

	<b>SECTION:</b>	<b>SERVICES</b>	<b>SER-305</b>
	<b>CHAPTER:</b>	<b>EQUIPMENT - PROCEDURES</b>	
	<b>DIRECTIVE:</b>	<b>BODY WORN CAMERAS</b>	

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**305.01 - PURPOSE AND SCOPE SUMMARY**

The Grand Junction Police Department has provided patrol Officers with Body Worn Cameras (BWC) for use while on-duty. BWC's are intended to assist Officers in the performance of their duties by providing a audio/video record of the incident and to supplement the Officers report(s) and court testimony. Officers shall utilize BWC's in accordance with the provisions of this Directive. The Grand Junction Police Department recognizes that audio and video "Data" captured by the BWC may not fully or accurately reflect the perception of the Officer wearing the BWC. The technology utilized in the BWC cannot capture every/all aspects of each interaction. The Data may or may not be consistent with an Officers observations or recollection of an incident and accordingly Officers are not expected or required to have seen and/or heard exactly what the Data shows.

The Data is only a two-dimensional representation of the event. Observations that Officers detect may or may not be recorded. Observations may include but not be limited to a person preparing to fight/run, spitting on/at the Officer, threats/fighting words muttered or whispered, muscles tensing, jaws clenching, as well as numerous other indicators. The Data also has no recollection of events, no experience, no human interactions, and no prior training; all of which an Officer relies upon when making decisions, sometimes in the fractions of a second.

A BWC and the Data captured by it are tools for the Officers and agencies use. With regard to the incident captured by the BWC, the "totality of the circumstances" is still the standard in which situations shall be evaluated.

The BWC, its ancillary equipment, and all Data are the property of the City of Grand Junction and are to be used for official purposes only. Data is subject to review by supervisory personnel, as outlined in this policy.

**305.02 - DEFINITIONS**

**System Administrator** - The System Administrator is designated by the Chief of Police and has oversight responsibilities over BWC's and the operation and administration of the support systems and equipment associated with the BWC's.

**Body Worn Camera (BWC):** Authorized recording device issued by the Grand Junction Police Department, worn on the Officer's person, for the purpose of recording video and audio of incidents.

**BWC Hardware:** Any physical equipment related to each BWC manufacturer and model issued by the Grand Junction Police Department. Examples include, but are not limited to, batteries, battery packs, "controllers," cameras, camera heads, holsters, clips, mounting pieces/brackets, wires/chords, charging devices, etc.

**BWC Software:** Any "non-physical" information used to process or is processed by computer systems, programs, and Data in conjunction with a body worn camera solution. Examples include, but are not limited to, Data management systems, web based or desktop applications, operating systems, programming tools, reports, procedures, algorithms, mobile applications and the Data itself.

**Data:** The video/audio file created and captured by the BWC hardware.

**Download:** The process of retrieving, transferring, and/or viewing Data from a storage location (local or Cloud) that has already been removed from the BWC hardware.

**Metadata:** The Data used to describe or provide information about other BWC Data (the video/audio file captured). Examples include, but are not limited to, the file name, CAD call number, case number, Officer information, date of recording, time of recording, category, etc.

**Reviewing Data:** The process of watching and/or listening to video Data captured by a BWC through a defined means.

**305.02 - DEFINITIONS  
(Cont.)**

**Tag or Tagging of Data:** The process of adding Metadata to Data that has been captured by the BWC hardware.

**Upload:** The process of removing Data from the initial point of capture on the BWC hardware and transferring to a storage location via a defined means.

**305.03 - ASSIGNMENT**

Officers will be assigned/issued a BWC as determined by order of the Chief. Officers shall not utilize personally owned BWC devices.

**305.04 – PLACEMENT**

At the beginning of each shift, the BWC shall be positioned on their uniform to facilitate the recording of events as required by this directive. The BWC shall be worn in a manner consistent with the Grand Junction Police Department training provided on BWC use and this directive.

**305.05 – USER  
RESPONSIBILITIES**

BWC users shall be responsible for the following:

1. The BWC is in good working order;
2. The battery is fully charged and operating properly;
3. Properly Tagging and categorizing Data when Uploading Data for storage.
4. Docking the BWC at the end of their shift to charge, download updates and upload the Data to our storage system. Officers who are assigned take home vehicles may conduct this process at the beginning of each shift. The amount of Data stored on the BWC shall be monitored, and as necessary, uploaded, prior to the BWC reaching its storage capacity.
5. Reporting equipment malfunctions/problems to His/Her supervisor.
6. Working with the System Administrator to assess the system's effectiveness and to make recommendations for operational improvements and revisions to policy and procedure.

