



LOUDON POLICE DEPARTMENT LOUDON, TN



Chapter 11

Subject: Body Worn Camera	Effective Date: 03/25/2016	Revised Date: 04/03/2020
Title: Body Worn Camera	Pages: 6	Distribution: All Officers
Cross Reference:	Chief of Police Approval:	

This directive shall consist of the following sections:

- I. Background, Scope and Purpose
- II. Overview
- III. Definitions
- IV. Legal Issues
- V. Procedures
- VI. Operation of Body Worn Cameras
- VII. Handling of Digital Multimedia Evidence
- VIII. Retention and Destruction of Digital Multimedia Evidence

- I. Background, Scope and Purpose
 - a. Body worn cameras are an effective law enforcement tool that can reduce violent confrontations in complaints against officers. Body worn cameras provide additional documentation of police-public encounters and may be an important tool for collecting evidence in maintaining public trust.
 - b. This policy is intended to provide officers with instructions on when and how to use body worn cameras.
 - c. The Department has adopted the use of body worn cameras to accomplish several objectives including:
 - i. Body worn cameras allow for accurate documentation of police-public contacts, arrests and critical incidents. They also serve to enhance the accuracy of officer reports and testimony.
 - ii. Audio and video recordings enhance the department's ability to review probable calls for arrest, officer in suspect interaction, in evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
 - iii. Body worn cameras may also be useful in documenting crime and accident scenes or other events that include the confiscation in documentation of evidence or contraband.
 - d. The Department recognizes that video images cannot always show the full story nor do video images capture the entire scene. The use of body worn cameras does not reduce the requirement to provide thorough written documentation of an incident. Persons reviewing recordings must also be cautious before conclusions are reached about what the recordings show.
- II. Overview
 - a. The body worn camera should be utilized to:
 - i. Collect evidence that can be used in the prosecution of criminal offences;
 - ii. Record Contacts with the public in order to secure unbiased evidence in connection with investigations;
 - iii. Allow for supervisory review to ensure that the Department policies and procedures are followed; And
 - iv. Capture footage that would be helpful for training

III. Definitions

- a. Body worn cameras are camera systems designed to be worn by police officers to capture digital multimedia evidence.
- b. Digital multimedia evidence or DME consists of all digital recordings, to include but not limited to audio, video, photographs, and their associated metadata. Metadata includes any digital identifiers that are captured as part of the actual recording, such as the time/date, GPS coordinates comment labeling, etc.

IV. Legal issues

- a. Body worn camera equipment and all data comet images come at video and metadata captured comment recorded, or otherwise produced by the equipment is the property of the Department. The personal use of all information recording by body worn cameras shall only be pursuant to the prior written approval of the chief.
- b. Use of body worn cameras for any purpose other than in accordance with this policy is prohibited.
- c. All data, images, video and metadata captured by body worn cameras are subject to state statutes and city policies regarding retention of records.

V. Procedures

- a. Prior to using a body worn camera, officers shall receive Department approved training on its proper operation and care in the department's policy with respect to the use of body worn camera. Additional training shall be provided at periodic intervals to ensure the continued effective use of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policies or equipment.
- b. Body worn cameras in equipment should be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officers supervisor as soon as possible so that a replacement unit may be assigned. Officers shall inspect and test body worn cameras prior to each shift to verify proper functioning and shall notify their supervisor of any problems.
- c. In the event that a body worn camera is lost, upon discovery the officer shot immediately notified his or her supervisor.
- d. Officer shall wear body worn cameras above the midline of their torso in in position designed to produce an effective recording.

