
Body Worn Cameras & Portable Audio/Video Recorders

710.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties (50 ILCS 706/10-20). Portable audio/video recording devices include all recording systems whether body-worn, hand-held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Alsip Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

710.1.1 DEFINITIONS

Definitions related to this policy include (50 ILCS 706/10-10):

Body-worn camera or camera - An electronic camera system for creating, generating, sending, receiving, storing, displaying, and processing audiovisual recordings that may be worn about the person of a law enforcement officer.

Buffering Mode - The device feature of the body-worn camera which continuously video records and holds the most recent thirty(30) seconds of video prior to activation of the device's Event Mode; also known as "pre-event recording." Audio recording is not captured when the camera is in Buffering mode. In Buffering mode, the initial event that causes the member to activate the body-worn camera in Event Mode will be saved and attached to the event in the permanent memory.

Community Caretaking Function - A task undertaken by a law enforcement officer in which the officer is performing an articulable act unrelated to the investigation of a crime. Community caretaking function includes, but is not limited to, participating in town halls or other community outreach, helping a child find his or her parents, providing death notifications, and performing in-home or hospital well-being checks on the sick, elderly, or persons presumed missing. (50 ILCS 706/10-10).

Docking Station - A multi-ported docking station installed in the police station used to simultaneously recharge the body-worn camera while uploading all digitally encrypted data from the device.

Event Mode - When the event button on the body-worn camera is activated, the body-worn camera is recording both audio and video for up to twelve (12) hours. The buffered video, not audio, captured directly before the event will be saved and attached to the event's permanent memory.

Flag - To mark important body-worn camera footage that might be needed in the future. Users can filter footage by flagged status and quickly view the flagged files.

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In Uniform - A law enforcement officer who is wearing any officially authorized uniform designated by a law enforcement agency, or a law enforcement officer who is visibly wearing articles of clothing, a badge, tactical gear, a belt, a patch or other insignia that he or she is a law enforcement officer acting in the course of his or her duties. (50 ILCS 706/10-10).

Label - The body-worn camera evidence's title, case number, and description.

Law Enforcement- Related Encounters or Activities - Activities that include, but are not limited to, traffic stops, pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd control, traffic control, non-community caretaking interactions with an individual while on patrol, or any other instance in which the officer is enforcing the laws of the municipality, county, or State. Law Enforcement-related encounter or activities does not include when the officer is completing paperwork alone or only in the presence of another law enforcement officer. (50 ILCS 706/10-10).

Portable recorder or recorder - Either an audio-only recording device or a body-worn camera.

Recording - The process of capturing data or information stored on a recording medium as required under the Illinois Law Enforcement Officer Body-Worn Camera Act (50 ILCS 706/10-10).

Sleep Mode - Sleep Mode puts the body-worn camera in an idle state that disables recording and buffering. While in this state, an automatic activation will not initiate body-worn camera recording. Sleep Mode is useful for situations where body-worn camera users may need momentary privacy. The user can enter Sleep Mode from Buffering Mode in less than four (4) seconds, as opposed to turning the body-worn camera completely off. Similarly, the body-worn camera will exit Sleep Mode and enter Buffering Mode or Event Mode in less than four seconds. The device audit trail reflects when Sleep Mode is entered or exited.

710.2 POLICY

The Alsip Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public (50 ILCS 706/10-15).

710.3 BODY-WORN CAMERA COORDINATOR

The Chief of Police or the authorized designee should designate a coordinator responsible for (50 ILCS 706/10-20):

- (a) Identifying members who are assigned body-worn cameras.
- (b) Identifying members permitted to access recordings in order to redact or duplicate recordings.
- (c) Ensuring body-worn cameras acquired on or after July 1, 2015, are equipped with pre-event recording of at least the 30 seconds prior to camera activation and are capable of recording for a period of at least 10 hours.
- (d) Establishing procedures for:

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1. The care and maintenance of body-worn cameras, including reasonable efforts to be made by supervisors to correct or repair body-worn camera equipment upon notice from a member experiencing technical difficulties, failures, or problems with the equipment.
 2. Compliance with the Law Enforcement Officer-Worn Body Camera Act and guidelines established by the Illinois Law Enforcement Training and Standards Board (ILETSB) for the use of body-worn cameras.
 3. Security of recordings including access controls.
 4. Redacting and duplicating recordings.
 5. Supervisor and member review of recordings.
- (e) Providing an annual report to the ILETSB pursuant to 50 ILCS 706/10-25.
- (f) Ensuring the [Department/Office] uses authorized body-worn camera recording media (50 ILCS 706/10-10).

