Body-Worn Cameras

432.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of Body-Worn Cameras (BWCs), the access and review of BWC media, and the secure retention and release of BWC footage.

This policy also applies—where appropriate—to any other portable audio/video recording device used by members of the DeWitt Police Department.

This policy does *not* apply to:

- Interviews or interrogations conducted at any DeWitt Police Department facility
- Undercover operations
- Wiretaps
- Eavesdropping or concealed listening devices

432.2 POLICY

It is the policy of the DeWitt Police Department to use BWCs to:

(a) Enhance Officer safety

(b) Strengthen public trust by accurately documenting Officer–citizen interactions.

(c) Capture statements and events during incidents

(d) Improve officer documentation, report writing, and courtroom preparation

(e) Provide objective material for performance review and training

(f) Capture visual and audio evidence for use in investigations

BWC media shall be used only for legitimate department-related purposes.

432.3 DEFINITIONS

Definitions related to this policy include:

Body-Worn Camera (BWC) - Audio/Video recording equipment to be worn by a member of the DeWitt Police Department.

Activate - To place a BWC in active mode (also called event mode). In active mode, the BWC records both video and audio.

BWC media - The video, audio, and images captured by BWCs, along with the associated metadata.

BWC media systems - Any software, including web-based programs and mobile applications, used by the Department to upload/download, store, view, transfer, and otherwise maintain BWC media.

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Deactivate - To place a BWC in buffering mode (also called ready or pre-event mode). In buffering mode, the BWC records video (without audio) in short, predetermined intervals that are retained only temporarily. However, when a BWC is activated, the interval recorded immediately before activation is then stored as part of the BWC media. Deactivating does not mean powering off the BWC.

Event - A general term referring to a set of circumstances that may, but does not necessarily, correlate directly to a single public safety incident.

Critical Incident- Serious incident including, but limted to those in which:

A. An Officer utilizes deadly physical force against another person, whether or not injury or death is sustained.

B. An Officer actions result in death or serious injury to a person.

Enforcement Related Activity - Activities encountered during an officer's official duties that include, but are not limited to:

A. Calls for service

B. Traffic Stops

C. Arrests

D. Search Warrants

E. Investigatory Activities

F. Transports (prisoner and non-custodial)

G. Use of Force incidents

H. Controntational/Adversarial citizen contacts

432.4 RESPONSIBILITIES

432.4.1 BWC COORDINATOR

The Chief of Police or designee shall appoint a BWC Coordinator responsible for:

- Assigning and tracking BWC equipment
- Documenting malfunctions and repairs
- Coordinating repairs and replacements
- Ensuring secure access controls (e.g., 2-factor authentication)
- Ensuring proper categorization and retention
- Maintaining audit logs of all access, alterations, or deletions
- Conducting quarterly audits and preparing annual summaries
- Managing system configuration and permissions
- Developing and updating training

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- Ensuring compliance with retention schedules
- Coordinating with Records Clerk, Property & Evidence, Training Coordinator, and Accreditation Manager

The BWC Coordinator or designee will complete an annual administrative review of the body worn camera program which will be submitted to the Chief of Police for review.

432.4.2 MEMBER RESPONSIBILITIES

Pre-Shift

Officers shall:

- Sign out their assigned BWC
- Inspect it for proper function and battery level

The BWC shall be:

- Worn on the outermost garment
- Positioned mid-chest or as centrally as possible
- Unobstructed at all times

Officers shall:

- Report malfunctions to a supervisor
- Use only department-issued BWCs
- Do not allow other members to use their BWC unless authorized
- Use only BWC media systems; they are trained and authorized to access

Officers shall:

- Dock the BWC for uploading and charging
- Ensure media is fully tagged unless a supervisor authorizes otherwise

Supervisors equipped with BWCs are subject to the same activation, deactivation, documentation, and upload requirements as all other members.

432.5 BWC USE

The following guidelines apply to the use of BWCs:

A. Only department-issued BWCs should be used. Officers are prohibited from using any other BWC without the express consent of the Chief of Police or the authorized designee.

B. BWCs should only be used by the Officer or Officers to whom it was issued unless otherwise authorized by a supervisor.

C. The use of department-issued BWCs shall be strictly limited to department-related activities.

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D. Officers shall not use BWCs or BWC media systems for which they have not received prior authorization and appropriate training.

E. Officers shall immediately report unauthorized access or use of BWCs or BWC media systems by another Officer to their supervisor or the Chief of Police.

432.5.1 PROHIBITIONS
BWCs shall not be used to record:

- Routine administrative activities
- Areas where Officers have a reasonable expectation of privacy (locker rooms, restrooms, break rooms). Officers entering restrooms or locker rooms for personal use shall deactivate or power off the BWC unless responding to a call for service or an emergency.
- Conversations of other members without their knowledge
- Personal activities or authorized breaks
- Courtrooms (unless responding to an emergency)
- Undercover officers or confidential informants
- Strip searches
- While at the Onondaga County District Attorney's Office (per DA guidance)
- Incidents involving explosive devices.

BWCs shall never be used for harassment, embarrassment, or ridicule.