- e. Officers shall not use personally own body worn cameras while on duty.
 - f. Officers assigned a body worn camera may use that camera at approved off-duty employment, but only in connection with their Department duties. If used for this purpose, the officer shall download all DME during their next regularly assigned on duty shift.
- VI. Operation of body worn cameras
- a. Except as otherwise provided in this policy, officers shall activate body worn cameras to record all Contacts with citizens in the performance of official duties.
 - b. Unless the interaction with the citizen is in an undercover assignment, whenever possible officers should inform individuals that they are being recorded. Officers have no obligation to stop recording in response to a citizen's request if the recording is pursuant to an investigation, arrest, lawful search, or the circumstances clearly dictate the continued recording is necessary. However, officer should but may evaluate the situation and when appropriate, honor the citizen's request. The request to turn the camera off should be recorded, as well as the officers response.
 - c. Deactivation of the body worn camera shall occur when:
 - i. The event has concluded;
 - ii. Victim and or witness contact has concluded;
 - iii. All persons stopped have been released;
 - iv. Once an arrestee has been placed into a vehicle to be transported to detention facility. However, the officer transporting their rusty to the detention facility shall keep the officers body worn camera activated until custody of the individual is transferred to the detention facility.
 - d. If an officer fails to activate a body worn camera or fails to record the entire contact, the officer shall document the reasons for doing so.
 - e. Non-Department personnel shall not be allowed to review the recordings unless pursuant to written consent of the chief.
 - f. Officer shall not be required to activate body worn cameras when engaged in conversations with individuals with whom the officer is in a privileged relationship (e.g., spouse, attorney, police peer counselor, labor representative, administer, etc.).

- g. Officers shall not edit, alter, delete, duplicate, copy, share, or otherwise distribute in any manner body worn camera images in information without the prior written approval of the chief or the Chiefs designate.
 - h. Officers shall be allowed to review the recordings from their officer worn body cameras at any time. To help ensure accuracy and consistency, officers are encouraged to review recording prior to preparing reports. If the officer is giving a formal statement about the use of force or if the officer is the subject of a disciplinary investigation, the officer shall:
 - i. Have the option of reviewing the recordings in the presence of the officer's attorney or labor representative; And
 - ii. Have the right to review recordings from other body worn cameras capturing the officer's image or voice during the underlying incident
 - i. Body worn cameras shall not be used to record:
 - i. Communications with other police personnel
 - ii. Encounters with undercover officers or informants
 - iii. When an officer is on break or is otherwise engaged in personal activities
 - iv. In any location where individuals have a reasonable expectation of privacy, such as a restroom, locker room, or break room
 - v. When an officer would be recording a patient during medical or a psychological evaluation by a clinician or similar professional, or during treatment. When recording in hospitals or other medical facilities, officers shall be careful to avoid recording persons other than the suspect.
 - vi. Communications made in a psychiatric facility, unless responding to a call involving a suspect who is thought to be present in the facility.
- VII. Handling of digital multimedia evidence
- a. All files from body worn camera shall be securely downloaded no later than the end of the officer shift. Each file shall contain information related to the date, body worn camera identifier, and assigned officer.

- b. All files from body worn camera shall be securely stored in accordance with state records retention laws and for no longer than useful for purposes of training, or for use in investigation or prosecution (including appeals), or for use in resolving a claim, pending litigation, or disciplinary investigation. In capital punishment prosecutions, file shall be kept until the alleged offender is no longer under control of a criminal justice agency.
 - c. It is not the intent of the Department to review DME for the purpose of general performance review, for routine preparation of performance reports or evaluation, or to discover policy violations. Supervisors or internal affairs personnel may access DME for administrative investigations. Other than periodic supervisory reviews to ensure that equipment is functioning properly, the scope of the review of the DME should be limited to the specific complaint against the officer. Inadvertent discovery of other allegations during this review shall require the supervisor to articulate the purpose of expanding the scope.
 - d. Request for deletion of portions of a recording from a body worn camera (e.g., in the event of a privileged or personal recording) must be submitted in writing to the chief in accordance with state records retention laws.
 - e. Recordings from body worn cameras may be shown for training purposes upon completion of a criminal case. All such use shall be pursuant to written authority of the chief. Officers shall be provided with at least 30 days notice if recordings intended for use for training purposes were either made by them or captured their image or voice.
- VIII. Retention and destruction of digital multimedia evidence
- a. The retention and destruction of DME shall be pursuant to state public records retention laws.
 - b. All stored DME is subject to release in accordance with the state public records retention laws. Officers shall be provided with at least one week's notice of any public request made to review DME from their body worn cameras.