

SCHAUMBURG POLICE DEPARTMENT

Policy and Procedure Manual



22-90 BODY WORN CAMERAS

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I. PURPOSE

- A. The purpose of this policy is to provide officers with instructions on when and how to use body worn cameras so that officers reliably record their contacts with the public in accordance with the law.
- B. The Schaumburg Police Department adopted the use of body worn camera, hereinafter referred to as BWC, technology to accomplish the following objectives:
 1. Promote officer safety.
 2. Document statements and events during the course of an incident.
 3. Enhance an officer's ability to document and review statements and actions for internal reporting requirements, as well as courtroom preparation and presentations.
 4. Preserve visual and audio information and evidence for use in investigations and criminal prosecutions.
 5. Serve as a training tool to provide impartial measurement for self-critique and field evaluation during officer training.

6. Enhance public trust and accountability by preserving factual representations of officer and citizen interactions.

II. POLICY STATEMENT

- A. It is the policy of the Schaumburg Police Department to provide designated officers with body worn cameras. The police department is committed to the belief that video and audio documentation of an officer's encounter with the community is an important and valuable resource. Use of these cameras will facilitate professionalism, accountability, and transparency by documenting interactions with the public. This policy is not intended to erode relationships with the community by capturing footage or conversations with citizens who do not wish to be recorded. The police department strives to respect the reasonable privacy expectations of civilians, as provided by law.
- B. The department recognizes that the intent of this policy is to capture law enforcement encounters with members of the public and is not intended to apply to administrative personnel and others not engaged in law enforcement encounters or activities.
- C. Furthermore, the department recognizes that the body worn camera may not capture all of what the officer sees and hears, or what an officer senses or experiences. The recorded images do not provide the totality of the circumstances that drives the officer's response to a particular situation. Officers will continue to provide thorough police reports to ensure the totality of each incident is documented.

III. DEFINITIONS

- A. Body Worn Camera (BWC): An electronic camera system for creating, generating, sending, receiving, storing, displaying, and processing audiovisual recordings.
- B. Body Worn Camera (BWC) Administrator: The Deputy Chief of Investigation and Support Services is responsible for oversight of the police department's body worn camera program.
- C. Body Worn Camera (BWC) Coordinator: The Lieutenant of Support Services is responsible for the day to day functions of the police department's body worn camera program.
- D. Buffering Mode: The device feature for which the camera continuously video records and holds the most recent 30 seconds of video prior to record activation; audio recording is not captured when the camera is in this mode. With this feature, the initial event that causes the officer to activate the recording is likely to be captured automatically.

- E. A task undertaken by a law enforcement officer in which the officer is performing an articulable act unrelated to the investigation of a crime. "Community caretaking function" includes, but is not limited to, participating in town halls or other community outreach, helping a child find his or her parents, providing death notifications, and performing in-home or hospital well-being checks on the sick, elderly, or persons presumed missing. "Community caretaking function" excludes law enforcement-related encounters or activities.
- F. Event Mode: When the event button on the body worn camera is activated and the camera is recording both audio and video for up to ten hours. The buffered video, not audio, captured directly before the event will be saved and attached to the event's permanent memory.
- G. In Uniform: Pursuant to the Law Enforcement Officer Worn Body Camera Act, 50 ILCS 706/10, means a law enforcement officer who is wearing any officially authorized uniform designated by a law enforcement agency, or a law enforcement officer who is visibly wearing articles of clothing, a badge, tactical gear, gun belt, a patch, or other insignia that he or she is a law enforcement officer acting in the course of his or her duties.
- H. Law Enforcement Officer or Officer: Means any person employed by state, county, municipality, special district, college, unit of government, or any other entity authorized by law to employ peace officers or exercise police authority, and who is primarily responsible for the prevention or detection of crime and the enforcement of the laws of this state.
- I. Law Enforcement Related Encounters or Activities: Pursuant to the Law Enforcement Officer Worn Body Camera Act, 50 ILCS 706/10, this includes, but are not limited to, traffic stops, pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd control, traffic control, non-community caretaking interactions with an individual while on patrol, or any other instance in which the officer is enforcing the laws of the municipality, county, or State. "Law enforcement-related encounter or activities" does not include when the officer is completing paperwork alone, is participating in training in a classroom setting, or is only in the presence of another law enforcement officer

IV. TRAINING

- A. Prior to being assigned a body camera, officers must complete mandatory training provided by the department to obtain an understanding on how to use the BWC system and the procedures outlined in this policy.

