

# Memorandum



CITY OF DALLAS

DATE: May 22, 2015

TO: Honorable Members of the Public Safety Committee:  
Sheffie Kadane (Chair), Adam Medrano (Vice Chair), Dwaine Caraway, Jennifer S. Gates,  
Sandy Greyson, Scott Griggs

SUBJECT: **Body Camera Procedure Update**

On Tuesday, May 26, 2015, you will be briefed on the Body Camera Procedure Update. The briefing materials are attached for your review.

A handwritten signature in cursive script that reads "Eric D. Campbell".

Eric D. Campbell  
Assistant City Manager

## Attachment

c: Honorable Mayor and Members of the City Council  
A.C. Gonzalez, City Manager  
Warren M.S. Ernst, City Attorney  
Craig D. Kinton, City Auditor  
Rosa A. Rios, City Secretary  
Daniel F. Solis, Administrative Judge  
Ryan S. Evans, First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager  
Mark McDaniel, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Sana Syed, Public Information Officer  
Elsa Cantu, Assistant to the City Manager – Mayor & Council



# Body Camera Procedure Update

Public Safety Committee  
May 26, 2015



[www.dallaspolice.net](http://www.dallaspolice.net)

David O. Brown  
Chief Of Police

# Purpose

To review the proposed Body Worn Camera procedures for the police department

- Program objectives
- General procedures
- What to record
- When to record
- Prohibited practices
- Effects of pending legislation

# PERF Study

- The Police Executive Research Forum (PERF) assembled a group of law enforcement executives in September 2013 to discuss body worn cameras
- The intent of the study was to establish best practices for body camera policies
- Study recognizes differences in state laws that may effect the policy
- Published a set of guidelines that established some base line considerations for departments to consider when implementing a camera program
- Many of the Dallas Police Department procedures were modeled from these recommendations

# Goal of the program

- To utilize body worn cameras in a manner that is fair and equitable towards employees and citizens
- Recognize the cameras have a limited field of view and cannot capture the entire event
  - Lighting
  - Depth perception
  - Frame speed

# Program Objectives

- Enhance transparency
- Enhance officer safety
- Improve evidence collection, officer reporting and court testimony
- Protect against false claims of impropriety
- Provide accurate documentation of events

# Responsibilities

- All video captured must be stored in a secure city environment
- Officers must be trained before using the camera
- After the program begins, officers cannot use personally owned cameras – exception would require same equipment
- Prohibits altering video
- Prohibits making copies of video
- Can be used on off duty jobs
- Outlines specific procedures for the operation of the camera and downloading of the video

# Recording

- Record all contacts within the scope of an official law enforcement capacity
- Examples
  - Vehicle or pedestrian stops
  - Calls for service – upon arrival
  - Pursuits
  - Crimes in progress
  - Consensual searches
  - Anticipated arrest
  - Seizures of narcotics, cash or high value property
  - Critical Incident Team (CIT) calls
  - During Field Sobriety testing



# Recording- cont.

- Any time an officer believes it is necessary to enhance evidence collection or preserve the recording of an event
- Any incident that may result in enforcement action or an official report being completed
- Deactivate when no further value to record – protecting accident scenes
- Gives officer latitude to stop recording when nothing of evidentiary value will be gained
- Requires officers to announce reason for deactivation
- Procedure recognizes there are spontaneous events where an immediate situation may make it unsafe for the officer to immediately activate the camera

# Prohibited practices

- Cannot record in following circumstances
  - In personal spaces such as bathrooms
  - Hospitals or doctors offices unless needed for investigatory purposes
  - On break or engaged in personal activity
  - Images of undercover officers or informants unless requested by supervisor
  - Work related meetings or details
  - Personal conversations between employees
  - During administrative investigations

# Retention and Review

- Video will be retained a minimum of 90 days
  - If tagged for retention will be retained indefinitely
- Video can only be released through the Open Records Unit unless approved by the Chief of Police
- Videos can be sent to other law enforcement agencies with supervisory approval
- Officers will be allowed to review any available video before making a statement

# Questions?



# Dallas Police Department General Order

## 3XX.00 Body Worn Cameras

DAVID O. BROWN  
CHIEF OF POLICE

Special Order No. \_\_\_\_\_ Document Control No. \_\_\_\_\_ Revised \_\_\_\_\_

### 3XX.00 BODY WORN CAMERA PROGRAM

#### SCOPE AND PURPOSE

The Department has adopted the use of Body Worn Cameras (BWC) to enhance our citizen interactions and provide additional investigatory evidence. The department recognizes that BWC images have a limited field of view and cannot always show the full story, nor do video images capture an entire scene. The use of body worn cameras does not reduce the requirement to provide thorough written documentation of an incident.

