

HO-HO-KUS POLICE DEPARTMENT POLICY & PROCEDURES



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| SUBJECT: BODY WORN CAMERAS / MOBILE VIDEO RECORDERS | | |
| BY THE ORDER OF: Chief Mike LaCroix | | ACCREDITATION STANDARDS: 3.5.5 |
| Effective Date: March 23, 2022 | Date of Last Revision: | |

PURPOSE The purpose of this policy is to maintain guidelines for the use, management, storage, and retrieval of audio-visual media recorded by mobile video recorders (MVR) and body worn cameras (BWC). MVRs-BWCs are intended to enhance officer safety, produce effective materials for training and to produce an additional method of collecting evidence to prosecute those who violate the law.

POLICY It is the policy of the Ho-Ho-Kus Police Department to utilize MVRs/BWCs to assist its personnel in the performance of their duties by providing an accurate and unbiased recorded account of an incident and to maintain the necessary safeguards that will ensure the non-discriminating use as well as the proper preservation of evidence that may be obtained through use of this technology.

All personnel (sworn and non-sworn) shall use this equipment consistent with manufacturer’s guidelines, this policy, and those policies or guidelines issued by the New Jersey Attorney General and the Bergen County Prosecutor’s Office. Failure to use this technology in accordance with this policy and those policies or guidelines issued by the New Jersey Attorney General and Bergen County Prosecutor’s Office can result in discipline.

The Ho-Ho-Kus Police Department website and other social media outlets shall contain a clear statement that this department utilizes BWCs. The postings shall include an image showing what the device looks like and how it is to be worn by uniformed officers or plainclothes detectives so that the public will be able to determine whether an officer is equipped with the device.

Any willful or repetitive violations of this policy shall be reported to the internal affairs supervisor who shall report directly to the Chief of Police and Bergen County Prosecutor’s Office. The Bergen County Prosecutor is authorized to take such actions as are reasonable and necessary to ensure compliance with this policy and to prevent future violations.

PROCEDURES

I. DEFINITIONS

- A. For purposes of this policy, the following terms are defined:
1. Activate – means to actuate (put into operation) the recording mode/function of an MVR or BWC.
 2. Advisement – a statement made by an officer at the outset of using a BWC to record a communication, conversation, or interaction with a member of the public for the specific purpose of informing the person that the communication or conversation is being recorded.
 3. Body worn camera (BWC) – is an officer worn device that makes an electronic audio/video recording of activities that take place during any law enforcement action. The term does not include any form of electronic recording device worn by a law enforcement officer while acting in an undercover capacity nor does the term include an electronic recording device when used to comply with the requirements of Court Rule R. 3:17 (electronic recording of station house custodial interrogations).
 4. Consent – Consent to record shall be considered obtained when the recording party (officer) has announced to all other parties engaged in the communication or conversation, in any reasonably effective manner, that the communication or conversation is being recorded. This announcement itself to the other parties must also be recorded.
 5. Constructive authority – involves the use of an officer's authority to exert control over a subject (see this department's directive on *Use of Force*), except that the term shall apply only to constructive authority directed against a person who is subjected to an investigative detention or arrest or is directed against any person if the officer has unholstered a firearm or CED.
 6. Deactivate – means to shut off the recording mode of an MVR and/or BWC.
 7. Equipped with a BWC – means that an officer is wearing a BWC at the time in question, as opposed to simply receiving BWC equipment from the agency.
 8. Force – has the same meanings as defined in this department's policy on *Use of Force*.
 9. Investigation of a criminal offense – means any police activity pertaining to the investigation of an indictable crime, disorderly persons offense, or petty disorderly offense, or operating while intoxicated offense including, but not limited to responding to a report of a possible criminal offense, an investigative detention based on or leading to reasonable and articulable suspicion to believe that a criminal offense has been or is being committed, an arrest for a criminal offense, an interview of a potential witness to a criminal offense, or canvassing an area, neighborhood, or premises for potential witnesses to a criminal offense.

10. Mobile video recorder (MVR) – is a vehicle mounted device that makes an electronic audio/video recording of activities that take place during any law enforcement action in the view or proximity of the device.
11. Proactive enforcement team – includes officers who are typically assigned to target vice, drugs, organized street crime, violent crime and/or any other targeted enforcement. Unlike officers who are responsible for responding to traditional calls for service, these officers are typically assigned the singular responsibility of addressing these activities (e.g., street crime unit, crime suppression unit, etc.). The nature of their work may include being dressed in traditional uniform, modified uniform, or plain clothes. These officers may work alongside undercover officers, conduct surreptitious surveillance, engage in high intensity enforcement via motor vehicle/pedestrian stops and/or interact with confidential informants or witnesses who wish to remain anonymous.
12. School – means a public or nonpublic elementary or secondary school within this State offering education in grades kindergarten through 12, or any combination of grades, at which a child may legally fulfill compulsory school attendance requirements.
13. Serious bodily injury – means bodily injury which creates a substantial risk of death, or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ. for purposes of this policy, serious bodily injury and serious bodily harm have the same meaning.
14. Significant bodily injury – means bodily injury which creates a temporary loss of the function of any bodily member or organ or temporary loss of any one of the five senses.
15. Subject of the video footage – means any law enforcement officer, suspect, victim, detainee, conversant, injured party, or other similarly situated person who appears on the body worn camera recording and shall not include a person who only incidentally appears on the recording.
16. Substantive report – means a report that includes a detailed accounting of the incident. It does not include a report which simply refers to other reports or to the existence of BWC or other camera recordings.
17. Tactical team – is a group of officers who are specially selected, trained, and equipped to handle high-risk incidents including, but not limited to, those involving snipers, barricaded persons, warrant services, apprehensions, acts of terrorism, and other situations or activities as deemed necessary by command leadership.
18. Tagging – is an electronic labeling of an electronic file captured by an MVR or BWC. Synonymous terms include classifying, labeling, bookmarking, etc.

19. Undercover officer – is a law enforcement officer operating with an assumed identity and/or disguise for the purposes of gaining the trust of an individual or organization to learn or confirm confidential information or to gain the trust of targeted individuals to gather information or evidence. Plain-clothed officers and detectives are not considered undercover officers unless working with an assumed identity and/or disguise.
20. Youth facility – means a facility where children assemble under adult supervision for educational or recreational purposes, such as day-care centers, youth camps, residential and/or treatment facilities, etc.

