

# GENERAL ORDER



DISTRICT OF COLUMBIA

<b>Title</b>		
<b>Body-Worn Camera Program</b>		
<b>Topic</b>	<b>Series</b>	<b>Number</b>
<b>SPT</b>	<b>302</b>	<b>13</b>
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<b>Rescinds:</b>		
SO-14-14 (Body Worn Camera Pilot Program), Effective Date December 9, 2014		
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<b>Related to:</b>		
GO-OPS-301.03 (Vehicle Pursuits)		
GO-PER-302.01 (Calls for Police Services)		
GO-SPT-303.01 (Traffic Enforcement)		
GO-OPS-304.11 (Intra-family Offenses)		
GO-SPT-401.01 (Field Reporting System)		

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## I. BACKGROUND

Law enforcement use of body worn cameras (BWCs) has proven effective in reducing violent confrontations, uses of force, and complaints against officers. The purpose of this order is to outline the policy and procedures for the use of BWCs by members of the Metropolitan Police Department (MPD).

## II. POLICY

It is the policy of the MPD to use BWCs to further the mission of the Department, promote public trust, and enhance service to the community by accurately documenting events, actions, conditions, and statements made during citizen encounters, traffic stops, arrests, and other incidents, and to help ensure officer and public safety.

### III. DEFINITIONS

1. Body-worn camera (BWC) – a camera system with secured internal memory for storage of recorded audio and video that is designed to be worn on the clothing of or otherwise secured to a person.
2. BWC Unit Coordinators – members the rank of lieutenant or above who are designated by their commander to assist with the implementation and use of BWCs within their district/element by providing assistance and guidance to members who are assigned BWCs.
3. Central complaint number (CCN) – the unique eight-digit number that the Office of Unified Communications (OUC) issues to MPD members upon request when recording events via an incident or offense report, arrest, or other type of event. The first two digits of the CCN correspond to the last two digits of the year in which the report is being taken.
4. Digital evidence – BWC files, including photographs, audio recordings and video footage, captured by a BWC and stored digitally.
5. Docking station – Hardware connected to MPD’s network that is designed to offload recordings from the BWC.
6. Metadata – central complaint numbers (CCNs) and other descriptors used to identify and determine the categorization and retention period for the BWC recordings.
7. MPD BWC Coordinator – member who is designated by the Chief of Police to oversee the body worn camera program. The MPD BWC Coordinator may be contacted at [bwc.project@dc.gov](mailto:bwc.project@dc.gov).
8. Member – sworn MPD employee or MPD Reserve Corps member.
9. Official – sworn member the rank of sergeant or above.
10. Operational readiness – an operational and charged BWC with any data from the previous shift uploaded to an MPD-approved storage database.
11. School-based events – Student or school-related crimes and incidents that involve students **and** occur on private, public, or charter school grounds or within close proximity to schools. School-based events **do not** include safe passage assignments, non-critical contacts with students, or mediations of minor incidents.

#### IV. REGULATIONS

- A. Members shall successfully complete MPD BWC training relating to this policy as well as for the activation, use, annotation, and uploading of data, prior to being issued a BWC.
- B. Members shall follow existing officer safety policies when conducting enforcement stops as outlined in Department policies and procedures. Member safety shall be the primary consideration when contacting citizens or conducting vehicle stops, not the ability to record an event.

NOTE: Members are reminded that their BWC will “beep” twice every two minutes to remind them that their camera is activated. Members are cautioned that they should turn the “beep” volume down in situations where it may compromise their safety.

- C. Members shall mount their BWCs at the beginning of their shift in one of the methods approved by the Department (Attachment A) using only the MPD-issued mounting equipment. The BWC shall be worn for the entire shift.
- D. During their shift, members shall maintain their BWC in a constant state of operational readiness.
- E. When practicable, members shall inform contact subjects that they are being recorded at the beginning of the contact (e.g. “Ma’am/Sir, I am advising you that our interaction is being recorded.”)
- F. The viewing of BWC recordings at the scene of an incident is prohibited.
  - 1. Requests for BWC recordings by the public shall be referred to the Freedom of Information Act (FOIA) Office, Office of the General Counsel.
  - 2. Upon receipt of allegations of serious misconduct as defined in GO-PER-120.23 (Serious Misconduct Investigations) that occurs during their shift, watch commanders shall review BWC recordings as soon as possible, but in all cases prior to the end of their shift.
- G. In accordance with GO-SPT-304.18 (Language Access Programs), members shall ensure that they provide language access services to all limited and non-English proficient (LEP/NEP) persons in a timely and effective manner. Members shall provide LEP/NEP persons with a MPD and Body Worn Camera Recording Notice (Attachment B) in the appropriate language at the beginning of the BWC recording when practicable.

