**BOX ELDER COUNTY SHERIFF'S OFFICE**

 **BODY WORN DIGITAL RECORDING SYSTEMS POLICY**

1. **PURPOSE AND SCOPE**

The use of the Body Worn Digital Recording (BWDR) system provides an unbiased audio/video recording of events that employees encounter. These recordings can be useful for the documentation of evidence, the preparation of offense reports and future court testimony. These recordings can also protect employees from false allegations of misconduct as well as substantiate allegations of misconduct and can be of use when debriefing incidents or evaluating performance.

1. **DEPARTMENT ISSUED BODY WORN DIGITAL RECORDING SYSTEM**
2. Employees equipped with a department issued BWDR system must be trained in the operation of the equipment prior to its use. BWDR equipment will be used in accordance with the BWDR operations manual.
3. Employees who discover an operational defect with the BWDR system will attempt to correct the system following the received training on the device, (cycling the power, etc). If the BWDR is found to have a physical defect or malfunction, the employee will notify the supervisor and write up the device for service describing the events leading up to failure.
4. Employees shall not:
5. Bypass or attempt to override the equipment
6. Erase, alter or delete any recording produced by the BWDR, unless authorized by a supervisor.
7. **WHEN DEPARTMENT ISSUED BWDR SYSTEM USE IS REQUIRED**
8. This section is not intended to describe every possible situation where the system may be used. In some circumstances it may not be possible to capture images of an incident due to conditions or location of the camera, however, the audio portion can be valuable evidence and is subject to the same activation requirements.
9. All units responding to a scene shall activate their department issued BWDR equipment when they
10. Activate the dash cam recording prior to arriving on scene; or
11. Have detained or arrested a person; or
12. Are attempting to detain or arrest a person; or
13. By the nature of the call are likely to detain or arrest a person
14. Examples of when the department issued BWDR system must be activated include, but are not limited to:
15. Traffic stops
16. Pursuits until completion of enforcement action
17. DUI investigations including field sobriety tests
18. Warrant service
19. Investigatory stops
20. Any contact that becomes adversarial in an incident that would not otherwise require recording. In those situations it may be impractical or unreasonable for employees to activate their BWDR system before taking police action. It is expected that once the immediacy of the situation is over employees will activate their BWDR system to record the remainder of the incident.
21. In addition to the required situations, employees may activate the system anytime they believe its use would be appropriate and/or valuable to document an incident.
22. There may be instances in which an officer is required to take immediate action to an event that occurs directly in front of them which may not allow time to activate their BWDR system. In these circumstances the officer shall activate their BWDR as soon as practical after the officer has safely contained the situation.
23. When the BWDR system is used, The Deputy will state in his/her report that a recording of the incident has been made.
24. Deputies that have a BWDR are required to articulate on camera, or in their report, their reasoning, if they fail to record an incident that is required by this policy to be recorded.
25. **WHEN DEPARTMENT ISSUED BWDR SYSTEM DEACTIVATION IS AUTHORIZED**
26. Once the BWDR system is activated it shall remain on until the incident has concluded.
27. For purposes of this section, conclusion of an incident has occurred when:
28. All arrests have been made and arrestees have been transported; and
29. All witnesses and victims have been interviewed
30. A supervisor has authorized (on camera) that a recording may cease.
31. The Deputy is in his/her patrol vehicle and the dash cam has taken the place of the body cam.
32. Recording may cease if no further law enforcement action is likely to occur (e.g., waiting for a tow truck or a family member to arrive).
33. Deputies should announce while the camera is recording that the incident has concluded and the recording will now cease.
34. **WHEN DEPARTMENT ISSUED BWDR SYSTEM USE IS NOT REQUIRED**
35. Activation of the BWDR system is not required:
36. During break and lunch periods
37. When not in service and not on a call
38. When in service, but not on a call
39. Employees will not knowingly record other employees without their consent while on break or at other times while not actively pursuing law enforcement duties. Provided however, that in the event of reported and/or suspected inappropriate conduct by other employees, an employee may obtain authorization from an appropriate supervisor to record other employees without their consent for the purpose of documenting the reported and/or suspected inappropriate conduct.
40. All recordings made while working in any capacity as a BESO employee are subject to review by BESO.
41. **BWDR AS EVIDENCE**
42. Employees will download all recordings of an evidentiary value captured on any BWDR system they are carrying by the end of their tour of duty. This can be accomplished by either copying the recording to a disk or downloading the recordings to a computer. Recordings of a non evidentiary nature should be copied to a disk(s) or downloaded to a computer before the memory card gets too full.
43. A supervisor may excuse you from the requirements set forth in VI(A) if circumstances warrant it.
44. Employees will also copy the following recordings onto a DVD or CD and submit them as evidence.
45. Any criminal investigation, regardless of whether an arrest was made; or
46. Any critical incident; or
47. Any use of force incidents.
48. Downloaded incidents not needed as evidence or other official BESO business will be erased after 45 days from the date of recording.
49. These recordings will not be released unless authorized by the Sheriff or his designee.
50. All recordings are subject to the requirements of GRAMA.
51. **REVIEW OF ALL BWDR SYSTEM RECORDINGS**
52. This section outlines the review of department issued BWDR system recordings
53. Recordings may be reviewed:
54. By an employee to make sure the BWDR system is working
55. By an employee to assist with the writing of a report, supplement or memorandum
56. By authorized persons for the purpose of reviewing evidence
57. By a supervisor investigating a specific act of employee conduct
58. By authorized department personnel participating in an official investigation such as a personnel complaint, administrative inquiry or a criminal investigation
59. By staff administration for evaluating the device
60. Recordings may be shown for the purpose of training. In no event shall any recording be used or shown to ridicule or embarrass any employee.
61. Employees shall not obtain, attempt to obtain or convert for their personal use or for the unauthorized use of another person, any information obtained by a BWDR system. Employees shall not make personal copies or attempt to upload recordings to social networking sites (e.g. You-Tube, Facebook).
62. No Sheriff’s Office employee is authorized to wear or utilize a personally owned body worn recording device while working in any capacity for the Sheriff’s Office.