II. GENERAL ADMINISTRATION

- A. MVR/BWC are invaluable to law enforcement for evidential purposes. MVR/BWC have consistently demonstrated their value in the prosecution of criminal, traffic, and other related offenses and to protect personnel from false claims of misconduct. Additionally, this equipment will provide valuable instructional material that can be utilized for in-service training programs.
- B. While visual and audio evidence may be captured on the recordings, the use of MVR/BWC is not intended to document all evidentiary material relevant to court or administrative proceedings, but it can serve to supplement an officer's senses and eyewitness account. There is no intent to utilize the MVR/BWC as a management tool to punish officers for minor departmental rule infractions.
 1. Officers shall not be subject to criticism for the proper exercise of lawful discretion in enforcement matters.
 2. MVR/BWC shall only be utilized for legitimate law enforcement purposes.
- C. Adequate safeguards are necessary to ensure that this technology is:
 1. Used in a non-discriminating way; and
 2. Used to document visual evidence; and
 3. Used to safeguard against potential violations of N.J.S.A. 2A: 156A-1, et seq., *New Jersey Wiretapping and Electronic Surveillance Control Act* (MVR).
- D. When properly used, this equipment can:
 1. Create accurate documentation of law enforcement encounters.
 2. Preserve an audio and/or video record of events, actions and conditions during arrests, critical incidents, and arrestee/prisoner/civilian transports.
 3. Recordings serve as protection for police officers when there are complaints about their conduct or professionalism during encounters with the public.
 4. Recordings can be introduced into evidence in criminal and motor vehicle prosecutions as well as in civil litigation.

5. Recordings can resolve disputes concerning what occurred during incidents, thereby protecting both the public and the officers involved.
 6. When complete recall is not possible, such as when multiple events are happening simultaneously or out of an officer's line of sight, an audio/visual recording can provide an accurate record of events.
 7. Subject to the viewing restrictions in this policy, supervisors will be able to view the recordings with the permission of the Chief of Police or his/her designee and select portions to use to train officers in safety, field training, interpersonal skills, proper police procedures, and legal doctrines.
 8. Subject to the viewing restrictions in this policy, recordings can permit supervisors to undertake more meaningful performance evaluations.
 9. Subject to the viewing restrictions in this policy, recordings augment management's ability to evaluate its basic police practices and interactions between its personnel and the public.
 10. Recordings enhance management's ability to train personnel in proper police procedures.
- E. The Chief of Police shall approve a training program on the lawful and proper use of MVR/BWC equipment. Only officers who have received training in the use of MVR/BWC are permitted to use these systems and must demonstrate a satisfactory degree of familiarity and efficiency in the use of this system. The proper use of an MVR and a BWC is considered an essential job function.
1. Initial training via watchguard.com/training shall be provided to all potential BWC operators who were not previously trained. All users shall watch the video annually.
 2. Periodic refresher training will be provided to ensure continued effective use and operation of the equipment, and to incorporate changes, updates, or other directive revisions as necessary or required.
 3. Supervisors shall cause supplemental training to any officer who has demonstrated a lack of knowledge of the proper use of MVR/BWC or as part of a disciplinary matter.
- F. Officers will use only those MVRs/BWCs approved and issued by the Chief of Police. Such MVRs/BWCs are not able to record images or conversations that cannot be seen or heard by the officer wearing the device (e.g., infrared night vision or thermal imaging, sound amplification that would record conversations occurring at a remote distance). Wearing any personally owned video/audio recorder is not authorized without the expressed permission of the Chief of Police, internal affairs supervisor, the Bergen County Prosecutor's Office, or the New Jersey Division of Criminal Justice. Violations will be subject to disciplinary action up to and including termination.
1. All recording media, images, audio, and related metadata are the intellectual property of the Ho-Ho-Kus Police Department and will not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the expressed written consent of the Chief of Police.

2. Under no circumstances will any employee of the Ho-Ho-Kus Police Department make a personal copy of any recorded event or permit another to make a personal copy of any recorded event without the expressed permission of the Chief of Police.
 3. MVRs and BWCs are intended for official police department use only and are not to be used for frivolous or personal activities. Intentional misuse or abuse of the units will result in disciplinary action.
 4. Officers engaged in undercover operations or surveillance activities are not required to utilize MVRs or BWCs.
- G. This department will not tolerate the reliance by any officer on race, ethnicity, gender, gender identity, gender expression, sexual orientation, religion, economic status, age, culture, LGBTQ+ status, or any other immutable characteristic of a group or class of persons, in determining whether to activate or deactivate a BWC or MVR.
- H. Repairs to any MVR or BWC equipment shall only be performed under the direction of the MVR/BWC coordinator or his/her designee.

III. MOBILE VIDEO RECORDERS

- A. Every officer operating a departmental police vehicle equipped with an MVR shall carry and utilize their assigned BWC consistent with the requirements and restrictions in this policy. In the event the BWC is not synchronized to that vehicle, the officer shall properly synchronize the BWC with the MVR.
- B. Whenever the MVR is activated, officers shall ensure that their BWC is also activated.
- C. Recordings will automatically upload to the MVR server when a vehicle returned to headquarters and is in proximity to the server's antenna.
1. No officer or other police employee shall conduct him/herself in any way that would intentionally interfere with any data upload from occurring. If an officer or police employee is found to have intentionally interfered with any upload, an internal affairs investigation shall be initiated.
 2. If a police vehicle is towed due to a collision or other mechanical problem, the tour commander shall direct that the vehicle is towed to headquarters for enough time to allow the upload/transfer of data to the server prior to being taken to any garage for repair. If the vehicle's electrical system is damaged, the captain or his/her designee will decide whether to immediately remove the hard drive/media or wait until the next working day.
- D. At the beginning of each shift, officers shall determine whether their MVR equipment is working satisfactorily. An audio/video check shall be conducted at the beginning and end of the officer's tour of duty. Normally, this will be done during the exterior check of the vehicle at the beginning of the officer's tour. In the event the officer needs to quickly depart headquarters for a call, this exterior check shall be completed at the completion of the call.