710.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

710.5 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable (50 ILCS 706/10-20). Uniformed members should wear the recorder at the center of their chest in line with the shirt or vest pockets.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a portable recorder, the assigned member shall record his/her name, APD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

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Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

710.6 ACTIVATION OF THE AUDIO/VIDEO RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

Members wearing body-worn cameras and any clothing or any indication they are law enforcement shall have the body-worn camera turned on at all times while they are on-duty and are responding to calls for service or engaged in law enforcement-related activities (50 ILCS 706/10-20). Members who are off-duty and who take official action are not expected to be in possession of their assigned body-worn camera.

Other portable recorders should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which an officer would normally notify the Dispatch Center
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

If exigent circumstances prevent an officer from turning on a body-worn camera when required, the camera shall be turned on as soon as practicable (50 ILCS 706/10-20(a)(3)(A)).

Members shall not record interactions with confidential informants unless exigent circumstances exist or the informant has or is committing a crime (50 ILCS 706/10-20).

Members should remain sensitive to the dignity of all individuals being recorded and unless recording with a body-worn camera is required, exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

1. Officer body-worn cameras may be placed in Buffering Mode when the officer is inside of a patrol car which is equipped with a functioning in-car camera; however, the officer must turn on

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the camera (Event Mode) upon exiting the patrol vehicle for law enforcement-related encounters or activities. (50 ILCS 706/10-20(a)(3)(B)).

2. Officer body -worn cameras may be turned off (powered off) or placed in Sleep Mode when the officer is inside a correctional facility or courthouse which is equipped with a functioning camera system. (50 ILCS 7086/10-20(a)(3)).

3. Supervisors shall ensure members utilize their body-worn cameras in accordance with Illinois law, Department policy, and training.

4. Members shall ensure the body-worn camera is worn at a minimum in Buffering Mode during their tour of duty, except when the body-worn camera is recording in Event Mode or if the body-worn camera is powered off or placed in Sleep Mode during an exception authorized by this order. Buffering Mode ensures that the previous thirty (30) seconds of recorded video is captured in the event the camera transitions to Event Mode.

(a) An exception is when the member enters the police department building and does not expect to interact with a member of the public. The member should place the body-worn camera in Buffering Mode when exiting the building.

i. If an unexpected law enforcement encounter with the public occurs while in the police department building, the officer shall turn on the body-worn camera on (Event Mode) and record the encounter.

(b) Officers on lunch breaks at restaurants or in their vehicles shall leave the body-worn camera in Buffering Mode unless the officer uses the restroom, in which case the body-worn camera should be placed in Sleep Mode.

5. If the member fails to transition the body-worn camera to Event Mode and does not record the entire incident, or interrupts the recording for any reason, the member shall as soon as possible follow-up with a verbal explanation on the body-worn camera while it is in Event Mode, and narrate the time, place and reason why the recording was not made or discontinued. This shall also be documented in the member's incident report.

6. This policy is not intended to describe every possible situation in which the body-worn camera should be used, although there are many situations where its use is appropriate. Members should consider activating Event Mode any time the member believes it would be appropriate or valuable to record the incident, as long as the activation does not violate the Illinois Eavesdropping statute (720 ILCS 5/14-2) or violate a person's right to privacy.

7. During non-custodial interviews and interrogations/custodial interviews where the officer choose to record with the body-worn camera and the recording is not required by law, the person shall be notified that he/she is being recorded. Furthermore, custodial interrogations, to include subjects who were under the age of eighteen (18) years of age during the commission of the crime, conducted in a place of detention related to certain offenses, are required to be recorded be either use of both audio and/or visual recording.

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710.6.1 UNDERCOVER OFFICERS

The recording of officers serving in an undercover capacity should be avoided. In instances where undercover officers are captured, the identity of that officer will be redacted if the recording is requested through the Illinois Freedom of Information Act (FOIA) and will be released in accordance with the provisions set forth in the Illinois Law Enforcement Officer-Worn Body Camera Act.

