



South Coatesville Police Department Policy

BODY-WORN CAMERAS

I. PURPOSE

This policy is intended to provide the South Coatesville Police Department (SCPD) officers with instructions and guidelines on when and how to use body-worn cameras (BWCs) as an effective tool to record audio/visual events, in order that officers may reliably record their contacts with the public in accordance with the laws of the Commonwealth of Pennsylvania. Future changes in law and procedures, technology (e.g. Facial Recognition), as well as training as to the use of BWC may give rise to modifications of this policy.

II. POLICY

It is the policy of SCPD that officers shall activate the BWC when such use is appropriate in the proper performance of his or her official duties, and where audio and/or video recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices or equipment for use in undercover operations or electronic intercepts.

III. PROCEDURES

A. Administration

The SCPD has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:

1. BWCs allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
2. Audio and video recordings also enhance SCPD'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.
3. 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.

B. When and How to Use the BWC

1. Officers shall activate the BWC to document all contacts with citizens involving enforcement activities, investigative stops, vehicle stops, or any contact with a citizen involving an official police response or interaction in the performance of official duties.
2. Whenever possible, officers should inform individuals that their words and images are being recorded. To provide notice, phrases such as, "Your actions and words are being recorded," or "Our interaction is being recorded on my Body Camera" are examples of notice.
3. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording. In locations where individuals have a reasonable expectation of privacy, such as a restroom or locker room, the BWC shall not be activated, or if previously activated, the BWC shall be turned off upon entry unless exigent circumstances prevent such immediate deactivation.
4. Exceptions to preclusion of deactivation:
 - a. In situations when community members, witnesses, crime victims or other parties wish to share information related to criminal activity, but refuse to do so while being recorded, officers will have the discretion to deactivate their BWC during the interview provided that the officer records a brief verbal explanation for the deactivation prior to turning off the audio and video recording.
 - b. The BWC may be deactivated during conversations among/with officers or supervisors during information sharing sessions or discussing tactics and strategy, provided that the officer records a brief verbal explanation for the deactivation prior to turning off the audio and video recording. This should also be documented in the incident report.
 - c. A SCPD Officer shall use appropriate discretion when recording confidential informants or undercover officers.
5. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated.
6. Civilians shall not be allowed to review the recordings at the scene, absent a compelling law enforcement justification. A civilian's right to a recording from a BWC is governed by Chapter 67A, Recordings by Law Enforcement Officers.

C. Procedures for BWC Use

1. BWC equipment shall only be issued to a SCPD Officer who is in full uniform or clearly identifiable as a law enforcement officer as authorized by the SCPD Chief of Police. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by the Chief.
2. Police personnel shall use only BWCs issued by the SCPD. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the SCPD.
3. Police personnel who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operation. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
4. BWC equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning and safeguarding. Equipment malfunctions shall be brought to the attention of the Chief as soon as possible so that a replacement unit may be procured.
5. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify the Chief of any problems.
6. Officers shall not edit, alter, erase, duplicate, copy, convert, record, share, disclose or otherwise distribute in any manner, including posting on any public and/or social media site, any BWC recordings or content without prior written authorization and approval of the Chief or his designee.
7. Officers are encouraged to inform the Chief of any recordings that may be of value for training purposes.
8. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, SCPD reserves the right to limit or restrict an officer from viewing the video file. The Chief of Police or Chief's designee shall designate a supervisor and/or the Police Officer Manager, as an alternate who shall be responsible for taking immediate physical custody of the BWC and downloading the recording for storage for all situations where there is an officer-involved shooting, in-custody death, or other use of force resulting in serious bodily injury or death.
9. In the event that a SCPD Officer is involved in an officer-involved shooting, the SCPD Office shall not be provided, nor shall the involved officer review BWC recordings of the incident prior to giving an initial statement to an

investigator. Once the initial statement is provided, the involved SCPD Officer may view BWC recordings of the incident at the discretion of the Chief, only, prior to providing any additional statements to investigators.

