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|  | <p align="center">COLLEGE PARK POLICE DEPARTMENT COLLEGE PARK, GEORGIA</p> <p align="center">STANDARD OPERATING PROCEDURE</p> | Issue Date | SOP # |
| | | 10/31/2016 | 16.11 |
| | | Revision Date | |
| | | 10/12/2020 | |
| | | Approving Authority: | |
| | | <i>Ferman Williford, Chief of Police</i> | |
| Subject | | Replaces Revision | |
| Body-Worn Recording Equipment | | 10/31/2016 | |
| | | Index/Tag | |
| | | Body Worn Camera, Body Camera, Discipline | |

I. PURPOSE

The purpose of this policy is to set standards related to the use, management, storage and retrieval of digital multimedia video files stored on or generated from the use of department issued or approved body-worn cameras. The implementation of the body worn camera system is designed to strengthen police accountability, resolve officer-involved incidents/complaints, improve agency transparency, improve evidence documentation, identify officer’s strengths and weaknesses, and identify departmental strengths and weaknesses.

II. POLICY

It is the policy of the College Park Police Department that Body-Worn Cameras (BWC) shall be used in accordance with this chapter to promote accountability and transparency in our dealings with the public. Furthermore, recordings shall be provided to interested parties in accordance with the Georgia Open Records Act.

Policy Violations such as intentional destruction or alteration of any evidentiary recording produced from a BWC by any employee shall be treated as a violation of O.C.G.A. 16-10-94 (Tampering with Evidence), O.C.G.A. 16-10-94 (Interference with Government Property), and the College Park Police Department “Truthfulness” Policy and shall be subject to disciplinary action and/or criminal prosecution.

III. DEFINITIONS

- A. **Body-Worn Camera Recording Equipment (BWC)** - a system that captures and records audio and video signals while being worn by an officer, and at a minimum will include a camera, microphone, and recorder.

- B. **Media Retention Software** – A solution that securely stores, manages, and exports any amount of digital data related to the BWC.

- C. **Official Capacity** – Any interaction with a member of the public that occurs while an officer is working on or off duty.

- D. **Administrative Rights** – Full access to Media Retention Software

- E. **Investigative Rights** – Full access to all user accounts established within Media Retention Software protocols.

- F. **Video Audit** – Immediate supervisors conducting random checks for policy compliance and effectiveness of system operations.

IV. PROCEDURES

A. TRAINING

Body-Worn Cameras (BWC) shall be carried only by personnel who have been properly trained in its use. Any use of the BWC will conform to the current methods and techniques as approved by the College Park Police Department. The Training Section of the Office of Professional Standards shall develop a comprehensive training program in collaboration with the manufacturer and the City Attorney. Employees will be trained by designated instructors in topics to include, but not limited to:

1. Reasonable Expectation of Privacy;

2. BWC Hardware/Equipment;
3. BWC Software; and
4. Operation of the BWC

B. BODY WORN CAMERA SYSTEM OPERATOR RESPONSIBILITIES

1. An employee assigned a Body-Worn recording system is responsible for the proper care and operation of the equipment according to the manufacturer's recommendations and departmental policy.
2. Prior to and throughout each tour of duty, employees will ensure their assigned Body Worn equipment is operating properly. Employees shall notify their supervisor of any malfunction or problems. Additionally, the employee will document the issue with their equipment on the **"Daily Recap Form"**.
3. BWC's will be worn any time the Officer is performing a law enforcement function, whether on-duty or employed in an Extra Job capacity.
4. Employees will manually activate their Body Worn Recording System to ensure the proper documentation of all enforcement action, use of force incidents, and all other critical incidents that warrant recording. Employees shall use their Body Worn Recording System to document but not limited to the following:
 - a. all encounters with members of the public when acting in an official capacity;
 - b. all vehicle and foot pursuits;
 - c. all missing person calls immediately after the call is received, this includes activation of the car camera system.
 - d. any emergency blue lights and siren vehicle response;
 - e. all traffic stops;
 - f. while responding to all crimes in progress where fleeing suspects or vehicles may be captured on video;
 - g. while taking statements from suspects, victims or witnesses;
 - h. when transporting non-departmental personnel in the rear compartment of a police vehicle;
 - i. all prisoner transports and processing;
 - j. during Demonstrations;
 1. As a general policy, departmental personnel should refrain from video recording or photographing peaceful demonstrations. The

Chief of Police or his designee will make the determination whether or not to video record or photograph the event.

