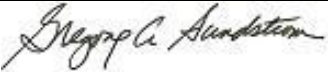


*CITY OF GRAND RAPIDS*

# ADMINISTRATIVE POLICY

<b>NUMBER:</b> 15-01	<b>DATE:</b> March 10, 2015
<b>REVISIONS:</b>	
<b>ISSUED BY:</b> City Manager	<b>SIGNED:</b> 

**SUBJECT: POLICE DEPARTMENT BODY-WORN CAMERAS PILOT PROGRAM**

**PURPOSE:** To establish a pilot policy and procedures during initial phase of testing and evaluation for potential body-worn camera implementation by the Grand Rapids Police Department. To identify issues that may lead to modifications and revisions of this pilot policy. To provide GRPD officers with instructions on when and how to use body-worn cameras.

**POLICY:** The City of Grand Rapids Police Department will commence a phased introduction of body-worn cameras for police officers.

## SECTION 1: GOALS

- A. To foster an environment that ensures civility and respect between the community and the GRPD, improves transparency, and reduces liability.
- B. Body-worn cameras will be utilized to:
  - 1) Collect evidence for use in the prosecution of criminal offenses.
  - 2) Record contacts with the public to secure additional evidence in connection with criminal and internal investigations.
  - 3) Allow for supervisory review to ensure that departmental policies and procedures are followed.
  - 4) Capture footage that will be useful for training officers.
  - 5) Protect officers from false claims of misconduct.
  - 6) Protect citizen privacy and rights.
- C. To improve behavior by all individuals during police/citizen encounters.

## SECTION 2: DEFINITIONS

- A. Body-Worn Camera: A camera system designed to be worn by police officers to capture Digital Multimedia Evidence.
- B. Digital Multimedia Evidence: All digital recordings captured by a body-worn camera, including but not limited to audio, video, photographs, and any associated metadata.
- C. Metadata: Digital identifiers that are captured as a part of an actual recording, such as date/time, GPS coordinates, labeling, etc.

## SECTION 3: PROCEDURES

### A. Training:

- 1) Prior to testing a body-worn camera, officers shall receive Department-approved training on its proper operation and care and the Department's policy with respect to the use of the body-worn camera.
- 2) Additional updates shall be provided to ensure the continued effective use of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policies or equipment.

### B. Use and Care of Equipment:

- 1) Officers shall exercise reasonable care in the use of body-worn cameras and related equipment to ensure proper functioning.
- 2) Officers shall report malfunctions of cameras or related equipment to his or her supervisor as soon as possible, so that a replacement unit may be assigned.
- 3) Officers shall inspect and test body-worn cameras prior to each shift to verify proper functioning, and shall notify their supervisor of any problems.
- 4) Officers shall immediately report to his or her supervisor upon discovery that a body-worn camera has been lost, destroyed, or damaged.
- 5) Officers shall wear body-worn cameras on their outer-most garment and above the mid-line of their torsos, in positions designed to produce effective recordings.
- 6) Officers shall *not* use personally owned body-worn cameras while on duty.

### C. Operation:

- 1) Officers shall activate body-worn cameras during contact with the public to accomplish the goals of this policy as outlined above. This includes but is not limited to arrest situations, calls for service, field interrogations, vehicle stops, prisoner transports, investigative activity, or any other duty-related, official contacts with the public.