10. If a SCPD Officer's conduct is at issue in either an internal affairs investigation or a criminal investigation, which is captured on a BWC, the Chief reserves the right to limit or restrict an officer from viewing the BWC recording.
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 or his designee in accordance with state record retention laws. All requests and final decisions shall be kept on file.
12. Officers shall note in incident, arrest, and related reports when recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports. Subject to the terms of this Policy, Officers may use audio and video captured via the BWC to assist with investigations and the completion of required reports to ensure that their reports, statements, and documentation are accurate and complete. Officers shall ensure that all recorded videos are properly categorized at the time of the recording or by the end of the shift.
13. At the end of the officer's shift, he/she should inspect the BWC to ensure that it is operational and functioning properly, and, that the battery is recharged. If the BWC is damaged or inoperable, the LEO shall place the BWC out of service and notify the Chief of Police in writing

D. Restrictions on Using the BWC

BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:

1. Communications with other police personnel without the permission of the Chief or his designee.
2. Encounters with undercover officers or confidential informants.
3. When off-duty, on break or otherwise engaged in personal activities.
4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.
5. Gratuitously violent or obscene images, unless necessary for evidentiary documentation or required by this policy.

6. A particular person based solely on the person's race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, physical disability status, or political affiliation.
7. Strip searches.
8. Court proceedings, including but not limited to the Magisterial District Court or the Court of Common Pleas. The Officer's BWC shall be shut off during any court proceedings.

E. Storage

1. BWC recordings, including photographs, audio recordings and video footage, captured by a BWC shall be securely downloaded no later than the end of each shift, and when necessary, during an officer's shift, to ensure storage capacity is not exceeded. Each file shall contain information related to the date, BWC identifier, and assigned officer.
2. All images and sounds recorded by the BWC are the exclusive property of SCPD. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
3. All access to BWC data (images, sounds, and metadata) must be specifically authorized by the Chief or his designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
4. All files will be stored electronically for a minimum period of 75 days and shall be purged no later than 120 days from the date of the last recorded incident, after all properly requested and approved duplications have been made, unless otherwise regulated by this policy. Officers shall follow SCPD policy for requesting electronic preservation of the file for evidentiary reasons as well as hard copies for investigative reasons, by completing a Video Footage Request Form (Appendage A).
5. Mandatory Retention: The following types of incidents recorded on BWC equipment shall be retained and processed as evidence:
 - a. Incidents which may result or have resulted in the filing of criminal charges.
 - b. Incidents which are likely to become the subject of civil litigation against the Department or its personnel, including but not limited to, patrol vehicle crashes, pursuits, critical incidents, incidents involving

the use of force, and incidents involving verbal complaint(s) against the Department or its personnel.

- c. Incident involving injuries to officers and injuries incurred or alleged to have been incurred as the result of police actions.
 - d. Recordings which have been properly requested pursuant to Chapter 67A shall be retained pursuant to the Act.
 - e. Recording shall be retained for no less than 75 days to accommodate any delays in processing a request pursuant to Chapter 67A.
6. If a request for a BWC recording pursuant to Chapter 67A is denied, additional retention time may be necessary.

F. Responsibilities of the Chief of Police

- 1. The Chief shall be responsible for ensuring that all officers equipped with BWC devices are trained and utilize them in accordance with policy and procedures defined herein.
- 2. At least on a monthly basis, the Chief will randomly review BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.
- 3. If there is a formal complaint about an officer's performance of their official duties, the Chief shall review and retain any available BWC recordings as part of any internal investigation procedure.
- 4. BWC recordings shall not be disseminated generally except to other law enforcement agencies. Any other request for dissemination should be referred to the Borough Solicitor and Right to Know Officer for review under Pennsylvania law.

G. Violations

- 1. Violations of this policy, regarding the use of BWC, shall be subject to disciplinary action, in accordance with SCPD disciplinary policy, up to and including termination of employment.

**BY THE AUTHORITY OF THE SOUTH COATESVILLE CHIEF
OF POLICE**

(APPENDAGE A)***Borough of South Coatesville Police Department*****Video Footage Request Form**

Requestor: _____ Date Requested: _____

Affiant: _____

Reason(s) for Request: _____

Data Requested (check appropriate box):

- ☐ Body Camera Footage / Body Camera(s) #: _____
- ☐ Vehicle (MVR) Camera Footage / Vehicle(s) #: _____
- ☐ Police Station Footage / Location: _____
- ☐ Street Camera Footage / Location: _____
- ☐ City Hall Camera Footage / Location: _____
- ☐ Taser Camera Footage/Taser Number: _____

Incident Number: _____ Nature of Incident: _____

Date and time of Incident: _____

Location(s) of Incident: _____

Defendant(s): _____

Contact(s): _____

Victim(s): _____

Video Footage Retrieved

Case file created: _____ Date: _____

WGV Footage: _____ Date: _____

App-Tech Footage: _____ Date: _____

Taser Footage: _____ Date: _____