
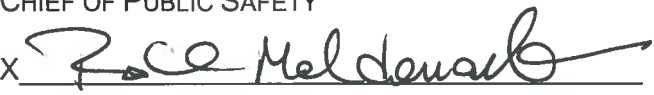


STANDARD OPERATING PROCEDURE			
	<b>SUBJECT:</b> <b>BODY-WORN CAMERAS (BWC)</b>  <b>SOP 2015-02</b>	<b>DIVISION:</b>  ALL	<b>DISTRIBUTION:</b>  ALL PERSONNEL
	<b>ISSUING AUTHORITY:</b>  ROBERT MALDONADO CHIEF OF PUBLIC SAFETY  X 	<b>EFFECTIVE DATE:</b> AUGUST 26, 2015  <b>REVISED DATE:</b> FEBRUARY 27, 2017	<b>SUPERSEDES:</b>  N/A  Revised: BWC Grant Revisions & Pre-Record Function Disabled

### **BODY-WORN CAMERA'S (BWC)**

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#### **IACLEA STANDARDS:**

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9.1.7 a	2, 3, 7, 9	9.1.7 c	11
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#### **CALEA STANDARDS**

Standard	Page	Standard	Page
41.3.8 a	2, 3, 7, 9		
41.3.8 b,	11	41.1.7 c	

## REFERENCES:

- Implementing a Body-Worn Camera Program: U.S. Department of Justice
- Body-Worn Camera Model Policy: NYS Municipal Police Training Council DCJS
- Onondaga County District Attorney's Body Worn Camera Policy Guidelines
- SOP 2009-23 Video Monitoring/Recording: CCTV / In-Car Video
- SOP 2013-09 Collection & Preservation of Evidence
- SOP 2001-07 Central Records
- SOP 2011-02 Use of Force
- BWC & Charging Port Assignments-Viewu (Forms Folder on G Drive)

## ATTACHMENTS: None

**I. APPLICABILITY:** This Standard Operating Procedure is applicable to all Syracuse University Department of Public Safety (DPS) employees.

**II. PURPOSE:** The purpose of this policy is intended to provide members with instructions on when and how to use body-worn cameras (BWCs) so that members may reliably record their contacts with the public in accordance with the law.

It is the intent of this policy to provide recordings of DPS interactions with the public to provide an independent and accurate record of law enforcement interactions. It is expected that the recording will be of evidentiary value available for both personnel and criminal matters. This SOP also sets forth protocols for use, management, access, storage and retention of the BWC recordings. This policy does not cover surreptitious recording devices used in undercover operations. **(09/02/16)**

**III. POLICY:** It is the policy of the DPS that all members assigned a body-worn camera (BWC) will activate the BWC for their law enforcement related duties as set forth in the SOP during the performance of his or her official duties and advise persons being recorded of that fact as early as possible in the interaction in order to provide complete, accurate and unbiased recorded accounts of public interactions with DPS members. **(9.1.7 a) (41.3.8 a) (11/20/15) (09/02/16)**

## IV. DEFINITIONS:

- A. Body-Worn Camera (BWC): A device issued by DPS to department members and worn for hands-free audio and video recording of public interactions.
- B. Pre-Record Video Function: The pre-record function has been disabled on the VieVU LE-4 Wearable Video Camera. **(2/27/17)**
- C. Sensitive/Confidential Interactions: Interviewing a sexual assault victim, a young child or a person who is in a state of undress or being present in a locker room or bathroom facility where there is an expectation of privacy are examples.

This restriction does not include nudity or partial undress that is associated with an incident under investigation such as fighting, assaulting or menacing an officer or other person which may be recorded as evidence.

- D. Law Enforcement Related Activities
1. Calls for Service
  2. Traffic Stops

3. Arrests
4. Investigatory activities
5. Confrontational/adversarial citizen contacts
6. At Members Discretion, if they feel the situation could result in an issue where the recording would be beneficial and not otherwise prohibited by this SOP. **(09/02/16)**

