


UCCS Police Department  University of Colorado Colorado Springs	Policy and Procedure: 500-102	Page Number: 1 of 7
	SUBJECT: Body Worn Camera	
	SECTION: 500 Investigations and Evidence	
SUPERSESSON: February 1, 2020	EFFECTIVE DATE: August 18, 2020	
APPROVED: Marc Pino, Police Chief <i>Peter Pino</i>		

I. PURPOSE

To establish policy and procedure for the UCCS Police Department concerning the use of body worn cameras (BWC) which will improve officer safety and to document statements and events during the course of an incident.

II. CROSS REFERENCE

Colorado Revised Statutes 24-31-902

III. DEFINITIONS

1. Audio Recording is the electronic recording of conversation or other spoken words.
2. Video Recording is the electronic recording of the visual images with or without audio component.
3. Body Worn Camera (BWC) refers to any system that captures audio and video signals that is capable of being individually worn by officers.
4. Law Enforcement Operator/User is a P.O.S.T certified police officer who is authorized to operate a BWC.
5. System Administrator is typically a sergeant or designee who tracks the use of all BWC's.

IV. POLICY

It is the policy of the UCCS Police Department that officers will activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. Officers must wear and active BWC when contacting the public for enforcement or investigation.

V. PROCEDURE

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Department BWC's are intended for official departmental use only and **are not** to be used for frivolous or personal activities. Intentional misuse or abuse of the units will result in disciplinary action.

A. Mobile Video Operational Objectives

The UCCS Police Department initiated this program to equip law enforcement officers with the "Taser Axon" Wearable Video Camera system. This system will be used to document events and capture data to be preserved in a web-based digital storage facility at "Evidence.com." Once captured, these recordings cannot be altered in any way. The UCCS Police Department has adopted the use of BWC's to accomplish the following objectives:

- I. To enhance officer safety.
- II. To document statements and events during the course of an incident.
- III. To enhance the law enforcement operator's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
- IV. To preserve visual and audio information for use in current and future investigations and evidentiary purposes.
- V. To provide an impartial measurement for self-critique and field evaluation during officer training.
- VI. To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of video and audio recordings.

B. Body Worn Camera Recordings

Body Worn Camera's will be utilized to record the following types of events whenever possible: traffic stops; pursuits; vehicle searches; confrontational citizen contacts; use of force situations; statements made by subjects, victims and witnesses; advising an individual of their Miranda rights; during interrogations; or other legitimate law enforcement contacts.

C. Prohibited Body Worn Camera Recordings

The BWC **shall not** be used to record non-work related personal activity and will not be activated in places where a reasonable expectation of privacy exists, such

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as locker rooms, dressing rooms or restrooms. The BWC will not be intentionally activated to record conversations of fellow employees without their knowledge during routine, non-enforcement related activities. In addition, video/audio recording of individuals who are picketing or engaged in a protest or First Amendment demonstration will be avoided unless an obvious violation of criminal law is occurring or if the law enforcement operator is in the same vicinity for other legitimate law enforcement purposes.

D. Body Worn Camera Operating Procedures

I. Method and Manner of storage and Carry:

- a. The BWC shall be carried on the law enforcement operator's front shirt area. If inclement weather becomes a factor, the BWC will be worn on the front of the officer's jacket. The BWC will be visible at all times to the public and other law enforcement personnel. At no time will the BWC be authorized to be carried in a law enforcement operator's shirt, jacket or pants pocket.
- b. The BWC will be stored in the patrol room. When in storage, the BWC will be plugged into the Axon Docking Station.

II. General Procedures:

- a. Law enforcement operators shall receive BWC training prior to being deployed in an operational setting.
- b. The department will ensure officers will have access to the recorded events for legitimate law enforcement purposes or other articulable reasons.
- c. Law enforcement operators will not make copies of any recordings for their personal use and are prohibited from using a recording device (such as a phone camera or secondary video camera) to record media from the Evidence.com program; (i.e.) posting to you tube, Facebook....etc.

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- d. Law enforcement operators will typically not allow citizens to review the recordings; however, officer discretion is allowed to replay the recording to citizens at headquarters in order to mitigate possible complaints. The officer will be required to gain approval from a supervisor before doing so.