NOTE: MPD and Body Worn Camera Recording Notices are available in the following languages: Amharic, Chinese, French, Korean, Spanish, and Vietnamese.

- H. All recordings associated with BWCs are the sole property of MPD.
- I. Members shall only use MPD-issued BWCs.
- J. BWCs shall only be used by members while they are on-duty and working in an official law enforcement capacity.
- K. Members **shall not** wear their BWCs while working outside employment.
- L. BWCs shall be considered a member's required equipment when working Department sanctioned overtime (e.g., reimbursable details or nightlife deployments).
- M. Members **shall not**:
  - 1. Remove, dismantle, or tamper with any hardware or software component or part associated with BWCs applications.
  - 2. Destroy, disseminate, edit, alter, modify, tamper with, or otherwise use BWC recordings without the written permission of the Chief of Police. Members who tamper with BWC recordings may be subject to criminal investigation and/or prosecution.
  - 3. Copy or download a BWC recording without written approval of an official. BWC recordings shall only be shared for official law enforcement purposes.
  - 4. Delete any BWC recording except as specified in Part V.C of this order (i.e., accidental recordings).
  - 5. Record, view, download or convert any BWC recording for personal use.
  - 6. Use any other member's assigned BWC.
  - 7. Use MPD-issued BWCs while off-duty or take their BWCs home.
  - 8. Record on private space unless present for a lawful purpose.
  - 9. Record personal activity.
  - 10. Record conversations of members without their knowledge during routine, non-enforcement related activities.
  - 11. Record gratuitous or obscene images, such as the effects of extreme violence or injury, unless necessary for evidentiary documentation.

12. Record a particular person based solely on the person's race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibility, homelessness status, physical disability status, matriculation, or political affiliation.
  13. Record in places where a reasonable expectation of privacy exists, such as locker rooms or restrooms, unless the activation is required for the performance of official duties.
  14. Intentionally or willingly record confidential informants or undercover members.
  15. Use any other electronic device or other means in order to intentionally interfere with the capability of the BWC.
  16. Post recordings to any social media site.
  17. End a recording based solely on a citizen's request unless the citizen wishes to provide an anonymous tip. In cases where the citizen continues to request that a recording be turned off, and the member cannot resolve the issue, the member shall request that an official respond to the scene to assist.
  18. View recordings for anything other than official law enforcement purposes.
- N. BWC recordings shall only be stored on MPD-approved storage databases. Members shall ensure all BWC data is uploaded at the end of their shift, and when necessary, during their shift, to ensure storage capacity of their BWC is not exceeded.
- O. Members are reminded that BWC recordings do not replace field reports or other required documentation.
- P. Members shall ensure they turn in their BWC prior to or at the end of their shift and store BWC devices in designated, secured storage locations at MPD facilities when devices are not in use.
- Q. Members who are in a less than full duty status for more than 30 days shall turn in their cameras to their BWC Unit Coordinator for reassignment in accordance with Part VI.C.3 of this order.
- R. When reviewing BWC recordings, in accordance with GO-PER-120.21 (Disciplinary Procedures and Processes), members shall immediately notify officials upon observing, or becoming aware of, an alleged violation of Department policies, laws, rules, regulations, or directives.

## V. PROCEDURES

### A. BWC-Equipped Members

1. Members are responsible for the use and maintenance of their assigned BWC at all times.
2. Prior to deployment, members shall:
  - a. Inspect and test their BWCs to ensure that they are operational and functioning properly. Upon inspection and testing, or at any time during their shift:
    - (1) If a BWC is damaged, members shall immediately notify a sergeant, who shall complete a PD Form 43 (Loss or Damage to District Government Property), and notify the MPD BWC Coordinator.
    - (2) If a BWC is malfunctioning or inoperable, members shall notify their watch commander and contact the MPD Help Desk for assistance.
    - (3) If a member needs replacement accessories due to loss or damage (e.g., replacement cord), he or she may contact their BWC Unit Coordinator for a replacement.
  - b. Ensure that they begin their shift with a fully charged BWC that does **not** contain data from a prior shift.
  - c. Notify the Office of Unified Communication (OUC) that they are BWC-equipped over the radio.
  - d. Certify on their PD 775 (Daily Vehicle Inspection Report) that they are equipped with a BWC and document whether a recording was made for each run during their shift.
3. Members, including primary, secondary, and assisting members, shall start their BWC recordings as soon as a call is initiated via radio or communication from OUC on their mobile data computer (MDC), or at the beginning of any self-initiated police action.
4. In addition, members shall activate their BWCs for the following events:
  - a. All dispatched and self-initiated calls-for-service;
  - b. All contacts initiated pursuant to a law enforcement investigation, whether criminal or civil;

NOTE: Members are **not** required to record non-investigatory contacts (e.g., business checks).

