



Iowa State University Department of Public Safety

Directive: 41.4

SUBJECT: VEHICLE AND BODY-WORN CAMERAS

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INDEX:

- 41.4.1 VEHICLE AUDIO-VIDEO RECORDING SYSTEMS
- 41.4.2 BODY-WORN CAMERAS
- 41.4.3 SUPERVISORY REVIEW
- 41.4.4 BROKEN OR FAILING UNITS
- 41.4.5 CONTROL AND MANAGEMENT
- 41.4.6 RETENTION AND LIFE CYCLE
- 41.4.7 RECORDS REQUESTS
- 41.4.8 ACCOUNTABILITY
- 41.4.9 RECORD-AFTER-THE-FACT

POLICY:

The Iowa State University Police Department (ISU PD) shall use vehicle and body-worn recording devices to collect evidence and document interactions between officers and the public. Vehicle and body-worn cameras (BWC) are valuable assets intended to assist officers in the prosecution of certain offenders by supplementing an officer's testimony with a video/audio record of the incident. Additionally, this equipment will enable department administrators to conduct periodic reviews of officer-citizen contacts for quality control purposes and aid in the investigation of citizen complaints.

DEFINITIONS:

“Record-after-the-fact”

Department video systems may be equipped with a feature known as record-after-the-fact. Devices with this feature record video continuously allowing for the retrieval of video occurring outside of times where the officers started and stopped the recording for an event. The length of time that retrieval is available depends on the amount of video and the storage available on the device.

PROCEDURE:

41.4.1 VEHICLE AUDIO-VIDEO RECORDING SYSTEMS

The following describes procedures governing the use of vehicle recording systems:

- A. For purposes of this directive, vehicle audio-video recording systems shall include the following components: front-facing camera(s), prisoner compartment camera, monitor, control panel, digital recorder unit, and audio microphones.
- B. Officers should utilize vehicle audio-video recording systems whenever available. Not all vehicles may be equipped with such devices.
- C. Officers shall be thoroughly trained in the use of vehicle audio-video recording systems before activation.
- D. Vehicle audio-video recording systems shall be considered official agency property. Such equipment shall not be removed, altered, destroyed, damaged, or accessed contrary to existing departmental directives.
- E. Vehicle audio-video recording systems shall start recording automatically when vehicle emergency lights are activated.
- F. When available, body-worn cameras shall be synchronized with vehicle audio-video recording systems.
- G. Vehicle audio-video recording systems should be utilized to record routine and critical activities or tasks. Officers should ensure that recording functions are activated for the following but not limited to conducting traffic stops,

transporting detainees, conducting field interviews, encountering hostile or disorderly persons, groups or crowds, and other official law enforcement duties.

- H. Officers should narrate incidents on audio-video recordings as they occur whenever possible. Information provided may include location; the direction of travel; activity already observed; vehicle and occupant descriptions; and any other pertinent details. Members of the public need not be informed when recording equipment is activated unless direct inquiries have been made.

41.4.2 BODY-WORN CAMERAS (BWC)

The following describes procedures governing the use of BWC recording systems:

A. Equipment

1. BWC systems shall include the following components: WatchGuard VISTA XLT or VISTA WIFI camera, connection cables, chargers, and software. This shall be the only BWC authorized for use by members of the department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.
2. All uniformed police officers who are assigned BWCs must complete the agency provided training program to ensure proper use and operations.
3. The BWC units are equipped with a mounting platform and shall be affixed in a manner that provides a clear forward-facing view of officer activities in most circumstances. The BWC lens and microphone shall be free from any obstructions, such as an outer coat, hanging sunglasses on the uniform.
4. Officers shall wear BWCs as an authorized and required component of their daily uniform. The use of BWCs should also be considered by plain-clothes officers to document case events. Administrative sworn personnel, such as the Captains, Assistant Chief, and Chief, are not required to wear BWCs when primarily conducting administrative business. However, BWCs should be readily available for use in law enforcement or investigative encounters.
5. Each BWC has a unique serial number and has been assigned an internal tracking identification number. Officers shall use the assigned equipment unless otherwise authorized by supervisory personnel.
6. BWC equipment is the responsibility of the individual officer and shall be used with reasonable care to ensure proper functioning. Officers shall inspect and test BWCs for proper functioning at the beginning of each officer's shift. Equipment malfunctions shall immediately be brought to the attention of the officer's supervisor so that a replacement unit may be procured.

B. Operation

1. Officers shall activate the BWC when responding to an emergent call for service or at the initiation of any other law enforcement or investigative encounter between a police officer and a member of the public, except that when an immediate threat to the officer's life or safety makes activating the BWC impossible or dangerous. In these instances, the officer shall activate the BWC at the first reasonable opportunity to do so.
2. Any officer providing assistance or back up to an officer on a call for service or other law enforcement encounter is required to have their BWC activated until the conclusion of the incident, or their assistance is no longer required, and they leave the scene.
3. In locations where individuals have a reasonable expectation of privacy, such as a residence or medical setting, they may decline to be recorded unless the recording is being made pursuant to official law enforcement duties. The BWC shall remain activated until the event is completed to ensure the integrity of the recording unless the contact moves into an area restricted by this policy.
4. In locations where officers have a reasonable expectation of privacy, such as a restroom, locker room, residence, or private dwelling, they may turn off or unplug the BWC. Officers shall turn on or plug in the BWC once they are no longer in the area requiring privacy.

