

	Woodlynne Borough Police Department Policy and Procedure		Eff. Date: 06/20/16
			Number:
	Title: Body Worn Cameras		
Issuing Authority: Director Edwin J. Figueroa			Eval. Date:
Revision Date	Page Numbers 6	Sections	Approve



I. Purpose:

This policy is intended to provide Woodlynne Officers with instructions on when and how to use Body Worn Cameras (BWCs), to accurately record law enforcement actions and to capture evidence for investigations and court proceedings. Additionally, the BWCs may result in reducing the number of complaints against officers and frivolous lawsuits against Officers. This procedure also sets forth guidelines for the management, storage, release and retrieval of audio-visual media recorded by BWCs.

II. Policy:

It is the policy of the Woodlynne Borough Police Department to issue BWCs to enhance criminal investigations, evidence collection and document citizen contacts. All Personnel shall use this equipment consistent with manufacturer's guidelines, this policy, and the directives and guidelines issued by the Camden County Prosecutor.

III. Procedure

A. All recording media, recorded images, and audio recordings are property of the agency. Unauthorized use, duplication, and/or distribution of BWCs files are prohibited.

B. Personnel shall not remove, dismantle or tamper with any hardware/software component or part of the personal recording device.

C. Internal Affairs Unit is designated as the System Administrator and Custodian of records for all files.

D. No officer is to go on shift without his/her BWC. In the event his/her BWC is not operational he/she will utilize a spare BWC, or the BWC of another officer.

E. Officers shall activate the BWC during any contacts with citizens to document interaction and potential criminal actions.

F. Once activated, the recording shall not be intentionally terminated until the conclusion of the encounter.

G. The BWC shall not be used in the following circumstances:

1. During courtroom proceedings unless an incident occurs in court that it would be beneficial to record.

2. To record any personal conversation of/or between another member/employee without their knowledge unless authorized by the Director of Public Safety or as part of an Internal Affairs Investigation.

3. Inside the police building unless the officer is dealing with a member of the public.

4. For covert recordings of events or individuals except in the performance of official duties.

5. For anything other than official police business.

6. In restrooms and locker rooms.

H. Officers are not required to advise or obtain consent from a private person when:

1. In a public place: or

2. In a location where there is an expectation of privacy (e.g., inside a building or dwelling) but the officer is lawfully present.

I. All officers and supervisors shall be trained on the use of the BWCs and shall become familiar with this procedure prior to deployment of the BWCs.

IV. Responsibilities

A. System Administrator is designated by the Director of Public Safety and has oversight responsibilities to include, but not limited to, the following:

1. Operation and user administration of the system;
2. System evaluation
3. Training
4. Policy and procedure review and evaluation
5. Security and maintenance of files with file downloads being retained as per the NJ Records Retention and Disposition Schedule as follows:
 - a. Routine Events – 31 days
 - b. Criminal Incident – when used as evidence – 5 years after case closure.
 - c. Criminal – Homicide – 7 years after closure with file extracted and 2 copies made and stored in records.
6. File review and release as per court rules regarding discovery and Open Public Records Act.

B. Officers utilizing the BWCs shall be responsible for the following:

1. Ensuring the battery is fully operational properly;
2. Operation and maintenance of the device in accordance with departmental policy and manufacturers instructions;
3. At shift beginning, determine whether device is operating properly, has sufficient memory and battery power to complete their tour of duty;
4. Report equipment malfunctions to their supervisor and the system administrator immediately;
5. Make recommendations to system administrator regarding effectiveness, operational improvements and revisions to policy and procedure;

6. Ensure that the BWC is properly worn and positioned to record events;
7. Activate the BWC during citizen contacts and calls for service to document interaction;
 - a. Once activated the BWC shall remain on and not be turned off until the initial incident that caused the activation has concluded.
 - b. Officers may utilize the mute button only when having a confidential conversation with another officer or when citizens report criminal activity. Anytime a citizen wishes to report confidential information concerning criminal activity and wish to remain anonymous, the officer may, only upon request of the citizen, mute the audio. Anytime the officer mutes the audio he/she will state the reason on camera as to the reason he/she is muting the audio. As soon as the confidential conversation has concluded the officer will reactivate the audio.
8. Use the BWC to document scenes and evidence observed;
9. Document the use of the BWC in the narrative of required reports to include whether files are being requested and retained for evidence;
10. Uploading of stored files onto the designated computer to the server immediately at the conclusion of the officer's shift. The BWC contains sufficient memory to store approximately 16 hours of video/audio footage;
11. Ensuring device is left charging, downloaded and ready for use at the end of the shift;
12. Officers will make two copies of any BWC file from any arrest, DUI., or criminal investigation and attach the same to their report prior to submitting their report for review. Supervisors shall not review any report that does not have a copy of the video file attached to the report. The file shall be burned to a disc and logged onto a property report by the officer.

V. Classification, Retention and review of BWC recordings

A. When an officer has uploaded the BWC device files to the server the officer will be required to classify the recording. These classifications will serve to assist in locating the recording and each classification will have a retention time set to it. Classifications and retention are as follows:

1. Traffic – stops involving a citizen, vehicle, bicycle, pedestrian, etc. Retention is 31 days.

2. Incident – Any incident to include calls for service. First aid calls motorist assists, traffic control, general citizen contacts, contacts with citizens in which there was a violation of the law but the officer has chosen to issue a verbal warning. Retention is 31 days.

3. DUI - Any arrest for a violation of 39:4-50. Recording of the incident shall continue until the subject has been released from police custody. A copy of the file shall be made and submitted with the report.

4. MV Crash – Officers shall activate the unit at all MV Crashes to document interaction with all parties and to document the scene. Recording may cease if all involved parties have left the scene and the officer is simply waiting for a tow truck or in situations in which an investigation is ongoing and the scene which is being worked is secured, controlled and static. Retention is 31 days.

5. Criminal – Any incident that has resulted in an arrest and criminal charges filed against the suspect(s). Copy of the recording shall be made and submitted into evidence.

6. Domestic – Any incident that falls under the Prevention of Domestic Violence. If the incident resulted in an arrest it shall be classified as Criminal all other shall be classified as a Domestic. Retention shall be 31 days.

B. Once uploaded to the server, sworn personnel may view their own audio/video data (e.g., to verify circumstances, retrieve data or review an incident for statement accuracy) by logging onto the server.

C. Supervisors may view uploaded files pertaining to officers that directly report to them. The system administrator will grant privileges to an immediate supervisor to view files for officers that fall under their direct supervision.

D. The system administrator may grant specific privileges to supervisors conducting internal affairs investigations or personnel complaints to allow access to a specific file.

E. Recordings of specific incidents that may be of a training value for the department may be saved and used for that purpose with the approval of the Director of Public Safety.

VI. File Requests

A. Personnel shall not tamper with, erase, or in any other manner alter recorded media. Any such tampering is a violation of NJSA 2C:28-7 and is a 4th degree crime.

B. Recordings will not be released to any other agency or individual without written permission from the Director of Public Safety.

C. Non-departmental requests to include discovery as per the court rules and any requests under the Open Public records Act shall be forwarded to the system administrator.

D. All requests by the media or general public to view/hear audio from a recorded media in a criminal matter must be referred to the Camden County Prosecutors Office.

VII. Repair Procedures

A. Personnel shall immediately report any problems with the personal recording devices to their immediate supervisor, who shall contact the system administrator and label the device to ensure it is taken out of service.

This Policy shall remain in full force and effect until superseded or revoked by proper authority.