## V. PROCEDURES: Body Worn Cameras

### A. General Guidelines and Protocols Regarding BWC Use:

1. DPS has adopted the use of the BWC to accomplish several objectives, including:
  - a. To provide accurate, transparent documentation of public safety public contacts, arrests, and critical incidents;
  - b. To improve how information is captured and enhance the accuracy of officer reports;
  - c. To enhance the DPS's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes;
  - d. To protect officers against false complaints;
  - e. To provide evidence of improper actions;
  - f. To identify matters to be addressed by future training.
2. The DPS Chief is the BWC Program "Agency Administrator": The Chief has the authority to control assignment, use and access to BWC's and their recordings. The Chief may also designate other persons within the DPS to perform supervisory, technical and maintenance duties associated with the BWC program as he may see fit. **(09/02/16)**
  - a. As the BWC Program Agency Administrator, the Chief will assign a yearly review of the BWC program, to include a policy review. **(12/13/16)**
  - b. BWC equipment is issued to sworn uniformed personnel, up to the rank of Chief, and non-sworn Community Service Officers as authorized by the DPS, to include Special Event Details. (12/13/16) (9.1.7 a) (41.3.8 a) Members who are assigned BWC equipment must use the equipment for all official interactions with the public as set forth in this SOP unless otherwise authorized by supervisory personnel. (02/27/17)
  - c. Immediately upon receipt of a dispatched call or when an on-view incident is observed, members will activate their BWC. (12/13/16)
  - d. All members who respond to a call for service in a back-up capacity (code 10), either by dispatch or self-determination, will activate their BWC upon receipt of the call or when the decision is made to assist the primary unit. (12/13/16)

- e. Members will deactivate the BWC recording when the enforcement related activity has concluded. (12/13/16)
- 3. Members will use only BWCs issued by the DPS: The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the University.
- 4. BWC Training: DPS members who are issued a BWC must complete the DPS approved In-Service and/or Roll Call Training. That may include training provided by outside agencies or vendors to ensure proper use and operations.
  - a. Additional In-Service or Roll Call Training may be given as required to ensure continued effective use, operation and performance of the equipment and also to promote compliance with this policy and to otherwise accommodate changes, updates, or other revisions in the policy or equipment. **(12/13/16)**
- 5. BWC Unit LED Status Lights: (LED nearest to antenna port) VieVU LE-4 Wearable Video Camera **(12/13/16)**

Status LED Color/Display (VieVU LE-4 Wearable Video Camera)

- Fast Blink Blue: Camera is turning "On".
- Solid Red: Camera is "On". Prerecord buffer is "Off".
- Slow Blink Red: Camera is "On". Prerecord buffer "On". Camera is recording to prerecord buffer
- Slow Blink Green: Recording Audio & Video
- Fast Blink Yellow: Low battery power or memory almost full
- Solid Yellow: Not recording. Out of power or memory full
- Slow Blink White: Camera software update in progress. Do NOT turn off unit or disconnect from power/base multi-dock
- Solid Blue: Connected to Multi Dock – Waiting a download. Do NOT remove
- Slow Blink Blue: Camera is downloading video in Multi-Dock

6. Charging Lights: (VieVU LE-4 Wearable Video Camera)

- Solid Red: Camera in Dock/Battery is charging
- Solid Green: Camera in Dock/Battery charged

7. Water resistant – Non submersible: VieVU LE-4 Wearable Video Camera

The VieVU LE-4 is designed to be operated and worn on an outer garment, outdoors and unprotected from the elements. It will operate in direct water spray conditions, but is NOT submersible. It is not waterproof. **(12/13/16)**

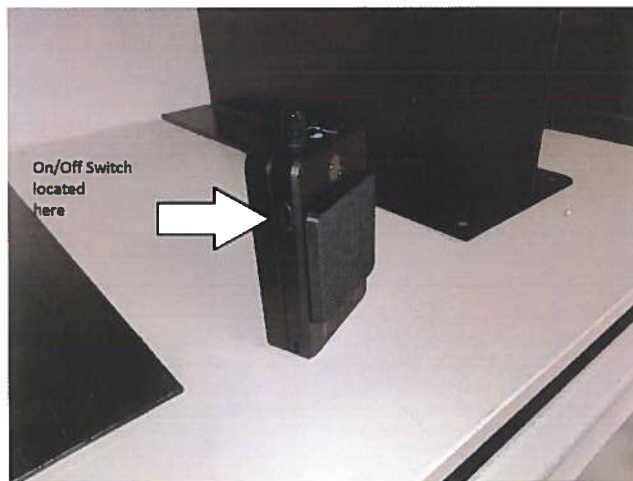
**B. Duties and Responsibilities of Members Using a BWC: (12/13/16)**

- 1. Take body camera (BWC) from charger making sure the light on top of unit is not red. If light is green, or no light is on, BWC can be used.

