

**NEW CANAAN POLICE DEPARTMENT**

**SUBJECT: BODY-WORN CAMERA**



**DIVISION ORDER NUMBER: 15-02-11**

**I PURPOSE/POLICY**

Body-worn cameras have demonstrated themselves to be of value in the prosecution of offenses, in the evaluation of officer performance, enhance training, and improve the Department's effectiveness and overall officer safety. In order to maximize the utility of this equipment in these and related areas, officers must follow specific procedures. The purpose of this General Order is to provide officers with those policies and procedures that they must adhere to when utilizing body-worn cameras.

It is the policy of this Department that body-worn cameras will only be utilized as a means to improve the professional level of service expected of our police officers and to promote the legitimacy and sense of procedural justice that the Town of New Canaan has come to expect of our agency.

Comment [VD1]: Remove

**II RESPONSIBILITY**

It is the responsibility of all Department personnel to adhere to this General Order. It is the additional responsibility of the supervisory and command staff to ensure its compliance.

**III PROCEDURES**

**A. Program Objectives**

1. This Department has adopted the use of body-worn cameras in order to accomplish several objectives, including:
  - a. The accurate documentation of events, actions, conditions and statements made during arrests and critical incidents, so as to enhance officer reports, collection of evidence and testimony in court.
  - b. The enhancement of this Department's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, and evidence for investigative purposes, as well as for officer evaluation and training.

Comment [VD2]: Should be replaced with the term "additional"

**B. Operating Procedures**

1. In order to maximize the utility and effectiveness of body-worn cameras officers shall adhere to the following procedures when assigned a body-worn camera.
  - a. Officers shall be responsible for their body-worn camera.
  - b. At beginning and at the end of each shift, officers shall ensure their body-worn camera is working satisfactorily and shall report any problems to the attention of their immediate supervisor as soon as possible. The Commander of Staff Services or designee shall also be notified of any issues.

Comment [JD3]: Cameras issued primarily to uniformed personnel

All users must receive training prior to use

Comment [VD4]: Malfunctioning equipment

2. Officers shall activate their assigned body-worn camera prior to or during any encounter with a person in which there is a potential for arrest, to include all pedestrian and traffic stops, any investigative call for service, any call in which they are needed to resolve or prevent a dispute, or any proactive self-initiated call for service in which law enforcement action can reasonably be anticipated.
3. Whenever possible, officers should inform individuals that they encounter that they are being recorded. The body-worn camera shall remain activated until the event is completed in order to ensure the integrity of the recording, unless the contact/individual moves into a restricted area where an individual has a reasonable expectation of privacy, such as in a residence. In these cases, the said individual may decline to be recorded. Such a request must be honored unless the recording is being made pursuant to an arrest or search of said residence.
4. Civilians shall not be allowed to review recordings made with a body-worn camera at the scene.
5. Officers shall not erase, reuse, or in any manner alter or tamper with any type of body-worn camera media.
6. Officers are encouraged to inform their supervisors of any video recorded footage that may be of value for training or evidentiary purposes.
7. In order to help ensure the accuracy and consistency of an incident, officers shall review their recordings when preparing written reports.
8. When the body-worn camera is utilized during an incident, the officer(s) will note its use in their incident, arrest, and/or related reports. If officer fails to activate or interrupts recording officer shall document why that occurred.
9. Supervisors are required to review body-worn camera recordings for all incidents involving:
  - a. Any incident involving injuries to a suspect, prisoner or officer.
  - b. Any use of force at or above the use of physical force.
  - c. A motor vehicle pursuit.
  - d. A complaint of officer misconduct and the officer involved is wearing a body-worn camera.
  - a. Barring unforeseen circumstances, officers shall upload all body-worn camera recordings into the department computer system at the conclusion of their tour of duty. When this is not possible, the body-worn camera must be tagged within 72 hours of the end of the tour of duty in which the recording occurred.
  - b. All incidents shall be tagged as a "routine call for service" unless they fall into one of the following categories;
    - 1) A pedestrian and/or motor vehicle stop.
    - 2) A use of force.
    - 3) An incident involving injury to a suspect, prisoner or officer.
    - 4) A motor vehicle pursuit.

