



NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

CHAPTER: 41.3.10

TITLE: BODY–WORN CAMERA (“BWC”)

EFFECTIVE: 04/05/15

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PURPOSE AND POLICY STATEMENT

This Chapter governs the use of the Body–Worn Camera systems and does not apply to or limit the use of the In-Car Camera Systems as defined in **Chapter 41.3.8**. Certain law enforcement assignments within the New Orleans Police Department may be equipped with a body-worn audio/video recording system (BWC) as directed by the Superintendent of Police or the Superintendent’s designee.

Using this equipment can be expected to promote officer safety, result in greater transparency, more effective prosecution, and increased accuracy of findings in investigations of complaints. This policy is intended to achieve an appropriate balance between the benefits of BWC devices and civilians’ reasonable expectations of privacy.

The New Orleans Police Department has adopted the use of *BWC* technology to better:

- (a) Enhance transparency and public trust by preserving factual representations of officer-citizen interactions in the form of audio/video recordings.
- (b) Promote officer safety.
- (c) Document statements and events during the course of an incident.
- (d) Enhance the law enforcement operator’s ability to document and review statements and actions for internal reporting requirements as well as for courtroom preparation and presentation.
- (e) Preserve audio/video information for use in current and future investigations.
- (f) Provide an impartial measurement for self-critique and field evaluation during officer training.
- (g) Encourage better behavior of both officers and civilians.

DEFINITIONS

Audio/Video—When used in this Chapter, this phrase may refer to audio only, video only or both audio and video recordings.

Body-Worn Camera (“BWC”)—Equipment worn by a Department member that captures audio/video signals and includes, at a minimum, a camera, microphone, and recorder. The models of BWC systems in use by the New Orleans Police Department are manufactured by Axon International, Inc. and can be either: 1) Self-contained / clip-on audio/video recording device; or 2) Variable mount audio/video recording device that includes a cable tethered camera/DVR attached to a controller.

Critical Incident— For the purposes of this chapter, a Critical Incident is (1) an in-custody

death or (2) an event in which an officer:

- (a) Uses force resulting in hospitalization or death.
- (b) Intentionally discharges his or her firearm at a person(s).
- (c) Strikes someone in the head with an impact weapon, whether intentional or not.
- (d) Engages in a police vehicle pursuit which results in death or an injury of a person(s) requiring hospitalization.

District/Division System Administrator (“DSA”)—Supervisor assigned to the district or division who is assigned responsibility for inventory control and operational maintenance of the Body Worn Camera and In-Car Camera systems equipment at a District/Division level.

EVIDENCE.COM—Online Web-based digital media storage facility. The virtual warehouse stores digitally encrypted data in a highly secure environment accessible to personnel based on assigned levels of security clearance. The New Orleans Police Department account is accessed at: <https://nopd.evidence.com>

Media or Data—For the purposes of this Chapter, references to media or data include photographs, audio recordings and video footage captured by the BWC device. The media are stored digitally and encrypted.

Rechargeable Battery Pack (RBP)—A transmission device that will send a signal to all BWC within a 30-foot range of the transmitter for 30 seconds. BWCs receiving this signal will be activated to “recording mode.” The officer must manually stop the BWC according to Chapter guidelines.

GENERAL

1. Select field assignments may be equipped with Body-Worn Camera (“BWC”) devices per **Appendix “A”** of this policy. Use of this technology provides for audio/video documentation of a police officer’s enforcement and investigative activities from the perspective of the officer’s person.
2. The BWC device is used to record certain activities, as set out in this policy, thereby creating an objective audio/video record of the incident and a supplement to the officer's report. Audio/video recordings of enforcement or investigative actions are evidence, and subject to rules of disclosure.
3. Officers are encouraged, but not required, to advise members of the public when they are being recorded by body-worn camera.
4. Department members who have completed authorized training sanctioned by the NOPD Education & Training Division shall be the only personnel authorized to use a BWC in an operational setting.
5. Department members assigned a BWC are only authorized to audio/video record investigative and/or enforcement activities using departmentally assigned equipment following the practices prescribed within this Chapter.
6. Officers assigned a BWC shall wear them at all times while on duty when working in an assignment listed in Appendix A of this Chapter or directed by a supervisor.
7. Department members are **not** authorized to 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 *EVIDENCE.COM*.
8. Department members assigned a BWC shall not erase, alter, reuse, modify, destroy, abuse, or tamper with BWC audio/video recordings or the device. Department members