432.6 ACTIVATION OF BWC

Officers shall activate their BWC:

- When dispatched to calls for service or as soon as resonably paracticable.
- During all enforcement-related activities
- When a voluntary contact becomes confrontational or adversarial

Officers are not required to activate the BWC during:

- Casual or informal contacts unrelated to law enforcement

BWCs shall remain activated until the incident or activity has fully concluded, unless an approved privacy exception applies.

Officers are not required to endanger themselves to activate a BWC, but must activate as soon as reasonably practicable.

Failure to activate BWC during Enforecement Related Activity (See Definitions section) must be reported to a supervsior.

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If a BWC becomes nonfunctional during an incident due to battery failure, physical damage, or technical malfunction, the Officer shall verbally document the failure on the recording if possible and notify a supervisor as soon as practicable.

Officers are encouraged to activate their BWC during emergency vehicle operation when practicable and safe to do so.

When multiple s Officers are present during an incident, each member equipped with a BWC shall activate their device as required by this policy. Officers shall not rely on another Officer's BWC to satisfy their own activation requirement.

432.6.1 NOTICE OF RECORDING

Officer:

- Shall wear the BWC in a reasonably visible manner
- Shall answer truthfully if asked whether the BWC is present or recording

432.6.2 PRIVACY CONSIDERATIONS

Officers should consider the dignity and privacy of individuals. They may mute or deactivate the BWC when:

- At medical or mental health facilities
- Recording victims or witnesses who request privacy
- Recording sensitive or unclothed individuals
- Receiving anonymous information

Muting is preferred over deactivation unless muting does not sufficiently protect privacy.

Officers are not required to deactivate or mute a BWC solely at the request of a community member unless the request is consistent with the privacy considerations outlined in this section.

Officers should give heightened consideration to privacy during the recording of sexual offense victims, child victims, or individuals in medical or mental health crisis.

Recording of minors during non-enforcement interactions (e.g., community events or casual contact) is permitted but not required. Members should exercise discretion and consider privacy when recording minors.

Officer shall:

- Verbally state the reason before muting/deactivating
- Unmute/reactivate as soon as the privacy concern no longer outweighs department interest
- Verbally state when recording resumes

432.6.3 DOCUMENTATION

All reports where a BWC was issued shall include:

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- "BWC activated" or "BWC not activated"
- Identities of individuals captured (when practicable)
- Reasons for any failure or inability to activate
- Reasons for any muting or deactivation
- Any equipment malfunction

BWC footage shall not replace detailed written reports.

432.7 UPLOADING BWC MEDIA

Officers shall upload all BWC media:

- Before the end of their shift
- As soon as possible for major incidents
- Immediately, when a supervisor takes custody of an officers BWC after a significant event/critical incident.

When a Officer is relieved of duty following a critical incident, the supervisor shall ensure the BWC is collected and uploaded without delay.

432.7.1 TAGGING BWC MEDIA

Officers shall tag BWC media using the proper event type.

If multiple event types apply, use the category with the longest retention requirement.

Media involvingSignificantEvents must be tagged as "prevent purge" when it pertains to:

A. An incident that is the basis of a formal or informal complaint or is likely to result in a complaint

B. When a member has sustained a serious injury or a line-of-duty death has occurred

C. When a firearm discharge or use of force incident occurs

   1. This excludes the discharge of your duty weapon to dispatch an injured/ill animal

D. An event that has attracted or is likely to attract significant media attention

432.8 BWC MEDIA

All BWC media is the sole property of the Department. Members shall have no expectation of privacy or ownership interest in the content of BWC media.

All BWC media shall be stored and transferred to the designated BWC media system in a manner that is both physically and digitally secure, with appropriate safeguards in place to prevent unauthorized modification, use, release, or transfer. Contracts with any third-party vendors for the storage of BWC media should include provisions specifying that all BWC media remains the property of the Department and shall not be used by the vendor for any purpose without explicit approval of the Chief of Police or the authorized designee.

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Officers shall not alter, copy, delete, release, or permit access to BWC media other than as permitted in this policy without the express consent of the Chief of Police or the authorized designee.

- Officers shall not edit, alter, enhance, apply filters, adjust audio levels, modify metadata, or otherwise manipulate BWC media.

BWC media systems should not be accessed using personal devices unless authorized by the Chief of Police or the authorized designee.

The BWC media system automatically maintains audit logs of all user access, downloads, deletions, and modifications. These logs shall be retained and treated as part of the digital chain of custody for all recordings.

432.8.1 ACCESS AND USE OF BWC MEDIA

Officers may access BWC media only for legitimate department-related purposes.

- The recording Officer (must note in their report if reviewed prior to writing)
- Investigators assigned to the case
- Officers preparing for testimony
- Supervisors conducting a performance review or training
- Training Coordinator (with privacy protections)
- Use of Force Review personnel
- Records Clerk (for official duties) including but limited to, Foil requsts and Discovery
- BWC Coordinator (audits, troubleshooting, compliance)
- Chief of Police or designee for all significant events

Supervisory review of BWC media may be conducted for performance evaluation, early intervention, policy compliance, use of force reviews or to identify training needs. Supervisors are prohibted from reviewing BWC media footage for the sole purpose of searching for misconduct.