#### 3XX.01 Program Objectives

- A. It is the intention of the Dallas Police Department to utilize body worn cameras in a manner that is fair and equitable toward employees and citizens.
- B. The Dallas Police Department has adopted the use of body worn cameras in order to accomplish several objectives. These objectives include, but are not limited to:
  - 1. Enhance department transparency to the public.
  - 2. Enhancement of officer safety.
  - 3. Enhancement of officer reporting, evidence collection, and court testimony.
  - 4. Enhance officer training.
  - 5. Protection from false claims of impropriety.
  - 6. Provide accurate documentation of events, actions, conditions, and statements made during arrests and critical incidents.
  - 7. Document the quality of service provided by police officers.
- C. Body worn camera recordings will be used for legitimate law enforcement purposes only and in accordance with applicable law and Departmental policies.

#### 3XX.02 Definitions

- A. The AXON Flex camera system - a wearable camera system with multiple mounting options on an officer's uniform designed to record audio and video interactions by officers while in performance of their duties. The camera components are designed for use in tough environmental conditions encountered during day to day law enforcement activities. The Flex system is designed to record events in real-time for secure storage, retrieval, and analysis through the EVIDENCE.com website. The AXON Flex system is composed of three main parts:
  - a. AXON Flex Camera - a digital video recorder (DVR) that offers high quality video and low-light gathering capabilities. The recorder is designed to store at least 4 hours of video. If the camera is full (has reached its storage limit), the camera will not record over previous video but instead stops recording.
  - b. AXON Flex Controller - enables you to turn the unit on, begin recording, stop recording, and turn the unit off. The controller features LEDs to indicate the operating mode and battery capacity.

Operation LED	Operating Mode
Blinking Red	Recording
Blinking Green	Buffering
Solid Red	Booting Up
Blinking Yellow	The Cable is Disconnected

- c. AXON Evidence Transfer Manager (ETM) – also referred to as a docking station. When the AXON camera and controller units are placed into an ETM, video evidence is automatically downloaded to Evidence.com.
- B. The AXON body camera system – is a camera that is worn on the officer's chest. This camera incorporates the DVR unit and Controller unit into one piece of equipment and has the same functions and capabilities as the AXON Flex camera system.
- C. Division BWC Administrator – The supervisor assigned primary responsibility for the BWC program at the Division level.
- D. BWC Coordinator – A supervisor on any watch trained to handle BWC responsibilities. Includes the Division BWC Administrator.
- E. Department BWC Administrator- Individual or Unit with Department-wide responsibility for the BWC program.
- F. Law Enforcement Activity- any activity that is in furtherance of a law enforcement goal. These can include traffic stops, pedestrian stops, call for service, follow up investigations, interviews, searches, crowd incidents, protests and arrests.

Each Division/Section/Unit utilizing BWCs will designate a supervisor as a Division BWC Administrator. The Division BWC Administrator is responsible for the overall operation of the BWC equipment/videos at their level. This supervisor has primary responsibility for video operations and training coordination at the Division level.

#### 3XX.03 General Procedures

- A. All audio/video captured during the scope of an officer's duties are the property of the Dallas Police Department and are subject to departmental policies and applicable laws regarding viewing, release, retention, and destruction.

