

# RANCHO MURIETA COMMUNITY SERVICES DISTRICT

<b>Category:</b>	Security	<b>Policy #</b> P2021-02
<b>Title:</b>	Body-Worn Cameras	

## PURPOSE

Body-worn cameras provide accountability and transparency to the public and will provide a recording of an incident that may supplement an employee's report, conduct, investigation and enforcement activity.

To provide the Rancho Murieta Community Services District's (District) Security Patrol Officers (Patrol Officers) and Security Department with the necessary procedures, policies, and responsibilities for the use of the body-worn camera systems as well as the management, storage, and retrieval of audio/video material recorded by body-worn cameras. Recorded data serves a dual purpose to the District by protecting both Patrol Officers and citizens.

## POLICY STATEMENT

The use of body-worn camera systems provides persuasive documentary evidence and helps defend against civil litigation and allegations of officer misconduct. Patrol Officers assigned the use of body-worn camera and video systems will adhere to the operational objectives, policies, responsibilities, and procedures outlined in this policy to maximize the effectiveness and utility for the body-worn camera system and the integrity of evidence and related video documentation. District employees who violate this policy will be subject to disciplinary action, up to and including termination.

Only trained personnel are authorized to operate approved body-worn camera devices. Personnel will only use the body-worn cameras issued and approved by the District. The wearing of any other body-worn camera is not authorized.

Body-worn cameras operate in a constant recording mode. When an incident occurs or citizen contact is made, the Patrol Officer is required to "activate" a recording. Activation of a recording initiates the recording of an individual event. This event will later upload to the District's secure body-cam server for review preservation. Patrol Officers are required to attach the body-camera to their uniform at the beginning of each shift. The body-cam shall be turned on at all times during the shift. At the end of each shift, the Patrol Officer is required to return the body-cam to the docking station. Upon return to the docking station, activation events are automatically uploaded to the secure server.

## OBJECTIVES

The District's Security Department has adopted the use of body-worn camera systems to accomplish the following objectives:

1. To enhance Patrol Officer safety and accountability.
2. To accurately capture statements and events during the course of an incident.
3. To enhance the Patrol Officer's ability to document and review statements and actions for both internal reporting requirements and investigations.

4. To provide an impartial measurement for self-critique, evaluation, performance, and professionalism.
5. To capture visual and audio evidence/information for use in current and future investigations and proceedings and to protect against false accusations.

## **DISTRICT RESPONSIBILITIES**

1. The District shall provide one personal body-worn camera for each Patrol Officer. Patrol Officers will use only District-owned and issued body-worn camera systems.
2. The District will provide Patrol Officers and Sergeants with training on the use of body-worn cameras and video systems. Only trained personnel shall operate approved body-worn camera devices.
3. The District will approve media viewing and duplication devices.

## **ADMINISTRATIVE RESPONSIBILITIES**

The Security Chief or equivalent District employee (as designated by the General Manager) has oversight responsibilities to include the following:

1. Operation and user administration of the system.
2. System evaluation.
3. Training and recordkeeping.
4. Policy and procedure review and evaluation.
5. Coordination with Information Technology staff regarding system-related issues.

## **OFFICER RESPONSIBILITIES**

1. Patrol Officers will wear the body-worn camera when on patrol. The camera shall be worn and used in the manner specified in training and per this policy. The camera shall be powered on at all times during the Patrol Officer shift.

Unless it is unsafe or impractical to do so, or mechanical issues impede the use of the camera, Patrol Officers shall activate a recording prior to making contact in any of the following incidents: (a) on duty encounter or contact with any citizen or member of the public; (b) when responding to a dispatched call; (c) when investigating any incident, claim, violation or wrongdoing; (d) when responding to a traffic collision; or (e) for any activity where video and/or audio recording could be needed for safety and documentation purposes.