1. The MVR unit shall be turned on at the beginning of the officer's tour of duty and shall not be turned off until the end of his/her tour of duty unless on a relief break, restroom break, childcare facility, community center, or in a school or medical facility.
 2. Officers shall ensure the MVR is working properly by recording themselves in front of the vehicle with video.
 3. Officers shall log into the MVR system using their name/badge#. Officers should log out at the end of the tour. However, this will automatically be done upon the log-in of the following officer.
 4. All malfunctions and/or damaged or missing parts to the system shall be immediately reported to the tour commander and then documented in a CAD record. This shall be forwarded to the captain or his/her designee for remedy.
 5. Vehicles with an inoperable or damaged MVR system will not result in the automatic non-use of the vehicle pending repair. The tour commander shall first determine if another MVR equipped vehicle is available. If another vehicle is available, the tour commander or his/her designee should assign the officer to this other MVR equipped vehicle. If not, the vehicle with the non-operating MVR can still be used for patrol purposes.
- E. While it is recognized that not every event takes place in the field and that subjects may move off camera, officers are encouraged to position their patrol vehicle in the best position to allow the camera to record the pertinent event. If necessary, an officer can reposition a camera to capture the event, when possible, making sure to never rotate any camera more than 180 degrees. The camera shall be placed back into the original position as soon as practicable. In all cases, officer safety always comes first, and such repositioning of the MVR shall never compromise officer or public safety.
- F. To prevent allegations of arbitrary and capricious utilization of the system, the following procedural guidelines shall be followed:
1. Recordable incidents shall be both video and audio recorded from beginning to end.
 - a. This procedure applies to primary as well as secondary/back-up units on these incidents.
 - b. Officers can manually activate the MVR by depressing the 'Record' button located in the police vehicle or on the switch located on the belt microphone transmitter. This feature permits a recording to be made without alerting the potential subject with emergency lights.
 - c. Once an MVR is activated, it must continue in the record mode until the completion of the incident or law enforcement action except for the circumstances described within this policy.
 - d. During any of the mandatory recordable incidents, the MVR must be activated and left on until the investigation/detention is complete except for circumstances specifically described within this policy.

2. Officers shall not deactivate the MVR when responding to calls for service with a multiple unit response. All units shall record the incident and shall follow the same guidelines in this section.
 - a. If an MVR recording is ceased prior to the conclusion of an incident, the officer shall provide justification by recording the reason verbally on the system (e.g., *"MVR is being turned off; at the scene of down utility pole; MVR not needed"*) and document the reasons for such termination in the report or CAD record of the incident.
 - b. Only the assigned officer or his/her supervisor is authorized to manually turn off the recording system.
 - c. At no time should the MVR be deactivated while an officer is interacting with a subject.
 - d. Any officer found to have purposely deactivated the MVR (video or audio) without justification in violation of this policy shall be the subjected of an internal affairs or administrative investigation and potential discipline.
3. When transporting an arrestee, prisoner, or EDP, the rear seat camera shall be activated to record the rear compartment for the duration of the person's stay in the vehicle. Any non-custodial transport shall also be recorded. Under no circumstances shall an officer audio record any passenger (including arrestees/prisoners) when the officer isn't present.

IV. BODY WORN RECORDERS

- A. When not in use, BWCs shall be stored in the designated docking station. The docking station allows for the units to be charged and for the download of events to the secure server.
- B. Patrol officers shall wear and utilize the BWC consistent with the requirements and restrictions in this policy throughout their shift.
 1. Officers are not required to activate their BWCs in police headquarters unless they are investigating a walk-in complaint or other similar related functions.
 2. Subject to availability, detectives, specialized unit personnel, and administrative/command officers shall wear BWCs when conducting arrests and while engaged in field duties (e.g., patrol coverage, search warrant executions, raids, interviews, etc.) consistent with the requirements and restrictions in this policy.
 3. BWCs shall be worn and used on all extra duty assignments.
 4. Officers shall also wear and use a BWC consistent with this policy when:
 - a. On aggressive driving, DWI interdiction assignments, or other proactive enforcement team.
 - b. When assigned to front desk assignments and interacting with the public on a law enforcement matter.

- c. When assigned to or assisting any tactical team in the field.
 - d. When assigned to duties at demonstrations or potential civil disturbances.
 - 5. Supervisors shall document the issuance and return of each BWC in the Watchguard software.
 - 6. BWCs will be rotated at shift change and will remain the responsibility of each assigned officer unless otherwise directed by the tour commander.
 - 7. BWCs are considered issued equipment until relinquished at the direction of a supervisor.
 - 8. Officers shall inspect their BWCs at the commencement and conclusion of each shift to guarantee both video and audio recording readiness of the system. The inspection shall include, but not be limited to:
 - a. Ensuring that the battery is fully charged,
 - b. Ensuring that the device has sufficient memory to complete their tour of duty; and
 - c. Ensuring the proper positioning of the BWC on their uniform.
 - 9. When conducting the pre-shift inspection, the officer shall activate the BWC and verbally state the date, time, and that a test is being performed on the unit. Malfunctions or deficiencies shall be noted in a CAD record.
 - 10. Officers shall periodically, and no later than the end of each shift, download the contents of the unit by placing the unit in the designated docking station.
- C. Officers engaged in undercover operations or surveillance activities are not required to utilize BWC. BWC shall be used only in conjunction with official law enforcement duties. The BWC shall not be used to record:
- 1. Courtroom proceedings, unless responding to a call for service or incident.
 - 2. Strip and body cavity searches.
 - 3. Encounters with undercover officers or confidential informants.
 - 4. When on break or otherwise engaged in personal activities.
 - 5. When engaged in police union business.
 - 6. In any location where individuals have a reasonable expectation of privacy, such as a restroom, locker room or break room.
 - 7. When involved in counseling sessions, guidance sessions, personnel evaluation interviews, or other supervisor-subordinate interaction

