
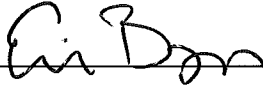



<p style="text-align: center;">ONEIDA POLICE DEPARTMENT STANDARD OPERATING PROCEDURE</p> 	<p>TITLE:</p> <p style="text-align: center;">Body Worn Cameras (BWC)</p> <p style="text-align: center;">OPDSOP 11.1.3</p>	<p>ORIGINATION DATE: November 1, 2013</p> <p>REVISION DATE: June 17, 2014 December 9, 2015 February 14, 2020</p> <p>EFFECTIVE DATE: Upon Last Signature</p>
<p>DEPARTMENT: Oneida Police Department</p>	<p>APPROVED BY: <i>Chief of Police</i></p> 	<p>DATE: 2/27/2020</p>
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<p>PAGES: 7 EEO Number: 31</p>	<p>WILEAG Standards: 11.1.3, 11.2.1.2</p>	
<p>SPECIAL INSTRUCTIONS:</p>	<p>Replaces Officer Worn Audio and Video Recording SOP</p>	

1 PURPOSE

To provide guidelines on the use of body worn cameras and the retention of information and or evidence obtained from those devices.

2 POLICY

It is the policy of the Oneida Police Department to use body worn cameras to gather evidence for prosecution and to protect officers and the department from claims of criminal and civil misconduct. Body worn cameras will provide accurate documentation of events, actions, conditions, and statements made during law enforcement activities and citizen contacts. Officers shall record their actions in conformance with guidelines established. This does not govern the use of recording devices used in undercover operations.

3 DEFINITIONS

- 3.1 Officers: any sworn employee of the Oneida Police Department.
- 3.2 BWC: Body worn camera.
- 3.3 BWC Administrator: Chief, Assistant Chief, and Lieutenant that have access to

BWC software.

- 3.4 Evidence Transfer Manager (ETM): A router with built in docking stations physically installed within the police department. The ETM simultaneously recharges the device while uploading all digitally encrypted data to the web-based storage facility (Evidence.com).
- 3.5 Web-based Storage Facility: A virtual warehouse that stores digitally encrypted data in a highly secure environment accessible to personnel based on assigned levels of security clearance.

4 PROCEDURES

4.1 Administration

4.1.1 The Oneida Police Department has adopted the use of BWCs to accomplish several objectives. The primary objectives are as follows:

4.1.1.1 To enhance Officer Safety.

4.1.1.2 To accurately capture statements and events during an incident.

4.1.1.3 To assist with the prosecution of violators.

4.1.1.4 To respond to allegations of Officer Misconduct.

4.1.1.5 To assess Officer performance.

4.1.1.6 To provide self-critique opportunities for recruit officers participating in the Field Training Process.

4.1.1.7 To facilitate department training.

4.1.2 Officers will be trained in the proper use of the equipment.

4.2 Equipment

4.2.1 Officers shall be equipped with a department owned BWC which is issued to them.

4.2.2 At the beginning of each shift, the officer shall remove the BWC from the ETM and affix it to their uniform, verify the camera is connected to the Axon capture APP (using Dept. issued cell phone), and periodically conduct a function check to ensure the BWC is working properly. Any deviations in operating condition, appearance, or

suitability for its intended use shall be reported immediately to a supervisor.

- 4.2.3 At the start of each shift, Officers shall sign out a department issued cell phone for the purpose of photographic evidence and work-related phone calls.
- 4.2.4 At the end of each shift, Officers shall sign the department issued cell phone back in.
- 4.2.5 All recorded images and audio recordings are the property of this department. Dissemination outside of the agency is strictly prohibited without specific written authorization from the Chief of Police.
- 4.2.6 To prevent damage to, or alteration of, the original recorded media; it shall not be copied, viewed or otherwise inserted into any device other than an approved computer for download/viewing.
- 4.2.7 The BWC will be kept at the Oneida Police Department and plugged into the ETM and charged at the end of each shift.
- 4.2.8 The assigned officer will be responsible for the care and maintenance of the assigned BWC. Misuse or loss may be the assigned officer's responsibility if found negligent.

4.3 BWC Operation

- 4.3.1 Officers will ensure the video properly records incident calls for service and other enforcement actions. To properly record the activity, the officer should ensure the following:
 - 4.3.1.1 The video camera is positioned and adjusted to record the event.
 - 4.3.1.2 The BWC shall be worn on the front of the Officer's uniform in a position that ensures the best possible audio and video recording.
 - 4.3.1.3 The video equipment is not deactivated until the enforcement action is completed.
- 4.3.2 Officers will verbally articulate to the BWC of the exact location of important events such as a weapon or contraband being thrown from a fleeing vehicle or the location of pertinent evidence during an incident investigation.

4.3.3 Officers may manually deactivate the BWC during non-enforcement activities such as crash scene protection or traffic duty.

4.4 Mandatory Recordings

4.4.1 Officers shall manually activate the BWC to record all contacts with citizens in the performance of official duties. Some examples, but not all inclusive are:

4.4.1.1 Traffic Stop

4.4.1.2 Priority Responses

4.4.1.3 Domestic Violence Incidents

4.4.1.4 Vehicle Pursuits

4.4.1.5 Prisoner and/or suspect transports

4.4.1.6 Crimes in progress

4.4.1.7 Search Warrants

4.4.1.8 Any situation or incident the officer, through training and experience leads them to believe the incident should be audibly and visually recorded.