- B. Additional training may be required at periodic intervals for officers displaying a substandard performance in the use of the BWC or when there has been a change in the procedure.
- C. Recordings may be used for the purposes of instruction, training, or ensuring compliance with agency policies. Officers who are aware that a particular recording may be used for training should notify a supervisor who will review the recording to determine its feasibility as a training tool.
 - 1. Officers involved in a recording that will be used for training shall be notified, in person, by a supervisor. This practice will facilitate a discussion regarding the purpose for using the recording and gives the officer an opportunity to express any concerns about using the recording for training.
 - 2. The use of recordings for training shall not be used to belittle, ridicule or embarrass any officer.
 - 3. Recordings designated for training purposes may be viewed by officers in the presence of a training instructor or a supervisor.
 - 4. Following the applicable storage retention period, these recordings may be kept for an extended period of time with approval of the BWC Administrator.
- D. Requests from an outside agency for BWC footage, for the purpose of training, shall be forwarded to the BWC Administrator for approval.

V. CARE, USE, AND DEPLOYMENT

- A. Officers shall use reasonable care to ensure the proper functioning of BWC equipment. Officers shall maintain the BWC in a state of operational readiness and equipment malfunctions shall be brought to the attention of his/her supervisor, as soon as possible, so that a replacement unit may be procured.
 - 1. Officers shall inspect and test the BWC to verify proper functioning and ensure the battery is fully charged in accordance with the manufacturer's recommendation.
 - 2. Officers shall also inspect the body of the camera and associated equipment to look for signs of visible damage. As soon as practical, any visible damage or concerns about the functionality of the equipment will be documented and brought to the attention of the employee's supervisor.
 - 3. At the end of their shift, officers shall return the BWC to the docking station (if applicable) for uploading. The camera shall remain at the docking station until the officer's next shift. Officers are not authorized to bring the camera home, unless he/she falls under Section 4 below. If the camera was damaged

during the officer's tour of duty, the officer shall bring it to the attention of his/her supervisor as soon as possible.

4. Officers who are assigned a take home vehicle are permitted to take home their BWC. Before taking the camera home, these officers must upload their recordings. In instances where this protocol is not practical, the officer shall ensure that any significant recordings are downloaded.
5. Upon completion of a detail assignment, officers shall return the BWC to the station at the completion of their assignment. Officers shall ensure that the BWC has enough battery life to record his/her next shift. In instances where the BWC does not have sufficient battery life, the officer is responsible for checking out a spare BWC prior to starting his/her shift.

VI. OPERATIONAL GUIDELINES

- A. All officers are assigned a BWC and shall adhere to the usage guidelines established in this policy.
- B. Officers are required to turn on BWC at all times when the officer is wearing his/her uniform, as defined herein, and is responding to calls for service or engaged in any official law enforcement related encounter or activities occurring while the officer is on duty, subject to the exceptions listed in the policy.
- C. Officers shall only utilize department issued BWC in the performance of his/her law enforcement related duties.
- D. The safety of the officer and public takes precedence over the recording of events.
- E. The BWC placement will be the upper center portion of the officer's outer vest carrier utilizing a molle strap or the front facing portion of the officer's outermost garment at or above the waistline utilizing an approved Axon mount.
- F. Officers shall ensure the BWC is on buffering mode during his/her tour of duty. This ensures that the previous 30 seconds of captured video is captured when the camera transitions to the event mode.
- G. Officers assigned a BWC shall activate the system from buffering mode to event mode to record the entire incident for any law enforcement related encounter or activities, including the following:
 1. All calls for service, prior to arriving at a dispatched call or when self-initiating a response to a call.
 2. Emergency driving situations, when inside a police vehicle that does not have a functioning in-car recording system. However, if the police vehicle has

a functioning in- car recording system, officers have discretion to leave their camera in event mode.