2. Assignment of a BWC to Members/Testing the Unit: Members will be assigned a personal BWC for their use. Members will make sure they take the BWC from the charger unit that is assigned to them by number.



3. Inspect and test their BWC at the start of each shift in order to verify proper functioning. Make sure BWC is on, if the red light on the top is blinking then the BWC is ready for use. If the red light is not blinking please place the on/off switch on the side of the BWC in the "On" position. After 2-3 seconds you will notice the red light begin to blink, indicating it is ready for use.

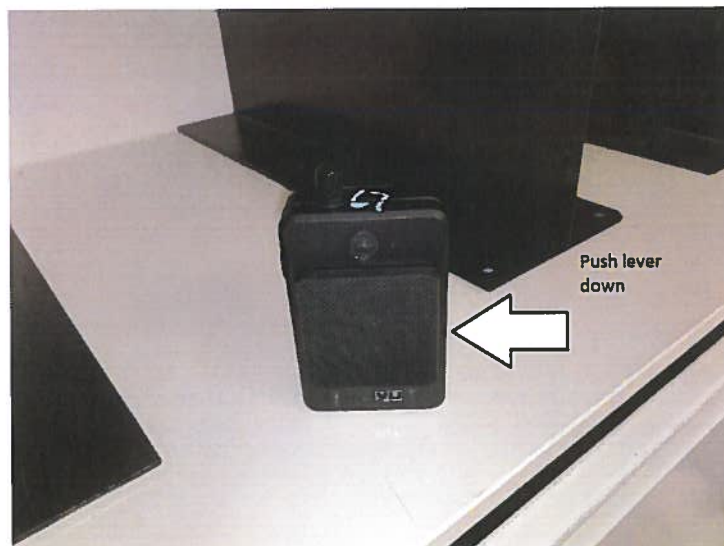


4. If your assigned BWC has not been utilized during a calendar month, it must be turned on and operated by producing a short test video. Once this is completed, the BWC may be operated normally.
5. Spare BWC's: If a member's personal BWC is not properly functioning they are to sign out one of the spare BWC units. Use the BWC log to indicate which spare camera number is being utilized and the member's name, date, time and shift.

- a. Return the Spare unit to the Multi-Dock to the proper numbered charging dock for downloading at the end of a tour of duty. Sign it back in on the BWC Log next to their sign-out.
  - b. A spare BWC should be used until they have their assigned unit returned. Members should make notes of the BWC # used to facilitate recovery of an event recording at a later time.
6. Service and Repair: Report BWC's requiring repair by Email to the Quartermaster and leave the BWC with a note listing the needed repair or service with the ECC. (12/13/16)
7. Placement of BWC on Uniform: Members will place the BWC on their outer most uniform garment at the chest/sternum height. Make sure the BWC is positioned on your chest mid-way with camera positioned as noted in this illustration. The unit will display a steady red light indicating that it is ready for use.



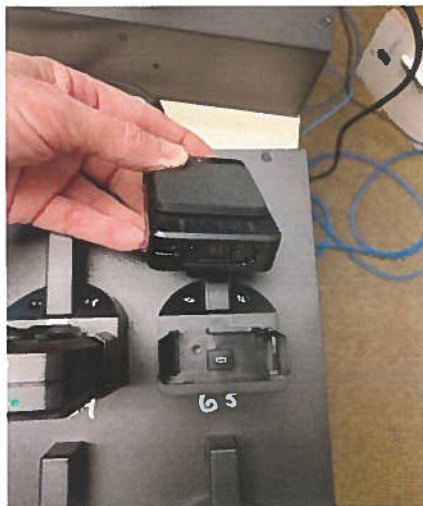
8. To activate BWC and begin recording push black lever down. The pilot light will become a slow blink green when recording.



