

TEXARKANA, TEXAS POLICE DEPARTMENT
GENERAL ORDERS MANUAL

<i>Effective Date</i> December 1, 2015		<i>Amended Date</i>		<i>Directive</i> 7.36.2	
<i>Subject</i> Body Worn Cameras					
<i>Reference</i>					
<i>Distribution</i> All Personnel City Manager City Attorney		<i>TPCA Best Practices Recognition Program Reference</i>		<i>Review Date</i> January 1, 2017	
				<i>Pages</i> 4	

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

The purpose of this policy is to provide members of the Department with guidance on when and how to use body-worn cameras (BWC's) so that officers may reliably record their contacts with the public in accordance with the law.

SECTION 2 POLICY

Officers shall use the BWC to create video/audio files which serve to facilitate court prosecutions, refute baseless complaints against officers and the Department, demonstrate compliance with state law regarding racial profiling, and may serve as training aids for procedural, legal and safety-related issues.

Officers shall activate the BWC when such use is appropriate to the proper performance of their official duties, where the recordings are consistent with this General Order and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

SECTION 3 PROCEDURES

A. ADMINISTRATION

This agency has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:

1. BWC's allow for accurate documentation of police-public related contacts, arrests and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
2. Audio and video recordings also enhance the 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.
3. The BWC may also be useful in documenting crime and accident scenes of other events that include the confiscation and documentation of evidence or contraband.

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B. WHEN AND HOW TO USE THE BWC

1. Officers shall activate the BWC to record all dispatched calls, enforcement related citizen contacts, or any citizen contact where the citizen is antagonistic toward the officer. Public relations contacts and casual conversations need not be recorded.
2. Whenever possible, officers should inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as a residence, they may decline to be recorded unless the recording is being made pursuant to an arrest or search of the residence or the individuals. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this General Order (see items D. 1-4).
3. 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.
4. Civilians shall not be allowed to review the recordings at the scene.

C. PROCEDURES FOR BWC USAGE

1. BWC equipment is issued primarily to uniformed personnel as authorized by this agency. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.
2. Police personnel shall use only the BWC's issued by the 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 department.
3. Police personnel who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operations. 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 the General Order or equipment.
4. 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. Any problems will be noted on the Daily Vehicle Inspection Report.
5. 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.
6. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval from the Chief of Police or their designee.
7. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.

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8. 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.
9. Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of Police or their designee in accordance with state record retention laws. All requests and final decisions shall be kept on file.
10. 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 BWC

BWC's shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:

1. Communications with other police personnel without the permission of the Chief of Police;
2. Encounters with undercover officers or confidential informants;
3. When on break or otherwise engaged in personal activities; or
4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

E. STORAGE

1. All files shall be securely downloaded periodically and no later than the end of each shift. 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 this department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
3. All access to BWC data (images, sounds, metadata) must be specifically authorized by the Chief of Police or their designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
4. Files should be securely stored in accordance with state records retention laws and no longer than useful for purposes of training, or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under control of a criminal justice agency.
5. Electronic copies of video files may be created on a portable data storage device (such as a DVD) by officers only for evidentiary purposes. It should be placed into Property as evidence, and a copy of the Chain of Custody Report should be attached to the Property Record.

F. SYSTEM ADMINISTRATION

1. The Chief of Police shall designate a System Administrator, who will:

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- a. Ensure all video files initially maintained on the server are properly archived and server space is available for new video recording files.
- b. Liaison with the hardware/software provider.
- c. Administer user accounts, to include permissions and access.
- d. Troubleshoot hardware and software problems, and
- e. Ensure proper filing and storage of all archived DVDs in the Property Section.

G. 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.