8. Inside of schools, youth facilities, hospitals, medical facilities, or places of worship, unless directly related to an incident that warrants recording.
 9. While discussing criminal investigation strategies.
 10. When engaged in conversations with individuals with whom the officer has a privileged relationship (e.g., spouse, attorney, minister, etc.).
- D. Officers are not required to wear and use a BWC:
1. When engaged in hostage negotiations.
 2. When processing crime scenes.
 3. When conducting searches of cellphones, tablets, computers, or other electronic devices pursuant to a search warrant, when such items have already been seized and the search is performed at a location other than the premises of the initial search and seizure.
 4. When conducting searches of cellphones, tablets, computers, or other electronic devices that are suspected to contain images of child sexual exploitation.
- E. BWCs shall not be used surreptitiously.
- F. BWCs shall not be used to gather intelligence information based on 1st Amendment protected speech, associations, or religion, or to record activity that is unrelated to a response to a call for service or a law enforcement or investigative encounter between a law enforcement officer and a member of the public, except in accordance with any applicable guidelines or directives promulgated by the New Jersey Attorney General.
- G. Any recordings from a BWC recorded in contravention of this policy or any other applicable law shall be immediately brought to the attention of the command staff and immediately destroyed by the command staff following consultation and approval by the Bergen County Prosecutor or Director of the Office of Public Integrity and Accountability. Such recordings shall not be admissible as evidence in any criminal, civil, or administrative proceeding, except as evidence in any proceeding related to the unauthorized use of a BWC.
1. All requests for the destruction of BWC recordings made in contravention of this policy must be forwarded to the Bergen County Prosecutor's Office through the BWC applet of the BCPO Intranet.
 2. Complete all fields including the narrative section which must recount the circumstances of the recording, the status of any case to which the recording is related, and of any investigation or criminal or administrative action related to violation of this policy.
 3. BWC footage should not be sent with the request. If review of BWC footage is necessary, it will be requested.
 4. Footage may only be destroyed after approval through Intranet notification

- H. When a BWC is activated to transport an arrestee/prisoner, it shall remain activated while the BWC-equipped officer is in the presence of the arrestee and until the arrestee is secured in the processing room or a cell, or until custody of the arrestee has been transferred to county jail personnel, or until the arrestee is with hospital/medical/mental health personnel and the officer is no longer in the presence of the arrestee.
- I. When wearing a BWC, officers shall notify the subject of the recording that they are being recorded unless it is unsafe or unfeasible to provide such notification. Such notification shall be made as close to the inception of the encounter as is reasonably possible.
 - 1. Prior to entering a private residence, officers shall notify the occupant that the occupant is being recorded and, if the occupant requests the officer to discontinue use of the BWC, the officer shall immediately discontinue use of the BWC unless the officer is actively engaged in investigating the commission of a criminal offense, or is responding to an emergency, or reasonably believes that the officer will be required to use constructive authority or force.
 - 2. When interacting with an apparent crime victim, officers shall, as soon as practicable, notify the apparent crime victim that he or she is being recorded and, if the apparent crime victim requests the officer to discontinue use of the BWC, the officer shall immediately discontinue use of the BWC.
 - 3. When interacting with a person seeking to anonymously report a crime or assist in an ongoing law enforcement investigation, if the person requests that the officer discontinue use of the body worn camera, officers shall evaluate the circumstances and, if appropriate, discontinue use of the BWC.
 - 4. If the officer decides not to provide notification of BWC activation because it is unsafe or unfeasible to do so, the officer shall document the reasons for that decision in the investigation report of the incident and/or by narrating the reasons on the BWC recording.
 - 5. The failure to verbally notify a person pursuant to this section shall not affect the admissibility of any statement or evidence.
- J. If a civilian inquires of an officer whether the officer is equipped with a BWC, or inquires whether the device is activated, the officer shall answer truthfully unless the Bergen County Prosecutor or his/her designee, or Director of the Division of Criminal Justice or his/her designee, has expressly authorized the officer to make a covert electronic recording.
 - 1. Officers may deactivate a BWC when a civilian conversing with the officer requests that the device be turned off under circumstances where it reasonably appears that the person will not provide information or otherwise cooperate with the officer unless that request is respected (e.g., prior to providing such information, the person indicates that he/she will only provide such information if it were not recorded; provided however, that the agreement to participate under that condition is itself recorded).

- a. Officers shall not suggest to the person that the BWC should be deactivated; nor shall the officer ask the person whether he or she would prefer that the BWC be deactivated. Rather, the request for deactivation must be self-initiated by the civilian. The officer may explain the consequences of deactivation (e.g., evidence relevant to a criminal investigation will not be recorded).
 - b. In deciding whether to deactivate the BWC, the officer shall consider the privacy and safety interests of the person requesting deactivation, whether the encounter is occurring in the person's residence, and the need for the information or assistance that the person will provide is important to the investigation yet is not critical to require recording.
2. Officers may deactivate a BWC when a person, other than an arrestee, is seeking emergency medical services for him or herself or another and requests that the BWC be deactivated. In deciding whether to de-activate the BWC, the officer shall consider the privacy interests of the person requesting deactivation and the person in need of medical assistance (e.g., a victim of an assault during a fight does not want to be recorded, etc. However, in situations when an officer reasonably believes that the officer or another person is likely to use force, the BWC shall be re-activated as soon as it is safe and practicable to do so.
3. When an officer deactivates a BWC:
 - a. The conversation between the officer and the civilian concerning the request for deactivation shall be electronically recorded; and
 - b. The officer before deactivating the BWC shall narrate the circumstances of the deactivation (e.g., "*...I am now turning off my BWC as per the victim's request.*"); and
 - c. The officer shall report the circumstances concerning the deactivation to the tour commander as soon as is practicable; and
 - d. The officer shall document the circumstances of the deactivation in the incident report concerning the incident under investigation, including the time of activation and/or deactivation.
4. If an officer declines a request to deactivate a BWC, the reasons for declining the request (e.g., the officer believes that there is a reasonable possibility that it may be necessary to use constructive authority or force during the encounter) must be memorialized on the recording and documented and shall be reported to the tour commander as soon as it is safe and practicable to do so.
 - a. If the officer declines a deactivation request, the officer immediately shall inform the person making the request of that decision.

