



City of Groton POLICE DEPARTMENT OPERATIONS DIRECTIVE



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USE OF BODY WORN CAMERAS

Index:

Body Worn Cameras
Cameras

1. Purpose and Responsibility:

A. Purpose

The purpose of this policy is to set standards related to the use and maintenance of City of Groton Police Department issued/approved Body Worn Cameras (BWCs), including but not limited to:

- i. Creating video and audio records to contribute to the accurate documentation of critical incidents, police-public contacts, crime and accident scenes, and arrests.
- ii. Preserving visual and audio information for use in current and future investigations in accordance with applicable guidelines referenced herein.
- iii. Capturing crimes in-progress, whether committed against the police officer or the community, and to preserve evidence for presentation in court.
- iv. Documenting police response to an incident.
- v. Aiding in the documentation of victim, witness or suspect statements pursuant to an on-scene response and/or documentation of the advisement of rights, and consents to conduct a lawful search, when applicable.

B. Responsibility

- i. It shall be the responsibility of all officers to adhere to this Operations Directive.
- ii. It shall be the responsibility of supervisory and command staff to ensure compliance with this general order.

2. Discussion:

The purpose of equipping City of Groton police officers with issued or approved BWCs is to assist in strengthening police accountability by documenting incidents and encounters between officers and the public. Their use seeking to resolve officer-involved incidents and complaints by providing an objectively independent record. Ultimately to improve agency transparency by allowing the public to see video evidence of police activities and encounters in accordance with applicable laws regarding disclosure. Also identifying and strengthening officer performance by using footage for officer training and monitoring when appropriate and consistent with the

law, and improving evidence documentation for investigation, prosecution and administrative reviews of employee performance and or civil actions.

3. Definitions:

- A. Body-Worn Camera (BWC): A body-worn camera in an “on-the-body” video and audio recording system worn by a police officer to capture digital multimedia evidence as an additional means of documenting specific incidents in the field in the course and scope of his/her police duties.
- B. Digital Media Video Files (DMVF): Digital media files consist of all digital recordings, to include but not limited to audio, video, photographs, and their associated metadata. Metadata includes any digital identifiers that are captured as part of the actual recording, such as date/time, GPS coordinates, labeling, etc.
- C. Evidence Transfer Management (ETM): ETM is the transfer of media from the body-worn camera to secured server or other reliable secured storage source. The method of evidence management for body-worn cameras shall be approved by the Chief of Police.
- D. Undercover: Investigative techniques and capability employed by law enforcement agencies in order to infiltrate criminal activity through covert means in an attempt to determine the nature and extent of illegal activities.
- E. Dashboard Camera (DC): A camera that affixes to the dashboard or windshield of a police vehicle that electronically records video of the view through the vehicle’s windshield and has an electronic audio recorder that may be operated remotely. C.G.S. 29-6d(4) and 7-277b.
- F. Law Enforcement Unit: Any agency or department of this state or a subdivision or municipality thereof, or, if created and governed by a memorandum of agreement under section 47-65c, of the Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of Connecticut, whose primary functions include the enforcement of criminal or traffic laws, the preservation of public order, the protection of life and property, or the prevention, detection, or investigation of crime. C.G.S. 7-294a.
- G. Police officer: A sworn member of a law enforcement unit or any member of a law enforcement unit who performs police duties. C.G.S. 29-6d(2).
- H. Police Patrol Vehicle: Any state or local police vehicle other than an administrative vehicle in which an occupant is wearing body worn camera equipment, a bicycle, a motor scooter, an all-terrain vehicle, an electric personal assistive mobility device, or an animal control vehicle. C.G.S. 29-6d(5).

4. Policy:

- A. It is the policy of the City of Groton Police Department, that all department that all issued or approved body-worn camera equipment and media associated with the body-worn cameras, shall not be viewed, copied,

released, disclosed or disseminated in any form or manner outside the parameters of this policy or without the express permission of the Chief of Police or his/her designee. This includes data, images video/audio and metadata captured, recorded or otherwise produced by the body-worn camera.