9. Record Official Interactions: Activate the BWC to record all contacts with citizens in the performance of official duties except for those Sensitive and Confidential interactions as defined by this SOP. **(9.1.7 a) (41.3.8 a)**
- a. Members in patrol vehicles will activate the BWC:
    - i. When they are dispatched and responding to a call:
    - ii. When the decision is made to make a self-initiated traffic stop and the vehicle emergency lights are activated;
    - iii. When, in response to another service related matter, including being flagged down by a person for service. (12/13/16)
  - b. Activate the BWC before leaving the patrol vehicle (or if walking or on bike, before engaging the community member, witness or suspect) and terminate the recording ONLY after the interaction is fully dismissed. The BWC will remain activated until the event is completed.
  - c. Officer or Citizen Safety: It is understood that in a circumstance where there is an immediate threat to the member or a civilian that it may be impractical to activate the BWC before taking action. The department member will activate the BWC at the earliest safe opportunity and will document those actions in their reports. **(09/02/16)**
  - d. If BWC is turned off, Document in reports: If a member fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the member will document why a recording was not made, was interrupted, or was terminated.  
  
In cases where the BWC is turned off during a contact which would be otherwise recorded, the reason for deactivating the BWC may be stated and recorded by the member prior to turning the device off, as well as documented in their report of the matter. **(09/02/16)**
10. When responding to an Incident Inform Persons that They are Being Recorded: (11/20/15)
- a. Members should announce as early in the contact with a person that the incident is being recorded, unless making such an announcement would create a risk to the member.
    - i. Example of Possible Notice: *"I want you to know that this interaction is being recorded."*
  - b. Civilians will not be allowed to review the recordings at the scene.
11. BWC assigned equipment is the responsibility of individual members and will be used with reasonable care to ensure proper functioning. (12/13/16)
- a. Flashing Yellow LED Status Light: If the BWC is low on charge or the memory is almost full the status LED will flash yellow on the top of the device (pilot light) for several minutes before it will cease to function.

When a BWC flashes Yellow the member is to return to the office at their earliest convenience, dock the camera to charge it and to download the unit. Charging takes about 7 hours. Sign out a spare unit.

- b. When the BWC status LED shows Steady Yellow the camera is NOT recording. It is out of power or the memory is full. Return to the office to charge their unit and log out a spare unit ASAP.
  - c. Equipment malfunctions will be brought to the attention of the Quartermaster by Email as soon as possible so that unit can be repaired. BWC's needing service or repair should be left at the ECC for that service after sending the Email.
12. Reports: If a report is written regarding any event recorded with a BWC that fact is to be documented in the report and document if the BWC was not used or not available for use.
- a. BWC are not a replacement for any written documentation or report.
  - b. BWC #: Indicate in reports in space provided on the short forms or in CNY Leads Report narratives the number of the BWC used. **(11/20/15)**
13. Inform Supervisor of High Value Recordings: Members are encouraged to inform his or her supervisor of any recordings that may be of value to an investigation or for training purposes.
14. Download Recording at End of Tour: All files will be securely downloaded no later than the end of each shift by returning their BWC gently into the proper numbered Multi-Dock charging bay with the slots lined up carefully to avoid damage to the charger and/or the charging bay.
- a. Files are downloaded to a secure server maintained by Syracuse University Information Technology Services. **(02/27/17)**



- a. Members are responsible to download and charge their BWC assigned to them (including spare BWCs if utilized). To download files and charge the unit, members will carefully place the BWC in



the Multi-Dock. A Blue LED Status Light will be lit when the BWC is downloading. (02/27/17)

- b. After downloading is complete, the status light on top of the BWC will turn off. The charging red light indicates the unit is charging.
  - c. After the unit is fully charged the pilot light will turn green and indicate the unit is ready for re-use. (12/13/16)
15. Unauthorized Connection of the BWC: The member will NOT tamper with the BWC, nor attempt to download the unit at other than the DPS docking station. Do not attempt to connect the BWC to any other equipment.
16. DWI Investigations or Arrests: Insure that related reports submitted to the D.A.'s Office note that BWC recordings were made so they may be available as evidence. (11/20/15)

**C. Restrictions on Use of the BWC (9.1.7a) (41.3.8 a)**

1. Turn off BWC on Suspected Bomb Matters: (The BWC emits a radio signal) When responding to a reported suspicious package or bomb threat complaint the BWC must be turned off to avoid accidental detonation of an explosive device. (11/20/15)
2. BWC will be used only in conjunction with official law enforcement duties. Without extenuating circumstances, the BWC will not be used to record:
  - a. Sensitive/Confidential Interactions: Interviewing a sexual assault victim, a young child or a person who is in a state of undress or being present in a locker room or bathroom facility where there is an expectation of privacy, are examples of when the (BWC) cameras are to be turned off.  
  
