

## RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a particular standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Jason Soto /s/		
Approving Deputy Chief: Thomas Robinson /s/		
General Order No: P-500-18	Issued: May 22 <sup>nd</sup> , 2018	Revised: Jan 3 <sup>rd</sup> , 2019
General Order Title: <b>BODY WORN CAMERAS</b>		

### I. POLICY

In order to enhance the community's trust in this police department and improve accountability, while respecting the legitimate privacy interests of residents and visitors to our community, the Reno Police Department has established these guidelines for the proper use, management, storage and retrieval of video and audio data recorded by body worn cameras.

### II. DEFINITIONS

Body Worn Camera (BWC) – a digital device or portable event recording device, worn on an officer's uniform that allows the officer to record audio, photographs and video.

BWC Recordings – audio, photographs and/or video captured by a BWC

Digital Evidence – any digital photographs, audio and/or video recordings which are connected with a case and may be used in a court proceeding.

Categorizing – a method of marking and storing BWC Recordings for a specific purpose.

Digital Media – audio, video or photographic content that has been converted into a digital file that can be viewed, stored, preserved and transferred over computer networks.

Digital Media Management System – a departmentally authorized software system, used to manage and store Digital Evidence.

Officer – for the purposes of this general order, the term officer refers to any sworn employee assigned a BWC.

### III. APPLICABILITY

NRS 289.830 regulates the use of Body Worn Cameras. Uniformed officers who routinely interact with the public, regardless of rank or assignment, will be issued a BWC and are required to adhere to this general order, applicable laws and training requirements.

Officers that fail to or forget to adhere to the requirements of the applicable laws, policies, or training requirements, may be subjected to discipline.

## **IV. PROCEDURES**

### **1. Pre-Deployment**

Officers assigned a BWC will exercise appropriate care and maintenance of the BWC and store it safely when not in use.

Before answering calls for service, engaging in law enforcement or investigative encounters with the public, the assigned officer will ensure that their assigned BWC is charged and functioning properly.

If a BWC is malfunctioning and/or damaged, the assigned officer will notify a supervisor and the Supply Clerk as soon as practicable. Uniformed officers who routinely interact with the public shall not respond to calls for service nor initiate law enforcement or investigative encounters, without a properly functioning BWC.

### **2. Activation**

Officers shall only activate their BWC while responding to a call for service or at the initiation of any other law enforcement or investigative encounter between the officer and a member of the public. Officers are not required to obtain consent to activate a BWC.

### **3. Deactivation**

Once it becomes necessary to activate a BWC, the officer will not deactivate the BWC until the conclusion of the law enforcement or investigative encounter.

Officers will immediately deactivate their assigned BWC as soon as they discover that they are recording general activity, or any encounter that is not law enforcement nor investigative in nature.

If a citizen demands an officer stop recording, the officer has no obligation to comply.

### **4. Failure to Activate**

Upon realizing that they have not activated a BWC in an event requiring BWC activation, the officer will begin recording as soon as practicable and safe to do so.

If a BWC was not activated, activated late, or the BWC malfunctioned while on scene of an event requiring activation, the officers will document this fact in any report completed by the officer. If a report is not required, the officer will so note in the incident comments of the Computer Aided Dispatch system.

Officers experiencing a malfunctioning BWC while in the field will return to the station as soon as practicable to obtain a functioning BWC.

### **5. Transfer and Review of Data**

At least once during the officer's regular shift, he or she will transfer the contents of their assigned BWC to the department's Digital Media Management System, unless otherwise approved by a supervisor.

Officers may review only their own BWC recordings:

- 1) Related to investigations they're involved in;
- 2) For the purpose of authoring reports;
- 3) To prepare for hearings, trials and/or court cases;
- 4) To prepare for administrative investigations or hearings.

An officer's chain-of-command may review an officer's BWC Recordings to ensure the recording has been categorized correctly, based on an allegation of misconduct or during the course of an administrative investigation. Internal Affairs may review BWC recordings based on an allegation of misconduct.

Random audits of BWC recordings for the sole purpose of initiating disciplinary proceedings or for performance review are prohibited.

Detectives that have an investigatory need for BWC Recordings may obtain access of the recording from the original recording officer.

Whenever a BWC Recording is reviewed, the person reviewing the recording shall document the purpose of the review in the Digital Media Management System. Officers shall have the ability to see who has accessed their BWC Recordings in the Digital Media Management System and the reason for review.

## **6. Restrictions**

- 1) Officers are prohibited from using their BWC's to record:
  - a) General activity.
  - b) Any non-law enforcement or non-investigative encounter.
- 2) Officers will not rely on the BWC recordings in lieu of obtaining witness statements in the field whenever a witness statement would normally be taken.
- 3) Officers will not allow anyone to view recordings in the field. Citizen requests to view recordings will be referred to the Records Section.
- 4) No RPD employee will manipulate or attempt to manipulate any Digital Media on a BWC or on the department's Digital Media Management System. Manipulating copies of Digital Media is acceptable in accordance with the Digital Records and Evidence General order.
- 5) No RPD employee is permitted to erase or attempt to erase any Digital Media recorded by a BWC and/or stored on the department's Digital Media Management System, except those employees assigned, by the Chief/designee, to purge BWC recordings so long as it is done in accordance with the applicable records retention schedule.
- 6) No RPD employee may record, keep, share, distribute or transfer personal copies of BWC recordings.
- 7) Only departmentally-issued BWC's are authorized for duty use.
- 8) BWC recordings may not be used for training purposes without the consent of the officer who recorded the BWC recording.
- 9) All BWC's shall be deactivated before any questioning of a departmental employee occurs: during an administrative investigation; or to obtain information that may be used for an administrative investigation.