- b. Officers are prohibited from misleading the person making the deactivation request into believing that the BWC has been turned off when in fact it is operating unless the Bergen County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee, expressly has authorized covert recording.
- 5. In any instance where a BWC was deactivated, the device shall be reactivated as soon as it is safe and practicable to do so when the circumstances justifying deactivation no longer exist (e.g., the interview of the person requesting deactivation is completed, etc.) and the officer would otherwise be required to activate the BWC.
- K. Officers can deactivate a BWC when specifically authorized to do so by an assistant prosecutor for good and sufficient cause as determined by the assistant prosecutor. When an officer deactivates a BWC pursuant to this section, the officer shall narrate the circumstances of the deactivation indicating the assistant prosecutor who authorized the deactivation (e.g., "*...I am now turning off my BWC as per the instruction of assistant prosecutor (insert name).*").
- L. Officers should deactivate/mute a BWC while participating in a discussion pertaining to criminal investigation strategy and planning (e.g., to consider what investigative techniques to pursue, such as what questions to pose to a suspect or witness, whether to summon a drug/explosives detection canine, whether to apply for a search warrant, whether to request permission to conduct a consent search, or to conduct another type of warrantless search, etc.), provided that the strategy/planning discussion is not conducted in the immediate presence of a civilian and further provided that the BWC-equipped officer is not actively engaged in the collection of physical evidence (i.e., conducting a search). When an officer deactivates a BWC pursuant to this section, the officer shall narrate the circumstances of the deactivation (e.g., "*...I am now turning off my BWC to discuss investigative strategy with my supervisor.*").
- M. Unless the officer is actively investigating a criminal offense or is responding to an emergency, or reasonably believes that he/she will be required to use constructive authority or force, the officer shall not activate a BWC, and shall deactivate a BWC that has been activated, while the officer:
 - 1. Is in a school or youth facility or on school or youth facility property under circumstances where minor children would be in view of the BWC; or
 - 2. Is in a patient care area of a healthcare facility, medical office, or substance abuse treatment facility under circumstances where patients would be in view of the BWC; or
 - 3. Is in a place of worship under circumstances where worshipers would be in view of the BWC.
- N. If a BWC captures the image of a patient in a substance abuse treatment facility, the Chief of Police or his/her designee shall notify the Bergen County Prosecutor or his/her designee to ensure compliance with all applicable federal laws and regulations providing for the confidentiality of substance abuse treatment information (42 USC § 290dd-2, 42 CFR §23.1 to 23.41). The recording shall not be accessed without the permission of the Bergen County Prosecutor or his/her designee.

- O. BWC shall be deactivated and removed while in the ALCOTEST area when the ALCOTEST device is being used. Nothing herein shall be construed to preclude the use of a BWC to record the behavior of a person arrested for driving while intoxicated other than while the person is in the ALCOTEST area while the ALCOTEST device is being operated. If this provision requires deactivation of a BWC, the officer shall narrate the reasons for deactivation (e.g., "... *I am deactivating the BWC because the suspect is about to take a breath test*"), and the BWC shall be reactivated when safe and practicable to do so following the completion of the breath testing operation.
- P. Officers shall not activate a BWC, and shall deactivate a BWC that has been activated, if the officer knows or reasonably believes that the BWC would capture the image of an undercover officer or confidential informant or otherwise would pose a risk to the safety of an undercover officer or confidential informant, unless such activation is expressly authorized by a supervisor, or unless the exigency of the situation and danger posed to an officer (e.g., active shooter, actual use of police force, officer in distress, etc.) require that the encounter/incident be recorded, in which event the officer shall inform the shift supervisor that the image of an undercover officer or confidential informant was recorded. The BWC shall be activated/reactivated as soon as it is safe and practicable to do so when the risk of capturing the image of an undercover officer or confidential informant no longer exists.
- Q. Officers shall not activate a BWC while in a courtroom during court proceedings, unless the officer is responding to a call for service or is authorized to use constructive force or authority, or unless the presiding judge expressly authorizes such activation.
- R. When a BWC is activated, officers are encouraged to provide narration where practical and appropriate to augment the value of the recording and to provide clarity for the viewer.
- S. Non-law enforcement personnel shall not be allowed to review the recordings at the scene of contact. Officer complaints shall be handled in accordance with the policies set forth in this department's policy on *Internal Affairs*. All other requests to view and/or obtain footage by the public shall be handled in accordance with section VI of this policy.
- T. If an officer fails to activate the BWC, fails to record the entire event contact, or interrupts the recording, the officer shall document in the applicable report the reasons why a recording was not made, was interrupted, or was terminated.

V. INCIDENTS TO RECORD

- A. BWCs and MVRs allow for a clearly documented, first-hand, and completely objective account of an incident and will produce the maximum amount of information regarding the incident to be captured. Therefore, all personnel assigned to or assisting in that event shall activate their BWC and/or MVR immediately upon acknowledging dispatch to a call for service or in the performance of a proactive event as soon as is safely possible.

- B. Except when otherwise restricted in this policy, officers shall video and audio record all law enforcement activity including any interaction with a civilian. However, if an immediate threat to the officer's life or safety makes activating the BWC/MVR impossible or dangerous, the officer shall activate the BWC/MVR at the first reasonable opportunity to do so. Examples of such required recordings include, but are not limited to:
1. All traffic stops from the initiation of the stop until the stop is concluded, including sobriety testing.
 2. Investigative detentions / field interviews.
 3. Any call for service related to a violation or suspected violation of possessing or consuming alcohol, marijuana, hashish, or cannabis item.
 4. An officer is responding to a call for service and is at or near the location to which the officer has been dispatched.
 5. The officer is conducting a motorist aid or community caretaking check including emotionally disturbed person investigations/encounters.
 6. Stationary police details, such as DWI checkpoints, car/truck inspections, seatbelt use checkpoints, etc.
 7. Crime scenes.
 8. Motor vehicle and foot pursuits.
 9. Interviews of witnesses when conducting investigations of criminal violations (not to include undercover investigations or related surveillance activities).
 10. Out-of-court identifications (i.e., show ups and lineups).
 11. When conducting a custodial interrogation of a suspect unless the interrogation is otherwise being recorded in accordance with *R. 3:17 (electronic recordation of stationhouse interrogations)*.
 12. Warrantless searches (all types, including frisks, canine sniffs, and consent searches, but not strip or body cavity searches).
 13. Search or arrest warrant service (entire service).
 14. Arrests.
 15. Arrestee/prisoner or EDP transportation, whether to a law enforcement facility, county jail or other place of confinement, or to a hospital or other medical care, screening, or mental health facility.
 16. Drug recognition expert (DRE) evaluations.
 17. Overdose and suspected overdose investigations.
 18. Emotionally disturbed person investigations / encounters.

