

	CITY OF DORAL POLICE DEPARTMENT		
	REGULATIONS MANUAL		
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	32.1	January 4, 2016	May 22, 2018
	TITLE: BODY-WORN CAMERA		
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PURPOSE: The purpose of this policy is to establish a standard operating procedure regarding the use, management, storage and retrieval of Body-worn cameras (BWC), and the recordings obtained by same. BWCs allow for an additional form of documentation for police/public contacts, arrests, and critical incidents. The audio and video recordings also enhance this agency’s ability to review probable cause for arrest, member and suspect interaction, evidence for investigative and prosecutorial purposes and to provide additional information for member evaluation and training. They also serve to ensure the accuracy of member reports and testimony in court. The BWC system may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of contraband or evidence. Additionally, BWCs may reduce false complaints against members, litigation involving member misconduct and may increase subject compliance.

SCOPE: This directive is applicable to all Department members assigned to wear a BWC. This directive does not govern the use of surreptitious recording devices used in undercover operations.

POLICY: It is the policy of the City of Doral Police Department to provide sworn members with the Body-Worn Camera (BWC) video system designed to record both audio and video. BWC’s shall be used to assist members in the performance of their duties by providing an accurate and unbiased recorded account of an incident involving a police response. Additionally, to maximize effectiveness of the BWC and maintain integrity of evidence and related documentation, all members assigned the use of these devices shall adhere to the procedures outlined within this directive.

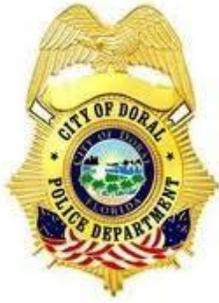
Failure to activate the BWC as outlined in this directive, properly retain and store recording, or the abuse or misuse of the system may result in disciplinary action. Furthermore, turning off the system in anticipation of a response to resistance incident or other confrontational citizen contact is absolutely forbidden, and will result in disciplinary action up to and including termination.

DEFINITIONS:

Body-Worn Camera (BWC): The Department issued electronic audio and video recording equipment worn on the exterior clothing of a sworn police officer. ([FSS § 943.1718](#))

Body Worn Camera (BWC) Operator: Department members trained and authorized to operate a BWC.

Digital Evidence: BWC files, including photographs, audio recordings and video footage, captured by a



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BWC and stored digitally.

Event Mode: Event Mode occurs when the *Event* button on the BWC is activated and the camera is recording both audio and video. The buffered video (not audio) captured directly before the event will be saved and attached to the event in permanent memory. Repeated pressing of the *Event* button turns the recordings on and off and creates separate media segments.

Evidence Docking Station (EDS): Docking station that simultaneously recharges and uploads all data captured from the BWC to Evidence.com.

www.Evidence.com: The online web-based digital media storage facility accessed at www.Evidence.com. The virtual warehouse stores digitally-encrypted data (photographs, audio recordings and video footage) in a highly secure environment. The digital recordings are accessible to authorized personnel based upon a security clearance and the system maintains an audit of user activity.

Normal (Buffering) Mode: The mode in which the BWC is configured to record for 30 seconds prior to activation of the record mode. Audio is not recorded during buffering.

Personal representative: A parent, a court appointed guardian, an attorney, or an agent of, or a person holding power of attorney for, a person recorded by a body camera. If a person depicted in the recording is deceased, the term also means the personal representative of the estate of the deceased person; the deceased person's surviving spouse, parent, or adult child; the deceased person's attorney or agent; or the parent or guardian of a surviving minor child of the deceased. An agent must possess written authorization of the recorded person to act on his or her behalf ([FSS § 119.071](#)).

Recording Mode: The mode in which the BWC saves the buffered video, continues recording audio and video for the life of the battery or until deactivated. Pressing the event button twice will place the BWC in "recording" mode. Pressing and holding the "event" button will cease the recording mode. In recording mode, the camera will beep and vibrate every two minutes.