- B. Each police officer shall use body-worn camera equipment while interacting with the public in such sworn member's law enforcement capacity in accordance with this policy and based upon the guidelines established by the POST Council and DESPP. This includes all police officers assigned to other agencies as well as police officers assigned to state and federal task forces. Police officers who are federally deputized task force officers shall comply with this policy as modified by the policy of the federal agency to which they are assigned.¹
- C. Police officers working non-uniform assignments shall adhere to the requirements for the wear and activation of body-worn camera equipment as set forth in this policy except when such wear would hinder the performance of duty or readily identify the officer as a police officer when such identification would be detrimental to their assignment, duties, or mission.
- D. This policy does not apply to or limit the use of the in-car audio/video recording systems nor does this policy govern the use of surreptitious or covert recording devices used in the undercover operations.

5. Procedures:

A. **Beginning of the shift procedures**

- i. Issued AXON body-worn cameras shall be used by the police officer while in the performance of his/her scheduled duties.
- ii. Issued AXON body-worn cameras shall be operated in accordance with the manufacturer's recommended guidelines, department training and department policies and procedures.
- iii. Prior to the beginning of each shift, the police officer shall test and perform an inspection to ensure that the AXON body-worn camera has a properly charged battery and is functioning correctly.
 - 1. If a problem is encountered with any component of the system, the AXON body-worn camera shall not be utilized and the police officer shall arrange for repair or replacement through department established procedures. The police officer should be immediately provided with a replacement AXON body-worn camera, when practicable.
 - 2. Malfunctions, damage, loss or theft of any issued AXON body-worn camera shall immediately be reported by the police officer to the on-duty shift supervisor or other responsible person as designated by the Chief of Police. The Police Officer should be immediately provided a replacement AXON body-worn camera if practicable.

B. **Use and activation of an issued AXON body-worn camera**

- i. Police officers shall wear their assigned BWC camera on his/her outermost garment and shall position it above the midline of his/her torso when in use. The camera shall be worn in the center of the reaction side of the body (opposite of the side where the sidearm is worn).
- ii. An officer actively engaged in covert operations as an undercover officer shall not be required to wear an AXON BWC. Plain-clothes officers working with the undercover officer are required to wear their assigned AXON BWC's when making contact with members of the public in a law enforcement capacity.
- iii. Police officers issued or assigned an AXON BWC shall turn the power on to the AXON BWC upon exiting the police department to activate the buffering mode. The AXON BWC shall be activated as the inception of the interaction with the public in a law enforcement capacity.
 1. For the purpose of this policy, "interacting with the public in a law enforcement capacity," means that a police officer is in personal contact with one or more members of the public, the purpose of which is to conduct a self-initiated investigation into, or to respond to a third-party complaint involving, the possible commission of any offense, violation or infraction.
 2. In addition, police officers shall record the following:
 - a. Vehicular pursuits;
 - b. Motor vehicle stops;
 - c. Motorist assists;
 - d. The taking of statements from suspects, witnesses and victims;
 - e. The conducting of interviews with suspects, witnesses and victims;
 - f. Transportation and processing of prisoners;
 - g. Any incident or event not otherwise prohibited by this policy, which may be dangerous, unpredictable, or potentially useful for the department training purposes;
 - h. Situations where a police officer, by reason of training and experience, determines that the incident should be documented on video.
 - i. When practicable, officer should activate the AXON BWC as soon as possible following a collision in which they were involved.
- iv. At no time shall a police officer disregard officer safety or the safety of the public for the purpose of activating or utilizing the AXON BWC. If a BWC is not activated in accordance with this operations directive, the matter will be examined in accordance with whether the officer's failure to activate the device was intentional, inattentiveness to instructions or otherwise, (i.e. time available to the officer to turn on the unit, exigent circumstances of the event, prior history regarding activating the BWC). The matter will be viewed based upon the totality of the circumstances of the event.
- v. Once the AXON BWC is activated for the purpose of documenting an interaction with the public in a law enforcement capacity, it should remain activated until the interaction with the public has concluded to

ensure the integrity of the recording, except as otherwise provided for by law or by this policy.

