

Chapter 42

Body Worn Cameras

POLICIES FOR OFFICERS WEARING BODY CAMERAS ISSUED BY THE TOWN OF BOONSBORO (Best Practices)

Test camera function at beginning of shift.

Report Malfunctions to Supervisor.

Do Not Activate Camera When:

Unsafe or impracticable to do so;

When recording may disclose the identity of an undercover or plain clothes law enforcement officer, or a confidential informant;

Performing routine administrative activities;

Performing non-work related personal activities;

Not in uniform or displaying badge;

When, in the discretion of the officer, recording would involve images of nudity, partial nudity, young children, victims of sexual abuse or domestic violence, or other subjects of a sensitive nature;

When, in the discretion of the officer, recording may endanger the officer or others; or

When not related to the officer's law enforcement duties.

Activate Camera When:

Involved in any situation having a potential for injury, death or property damage.

Investigating a call for service;

Detaining an individual suspected of criminal activity;

Performing enforcement activity;

Performing a traffic or pedestrian stop;

Performing a field sobriety test;

Engaged in confrontational activity;

Interviewing a suspect;

Performing an arrest;

Pursuing a fleeing suspect;

Performing a search;

Seizing personal property;

Obtaining information or statement from a victim or witness, except when person objects to recording;

A firearm or other weapon is displayed, drawn or discharged by or in the vicinity of an officer;

There has been a use of force by or against an officer or other individual; or

In the discretion of the officer, recording would be beneficial to the public interest.

When Recording:

Inform person being recorded of the recording (if you are the first officer on the scene wearing a body camera), unless unsafe or impracticable to do so; or

Display a visual indication that recording is being conducted.

Deactivate Camera When:

Victim or witness giving a statement objects to video and/or audio recording (except to record the objection);

When the event, encounter or enforcement activity is concluded;

When a supervisor of the officer authorizes the deactivation; or

When the officer leaves the scene.

Where Not to Record (except when recording is mandatory):

Homes, offices, restrooms, dressing rooms or other places where, in the reasonable judgment of the officer, there is a reasonable expectation of privacy;

Town administrative, maintenance or law enforcement offices;

Schools, hospitals and healthcare treatment clinics and facilities;

Facilities when providing medical or psychiatric care, including treatment for substance abuse; or

In court or judicial proceedings, meetings with prosecutors or staff, or other legal counsel or staff.

An Officer May:

Record a statement indicating why the camera is being turned off or recording is suspended.

Do not edit, interrupt or delete recorded video or audio.

Store digital recording at the end of each shift.

DISCIPLINARY POLICY

A violation of the above Policies may result in disciplinary action.

POLICY FOR PROVIDING BODY CAMERA DATA

In accordance with the Maryland Public Information Act (the "Act"), and subject to the restrictions and limitations set forth therein, the Public Information Act Representative of the Town is authorized to allow any person or governmental unit to inspect, at any reasonable time, Public Records, as defined in the Act, consisting of body camera data created by any law enforcement officer of the Town, subject to payment to the Town of such fees for searching, preparation, reproduction and redaction as the Town may establish from time to time in accordance with the Act.

Unless otherwise determined by the Mayor and Council, camera data may be viewed upon request by Town law enforcement officers, elected Town officials and the Town Manager. The Mayor and Council may authorize others to view camera data.

Camera data recorded by law enforcement officers of the Town is Town property.

POLICY FOR RECORDS RETENTION

Camera Data stored by the Town shall be retained for a minimum period of ninety (90) days. Camera data may be retained for a longer period in the discretion of the Chief of Police or the Mayor and Council.