4.4.2 All Officers on scene shall have their BWC activated.

4.4.3 Incident Reports shall note the existence of BWC whenever recordings relating to the incident have been recorded. An Evidence Form will be completed and attached to the Incident Report indicating the file(s) was downloaded onto the secure server.

4.4.4 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 in the Incident Report.

4.4.5 Officers may review their own recording to ensure accuracy for reports.

4.4.6 Recordings are not a replacement for written reports.

4.4.7 If an officer has reason to believe a complaint or problem is likely to arise from any incident that he or she was involved in, the Sergeant shall be notified.

- 4.4.8 Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
- 4.5 Restrictions
 - 4.5.1 BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:
 - 4.5.1.1 Communications with other police personnel without the permission of the Chief of Police.
 - 4.5.1.2 Encounters with undercover officers or confidential informants.
 - 4.5.1.3 When on break or otherwise engaged in personal activities.
 - 4.5.1.4 In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.
- 4.6 BWC Administration
 - 4.6.1 BWC Administrators shall assign cameras, activate cameras, and manage/assign passwords.
 - 4.6.2 BWC Administrators shall monitor the video files to ensure proper retention as outlined in 4.7 be maintained along with sufficient server storage space.
- 4.7 Record Retention
 - 4.7.1 Recorded data shall be downloaded and stored as digital evidence.
 - 4.7.2 At the end of shift each officer shall return the BWC to the ETM to upload the digitally encrypted data to the web-based storage facility and recharge the battery. Officers are responsible to ensure the BWC is functioning with a green battery status.
 - 4.7.3 BWC administrators are responsible for securing downloaded information as evidence and dissemination of copies as needed and requested by the appropriate District Attorney's Office or other appropriate requestor.
 - 4.7.4 Captured BWC data will be saved on Evidence.com based on the type of incident that best fits the retention categories listed below:

- 4.7.4.1 Uncategorized
- 4.7.4.2 Unessential data/Accidental activations.
- 4.7.4.3 Training Demos.
- 4.7.4.4 Miscellaneous/Warnings.
- 4.7.4.5 Ordinances/Municipal cases/Warrants.
- 4.7.4.6 Circuit Court/Traffic cases
- 4.7.4.7 Criminal cases/Felonies
- 4.7.4.8 Pending review
- 4.7.4.9 Officer Injury
- 4.7.4.10 Use of force
- 4.7.5 Videos may be deleted prior with written confirmation from the appropriate District Attorney's Office.
- 4.8 Data Security and Access
 - 4.8.1 Security and access rights to all digital video are controlled by the BWC Administrator.
 - 4.8.2 The BWC systems are password protected. Passwords are set and managed by the BWC Administrators.
 - 4.8.3 Security and access rights established by the BWC Administrators are as follows:
 - 4.8.3.1 Officers are only permitted to view their own digital videos once they have been uploaded.
 - 4.8.3.2 Supervisors are permitted to view all digital videos.
 - 4.8.3.3 The BWC Administrators are permitted to view all digital videos, edit the classification of videos, create copies, and delete videos. The BWC Administrators are also permitted to configure the system settings.
 - 4.8.4 Officers shall not access video files in a manner outside the scope of

their assigned security and access rights.

4.8.5 Access to digital videos, consistent with assigned user rights, is available at any network workstation accessing Evidence.com.

4.8.6 Requests for audio/video files will be handled as other requests for release of information.

4.9 Duplication of Video Files

4.9.1 Video recordings generated through use of a department issued BWC are the property of the Oneida Police Department and shall be treated as a public record in accordance with *Open Records, OPDSOP 10.2.1*.

4.9.2 Video duplication capabilities shall be controlled by system configuration and individual access and security settings managed by the BWC Administrator.

4.9.3 Copies of video files shall not be made for personal or nonofficial use.

4.9.4 Copies of video files shall be made for legitimate requests, ie. District Attorney's Office, etc.

4.10 Administrative Applications of Digital Video

4.10.1 Supervisors may review videos depicting performance by their assigned officers, with emphasis on reviewing recordings of pursuits, use of force incidents, consent searches, and citizen complaints, for the purpose of:

4.10.1.1 Assessing officer performance and safety;

4.10.1.2 Determining whether BWC equipment is functioning and being used in accordance with policy;

4.10.1.3 Identifying video that may have training value.

4.10.2 Video that contains material deemed beneficial for training purposes may be used for that purpose with the approval of the BWC Administrator.

4.10.2.1 Officers may notify a supervisor when they are aware of video that may be appropriate for training.

4.10.2.2 Under no circumstances shall a recording be used or shown for the purpose of ridicule or embarrassing an employee or any other person.

5 REFERENCES

- 5.1 Seymour Police Department; Digital Audio and Video Capture Procedures
- 5.2 International Association of Chiefs of Police Body-Worn Cameras Model Policy
- 5.3 Grand Chute Police Department, Mobile Video and Wearable Video Recording Guidelines
- 5.4 Wisconsin Law Enforcement Accreditation Group Accreditation Standards, 4th Edition
- 5.5 Appleton Police Department; BWC-Body Worn Cameras Policy