1. Additional police officers arriving on scene shall also activate their BWC to record the interaction with the public, and continue to record until the completion of the incident.
2. For purposes of this policy, conclusion of an interaction with the public occurs when a police officer terminates his/her law enforcement contact with a member of the public.

C. When an issued AXON BWC is not to be activated or should be deactivated:

- i. As a general rule, Axon BWCs should not be powered on (buffering) while inside of the police department unless the officer is interacting with a member of the public in a law enforcement capacity. Except as otherwise required by this policy or any agreement between the City of Groton Police and the federal government, no officer shall use Axon BWC, or any body-worn or dashboard recording equipment to intentionally record;²
 1. A communication with other law enforcement agency personnel except as the officer performs his or her duties.
 2. An encounter with an undercover officer or informant.
 3. When an officer is on break or is otherwise engaged in personal activity.
 4. A person undergoing a medical or psychological evaluation, procedure or treatment.
 5. Any person other than a suspect to a crime if an officer is wearing his/her issued or approved body-worn camera in a hospital or other medical facility setting; or
 6. In a mental health facility, unless responding to a call involving a suspect to a crime who is thought to be present in the facility.
 7. Any private conversation to which the officer is not a party; or
 8. Any telephonic conversation unless specifically authorized by law in the performance of their official duties.
 9. A strip search
 10. In a locker room, changing room or restroom, unless confronting a violent or assaultive suspect or in an incident involving anticipated use of force.

D. Deactivation of a body-worn camera under certain circumstances:

- i. Although, body-worn cameras should remain activated until the conclusion of an incident, police officers may consider requests to deactivate the body-worn camera should he/she determine that, based upon the circumstances; the investigation could be significantly hampered if the recording were to continue. Whenever possible, police officers should consult with supervisors before making the decision to deactivate their body-worn camera.
- ii. Whenever possible, a police officer shall record on camera the reason for the interruption or termination of the recording prior to deactivating the body-worn camera, and document such event in his/her report.

- iii. The use of the body-worn camera mute feature shall not be considered a deactivation. Officers are authorized to use the mute feature to facilitate conversations between officers that are not reasonable to capture on a body-worn camera. The following list of examples is not an all-inclusive, and does not limit officers from reasonable use of the mute feature:
 1. Officers discussing police tactics typically not shared with the general public.
 2. Sidebar conversations during an incident's downtime that have no bearing on the incident being recorded.
- iv. Prior to and at the conclusion of the mute period the officers shall make all reasonable efforts to indicate on the recording the intent to use the mute feature and the conclusion of the mute period so that there is no confusion as to why the audio is missing. For example, officers may say, "Officer discussion" prior to activating the mute feature. Upon conclusion of the mute period officers may say, "Officer discussion over".

E. Malfunctioning of Body-Worn Camera

If any malfunctioning or unintentional failure to record in accordance with this policy occurs, the police officer shall document the reason and notify his/her supervisor regarding the lack of recording. Such documentation shall be made in a memorandum to the Patrol Commander or his/her designee.

F. Restriction and/or Deletion of Unintentional Recordings

- i. In the event of an unintentional activation of the BWC during non-enforcement or non-investigative activities, meal break, private conversations, other areas where reasonable expectation of privacy exists: officer may restrict viewing of the video and request recording deletion.
- ii. A memorandum detailing the circumstances of the unintentional recording will be via the chain of command to the Patrol Commander or his/her designee. If approved, the actual deletion requires two-party authorization. One of those parties will be the Captain or his/her designee; the other will be the BWC System Administrator. When a video is erroneously created that involves an officer engaged in a private activity involving nudity (restroom break) that is not law enforcement related, the Captain or his/her designee reviewing the video for restriction/deletion shall be of the same gender as the officer.

