as a result of an officer's use of force, the BWC will be impounded by the Supervisor and turned over to the Administrative Captain and/or the Chief of Police. Video will be reviewed during the administrative review of the incident.

### 4. Criminal Investigation Detective (CID) Use

Detectives are given the ability to create "cases" in the BWC video management software. Cases allow for multiple videos to be collected in one place and assembled for presentation to prosecuting attorneys and juries within the judicial proceedings.

### 5. Supervisor Responsibilities

Supervisors shall ensure that officers equipped with BWCs utilize them in accordance with policy and procedures defined in this directive. Supervisors will ensure that recordings are being reviewed by officers and assigned to appropriate categories as needed.

Supervisors will randomly review BWC videos to ensure that the equipment is operating properly and that officers are using the devices appropriately. Supervisors will identify any areas in which additional training or guidance is required.

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## **H. Smart Redaction**

A. Body Worn Camera system utilizes Smart Redaction technology. Smart Redaction is the automated process of removing specific faces or objects from video. The purpose is to address the need to protect the privacy of innocent or uninvolved people that may be inadvertently recorded in **BODYWORN** or in-car video. Smart Redaction will be coordinated with the Administrative Captain, Chief of Police, or City Attorney.

## **I. Release of BWC Recordings**

Miss. Code Ann. Section 25-61-12 governs the release of investigative information in the possession of a law enforcement agency. The release of recordings through public records requests will be conducted in accordance with the policies for such requests established by the City of Clinton. Ω

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