7. Documenting the use of the BWC:
  - a. On the appropriate case report(s);
  - b. Citation/Summons;
  - c. On a Field Interview Report (FIR); or
  - d. In the CAD "Call Notes" section.

8. Once activated, the recording shall not be intentionally terminated while the Officer is still actively involved in the incident, except as provided in "Considerations on Recording Certain Victims and Witness" and "Limitations on Recording" SER 305.07.

Any deactivation of a BWC prior to the completion of a contact shall be documented, either by articulating the deactivation while the BWC is still on, and/or by describing the deactivation(s) in a written report.

**305.05 – USER  
RESPONSIBILITIES  
(cont.)**

9. An Officer may record in any location in which the Officer is lawfully present. Officers are not required to notify people that they are recording an interaction. If a person inquires about being recorded, the Officer must answer the inquiry truthfully. When Officers are operating the BWC in sensitive areas such as hospitals, discretion and privacy concerns must be considered.

10. Officers shall not remove, dismantle or tamper with any hardware/software component or part of the BWC.

11. Officers issued BWC's will be responsible for the care, maintenance, and security of the equipment. BWC's are sensitive electronic devices and shall be treated with care.

12. The Department training on the use of BWC's will include basic troubleshooting procedures for use of the camera. If a problem outside the scope of those basic troubleshooting issues is encountered, the Officer shall immediately report the problem with the BWC to His/Her immediate supervisor.

13. If the supervisor is unable to rectify the problem, the Supervisor or Officer shall contact the BWC System Administrator for resolution of the malfunction/problem. The System Administrator is responsible for any necessary repairs to be made. The Officer shall be supplied with another BWC if one is available.

This directive is not able to describe every possible situation in which the activation of the BWC should be initiated. It would be impractical to describe every aspect of a police Officer's daily activity; therefore, an Officer may activate His/Her BWC any time He/She believes it would be valuable to document a police related contact or incident.

### 305.06 – WHEN TO RECORD

#### Activation:

1. The BWC **shall** be activated to record audio and video in the following situations:

- a. All actions involving the enforcement of a law;
- b. Any contact that is initiated by a citizen requesting assistance from law enforcement or by any citizen contact in which an Officer is investigating a law enforcement related issue/encounter;

2. The BWC **is not required** to be activated, but *may be* activated in the following situations:

- a. When conducting personal, non-law enforcement related business while on duty; (i.e. Stopping at a business for coffee or a break).
- b. When conducting a self-initiated area check, unless the potential of an incident occurring is likely or imminent; or
- c. When engaged in conversations with members of the public that do not involve a situation in which the activation of a BWC is required (i.e. Crime Prevention public education classes/meetings, Citizens Police Academy training, etc.).

**305.06 – WHEN TO RECORD (cont.)**

3. The BWC **shall not** be used to record:
  - a. Communications with other departmental personnel outside of calls for service;
  - b. Any encounter with an undercover Officer or confidential informant;
  - c. In bathrooms, locker rooms, or other places when there is an expectation of privacy (unless in an official capacity);
  - d. Any other personal activities of the Officer where there is a reasonable expectation of privacy; or
  - e. Any SWAT incident during which BWC Data could be used to reveal tactics or the Officers safety without permission of the SWAT Commander or designee.
4. When in the performance of the Officer's duties, the BWC shall remain activated until the incident is completed to ensure the integrity of the recording. In most cases, the end of an incident can be defined as when the Officer closes out the call or is removed from the call in CAD. When an Officer makes an arrest and is transporting a prisoner, the Officer may shut off the BWC after custody of the prisoner has been transferred to corrections staff.
5. If an Officer activates a BWC in the performance of the Officer's duties, the activation shall be noted in the initial applicable report and/or citation (preferably within the first line) to be written. If no written report and/or citation is required, the activation shall be added to the CAD call stating that a BWC recording was utilized.

Supervisors are responsible to ensure any BWC recordings have been notated in the proper reports, citations, and CAD calls accordingly.