shall not intentionally interfere with the capability of the BWC equipment.

9. BWC equipment will be assigned according to the priorities established in **Appendix A**. When a member is transferred, the following shall apply:
 - (a) If the member is transferred to a command that also utilizes a BWC, the equipment shall be relocated with the member.
 - (b) If a member equipped with a BWC is transferred to a command that does not utilize a BWC per **Appendix A** and the BWC is needed by another employee, the member must return their BWC to the DSA of the unit from which the member is being transferred. That DSA shall make arrangements to return or transfer the member's BWC. This includes members transferred to ADD.
 - (c) If the member is transferred from a unit that does not utilize a BWC to a unit that does, the member should coordinate with the DSA of the unit they are being transferred to in order to obtain a BWC upon reporting to their new assignment.
10. Digital recordings shall be preserved for at least two years after the end of the calendar year in which the incident occurred. If a case is under investigation or in litigation the video shall follow the retention times of the case, unless a written request is made to store them for a longer period of time for a legitimate law enforcement purpose.

ACTIVATION OF THE BWC

11. The BWC shall be manually activated only for legitimate law enforcement purposes.

Manual activation of the BWC is required for the following situations:

- (a) All calls for service.
 - (b) All field contacts involving actual or potential criminal conduct within video or audio range.
 - (c) Traffic stops and suspicious vehicle stops (including traffic violations, stranded motorist assistance, and all crime interdiction stops).
 - (d) Pedestrian checks/Terry Stops.
 - (e) Emergency responses.
 - (f) Vehicle pursuits.
 - (g) Arrests, including execution of arrest warrants.
 - (h) Transports of all persons (prisoners and public safety rides).
 - (i) All Searches, including Consent Searches and execution of Search Warrants.
 - (j) Seizure of evidence
 - (k) Physical or verbal confrontations or use of force.
 - (l) DWI investigations, including field sobriety tests.
 - (m) Domestic violence calls.
 - (n) Statements made by individuals during an investigation or complaint.
 - (o) Advisements of Miranda rights.
 - (p) Swat rolls.
 - (q) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.
 - (r) Any confrontations during mass demonstrations or civil disturbances
 - (s) Any other legitimate law enforcement contact where the officer believes that a recording of an incident would be appropriate.
12. Notwithstanding the above directives on Manual Activation requirements, when officers are conducting strip searches or body cavity searches, they shall follow the requirements of **Chapter 1.2.4 – Search & Seizure** regarding consent and recording requirements.
13. The BWC may not be used for the purpose of intimidating an individual or to discourage an individual from observing police activity, making appropriate inquiries of an officer, or

making a complaint.

14. Department members have discretion whether to manually activate a BWC during consensual contacts of a non-criminal nature.
15. The BWC may be automatically activated when a signal is received upon the unholstering or activation of a Taser (TEW) (See: **Chapter 1.7.1 – TEW**) or from the activation of a signal from an Officer's In-car Camera. BWCs receiving these signals will be activated to "recording mode." Once activated, the officer must manually stop the BWC recording appropriately, as provided by this chapter.

