



**CSUF FULLERTON POLICE DEPARTMENT
GENERAL ORDER
NUMBER 4-14**

BODY WORN CAMERAS [CALEA 41.3.8]

SUBJECT: Body Worn Cameras

PURPOSE: To define the requirements and provide instruction of the Body Worn Camera so officers of the CSUF PD may reliably record their on duty and work related contacts with the public while in accordance with the law.

POLICY: The Body Worn Camera further referred to as BWC, is an audio and video capturing system that is attached to an officer's upper body and used to document incidents that occur in official duties of CSUF patrol officers.

PROCEDURE

Definitions:

BWC: The BWC to be used by this department is manufactured by Taser and is referred to by the manufacture as the Axon model. **Original Storage Media:** The transferable internal 32GB memory storage located within the BWC used to temporarily store digital/audio files in the body camera. **Evidence.com** is a cloud-based application that is the archival storage location for the CSUF PD data.

- I. Objectives:** The agency has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:
- A.** BWCs allow for accurate documentation of police public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports, testimony in court and exemplify transparency to the community.
 - B.** Audio and video recordings also enhance this agency's ability to also enhance this agency's ability to review probable cause for arrest, officer and suspect – interaction, evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.

- C. The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
- II. Use of the BWC
- A. On-duty uniformed officers responding to calls for service or taking enforcement action shall make every effort to activate the BWC to record contact with citizens in the performance of their official duties.
 - B. Officers shall make every effort to immediately activate their body camera upon being dispatched Code-3 or any call that may be perceived as a critical incident (Part 1 crime). The BWC shall remain activated until the contact, incident or event is completed to ensure the integrity of the recording. Except in situations that meet section III D.
 - C. The camera shall be attached to the uniformed officer's front upper body, glasses or duty belt.
 - D. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document why the recording was not made, was interrupted or was terminated for reasons other than described in section III D, via a memo to the officer's watch commander.
 - E. Officers shall document in police reports whether a BWC was utilized. (Ex. "My Dept. issued BWC was activated during the contact, detention, arrest etc.)
 - F. For the purposes of this policy, it shall be presumed that any individual contacted by a uniformed officer wearing a conspicuously mounted body camera will have knowledge that such a contact is being recorded. However, a uniformed officer shall give an affirmative answer if asked by a citizen if they are being recorded during the course of an official contact.
 - G. BWC equipment will be issued to all officers at the rank of sergeant and below. Uniformed officers who are assigned BWC equipment must use the equipment unless otherwise authorized by Command Staff. Police personnel shall use only BWCs issued or approved by this Department.
 - H. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the CSUF PD.
 - I. Police personnel who are assigned BWCs shall complete a training program to ensure proper use and operations of the equipment prior to deployment in field operations. Future training may be periodically required to ensure the continued effective use and operation of the equipment, proper calibration, performance, and to incorporate changes, updates, or other revisions in policy and equipment.

- J. Prior to going into service, uniformed officers shall confirm that the BWC is working and recording properly. If the BWC is not working or malfunctions at any time, the officer shall promptly notify his/her supervisor and obtain a functioning BWC.
 - K. On-duty uniformed officers shall not be held financially responsible for damaged, broken or inoperable BWC equipment unless abuse or negligence of the equipment is found to be the cause. Any equipment malfunctions shall be brought to the attention of the officer's on-duty supervisor via a memorandum outlining the circumstances that led to the affected BWC so a replacement unit may be procured.
 - L. Officers shall not edit, alter, erase, duplicate, copy, share or otherwise distribute in any manner BWC recordings without prior written authorization and approval from the Chief of Police or designee.
 - M. Requests for deletions of recordings or any portion thereof must be submitted in writing and approved by the Chief of Police or designee in accordance with state record retention laws.
- III. Restricted Uses of BWC
- A. At no time should an officer jeopardize his or her safety in order to activate a BWC, recorder or change the recording functions.
 - B. No member of this Department may surreptitiously record a conversation of any other member of this Department with the BWC or any other recording device when a reasonable expectation of privacy exists and without the expressed written knowledge and consent of all parties. Nothing in this section is intended to interfere with an officer's right to openly record any interrogation pursuant to Government Code 3303 (g).
 - C. There may be times when officer's should be sensitive to a situation and use discretion on their decision to record contacts while handling certain calls for service. Some examples include but are not limited to: Interviewing of sexual assault victims, recording in Hospitals when other patients not related to a Police incident could be recorded or at the request of Hospital staff members.
 - D. In certain situations, where police tactics or confidentiality may jeopardize officer safety or case sensitive information, activations of the BWC may not be warranted. These situations include but are not limited to: Detective Bureau investigations, Gang Intelligence operations, tactical operations, undercover operations and interviews with criminal/confidential informants. The reason as