Comment [VD5]: If not specifically documented in training, we should provide some guidelines as to what would be considered instances or areas which would be considered private

Comment [VD6]: the reasons for failure to record

Comment [VD7]: within

- 5) An arrest.
  - 6) An incident in which a complaint of misconduct is alleged.
  - 7) Any incident involving an administrative or internal investigation.
- c. Supervisors and/or the Property Management Division will ensure that body-worn camera recordings are properly tagged and meet all applicable retention requirements.
10. Unauthorized use, duplication, and/or distribution of body-worn camera files are prohibited. Employees shall not make copies of any body-worn camera recording for their personal use and are prohibited from using a recording device such as a phone camera or secondary video camera to record body-worn camera files.
  11. The Body Worn Camera shall not be used to record;
    - a. Encounters with undercover officers or confidential informants.
    - b. Instances where employees are on break or otherwise engaged in personal activities.
    - c. Any location where employees have a reasonable expectation of privacy, such as a restroom or a locker room.

Comment [VD8]: is

### C. Control and Management of Recordings

1. Body-worn camera recordings containing information that may be of value for case prosecution, in a criminal/civil proceeding or in the investigation and adjudication of a citizen complaint, shall be handled as evidence. All video recordings are subject to the same security restrictions and chain of evidence safeguards as detailed in General Order 88-1-44, Property Management. All equipment, data, images, video and metadata produced is the sole property of the New Canaan Police Department.
2. The Police Chief or his/her designee must approve the access and release of any body-worn camera recordings. When approved, the officer or officers who were taped will be notified that the release of such video has been approved.
3. Body-worn camera recordings of a routine nature are exempt from evidence restriction under General Order 88-1-44, Property Management.
  - a. Body-worn camera recordings of routine calls for service shall be retained for a minimum period of 90 days.
  - b. It is the obligation of the officer that records a routine call for service with their assigned body-worn camera to notify the Property Management clerk in writing if they believe a recording should be retained for more than 90 days.
4. The department shall retain and preserve all recordings that are under investigation, involved in litigation, or reasonably anticipated to lead to litigation for at least three years after disposition of the particular matter.
5. All recorded media, images, and audio recordings are the property of New Canaan Police Department and shall not be copied, released, or disseminated in any form or manner except as provided by this policy.

**D. Supervisory Responsibilities**

1. Shift Supervisors shall be responsible for the supervision of officers and their use of body-worn cameras and shall ensure that:
  - a. All officers follow established procedures for the use and maintenance of body-worn cameras and related written reports.
  - b. On at least a bimonthly basis, they randomly review body-worn camera footage in order to:
    - 1) Assist in the periodic assessment of an officer's performance.
    - 2) Determine whether body-worn camera equipment is being fully and properly utilized.
    - 3) Identify material that may be appropriate as a training tool and for forwarding the recommendation to the Department's Training Officer in writing.
  - c. The reporting of damaged or non-functional body-worn camera equipment shall be reported in accordance with General Order 93-01-105, Departmental Property Damage.

**Comment [VD9]:** We will need to add 2 additional sections to cover Training requirements for users and supervisors as well as a section for equipment maintenance and inspection procedures to comply with CALEA standard 41.3.8

**E. Training**

1. Prior to deploying a body-worn camera the user shall receive training in the operation and allowable uses of the device, to include proper maintenance of the equipment.
2. Prior to receiving access to review captured video, all supervisory personnel shall have received Department training on the proper procedures for reviewing, tagging and maintaining the integrity of the recordings.
3. All users and supervisory personnel shall receive training on the use, retention, care and maintenance of department issued body-worn cameras at least annually

**V DISTRIBUTION**

This general order will be reproduced in electronic and traditional media. All sworn personnel shall have access to the Division Orders through a read-only file on their individual domain of the Department's computer network

**VI EFFECTIVE DATE**

This Division Order was approved by the Police Commission on August 19, 2015, and effective August 20, 2015

Revised: Nov. 2015

Nov. 2016

Per Order

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Leon Krolikowski  
Chief of Police