CESSATION OF RECORDING

16. Once the BWC system is activated, it shall remain on and shall not be turned off until an investigative or enforcement contact or incident has concluded, including marking up the final disposition of the item and any supervisor approved signal changes.
17. For purposes of this section, conclusion of an incident has occurred when an officer has terminated contact with an individual, cleared the scene of a reported incident, and/or has completed transport of a civilian or an arrestee.
18. There may be limited circumstances when the respect for an individual's privacy or dignity outweighs the need to record an event (e.g. – a victim traumatized following a violent assault). When an officer believes such circumstances exist, or that the use of a BWC would impede or limit the cooperation of a victim or witness during an investigative contact, an officer may deactivate the BWC after receiving authorization from a supervisor. The reasons for the cessation and the approval must be clearly stated on the BWC before termination. If supervisory approval cannot be reasonably obtained, officers must document, on the BWC video, the reason for termination and the reason they could not obtain supervisor approval of the recording prior to deactivation of the BWC. In such circumstances, the officer shall notify the supervisor as soon as practicable, and the supervisor shall review the decision to terminate within 24 hours of the event.
19. If the reasons and approval are not recorded, the member must notify their supervisor so the supervisor may review the video and determine if the cessation of recording was appropriate. The supervisor shall notify the member's Commander within 24 hours of the event, via email. The email shall explain whether the termination was acceptable.
20. When handling calls for service or incidents involving the treatment of individuals at a medical facility, Department members shall be cognizant of the privacy rights afforded under the Health Insurance Portability and Accountability Act (HIPAA) for the suspect and other patients. Officers shall turn off their BWCs immediately prior to entering a medical facility or emergency room and shall document the deactivation in the incident report, if a report is required. Immediately upon concluding the drop off or treatment, and upon exiting the medical facility, officers shall resume operation of the BWC until the incident or event is concluded. **However, any critical incident taking place within a medical facility, whether a call for service or initiated within the facility while officers are otherwise present, SHALL require the immediate activation of the BWC. The BWC, once activated for a critical incident, shall remain on until the incident is concluded.**

PROHIBITED AUDIO/VIDEO RECORDING

21. The BWC shall not be used to record non-work-related personal activities.
22. The BWC shall not be activated in places where an employee has a reasonable expectation of privacy, such as locker rooms, dressing rooms or restrooms, unless a criminal offense has occurred in these locations, at which time every precaution shall be taken to respect the dignity of the victim by avoiding recording videos of persons who are nude or when sensitive areas are exposed.
23. The BWC shall not be intentionally activated to record conversations of fellow employees during routine, non-enforcement related activities without their knowledge.
24. Department members shall not intentionally record confidential informants or undercover officers unless the recording is conducted specifically for the purpose of documenting a sting, drug purchase/sale, or other undercover operation in furtherance of a criminal investigation.
25. Department members shall not make covert recordings of conversations with other Department members except when necessary in the course of a criminal investigation or for Department administrative investigations and only with the express consent of the Superintendent of Police or their designee.

OFFICER RESPONSIBILITIES

26. Any member assigned to a District, Division and or Unit that has been provided with body worn cameras shall wear and use the BWC, as directed within this Chapter. Officers shall wear a BWC while working in a proactive capacity, including but not limited to traffic checkpoints, directed patrols, and/or traffic enforcement overtime shifts.
27. When assigned a new BWC or utilizing a BWC that has not been used within the previous two week period, the assigned Department member shall perform an inspection to ensure that the Body-Worn Camera is performing in accordance with departmental training. If problems are encountered with any component of the system, the malfunctioning BWC equipment shall not be used. As part of the inspection process, the officer who is assigned or using the BWC shall record a "test video". The test video should have a neutral background and audio. The audio shall consist of the officer stating their name, badge, assignment, date and time.
28. Members shall immediately report malfunctioning BWC systems to their supervisor. After reporting a malfunctioning BWC to their supervisor, the member and supervisor shall make a reasonable effort to secure a functioning and charged BWC prior to the member resuming service. If no BWC can be obtained, the supervisor shall make specific note of that fact on their daily report and inform, via email, their supervisor and their District/Division DSA.
29. Inspection, general care, and maintenance of a BWC shall be the responsibility of the authorized Department member who has been issued this equipment. BWC equipment shall be operated in accordance with the manufacturer's recommended guidelines, department training and associated department policies.
30. Malfunctions, damage, loss or theft of BWC equipment shall be reported immediately by the assigned Department member to an immediate supervisor. The department member's immediate supervisor shall be responsible for providing written notice to the District/Division System Administrator documenting the suspected cause of equipment failure and implementing corrective action in the event of intentional misuse. All lost or stolen BWC's or accessories shall be documented in an incident report in accordance with NOPD Chapter 17.3 – Department Owned and Personal Property.