710.6.2 OFF-DUTY DETAILS

Members who are assigned body-worn cameras will wear their issued body-worn camera in Buffering Mode while working off-duty details (e.g. National Night Out, Fourth of July, parades, runs, traffic control details). The camera will be transitioned to Event Mode in accordance with this policy should any law enforcement-related activities occur during the detail. Any deviations to the wearing of a body-worn camera while working an off-duty detail must be approved by the Chief of Police or his/her designee.

710.6.3 TRAFFIC CONTROL

The Illinois Law Enforcement Officer-Worn Body Camera Act (50 ILCS 706/10-10) requires the use of a body worn camera during a Law Enforcement-Related Encounter or Activity to include traffic control. Operations Order 205 – Traffic Direction and Control contains procedures for traffic control. For the purposes of using a body-worn camera during traffic control, officers shall be guided by the following:

1. Event Mode:

When an officer is manually conducting traffic control through the use of the officer's physical presence in the street, intersection, or other location and through the use of hand gestures or signals, flashlights, whistle signals, or other visual and auditory signaling aids, the body-worn camera shall be in Event Mode. In these situations, flares, cones, and barricades may be used to assist in giving direction to motorists.

2. Buffering Mode:

When traffic control is accomplished through the use of barricades, manual traffic control devices, flares, cones, or parked vehicles, and the officer is stationed at that location in a monitoring capacity only and not directing traffic through the use of hand signals or other visual and auditory signaling aids, the body-worn camera may be switched to Buffering Mode.

3. Situations that may require traffic control include special events, funeral processions, fire scenes, adverse road and weather conditions, accident scenes, disasters, road obstructions, traffic signal malfunction, or other unplanned emergencies.

710.6.4 WHEN TO LEAVE BODY-WORN CAMERA IN BUFFERING MODE

A. Members have the discretion to leave the body-worn camera in Buffering Mode under the following circumstances:

1. 1. When inside a police car that is equipped with a functioning in-car camera. (50 ILCS 7086/10-20(a)(3)(B))

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- (a) However, during long-distance transports, an officer may encounter a situation that requires him/her to escort the person in custody out of the police car or the officer believes there is a propensity to come into contact with a citizen. In these instances, the transporting officer shall ensure the body-worn camera is in Event Mode.
 2. While engaged in a community caretaking function. (50 ILCS 706/10-20(a)(4.5))
 - (a) However, the body-worn camera must be turned to Event Mode if the member has reason to believe that the person on whose behalf the member is performing a community caretaking function has committed or is in the process of committing a crime.
 - (b) If exigent circumstances exist which prevent the body-worn camera from being turned to Event Mode, the body-worn camera must be turned to Event Mode as soon as practicable.
 3. While conducting traffic control in a monitoring capacity per section 710.6.3 above.
- B. The body-worn camera shall remain in Buffering Mode under the following circumstances:
1. Inside medical and psychiatric facilities.
 - (a) An exception is when a situation arises that the officer reasonably believes to serve a proper police purpose. Reasonable attempts shall be made to avoid recording persons other than the suspect.
 2. The incident involves sensitive exposures of private body parts unless required for capturing evidence. When footage is needed for the purpose of capturing evidence, whenever possible, the recording member shall be of the same sex as the victim. If the victim self-identifies with a sex that is different from his/her/their assigned sex, the member shall inquire whether the victim has a preference as to the sex of the recording member.
 3. During a law enforcement related encounter in locations where a reasonable expectation of privacy exists, such as a dressing room, restroom, unless required for capturing evidence. Refer to 7.10.6.7 below for more information on a reasonable expectation of privacy.
 4. During planning and tactical discussions in which the officer is assisting a specialized unit or outside law enforcement agency in a sensitive operation where confidentiality is imperative to the operation. In this instance, approval to not record in Event Mode should be sought from the appropriate supervisor.
 5. The victim of a crime requests that the camera be turned off, and unless impractical or impossible, that request is made on the recording. (50 ILCS 706/10-20(a)(4)(A))
 6. A witness of a crime or a community member who wishes to report a crime requests that the camera be turned off, and unless impractical or impossible that request is made on the recording. (50 ILCS 706/10-20(a)(4)(B))
 7. The officer is interacting with a confidential informant used by the Department. (50 ILCS 706/10-20(a)(4)C)

