

## **Cobb County Police Department**

### **Policy 3.08**

#### **IN-CAR / BODY-WORN CAMERAS**

<b>Effective Date:</b> April 15, 2018	<b>Issued By:</b> Chief M.J. Register
<b>Rescinds:</b> Policy 3.08 (November 1, 2017)	<b>Page 1 of 4</b>
The words “he, his, him,” which may appear in this policy, are used generically for clarity and ease of reading. These terms are not meant to imply gender and relate to all employees of the Department.	

The purpose of this policy is to provide guidelines for the use of Department authorized in-car and body-worn cameras, and the disposition of their recordings. This policy does not govern the use of surreptitious recordings or devices used in undercover operations.

#### **I. POLICY**

The routine use of in-car and body-worn cameras is for the purpose of recording specified interactions between police personnel and the public and to collect video evidence for criminal proceedings. The use of these cameras will allow for increased accuracy in documentation of police-public contacts, arrests, and critical incidents, as well as for the enhancement of accuracy with police reports and courtroom testimony. Officers (or other personnel using cameras) are required to activate recording devices when such use is appropriate for the proper performance of duties and in accordance with this policy.

#### **II. ACTIVATION/DEACTIVATION OF EQUIPMENT**

- A.** While operating a camera equipped police vehicle, or conducting law enforcement duties (to include law-enforcement related secondary employment), officers are to ensure they are signed in to their assigned in-car and/or body-worn camera(s) under their authorized user name and password.
- B.** Officers are to engage in-car and body-worn cameras on all self-initiated activity, calls for service, and other official contacts (e.g. – interviews, complaints, etc.).
  - 1. Any associated peripheral devices (e.g. – audio transmitters) are to be worn on the person and activated/utilized whenever the system has been activated.
  - 2. Cameras and associated peripheral devices (e.g. – audio transmitters) are to remain activated until the law enforcement incident is concluded. The equipment may be manually deactivated during non-enforcement activities such as protecting traffic crash scenes from other traffic or protecting a crime scene perimeter. Recordings are to be re-activated when the officer re-engages in a law enforcement incident, such as confronting someone at the crime scene perimeter.

3. Officers are not required to inform the public of in-car and body-worn cameras, but are to disclose their use upon inquiry.
  4. Absent special circumstances (e.g. – someone using the rest room, patients during a medical or psychological evaluation, attorney client communications, etc.), officers have no obligation to stop recording in response to a citizen’s request when the recording is pursuant to an investigation, arrest, lawful search, or the circumstances clearly dictate that continued recording is necessary (e.g., potential disorderly conduct).
  5. Cameras should not be used to record:
    - a. Personal interactions with other officers or discussions with confidential informants engaged in undercover operations;
    - b. Any non-police business; and
    - c. Special circumstances as described above.
- C. Each day, officers are to check to see if all audio/video they captured is uploaded by the end of their tour of duty. Officers are to notify supervision of any issues with the recording upload.

### **III. REDACTION/RESTRICTION OF CAPTURED RECORDINGS**

- A. In the event that a recording has been made of matters addressed under above Section II B 5, that portion of the recording may be redacted from the original video. Such redaction requires a written request through the chain of command to the deputy chief. The usable recording will be labeled as “redacted” and the redacted portion of the recording is to be preserved separately.
- B. Access to certain recordings may be restricted in cases involving allegations of serious employee misconduct, incidents involving the use of significant or deadly force, or incidents involving serious bodily injury /death to another when a Department employee is involved.

### **IV. CRIMINAL AND ADMINISTRATIVE USE OF CAPTURED DATA**

The use of in-car and body-worn cameras within the general law enforcement environment provides a valuable resource for law enforcement agencies in the delivery of services. Additionally, information collected through this technology can be critical in the investigation and prosecution of criminal incidents, the investigation of complaints against employees, and the enhancement of agency training.

Unless otherwise directed, personnel may have access to view data from in-car and body-worn cameras, and make copies as needed for court, evidence, reports, or training purposes. Under no circumstances is an employee to make a copy of a video for personal use.

**V. DATA STORAGE AND RETENTION REQUIREMENTS**

- A.** Digital data from video recording equipment is to be uploaded (automatically via wifi or manually by an administrator) to a secure server for storage. VHS/DVD recordings will be maintained by the Department Records Custodian.
- B.** Digital data, as well as any VHS/DVD recordings, are to be maintained in accordance with the Georgia Records Retention Schedule.
- C.** All recordings captured by video recording equipment are subject to the rules and regulations of the Georgia Open Records Act (OCGA 50-18-70 et. seq.). Requests for copies of data or audio/video are to be directed to the Department Records Custodian or his designee. This paragraph shall not preclude an employee from providing a copy to the court at its request.

**VI. EQUIPMENT MAINTENANCE AND INSPECTION REQUIREMENTS**

- A.** Officers are to inspect their in-car and body-worn camera systems on a daily basis. This includes checking for all associated peripheral devices (e.g. – audio transmitters), and checking to see that equipment designed to activate automatically is operational. The officer is to report any problems with equipment to supervision as soon as possible.
- B.** Officers may correct obvious problems with equipment (e.g. – disconnected wires) but should not change any settings or perform any other action which would be more appropriate for an authorized service technician to complete. Equipment repair or maintenance is to be performed by authorized service personnel only.
- C.** Information services, system technicians and command staff are to have full access rights to in-car and body-worn camera systems, including managing the systems, assigning user access rights, managing files within the systems, conducting routine audits, and maintaining and updating the systems as needed.

**VII. TRAINING REQUIREMENTS**

Officers and supervisors who operate in-car and/or body-worn cameras, to include those who only have access to the collected data, will receive training appropriate for their use of cameras or review of data. Training may be conducted on-the-job and/or in a formal classroom environment. Training is to include Department policy and procedures relating to in-car and body-worn cameras, general operating instructions, and how to upload and review video.

**VIII. DOCUMENTED REVIEW OF CAPTURED DATA**

Each month, recordings captured by in-car/body-worn cameras are to be reviewed. The reviews should focus on officer/citizen interactions, officer safety, driving behavior, and use of equipment in accordance with policy.

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- A.** Supervisors are responsible for reviewing at least one (1) random recording from each subordinate who has utilized in-car and/or body-worn cameras.
- B.** Shift/unit commanders are responsible for reviewing at least four (4) random in-car and/or body-worn camera recordings from personnel assigned to their shift/unit. Shift/unit commanders are also responsible for reviewing at least one (1) random recording from each supervisor under his command who has utilized in-car and/or body-worn cameras.
- C.** Any policy, procedure, or other issue discovered during the review is to be addressed by supervision and/or elevated in accordance with policy.
- D.** All random reviews are to be documented on a Video Review Form and included with the precinct/unit monthly report.