III. Operational Protocols:

- a. Inspection and general maintenance of the BWC and its components shall be the responsibility of the law enforcement operator from the moment they sign on shift to the moment they sign off shift. BWC equipment shall be operated in accordance with the manufacturer's recommended guidelines and department training and policies.
- b. Prior to beginning each shift, the assigned law enforcement operator shall perform an inspection to ensure that the BWC is performing in accordance with the manufacturer's recommendations. If problems are encountered with any component of the system, the BWC equipment will not be used and an email to their supervisor documenting the issue will be sent by the employee. The operator shall use any available BWC until a resolution can be met with the employee's supervisor.
- c. Malfunctions, damage, loss or theft of the BWC equipment shall be reported to the immediate supervisor prior to placing the unit into service. The system administrator (Sgt. or designee) is to be notified in writing of the suspected cause of equipment failure or recommendations for corrective action.
- d. Once the BWC is activated it should remain on until the incident has reached a conclusion or the law enforcement operator leaves the scene. The intention to stop the recording will be noted by the law enforcement operator either verbally on the BWC or in a written report.
- e. When the BWC is used in any incident, investigation, or during a traffic stop, this fact will be documented on any citation and/or report prepared regarding the use of the BWC.

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- f. Whenever a law enforcement operator obtains a video statement, the fact the statement was recorded will be listed in the Incident Report. A video statement is not a replacement for a written or tape recorded statement.
- g. Law enforcement operators may have access to review the recordings when preparing written reports or statements of events to help ensure accuracy and consistency of accounts.
- h. Law enforcement operators shall not use other electronic devices or other means in order to intentionally interfere with the capability of the BWC.
- i. Law enforcement operators shall not erase, alter, reuse, modify or tamper with audio-video recordings. Only the “System Administrator” or their designee may erase previously recorded digital recordings.
- j. Law enforcement operators are to select a category (Arrest Occurred, Interview, Officer Injury, Pending Review, Summons Issued, Traffic Stop, Training Demo, or Use of Force) for each digital recording that is downloaded. Digital recordings shall be retained according to the department's retention schedule or as required by the rules of evidence, unless a specific request is made to store them for a longer period of time. Law enforcement operators will document in a written report the existence of a digital recording when related to an incident.
- k. When an incident arises that requires the immediate retrieval of a digital recording (e.g., serious crime scenes, agency shootings, department-involved crashes) a supervisor shall respond to the scene to secure the BWC and maintain the chain of custody.

IV. BWC's Down Loading Procedure

At the end of their shift, law enforcement operators shall download any and all video recordings obtained during their shift to the Evidence.com Storage site. The data is considered impounded at this point and the Axon camera will be cleared of existing data.

V. Accessing BWC Impounded Data

Evidentiary copies of digital recordings will be accessed and copied from the Evidence.com Storage site. Only the “System Administrator”

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or their designee may copy a previously recorded digital recording for the purposes of training or court proceedings.

VI. Security of BWC Media

All digital media collected using the BWC video is considered a record of the UCCS Police Department. Access to digital recordings shall be granted to authorized users only. It is the responsibility of authorized users to keep their user name and password confidential. Accessing, copying, or releasing any recordings, for other than official law enforcement purpose's, is strictly prohibited.

VII. Agency Review of BWC's:

- a. Digital recordings **shall not** be randomly reviewed to monitor officer performance. The exception is for an officer who has been placed on a personal improvement plan in order to address identified behavior.
- b. Department personnel may review their own digital recordings for report writing and/or training purposes, unless involved in a critical incident.
- c. An investigator who is designated by the Lieutenant of Police Operations and participating in an official department investigation of a personnel complaint, claims investigation, administrative inquiry, or criminal investigation, may review specific incidents contained on digital recordings. Any other review for the purpose of investigations will require the express approval of the Deputy Chief of Police Operations.
- d. A supervisor may review a specific incident contained on digital media for the purpose of training, critique, early intervention inquiries, civil claims, administrative inquiry, or other articulable reason.
- e. No digital recording shall be used or shown for the purpose of officer ridicule or embarrassment.

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- f. No portion of a video recording will be submitted to a media organization, unless previously authorized by the Chief of Police.

VIII. Agency Retention Guidelines:

Officers are required to categorize their videos in one of the categories listed to determine a retention timeframe for automatic purging of videos. Officers not correctly categorizing their video evidence will be subject to discipline. Retention timeframes are based on current industry best practices. Below is the retention timeframe for each category:

- a. Uncategorized videos will be retained for 60 days.
- b. Arrest Occurred videos will be retained for 1 year
- c. Interview videos will be retained for 5 weeks
- d. Officer Injury videos will be retained for 60 days
- e. Pending Review videos will be retained until manually deleted by the administrator
- f. Summons Issued videos will be retained for 26 weeks
- g. Traffic Stop videos will be retained for 60 days
- h. Training Demo videos will be retained for 5 days
- i. Use of Force videos will be retained until manually deleted by the administrator

VI. HISTORY

Policy and Procedure 500-102, effective February 1, 2020.
Standard Operating Procedure 500-102, effective July 1, 2016

VII. ATTACHMENTS

None.