System Administrator: An individual appointed by the Chief of Police or designee with full access to user rights within www.Evidence.com who assigns and tracks equipment, controls passwords, and acts as liaison with the BWC manufacturer representatives. Generally, the BWC System Administrator shall be the commander of the Technical Services Section.

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PROCEDURES:

A. Issuance and Training Guidelines:

1. The City of Doral Police Department has adopted the use of BWCs to accomplish several objectives. The primary objectives are as follows:
 - a. To enhance officer/member safety.
 - b. To accurately document statements and events during the course of an incident/investigation.
 - c. To enhance a member's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
 - d. To preserve visual and audio information for use in current and possible future investigations.
 - e. To provide an impartial measurement for self-critique and field evaluation during a member's training.
2. The Technical Services Section shall be responsible for issuing, inventorying and assigning BWCs.
3. The Technical Services Section shall be responsible for coordinating/performing training for all BWC users in the use of BWCs and related equipment, Evidence.com and other BWC related software. The Technical Services Section will be responsible for reviewing and recommending revisions to this directive, as needed.
4. Members who are assigned BWCs must complete a Department approved and/or provided training program to ensure proper use and operation of the BWC. Initial training shall include, but is not limited to, the following: **[CFA 32.02AM]**
 - a. A review of the BWC directive as well as relevant state and federal laws governing consent, evidence, privacy, and public disclosure.
 - b. Operation of the BWC, including, hardware operation, charging, docking, malfunctions, lost or damaged equipment, and proper placement of the BWC on the uniform.



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- c. Hands-on exercises that replicate operating the BWC and the proper placement of the BWC on the uniform.
 - d. Categorization, data transfer procedures, data access, security, and retention guidelines, reporting improper recordings, and preparing and presenting digital evidence for court.
5. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or any other revisions to directives or equipment. These will be conducted on an as-needed-basis. **[CFA 32.02AM]** Additionally, member may refer to the BWC PowerPoint located in PowerDMS to refresh their knowledge on the proper operation of the BWC.
 6. Annual refresher training will be coordinated through the Training Unit. **[CFA 32.02AM]**
 7. The BWC System Administrator or designee shall be responsible for documenting all BWC training provided and for forwarding all training documentation to the Training Unit for filing **[CFA 32.02DM]**

B. BWC User Procedure and Responsibilities:

1. Members assigned a BWC shall use it in accordance with DPD training, directives and the manufacturer's recommendations.
2. Each BWC is assigned and configured for use by the individually assigned member. Therefore, no member shall use a BWC not assigned to the member and no supervisor shall issue an order to a member to utilize a BWC that is not assigned to the specific member.
3. Members required to wear a BWC shall position the BWC in a manner to facilitate optimum recording field of view, while also ensuring the ability to safely activate the camera prior to or during an incident. The BWC shall be affixed to the front of each member's uniform shirt or outermost garment (e.g. tactical vest, raincoat, jacket, etc.) above the horizontal midline of their torso so that it is clearly visible to persons with whom the member comes in contact. The positioning of the BWC should enable the BWC to capture the best recording possible of the member's scene and interactions with persons on that scene. It is the member's responsibility to ensure that the BWC is properly affixed to the uniform so that no obstructions interfere with proper recording. In order to reduce audio and/or video interference with the BWC, members



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shall not affix their portable radio (lapel) microphone to the pockets of their uniform shirts or position them near the BWC on any exterior garment. Members may attach their radio lapel microphones on the epauletts (shoulder straps).