5. Officers shall narrate incidents being recorded as they occur whenever possible. Information provided may include location, the direction of travel; activity already observed; vehicle and occupant descriptions; and any other pertinent details. Members of the public need not be informed when recording equipment is activated unless direct inquiries have been made.
6. If an officer fails to activate the BWC or interruption in recording occurs, the officer will document the reason for the failure to start, interruption, or termination of recording in a report. The officer may also request retrieval of record-after-the-fact video, when available, as defined in section 41.4.9. If an officer feels it is necessary to stop recording (e.g., talking to a victim, or a confidential informant) within constraints of policy, the officer will verbally indicate their intent to stop recording before stopping the device and upon reactivation of the camera, state that the camera was restarted.
7. Officers may stop recording BWC video in booking and interview areas where audio and video are already being recorded, to conserve battery and/or video capacity. Officers may also stop recording BWC video in static situations where no public interactions are occurring, and/or no action is being taken. These would include but not limited to, situations such as waiting for additional resources at a static scene for an extended period, or holding a perimeter of a static scene for long periods, or directing traffic for an extended period.
8. Officers are encouraged to record all victim or witness interviews with the BWC. Officers should notify victims and/or witnesses when recording is taking place. If a victim declines being video recorded, the officer shall document in their report the reason an interview was not recorded.
9. Officers are encouraged to inform their supervisor or the training lieutenant of any recordings that may be of value for training purposes.
10. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the video file.
11. Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of Police or designee in accordance with state record retention laws. All requests and final decisions shall be kept on file for a time equal to the record retention schedule for a similar state record.
12. Officers shall note in incident reports when BWC recordings are made. However, BWC recordings are not a replacement for written reports.
13. Personal use of the BWC equipment on or off duty is prohibited.

C. Restrictions

1. BWCs shall only be used in conjunction with official law enforcement duties. The BWCs shall not be used to record the following:
 - A. Communications with other police personnel occurring outside of events where recording is required, as defined above. Such recordings shall only be made with the permission of the Chief, or designee;
 - B. Encounters with undercover officers or confidential informants;
 - C. Circumstances unlikely to have any purposeful law enforcement usage, e.g., general conversations and meetings with university personnel not involved in an official law enforcement encounter, etc.
 - D. Break periods or other personal activities;
 - E. Any location where individuals have a reasonable expectation of privacy, such as a restroom, locker room, residence, or private dwelling. BWCs may be utilized in these areas under the following circumstances:
 1. If there is a valid warrant
 2. Consent to enter the property is obtained from the resident or property owner
 3. If there is a legal exception for the police to enter the area
 - F. Any personal conversation of or between other department employees without the recorded employee's knowledge.
 - G. Departmental training unless otherwise approved by the Chief and/or designee.

41.4.3 SUPERVISORY REVIEW

The following shall govern the procedures for review of BWC video by supervisory personnel:

- A. Supervisory personnel shall ensure that officers under their command equipped with BWC devices utilize them in accordance with the policy and procedures defined herein.
- B. The patrol lieutenant of each shift is responsible for reviewing at least two BWC recordings per officer per month. This effort will ensure the equipment is operating properly, assess officers' performance and adherence to written directives and established professional standards, and identify other training needs.
- C. The patrol lieutenant shall randomly select the BWC recordings from the officers on their respective shifts.

41.4.4 BROKEN OR FAILING UNITS

The following describes procedures for broken or failing units:

- A. Missing, damaged, or malfunctioning BWCs or vehicle audio-video recording systems shall immediately be reported to supervisory personnel.
- B. If the failure of an audio-video recording device results in loss of video from an event, the loss shall be documented in the incident report.
- C. In the event of malfunction or loss of a BWC, supervisory personnel should provide a temporary replacement unit. Audio-video system administrators shall be notified of the failure, provide the unit number of the temporary replacement and the officer to whom it was issued.
- D. The audio-video system administrator shall appropriately document the failure and provide the officer with a permanent replacement if their original unit cannot be immediately repaired.