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- (a) However, an officer may continue to record or resume recording a victim or a witness, if exigent circumstances exist, or if the officer has reasonable articulable suspicion that a victim or witness, or confidential informant has committed or is in the process of committing a crime. Under these circumstances, and unless impractical or impossible, the officer must indicate on the recording the reason for continuing to record despite the request of the victim or witness. (50 ILCS 706/10-20(a)(4))
8. Upon the order of the ranking supervisor at incident scenes involving an officer-involved death investigation, firearm discharge, or any other use of force incident, and the scene is determined to be secure.
 - (a) A scene may be considered secure when the offenders are in custody or otherwise not in the area, medical aid has been requested or administered or fire personnel/paramedics are on the scene, the involved officers have been identified, and the incident scene has been established.

C. Members who inadvertently activate Event Mode in the body-worn camera during personal relief activities shall as soon as possible classify the recording as "Accidental (Personal Relief)". The Body-Worn Camera Administrator or the Body-Worn Camera Coordinator will review the recording only to the point where it can be determined that the recording was appropriately classified as "Accidental (Personal Relief)." These recordings will be retained for a period of ninety (90) days.

710.6.5 WHEN TO LEAVE BODY-WORN CAMERAS IN SLEEP MODE

A. Officers shall place the body-worn camera in Sleep Mode:

1. When the member is not engaged in law enforcement-related encounters or activities, when completing paperwork alone, or while only in the presence of another Department member. (50 ILCS 706/10-10)
2. During personal activities within the police station including routine, nonenforcement related activities (e.g. locker rooms, break rooms, restrooms, completing incident reports).
3. During restroom breaks in another location outside the police station.

710.6.6 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that the member's direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Body-worn cameras shall be turned off when a victim, a witness, or a community member reporting a crime requests that the camera be turned off. The request should be captured on the recording. However, an officer may continue to record or resume recording a victim or witness if exigent circumstances exist or the officer has a reasonable articulable suspicion that the victim or witness has committed or is in the process of committing a crime. Under these circumstances, the officer

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should indicate on the recording the reason for continuing to record despite the request of the victim or witness (50 ILCS 706/10-20).

Officers are permitted to turn off body-worn cameras while inside a patrol car equipped with Mobile Audio/Video (MAV). Cameras may also be turned off when the officer is not engaged in law enforcement-related activities (50 ILCS 706/10-20).

1. In instances where case strategy is being discussed and the release of information will compromise the investigation, the camera shall remain in Event Mode. However, the information will be redacted in the event the recording is requested through the Freedom of Information Act (FOIA) and will be released in accordance to the provisions set forth in the Illinois Law Enforcement Officer-Worn Body Camera Act.

2. Muting of Audio and Video: Members having short conversations with each other or supervisors that take place away from public contact may NOT mute or cover up audio and video, switch to Buffering Mode or Sleep Mode, or power off the body-worn camera related to activity they are currently recording.

710.6.7 EXPECTATIONS OF PRIVACY

A. Verbal Notification: Verbal notification to the person being recorded is not required by law, except when there is a reasonable expectation of privacy.

1. No Reasonable Expectation of Privacy: Members of the public do not have a reasonable expectation of privacy when talking with police officers during the scope of an officer's official duties, even when the contact is in a private residence. When officers are lawfully present in a home, during the course of official duties, there is no reasonable expectation of privacy. Officers are not required to give notice to the resident or others that they are being recorded.
 - (a) A person's objection to being audio and video recorded will not be honored in situations pursuant to an arrest or search of a residence. A subject who is being arrested does not have a reasonable expectation of privacy.
 - (b) In other situations where there is no reasonable expectation of privacy, nothing prohibits an officer from providing notice to the subject being recorded unless it is unsafe to do so or exigent circumstances exist. If a person inquires as to whether a body-worn camera is in use or whether a recording is being made, officers shall provide a prompt and truthful response.
 - i. An example verbal announcement or notice indicating a body-worn camera is recording the interaction: "My body-worn camera is on. You are being recorded."
2. Reasonable Expectation of Privacy: The officer must provide verbal notice of recording to any person if the person has a reasonable expectation of privacy and proof of notice must be evident in the recording. If exigent circumstances exist which prevent the officer from providing notice, notice must be provided as soon as practicable. (50 ILCS 706/10-20(a)(5)).