6. While in the performance of the Officer's duties and the BWC is activated, the hardware may be put into a "mute" mode (the audio is temporarily deactivated) when private conversations regarding tactics, training, supervisory guidance, or any law enforcement related discussion occurs.

Prior to activating the mute feature on the BWC a verbal explanation will be given as to the reason for muting the audio. Once the private conversation is completed, the BWC shall be taken off "mute" and recording of both audio and video will resume as directed by this policy.

**305.06 – WHEN TO RECORD (cont.)**

7. The activation of a BWC does not replace a written report when a report is required to do so by departmental policy or state law. The BWC is another tool used to assist the Officer in documenting incidents/interactions as they occur during the performance of his or her duties.

8. In instances where an Officer is not in direct contact with citizens, and there appears to be no viable reason to continue recording Data, the BWC may be deactivated. Examples of these types of incidents are crime scene security, perimeters in which contact is not likely. An Officer shall reactivate the BWC if approached by, and/or is engaged in any activity with a citizen.

9. Due to the nature of law enforcement, Officers quite often find themselves in stressful situations. Because of this fact, a BWC product was selected that does not require fine motor skills and "muscle memory" shall be obtained through training and repetition. At no time shall an Officer jeopardize his or her own safety, another Officer's safety, or the general public's safety over the operation of the BWC.

10. If an Officer fails to activate the BWC, fails to record the entire event, or interrupts the recording in any fashion other than defined in this policy, the Officer shall document the reason for such failure or interruption.

11. In cases where the Officer failed to activate the BWC, it will be noted in a case report or call notes and supervisor shall be notified.



**305.07 -  
CONSIDERATIONS ON  
RECORDING CERTAIN  
VICTIMS AND WITNESSES**

Given the profound privacy implications to citizens being recorded during their interactions with the police, the Department recognizes special consideration shall be afforded people in certain situations. Officers shall exercise their discretion in deciding whether to record the following:

1. Child abuse victims. (Note: in most instances only a trained child forensic investigator shall interview a child victim.)
2. Sex assault victims.
3. Witnesses/victims of unusually traumatic events.
4. Persons who are reluctant to provide information due to their concerns over having the contact recorded. (Examples would include, citizen informants, neighbors reporting illegal activity who have reasonable fear of retaliation for giving information to the police). An Officer must consider the reason for the reluctance, the benefits of getting the desired information on camera and the danger it may pose to the public at large when determining if the BWC shall be used. It may be more beneficial to get the non-recorded statement than to have the person refuse.

Officers shall not record patients during medical or psychological evaluations by a clinician or similar professional, or during treatment. Officers shall be aware of patients' rights to privacy when in hospital settings. When recording in hospitals and other medical facilities, Officers shall limit their recordings to actions involving enforcement of a law. [For example, a cooperative arrestee while waiting for a medical clearance the camera can be turned off. If a situation arises requiring police action the BWC shall be turned back on as soon as practical].

At no time shall an Officer jeopardize his/her safety in order to facilitate a recording. Under no circumstances will BWC's be utilized for anything other than official departmental business. Officers are prohibited from utilizing Department BWC's for personal use.

**305.08 – Tagging,  
Uploading, or Reviewing  
Data**

1. Officers shall tag their BWC Data at the end of every call or incident by adding the metadata associated with the specific type of call or incident that was captured. If the Data is not tagged at the end of the call, Officers will ensure the Data is tagged as soon as practically possible to do so. Tagging of the Data will be done in accordance with the manufacturer and model of the BWC.

This process is extremely important to do correctly and in a timely manner as this defines the retention levels associated with the Data captured.

2. Officers shall Upload His/Her BWC's Data at the end of every shift, unless approved by the Officer's supervisor. If the Data is not uploaded at the end of the shift, Officers will ensure the Data is Uploaded as soon as practically possible. The Upload process will be performed in accordance with the manufacturer and model of the BWC.
3. Digital images and/or audio files can be uploaded to evidence.com through use of the Axon Capture application. If digital images and/or audio files are uploaded using the app, the case number and description must be notated prior to upload.
  - a. An evidence entry into FileOnQ must also be made. In the description of the item of evidence, the officer will note the digital images and/or audio files were uploaded into evidence.com. (Example: Digital images of victim's injuries uploaded into evidence.com).
4. Officers will be allowed to review their Data captured by the BWC. However, this may be prohibited for certain incidents.
5. Video of an incident shall only be reviewed by Officers who were present at the recorded event. Video may be viewed by Investigations personnel assigned to investigate the case associated with the video, Professional Standards and Supervisors. An Officer desiring to review video of an event He/She was not present for will need

permission from a supervisor prior to being allowed access to another Officer's video. Personnel responsible for processing video for evidence release may also review video.