41.4.5 CONTROL AND MANAGEMENT

The following describes procedures governing the control and management of the audio-video system:

- A. An automated digital audio-video management system shall maintain data. The system shall not allow for editing, alteration, or deletion of recordings by any user of the system. All images and sounds recorded by BWCs and vehicle audio-video recording systems are the exclusive property of the department.
 - 1. Accessing, copying, or releasing recordings for non-law enforcement purposes must have authorization from the Chief, and/or designee.
 - 2. Copies of an event captured on the digital audio-video management system will not be released to other criminal justice agencies, other than the Story County Attorney's Office, without the express permission of the Chief, or designee or unless required by applicable law.
 - 3. On occasion, there may be an incident that could present a training opportunity for law enforcement personnel. Authorization to use a BWC or vehicle audio-video recording for training purposes must be obtained by the Chief and/or designee.
- B. Audio-video system administrators shall be responsible for data security, secure storage of archived discs, access to the system, and system settings. Related responsibilities include: maintaining the correct time and system settings for all units, ensuring that all digital recording units are operating correctly, and ensuring that an adequate supply of blank digital video discs is available for export of data for official use.
- C. Officers shall be provided with a username and password to the online audio-video management system. Unauthorized or unofficial use of the system is prohibited. Audio-video system administrators shall disable user accounts immediately upon notification of the separation of a registered user.
- D. Digital copies of audio-video recordings may be made for official use only. Such data shall not be released to the media or public without the express consent of the Chief and/or designee.

- E. Criteria for reviewing audio-video recordings may include the following: retrieving vital information during emergencies, assisting in criminal, civil, and internal investigations; training; and auditing the department's service delivery system.
- F. Unless otherwise stated below, employees of this department shall not erase, reuse, or alter the recording of any audio-video management system.
 - 1. Video and audio recordings to be released as part of a records request may be redacted to protect personal information as required by Federal and State data protection requirements, University Policies, and at the direction of University Council. Redaction will only be performed by the Records Clerk or designee on a copy of the master audio/video file.
 - 2. Video and Audio recordings may be destroyed in accordance with the Department's records retention directive, upon approval of a request for deletion of records as described above, the below listed Video Retention and Life Cycle directives, and as required by a court-issued destruction order.

41.4.6 VIDEO RETENTION AND LIFE CYCLE

The following describes procedures governing video retention and life cycle:

A. Squad Car Videos

- 1. Videos categorized as "No Citation" shall be retained in an online state for 90 days; after which, videos not assigned to a case will be purged automatically by the Digital Evidence System and will no longer be retrievable.
- 2. Videos categorized otherwise (Citation, OWI, Arrest, etc.) shall be retained in an online state for 90 days. These videos will be archived to backup disks automatically by the Digital Evidence System. Videos not assigned to a case shall be available for restoration to online status for a maximum of three years.

B. Booking and Interview Room Videos

- 1. Videos shall be retained in an online state for 90 days. These videos will be archived to backup disks automatically by the Digital Evidence System. Videos not assigned to a case shall be available for restoration to online status for a maximum of three years.

C. Body Worn Camera Videos

- 1. Videos shall be retained in an online state for one year; after which, videos not assigned to a case will be purged automatically by the Digital Evidence System and will no longer be retrievable.

D. Case Related Videos and Media

- 1. Any video assigned to a case will be automatically archived to a backup disk by the Digital Evidence System. Case-related videos will stay online based on the schedules above.
- 2. The standard retention policy will allow the reactivation of case-related video for a maximum of three years. However, major crimes cases may be tagged "Do Not Dispose" by a supervisor. Doing so will keep the case in an online status indefinitely.
- 3. Digital media attached to cases will be retained with the case based on the above schedule.

41.4.7 RECORDS REQUESTS

The following describes procedures governing BWC and vehicle camera records requests:

- A. Pursuant to Iowa's Public Records Law (Iowa Code, Chapter 22) and the federal Freedom of Information Act (FOIA), members of the public may request an inspection and/or copies of public records. Recordings obtained through the use of BWCs or vehicle recording systems may not constitute public records. The release of these recordings is handled through the records department on a case-by-case basis.

41.4.8 ACCOUNTABILITY

The following describes procedures governing accountability with BWC and vehicle camera use:

- A. Officers shall comply with all applicable laws, policies, and procedures in connection with the use of the BWCs and vehicle audio-video recording systems, including rules governing recording, viewing of recordings, and communications with citizens. Failure to comply with applicable laws, policies, or procedures shall subject any officer found in violation to disciplinary sanctions.

41.4.9 RECORD-AFTER-THE-FACT

The following describes the procedure governing the retrieval and use of record-after-the-fact video.

- A. The record-after-the-fact feature shall be activated and set to record video only on any in-service device so equipped.
- B. The Digital Evidence System shall not allow for the browsing of video gathered by record-after-the-fact. Retrieval shall be based on the defined timeframe of a specific event.
- C. Retrieval of record-after-the-fact video
 - 1. Retrieval is only authorized for official departmental business.
 - 2. Rights to retrieve record-after-the-fact videos on the video system shall be restricted to the Chief, Assistant Chief, Captains, and the video system administrator.
 - 3. The video system shall keep an audit log of retrieval activities.
 - 4. Officers may request retrieval of their video without further approval. The Chief or a designee must approve requests to retrieve video from another officer.
 - 5. A reasonable effort shall be made to avoid retrieving or viewing videos of personal events such as break time and restroom visits.
 - 6. All the above-listed directives for vehicle, booking/interview room, or body-worn camera videos apply to retrieved videos based on the type of device from which the videos were retrieved.