

Body Worn Cameras

Purpose

This policy is intended to provide officers with instructions on when and how to use body-worn cameras so that officers may reliably audio and video record their contacts with the public in accordance with applicable Massachusetts law.

Policy

It is the policy of the Somerville Police Department that officers shall activate the body worn camera when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy, and Massachusetts and Federal law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

The use of the portable video recording system provides persuasive documentary evidence for criminal investigations, internal or administrative investigations, and civil litigation. Officers shall utilize this device in accordance with the provisions in this general order to maximize the effectiveness of the audio/video documentation to achieve operational objectives and to ensure evidence integrity.

Procedures

1. Objectives of the Body Worn Camera Program.

- A. The Somerville Police department has adopted the use of body worn cameras to accomplish several objectives. The primary objectives are as follows:
 - 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 in court. To this end, officers will be allowed access to video recordings before completing their written reports and before testifying in cases relevant to video recordings collected by the Department.
 - 2. 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 training purposes.
 - 3. The body worn camera may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

2. When and How to Use the Body Worn Camera

- A. Officers shall activate the body worn camera to record all contacts with citizens in the performance of official duties. It shall be the responsibility of each individual officer to test the body worn camera equipment at the beginning of each tour of duty. Officers

equipped with the body worn camera will ensure that the batteries are charged prior to the beginning of their shift or special event. In the event that the equipment is found to be functioning improperly, the officer shall report the problem immediately to their immediate supervisor so that the information can be documented, and arrangements made for repair. Once the officer has made a report under this section, he/she shall be excused from using a body worn camera until the Department has supplied him/her with a properly functioning body worn camera.

- B.** Whenever possible, officers should inform individuals that they are being audio and video recorded. In locations where individuals have a reasonable expectation of privacy, such as a residence, they may decline to be recorded unless the recording is being made pursuant to an arrest or search of the residence or the individuals. In such cases, the officer(s) shall not activate the recorder or shall deactivate the recorder as the case may be. Otherwise, the body worn camera shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy.
- C.** If an officer fails to activate the body worn camera, fails to record the entire contact, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated.
- D.** Uniformed officers assigned body worn cameras will wear them at all times while on duty performing patrol or supervisory functions in the patrol division in any type of uniform. Body worn cameras will be worn according to manufacturer's specifications and/or recommendations. The Department will make those specifications and recommendations readily available to the officers required to wear the body cameras. Officers will make every reasonable effort to ensure that the body worn camera recording equipment is capturing events by positioning and adjusting the body worn camera to record the event.
- E.** Police personnel shall use only body worn cameras issued by the Somerville Police Department. The body worn camera equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Somerville Police Department.
- F.** Police personnel who are assigned body worn cameras must complete an agency approved and/or provided training program to ensure proper use and operations. 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 other revisions in policy and equipment.
- G.** Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.

- H. Officers shall note in the incident report, the arrest report, or related reports when recordings were made. However, body worn camera recordings are not a replacement for written reports.

3. Restrictions on the Use of Body Worn Cameras

- A. Body worn cameras shall be used only in conjunction with official law enforcement activities. The body worn camera shall not generally be used to record:
 - 1. Communications with other police personnel without the permission of the chief of police or his/her designee;
 - 2. When on break or otherwise engaged in personal activities;
 - 3. Encounters with undercover officers or confidential informants;
 - 4. In any location where individuals have a reasonable expectation of privacy, such as a residence, restroom or locker room.

4. Storage

- A. All files shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related-to the date, body worn camera identifier, and assigned officer.
- B. All images and sounds recorded by the body worn camera are the exclusive property of the Somerville Police Department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
- C. All access to body worn camera data (images, sounds, and metadata) must be specifically authorized by the Chief of Police or his/her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
- D. Files should be securely stored in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution.

5. Supervisory Responsibilities

- A. Supervisory personnel shall ensure that officers equipped with body worn camera devices utilize them in accordance with policy and procedures defined herein.

At least on a monthly basis, random reviews of the body worn camera recordings will take place to ensure the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.