to why a recording was paused or not made at all is to be documented in the police report.

- E. An officer, who is investigating a possible explosive device and is in close proximity of the device, shall turn off their camera.
- F. Officers are prohibited from utilizing Department BWCs and recording media for personal use. Any unauthorized use of the BWCs by Department personnel may result in disciplinary action.

IV. Storage and Review of Media Files

- A. All files should be securely downloaded periodically and no later than the end of each patrol shift. If an officer is unable to download at the end of his/ her shift, the officer shall ask their on-duty supervisor if it is acceptable to download the files at the beginning of the officer's next shift. Each file shall contain information related to the date, BWC identifier, and assigned officer.
- B. Files should be securely stored in accordance with state records retention laws and no longer than useful for the purposes of training or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under control of a criminal justice system.
- C. Officers should review their recordings as use the recordings as a resource for preparing written police reports. Officers should not use the fact that a recording was made as a reason to write a less detailed report.
- D. All images and sounds recorded by the BWC are the exclusive property of CSUF Police Department. Accessing, copying or releasing files for non-law enforcement purposes is strictly prohibited and may result in disciplinary action.
- E. Command staff retains the authority to audit the storage system at random in order to ensure authorized users are accessing the data for legitimate and authorized purposes.
- F. Command Staff retains the authority to randomly view officer recordings for the purpose of validity testing. The random viewing will be conducted by the appropriate Command Staff. The method of random selection will be agreed upon by the SUPA Representative and Chief of Police. One recording per officer will be selected each month and reviewed. Any system deficiencies will be documented and remedied. Any performance issue will be discussed with the officer. Violations of policy will be reviewed using CSUF PD General Order 2-1 Internal Affairs Investigations.
- G. Specific and targeted audits for cause are not allowed unless well-founded suspicion has been documented specifically naming an officer or officers who are violating policy or performance standards. Command Staff shall be notified

- and CSUF PD General Order 2-1 Internal Affairs Investigations will guide the review.
- H. Video and/or audio recordings may be played for the purposes of training with written approval from the Chief of Police or his/ her designee. If an involved officer objects to the playing of an audio/ video recording, his or her objection will be submitted to the Chief of Police or his/ her designee to determine if the training value outweighs the officer's objection to have others review the audio/video file
 - I. In no event shall any recording be used or reviewed for the purpose of officer ridicule or embarrassing an employee.
 - J. No outside member of the department may review stored footage without the consent of the Chief of Police and after a reasonable attempt to notify the officer has been made.
 - K. Upon Command Staff approval, recorded files may be reviewed by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
 - L. Pursuant to lawful process, recorded files may be reviewed or provided to court personnel who are authorized to review evidence in a related case.
 - M. Media personnel with permission of the Chief of Police or the authorized designee may review or be provided recorded files.
 - N. In compliance with a public records act request and approved by the Chief of Police.
 - O. All recordings will be reviewed by a member of the Command Staff prior to public release. Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court. Every effort to protect the identities of involved parties in the video will be conducted to the extent allowed by law.

REVIEWED BY:

J.Rosales

APPROVED:



Raymund Aguirre
Chief of Police