6. Due to the fact that the human mind cannot observe everything that is captured by the BWC, there will be discrepancies in what was initially recalled by the human experience and documented in a written report versus the Data that was captured by the BWC.
7. In order to ensure proper documentation of what transpired during an incident/event, the Officer:
  - a. Should complete the written reports as they recall the incident prior to reviewing the Data captured by the BWC; and if done so,
  - b. Shall include in His/Her report (the initial or a supplemental) whether the Officer has at the time the report is written reviewed the Data captured and any variations or additional information deemed necessary.

**305.08 – Tagging,  
Uploading, or Reviewing  
Data (cont.)**

**Critical Incidents:** Officers and supervisors must be aware that an Officer's perspective and perceptions are of great importance in evaluating an Officer's response, especially in dynamic situations. There must be a recognition that an Officer's decisions in tense, uncertain, and rapidly evolving situations are not to be judged with the 20/20 vision of hindsight, and that what an Officer perceived and acted upon may or may not be corroborated by Data of an incident. Reviewing may introduce contradictions between what was initially perceived by an Officer and what is shown; however, the Data should not diminish the importance of the Officer acting on His/Her initial perceptions of any incident.

When an Officer is involved in an "Officer-Involved Fatal/Near Fatal Incident" as defined in GJPD directive Response to Resistance ADM154.11 Addendum CIRT Protocol 2011, the Officer is expressly prohibited from reviewing any Data associated with the incident in

**305.09 – Audit of BWC Data**

question without the approval of the CIRT Supervisor assigned. In some instances, a supervisor may prohibit an Officer from reviewing Data associated with a complaint, a critical incident, or a criminal event.

The best practice in these types of situations is for the Officer to make an initial statement or prepare an initial report prior to viewing any Data, then to review the video with the Investigators/ supervisor, for any additional information or clarifications about what occurred.

The System Administrator or designee shall conduct random audits to ensure the quality of the Data, adherence to the Audit policy and safeguards are being followed for the integrity of the evidence.

Supervisors shall review Data of at least two (2) BWC events per month of each Officer assigned directly under His/Her command. Supervisors shall ensure Officers are complying with activation procedures as outlined in this policy.

Supervisors may view the Data to evaluate the performance of a subordinate or to investigate allegations of misconduct. Supervisors will be trained on how to access and view Data. New Supervisor's shall contact the System Administrator to receive proper training.

**305.10 – Sharing or Downloading of BWC Data**

Active Field Training Officers may view video files to evaluate the performance of a trainee. Videos may be reviewed and used for administrative reviews, training, and investigative purposes. The Chief of Police may authorize others to view Data.

The Data will be reviewed to ensure that the Officers are conducting themselves professionally (as per the Vision, Mission, and Core Values of the Department). The Data will also be reviewed to ensure that the equipment is operating properly, that the Officers are adhering to Departmental Policies, and to identify training and/or guidance needs.

The BWC system incorporates protections against tampering with the Data, ensuring that recordings cannot be altered, edited, or deleted prior to being uploaded into the storage system. Once Data has been Uploaded into the system, protections include a system which limits access to authorized personnel for authorized purposes, and provides an audit trail for Data showing, who accessed the Data when, and for what purpose.

1. The Data captured by the issued BWC's belongs to the City of Grand Junction and must be retained and/or disposed of as directed by state law and as defined in this policy.

**305.10 – Sharing or  
Downloading of BWC Data  
(cont.)**

No Officer/Employee shall erase, edit, or otherwise alter or attempt to erase, edit or alter any Data captured by a BWC, other than in accordance with this Department's retention schedules and applicable law. The Data may be used for:

- a. Evidentiary purposes to assist in criminal prosecution or civil litigation;
  - b. To assist with supervisor and/or internal investigations
  - c. To assist training Officers in the performance of training new officers.
2. The BWC Data captured must not be shown or given to unauthorized persons. Examples of unauthorized uses of this Data include but are not limited to:
    - a. Downloading the Data for personal use (whether to a disc, drive of any kind, or unauthorized device);
    - b. Recording the Data with any type of device for personal use; or
    - c. Sharing the Data with anyone for personal use.