4. Inspection, general care, and maintenance of a BWC shall be the responsibility of the member who has been issued this equipment. BWC equipment shall be operated in accordance with the manufacturer's recommended guidelines, Department training and associated Department directives/procedures. Equipment malfunctions shall be brought to the attention of the member's supervisor as soon as possible so that a replacement BWC may be assigned.
5. At the beginning of each shift, members shall retrieve their assigned BWC from the appropriate docking station and conduct a visual check to ensure the BWC is charged and operational. The check will be conducted as follows:
 - a. Check the status light to ensure system is ready.
 - b. Inspect and test all related equipment, if any.
 - c. Ensure the unit is fully charged prior to each shift.
 - d. During the course of their shift, members shall check the status; and
 - e. Periodically check the lens to ensure it is clear of any debris or obstruction which could hinder recording.
6. Each BWC shall have the assigned member's name affixed to it so that it is visible while the BWC sits in the docking station. **Members shall turn on their assigned BWC immediately upon exiting the DPD facility.**
7. At the end of each shift, members shall place their assigned BWC in the appropriate docking station slot to be charged and simultaneously allow the data to be transferred from the BWC through the docking station to www.Evidence.com.
8. In the event a BWC camera system is found to be damaged or inoperable, the member shall notify their immediate supervisor, or in their absence, an on duty supervisor who will, during regular business hours notify the BWC System Administrator and coordinate for the replacement



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of a BWC. After business hours, the supervisor shall send the request to the BWC System administrator via email as soon as possible.

- a. If a replacement BWC is not readily available, the member shall note so on their Daily Activity Report.
 - b. Replacement devices must be requested through the BWC System Administrator. Any damage to a BWC will be documented on an offense/incident report and on a *Request for Replacement of Lost or Damaged Equipment* form ([Annex 7.1A](#)). **[CFA 32.2DM]**
 - c. Lost or stolen BWCs shall be immediately reported to a supervisor and documented on a police report. A copy of the report shall be forwarded to the BWC System Administrator.
9. Members shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief of Police or designee. Accessing, copying or releasing any media for anything other than official law enforcement purposes is strictly prohibited.
10. BWC recordings are not intended to replace written reports, if one is required. Members are still responsible for completing a thorough report in the same manner they would if they did not have a BWC recording. Members shall not list "refer to BWC video in lieu of writing a detailed report. **[CFA 32.02DM]**
11. Members will document the use of the BWC in some format to include, but not limited to, Offense-Incident reports, CAD entries, citations/summons, etc....
- a. Members preparing an official departmental record in connection with an investigation or police event shall indicate on the last line of the report that a BWC was used. **[CFA 32.02DM]**

C. Supervisory Responsibility:

1. Supervisors shall ensure that subordinates comply with all BWC policies, directives, procedures and training.
2. Supervisors will perform random checks, at least twice per month, on all BWC systems assigned



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to their subordinates.

- Supervisors, when notified of any malfunctioning equipment, will inspect the device and if required, coordinate the issuance of a replacement system by notifying the BWC System Administrator.
- In the event a complaint is associated with a recorded event or a supervisor knows or reasonably believes that an incident may generate a complaint, the supervisor shall ensure the video is flagged for indefinite retention.
- Supervisors will randomly review their subordinates' BWC recordings to ensure the equipment is operating properly and members are using the devices appropriately in accordance with this directive. Supervisors should also identify any areas in which additional training or guidance is required. Supervisors must document their findings on their Daily Activity Report and Monthly Activity Report.

D. Activation of the BWC: [CFA 32.02BM]

- The BWC has three modes: *Off*, *Standby (Buffering)*, and *Record*. Normally, while performing routine matters and prior to participating in any law enforcement activities, members shall keep the BWC in *Standby* mode. Members shall activate the BWC as soon as practicable when involved in an official law enforcement matter. Once activated, members shall continue recording until the law enforcement activity is completed or until there is a reason, as permitted by this directive, to deactivate the BWC.
- If a member does not, or is unable to, activate the BWC prior to initiating any enforcement encounter, the member shall activate the device as soon as it is reasonable, practical, and safe to do so. After the encounter concludes, the member shall document the reason(s) why the BWC was not activated in their report and/or CAD prior to clearing the call.
- If a member activates their BWC and it is interrupted for any reason during an enforcement encounter, the member shall document the circumstances in their report and/or CAD prior to clearing the call.
- The activation of the BWC is required in any of the following situations except where a situation is evolving rapidly and activating the camera may jeopardize the member's safety. Members