31. BWCs, when worn by District members in uniform patrol functions (i.e. officers and rank), should be worn at chest height, pointing in front of the officer and horizontal to the ground. Mounting options for SOD personnel in tactical gear or officers in plainclothes shall provide for a frontal view in accordance with uniform specifications (i.e., helmets or other protective gear). It is the Member's responsibility to ensure that the view of the camera is unobstructed (i.e., by clothing, uniform accessories, etc.)
32. Department members issued a BWC shall ensure the device is recording before arriving on the scene, if possible, or as soon as it is possible and safe to do so at the onset of a given situation. Once in the recording Department members shall continue to record until the completion of the event, or until they have left the scene. Additional arriving units to a scene shall ensure their BWCs are recording before arriving on the scene (if so equipped) and continue to record until the completion of the event, or they have left the scene.
33. When an officer not equipped with a BWC conducts an investigative or law enforcement contact, this fact will be documented on any citation, summons, and/or report prepared.
34. Whenever a Department member obtains a video statement, the fact the statement was recorded will be listed in the Incident Report.
35. Whenever a Department member believes that a recorded event may lead to a citizen complaint, they shall bring the recording to the attention of their immediate supervisor as soon as possible.

FEDERAL TASK FORCE OFFICERS

36. All NOPD Officers assigned to Federal Task Forces (such as V.O.W.S., Federal Agencies, and other Task Force Officers) assigned BWCs shall use those BWCs in accordance with any Agency Memorandum of Understanding (MOU) or Federal Agency Policy. Federal Agency Policy and MOU guidance shall supersede any conflicting requirements of NOPD Policy.

SUPERVISOR RESPONSIBILITIES

37. If a member makes a supervisor aware that a recording may lead to a citizen complaint, the supervisor should review the recording and conduct any further investigation they deem appropriate. If no incident report or supplemental report directly related to the possible complaint is warranted, details of the contact shall be documented via departmental email. The Department member's immediate supervisor shall be responsible for ensuring a copy of any report or correspondence related to the contact is forwarded to their respective District/Division Commander, Bureau Deputy Superintendent and the Deputy Superintendent of the Public Integrity Bureau.
38. Supervisors shall issue and inspect BWC equipment when initially issued to assigned personnel to ensure proper operability per testing protocols provided under departmental training. Non-functioning BWC systems shall not be placed into service and the equipment malfunction shall be immediately reported in writing, via departmental email, to the supervisor's respective District/Division System Administrator (DSA) with a copy forwarded to the District/Division Commander. The DSA shall be responsible for coordinating maintenance or repairs issues directly to the Master System Administrator (MSA) assigned to the Information Systems Section.
39. Supervisors shall review any BWC recording that may have been automatically activated when the Taser is activated.

40. Supervisors shall regularly perform a random review of their subordinates' BWC recordings to assess officer performance and ensure proper use of the BWC is enforced. Reviews shall be conducted according to **Appendix B – FOB BWC and ICC Review Guidelines**.
41. Supervisors shall ensure all members with malfunctioning or non-functioning BWCs replace their BWC before answering any Calls for Service (except for Code 2 priority calls) by obtaining a replacement BWC from:
 - (a) The District DSA first; then
 - (b) The Body Worn Camera Section during normal working hours.
42. When an incident arises that requires the immediate retrieval of a BWC digital recording (e.g., serious crime scenes, officer-involved shootings, Department vehicle crashes) a supervisor from the involved member's chain of command or the assigned investigator shall respond to the scene to secure the member's BWC and maintain a chain of custody. The chain of custody shall be maintained until the BWC digital recordings have been uploaded, properly labeled and entered into EVIDENCE.COM.