G. End of Shift Procedures

- i. Police Officers shall ensure that all files from their-BWC are securely downloaded at the conclusion of the officer's shift and retained accordance with section 9 of this policy. The only exception to the end of shift rule is with the express authorization of the Shift Supervisor.
- ii. All videos recorded during an officer's shift shall be properly labeled prior to the officer securing from his/her shift for the day. The videos shall be labeled with the following:
 1. ID – CAD/RMS identifying number

2. Title – This can be the subject’s name, a location, address or other identifying information.
3. Category – Select one of the pre-defined categories.
- iii. Officers shall ensure the recorded video is stored, downloaded, transferred or otherwise saved and labeled or cataloged as evidence in the following circumstances:
 1. Any incident where an arrest is made or may be made, and/or a search is conducted;
 2. An event that captures an officer’s reportable use of force in the discharge of his/her official duties;
 3. Any interaction with the public where the officer determines that it would be prudent to retain the recording for longer than the minimum retention period set for in this policy;
 4. An event that is a major motor vehicle or criminal incident involving the death, serious injury, or catastrophic property damage.
- iv. The BWC will be stored in the charge to facilitate downloading and updating of firmware.

6. **Training**

No officer shall use an issued or approved body-worn camera prior to being trained in accordance with statutes in the use of the equipment, and in the retention of data created by such equipment. Every police officer must receive training in this policy and on the proper care and maintenance of the equipment at least annually.

7. **Responsibilities of Supervisory Personnel:**

A. Chief of Police

- i. The Chief of Police shall designate one or more department members to oversee and administer the storage and management of all digital multimedia video files generated by the use of issued or authorized body-worn cameras.
- ii. The Chief of Police may authorize BWC policies that provides additional guidelines and training requirements not mandated by this policy, provided that it does not conflict with state or federal law or the provisions set forth in this policy.
- iii. The Chief of Police shall ensure the BWC data collection and storage is purged from the systems operation storage and/or software program in accordance with the State of Connecticut Library Records of Retention schedule and department policy.
- iv. The Chief of Police shall ensure that body-worn camera video files that are subject to preservation request or court order are appropriately cataloged and preserved.
- v. The Chief of Police shall approve the method of evidence transfer management (ETM) from the body-worn camera to a secured storage server, cloud, website or other secured digital media storage.

B. Supervisors

- i. Supervisors shall use and ensure that police officers are using the camera and audio in accordance with policy and procedures as defined herein.
- ii. Supervisors shall periodically inspect issued or approved body-worn camera equipment assigned to police officers to ensure proper operability per testing protocols provided through training and manufacturer's recommendations.
- iii. Supervisors or other persons designated by the Chief of Police shall periodically review issued or approved body-worn camera recordings of traffic stops and citizen contacts in accordance with this policy as well as reports generated as a result of these incidents. The review will be conducted on a monthly rotating basis of the supervisors. Each month a supervisor shall review seven (7) videos to:
 1. Ensure body-worn camera equipment is operating properly;
 2. Ensure that police officers are utilizing the body-worn cameras appropriately and in accordance with policies and procedures; and
 3. Identify any areas in which additional training policy revisions or guidance is required.

The initial start video selected shall be based on a number issued by the Chief or his designee to ensure a random sampling from officers and incident types. For example: if the initial start number chosen is thirteen, the supervisor will begin by viewing the thirteenth video recorded at the start of the month being reviewed. The supervisor will then view every thirteenth video until the supervisor has reviewed seven videos.

It will be deemed a violation of this policy for a supervisor to review recordings for the sole purpose of searching for violations of Department policy or law not related to a specific complaint or incident. However, if in the course of viewing BWC videos violations of department policy or laws unrelated to the original reason for viewing are discovered, discipline if any will be administered in accordance with the Collective Bargaining Agreement.