# Dallas Police Department General Order

## 3XX.00 Body Worn Cameras

Revised

1. Prior to using a BWC, officers shall receive Department approved training on the proper operation and the Department's policy with respect to its use. Additional training shall be provided at periodic intervals to ensure the continued effective use of the equipment and to incorporate changes, updates, or other revisions in policies and equipment.
2. BWC and related equipment is the responsibility of the individual officer and will be used with reasonable care to ensure proper functioning. Malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be assigned. Officers shall inspect and test their body worn camera prior to each watch to verify proper functioning and shall notify their supervisor of any problems.
3. In the event that a body worn camera is lost the officer shall immediately notify his/her supervisor.
4. Officers who wish to purchase their own body worn camera must purchase the same camera the city uses for purposes of compatability. The purchase will be done through the city to ensure the video produced is properly segmented and stored. The department will purchase and maintain the license for the body worn camera.
5. Personnel will not remove, dismantle or tamper with any hardware and/or software component or part of a body worn camera.
6. Officers will not edit, alter, erase, duplicate, copy, or otherwise distribute in any manner body worn camera recordings without proper authorization.
7. Personnel will not make copies of anybody worn camera file or screen shot for their personal use and are prohibited from using a recording device such as a phone camera or secondary video camera to record such.
8. Under no circumstances will audio/video evidence be converted for personal use. Accessing, copying, editing or releasing recordings or depictions of recordings without proper approval is strictly prohibited.
9. Officers assigned a body worn camera may use the camera at approved off-duty employment, but only in compliance with Department duties. Officers will download all evidence recorded during their off-duty employment no later than during their next regularly assigned on-duty shift or when directed by a supervisor.
10. Non-department personnel shall not be allowed to review recordings unless pursuant to written consent of the Chief of Police. Recordings may be reviewed by other law enforcement agencies with supervisor approval.
11. Officers are encouraged to inform their supervisor of any recording that may be of value for training purposes.

### B. Officer Responsibilities

1. Officers will request additional instruction as needed from a supervisor if they have questions relating to the correct operation of the equipment.
2. At the beginning of each shift officers will ensure:
  - a. That the BWC is fully charged and operational.
  - b. That the BWC is secured to their uniform as trained.
3. Prior to the end of each shift officers will ensure:
  - a. Video evidence is properly categorized for retention on the server. (Arrest, Pursuit, Citation, Offense, etc.)
  - b. That the camera is synced and docked for downloading video.
  - c. Indicate in their offense/arrest reports and citations the existence of any body worn camera video.
4. Officers will inform their supervisor of any video that has significant evidentiary value or that may be utilized for training purposes.

### C. Supervisory Responsibilities

1. Supervisors shall ensure that officers assigned a body worn camera utilize them in accordance with policy and procedure.
2. Supervisors will ensure videos related to critical incidents are uploaded to corresponding digital files and tagged for retention as soon as practical.
3. Supervisors may have the ability to resolve citizen complaints by reviewing video captured by an officer's body worn camera. In those circumstances where a complaint is resolved with no further action needed, the supervisor shall document their review.
4. Supervisors, when reviewing video should look for training opportunities to enhance officer performance. In addition, any video believed to benefit recruit and/or in-service training should be forwarded through the chain of command to the police academy.
5. Minor infractions of policy or procedure will be handled as a training issue and supervisors should use the opportunity to counsel with employees to ensure no future violations occur.

## 3XX.04 When and How to Use the Body Worn Camera

### A. Officers will utilize the BWC in the following circumstances:

1. Officers will activate their body worn camera to record all contacts that are conducted within the scope of an official law enforcement capacity, including but not limited to:
  - a. Before any enforcement stop, pedestrian or vehicle, officers will activate the body camera upon exiting the police vehicle. An officer may activate the camera any time prior to exiting the vehicle. If the BWC cannot be activated upon exiting the police vehicle, it will be activated as soon as practical and safe to do so.
  - b. Upon arrival when on any call for service. Officers may activate the camera while enroute to a call destination if they deem it necessary.
  - c. During non-vehicle pursuits (foot, bike, T3, etc.) as soon as the officer can do so safely.
  - d. During vehicle pursuits in vehicles without in-car DVR systems, as soon as the officer can do so safely.
  - e. Upon arriving to all crime in progress calls as soon as the officer can do so safely.
  - f. During the execution of a warrant or "knock and talk" operation.