3. Emergency responses to in-progress or just occurred dispatches where fleeing suspects or vehicles may be captured on video leaving the crime scene.
 4. Execution of a search warrant, arrest warrant, or a consent search in which the officer is looking for a suspect.
 5. Foot and vehicle pursuit.
 6. High risk situations.
 7. If another officer is on the scene during the search of a detainee, as appropriate and without sacrificing officer safety, position the search so that it is captured on the camera.
 8. The initial crime scene search and processing. In instances where the crime scene search and/or processing will be for an extended period of time, the camera is not required to be in event mode. However, when the officer believes there is a reasonable likelihood of engaging in any law enforcement related activity, the camera shall be in event mode.
 9. Situations where the officer reasonably believes serve an useful purpose. For example, recording the processing of an uncooperative arrestee or through the booking process.
 10. Transporting a detainee or persons not in police custody, regardless of gender. If multiple officers are transporting, all officers are required to record the incident using the BWC.
 11. When interacting with or removing a detainee from a cell for any reason.
 12. When taking an in-person complaint against an employee, unless there is a reasonable expectation of privacy as outlined in Section VIII.
 13. Traffic or Pedestrian stops.
- H. When exigent circumstances exist which prevent the camera from being turned on, the camera shall be turned on as soon as practicable. The circumstances shall be documented in the officer's police report or verbally on the body worn camera recording of the incident if a report is not generated.
- I. Verbal notification to the person being recorded is not required by law, except when there is a reasonable expectation of privacy.

- J. In instances where case strategy is recorded on a BWC, and the release of the case strategy information will compromise the investigation, such case strategy information will be redacted in the event the recording is requested through the Freedom of Information Act (FOIA) to the extent permitted by FOIA and in accordance with the provisions set forth in the Law Enforcement Officer Worn Camera Act.
- K. BWCs are equipped with a mute function that allows officers to silence the audio recording while the video still records. Officers shall not mute the audio recording during any contact with a member of the public, unless such contact is of the nature that an officer is discussing the possibility of the individual becoming a confidential informant. The officer shall narrate the reason for the muting of the audio.
- L. In the event of an arrest, the incident is concluded when the subject has been transported to the station, through the booking process, and is secured in a cell.
 - 1. The recording of officers serving in an undercover capacity should be avoided. In instances where undercover officers are captured, the identity of that officer will be redacted if the recording is requested through the Freedom of Information (FOIA) and will be released in accordance with the provisions set forth in the Law Enforcement Officer Worn Body Camera Act.
 - 2. When the audio/video recording equipment in the Detention Facility is not in use, the officer's camera shall be on event mode when the Miranda Warning is being provided to the person in custody.
- M. If the officer fails to activate the BWC to event mode, does not record the entire incident, or interrupts the recording for any reason, the officer shall verbally document, on the recording, the time, place and reason why the recording was not made or was discontinued. This shall also be documented in the officer's police report if one is generated.
- N. Officers shall indicate in the police report narrative when recordings were made during the incident.
- O. There may be situations when an officer who is assigned a BWC is in uniform without a BWC. This may occur when the officer's contact with the public is generally business in nature and they are not expected to respond to calls for service. These officers may encounter a situation that unexpectedly requires him/her to undertake actions in a law enforcement capacity; the reason for not having a BWC recording shall be documented on the police report
- P. Officers assigned to and operating as an agent of a Multi-Jurisdictional Task Force agency having a recognized, independent law enforcement authority (i.e. Federal Law Enforcement, State Police) shall abide by BWC policies of that agency. Officers

assigned to MCAT will adhere to this policy whether in Schaumburg or another jurisdiction.