(Nudity or partial undress that is associated with an incident under investigation such as fighting, assaulting or menacing an officer or other person may be recorded.)
  - b. Communications with other DPS personnel without permission of the Chief of Public Safety;
  - c. Encounters with undercover officers or confidential informants;
  - d. Activities or personnel of other law enforcement agencies during routine, non-law enforcement activities unless directed to do so by a Supervisor. (09/02/16)
  - e. If a member is using an approved interview room with audio-visual recording which is functioning properly, the BWC shall be turned off and so noted in reports. (09/02/16)
  - f. When on a meal break or otherwise engaged in personal activities.

**D. Duties and Responsibilities of Supervisory Personnel**

1. Operational Supervision of BWC Use: Supervisory personnel will ensure that members equipped with BWC devices utilize the equipment in accordance with this policy.

2. Weekly Random Review: On a weekly basis, the Patrol Sergeant, or unit supervisors will randomly review BWC recordings from the members assigned to their shift or unit (using files securely stored on G drive) to ensure that the equipment is operating properly, that members are using the device properly and performing in accordance to DPS policy. **(12/13/16)**
  - a. The results of that review will be reported by memorandum, titled "Weekly BWC Review Week ending 00/00/00" to their respective Commander noting their findings and any actions taken.
  - b. Members found to be NOT using the BWC as required by this policy will in the first instance be verbally counseled on the proper and required use of the BWC. That counseling will be noted in the supervisor's weekly BWC memorandum.
  - c. Members found to be in violation of the BWC policy after a verbal counseling session may be subject to disciplinary action.
3. Commanders Monthly BWC Spot check: A Commander will perform a monthly spot check of the BWC recordings made by members of their command. **(12/13/16)**
  - a. They will indicate the member's name, date and time of the recordings reviewed in a memorandum to "Monthly BWC Review for month ending on 00/00/00" to the Associate Chief of Law Enforcement and Community Policing noting their findings and any actions taken.
  - b. When members are found to be NOT using the BWC as required by this policy and this specific incident has not been previously cited by another supervisor, the Commander will refer this matter back to the Patrol Sergeant for actions as cited above. That counseling will be noted in the supervisor's weekly BWC memorandum.
  - c. Members and supervisors found to be in violation of the BWC policy after a verbal counseling session may be subject to disciplinary action.
4. Evidence: The Patrol Sergeant is responsible to select and record portions of BWC recordings that are to be secured as evidence. Those records of events will be labeled and secured as is the common practice for other forms of digital evidence. *Refer to SOP 2013-09 Collection & Preservation of Evidence***(12/13/16)**
5. Performance Evaluation Use: The supervisor may refer to BWC recordings as they relate to specific performance elements relating to employees they supervise and/or rate. **(11/20/15)**
6. Training Use: Supervisors are authorized and encouraged to utilize the video recordings to identify areas in which additional training or guidance might be necessary.
7. Personnel Complaints or Investigations: If a complaint is associated with a recorded event, or a member or supervisor believes an incident may generate a complaint, or internal affairs, use of force or officer injury investigation, the supervisor will flag the video for retention and notify the Commander. **(09/02/16)**

**E. Use and Release Protocols for BWC Data and Recordings (9.1.7 b) (41.3.8 b)**

1. Supervisory Investigations: If a member is suspected of wrongdoing or involved in an officer-involved shooting or other use of force, the DPS reserves the right to restrict the member and other personnel from reviewing the video file. **(09/02/16)**
  - a. For the purpose of securing footage from the BWC where it may involve a sensitive nature or needed for an internal investigation, there has been a folder added to the *Supervisor's only folder* on the G Drive, named "BWC-CCTV" and has restricted access.
  - b. There also is a folder in the Commanders Shared File named "BWC-CCTV". (Restricted Access) for the purpose of saving BWC or other sensitive material for internal and/or sensitive investigations. Once footage is saved by a sergeant, depending on the nature of the investigation, that file may be transferred to the Commanders Shared Folder. **(11/20/15)**
2. Editing of Recording Restricted: Requests for deletion of portions of the recording (i.e. in the event of a personal recording) must be submitted in writing and approved by the Chief of Public Safety or his or her designee. All requests and final decisions will be kept on file.
  - a. Personnel will not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings.
3. Release of Video Recordings: **(12/13/16)** Any and all disclosure of BWC data must be consistent with the department's record release policy and applicable statutes regarding, but not limited to, evidence discovery and disclosure pursuant to the Freedom of Information Law (FOIL). The Chief of Public Safety, in consultation with the University Administration and legal counsel is solely authorized to direct video footage to be released to the public or media or released per a freedom of information law request. The Chief will work with University Administration and legal counsel to review and appropriately redact (or authorize a designee to copy and redact) applicable footage to be released.
  - a. The original recording shall not be redacted or modified in any way; a copy of the original recording will be made and any such redacting will be made to the copy only.
4. Access Log: An access log will be maintained by the Chief of Public Safety or his designee showing the names and dates associated with the release of BWC recordings, intended use and supervisor authorizing the release.
5. BWC Recordings as Evidence: Video to be used for evidence in court must be requested through the Office of the Chief of Public Safety.
6. BWC Recordings for Use in OSRR Cases: When DPS cases are referred to OSRR (with or without an arrest), OSRR may make a request to the Chief of DPS, (or Designee) to review BWC media. DPS will make the digital media available to OSRR for review under DPS supervision. **(11/20/15)**