Officers shall be permitted to review BWC media from the BWC that he or she wore during an incident that is the subject of an internal affairs investigation. The Officer shall be afforded a sufficient oppurtunity to review the relevant recording prior to an internal affairs interrogation and the officer may have his or her union representative and/or attorney present during that review. The officer, attorney and union representative are probhibited from making a copy and distributing the recording. The original recording shall remain the property of the Town of DeWitt. Unless required to be producted by court order or court issued subponea, the original recording shall remain in the possession of the Town of DeWitt Police Department.

Officer's will not be allowed to review their BWC media prior to making a statement in a criminal investigation.

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Nothing in this policy prohibits a member from reviewing their own BWC media prior to completing routine incident reports.

Officers are not authorized to view BWC media prior to filing a report that is related to a criticial incident as it is important to documnet the officers prerceptions based on their actual recollcation of the incident. An officer will be authorized to view a BWC recording of the incident immediately after their report has been written and filed. A follow up report may be filed by the officer or supervisor, providing explanations related to any discrepancies between the officer's recollection and the images on the BWC media.

Supervisors will ensure that members utilize BWC's according to policy guidelines. Supervisors will be responsible for conducting at least one, random monthly audit, of five (5) randomly selected BWC videos. Supervisors will complete a BWC audit form which will be submitted to the BWC Coordinator.

The purpose of the complaince audit/checks is to:

- Ensure that Officers are using their required BWC.
- Ensure that videos are properly labeled/categorized in accordance with tagging procedures.
- Ensure the BWC is functioning properly.
- That any training needs or policy changes are provided to the BWC coordinator.

See attachment: BWC Audit Form

Non- Complinace: In the event that a Officer is found to be in non-compliance with the use or lack thereof (i.e multiple calls without any BWC activation) then the auditing supervisor shall commence an investigation to attempt to ascertain if the officer is intentionaly disregarding this policy.

During audit checks if content is discovered that may indicate misconduct by Officer such conduct will not be acted upon through disciplinary process unless it amounts to gross misconduct or an unlawful act. Content found outside gross misconduct or unlawful acts will be addressed through training. Officer safety issues found through complaince checks should be addressed.

The Training Coordinator may review and use footage with:

- Chief's approval
- Efforts to avoid embarrassment
- Redaction of sensitive content when practicable
- Consent from appearing members when feasible

432.8.2 RELEASE OF RECORDINGS
Requests from:

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- **Law enforcement agencies** — require Chief/designee approval
- **Non-law enforcement** — must be via FOIL
- **Media** — members shall be notified prior to release

Redaction procedures:

- Only copies are redacted
- Originals remain unaltered
- Redaction must be done by an authorized member or designated vendor

All releases follow the Records Release Policy.

FOIL exemptions shall be applied in accordance with the New York State Public Officers Law. Redactions may be made to protect personal privacy, the integrity of ongoing investigations, or any other statutory exemption permitted by law.

Members shall not show BWC footage to members of the public unless approved by the Chief of Police.

Officers' BWC media will be released within the guidelines of New York State Foil Laws. If an Officer's BWC is being released to the media, they will be notified prior to the release.

Prior to the release of any BWC media involving a Significant Event (See Tagging BWC Media section) the involved officers will be given at least 24 hours notice, unless exigent cricumstance exist.

A. Requests for the release of BWC media shall be processed in accordance with the Records Maintenance and Release Policy. The Chief of Police, BWC Coordinator, or designee should review BWC media before public release.

432.9 RETENTION OF BWC MEDIA

Minimum retention periods:

(a) **Equipment Check** — 90 days

(b) **Non-Criminal Incident** — 90 days

(c) **Traffic / Infraction** — 1 year

(d) **Violation** — 1 year

(e) **Misdemeanor** — 2 years

(f) **Felony** — 5 years

(g) **Use of Force** — 10 years

If BWC media is needed for an active investigation, prosecution, or appeal, it shall be retained until the matter is fully resolved.

Media shall not be deleted except in accordance with retention schedules and only with the approval of the Chief/designee.

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If a litigation hold is issued by the Town Attorney, District Attorney, or Chief of Police, all affected BWC media shall be preserved regardless of regular retention schedules until the hold is formally lifted.

432.9.1 EVIDENTIARY BWC MEDIA

Evidentiary BWC media shall be:

- Exported securely
- Transferred to digital evidence storage
- Logged and handled according to Property & Evidence Policy
- Maintained with a full chain of custody

432.10 TRAINING

All BWC users shall receive:

- Initial training before deployment
- Periodic refresher training
- Training on activation rules, privacy rules, uploading, tagging, documentation, and legal considerations

Officer with access to BWC media systems shall receive system-specific training.

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Attachments

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BWC Audit Form.pdf

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DeWitt Police Department

Body Worn Camera Audit Form

Month/Year :

Review	Date/Time	Officer	Properly used ?	Function properly?	Tagged correctly?	Policy changes or training needs?
1						
2						
3						
4						
5						

Explanations if needed:

Supervisor:

Date: