

Schoharie County Sheriff's Office

Subject: Provisions BODYCAM "Body-Worn Cameras" Recording System		Policy: BC120
References/Standards:		
Effective: January 14, 2020	Distribution: All Personnel	Amends:
Prepared by: Sheriff Ronald R. Stevens	Revised:	Rescinded:
Reviewed Date:		

PURPOSE:

To establish uniform guidelines for the use of the Provisions BODYCAM "Body-Worn Cameras" recording system. The system will be used to document various events and at the end of the Deputies and Investigators tour of duty, the captured data will be preserved, downloaded and stored on Sheriff's Office terra bite hard drives. Once captured, these recording cannot be altered in any way

POLICY:

The Schoharie County Sheriff's Office has adopted the use of the Provisions BODYCAM "Body-Worn Cameras" recording system to accomplish the following policy goals:

- A. To enhance Deputy and Investigators safety.
- B. To accurately capture statements and events during the course of an incident.
- C. To enhance the Deputies and Investigators ability to document and review statements and actions for both internal reporting requirements and for courtroom presentation.
- D. To provide an impartial measurement for self-critique and field evaluation for new Deputy training.
- E. To capture visual and audio information for use in current and future investigations.
- F. To enhance the public trust by preserving factual representation of Deputy/Investigator-citizen interactions in the form of audio and video recording.

All Deputies and Investigators that have been issued a Provisions BODYCAM "Body-Worn Cameras" recording system shall wear it on their uniform at all times, with the exception of training days, funerals, award ceremonies, or other events approved by a supervisor. The use of personal cell phones or electronics to view or categorize data is PROHIBITED.

TRAINING:

- A. Deputies and Investigators will not utilize the "Body-Worn Cameras" recording system until they have received the proper training.
- B. Training will consist of, but not limited to:
 - 1. A review of the system, its functions, proper usage, activation and deactivation.
 - 2. A review of the user manual and SCSO policy governing its use.
 - 3. A hands-on review of the "On Deputy" video recording system.
 - 4. The retention and storage features and procedures for placing data into evidence.
- C. Normal (Buffering) Mode — The Provisions BODYCAM "Body-Worn Cameras" recording system will be set at a continuous 30 second loop at which time video only (No audio) will be recorded while buffering.
- D. Event Mode — Once activated, the Provisions BODYCAM "Body-Worn Cameras" video recording system saves the buffered video and continues recording audio and video for up to eight (8) hours. Pressing the function button places markers on the media segment for later viewing in EVIDENCE.com,

OPERATIONAL PROTOCOLS:

- A. If assigned a Provisions BODYCAM "Body-Worn Cameras" recording system it shall stay in normal buffering mode during your shift. Whenever it is possible to do so, it shall be the policy of the SCSO to activate the Provisions BODYCAM "Body-Worn Cameras" recording system in the scope of his/her duties.
- B. It will be the responsibility of each Deputy or Investigator that once the Provisions BODYCAM "Body-Worn Cameras" recording system has been activated; it shall not be deactivated until the law enforcement activity is completed, the deputy has left the scene, or the citizen contact is complete.
- C. There will be times when, due to the nature of law enforcement work, exigent circumstances prevent the Deputy or Investigator from activating the "Body-Worn Cameras" video recording system.
 - 1. In those types of events the Deputy or Investigator will document the reason for not activating the "On Deputy" video recording system.
- D. Deputy or Investigator will avoid recording a *child victim* of any sex offense.
 - 1. In the event that the report of a sexual offense is disclosed following a Deputy or Investigator initiating video recording, every effort will be made to discontinue recording promptly in accordance with policy.
- E. To respect the dignity of others, Deputies *should advise persons who are nude or whose sensitive human areas are exposed of recording.*

- F. The Provisions BODYCAM "Body-Worn Cameras" recording system will not be used to record personal activity.
- G. The Provisions BODYCAM "Body-Worn Cameras" recording system will be turned off for any courtroom testimony, this does not apply to Deputy Sheriff's assigned as court security.
- H. The Provisions BODYCAM "Body-Worn Cameras" recording system shall not be intentionally activated to record conversations of fellow employees without their knowledge during routine, non-law enforcement related activities.
- I. Deputies and Investigators will avoid recording any interactions with informants or undercover Officers.
- J. Deputies and Investigators will test the "Body-Worn Cameras" recording equipment according to training and manufacturer's guidelines upon beginning their respective tour of duty. If any problems are encountered with any component of the system the Provisions BODYCAM "Body-Worn Cameras" recording system will not be used and the Deputy will immediately notify their supervisor, document the malfunction and the supervisor is responsible to notify the Undersheriff, or their designee.
- K. Deputies and Investigators will immediately report any loss or missing part of the "Body-Worn Cameras" recording system to their supervisor and will prepare a report outlining such loss or missing part. The supervisor is responsible for making immediate notification to the Undersheriff, or their designee.
- L. Corrections Division Shift Supervisors will wear the Provisions BODYCAM during each respective tour of duty. Supervisors will test the "Body-Worn Cameras" recording equipment according to training and manufacturer's guidelines upon beginning their respective tour of duty. If any problems are encountered with any component of the system the Provisions BODYCAM "Body-Worn Cameras" recording system will not be used and the supervisor will immediately document the malfunction and the supervisor is responsible to notify the Jail Administrator, Undersheriff, or their designee.
- M. Corrections Division Shift Supervisors will activate the BODYCAM recording system at anytime there is disruption, use of force, inmate disciplinary interviews or hearings, search of the facility for contraband, or other criminal act within the facility. Such recording will continue until the incident has been deemed concluded and the facility has been made safe.

EVIDENTIARY PROTOCOLS:

- A. At the end of their shift, or periodically during shift, deputies and Investigators will place the Provisions Camera and battery into a designated slot of the Docking Station, which will allow the data to be transferred from the Provisions camera through the ETM to a terra bite storage hard drive. If a deputy chooses to leave the Provisions camera in a Docking Station at end of shift, he/she must immediately retrieve it at beginning of their next shift, unless there is an emergency call requiring immediate response.
- B. Deputies and Investigators will not allow citizens to review any recordings.

C. The release of audio/video data requested through a public records release request will be subject to the same statutory exemptions from disclosure as any other departmental records.

D. Deputies and investigators will not make copies of any recording for their personal use and are prohibited from using a recording device (such as a telephone, camera or secondary video camera) to record any media stored on Sheriff's Office evidence hard drive or the Provisions Camera unit.

E. Deputies and Investigators will have the ability to review their recordings to ensure accurate written reports but will not be able to alter the contents of any audio/video recording that has been recorded.

A 710.30 Notice must be prepared, or the District Attorney's Office notified that the Deputy or Investigator intends to use any of the defendant's recorded audio or video recorded statements for prosecution.

F. All digital media collected using the Provisions BODYCAM "Body-Worn Cameras" recording system is considered an official record of the Schoharie County Sheriff's Office. Accessing, copying or releasing any media for other than official law enforcement purposes is strictly prohibited, except as required by law.

G. In the event that a particular recording is required for any court proceeding it is the Deputies or Investigators responsibility to notify the Undersheriff, or their designee, in writing requesting a copy of the stored data for that purpose. The Undersheriff or their designee, will make a notation in the case report that a copy of the video recording was made and was turned over to whoever requested such recording.

a **attached Property/Evidence Pull Request Form*

ADMINISTRATOR RIGHTS:

The Undersheriff, Sheriff or their designee(s), shall be the only person(s) within the SCSO to have administrator rights to all recordings stored on the Sheriff's Office Evidence hard drives or their back systems.