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- (a) Consent to continue audio recording must be obtained. When consent is not obtained, Event Mode shall be deactivated.
 - (b) Proof of the notification and consent must be evident in the recording and documented in the officer's Incident/Offense Report.
 - (c) Once the initial notice has been provided, the notice requirement has been satisfied, even when another person becomes a party to the communication.
3. If a member is uncertain as to whether a reasonable expectation of privacy exists, the officer shall provide the aforementioned verbal notice.

710.6.8 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Illinois law prohibits any individual from surreptitiously recording any conversation in which any party to the conversation has a reasonable belief that the conversation is private or confidential (720 ILCS 5/14-2).

However, officers using body-worn cameras are not prohibited from recording a private conversation if the person is provided notice of the recording and proof of that notice is captured on the recording. If exigent circumstances exist that prevent the officer from providing notice, notice must be provided as soon as practicable (50 ILCS 706/10-20).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

710.6.9 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

710.7 RECORDING OF OFFICERS BY THE PUBLIC

No officer may hinder or prohibit any person, not a law enforcement officer, from recording a law enforcement officer in the performance of his or her duties in a public place or when the officer has no reasonable expectation of privacy. Officers may not unlawfully confiscate or destroy the recording medium of a person who is not a law enforcement officer. However, an officer may take reasonable action to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect the public safety and order.

Officers who are in violation of this act may be subject to criminal charges (theft, cdp, etc.) as well as progressive discipline up to termination. (50 ILCS 706/10-a-11).

710.8 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

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Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Patrol Sergeant. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation or ridicule.

710.9 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an undercover officer or confidential informant.
- (g) The recording or portions of the recording may be protected under the Freedom of Information Act or the Law Enforcement Officer-Worn Body Camera Act (5 ILCS 140/7.5; 50 ILCS 706/10-20).

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

710.9.1 BODY-WORN CAMERAS

With respect to body-worn camera recordings, the recording member and supervisor are prohibited from redacting, duplicating, or altering the recording (50 ILCS 706/10-20).

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710.10 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members shall be permitted to review their recordings, and use them as a resource. However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less-detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing a member's performance. Supervisors shall review one (1) body camera video from each Officer on their shift per month to ensure proper functioning of the body camera and proper recording as per this Policy and state law. Supervisors will complete a **Body Camera Review form** documenting the outcome of their review. Any policy infractions should be discussed with the Officer to improve performance.

The supervisor of the recording member shall document in the report or other documentation if the supervisor or the recording member reviewed body-worn camera recordings prior to completing the report or other documentation.

No member shall have access to or review the member's own body-worn camera recordings or the body-worn camera recordings of another officer prior to completing reports or other documentation when the member:

- (a) Has been involved in or is a witness to an officer-involved shooting, use of deadly force incident, or use of force incident resulting in great bodily harm.
- (b) Is ordered to write a report in response to or during the investigation of a misconduct complaint against the member.

If the member prepares a report related to the circumstances listed above, subject to a supervisor's approval, a member may file a supplemental report after viewing body-worn camera recordings. The member shall document in the supplemental report that the member reviewed recordings (50 ILCS 706/10-20).

Recorded files may also be reviewed:

- Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation.
- Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- By media personnel with permission of the Chief of Police or the authorized designee.
- In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

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710.11 REPORTING

Members shall indicate in the Incident/Offense Report narrative that a recording was made during the incident. If the member fails to transition the body-worn camera to Event Mode, does not record the entire incident, interrupts the recording for any reason, or a malfunction occurs, the member shall document on the recording the time, place and reason why the recording was not made or discontinued. This shall also be documented in the member's police report.

- (a) Calls for service which do not generate an Incident Report which are recorded by a body-worn camera will require a notation in the event notes field or narrative that a recording was made. The notation shall state: "BWC Recorded."