- Q. During the course of their official duties, school resource officers shall adhere to the provisions set forth in this policy in addition to any established agreement with their respective school district.
- R. When speaking to citizens regarding a complaint against an employee, the body worn camera should be in event mode. However, citizens shall be notified that the BWC is recording the conversation.
 - 1. The officer shall not record if the citizen requests that the camera be turned off and such request is made on the recording, unless impractical or impossible.
 - 2. However, the officer may continue to record or resume recording if exigent circumstances exist, or if the officer has reasonable, articulable suspicion that the person who requests not to be recorded has committed or is in the process of committing a crime, the officer may continue to record or resume recording. Under these circumstances, unless impracticable or impossible, the officer shall indicate on the recording the reason for continuing to record, despite the objection of the person being recorded.

VII. CRITICAL INCIDENTS

- A. Officers may encounter situations where the circumstances rise to the level of a critical incident. These situations often require a response from supervisors and/or investigative units. The following situations, but not limited to, fall under this section:
 - 1. Deadly force situations / In-custody deaths
 - 2. Officer involved traffic crash with fatalities or serious injuries.
 - 3. Employee sustains a serious injury or death in the line of duty.
- B. The supervisor responsible for the investigation, but not directly involved in the actual incident, shall take physical custody of the BWC that may have captured the incident.
 - 1. Officers shall not have access to review his or her BWC recordings or the BWC recordings of another officer prior to completing incident reports or other documentation when the officer:

- a) Has been involved in or is a witness to an officer-involved shooting, use of deadly force incident, or use of force incidents resulting in great bodily harm.
 - b) Is ordered to write a report in response to or during the investigation of a misconduct complaint against the officer.
 - c) If the officer prepares a report, any report shall be prepared without viewing BWC recordings, and subject to a supervisor's approval, the officer may file amendatory reports after viewing BWC recordings. Supplemental reports under this provision shall also contain documentation regarding access to the BWC footage.
2. Supervisors and investigative personnel directly involved in the investigation of the matter may review footage due to ongoing exigency that may aid the present investigation.
- C. The supervisor shall, as soon as practicable, upload the recording(s) and tag the recordings to extend the retention period.
 - D. Protected conversations with the appropriate counsel should not take place until the device is removed or completely powered down.

VIII. REASONABLE PRIVACY EXPECTATIONS

- A. Private citizens have a lesser 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. When officers are lawfully present in a home, during the course of official duties, there is a lesser reasonable expectation of privacy. Officers are not required to give notice to the resident or others that they are being recorded.
- B. When the subject has a reasonable expectation of privacy, officers shall inform individuals that they are being audio and video recorded. Consent to continue audio recording must be obtained. Proof of the notification and consent must be evident in the recording and documented in the officer's police report.
 1. Once the initial notice has been provided, the notice requirement has been satisfied, even when another individual becomes a party to the communication.
 2. When consent is not obtained, event mode needs to be deactivated.
 3. If exigent circumstances exist which prevents the officer from providing the notice, notice must be given as soon as practical.

- C. A person's objection to being audio and video recorded will not be honored in situations pursuant to an arrest or search of a residence. A subject who is being arrested does not have a reasonable expectation of privacy.
- D. If an officer is uncertain as to whether a reasonable expectation of privacy exists, the officer shall provide the aforementioned verbal notice.