AUTHORIZATION TO NOT WEAR A BODY-WORN CAMERA

43. The Superintendent of Police or one of their designees may authorize an officer who would be required to wear a BWC by this Chapter to be exempt from the requirement when requested and approved in advance in writing by the officer's Commander. The request shall state:
 - (c) The operational / tactical / safety reasons (i.e. undercover, covert assignment, surveillance, etc.) why the BWC should not be worn;
 - (d) The specific limitations of the authorization such as for a particular named operation or for a set duration; and
 - (e) The name(s) of the officer(s) exempted from the BWC requirement.
44. The exception is limited to the specific provisions authorized in the approved request and is not a blanket authorization.

MASTER SYSTEM ADMINISTRATOR (MSA)

45. The Master System Administrator (MSA) is/are employee(s) authorized by the New Orleans Police Department and assigned to the Information Systems Section with full access to use rights. The MSA shall coordinate access requests to the recorded events for officers and investigators for legitimate law enforcement purposes or as directed by the Superintendent of Police or their designee.
46. The MSA is responsible for:
 - (f) Assigning and tracking inventory of equipment.
 - (g) Password control.
 - (h) End-user security access rights.
 - (i) Quality checks of video and sound quality if complaints are made by officers.
 - (j) Coordinating with the District/Division System Administrators; and
 - (k) Serving as liaison to AXON International representative on operational equipment related matters.

TRAINING

47. All members who are authorized to use BWC equipment must complete mandatory departmental familiarization training provided by the Education & Training Division for new members and by the District / Division DSA when the BWC is issued for members transferred from units that did not require a BWC to familiarize

themselves with the audio/video recording system and Departmental procedures prior to its use.

CATEGORIZING BWC VIDEOS

48. Department members shall ensure each BWC video made is properly categorized and labeled. Department members shall categorize a BWC video as follows:
 - (l) **ID**: NOPD item number utilizing the corresponding alphabetic character for the month (A-L), followed by a hyphen (-), followed by a five-digit incident number (use zeroes to form the five-digit number if necessary), followed by a hyphen (-), followed by the year Indicator which is the last two digits of the current year (EXAMPLE: A-12345-21).
 - (m) **CATEGORY**: Choose the applicable category(s) from the dropdown list. (miscellaneous shall be used only where the activity does not reasonably fall within another category).
 - (n) **TITLE**: Replace the "AXON Body Video" label with the address of the incident.
49. All automatically triggered recordings will still have to be reviewed and labeled as appropriate to the incident recorded and within the guidelines of this Chapter.
50. Failure to properly categorize a BWC recording may result in disciplinary action.

DELETION OF UNINTENTIONAL RECORDINGS

51. In the event of an unintentional activation of BWC equipment during non-enforcement or non-investigative activities (e.g. a restroom or meal break, or in other situations when a reasonable expectation of employee privacy exists) a Department member may request deletion of the recording.
52. A form 105 detailing the circumstances of an unintentional recording shall be forwarded via the chain of command to the member's District/ Division Commander and, if approved, the actual deletion shall require two-party authorization. One of those parties shall be the member's District/Division Commander, and the other shall be the Master System Administrator.
53. Only the Master System Administrator shall facilitate the actual removal of any record approved for deletion. Records related to any request for the deletion of records shall be maintained by the Master System Administrator.