710.12 CRITICAL INCIDENTS

A. Officers may encounter situations where the circumstances rise to the level of a critical incident. These situations often require a response from supervisors and/or investigative units, and may include, but are not limited to:

1. Deadly force situations.
2. On-scene complaints of excessive force.
3. In-custody death.
4. Member is involved in a traffic crash with fatalities or serious injuries.
5. Member sustains a serious injury or death in the line of duty.

B. Should a critical incident arise that requires the immediate retrieval of the recorded media or has the propensity to generate community interest, a supervisor not involved in the incident shall respond to the scene and retrieve the body-worn camera(s) that may have captured the incident and ensure proper upload of the recorded media.

1. The supervisor shall flag the recordings to extend the retention period.
2. The supervisor shall review only those recordings necessary and relevant to the scope of the investigation and conduct further investigation that he/she deems appropriate. The supervisor is responsible for forwarding the information via the chain of command.
3. In circumstances in which the officer will be completing a police report, the recording officer may access and review recordings in accordance with section 7.10.10 above.

C. Protected conversations with the appropriate counsel should not take place until the body-worn camera is removed or completely powered down.

710.13 RETENTION OF RECORDINGS

All recordings other than those made with body-worn cameras shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 90 days unless the recordings are made a part of an arrest or the recordings are deemed evidence in any criminal, civil, or administrative proceeding and then the

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recordings must only be destroyed upon a final disposition and an order from the court (720 ILCS 5/14-3(h-15)).

710.13.1 RETENTION REQUIREMENTS FOR BODY-WORN CAMERA RECORDINGS

Recordings made on body-worn cameras shall be retained for 90 days. Recordings shall not be altered, erased, or destroyed prior to the expiration of the 90-day storage period. In the event any recording is altered, erased, or destroyed prior to the expiration of the 90-day storage period, the Chief of Police shall maintain a written record including the name of the individual who made such alteration, erasure, or destruction, and the reason for any such alteration, erasure, or destruction for one year (50 ILCS 706/10-20).

After the 90-day storage period, recordings must be destroyed unless any of the following occur (50 ILCS 706/10-20):

- (a) A formal or informal complaint has been filed.
- (b) The officer discharged a firearm or used force during the encounter.
- (c) Death or great bodily harm occurred to any person in the recording.
- (d) The encounter resulted in a detention or arrest other than a traffic stop resulting in only a minor traffic offense or a petty offense with a fine of more than \$1,000.
- (e) The officer is the subject of an internal investigation or otherwise being investigated for possible misconduct.
- (f) The supervisor of the officer, prosecutor, defendant, or court determines that the encounter has evidentiary value in a criminal prosecution.
- (g) The recording officer requests that the video be retained for official purposes related to the officer's official duties or believes that it may have evidentiary value in a criminal prosecution.

Under these circumstances, the recording of the encounter shall not be altered or destroyed for two years. If the recording is used in a criminal, civil, or administrative proceeding, the recording shall not be destroyed except upon a final disposition and order from the court.

Recordings may be retained any time a supervisor designates the recording for training purposes and may be viewed by officers, in the presence of a supervisor or training instructor, for the purposes of instruction, training, or ensuring compliance with [department/office] policies.

Recordings shall not be used to discipline law enforcement officers unless:

- (a) A formal or informal complaint has been made.
- (b) A use of force incident occurred;
- (c) The encounter on the recording could result in a formal investigation under the Peace Officer's Disciplinary Act.
- (d) As corroboration of other evidence of misconduct.

Alsip Police Department

Policy Manual

Body Worn Cameras & Portable Audio/Video Recorders

710.13.2 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

710.14 REPAIR OF BODY CAMERAS

If a member's body camera requires service, they must:

A. Notify their Supervisor

B. The Supervisor must provide the member with a replacement camera.

1. The replacement camera will be assigned to the Officer using Axon.com.

(a) The Officer's Name and Star# must be assigned to the body camera.

C. Before the end of the Officer's tour of duty complete a Body Camera Repair Request detailing the malfunction and provide the body camera # that the Officer is using as a replacement.

1. The request will be submitted to the Administrative Sergeant.

D. The Services Unit Supervisor will ensure the that body camera is sent out for repair within 2 business days of receipt.

E. If additional body cameras are needed from Patrol a request will be sent to the Administrative Sergeant.