IX. WHEN TO NOT RECORD WITH THE BODY WORN CAMERA

- A. Officers have discretion to not record under the following circumstances.
 - 1. When inside a police vehicle that is equipped with a functioning in-car camera.
 - a) The officer must turn on the BWC upon exiting the police vehicle for law enforcement related encounters or activities.
 - b) During long distance transports, officers may encounter a situation that requires them to escort the person in custody out of the police vehicle or the officer believes there is a propensity to come into contact with a citizen. In these instances, the transporting officer shall ensure his/her camera is in event mode. If there are multiple transporting officers, all officers need to ensure their camera is in event mode.
 - 2. While engaged in a community caretaking function. However, the camera shall be turned on if the officer has reason to believe that the person on whose behalf the officer is performing a community caretaking function has committed or is in the process of committing a crime. If exigent circumstances exist which prevent the camera from being turned on, the camera shall be turned on soon as practicable.
 - 3. When the person being arrested is cooperative and safely secured inside the police department where audio/video equipment are recording. If the person becomes uncooperative or if some evidentiary purpose arises, officers shall resume recording in event mode until the officer no longer has contact with the subject.
 - 4. When the officer is inside a correctional facility or courthouse which is equipped with a functioning camera system.
 - 5. A situation where the officer is completing paperwork alone or only in the presence of another law enforcement officer as provided in the definition of law enforcement related encounters or activities in the Law Enforcement Officer Worn Body Camera Act.

- B. The BWC shall not record under the following circumstances.
1. A victim of a crime, witness of a crime, confidential informant, or community member who wishes to report a crime or a complaint against a police department employee requests that the camera be turned off and such request is made on the recording, unless impractical or impossible. However, the officer may continue to record or resume recording if exigent circumstances exist, or if the officer has reasonable articulable suspicion that the person who requests not to be recorded has committed or is in the process of committing a crime, the officer may continue to record or resume recording. Under these circumstances, unless impracticable or impossible, the officer shall indicate on the recording the reason for continuing to record, despite the objection of the person being recorded.
 2. The officer is interacting with a confidential informant or assisting a special division in a sensitive operation where confidentiality is imperative to the operation; approval must be sought from the appropriate supervisor.
 3. Locations where a reasonable expectation of privacy exists, such as a dressing room, restroom, unless required for capturing evidence.
 4. The incident involves sensitive exposures of private body parts, unless required for capturing evidence. When footage is needed for the purpose of capturing evidence, whenever possible, the recording officer shall be of the same sex as the victim. If the victim self-identifies with a sex that is different from his/her assigned sex, the officer shall inquire whether the victim has a preference as to the sex of the recording officer.
 5. Personal activities of other department members during routine, non-enforcement related activities. (locker rooms, break rooms, restrooms, completing police reports, case discussions with personnel).
 6. During any court related matter, to include pre-trial conferences, depositions, or any other activity in the courtroom.
 7. Inside medical and psychiatric facilities, except when a situation arises that the officer reasonably believes to serve a proper police purpose. Reasonable attempts shall be made to avoid recording persons other than the suspect.
- C. The surreptitious audio recording of a private conversation or when there is a reasonable expectation of privacy is prohibited by law.

X. ACCIDENTAL RECORDINGS AND DELETION

- A. In the event of an accidental activation of the BWC during a non-enforcement related activity or encounter officers may submit a Body Worn Camera Recording Deletion Request Form. Said form shall be forwarded to the officer's supervisor.
- B. Approved requests shall be forwarded to the BWC Administrator for review and approval. Deletions shall be made by the BWC Administrator.
- C. The BWC Administrator shall maintain all completed BWC Recording Deletion Request Forms.
- D. In the event any BWC recording is altered, erased, or destroyed prior to the expiration of the ninety (90) day storage period, the department shall maintain, for a period of one (1) year, a written record including (i) the name of the individual who made such alteration, or erasure, or destruction, and (ii) the reason for any such alteration, erasure, or destruction.

XI. SECURITY AND VIEWING OF BWC RECORDINGS

All employees should be aware that audio and video data may contain extremely sensitive and private recordings and are responsible for ensuring compliance to the information contained in this section. Furthermore, a breach in data security, careless handling of data and/or intentional release of data to non-authorized individuals may jeopardize relationships with citizens, subject victims to an invasion of privacy, jeopardize prosecutions, and endanger the safety of individuals.