2. During any demonstration, if an officer witnesses a crime occurring in and around the demonstration site and believes an arrest is likely, they should begin recording the incident and notify a supervisor immediately.
- k. during the processing of crime scenes;
- l. while conducting any type of search;
 1. When searching a prisoner and without sacrificing officer safety, it is advantageous to position the search so that it is captured on camera. This starts the chain of custody by allowing any contraband or weapon found to be documented on the BWC.
 2. Officers will record during the execution of a search or arrest warrant, a Fourth Amendment waiver search, knock and talk, or a consent search in which the officers is looking for a suspect, evidence, or contraband.
 3. During searches of commercial buildings or residential dwellings when there is a strong indication of encountering a suspect. While keeping officer safety as the primary concern, officers should activate their body camera prior to making entry into the building. The recording of a suspect confrontation normally outweighs tactics potentially shown in the recording.
 - m. when requested by a citizen to record; or
 - n. situations where a police officer by reason of training and experience determines that the incident should be documented on video.
5. Deactivating a BWC should only occur after an investigation or enforcement action is complete and the employee or violator has left the scene. Employees must be able to justify all manual deactivations.
 6. Employees must ensure that all sound producing devices that are not police related are turned off (i.e. CD Players, Mobile Cellular Devices, Car or Portable Radios, etc.). While the Body Worn Recording System is activated, employees will not engage in any non-police related activity that hinders the good quality of the recording device.
 7. Whenever, an employee has both an In-Car Recording System and a Body-Worn Recording System, both devices will be activated concurrently.
 8. Employees investigating incidents that result in the Criminal Investigations Division (CID) or the Special Operations Section (SOS) conducting on-scene follow-up investigations will keep their camera activated until they are specifically directed by a CID and/or SOS supervisor to stop recording. The BWC will NOT be utilized during an incident that would divulge investigative or tactical measures, or jeopardize officer safety.

9. Anytime an employee activates his or her BWC during an event where an incident report is generated, that employee will document in the narrative the name and serial number of the device used, along with the starting and ending times of the recording. In the event an employee does not activate the BWC, then he or she will document their justification for not recording the incident.
10. When a citation is issued during a traffic stop employees will indicate on the bottom right corner of the citation the start and end time of the recording. If the BWC is not activated during a traffic stop the employee is required to write a justification on their “**Daily Recap Form**”.
11. When a recording captures events that substantiate some or all of the elements of a criminal offense, the identification of a suspect, and/or any other significant aspect of an arrest that would assist with the prosecution of the case, employees shall document within the Incident Report’s narrative the significant aspects captured on video.
12. All recordings maintained in the Media Retention Software and on the College Park Police network will be retained in compliance with the City of College Park retention policies and in accordance with the State of Georgia statutory regulations.
13. When preparing for court, case officers will make proper notification to the prosecuting authority about the existence of any recordings pertinent to the case. The case officer will further document the value of the recorded evidence, have the custodian of records burn a DVD, and forward the item to the prosecuting authority.
14. When it is necessary to tag a particular piece of video footage regarding a case, employees or supervisor will ensure that the start and end time of the recording are annotated.
15. All personnel assigned a Body Worn Camera System will ensure that all files are securely downloaded and retained at the end of their tour of duty.

C. SUPERVISOR RESPONSIBILITIES

1. Supervisors shall ensure that damaged or malfunctioning body worn cameras are reported through the chain of command immediately. Supervisors will review the “Daily Recap Forms” in the event an officer documents issues relating to his or her Body Worn Recording System.
2. Supervisors shall ensure that all BWC users operate and maintain assigned device in accordance with established policy, procedures, and manufacturer requirements.
3. Weekly inspections of the equipment shall be conducted by Supervisors and the condition of each device shall be documented.
4. Supervisors shall ensure that officers properly document the use of the Body -Worn recordings in **written reports and citations**.
5. Supervisors shall ensure that all video recordings are maintained as evidence in compliance with departmental policy and Georgia State Statue.
6. The Office of Professional Standards will access employee video through their administrative rights of significant events in which recordings add clarity or

confirmation. Events such as vehicle pursuits, use of force incidents, fleet vehicle accidents, or complaints concerning employee actions should be reviewed and appropriately requested.

7. First Line Supervisors will be responsible for the audit of video and audio recordings for personnel serving under their command. Supervisory audits will be conducted to ensure compliance and proper use of the Body-Worn Recording System. Shift Commanders will be responsible for two random audits each calendar month.
8. Shift Commanders will notify the Office of Professional Standards anytime there is a violation of this policy.

D. COMMAND RESPONSIBILITIES

1. The Chief of Police shall designate one or more department members to oversee and administer the storage and management of all digital multimedia video files generated by the use of issued or authorized body-worn cameras.
2. The Chief of Police will assign personnel to manage the collection and storage of all data collected by BWC. Assigned personnel will ensure that data is purged regularly in accordance with city policy and Georgia State Statutes.
3. The Chief of Police will ensure that all BWC recordings subject to preservation request or court order are properly catalogued and preserved.
4. The Chief of Police will approve the method of “Evidence Transfer Management” (ETM) from the BWC to a secured storage server, cloud, website or other secured digital media storage.

E. BWC RESTRICTIONS

BWC’s shall be used only in conjunction with official law enforcement duties.

1. The BWC’s shall generally not be used to record:
 - a. encounters with undercover officers or confidential informants;
 - b. when on break or otherwise engaged in personal activities;
 - c. when engaged in communication with other police personnel while not handling an official task. Only personnel authorized by the Chief of Police to conduct internal investigations shall use body worn cameras to facilitate those investigations. This restriction does not include **violations of the law**.
 - d. in any location where individuals have a reasonable expectation of privacy.
2. BWC equipment is for official use only and shall not be utilized for personal use.