The monthly supervisory review of BWC recordings shall be documented as a CAD event (Call type Admin, sub type BWC review) and upon any form designated for such purpose.

- iv. Supervisors shall ensure that all body-worn camera video files are appropriately tagged for preservation utilizing the appropriate labels as laid out in Section 4Gii of this policy.

8. Authorized Personnel Access to Uploaded Digital Multimedia Video Files:

- A. General access to digital multimedia video files shall be granted to authorized personnel only. Accessing, copying, or releasing any digital multimedia video files for other than official law enforcement purpose is strictly prohibited, except as otherwise required by state and federal statutes, policies and procedures.

- i. The Chief of Police or his/her designee may review specific body-worn camera digital multimedia video files for the purpose of training, performance review, critique, early intervention inquiries, civil claims, administrative inquiry, or other articulable reason.
 - ii. A police officer may review a recording from his or her BWC recording equipment in order to assist such officer with the preparation of a report or otherwise in the performance of his/her duties.
 - ~~iii.~~ If a police officer is giving a formal statement about the use of force or if an officer is the subject of a disciplinary investigation in which a recording from body-worn recording equipment or a dashboard camera with remote recorder is being considered as part of a review of an incident, the police officer shall (1) have the right to review such recording in the presence of the officer's attorney or labor representative, and (2) have the right to review recordings from other body-worn recording equipment capturing the officer's image or voice during the incident. Not later than forty-eight hours following an officer's review of a recording under subdivision (1) of this subsection, or if the officer does not review the recording, not later than ninety-six hours following the recorded incident, whichever is earlier, such recording shall be disclosed, upon request, to the public. Such disclosure may be delayed if the officer, due to a medical or physical response or an acute psychological stress response to the incident, is not reasonably able to review a recording under this subdivision, but in no event shall disclosure be delayed more than one hundred forty-four hours following the recorded event, subject to the provisions of C.G.S. § 29-6d(g).
 - ~~iv.~~ If a is made for public disclosure of a recording from body-worn recording equipment or a dashboard camera of an incident about which (A) a police officer has not been asked to give a formal statement about the alleged use of force, or (B) a disciplinary investigation has not been initiated, any police officer whose image or voice is captured on the recording shall have the right to review such recording in the presence of the officer's attorney or labor representative. Not later than forty-eight hours following an officer's review of a recording under this subdivision, or if the officer does not review the recording, not later than ninety-six hours following the request for disclosure, whichever is earlier, such recording shall be disclosed, upon request, to the public. Such disclosure may be delayed if the officer, due to a medical or physical response or an acute psychological stress response to the incident, is not reasonably able to review a recording under this subdivision, but in no event shall disclosure be delayed more than one hundred forty-four hours following the recorded event, subject to the provisions of C.G.S. § 29-6d(g).
- B. Under no circumstances shall any individual with access to body-worn camera media or data files be allowed to use, show, reproduce or release recordings for the purpose of ridicule or embarrassment of any police officer or individual, or for other non-law enforcement related purposes. This includes disclosure of any portion of a body-worn camera video file to a

media organization unless such disclosure has been approved by the Chief of Police or his/her designee.

- C. Digital multimedia video files may be reviewed by individuals other than the recording police officer in any of the following situations:
- i. By a department member investigating or adjudicating a complaint regarding a specific act of officer conduct.
 - ii. By technical support staff for the purposes of assessing proper functioning of body cameras;
 - iii. By the Internal Affairs unit or other Unit or person(s) designated by the Chief of Police, when participating in an official misconduct investigation concerning a specific act or officer conduct alleged in a complaint of misconduct;
 - iv. By a sworn law enforcement officer who is participating in a criminal investigation;
 - v. By the Municipality's legal representative;
 - vi. Law enforcement personnel may review a recording from their own issued or assigned body-worn recording equipment in order to assist such officer in providing a statement as a witness to events which are the subject of a department internal administrative inquiry, including officer shooting investigations;
 - vii. By representatives of the Division of Criminal Justice, Municipal Attorneys, Office of Attorney General, retained counsel and other representatives authorized by the municipality, such as municipal insurance carriers, in the course of their official duties; or
 - viii. By other department personnel as authorized by the Chief of Police or his/her designee.