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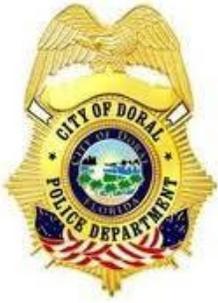
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should activate the BWC prior to exiting their vehicles, or as soon as practicable, when responding to a call for service or prior to engaging in any official law enforcement matter. Examples of such contacts include, but are not limited to: **[CFA 32.02BM]**

- a. Traffic stops, including but not limited to, impaired driver investigations.
- b. All calls-for-service.
- c. When operating with emergency lights and/or sirens activated.
- d. Suspicious vehicle/person calls.
- e. Voluntary Investigative Contact – the mere suspicion of some type of criminal activity by a person.
- f. Vehicle pursuits/foot pursuits.
- g. Arrests, handcuffing and patting-down/searching of violators.
- h. In-custody Miranda rights advisement and interviews, unless the incident is recorded by another means.
- i. Use of force incidents, or whenever the member reasonably believes that constructive authority or force may be used in any encounter or situation not otherwise listed in this section.
- j. Alarm responses and building searches.
- k. K-9 tracks and K-9 building searches.
- l. When assisting in the service/execution of search or arrest warrants.
- m. Transporting detainees or citizens for any reason.
- n. Any other law enforcement activity which the member feels could benefit from the use of the BWC.



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E. Tagging, or Marking BWC Metadata:

1. Tagging, labeling or marking camera data serves as a method to retrieve data at a later date.
2. Members are encouraged to tag/label/mark their videos throughout their shift. Members are required to tag all videos with the applicable category by the end of their shift.

F. Deactivation, Muting, or Interruption of Recordings: [CFA32.02CM]

1. The BWC may be turned off (deactivated), or muted at the member's discretion, or when directed to do so by a supervisor, or for the following circumstances, however, prior to deactivating, muting, or interrupting recording, the member shall provide a brief explanation on camera for doing so and then in writing when applicable in a report. [CFA 32.02DM]
2. Members may turn off the BWC when: [CFA 32.02CM]
 - a. The investigative or enforcement activity involving a member of the public has concluded.
 - b. The member is at a static post where there is no contact with citizens.
 - c. The member is not involved in an active part of the investigation (e.g.: crime scene security, traffic post).
 - d. Discussing a case with a supervisor or other members or during tactical/strategic planning.
 - e. Gathering intelligence or information for a criminal investigation when a citizen will not provide said information on video. Supervisory notification must be made at the conclusion of the event.
 - f. During informal interactions or conversations with the public that are routine in police work, such as exchanging pleasantries, providing directions, making friendly conversation with local merchants, or attending community meetings.
3. Members should balance the need to capture data of non-evidentiary value with the dignity of individuals, such as, but not limited to, victims of sex crimes, who may be



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experiencing matters of a distressing nature, and may turn off their BWC as deemed appropriate. Except where otherwise required by this directive, a member may elect to turn off the BWC if its operation is inhibiting a victim or witness from giving a statement. A request by a victim or witness to stop recording must be captured on video whenever possible. Supervisory notification must be made at the conclusion of the event.

