



TEXAS SOUTHERN UNIVERSITY  
DEPARTMENT OF PUBLIC SAFETY



STANDARD OPERATING PROCEDURE

<b>SUBJECT:</b> <b>Body-Worn Camera Policy</b>		<b>NO. OF PAGES:</b> 4
<b>REFERENCE:</b> N/A	<b>EFFECTIVE DATE:</b> March 13, 2016	<b>REVIEW DATE:</b> <b>Annually</b>
<b>General Order:</b> 053	<b>SPECIAL INSTRUCTIONS/SUPERSEDES:</b> N/A	<b>ISSUING AUTH.:</b> <b>Chief of Police</b>

**BACKGROUND**

The purpose of this policy is to set forth guidelines for the utilization, management, storage, and retrieval of audio-visual media recorded by body-worn cameras. The availability of the body-worn cameras enhances documentation of police-public contacts, arrests, and critical incidents. They also augment officer reporting and testimony in court. Audio and video recordings also enhance this agency's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training. Body-worn cameras provide additional documentation of police-public encounters and may be an important tool for collecting evidence and maintaining public trust.

**SCOPE**

This policy applies to all Texas Southern University (TSU) Department of Public Safety (Department) personnel who are issued body-worn cameras. The Department will provide officers with instructions on when and how to use body-worn cameras.

**PURPOSE**

The Department has adopted the use of body-worn cameras to accomplish several objectives, including:

1. Body-worn cameras allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony.
2. Audio and video recordings enhance the Department's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
3. Body-worn cameras may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

The Department recognizes that video images 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. Persons reviewing recordings must also be cautious before conclusions are reached about what the recordings show.

## **POLICY**

The body-worn cameras shall be utilized, based on availability, by all on-duty uniformed personnel from the rank of Sergeant and below to assist Department personnel in the performance of their duties by providing an accurate and unbiased recorded account of an incident. Additionally, to maximize effectiveness of the body-worn cameras and maintain integrity of evidence and related documentation, all personnel shall adhere to the procedures outlined within this policy.

## **LEGAL ISSUES**

1. Body-worn camera equipment and all data, images, video and metadata captured, recorded, or otherwise produced by the equipment is the property of the Department. The personal use of all information recorded by body-worn cameras shall only be pursuant to the prior written approval of the Chief of Police, or his/her designee.
2. Use of body-worn cameras for any purpose other than in accordance with this policy is prohibited.
3. All data, images, video and metadata captured by body-worn cameras are subject to state statutes regarding retention of records.

## **PROCEDURES**

### **Equipment**

Department issued body-worn cameras are intended for official Departmental use only and are not to be used for frivolous or personal activities. Intentional misuse or abuse of the units will result in progressive disciplinary action.

1. Officers will only use the body-worn cameras issued and approved by the Texas Southern University Police Department. The wearing of personally owned video recorders is not authorized.

### **Officer Responsibility**

Prior to beginning a shift, uniformed officers assigned to the Operations Bureau Patrol Division at the rank of Sergeant and below are required, based on availability, to utilize a body-worn cameras in accordance with this policy. Each officer will ensure its readiness by conducting an operational inspection at the beginning of their shift.

2. Any problems preventing the use of the unit during the shift will be reported to the on-duty shift supervisor prior to the end of shift.
3. Immediately problems that cannot be remedied will be reported to the Bureau Commander.
4. Any damage to a body-worn cameras shall be immediately reported to the officer's supervisor. Damaged equipment shall not be utilized in the field until repairs have been completed.

