



BODY WORN CAMERAS

343.1 PURPOSE AND SCOPE

The West Valley City Police Department has identified a need to equip its police officers with body worn cameras (BWC) as part of its continuing effort to improve transparency, protect its members from false frivolous claims, and increase efficiency. This policy is intended to provide officers with the instructions and guidelines on when and how to use BWCs so that their contacts with the public can be recorded reliably and in accordance with the law.

343.2 POLICY

It is the policy of this Department that all sworn members, with the exception of command personnel and some limited administrative personnel, will be issued a BWC to be utilized while engaged in the performance of their official duties or during those times when the member is engaged in uniformed secondary employment. Members with BWCs shall be required to adhere to the mandates and practices outlined within this policy. All recordings are property of the Police Department and will be handled in strict adherence to this policy manual.

The captured data from the BWCs will be handled and stored through a web-based, digital storage facility.

This policy does not cover the use of in-vehicle cameras or the use of surreptitious recording devices used in undercover operations.

343.3 DEFINITIONS

The following definitions relate to terms used within this policy.

Digital Camera - A body worn camera system that records digital video and audio which can be mounted in various configurations on an officer's person.

Controller - The control and function center of the camera system that enables the recording of video and houses the various operational modes.

Normal (Buffering) Mode - The mode of operation in which the camera captures a continuous 30 second loop of video but no audio.



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Event (Record) Mode - The mode of operation in which the camera system captures the 30 seconds of buffered video and records both video and audio footage.

Media Storage - The on-line web-based media storage facility that stores digitally encrypted video and audio recordings from the camera systems. The data is accessible to authorized personnel and maintains an audit trail of all user activities.

Evidence Transfer Machine (ETM) - A docking station that facilitates the secure uploading of all data captured by the controller to media storage and simultaneously recharges the camera and controller systems.

Agency Administrator - An agency administrator has full access to and user rights within the media storage system. He or she can assign and track equipment, control passwords, delete non-evidentiary recordings according to policy and state law, conduct audits and quality control reviews, and act as a liaison with BWC representatives.

343.4 GENERAL PROCEDURES

Only those officers that have completed the department approved training on the policy, use and operation of the BWC system and the media storage system will be allowed to operate it.

Refresher training will occur annually and will be mandatory for anyone that is issued a BWC system.

The BWC system will be issued by the Training Division to each individual officer and the unique identification number for each device will be entered in the Spillman Inventory system. Only those BWC systems that are issued by the Department will be allowed to be used during the course of official police duties. This policy shall also apply to members while engaged in uniformed secondary employment that has been authorized and approved by the Department.

Each officer will be responsible for the care and maintenance of all issued BWC equipment and will inspect it before and after each shift for any physical damage or malfunctions. At the beginning of each shift, each officer will verify that the power is functioning on their BWC and controller by initiating the power button as well as depressing the battery test function button. This will ensure the operational readiness of the equipment so that it will most likely function properly when activated.

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In the event that any damage occurs to the BWC or a malfunction occurs at the beginning, during, or end of a shift, the officer will notify his or her immediate Supervisor. A replacement device will be issued to the officer by the immediate Supervisor and notification will be made to the Training Division Lieutenant or Sergeant of the circumstances. The Training Division will then verify that the damaged or malfunctioning BWC is completely taken out of service and that the new BWC is properly assigned to the officer and functioning correctly in the media storage system. All damage will be documented whether it was accidental or occurred during the course of the officer's regular assigned duties by a memo to the officer's immediate supervisor and forwarded through the chain of command.

The BWC system will be utilized by officers of this Department to record interactions with the general public in the following types of circumstances, but not limited to only these types of events:

- (a) Citizen contacts.
- (b) All arrests and investigative detentions.
- (c) Traffic stops.
- (d) Vehicle and foot pursuits.
- (e) Response to resistance situations.
- (f) All searches unless otherwise noted in this policy.
- (g) Search warrants and warrant services.
- (h) Subject, victim or witness interviews unless otherwise directed.
- (i) When advising an individual of their Miranda Rights.
- (j) During interrogations and interviews.