2. A recording shall not be activated (a) in private places such as a restroom, locker room, or dressing room, and (b) when an individual is partially or completely unclothed. A Patrol Officer may choose not to activate a recording when interviewing witnesses and members of the community who wish to anonymously report or discuss criminal activity or other wrongdoing in their neighborhood, or when having a casual non-enforcement conversation with a member of the public. Officers shall wear the device affixed in an appropriate forward facing manner, and properly secured as recommended by the manufacturer to provide the best field of view.
3. If a Patrol Officer is in doubt about whether to activate camera recording, the officer should record the incident. Patrol Officers should consider using the body-worn camera as a means of documenting all citizen contact, except as otherwise provided above.
4. When a recording is activated to document an incident, it will not be deactivated until the incident or encounter has been concluded, the officer has left the scene, or a supervisor has authorized (on camera) that a recording may cease unless:
  - a. The incident or event is of such duration that the recording may be deactivated to conserve recording times;
  - b. The Patrol Officer does not reasonably believe that deactivation will result in the loss of critical information; and
  - c. The intention to stop recording shall be noted by the Patrol Officer verbally on camera before deactivation.
5. If a Patrol Officer fails to activate a recording when he or she should have, fails to record the entire incident, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated. Submitting a report and explanation will not necessarily avoid discipline or corrective action, if it appears that the officer violated this policy.
6. When necessary to help ensure the accuracy and consistency of accounts for written reports, Patrol Officers may contact the Patrol Sergeant or the Security Chief or equivalent District employee (as designated by the General Manager) and request a review of the recording.
7. Patrol Officers will not erase, alter, reuse, modify, edit, duplicate, share, distribute, or tamper with any body-worn camera system, recording or storage device without prior written authorization from the Security Chief.
8. Patrol Officers will notify the Patrol Sergeant or Security Chief, or equivalent District employee (as designated by the General Manager) when the body-worn camera system has captured a felony, DUI, or any event requested as evidence by a peace officer.
9. Patrol Officers shall operate the body-worn cameras and video systems in accordance with the manufacturer's guidelines, departmental policy, and training.

10. Patrol Officers shall inspect the body-worn camera and video system at the beginning of each shift to ensure that the equipment is functioning according to the manufacturer's guidelines. The equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functionality.
11. Patrol Officers shall immediately report any malfunction, damage or theft of the body-worn camera system to the Patrol Sergeant, Security Chief, or equivalent District employee (as designated by the General Manager) so that a repair or replacement unit may be provided.
12. To reduce the risk of damage, original recordings shall not be viewed in any equipment other than the equipment authorized by the Security Chief or equivalent District employee (as designated by the General Manager).
13. Body-worn cameras and systems will be stored in the area designated by the Security Chief or equivalent District employee (as designated by the General Manager) and shall not be left inside an unattended patrol vehicle or personal vehicle.
14. Each Patrol Officer is responsible for his/her District assigned body-worn camera system. There shall be no borrowing of equipment between Patrol Officers.
15. Body-worn cameras shall be used only in conjunction with patrol-related duties, and they shall not be used to record communications with other CSD personnel (except with the permission of the Patrol Sergeant, or Security Chief or equivalent District employee (as designated by the General Manager)) or when on break or otherwise engaged in personal activities.
16. Personnel will not make copies or use other recording devices to capture images on the display screen for personal use or distribution.
17. Streaming of body-worn camera footage to personal cellular phones or social media is not authorized. Personnel are explicitly prohibited from accessing recorded data for personal use or publication onto public and social media internet websites. Any violations of this prohibition will be grounds for sanctions, including disciplinary action.

## **SERGEANT RESPONSIBILITIES**

1. When an incident arises that requires the immediate retrieval of the recording, the Patrol Sergeant, or Security Chief, or equivalent District employee (as designated by the General Manager) shall remove the memory card, when applicable, or body-worn camera from service. The Security Chief or equivalent District employee (as designated by the General Manager) shall transfer the recording to the District's secure body-cam server.
  - a. Upon downloading, the Security Chief, or equivalent District employee (as designated by the General Manager) shall flag the entry as evidence to ensure that it will not be inadvertently deleted after the one-year retention period (per Government Code, Section 53160) for non-evidence or investigation related recordings.