**305.10 – Sharing or  
Downloading of BWC Data  
(cont.)**

3. Any requests for public release of Data to members of the public will be done in accordance with Colorado Open Records Act and/or per rule 16 as applicable.
4. Data which is prohibited from release shall, after consultation with the City Attorney, either not be released for be redacted from prior to release.
  - a. Redactions may be completed under the direction of the City Attorney, Command Staff, or the Crime Laboratory Supervisor.
  - b. Items which may be redacted include investigative information, personal information (i.e. social security number, driver's license), or faces and/or other personal characteristics which could identify victims, minors, or other individuals captured with BWC.
5. When considering whether to release Data, the Department will consider privacy interests, as well as the Department's interest in maintaining investigative integrity and the public's interest in transparent, open law enforcement.
6. Special circumstances may arise, such as a civilian reviewing the Data to identify property. In these circumstances, supervisory approval is necessary before the Data is reviewed and the incident shall be documented accordingly.
7. For all Data, an evidence audit trail is created, which follows the Data until it is properly deleted. Every time the Data is accessed, the evidence audit trail is stamped to indicate the name of who accessed it, the date/time it was accessed, the activity, and the IP address where it was accessed. Every time an Officer accesses any Data to review, tag, share, add comments, download, redact, etc., the Officer shall add an explanation in the notes section of the Data management system as to why it was accessed. Officers should note that as the evidence becomes part of a prosecution or use in

**305.10 – Sharing or  
Downloading of BWC Data  
(cont.)**

any type of investigation, user information is attached with any Data they have accessed is noted.

**305.11 – RETENTION OF  
VIDEO**

8. The Department's Property and Evidence Section may access Data collected via the Data management system. Every effort shall be made to contact the Department's Property and Evidence Section when Data is being requested for evidentiary purposes to assist in court proceedings.
9. Data for trial preparation or court, will be accessed through the Evidence Section using the Copy Request form. The Evidence Section will review the requests and only release the Data in compliance with existing evidence release guidelines, rules of criminal procedure, and applicable law.

Data may be utilized for Departmental training; recommendation to utilize Data for training may be made through the chain-of-command to the Services Commander.

The Services Commander shall review the recommendation and determine if and how best to utilize the Data considering the identity of the person(s) involved, sensitivity of the incident, and the benefit of utilizing Data file versus other means of training.

Appropriate retentions times will be set by the System Administrator for videos based on their classification.

The Data and Metadata in the Data Management System shall be retained pursuant to this policy. If any Data is needed beyond the retention schedule, it will be the responsibility of the Officer needing the Data or conducting the investigation to make a written request to the Department's Property and Evidence Section to download and store the Data according to this



**305.11 – RETENTION OF VIDEO (Cont.)**

Department’s policy or any other policy or court order with regard to evidence retention.

Category Name	Retention Period Days	Retention Period Years
Complaint / Admin Investigation	1095	3.0
Call for Service or Citizen Contact (No Citation / No Arrest)	730	2.0
Traffic / Any Citation, Misdemeanor Arrest or Vehicle Accident	1095	3.0
Fatal Vehicle Accident	3650	10
Major Felonies (Class 1 or 2) and CIRT Incidents	Permanent	Permanent
Felony Arrest Made	3650	10
Felony Case no Arrest (Class 3 – 6)	1095	3.0
Pending Review	Until Manually Deleted	Until Manually Deleted
Test, Training or Accidental Recording	180	.49
Uncategorized	Until Manually Deleted	Until Manually Deleted

In some instances, an accidental recording may occur that contains sensitive Data. This may include recordings in sensitive areas (locker room, bathroom etc.).

If an Officer has an accidental BWC activation that falls into the accidental recording category and does not involve contact with the public or a call for service, the Officer will advise His/Her supervisor of the accidental recording. The supervisor will email the System Administrator and request the Data be restricted. The supervisor will include the Officer’s name, date, title, and description of the Data to be restricted. The Data will then be categorized as restricted for the remainder of the retention period.