The BWC will only be worn utilizing the head mounted option by means of eyeglasses, head support mount by uniformed personnel or on the collar mount by plain clothed personnel. Any other applications or mounting options will be at the discretion of the Chief of Police.

The BWC camera system will be turned on at the beginning of the officer's shift and remain in the "Normal" or "Buffer" mode throughout the entire shift.

Whenever practicable, the officer shall position his or her BWC so as to optimize the recorded field of view.



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Officers will activate the event or “Record” mode to record any of the above-mentioned interactions or events and any other situations or circumstances that the officer deems necessary and in accordance with this policy.

The BWC is to remain activated and in the “Event” mode throughout the entirety of an encounter, investigation or until the officer leaves the scene. This is to ensure the integrity of the recording and to document all actions taken by the officer as well as interactions with involved parties.

Officers will document in their written reports the utilization of the BWC. They will attach the appropriate case number to each video utilizing the report management system synching feature or by accessing the media storage system. When circumstances do not require a written report be taken but a recording has been made, the officer will indicate this by documenting it in his or her line sheet. The video recording is not a replacement for a written report, but rather a supplement thereto.

When a traffic citation is issued, the officer will indicate on the citation and on his or her line sheet that a BWC was utilized.

343.5 UNAUTHORIZED MANIPULATION OF RECORDINGS PROHIBITED

Under no circumstances will the member edit or attempt to edit, alter, erase, delete, duplicate, copy, record, or distribute by any other means any recordings made with the BWC without the prior authorization and approval from the Chief of Police or his designee. All recordings are considered the property of the West Valley City Police Department and no personal use of the BWC will be permitted whether on or off duty.

Violations of the provisions of this policy shall be formally documented and may be grounds for disciplinary action.

343.6 REVIEW OF MEDIA

Officers may review their own video recordings to verify information or accuracy for their report.

Data may also be viewed for purposes of courtroom testimony or for preparation pursuant to an administrative hearing.



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Officers involved in any officer-involved critical incident will be permitted to review their own recording when requested.

- (a) Following an officer-involved critical incident, the on-scene supervisor will ensure that the BWC of the involved member is turned off to ensure that the data captured is immediately stored and saved. Department policy will be adhered to in regards to the preservation of any and all evidence. The BWC will remain in the possession of the involved officer until documented by the assigned investigative team
- (b) The data captured during an officer involved critical incident by the BWC may only be viewed as directed by the commander of the investigative team; at times when exigent circumstances such as an injured officer and the need exists to identify the involved suspect; or with the approval of the Chief of Police.

Officers will not allow a citizen or other involved party, at any time, to review any part or portion of a BWC recording.

Supervisors will be authorized to review recordings in the field if it is deemed necessary to mitigate citizen complaints or when exigent circumstances exist.

Reviews and audits of recorded data will be randomly conducted by supervisors as well as the Training Lieutenant and Sergeant for the purpose of ensuring that the equipment is functioning properly and that officers are using the device appropriately and in accordance with this policy.

An audit of BWC recordings will be conducted at least twice annually by the Chief of Police or his designee to ensure that only authorized users are accessing the data for legitimate and approved purposes.

343.7 PART-TIME OR OUTSIDE EMPLOYMENT USE

BWCs will be utilized at all uniformed part-time and outside employment jobs that have been authorized and approved by the department. This policy will be in effect for any and all law enforcement related activities and duties in which the officer is acting in his or her capacity as an officer with this department.

The officer will be required to ensure that the BWC has sufficient time to download any recordings and charge prior to their next duty shift.

The only exceptions to this policy will be made by the Chief of Police.