- A. All recorded media, images and audio from the BWC are property of the Schaumburg Police Department and shall not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the expressed written consent of the Chief of Police.
- B. Only authorized personnel are permitted to redact, label, and duplicate BWC recordings. Unauthorized use, edits/alterations, deletions, duplication, and/or distribution of BWC files are prohibited. Furthermore, the recording officer or his/her supervisor may not redact, duplicate or otherwise alter the recording officer's BWC recordings.
- C. Employees shall not make copies of any BWC file for their personal use and are prohibited from using a recording device such as a phone camera or secondary video camera to record BWC files.
- D. Officers have the discretion to determine if the circumstances warrant a review by a citizen, such as identifying the suspect in the footage. Otherwise, the recordings may be released by the department at a later time, following the protocol established in

the Law Enforcement Officer Worn Body Camera Act, as required by law, or subpoena.

- E. The following employees, in addition to officers, have access and may review recordings of BWC footage:
1. The recording officer's assigned field training officer for training purposes.
 2. Sworn supervisors for the purpose of conducting a monthly audit to ensure the BWC are being used appropriately.
 3. Records and Records Division staff members to comply with requests for video.
 4. Any detective or investigator directly involved in the investigation of a matter may access and review recordings which pertain to that investigation, but may not have access to delete or alter such recordings.
 5. BWC Administrator and Command Staff for the purpose of managing BWC and related equipment.
- F. Disclosure and Release to State's Attorney: For the purposes of reviewing cases for potential criminal charges, prosecuting criminal offenses, complying with the rules of discovery or for other official law enforcement purposes, police officers and detective may disclose and release BWC recordings to State's Attorneys and/or other prosecutorial agencies. The disclosure and release of BWC footage to a State's Attorney and/or other prosecutorial agency shall be performed by sharing a link via the BWC remote digital storage system (i.e., Evidence.com). The record of the disclosure and release will be maintained within the BWC remote digital storage system.
- G. Disclosure and Release to Other Law Enforcement Agencies: Police officers and detectives may disclose and release BWC recordings to other law enforcement agencies for official law enforcement purposes. Whenever a police officer or detective discloses and releases a BWC recording to another law enforcement agency, then he or she shall document such disclosure and release on the Body Worn Camera Disclosure and Release form. The disclosing and releasing police officer or detective shall submit the completed form to his or her immediate supervisor who shall forward the form to the Body Worn Camera Administrator.
- H. Axon Recall: The Axon Recall feature will only be utilized with the approval of the Chief or Deputy Chief of Police, when:
1. There is an allegation of serious misconduct as deemed necessary by the Chief of Police or activation of the BWC was required by law

2. In furtherance of a criminal investigation that has been initiated on the officer or suspect
 3. The employee is incapacitated and/or unable to recall the video on their own
 4. To capture meritorious actions performed by the officer
 5. The officer requests a video be recalled on their camera
- I. Axon Respond: Certain designated employees have the ability to live stream the officer's video in real-time. To live stream, the BWC must be in event mode. The BWC is equipped with both audio and visual alerts that makes the officer aware their camera is being live streamed. Live streaming will only be performed by a supervisor or RTIC personnel at the request of a supervisor, and only used in the following circumstances:
1. During a critical incident
 2. Officer needs assistance request
 3. Officer not responding to status checks

XII. UPLOADING AND TAGGING

- A. All BWC recordings may be considered as evidence.
- B. The BWC system will be placed in the docking station at the end of each shift. The recordings will be stored and accessible to authorized employees via the cloud, a secure, web-based digital media storage facility.
- C. Officers shall ensure video recordings are properly tagged.

XIII. RETENTION AND PUBLIC REQUESTS FOR RECORDINGS

- A. All BWC recordings will be retained for a minimum of 90 days from the date of the recording. Under no circumstances shall any recording made with the BWC be altered, erased, or destroyed prior to the expiration of the 90 day storage period. After the 90 day storage period all recordings made with BWC must be destroyed unless any encounter on the recording has been flagged which extends the retention period to two years from the date the recording was flagged. Recordings shall be flagged in the following situations:
 1. A formal or informal complaint has been filed.
 2. The officer discharged his/her firearm or used force during the encounter.
 3. Death or great bodily harm occurred to any person in the recording.