9. **Releasing or Duplicating Body-Worn Camera Recordings:**

A. Releasing Body-Worn Camera Digital Multimedia Video Files

Processing Freedom of Information Act (FOIA) requests

All FOIA requests for body-worn camera digital multimedia video files shall be processed through the office of the Chief of Police or his/her designee.

B. Duplicating Body-Worn Camera Digital Multimedia Video Files

- i. When a police officer who is required to produce a digital multimedia video file pursuant to a subpoena or other court order, the Chief of Police or other designee shall arrange, prior to the date of the court appearance, for a copy of the required portion of the original video file to be duplicated.
- ii. The original video files, as well as any duplicate copy, shall be held as evidence in accordance with this policy.
- iii. Accessing, copying, forwarding or releasing any digital evidence for other than official law enforcement use and contrary to the procedure is strictly prohibited.
- iv. Personal computer equipment and software programs shall not be utilized when making copies of digital evidence. Using a personal recording device such as video camera, cell phone or other devices to

record or capture digital evidence from BWC device and/or digital evidence storage is strictly prohibited.

10. **Storage and Retention:**

- A. Digital multimedia video files shall be maintained in an approved storage location, such as a server, storage device, cloud storage, website or other approved secure storage media, authorized by the Chief of Police.
- B. All digital multimedia video files shall be securely stored in accordance with state record retention laws and Department policy.
 - i. Digital multimedia video files not reproduced for evidentiary purposes or otherwise required to be preserved in accordance with this policy shall be maintained for a period of a minimum of ninety (90) days.
 - ii. Digital multimedia video files shall be preserved while a case remains open and under investigation, or for a minimum of four (4) years while criminal or civil proceedings are ongoing or reasonably anticipated, or in accordance with State Records and Retention schedule, whichever is greater.
 - iii. All other digital multimedia video files reproduced for evidentiary purposes or otherwise caused to be preserved shall be maintained for a minimum of four (4) years.
 - iv. Nothing in these guidelines shall require a law enforcement unit to store such data for a period longer than one year, except in the case where the unit knows the data is pertinent to any ongoing civil, criminal, or administrative matter. C.G.S. 29-6d(j).
 - 1. Digital multimedia video files shall be preserved in accordance with any specific request by representatives of the Division of Criminal Justice, Municipal Attorney, Officer of the Attorney General, retained counsel and other authorized claims representatives in the course of their official duties.
 - 2. Digital multimedia video files shall be preserved in response to oral, electronic or written preservation requests from any member of the public where such requests indicate that litigation may be reasonably anticipated. All such preservation requests shall promptly be brought to the attention of the recipient's supervisor and the Municipal Attorney's office.

11. **Annual Reporting**

- A. Per Connecticut Public Act 23-204 and Police Officer Standards and Training Council (POSTC) General Notice 24-08, effective immediately and annually thereafter, each law enforcement agency shall submit the annual body and dashboard camera compliance survey using the POSTC's form to UCONN's Institute for Municipal and Regional Policy (IMRP), no later than January 31st of each given year for the previous year. The survey can be found at: [Yearly Body Cam Compliance Form \(ct.gov\)](#) or the POSTC website and should be emailed to CTPoliceReport@uconn.edu

- B.** Additionally, the Public Act requires law enforcement agencies to post the agencies report on its websites, social media, etc.

David Burton

August 6, 2024

David Burton

Date

¹ Refer to policy prepared by the U.S. Department of Justice entitled "Use of Body-Worn Cameras by Federally Deputized Task Force Officers." (October 2020)

² See Conn. Gen. Stat. Sec. 29-6d(g)