19. When an officer is involved in a vehicle collision, including subsequent actions at the scene.
 20. When an officer uses constructive authority or force, or reasonably believes that constructive authority or force may be used in any encounter or situation not otherwise listed in this subsection based on specific and articulable facts warranting heightened caution (must be documented by narration on the recording and/or in any incident report).
 21. Domestic violence investigations, neighborhood disputes, noise complaints, disorderly conduct investigations, suspicious person/vehicle investigations.
 22. Crowd control, unruly crowds, or any incident requiring activation of the all-hazards or emergency operations plan.
 23. Strikes, picket lines, demonstrations.
 24. When an officer reasonably believes that any other officer on the scene has undertaken or is engaged in any of the foregoing police actions/activities.
 25. Any contact that becomes adversarial when the body camera has not already been activated.
 26. Any contact with a person who is known to complain about officers' actions.
- C. BWCs/MVRs shall remain activated for the entire duration of a public contact required in section V.B above until the officer has departed the scene and the officer has notified communications that the event is closed.
 - D. Notwithstanding any other provision of this policy, when an officer equipped with a BWC and/or MVR is dispatched to or otherwise goes to the scene of an incident knowing or reasonably believing that police deadly force has been or is being employed, or to a scene where an officer has requested emergency assistance (e.g., an officer in distress, shots fired, etc.), the officer shall activate his/her BWC/MVR before arriving at the scene when feasible.
 - E. Notwithstanding any other provision of this policy, an officer while at the scene of a police deadly-force event, pursuit resulting in a death or serious bodily injury, in-custody death, or the on-scene investigation of such events shall not deactivate his/her BWC/MVR unless instructed to do so by the independent investigator supervising the investigation of the incident pursuant to *Attorney General Law Enforcement Directive 2019-4*. The independent investigator or his/her designee supervising the investigation can provide such instruction telephonically.

VI. OFFICERS' RESPONSIBILITIES

- A. Under no circumstances shall officers simply refer to a BWC and/or MVR recording in an investigation/supplemental report (or CAD record) instead of detailing the facts and circumstances of their investigation/observations
- B. Officers shall note in the narrative portion of any reports related to the incident, the fact that audio/video recordings were made and indicate the unit number of the police vehicle (MVR) or BWC number that was used.

- C. Officers shall tag (classify) their recordings by the of their shift. Each recording shall contain information related to the date, BWC or MVR, and assigned officer. The recordings should be tagged to include not be limited to:
 - 1. Incident #.
 - 2. Type of incident (e.g., MV stop, crime scene, etc.).
 - 3. CAD entry (if different from the incident #).
- D. To identify recordings that may raise special privacy or safety issues, officers shall further label recordings as 'privacy' that:
 - 1. Captured a law enforcement incident, as defined in *New Jersey Attorney General Directive 2019-4*:
 - a. Any use of force by a law enforcement officer resulting in death or serious bodily injury.
 - b. Any use of deadly force (including the discharge of a firearm) by a law enforcement officer, regardless of whether such force resulted in injury.
 - c. The death of any civilian during an encounter with a law enforcement officer; and
 - d. The death of any civilian while in the custody of law enforcement.
 - 2. Captured the image of a victim of a criminal offense.
 - 3. Captured the image of a child.
 - 4. Were made in a residence (e.g., a home, apartment, college dormitory room, hotel/motel room, etc.), a school or youth facility, a healthcare facility or medical office, a substance abuse or mental health treatment facility, or a place of worship.
 - 5. Captured a conversation with a person whose request to deactivate the BWC was declined.
 - 6. Captured a special operations event or execution of an arrest and/or search warrant where confidential tactical information may have been recorded.
 - 7. Captured the image of an undercover officer or confidential informant; or
 - 8. Captured the screen of a law enforcement computer monitor that is displaying confidential personal or law enforcement sensitive information.

VII. SUPERVISORY RESPONSIBILITY

- A. Supervisors shall:
 - 1. Ensure that all officers follow procedures for proper use of MVR/BWC as outlined in this policy.

2. Ensure that MVR/BWC equipment is being fully and properly used.
 3. Identify material or incidents that may be appropriate for training.
 4. Document requests for repairs, maintenance, or replacement for non-functioning MVR/BWC equipment.
 5. Randomly review recordings to assist in appraising performance and objectives.
 6. Ensure that MVR/BWC digital video procedures are followed.
- B. Supervisors shall encourage and assist officers in using MVR/BWC as a training aid.
- C. Tour commanders shall randomly review a minimum of one (1) segment each calendar month per subordinate to include vehicle stops, investigative detentions and other incidents of interest.
1. If upon review of the video, there is a supervisory, training, operational and/or any other issue that needs to be addressed, the supervisor shall verify and immediately address the issue.
 2. All supervisory reviews and actions shall be documented on a *BWC/MVR Supervisory Review Form* and maintained as an early warning record.
 3. Tour commanders must ensure that all officers assigned to them are reviewed periodically. Tour commanders may conduct additional reviews at their discretion for follow up purposes.
 4. If an internal affairs complaint is associated with a recorded event, or an officer believes an incident may generate an internal affairs complaint, the tour commander will tag the recording for indefinite retention.
 5. Supervisors shall formally review all instances when a BWC/MVR is deactivated prior to the conclusion of an incident and forward the documented review through the chain of command to the Chief of Police or his/her designee.
 6. Supervisors shall also review all BWC/MVR recording as a component of the meaningful review process for:
 - a. Uses of force; and
 - b. Pursuit and forcible stopping incidents; and
 - c. Officer involved vehicle crashes; and
 - d. Officer involved injuries.
- D. The captain shall review the *BWC/MVR Supervisory Review Forms* to ensure compliance with supervisory review listed above. The captain will then direct and oversee the appropriate and timely resolution of any issues that need further attention.

- E. When required, the captain or his/her designee shall download recordings of evidentiary value to a DVD/CD/USB and store them as evidence (criminal and quasi-criminal matters) or with the appropriate case file (internal affairs or administrative matters).

VIII. RECORDS RETENTION AND REVIEW

- A. Viewing of BWC events is strictly limited to sworn officers of this department. Viewing by any other person is prohibited unless authorized by the Chief of Police, his/her designee, or consistent with the provisions of this policy.
- B. BWC recordings shall not be divulged or used for any commercial or other non-law enforcement purpose.
- C. NOTE: this subsection (VIII.C) applies to BWCs only. No law enforcement officer or civilian employee of this agency shall access, view, copy, disseminate, or otherwise use a BWC recording except for an official purpose. Access to, use of, and receiving an account of a stored BWC recording is permitted only:
 - 1. When relevant to and in furtherance of a criminal investigation or prosecution.
 - 2. When relevant to and in furtherance of an internal affairs investigation.
 - 3. When relevant to and in furtherance of a management review process to identify circumstances indicating possible police misconduct or to determine the existence of a pattern or practice of possible misconduct.
 - 1. To assist the officer whose BWC made the recording in preparing his/her **own** substantive police report, providing a statement, or submitting to an interview.
 - a. Except:
 - 1) The incident involves the use of force by the officer, when the officer knows or should know that the use of force resulted in significant or serious bodily injury or death; or
 - 2) The incident involved the discharge of a firearm or any use of deadly force by the officer (see this agency's policy on *Use of Force*); or
 - 3) The incident involved the death of a person while in law enforcement custody; or
 - 4) The incident involved the death of a person during an encounter with a law enforcement officer; or
 - 5) An incident the officer knows or has been advised is or will be the subject of an internal affairs or civilian complaint relating to the officer's use of force, bias, or dishonesty.