4. If the member determines the activation of the BWC is required as outlined in this directive, the BWC video system shall remain in record mode until the incident investigation has reached a conclusion (generally, for transports, the event has concluded when the member reaches the transport destination such as the jail or hospital, and turns custody of the detainee over to an authorized member of the facility).
5. Members may mute the BWC when:
 - a. On the scene of an incident or call to discuss the call or tactics with another member or supervisor. BWC Operator, will while still recording, indicate the BWC will be muted for such purpose. Once the discussion is completed, the BWC microphone will be reactivated. **Although the microphone is disabled while the BWC is in mute mode, the camera will still be recording video.**

G. Notifying Persons of Recording:

1. Members are not required to obtain consent from individuals to video/audio record. Members are not required to inform individuals that they are being recorded. If, however, the member determines that informing an individual may de-escalate a situation, or if asked whether a BWC is being utilized, the member should disclose that they are recording.
2. Unless unsafe or infeasible to do so, members shall, when interacting with a **victim** of a crime notify the victim that the member is equipped with a BWC and that it is recording, as soon as practicable.
3. In all instances, the footage shall be submitted to www.Evidence.com via the docking station and be fully documented in the report. Information shall include the request and the circumstances of the interview.

H. Prohibited uses: [CFA 32.02CM]



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- I. The BWC shall not be:
 - a. Used to record strip searches.
 - b. Used for any purpose other than to record their official law enforcement duties.
 - c. Used inside Department facilities unless taking law enforcement action.
 - d. Used to record other agency personnel during routine, law-enforcement related activities.
 - e. Intentionally activated to record conversations of other members without their knowledge during routine, non-enforcement related activities.
 - f. Used to intentionally or willingly record confidential informants or undercover officers, unless specifically approved by the Chief of Police or designee. Members who become aware they have unintentionally recorded confidential informants or undercover officers will as soon as practicable notify the BWC Systems Administrator who shall follow up and coordinate the redaction of such recording.
 - g. Used during any court related matter, to include pre-file conferences, depositions, or any other activity within a courtroom, unless authorized by the presiding judge or attorney.
 - h. Used to record in places where there is a commonly held expectation of privacy exists, such as locker rooms, dressing rooms or restrooms, unless the member is present for an investigative and/or enforcement activity.
 - i. Members shall not record the preparations for the tactical service of any search or arrest warrant.
 - j. Members shall comply with individual federal, state, and local courthouse policies regarding the wearing of BWCs within their respective courthouses.
 - k. Members shall comply with the individual policies of healthcare, mental healthcare, or social services facilities regarding video/audio recording within their respective facilities.



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I. Special Circumstances:

1. **Interrogations:** Members using the BWC during interrogations, statements, confessions, and/or utterances will separate video files or markers for victim(s), witness(es) and defendant statements when possible, and document the existence of a recorded statement on all related reports.
2. **Consent Searches:** During a consent search, members shall record themselves asking for consent and the citizen's response to that request. If during a consent search in a non-public place the citizen no longer wants the search recorded, the member shall stop the recording and continue as normal without recording after stating such on camera.
3. **Field Show-Ups:** Members issued a BWC shall record all Field Show-Ups including but not limited to, documenting the instructions and/or statements made by witnesses and/or the suspect and documenting the suspect's appearance at the time of the show-up
4. **Members Executing Warrants:** Members issued a BWC who are participating in the execution of a search authorized by a search warrant or with exigent circumstances shall record until the search has been concluded and all evidence has been located and properly confiscated, or until such time as the member is relieved from the assignment.

J. Deletion of Unintentional Recordings:

1. In the event of an unintentional recording during non-enforcement or non-investigative activities, e.g., in the restroom or meal break or in other areas where a reasonable expectation of privacy exists, a Department member may request a recording be deleted. An interoffice correspondence detailing the circumstances of the unintentional recording will be forwarded via the chain of command to the member's Division Commander. If approved, the actual deletion requires two party authorization. One of those parties will be the Division Commander the other will be the BWC System Administrator. The BWC System Administrator shall facilitate the actual removal of any record approved for deletion, consistent with [FSS§ 119.071](#).
2. The interoffice correspondence and documentation of deletion shall be maintained on file by the system Administrator.