2. The Patrol Sergeant of Security Chief or equivalent District employee (as designated by the General Manager) shall conduct periodic reviews to:
  - a. Ensure the equipment is being used in accordance with policy and procedures.
  - b. Monitor and document the use, and failure to use, the body-worn camera to ensure Patrol Officers are receiving needed training and counseling regarding the device.
  - c. Report and correct any Patrol Officer discrepancies in the use of the body-worn camera system.
  - d. Make recommendations for revision to the policy, procedures, officer training, or equipment needed.
  - e. Inspect for equipment damage, loss or misuse and to report and investigate the cause.
  - f. Assess Patrol Officer performance.
3. Minor Patrol Officer misconduct or infraction (non-criminal) discovered during a routine review of recorded material generally should be viewed as training and counseling opportunities and not as a cause for disciplinary action. However, should the behavior or action be serious or recur or become habitual after being previously addressed, the appropriate disciplinary or corrective action shall be implemented if warranted.

## **REVIEW OF DATA/VIDEO**

1. Data captured by the body-worn camera is an official District record and shall be treated in the same manner as reports and evidence. All access to the system will be logged and subject to a compliance audit at any time. Access to the system is permitted on the right to know and need to know basis. Only employees authorized under this policy may review video according to the provisions of this policy.
2. An employee may review body-worn camera files as it relates to:
  - a. Their involvement in an incident for the purpose of completing a report.
  - b. Prior to courtroom testimony.
  - c. For potential training purposes.
  - d. A supervisor necessitating clarification regarding a concern from a citizen.
  - e. A supervisor, who is investigating a particular incident or accusation of misconduct, may review videos based on a supervisory need.
3. In no event shall any recording be used or shown for the purpose of ridicule or embarrassing any employee or member of the community.

## **MEDIA DUPLICATION**

1. All cameras, equipment, recorded media, recorded images, and audio/video recordings are the property of the District. Accessing, copying, distributing, using or releasing video or audio files outside of the District or for non-Security Department purposes is strictly prohibited without specific written authorization from the Security Chief or General Manager. The exception is the release of recorded video/audio to law enforcement agencies with authorization from the Security Chief, or equivalent District employee (as designated by the General Manager) or General Manager.
2. Requests to review or copy video/audio recordings made under the Public Records Act shall be made through the Security Chief, or equivalent District employee (as designated by the General Manager) or General Manager. Each request will be evaluated and responded to on a case-by-case basis. If a recording is to be released, only the incident or incidents specifically requested shall be duplicated. The District reserves the right to decline a request for the following records: investigatory or security files compiled by the District for law enforcement or licensing purposes; any record where, on the facts of the particular case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record; records concerning confidential crime victim, sexual assault or child abuse images or recordings; and, any other record exempt from disclosure under the Public Records Act.
3. To prevent damage to or the alteration of the original recorded media, it shall not be moved or copied to, viewed in, or otherwise inserted into any non-District approved computer or other devices.
4. When possible and practical, a copy of the original recorded media stored in evidence shall be used for viewing by investigators, staff, training personnel, etc., to preserve the original media in pristine condition.
5. At the conclusion of court proceedings, investigations, other adjudicated hearings or as otherwise authorized, all copies shall be submitted back to the Security Chief, or equivalent District employee (as designated by the General Manager) or General Manager for retention.
6. A Patrol Officer may review video footage of an incident in which he or she was involved before making a statement or being interviewed or examined about the incident.

## **MEDIA STORAGE, RETENTION AND DESTRUCTION**

1. Recorded data from the body-worn camera systems shall be retained in the Security Chief's office for a minimum of one year (as required by Government Code section 53160).
2. After one year, if the data is not needed for evidence, training, a pending disciplinary matter, pending criminal case, civil lawsuit, claim or other proceeding, other investigative or law enforcement purpose or pending citizen complaint, the General Manager is

authorized to destroy and erase the data within the computer system in a manner consistent with current District Policy.

3. Recorded data from body-worn camera systems shall not be destroyed or erased without the General Manager's approval.

<b>Approved Rancho Murieta Community Services District Board of Directors</b>
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<b>Adopted 02/17/2021</b>
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