- b. Whenever an officer reviews or receives an accounting of a BWC recording prior to the creation of any report, statement, or interview, the officer shall acknowledge that prior review or receipt of an accounting of the BWC recording either verbally or in writing within each such report, statement, or interview.
 - 1) The officer shall document each BWC recording that was reviewed and the date of the review.
 - 2) If the officer received an accounting of a BWC recording, the officer shall document the name of each person who provided an accounting of the BWC recording, the date of the accounting, and the specific BWC recording for which an accounting was provided.
- c. Officers shall only be permitted to review or receive an accounting of such BWC recordings once the investigating entity concludes that (a) the officer has in fact completed the specified incident memorialization and (b) the officer's review or receipt of an accounting of the BWC recording will not otherwise interfere with the ongoing investigation.
 - 1) In cases subject to *Attorney General Directive 2019-4*, the independent investigator is the investigating entity.
 - 2) In all other cases, the Chief of Police or his/her designee is the investigating entity.
 - 3) The appropriate investigating entity shall document the authorization to review or receive an accounting of a BWC of a specified incident.
- 4. When relevant to a supervisor's review of an officer's actions as part of the supervisory process authorized by the agency.
- 5. To show to a civilian who intends to file a complaint against an officer to demonstrate what occurred during the encounter so that the person can make an informed decision whether to file the complaint.
- 6. To comply with the state's discovery obligations in prosecutions pursuant to the Rules of Court.
 - a. Such request must be specific and on the proper instrument, i.e., subpoena, discovery request, etc.
 - b. Only those portions of the recording pertinent to the request shall be forwarded.
 - c. This agency reserves the right to redact video as applicable by law. Such redacting software must be approved for use by the BWC manufacturer or the Bergen County Prosecutor's Office.

- 1) NOTE: when providing discovery in a domestic violence matter, ensure that the recording is reviewed prior to release to verify that there is no confidential information that should be redacted.
 - 2) This confidential information includes, but is not limited to, the location where the victim is being sheltered or contact phone numbers for those assisting the victim, etc.
 - d. All requests for copies or review of BWC recordings are subject to the fee requirements of the prevailing borough ordinance.
 - e. Advise the attending assistant prosecutor at the Bergen County Prosecutor's Office when releasing any BWC recordings for discovery in a criminal matter under its jurisdiction. Ensure that the BCPO receives a copy.
 - f. Advise the municipal prosecutor when releasing any BWC recordings in matters under the jurisdiction of the municipal court. Ensure that the municipal prosecutor receives a copy.
 - g. Contact the borough attorney/solicitor before releasing any BWC recordings in civil matters when this borough, police department, or any officer/agent of the borough is the subject of a tort/civil claim. If authorized for release under discovery, ensure that the borough attorney/solicitor receives a copy.
7. To comply with any other legal obligation to turn over the recording to a person or entity.
 8. Solely and exclusively for internal training purposes, provided that the recording is edited so that the identity of individuals depicted in the recording cannot be determined by persons viewing the training video, unless the depicted individuals have consented to the recording being used for training purposes:
 - a. Note: consent is not required from Ho-Ho-Kus police officers appearing in the recording.
 - b. Recordings retained beyond 180 days solely and exclusively for training purposes shall not be admissible as evidence in any criminal or civil legal or administrative proceeding.
 9. To show or disseminate the recording to a civilian or a non-law enforcement entity or to disseminate it to the public, where the Bergen County Prosecutor or his/her designee, or Director of the Division of Criminal Justice or his/her designee, determines that disclosure to that person, entity, or the public is warranted because the person's/entity's/public's need for access outweighs the law enforcement interest in maintaining confidentiality.
 10. To conduct an audit to ensure compliance with this policy.

11. To enhance officer and public safety by providing intelligence information in preparation for a raid/warrant execution (e.g., by providing information about the layout of a premises to be searched), when such use is approved by the Bergen County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee.
 12. Any other specified official purpose when the Bergen County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee, finds in writing that good and sufficient cause exists to authorize access to a particular BWC recording.
- D. Officers shall not erase or in any other manner alter, tamper with, destroy, or conceal BWC/MVR recordings or remove or disable any camera. Officers shall not instruct another to alter, tamper with, destroy, or conceal BWC/MVR recordings or remove or disable any camera. If an officer, employee, or agent fails to adhere to the recording or retention requirements contained in this policy, N.J.S.A. 2C: 28-7, N.J.S.A. 40A:14-118.5 et seq., or intentionally interferes with a BWCs/MVRs ability to accurately capture audio or video recordings:
1. The officer, employee, or agent shall be subject to appropriate disciplinary action and potential criminal sanctions; and
 2. There shall be a rebuttable presumption that exculpatory evidence was destroyed or not captured in favor of a criminal defendant who reasonably asserts that exculpatory evidence was destroyed or not captured; and
 3. There shall be a rebuttable presumption that evidence supporting a plaintiff's claim was destroyed or not captured in favor of a civil plaintiff suing the government, a law enforcement agency, or a law enforcement officer for damages based on police misconduct if the plaintiff reasonably asserts that evidence supporting the plaintiff's claim was destroyed or not captured.
 4. Any recordings from a BWC recorded in contravention of N.J.S.A. 40A:14-118.5 et seq. or any other applicable law shall be immediately destroyed and shall not be admissible as evidence in any criminal, civil, or administrative proceeding.
- E. Recordings are considered criminal investigatory records of this police department and shall be maintained on a secure server and disposed of in accordance with New Jersey Division of Revenue and Enterprise Services, Bureau of Records Management (BRM) records retention schedules.
1. Except for recordings being stored for criminal, civil administrative proceedings, or evidentiary purposes, recordings shall be retained for:
 - a. A period of at least 180 days (BWCs).
 - b. A period of at least 90 days (MVRs).
 2. Recordings being stored for criminal, civil, or administrative purposes must be retained until the conclusion of the case plus any retention period.