343.8 PROHIBITED RECORDINGS

Body worn cameras will only be used in conjunction with official law enforcement duties and shall not be used for any personal reason. The following restrictions will apply when a BWC is used for recording purposes:

- (a) Conversations with other department employees not related to current investigations.
- (b) Any encounters with undercover officers or confidential informants if recording could jeopardize their safety or an investigation.
- (c) Anytime an officer is engaged in personal activities such as while on breaks or meals.
- (d) Whenever an individual could have a reasonable expectation of privacy such as in restrooms or locker rooms.
- (e) Conversations between individuals where the officer is not a party to the conversations unless capture would be authorized by law.
- (f) Individuals involved in a protest, picketing or exercising their First Amendment Right of protected speech will not be recorded in violation of the law. This does not restrict the recording of public demonstrations where the members are present to maintain order and ensure public safety.

343.9 TASK FORCES AND OUTSIDE AGENCY ASSIGNMENTS

The department participates in numerous outside agency assignments and Task Forces where the use of a BWC might conflict with the rules, regulations, policies or practices of the Task Force or outside agency. In some instances, the use of recording devices of any kind may be prohibited. Administration is sensitive to these key relationships that have been developed with various agencies and will work in conjunction with them regarding the BWCs. Any discussions or agreements with outside agencies regarding BWCs will only take place through the Office of the Chief of Police.

343.10 MEDIA STORAGE AND RETENTION

Upon the completion of their shift, officers will place their assigned BWC camera and controller into the Evidence Transfer Manager (ETM) or docking station for charging purposes and uploading of recorded media. The media that is captured will only be uploaded to Evidence.com and will only be used for official purposes.



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- (a) It should be noted that officers may encounter situations and circumstances while they are traveling to and from work for their assigned shifts. BWCs and subsequent video recordings may not be available under these circumstances.

Under most circumstances and to avoid potential interruption in the uploading process and possible corruption of the recorded data, the BWC system will not be removed from the docking station until the upload process has completed.

Only approved docking stations will be used to upload and recharge BWCs. Any exceptions will be made by the Chief of Police or his designee.

A case number will be attached to each recording and a video category must be selected by the officer to allow for proper retention.

Retention of all records will be maintained in accordance to federal, state and local laws and regulations. Once the legally mandated retention period has been reached for specific recordings, they will be purged from the system unless notice of evidence preservation has been given by means of litigation hold requiring retention of the BWC data beyond the legal retention period.

343.11 DELETION OF UNINTENTIONAL RECORDINGS

In the event there is an accidental or unintentional activation of the BWC where the recording has no investigative significance or purpose such as while driving in the vehicle or where a reasonable expectation of privacy exists (restroom, etc.); officers may request a recording deletion. The requesting officer must submit an email or department memo to their immediate supervisor detailing the circumstances of the unintentional or accidental recording. The request will be sent up the chain of command to the Chief of Police for review. If approved, the action will require the Chief of Police or his designee and another system administrator to facilitate the deletion.

343.12 MEDIA FILE REQUESTS (GRAMA REQUESTS)

It is the goal of the West Valley City Police Department to support and promote openness and transparency in an effort to maintain a strong relationship with the communities that we serve. Their trust is vital to our success and the overall wellbeing of our communities. All requests for recordings or GRAMA (Government Records Access and Management Act) requests will be

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accepted and processed in accordance with federal, state and local statutes and in accordance with Departmental policy. The release of recordings must also ensure that all rights to privacy of victims, witnesses and suspects is maintained whenever possible and that all efforts are made to ensure the integrity of an investigation is not compromised. Legitimate redactions and/or denials of requests may be made to ensure that this is accomplished. Classification of BWC recordings as private, protected or controlled will be made on a case by case basis and as allowed by state law (GRAMA).

All requests will be required to be made in writing and submitted to the Records Section for proper review and processing. In the event that the request is granted, the Records Section will help coordinate the retrieval of the recording and assist in facilitating the release.

This policy will not conflict or interfere with the release of recording pursuant to a court order or valid subpoena.