CHARGING AND UPLOADING PROCEDURE

54. At the end of their shift, Department members issued a BWC shall place the device into an open slot on the Axon Dock located at their District/Division assignment. This will allow for recharging of the device and media or data transfer from the BWC through the docking station to EVIDENCE.COM.
55. At the conclusion of recharge/upload cycle, the device is automatically cleared of all previously recorded data. The BWC device shall not be removed from the dock until media or data has been uploaded and the battery has been fully recharged. Under normal use (routine shift), a recharge/upload cycle can be expected to take between one to three hours to complete.

AUTHORIZED USER ACCESS TO UPLOADED MEDIA OR DATA

56. General access to digital recordings shall be granted to Department-authorized users only. It is the responsibility of authorized users to keep their usernames and passwords confidential. Accessing, copying, or releasing any recordings for other

than official law enforcement purposes is strictly prohibited, except as required by law.

57. A department member who has been assigned an investigation may review unrestricted BWC recordings to help ensure accuracy and consistency of accounts. This can be done by accessing EVIDENCE.COM. To prevent damage, original recordings shall be viewed only by members who are assigned a BWC device through means authorized by the Department. Any review of a BWC by the officer shall be documented in the incident report corresponding with the incident.
58. A Department member involved in or witness to any use of force incident or accident-causing injuries will be permitted, but will not be required, to review their own BWC video recordings prior to providing a recorded statement or completing reports.
59. Investigators conducting official Department investigations may request access to review specific incidents contained on BWC recordings, in the event access is restricted. The request may be approved by Command Staff members at the level of Deputy Superintendent or above. Access for any purpose other than an official investigation shall require the express approval of the Superintendent of Police.
60. A supervisor may review specific BWC media or data for the purpose of training, performance review, critique, early intervention inquiries, civil claims, administrative inquiry, or other articulable reasons.
61. If the supervisor determines during their review of an incident that NOPD should revisit policy, tactics, training, or strategy related to the incident, the supervisor shall document that in a PRR Form #358. The supervisor submitting a PRR form #358 is responsible for thoroughly completing the form's "Request" section. The supervisor shall make a digital copy of the form and email it to PSAB@nola.gov . The supervisor shall make an earnest effort to provide information to facilitate the review of the request. Supervisors shall be available to the reviewer and respond to follow-up questions, if any, from the PSAB reviewer.
62. Field Training Officers may use media captured via a BWC device to provide immediate training for recruits and to assist with the completion of the Daily Observation Report (DOR).
63. Under no circumstances shall members with access to BWC media or data files be allowed to use, show, reproduce or release recordings for the purpose of ridicule or embarrassment of any officer or individual or for other non-law enforcement related purposes. This includes submission of any portion of a BWC recording to a media organization unless release has been approved in advance by the Superintendent of Police.

UNINTENTIONAL MISUSE AND NON-USE

64. Supervisors who become aware of an alleged BWC policy violation shall determine whether the alleged violation is eligible for documented non-disciplinary counseling under the terms of this policy. An alleged BWC violation is not eligible for non-disciplinary counseling if it did not capture the primary portions of:
 - (a) An alleged use of force (see **Chapter 1.3 – Use of Force**);
 - (b) An alleged criminal act on the part of the officer;
 - (c) A violation of NOPD rules, regulations, or policies; or

- (d) The actions resulting in a public complaint.
65. An alleged BWC violation is not eligible for non-disciplinary counseling if the misuse or non-use of a BWC is intentional. The supervisor must interview the allegedly non-compliant member and assess whether the alleged violation was intentional, considering all factors, including but not limited to:
- (a) The member's statement and credibility;
 - (b) The member's history of compliance with, or violations of BWC use;
 - (c) The member's disciplinary history in general (demonstrating BWC use);
 - (d) The member's experience, i.e. length of service with the Department;
 - (e) The existence of exigent circumstances;
 - (f) The likelihood of equipment malfunction or non-operation (allegations of equipment failure may require inspection of the equipment, review of any repair requests, and/or consultation with the DSA); and
 - (g) The nature of the event or encounter that was not recorded.
66. Each member is entitled to a maximum of three (3) instances of documented counseling for alleged BWC misuse or non-use in a one-year period (a rolling 12-month period) (see **"Timeline and Allotment"** section below). However, one additional, unintentional BWC violation during the period may be eligible for non-disciplinary counseling if it is reported by the member to his or her supervisor (see **"Safe Harbor"** provision below). The supervisor must review the allegedly non-compliant member's personnel file to determine if they have exceeded their maximum allotment.