- 2) Officers shall not deactivate the body-worn camera system, once activated, until he or she has disengaged contact with a witness, complainant, victim, or suspect, subject to the following exceptions:
  - a) De-activation is approved by a supervisor;
  - b) When recording an event will compromise the safety of a civilian or an officer; or
  - c) When an officer is interacting with a member of the public in a matter of an exceedingly sensitive or private nature, including but not limited to the following:
    - i. An informant providing the intelligence of criminal activity.
    - ii. Death notifications.
    - iii. Interviews of victims of criminal sexual conduct.
- 3) Body-worn cameras shall *not* be used to record:
  - a) Communications with other police personnel.
  - b) Encounters with undercover officers or informants.
  - c) When an officer is on break or is otherwise engaged in personal activities.
  - d) Barring exigent circumstances, in any location where an individual has a heightened expectation of privacy, such as a restroom or locker room.
  - e) A patient during a medical or psychological evaluation by a clinician or similar professional, or during treatment. When recording in hospitals or other medical facilities, officers shall exercise reasonable care to avoid recording persons other than a suspect.
  - f) Communications made in a psychiatric facility, unless responding to a call involving a suspect who is thought to be present in the facility.
  - g) Communications to or from individuals with whom an officer has a privileged relationship, such as spouses, attorneys, labor representative, medical care providers, etc.
- 4) When a body-worn camera is not activated or an entire contact is not recorded, the officer shall document the reasons.
- 5) Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner body-worn camera images and information without the prior written approval of the Chief of Police or his/her designee.
- 6) All files from body-worn cameras shall be securely uploaded no later than the end of the officer's shift. Each file shall contain information related to the date, body-worn camera identifier, and assigned officer.

D. Review of Recordings:

- 1) Authorized Review:

- a) Officers may review recordings from their own assigned body-worn cameras at any time in connection with their official duties and are encouraged to review such recordings as necessary to refresh memory and ensure accuracy of reports.
  - b) Unit Commanders and Supervisors may review body-worn camera recordings, in their discretion, in support of the goals of this procedure.
  - c) Other sworn or civilian employees may review body-worn camera recordings when necessary to their assigned job functions.
  - d) Officers making formal statements regarding a use of force or compelled statements in the course of a disciplinary investigation shall be allowed to review body-worn camera recordings as follows:
    - i. Upon request by the officer, the right to review in the presence of the officer's labor representative or attorney, and/or
    - ii. The right to review recordings from other body-worn cameras that captured the officer's image or voice during the underlying incident.
  - e) Other review as authorized by GRPD policy or procedure.
- 2) No other review of body-worn camera recordings shall be allowed without express written permission of the Chief of Police or his/her designee.

#### E. Retention and Destruction of Recordings

- 1) Body-worn camera equipment and all data, images, video and metadata captured, recorded or otherwise produced by the equipment are property of the City of Grand Rapids.
- 2) All files from body-worn cameras shall be securely stored in accordance with State law and City of Grand Rapids policies. Such stored files shall not be kept longer than is reasonably necessary for use in investigations or prosecutions (including appeals); for use in resolving civil claims and/or civil actions; for internal disciplinary investigations, or as useful for police training. In capital punishment prosecutions, files shall be kept until the alleged offender is no longer under the control of a criminal justice agency.
- 3) Digital multimedia evidence shall be retained and disposed of or destroyed pursuant to the State of Michigan approved retention schedules or retention schedules developed pursuant to GRPD Manual of Procedures, Section 11-8 and as approved by the State.
- 4) Release of stored digital multimedia evidence to the public is subject to the requirements of State law, including the Freedom of Information Act, MCL 15.231, *et seq.*, City of Grand Rapids Administrative Policies, and the GRPD Manual of Procedures.

- 5) Requests for the deletion of portions of a recording from a body-worn camera (e.g., in the event of a privileged or personal recording) must be submitted in writing to the City of Grand Rapids Law Department and shall not be granted unless permitted by State law or approved retention schedules.

F. Prohibited Conduct:

- 1) Employees shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner body-worn camera images and information except as authorized by this policy, by GRPD policy or procedure, or without the prior written approval of the Chief of Police or his/her designee.
- 2) The use of body-worn cameras, all data, images, video and metadata captured, recorded or otherwise produced by the equipment for any purpose other than in accordance with this Policy is prohibited.

**SECTION 4: OTHER CONSIDERATIONS**

This policy is not intended to enlarge the liability of the City of Grand Rapids or its employees in any way. It shall not be construed as the creation of a higher standard of safety or care in any sense, evidentiary or otherwise, with respect to third party claims insofar as the employer's or employee's respective legal duties as imposed by law. This policy is not intended to create, nor does it create or vest any third-party rights that would not exist independent of this policy.