



Policy Revision Request

Requestor Name Chad Francois / James Mason Emp # 3371 3445

This revision applies to Existing Policy

If new, recommended section _____

This revision is necessary to comply with Best Practices

Whom does this revision affect? Department

This revision has an unbudgeted financial impact of \$ 0

Brief reason for the revision:

303.4.2 Lt Francois

I am requesting that Officers activate their BWC when making calls to Detectives seeking guidance on a call. By specifically directing Officers to keep their BWC recording, it protects the Officer and Detective regarding the guidance given on a case. Further, it ensures compliance with the following:

1004.2 CELL PHONE GUIDELINES

(g) All cellular telephone calls, text messages, emails, and other communications may be subject to discovery in criminal or civil matters, may be subject to release to a member of the public in response to a public information request, or may be used in internal investigations. All communications, unless an emergency, should be related to Department business.

1. Employees should consider these communications a public record and should have no expectation of privacy.

303.4.3 Chief Mason

New section (f) - It aims to prevent unauthorized modifications or tampering with the recording, which could compromise the accuracy and reliability of any footage captured by the camera. By including this statement in policy, it provides a standard for which employees can be held accountable, thereby ensuring the integrity of any investigations or legal proceedings where the footage may be used as evidence.

303 Body-Worn and Vehicle Camera Systems

303.4 BODY-WORN AND VEHICLE CAMERA SYSTEM OPERATIONS

303.4.2 WHEN CAMERA SYSTEM(S) USE IS REQUIRED

This section does not describe every possible situation where camera system(s) may be used. In some circumstances, capturing images of an incident may not be possible due to conditions or the camera's location. However, the audio portion can be valuable evidence and is subject to the same activation requirements. Camera system(s) should only be activated for law enforcement purposes.

- (d) When communicating via phone, officers shall make every attempt to record the conversation, such as using the speakerphone function when speaking with a victim, witness, subject, suspect, detective, arrest review, supervisor, etc., when seeking guidance on a call or any person related to a call for service (e.g., clearing a call by making a call back).

303.4.3 WHEN CAMERA SYSTEM(S) DEACTIVATION IS AUTHORIZED

Employees who activate their camera system(s) shall ensure that their camera system(s) remains activated until the employee's active participation in the incident or criminal investigation has ceased or concluded or until deactivation is otherwise permitted by this order.

- (a) For purposes of this section, the conclusion of an incident has occurred when:
 - 1. All arrests have been made, and arrestees have been transported.
 - 2. No further law enforcement action is likely to occur (-e.g., waiting for a tow triuck or a family member to arrive)
- (b) For any encounter with a person that is unrelated to the investigation of a criminal offense, employees may choose, or be authorized:
 - 1. Not active their BWC system; or
 - 2. Discontinue a BWC recording that is currently in progress
- (c) Employees shall adhere to posted policies of any Law Enforcement, Court, or Corrections entity that prohibit the use of BWC systems therein (i.e., TCSO, Courts, Juvenile Detention Centers).
- (d) Employees may deactivate the audio portion by engaging the mute button on the body-worn camera, for administrative reasons only, as follows:
 - 1. ~~The reason for audio deactivation must be recorded verbally prior to audio deactivation.~~ Employees must record the reason for deactivating the audio verbally before deactivating it; and
 - 2. After the purpose of audio deactivation has concluded, employees will reactivate the audio track.
- (e) For purposes of this section, an "administrative reason" refers to:
 - 1. Personal conversations unrelated to the recorded incident ~~being recorded.~~
 - 2. Employee to employee training (e.g., when a Field Training Employee or Field Training Supervisor wishes to speak to an employee enrolled in the Field Training Program about a training issue).
 - 3. Any reason authorized by a supervisor. ~~The identity of the supervisor granting the authorization shall be stated prior to the audio deactivation.~~ Before the audio deactivation, employees shall state the supervisor's identity granting the authorization.
- (f) Employees shall not interfere with or remove the body-worn camera of another employee once activated for purposes outlined in this policy.