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<td>Body Worn Digital Recording Systems</td>
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<td>Chief Jason Goodrich</td>
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1. PURPOSE AND SCOPE

The use of the Body Worn Digital Recording (BWDR) system provides an unbiased audio/video recording of events that officers encounter. These recordings can be useful for the documentation of evidence, the preparation of offense reports, and future court testimony. These recordings can also protect officers from false allegations of misconduct and be of use when debriefing incidents or evaluating performance. This policy covers the use of the Department issued BWDR systems.

A. GENERAL INFORMATION

DEPARTMENT ISSUED BODY WORN DIGITAL RECORDING SYSTEM

(a) All police officers will be issued a BWDR system and will be trained in the operation of the equipment prior to its use. BWDR equipment will be used in accordance with Ohio law and this procedure. All uniformed patrol officers will wear their issued BWDR while on duty. Special assignment and plainclothes officers will wear their BWDR when engaged in activities where the use is reasonably foreseeable. Officers will notify and try to obtain consent prior to recording interviews with crime victims and witnesses. Officers will note in their ARMs report their reasoning if they fail to record an activity that is required by department policy. Officers will not use any personally owned recording equipment or devices while on duty without approval from the Chief or Assistant Chief. Data images, video, and metadata captured, recorded, or otherwise produced by the BWDR is the sole property of the University of Cincinnati Police Department.

(b) Officers who discover an operational defect with the BWDR system will attempt to correct the problem according to the training provided (I.E.: Reseating cables, Cycling the power, etc.). If the BWDR is found to have a physical defect or malfunction, the employee will notify the supervisor, and write up the device for service describing the events leading up to failure. The supervisor will issue the officer a spare BWDR.

(c) Officers shall not:

   a. Bypass or attempt to override the equipment.

   b. Erase, alter, or delete any recording produced by the BWDR.

B. WHEN DEPARTMENT ISSUED BWDR SYSTEM USE IS REQUIRED

This section is not intended to describe every possible situation where the system may be used. In general, the BWDR should be used to record activities where law enforcement
action is being taken, or where other circumstances could result in an officer's actions being questioned. In some circumstances it may not be possible to capture images of an incident due to conditions or location of the camera, however the audio portion can be valuable evidence and is subject to the same activation requirements.

(a) Officers responding to a scene shall activate their department issued BWDR:

1. Prior to arriving on-scene when dispatched on a call where they are likely to detain or arrest a person; or

2. Have detained or arrested a person; or

3. Are attempting to detain or arrest a person; or

4. Are confronting disorderly or hostile subjects; or

5. Are searching for or collecting evidence, especially where drugs or money are involved; or

6. Any other situation where the officer believes that documentation of their activities is desirable.

(b) Examples of when the department issued BWDR system must be activated include, but are not limited to:

1. Traffic stops, from the initiation to the completion of the enforcement action.

2. DWI investigations including field sobriety tests

3. Warrant service

4. Investigatory stops

5. Any contact that becomes adversarial in an incident that would not otherwise require recording. In those situations, it may be impractical or unreasonable for officers to activate their BWDR system before taking police action. In that case, officers will activate their BWDR as soon as possible to record the remainder of the incident.

(c) In addition to the required situations, officers may activate the system anytime they believe its use would be appropriate and/or valuable to document an incident.

(d) There may be instances in which an officer is required to take immediate action to an event that occurs directly in front of them which may not allow time to activate their BWRD. In these circumstances, the officer shall activate their BWDR as soon as practical.

C. WHEN DEPARTMENT ISSUED BWDR SYSTEM DEACTIVATION
IS AUTHORIZED

Once the BWDR system is activated it shall remain on until the incident has concluded.

(a) For purposes of this section, conclusion of an incident has occurred when:

1. After an arrested suspect has been transported to the station.

2. All witnesses and victims have been interviewed.

(b) Recording may cease if no further law enforcement action is likely to occur (e.g., after a field stop has concluded and the subject is sent on their way)

D. WHEN DEPARTMENT ISSUED BWDR SYSTEM USE IS NOT REQUIRED

Activation of the BWDR systems is not required during routine patrol, or while the officer is engaged in non-enforcement activity, such as meal breaks or routine conversation with the general public.

E. BODY WORN DIGITAL RECORDINGS AS EVIDENCE

(a) Officers will securely upload all recordings captured on any BWDR system they are carrying by the end of their tour of duty to the www.evidence.com.

(b) Recordings not needed as evidence or other official UCPD business may be erased after 15 days from the date of the recording.

(c) Recordings will be preserved for the duration of any court proceedings or internal investigations.

F. REVIEW OF ALL BWDR SYSTEM RECORDINGS

This section outlines the review of department issued BWDR system recordings.

(a) Recordings may be reviewed:

1. By an officer to make sure the BWDR system is working

2. By an officer to assist with the writing of a report, supplement, or memorandum.

3. By authorized persons for the purpose of reviewing evidence

4. By a supervisor investigating a specific act of employee conduct
5. By authorized Department personnel participating in an official capacity such as a personnel complaint, administrative inquiry, criminal investigation, or use of force review.

(b) Recordings may be reviewed for the purpose of training. If an involved employee objects to showing a recording, their objection will be submitted to their supervisor to determine if the training value outweighs the employee's objection.

(c) Recordings will not be used or shown with the intent to ridicule or embarrass any employee.

(d) Employees shall not obtain, attempt to obtain, or convert for their personal use or for the unauthorized use of another person, any information obtained by a BWDR system. Employees shall not make personal copies or attempt to upload recordings to social networking sites (e.g., You-Tube, Facebook).

(e) Recordings may be released to the Prosecutor through the normal evidentiary process. Any other release of a recording must be approved through the normal records release process.

G. STORAGE and CHARGING

(a) All officers will only upload, charge and store their BWDR in the docking stations located in the squad room.