

St. Joseph, Missouri Police Department



DIRECTIVE TYPE: SPECIAL ORDER		INDEX NUMBER: SO2301
SUBJECT: Agency-Owned Digital Media Equipment		
ISSUE DATE: September 6, 2023	REVISIONS: 07/23/24	AMENDS/RESCINDS:
REVISIONS CONTINUED:		DISTRIBUTION: A (All)

I. POLICY

The Saint Joseph Police Department utilizes Body Worn Cameras (BWC) and In-Car Cameras (ICC) to capture audio and video of law enforcement activity as evidence to be used in criminal investigations, administrative investigations, civil litigation, disciplinary actions, and training purposes. Effective utilization of the BWC/ICC systems serve to promote public trust of the Department and create transparency. The BWC/ICC systems aid in continuous member development by providing opportunities to improve training, tactical considerations, and Departmental policies. Members who are assigned BWC/ICC equipment shall maintain and use the systems in accordance with the procedures outlined in this policy and Departmental training. The Chief of Police shall determine which units and rank(s) of members within those units will be equipped with BWC/ICC systems.

II. PROCEDURE

- A. All recordings generated on Department-owned BWC/ICC are the property of the St Joseph, Missouri Police Department. The copying or reproduction of any digital media generated by the Department for use outside the Department is prohibited by any member (i.e. using a cell phone to record ICC/BWC media). Written prior approval from the Chief of Police and or designee shall be obtained prior to distribution of digital media generated by the Department in any format (excluding Section II, Subsection I).
 1. City, State and Federal prosecution
 - a. Standard case submission by officers & detectives
 - b. At the request of any prosecutor
 2. Open records requests
 - a. Current records request policy & fees will apply
 3. Outside LE agency requests
 4. Civil Case Requests

- a. Generally, requests for copies to be used in civil cases will only be provided after all criminal charges have been resolved.
- 5. PIO / media releases.
- 6. Any other with the approval of the Chief of Police.
- B. All digital media recordings will be retained as specified in the Missouri Police Clerks Records Police Retention Schedule.
- C. All video needed for evidentiary purposes will be stored in a cloud-based data system once the media is tagged with a classification. Members using a BWC device must complete mandatory training approved and/or provided by the Department to ensure proper use and operations. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment in order to incorporate changes, updates, or other revisions to policy and/or equipment.
- D. Members are prohibited from recording any digital media footage from the BWC other than for evidentiary purposes, or the dissemination authorized in section A.
- E. Members equipped with both In-Car Camera (ICC) and a Body Worn Camera (BWC) will utilize both systems.
- F. Members should remember to check that the BWC is not recording for personal business such as: routine business in the office, bathroom, lunch, personal phone calls, etc.
- G. Members will take measures not to activate the BWC in nonpublic areas of a Department facility, unless enforcement action is required.
- H. Members will refer General Order GO0030, Section X entitled, "Member Conduct," with regard to recording Department members.
- I. Members will not modify, tamper with, dismantle, change the settings or attempt to make repairs to any digital media recording equipment or device unless specifically trained and authorized to do so.
- J. Members will remain cognizant of the placement of the BWC and ensure it is not obscured by their uniform, coat, molle vest, radio, etc.
- K. Members shall use caution when entering a public locker room, changing room, restroom, doctor's office or other places where an individual would have a reasonable expectation of privacy.
- L. Unless for a direct law enforcement purpose, members will not record in restrooms, jails, daycares, K-12 education facilities and the interiors of medical, mental health, counseling, or therapeutic facilities. For example: responding for an administrative function (i.e., meeting, luncheon, sit-in etc.) as opposed to a call for service (i.e., disturbance call, a shooting victim at a hospital for treatment, etc.)
- M. When a member's BWC is broken, malfunctions or lost they will contact their Sergeant and/or a Camera System Administrator and immediately replace the equipment.
- N. Operating Guidelines for BWC
 - 1. Prior to, and throughout each shift, members shall ensure that all components of any recording device are working satisfactorily and updated when prompted. Members who are assigned a BWC shall fully charge the device prior to shift or duty and ensure the battery maintains a sufficient

level. Failure to charge a device properly is not a legitimate reason for not capturing video or data.