- d. BWC video files will be automatically backed up to a server that is managed by SU Information Technology Services (ITS).
  - e. Supervisors shall copy BWC video files to the G drive for back up purposes when necessary.
  - f. Members suspected of intentional wrongdoing may NOT be authorized to view the BWC video recordings prior to providing a statement or report. **(09/02/16)**
  - g. Prosecutors may be permitted warrantless access to review BWC video footage as it pertains to DPS related investigations at the discretion of the Chief or designee.**(09/02/16)**
4. BWC Videos as Evidence: Supervisors will be provided with secure login information in the event a specific portion of a video file is required for a case or investigation. **(11/20/15)**
- a. For evidentiary purposes, related files should be secured as is other digital evidence so they may be later accessed from the external drive.
    - i. When a Supervisor saves a video file as evidence, they will utilize the "Detail Description" area in BEAST to document the type of incident in the proper classification/category as outlined above in F. 2. Classifications/Categories of Recordings (i.e., General Misdemeanor – Larceny). **(02/27/17)**
  - b. Student Arrested and/or Referred to Office of Student Rights and Responsibilities (OSRR): In any case referred to OSRR, the BWC recordings will be made available for viewing by OSRR employees upon request to the Chief. The Commander of Operational Support and Inspections, or a designee will arrange for the viewing when directed by the Chief. **(11/20/15)**
  - c. When a digital recording is to be used as evidence a Pre Trial Notice Form 710.30 will be prepared: **(11/20/15)**
    - i. If it is a City of Syracuse case the D.A. assigned to City Court will prepare the 710.30 form.
    - ii. If the case relates to a jurisdiction other than the City of Syracuse, a 710.30 Form must be submitted to the court with jurisdiction with the associated paperwork. These forms are maintained in the Roll Call Room.
5. Access Logs Use and Review: Access logs are to be audited quarterly by a report produced by the Manager of Technology and provided to the Chief of Public Safety or his or her designee to ensure that only authorized users (i.e. shift supervisors) are accessing the data for legitimate purposes.
6. Retention and Destruction of Video Files:
- a. Video footage containing incidents warranting retention for administrative or legal use will be retained for 3 years (but not until any minor has attained age 21, and not until 1 year after any litigation or criminal proceedings have concluded).

- b. In arrest cases, when litigation and/or criminal proceedings have not commenced, the video will be retained for 3 years, but not until any individual has attained age 21.
- c. Video footage not containing any incident warranting retention for administrative or legal use will be retained for 90 days.
- d. Under some circumstances, video footage may be flagged and is allowed to be retained indefinitely until all administrative and/or legal matters and appeal periods have expired for the incident in question.
- e. Retention and preservation of case documents, including BWC evidence, may be required by formal litigation holds as stated by either subpoena/law or by SU Counsel's Office request.
- f. Certain serious investigations, such as death investigations should be retained indefinitely.

**POLICY REVISION HISTORY**

<b>NO</b>	<b>SECTION REVISED</b>	<b>DATE</b>
1	Revised re Policy, Officer, & Supv. Duties, Evidence, Storage re BWC's	11/20/15
2	Revised per recommendations from Onondaga County DA	09/02/16
3	Revised re new Equip. VieVU LE 4 Body Worn Camera/Grant Review	12/13/16
4	Revised re Policy Review for Grant & Pre-Record Disabled	02/27/17
5		