4. The encounter resulted in a detention or an arrest, excluding traffic stops which resulted in only a minor traffic offense or business offense.
 5. The officer is the subject of an internal investigation or otherwise being investigated for possible misconduct.
 6. The officer's supervisor, prosecutor, defendant, or court determines that the encounter has evidentiary value in a criminal prosecution.
 7. The recording officer requests that the video be flagged for official purposes related to his or her official duties.
- B. When a recording has been flagged, officers shall include that information in their report.
- C. Under no circumstances shall any recording made with a BWC related to a flagged encounter be altered or destroyed prior to the two years after the recording was flagged. If the flagged recording is used in a criminal, civil, or administrative proceeding, the recording shall not be destroyed until a final disposition and order from the court.
- D. Recordings used for training purposes, following the 90 day storage retention period, may be retained for an extended period of time at the discretion of the BWC Coordinator.
- E. The freedom of information protocol established in the Law Enforcement Officer Body Worn Camera Act shall be followed when reviewing public requests for information.
- F. BWC recordings for a non-law enforcement related activity or encounter may be deleted prior to the minimum ninety (90) day retention period pursuant to the section of this policy that deals with Accidental Recordings and Deletions.
- G. In the event any BWC recording is altered, erased, or destroyed prior to the expiration of the ninety (90) day storage period, the department shall maintain, for a period of one (1) year, a written record including (i) the name of the individual who made such alteration, or erasure, or destruction, and (ii) the reason for any such alteration, erasure, or destruction.

XIV. OFFICER REVIEW OF BODY WORN CAMERA RECORDINGS

- A. Officers make decisions based on the totality of human senses. An officer's recollection of specific details may be different than what is captured in digital evidence since BWC recordings only capture audio and video. The review of

recordings can provide a cue to an officer's memory to recall more facts and greater detail of an incident.

- B. The recording officer and his/her supervisor may access and review recordings prior to completing the police report or other documentation, provided that the officer or his/her supervisor discloses that fact in the police report.
- C. Officers shall not have access to review his or her BWC recordings or the BWC recordings of another officer prior to completing incident reports or other documentation when the officer:
 - 1. Has been involved in or is a witness to an officer-involved shooting, use of deadly force incident, or use of force incidents resulting in great bodily harm.
 - 2. Is ordered to write a report in response to or during the investigation of a misconduct complaint against the officer.
 - 3. If the officer prepares a report, any report shall be prepared without viewing BWC recordings, and subject to a supervisor's approval, the officer may file amendatory reports after viewing BWC recordings. Supplemental reports under this provision shall also contain documentation regarding access to the BWC footage.
 - 4. Refer to the appropriate section of this policy for further information on the review of recordings after a critical incident.

XV. SUPERVISOR RESPONSIBILITY

- A. Supervisors shall ensure officers equipped with BWC utilize them in accordance with policy and training.
- B. When a supervisor becomes aware that a recorded incident pertains to a critical incident, the supervisor shall review only those recordings necessary and relevant to their investigative scope. The supervisor is responsible for forwarding the information via the chain of command.
- C. On a monthly basis, Sergeants will review, at a minimum one random recorded BWC recording for each officer. The purpose of this review is to ensure that equipment is operating properly and that officers are using the cameras appropriately and in accordance with this policy and training.
 - 1. Supervisors shall document their review using the BWC Monthly Review Form; Completed forms shall be forwarded to the BWC administrator through the chain of command.