DOCUMENTATION OF NON-DISCIPLINARY COUNSELING

67. Once a supervisor determines that a BWC violation is eligible for non-disciplinary counseling, they must meet with the non-compliant member and explain the violation. The supervisor must explain how the member's actions did not comply with policy, review the relevant policy provisions with the offending member, and explain how the member can correct themselves in the future.
68. The supervisor must document every instance of non-disciplinary counseling in the Supervisor Feedback Log. The Supervisor Feedback Log entry shall include:
- (a) The member's name, rank, and assignment;
 - (b) The date and nature of the violation;
 - (c) A statement explaining how and why the violation was inadvertent, according to the member and supervisor;
 - (d) A statement explaining how the supervisor became aware of the violation (a self-reported violation must be identified as such).
 - (e) The number of previous alleged violations by the member, and the number of previous documented non-disciplinary counseling on their behalf; and
 - (f) The date and explanation of the non-disciplinary counseling.

TIMELINE AND ALLOTMENT

69. When determining/documenting the maximum allotment of three (3) instances of documented counseling in a rolling 12-month period for BWC misuse or nonuse, the supervisor shall refer to the date of infraction(s) – and not the date of corrective action(s) – when determining whether non-disciplinary counseling is an appropriate response according to the guidelines of this chapter.
- (a) For example, a member who unintentionally failed to activate their BWC on June 1, 2016, might be eligible for their first documented non-disciplinary

counseling as of that date. A second and third instance could then be eligible anytime before June 1, 2017. However, a fourth instance during that one-year period may be subject to a formal disciplinary investigation.

70. A sustained disposition in a formal disciplinary investigation for an inadvertent misuse or non-use of a BWC is considered one instance of non-disciplinary counseling for the purposes of this Chapter.

SELF REPORTING

71. Members are encouraged to report their own BWC violation(s) to their supervisor(s). A self-reported violation may avoid discipline, provided that the violation is inadvertent and meets the criteria established in this Chapter. One self-reported violation that is eligible for non-disciplinary counseling is not counted against the member's three allotted instances.
72. When a supervisor documents counseling for a self-reported violation, they must specify that the violation was self-reported and therefore is not counted among the three instances of allowable non-disciplinary counseling for BWC violations. For example, if a member has three previous BWC violations for which they received documented non-disciplinary counseling within a one-year period, they could be eligible for non-disciplinary counseling if a fourth violation is self-reported.
73. The self-reporting provision applies only once per rolling 12-month period. A subsequent self-reported, unintentional BWC violation shall be counted against the member's three allotted instances eligible for non-disciplinary counseling.

RESPONSIBILITIES OF THE PUBLIC INTEGRITY BUREAU (PIB)

74. PIB is responsible for tracking all documented cases of non-disciplinary counseling for BWC violations and reviewing them. When PIB determines that a member has exceeded their allotment of documented non-disciplinary counseling for BWC violations, or that non-disciplinary counseling was not appropriate in a specific case, PIB should initiate a complaint investigation (issue a complaint tracking number) and inform the reporting supervisor.
75. PIB shall track repeat BWC violations, compile and analyze data to identify trends, issue monthly Status Conference reports, and make recommendations for policy modifications accordingly.