## **Operating Procedures**

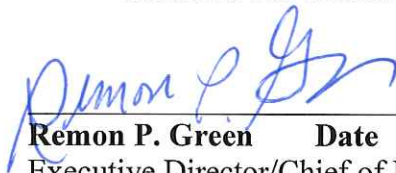
1. Officers shall receive training on the use of body-worn cameras prior to operating a body-worn cameras in the field.
2. If possible, officers should advise the person of the use of the body-worn cameras during situations involving non-arrests and non-investigative encounters.
3. If, during a non-investigative encounter, an officer develops reasonable suspicion or probable cause of a crime, the officer will activate the body-worn cameras.
4. Circumstances may exist during these types of encounters, which would not otherwise require recording, that unexpectedly or rapidly become adversarial. In those situations it may be unsafe, impractical or unreasonable for the operator to activate their body-worn cameras before taking police action. In these cases it is expected that once the immediacy of the situation is over, operators will activate their body-worn cameras to record the remainder of the incident.
5. If there is probable cause or reasonable suspicion of a crime and/or administrative violation of the University's Student Code of Conduct at the beginning of an encounter or incident, the officer will activate the body-worn cameras.
6. Private Citizens do not have a reasonable expectation of privacy when talking with police officers during the scope of an officer's official duties, even when the contact is in a private residence. Therefore, officers are not required to give notice they are recording. However, if asked, officers shall advise citizens they are being recorded.
7. Officers are not required to initiate or cease recording an event, situation or circumstance solely at the demand of a citizen.
8. Additionally, tactical activities such as building searches, searches for suspects, and building checks of alarms will be recorded.
9. Whenever a body-worn cameras is used in any incident, investigation or during a traffic stop, this fact will be documented on any citation and/or report prepared for the case.
10. Once the situation has evolved beyond the immediate preliminary encounter and has stabilized, if it becomes necessary to discuss the specifics of the event, investigation, or case with another officer or supervisor in furtherance of the investigation, the body-worn cameras may be temporarily muted during these discussions. If the body-worn cameras is muted, that will also be recorded on the video and documented in the case report.
11. Officers will upload video to the system upon completion of their shift, or as soon as practical immediately following a significant event. All recordings will be properly labeled and identified for uploading utilizing the appropriate meta-data forms provided in accordance to the Video Evidence and Retention section of this policy.
12. Officers will have access to review the recordings when preparing written reports or statements of events to help to ensure accuracy and consistency of accounts.
13. Officers will not have the ability to edit or erase any body-worn cameras recordings.
14. If there is a hearing or other disciplinary matter involving the officer, the officer will be allowed to review the body-worn cameras recording of the incident in question.

## **Supervisor Responsibility**

1. It is incumbent of all patrol supervisors to ensure officers utilize the body-worn cameras according to these policy guidelines.
2. The Bureau Commander and Sergeants will conduct monthly reviews of at least three (3) randomly selected recordings in order to assess officer performance as well as flag videos that may be appropriate for training purposes.
3. If a complaint is associated with a recorded event, or an officer believes an incident may generate a complaint, the supervisor will ensure the video is flagged for indefinite retention and, if necessary, restrict access to the video.

### Video Evidence and Retention

1. Videos needed by officers for evidence in court may be requested through the Bureau Commander or Sergeants at which time the evidence will be retrieved through proper departmental procedures of releasing evidence.
2. Recordings that are non-investigative, non-arrest, and are not part of any internal investigation will only be retained for 30 days from the date of the recording before being automatically purged from the video evidence management system database.
3. Recordings that involve criminal actions not listed in the Texas Code of Criminal Procedures Chapter 38 (**Evidence In Criminal Actions**) will be retained for five (5) years. If it becomes necessary to maintain any of these recordings beyond the five (5) year retention schedule, the reason for the extended retention will be noted in the meta-data of the specific video and offense report.
4. Recordings that involve Harris County Class "C" Court cases and/or University Judicial and Administrative incidents will be retained for five (5) years. If it becomes necessary to maintain any of these recordings beyond the five (5) year retention schedule, the reason for the extended retention will be noted in the meta-data of the specific video and case report.

 3/11/2016  
**Remon P. Green**      **Date**  
Executive Director/Chief of Police  
Texas Southern University  
Department of Public Safety

### Review and Responsibility

<b>Responsibility Party:</b>	Office of Internal Controls Division
<b>Review:</b>	Conducted Annually
<b>Retention:</b>	Original on file in the Office of Internal Controls Division
<b>Approval:</b>	Remon P. Green, Executive Director for Public Safety/Chief of Police
<b>Date of Approval:</b>	March 11, 2016