2. Supervisors shall not review recordings for the sole purpose of searching for violations of department policy or law not related to a specific complaint or incident.
 3. If policy violations are observed by a supervisor, such policy violations shall be treated on a basis which neither enhances or diminishes any potential discipline.
- D. Supervisors are authorized to review relevant body camera recordings at any time to include when they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing an officer's performance. Recordings shall not be used to discipline officers unless:
1. A formal or informal complaint of misconduct has been made.
 2. The encounter on the recording could result in a formal investigation under the Uniform Peace Officer's Act. The Uniform Peace Officers Disciplinary Act defines a formal investigation as the process of investigation ordered by a commanding officer during which the questioning of an officer is intended to gather evidence of misconduct which may be the basis for filing charges seeking his or her removal, discharge or suspension in excess of three days.
 3. A use of force incident has occurred.
 4. As corroboration of other evidence of misconduct.
- E. None of the above shall be construed to limit or prohibit a law enforcement officer from being subject to an action that does not amount to discipline.
- F. Recordings shall not be used to prepare performance evaluations, unless used for the purpose of correcting substandard employee performance that was brought to the supervisor's attention or highlighting commendatory performance of an employee.
- G. When supervisors can articulate a reasonable concern regarding training, recordings made by probationary police officers are subject to review outside the scope of the monthly review of BWC footage which is discussed in Section C, listed above. The purpose of this review is to identify areas where additional coaching is needed prior to the officer's release from probationary status.

XVI. RESPONSIBILITIES OF THE BODY WORN CAMERA COORDINATOR

- A. Assign BWC to officers who have completed the approved training.
- B. Maintain a record of assigned BWC, to include the transfer of the unit to another officer, and related equipment.

- C. Maintain and troubleshoot the cameras and related equipment.
- D. Arrange for the warranty and non-warranty repair of units; maintain repair records.
- E. Update software and system settings as necessary.

XVII. SCHOOL RESOURCE OFFICERS

[REDACTED]

- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]

[REDACTED]

- [REDACTED]

XVIII. PUBLIC RECORDING OF LAW ENFORCEMENT

- A. No department member may hinder or prohibit any person recording a law enforcement officer in the performance of his/her duties in a public place or in a circumstance where the officer has no reasonable expectation of privacy.
- B. The unlawful confiscation or destruction of the recording medium of a person who is not a law enforcement officer may result in criminal penalties, as well as departmental discipline, including, but not limited to termination.
- C. Officers may take reasonable action to maintain safety and control, secure the crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect the public safety and order.

XIX. REPORTING

On or before May 1 of each year, the BWC Administrator shall provide an annual report on the use of BWC to The Illinois Law Enforcement Training and Standard Board. The report shall include:

- A. A brief overview of the makeup of the agency, to include the number of officers using a BWC.
- B. The number of BWC used by the department.
- C. Technical issues with the equipment and how the issues were remedied.
- D. Brief description of the review process used by supervisors.
- E. Any other relevant information pertaining to the administration of the BWC program.

XX. LAW ENFORCEMENT OFFICER MISCONDUCT

- A. Pursuant to 720 ILCS 5/33-9, a law enforcement officer or a person acting on behalf of a law enforcement officer commits law enforcement misconduct when, in the performance of his or her official duties, he or she knowingly and intentionally fails to comply with paragraphs three, five, six and seven of subsection (a) of Section 10-20 of the Law Enforcement Officer Worn Body Camera Act (50 ILCS 706/).
- B. This policy addresses the above mentioned paragraphs in the below sections, which are underlined in the body of this policy:
 - 1. Paragraph Three – Refer to Section VI (B) and (H); Section IX (A) (1).
 - 2. Paragraph Five – Refer to Section VIII (B)

3. Paragraph Six – Refer to Section XI (B) and (E); Section XIV (B)
4. Paragraph Seven – Refer to Section XIII

XXI. ANNUAL REVIEW

The BWC administrator will conduct a documented annual review of the Body Worn Camera Program, along with the procedures established in this policy. The purpose of this review is to determine if there are any training concerns, court decisions, or technological changes that warrant changes to department practices and the procedures established in this policy.