APPENDIX A – List of selected field assignments required to have a Body-Worn Camera in accordance with this policy

- All District Platoon Officers
- All School Resource Officers
- All Proactive Task Force commissioned personnel that are not full-time administrative staff
- All SOD commissioned personnel that are not full-time administrative staff, including:
 - Canine Unit
 - Traffic Section
 - V.O.W.S.
 - Tactical Teams
 - SOD Situational Response Team
 - RTA Section
- All Sergeants and Lieutenants assigned to FOB District Patrol Functions
- Other officers who routinely engage in uniformed patrol and have been assigned a BWC
- Any other officers designated by the Superintendent.

APPENDIX B – BWC and ICC Review Guidelines

These guidelines do not address a supervisor's mandatory obligations to review videos involving reviewing uses of force, misconduct investigations, vehicle pursuits, and injuries to a prisoner or an officer.

Clarifying the **discretionary review** process for BWC and ICC will help the Department accomplish the following goals:

- Ensuring supervisors conduct timely, accurate and complete performance evaluations of their subordinates.
- Making sure officers “are working actively to engage the community and increase public trust and safety”; and
- Ensuring supervisors “review recordings regularly... to incorporate the knowledge gained from this review into their ongoing evaluation and supervision of officers”.

Sergeant's Responsibilities

- Each **platoon** shall review at least one in-car or body-worn camera video of officers under his/her supervision every other workday, on average, for a total of at least 15 per month. Circumstances may prevent individual sergeants from reviewing video on a daily basis, but supervisors may make multiple reviews on less busy days in order to meet the overall, monthly platoon goal.
- For the purposes of this section, a platoon shall consist of a shift supervised by a Platoon Lieutenant. For instance, in a twelve-hour platoon shift, day watch is one platoon and night watch is another platoon. In an 8:35 hour shift schedule each platoon consists of each 8:35 hour shift.
- The videos reviewed shall not be solely one category (BWC or ICC) but should be a combination of the two.

Lieutenant's Responsibilities

- Each platoon lieutenant should review at least two BWC or ICC videos of different officers each work week, on average and at least one BWC for each subordinate supervisor weekly.
- Lieutenants shall review videos to assess the performance of sergeants and officers.
- Each month lieutenants shall review multiple videos that have been reviewed by sergeants to ensure close and effective supervision of officers by their sergeants.

Suggested Topics of Discretionary BWC/ICC Reviews

- Quality of officer interaction with persons during non-enforcement-related contacts.
- Constitutionality of and tactics used during Terry Stops/Investigatory Stops.
- Victim centered approach and asking risk questions during Domestic Violence call.
- Recognizing signs of a person in crisis and treating them with dignity during Crisis Intervention incidents.
- Constitutionality of and tactics used during Searches, and Arrests; and
- Showing respect toward and acting professionally in dealing with the public (General Officer Performance).
- De-escalation efforts in critical confrontational situations

Length of Video Reviews (on average)

- 7-10 minutes, or shorter videos documenting questionable encounters (such as a series of 10-28NP incidents).
- It is not necessary to review an entire video of a particular call for service. The length of the review should be long enough for lieutenants to meaningfully assess the quality of the issue under consideration (quality of Terry Stop or arrest, quality of officer interaction

with citizens, etc.).

- The review should not include an assessment of the member's travel time, unless the supervisor is critiquing the member's driving habits, or involves a mandated review of alleged misconduct.
- The 7-10-minute video review should assess the officer's actions once he or she has arrived on the scene.

Additional General Comments

- District Commanders may direct their subordinates to review additional BWC/ICC videos over the course of a month.
- All reviews, of officers' BWC/ICC videos must be logged in the Department's "L" Drive in compliance with Department policy.
- All reviews by the Lieutenant of subordinate sergeants' BWC shall be noted in the Supervisor Feedback Log (SFL) as a random review and can be entered as "neutral" (Note), "negative" (Redirection/Counseling), or "positive" (Compliment).
- District Platoon and DIU supervisors are charged with the responsibility of ensuring that all platoon personnel are initiating BWC and ICC videos as outlined in Chapters 41.3.8 (In-Car Camera) and 41.3.10 (Body-Worn Camera).