3. Officers shall not tamper with or dismantle any hardware or software component of any BWC device.
4. The use of any other personal recording device for the same purpose is not authorized without permission from the Chief of Police or designee.
5. Personal computer equipment and software programs shall not be utilized when making copies of digital recordings. Using a secondary recording device such as video camera, cell phone or other type devices to record or capture digital recordings from CPPD equipment or software programs is strictly prohibited.
6. Private Citizens do not have a reasonable expectation of privacy when talking with police officers during the scope of an officer's official duties, even when the contact is in a private residence. When officers are lawfully present in a home (warrant, consent, or exigent circumstances) in the course of official duties, there is no reasonable expectation of privacy. Therefore, officers are not required to give notice they are recording. However, if asked, officers shall advise citizens they are being recorded.
7. Officers are not required to initiate or cease recording an event, situation, or circumstance solely at the demand of a citizen.
8. If a police officer comes across a scenario that might hinder or jeopardize an investigation by an activated BCW then he or she will contact their immediate supervisor and get permission to deactivate the device. (i.e., sexual assault or child molestation)
9. Officer will not record patients during medical or psychological evaluations by a clinician or similar professional, or during treatment. Officers shall be aware of patient's rights to privacy when in a hospital setting. When recording in hospitals and other medical facilities, officers should be careful to avoid recording persons other than the suspect.
10. Officers will not record while in a facility whose primary purpose is to provide psychiatric or medical services unless responding to a radio call involving a suspect or taking a suspect statement.

However, in any setting, if confronting a violent or combative suspect, or in an anticipated use of force instance, officers shall, when reasonably able to do so, activate their BWC's to record the encounter.

F. MANAGEMENT AND ACCESS OF CAMERA RECORDINGS

All video recordings produced in the College Park Police Department may be duplicated for court, investigation, and training purposes. Other utilization of recordings may be allowed as authorized by the Chief of Police or their designee. **Unauthorized playing, copying, or distribution of any College Park Police recording is strictly prohibited.**

1. Internal requests for recordings outside of those individuals with administrative rights will be requested through the chain of command via a "Request for Body Worn Camera Recording" form. (Attachment A)

2. Requests for copies of Body-Worn recordings from persons not employed by the College Park Police Department shall be made on a Request for Copy of Body Worn Digital Recording. (Attachment A)
3. Any portion of an audio/video file that documents an event surrounding a violation of the laws prosecutable in the criminal courts of this state or the United States, is considered a record of a criminal investigation and is not subject to the Open Records Act as described in Georgia Code 50-18-72.
4. Any portion of an audio/video file that documents an employee's disciplinary action is part of that employee's personnel file and is open to inspection only as provided by statute.
5. **Officers may view their own digital evidence prior to the completion of their police reports to prime his or her memory to recall more facts of an incident.**

The current approved and issued BWC is made by Reveal Media. These BWC's have a field vision of 120 degrees horizontally and 60 degrees vertically, while human beings have a field vision of 180 degrees. However, the human brain has a field attention of 50 to 60 degrees and in stressful situations that field can narrow down to a ½ degree. Stress also induces auditory exclusion and prevents the brain from analyzing and remembering all the stimuli that it takes in through the senses.

Officers make decisions based on the totality of human sense and their individual recollection may be different than what's captured on video. Officers should write their reports based on their individual recollection and notate any discrepancies from what the recording shows.

Officers shall review video evidence prior to providing testimony at hearings, trials or depositions.

COLLEGE PARK POLICE DEPARTMENT
Request for Copy of Body-Worn Digital Recording

Person Requesting Recording _____

Full Name (Print)

Address _____

City

State

Zip

Telephone(s) (____) _____ - _____ (____) _____ - _____

Incident # _____ Offense/Incident _____

Please indicate in the space below the reason for your request, the nature of your involvement with this case, and the specific information requested:

Signature of Requestor

Date

CPPD Use Only Below:

| | |
|---|---|
| <input type="checkbox"/> Request Approved | <input type="checkbox"/> Request Denied (<i>Requestor Must be Notified</i>) |
| _____ <i>Name of City Attorney Consulted</i> | _____ <i>Date & Time Conferred</i> |

City Attorney Signature

Date & Time

Employee In Charge of Released Information:

_____ **Date Received:** _____ **Date Copy Made:** _____

Employee Name

Date Requestor Notified: _____ **Notified By:** _____

| | | | |
|-------------------|-------------------------|-----------------------|------------------------|
| Video Date: _____ | Video Start Time: _____ | Video End Time: _____ | Video User Code: _____ |
|-------------------|-------------------------|-----------------------|------------------------|

Released To: _____ **Signature:** _____

Released By: _____ **Date & Time:** _____

Amount Collected: _____ **CPPD Witness:** _____