3. Recordings of an arrest that did not result in an ongoing prosecution, or records the use of police force, shall be kept until the expiration of the statute of limitations for filing a civil complaint against the officer or the employing law enforcement agency.
4. Recordings shall automatically be retained for not less than three years if it captures images involving an encounter about which a complaint has been registered by a subject of the BWC/MVR recording.
5. Recordings shall be retained for not less than three years if requested by:
 - a. The officer whose BWC/MVR made the recording, if that officer reasonably asserts the recording has evidentiary or exculpatory value; or
 - b. The officer who is a subject of the BWC/MVR recording, if that officer reasonably asserts the recording has evidentiary or exculpatory value; or
 - c. Any immediate supervisor of an officer whose BWC/MVR made the recording or who is a subject of the BWC/MVR recording, if that immediate supervisor reasonably asserts the recording has evidentiary or exculpatory value; or
 - d. Any officer, if the BWC/MVR recording is being retained solely and exclusively for police training purposes; or
 - e. Any member of the public who is a subject of the BWC/MVR recording; or
 - f. Any parent or legal guardian of a minor who is a subject of the BWC/MVR recording; or
 - g. A deceased subject's next of kin or legally authorized designee.
 - h. NOTE: the member of the public, parent, or legal guardian, or next of kin or their designee (subsections V.E.6 (e)(f)(g)) shall be permitted to review the body worn camera recording in accordance with N.J.S.A. 47:1A-1 et seq. to determine whether to request a three-year retention period
6. When a BWC/MVR records an incident that is the subject of an administrative internal affairs complaint, the recording shall be kept pending final resolution of the internal affairs investigation, any resulting administrative action and required retention.
7. In accordance with *BCPO Directive 2017-8*, when seeking authorization to purge/erase BWC/MVR recordings being held for evidence in criminal matters the evidence discovery officer or his/her designee must submit a destruction request to the Bergen County Prosecutor's Office before purging/erasing any recordings. In DWI cases, consult with the municipal prosecutor before purging/destroying any DWI-related BWC/MVR recordings.

- F. The Chief of Police or his/her designee shall notify the Bergen County Prosecutor's Office within one business day upon receiving any subpoena, court order or OPRA request for a BWC recording before complying with it. Such notice shall clearly state the deadline by which a response must be made. Only the following BWC recordings shall be exempt from public inspection:
1. Recordings subject to a minimum three-year retention period solely and exclusively pursuant to subsection VIII.E.4 of this policy if the subject of the BWC recording making the complaint requests the recording not be made available to the public.
 2. Recordings not subject to a minimum three-year retention period or additional retention requirements pursuant to subsection VIII.E.5 of this policy.
 3. Recordings subject to a minimum three-year retention period solely and exclusively pursuant to subsection VIII.E.5(a)(b)(c)(d) of this policy.
 4. Recordings subject to a minimum three-year retention period solely and exclusively pursuant to subsection VIII.E.5(e)(f)(g) if an officer, parent, or legal guardian, or next of kin or designee requests the recording not be made available to the public.
- G. A BWC/MVR recording of an event or encounter that involves an investigation of a criminal offense shall not be shared with or provided or shown to any person, entity, or government agency, other than a law enforcement agency or officer or authorized civilian employee of such agency, unless such disclosure is required by the Rules of Court governing discovery in prosecutions, or by a court order, or unless the Chief of Police in consultation with the Bergen County Prosecutor or his/her designee determines that the person's/entity's/non-law enforcement agency's/public's need for access outweighs the law enforcement interest in maintaining confidentiality.
1. If disclosure of a BWC/MVR recording as part of the state's discovery obligations in a prosecution might present a danger to any officer or civilian (e.g., reveal an undercover officer, confidential informant, surveillance site, etc.), or might reveal confidential tactical information the disclosure of which might jeopardize future operations or officer safety (e.g., verbal codes or hand signals used to communicate information or instructions, techniques for interior movements and clearing rooms during execution of warrant, techniques for convincing persons to open doors during warrant execution, etc.), the Bergen County Prosecutor or his/her designee shall take such steps as are appropriate and authorized by law and/or court rule to protect the information from disclosure, such as by seeking a protective order.
 2. An MVR/BWC recording tagged pursuant to subsections VI.D.2 through VI.D.8 of this policy shall not be accessed, viewed, copied, disseminated, or otherwise used without first obtaining the permission of the Bergen County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee. except supervisors (i.e., sergeant and above) may access and view such recordings. Under no circumstances shall such supervisors disseminate the contents of any recording subject to an investigation pursuant to *Attorney General Law Enforcement Directive 2019-4* prior to any initial reports being created.

3. The independent investigator or his/her designee overseeing an investigation pursuant to *Attorney General Law Enforcement Directive 2019-4* may, in the exercise of sound discretion, authorize a civilian or law enforcement witness to be given access to or view a BWC recording of the incident under investigation (subsection VI.D.1).
- H. The Watchguard software maintains a record of all MVR/BWC recordings that are accessed, viewed, copied, disseminated, or deleted. The Chief of Police shall cause a periodic audit of these records to ensure compliance with this policy. Minimally, the record keeping system shall document the following information:
1. The date and time of access.
 2. The specific recording(s) that was/were accessed.
 3. The officer or civilian employee who accessed the stored recording.
 4. The person who approved access, where applicable.
 5. The reason(s) for access, specifying the purpose or purposes for access and specifying the relevant case/investigation number, where applicable.
- I. If an original recording is required for use in court or by another law enforcement agency, that recording shall not be released without the prior approval of the Chief of Police or his/her designee and only if a duplicate copy is retained by the department.
1. Duplicate copies shall be maintained as evidence in accordance with this department's property and evidence guidelines.
 2. The property/evidence custodian shall ensure that any media used for duplicate recordings is properly stored away from magnetic fields (speakers, etc.) or other areas that may facilitate corruption in the property room.
- J. Employees shall not reproduce or store any recordings to any device or storage medium. This shall include, but not limited to, cell phones, electronic notebooks, etc.
- K. Recorded video of unusual or significant incidents, deemed to be beneficial for departmental training, may be utilized for departmental in-service training purposes only with the approval of the Chief of Police.