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- g. When requesting and conducting a consensual search.
  - h. Before any planned or anticipated arrest.
  - i. During the inventorying of seized narcotics, money or any high value property.
  - j. When conducting the Standard Field Sobriety Test (SFST) or Drug Recognition Expert (DRE) test.
  - k. Any situation where the officer's training and experience causes him/her to believe the incident needs to be recorded to enhance reports, preservation of evidence, and aid in subsequent court testimony.
  - l. Any time an officer deems necessary.
  - m. Officers are encouraged to review video recordings of incidents prior to writing any offense, arrest, or incident report to ensure the accuracy and consistency of the report.
  - n. Critical Incident Team (CIT) calls.
  - o. Any incident or contact that may result in an enforcement action being taken or official report being generated
- 2. The BWC will be deactivated during non-enforcement activities such as when protecting a traffic crash scene, or other incident that provides no evidentiary value.
  - 3. Officers shall have the latitude to terminate a recording when there is no likelihood of anything else of evidentiary or law enforcement value occurring. It shall be deemed a violation of this policy for an officer to fail to activate the body worn camera or intentionally terminate a recording in order to commit a violation of department policy or law.
  - 4. Officers are not required to obtain consent from a private person when in a public place or in a location where there is no reasonable expectation of privacy. It is at the discretion of the officer to determine if they want to announce a recording is occurring.
  - 5. While in public areas, officers are not required to advise a subject that they are recording their interaction unless the subject specifically asks if they are being recorded, at which point the officer will inform the subject that they are being recorded.
  - 6. When in a private residence in an official capacity, officers are not required to advise the resident they are recording. The officer is not prohibited from but encouraged to advise the citizen of the recording if doing so if it would better serve the handling of the incident.
- B. Prior to deactivating the BWC, officers will make a recorded announcement as to the reason the device is being deactivated such as-
    - 1. "Contact completed"
    - 2. "Incident concluded"
    - 3. "Instructed by supervisor (name) to end recording"
    - 4. "Officer or supervisor discussion in the field"
  - C. If the BWC fails to activate the officer will document the failure in a MIR or offense supplement report. The officer will also notify their supervisor of the equipment failure.
  - D. If an officer fails to activate the BWC or fails to record the entire contact, the officer shall document the reasons in a MIR or offense supplement report.

### 3XX.05 Prohibited use of BWC Equipment

- A. In any situation where individuals have an expectation of privacy such as bathrooms and locker rooms, unless it is required to capture evidence for a criminal investigation.
- B. The use of BWCs in a hospital or doctor's office setting will be limited to investigative use only. Officers will not record a patient's medical interaction and procedures with hospital or medical personnel unless all parties are aware that a recording is taking place and it is needed as evidence.
- C. When on break or otherwise engaged in personal activity.
- D. During administrative investigations.
- E. Images of undercover officers or confidential informants will not be recorded, unless requested by the undercover officer or their supervisor in the furtherance of an investigation.
- F. During any work related meetings, details or conversations of fellow employees without their knowledge during non-enforcement related activities.
- G. Any personal conversations of or between another department member or employee without the recorded members/employee's knowledge or permission.
- H. *Officers will use only the department issued body worn camera.*

### 3XX.06 Retention, Storage and Handling of Videos

- A. Public Information Act requests for videos will be handled in accordance with Chapter 552 of the Texas Government Code and departmental procedures.
- B. All video will be maintained for a minimum of 90 days. If the video has not been categorized as one which is to be retained it will automatically be deleted after 90 days.
- C. Video recording hardcopies will only be created for official reasons, to include:
  - 1. Criminal evidence.
  - 2. Public Information Act (Open Records) requests.
  - 3. Internal Affairs Division requests.
  - 4. Approved Training Section requests.
  - 5. Other if approved by the Division Commander.
- D. BWC recordings will not be provided to anyone outside of the Dallas Police Department unless the recording is requested through the proper Public Information Act request process or through a Criminal Justice request received on a completed and approved request form.

**Dallas Police Department General Order**  
**3XX.00 Body Worn Cameras**

Revised

- E. The Open Records/Records Management Unit will set charges for duplications of videos for Public Information Act requests.
- F. During any administrative or criminal investigation the person conducting the investigation shall allow the involved officer to review video involving the incident captured by BWC equipment worn by the officer or another officer.
- G. Copies of recordings not involving pending criminal action, civil litigation, or internal investigations may be used for training purposes with the approval of the Training Division Commander.

This order is effective \_\_\_\_\_ and will be incorporated into the General Orders as a change by section insert.

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**David O. Brown**  
**Chief of Police**

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