2. Members will activate the ICC/BWC under the following circumstances:
 - a. All calls for service involving contact with citizens or suspects.
 - b. Officer self- initiated activities
 - c. Any citizen contact that becomes adversarial.
 - d. Detention or investigations pursuant to an arrest.
 - e. Searches of persons, structures, and vehicles.
 - f. While transporting prisoners.
 - g. Immediately after the occurrence of an officer involved traffic accident or use of force if not already activated
 - h. When driving Code 3.
 - i. Any event that would constitute a vehicle pursuit or foot pursuit to include searching for a suspect at the conclusion of the event.
 - j. When field testing narcotics, counting money, documenting high value property, or returning property back to the owner.
 - k. At any other time enforcement action becomes imminent.
3. Plainclothes officers assigned a BWC will activate during pre-planned enforcement activities, any circumstance where police enforcement action is anticipated, any other time the member believes the recording will hold evidentiary value to enhance an investigation.
4. If a safety issue has prevented activation of the BWC, the member shall document the details in an incident report and report it to their immediate supervisor. At no time should a member jeopardize their safety in order to activate a BWC. It is understood that rapidly evolving and complicated situations may delay BWC activation due to incident priority.
5. Once activated, the BWC should remain on until the incident has concluded. De-activation **may** occur in the following situations:
 - a. Citizen request. (1) If the member determines that enforcement activity will not be required, the member may de-activate recording. (2) The citizen request to “not record” must be captured by the BWC.
 - b. When the member deems the information, they are about to receive should be kept confidential to ensure a person’s privacy in these instances the member must narrate on the recording their intention to stop recording and explain the basis for that decision. Members will also document the reason(s) in call notes.
 - c. When a supervisor or commander orders a member to stop recording the supervisor/commander will narrate their reasoning on the recording and instruct the member to document the order in either the appropriate report or in call notes.
6. If circumstances prevent an officer from recording a contact, it must be documented in any subsequent report and call notes.
7. Upon stopping a video, the member will properly tag and classify the digital media based on the classification of the report that was taken on the

call/self-initiated activity. Specific instructions for each BWC system will be provided to the users.

- O.** CAD Activation/Auto Tagging: Each BWC video will be auto tagged with a category and retention timeframe. At times when CAD Activation/Auto Tagging is not functioning each member shall tag every video with a designated category. All files shall be uploaded prior to the end of the shift on which they were recorded.
 - 1.** Each video which is deemed to have relevance to an investigation shall be flagged and contain information related to the following: Date, time, Classification Type, media type, recording device identifier/serial number, assigned member's name, DSN, bureau/unit, car/unit number, and, if applicable, charge(s). Members shall not change the original tag designated by the auto-tagging system, but should add the proper classification. Supervisors and Professional Standards should use the appropriate tag for an internal investigation. FTO's may select the FTO tag to preserve training media for documentation when necessary.
 - a.** Field Training Officer (FTO) 1 Year
 - b.** Professional Standards (IA) 7 Years
 - c.** Use of Force 7 Years
 - d.** Officer-involved Shooting (OIS) 99 Years
 - e.** Level 1 99 Years
 - f.** Level 2 7 Years
 - g.** Level 3 3 Years
 - 2.** Level 1 Media will have a retention of 99 years, Level 1 includes:
 - a.** A-B Felonies
 - b.** Homicides/Suspicious deaths
 - c.** Fatality Accident
 - d.** Suicide
 - e.** Sex Crime
 - f.** Circumstances where a civil lawsuit is likely
 - g.** Preservation requests (Attorney or FOIA)
 - 3.** Level 2 media will have a retention of 7 years, Level 2 includes:
 - a.** All felonies not Level 1
 - b.** Use of Force
 - c.** Professional Standards Investigations (IA)
 - 4.** Level 3 media will have a retention of 3 years, Level 3 includes:
 - a.** Misdemeanors
 - b.** City Ordinance violations
 - c.** Traffics Stops
- P.** Any outside requests for digital media from the BWC systems will be directed to the Crime Analysis Sergeant and/or Camera System Administrator.
- Q.** Camera System Administrators, Professional Standards, and members of the rank of Sergeant or above may review ICC/BWC videos at any time for the purpose of an authorized administrative investigation, incident review, counseling, training, or any other law enforcement purpose. Detectives and investigators of the department may review any ICC/BWC video as needed to perform their duties within the

department pertaining to casework. Any time a video is reviewed, a note must be placed with the video's audit log explaining why it was viewed.

- R.** Supervisors may utilize live streaming of an ICC/BWC system to facilitate effective scene management of high-risk calls such as, but not limited to, armed barricaded subjects, officer involved critical incident, and pursuits. When the live stream function is used, an explanation for the use must be included with the associated video. This function may not be used to observe an officer's routine activity. In circumstances where dispatch cannot reach an officer on the radio, or by phone after multiple attempts, and there is any concern for the officer's safety, dispatch shall request permission from an on-duty supervisor to activate the live view of the officers ICC or BWC to determine his or her status. The explanation for this activation must also be documented.

- 1.** Every three months supervisors shall review at a minimum, but not more than two (2) random videos generated by each officer they supervise. This will be done to assist in the periodic assessment of officer performance, to determine if the BWC equipment is being utilized properly, and to identify incidents that may be useful for training. These reviews will be documented in each officer's quarterly review.

- S.** Geo-fencing/Action-Zones may be utilized by the Department in response to community-related requests or complaints to ensure transparency and accountability. ICC/BWC's will be configured to activate when Officers enter a designated area, which may include, but are not limited to:

- 1.** Locations with high rates of community complaints or reported incidents.
 - 2.** Areas identified for targeted operations.
 - 3.** Specific locations under investigation as authorized by the Chief of Police.

Paul Luster, Chief of Police

Date