K. Review or Release of Recordings:



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1. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Department. **[CFA 32.02CM]** The wearing of personally owned body worn cameras or other video recording devices is prohibited.
2. All BWC recordings and images are the property of the City of Doral Police Department. Dissemination outside of the Department is strictly prohibited without authorization from the Chief of Police or his designee or through the proper public records request in accordance with [FSS § 119](#).
3. Members shall not make copies of or take still images for their personal use and are prohibited from using a recording device (such as a phone camera or secondary video camera) to record media captured by the BWC recording system.
4. Members shall not post to social media sites, transmit, or otherwise disseminate any footage and/or still images recorded or captured by BWCs and or any other information to which they have access as a result of their employment, or could reasonably be considered to represent the views or positions of this Department without prior written permission from the Chief of Police or designee.
5. Members shall not allow citizens to review any recordings unless doing so assists with an investigation.
6. BWC recordings, or any portion thereof, are confidential and exempt from public disclosure as defined in [FSS § 119.071\(1\)](#) and [§. 24\(a\)](#), Art. I of the State Constitution if the recording is:
 - a. Taken within the interior of a private residence;
 - b. Taken within the interior of a facility that offers healthcare, mental healthcare, or social services; or
 - c. Taken in a place that a reasonable person would expect to be private.
7. **Recordings may be reviewed in any of the following situations by accessing evidence.com:**
 - a. By a member, upon his own initiative or request, before writing a report or providing a



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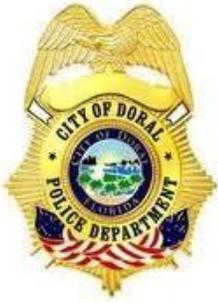
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statement regarding any event arising within the scope of his official duties. Any such provision may not apply to a member's inherent duty to immediately disclose information necessary to secure an active crime scene or to identify suspects or witnesses ([FSS § 943.1718 \(2\)\(d\)](#)).

- b. By a member of the State Attorney's Office via Evidence.com.
- c. By supervisors prior to the completion of departmental administrative reports, or when investigating to verify and address complaints received in response to an internal or external source, and/or to review or monitor a member's performance.
- d. To assess proper functioning of BWC system.
- e. By an investigator who is participating in an official investigation.
- f. By members of panels convened at the direction of the Chief of Police or designee to review the actions of members.
- g. Authorized training staff may also digitally record any incident contained on digital media for training purposes with authorized permission from the Chief of Police or designee.
- h. In no event shall any digital recording be used for anything other than official business. This provision prohibits submission of any portion of video recording to a media organization, unless previously authorized by the Chief of Police or designee.
- i. By others as authorized by the Chief of Police or designee.

L. Retention: [CFA32.02EM]

- I. All BWC recordings shall be retained in accordance with the guidelines listed in the State of Florida, General Records Schedule, GS2, as amended. Generally, all BWC recordings will be stored and retained by the Department for a minimum of ninety (90) days, or until all criminal, civil or administrative cases to which the recordings are relevant have been adjudicated and all appeals have been exhausted. Video related to an investigation shall be treated as any other property evidence; therefore, its collection, chain of custody, storage, distribution, and disposal will be processed in accordance with internal Department policies and the Florida Statutes.

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M. BWC Public Records Requests:

- I. All digital recordings collected using the BWC video system are considered records of the City of Doral Police Department and subject to Florida Statute Chapter [119](#). All digital recordings related to an investigation are considered evidence. The release of requested digital recordings through a public records request will be subject to the same statutory exemptions applicable to the disclosure of any public record. The release of digital video recordings shall be coordinated with the Office of the City Clerk.

- N. BWC Directive Review:** The BWC Program and this directive will be reviewed annually or more frequently as needed to ensure compliance with current laws. Best practices as published by the law enforcement community will be considered in the review of this directive.

Effective Date:	January 4, 2016
Revocations:	All existing orders in conflict.
Revisions:	May 22, 2018

Approved: **(Original Signature on file)**
Hernan M. Organvidez
Chief of Police