- c. All stops (i.e., traffic, pedestrian, and bicycle), and frisks as defined in GO-OPS-304.10 (Police-Citizen Contacts, Stops, and Frisks);
- d. Vehicle and foot pursuits;
- e. All traffic crash scenes;
- f. Any incident or traffic crash in which the member is involved;
- g. DUI and consumption of marijuana investigations;
- h. High-risk encounters (e.g., barricade situations, active shooter situations);
- i. Tactical activities, to include canine, Emergency Response Team and Civil Defense Unit deployments;
- j. Mental health consumer encounters;
- k. Suspicious activities;
- l. Use of force situations;
- m. Arrests;
- n. Encounters requiring the advising of Miranda rights;
- o. All transports of prisoners and citizens;
- p. Any of the following searches of a person or property:
  - (1) Consent searches;
  - (2) Warrantless searches;
  - (3) Vehicle searches;
  - (4) Searches conducted incident to arrest;
  - (5) Inventory searches;
  - (6) Cursory searches;

- (7) Probable cause searches;
- (8) Execution of search or arrest warrants;
- (9) Frisks;
- (10) Field searches;
- (11) Full-custody searches;
- (12) Strip or squat searches;
- q. Hospital guard details as outlined in Part V.A.8 of this order;
- r. During the initial inventorying of seized money or any high value property;
- s. During school-based events as defined in Part III.11 of this order as well as other encounters with juveniles during events defined in this section;
- t. During First Amendment Assemblies;
- u. While assisting other law enforcement agencies (e.g., United States Park Police, District of Columbia Housing Authority Police) in handling incidents outlined in this section;
- v. While interacting with citizens inside a police facility (e.g., station personnel providing police services or information); and
- w. Any incident that the member deems it appropriate to activate the BWC in accordance with this order or upon direction from an official.

5. Traffic Posts

While assigned to traffic posts, members shall **only** activate their BWCs for the events listed in Part V.A.4 of this order.

6. First Amendment Assemblies

- a. Members shall activate their BWC when responding to a First Amendment assembly in accordance with Part V.A.3-4 of this order.
- b. In accordance with D.C. Official Code § 5-333.09, members **shall not** record First Amendment assemblies for the purpose



of identifying and recording the presence of individual participants who are not engaged in unlawful conduct.

- c. Members shall ensure BWC recordings of First Amendment assemblies, whether planned or spontaneous, are recorded in compliance with the law and MPD policy including SOP-11-01 (Handling First Amendment Assemblies and Mass Demonstrations).
- d. Members shall ensure BWC recordings of First Amendment assemblies are preserved and retained in accordance with this order and Appendix N, "*Records Retention*," of SOP-11-01 (Handling First Amendment Assemblies and Mass Demonstrations).
- e. Members shall ensure their recordings of First Amendment assemblies are categorized as "First Amendment Assembly" in the MPD-approved storage database.

#### 7. Intrafamily Incidents and Events

When a member responds to an intrafamily incident or event, he or she shall continue to record but make every effort to provide the victim privacy such that they **do not** record any discussions between the On-Call Advocacy Program (OCAP) advocate and the victim, regardless of whether the conversation is in-person or over the phone. Members shall position themselves in such a way as to afford the victim as much privacy as possible.

#### 8. Medical Facilities, Ambulances, and Patient Privacy

- a. Members shall record ambulance transports when they are present for law enforcement purposes.
- b. Members are reminded that they shall **only** activate their cameras in hospitals and other medical facilities for the events listed in Part V.A.4 of this order, including hospital guard details.
- c. Members shall not record in the common areas of medical facilities except when recording a required event as required by Part.V.A.4 of this order.
- d. When recording in hospitals or other medical or psychiatric facilities, members shall be careful to avoid, when possible, recording persons other than the suspect, complainant, and witnesses.

- e. When a member is in a hospital or medical facility pursuant to Part V.A.4, he or she shall continue to record and make every effort to provide patients with privacy such that they **do not** record patients during medical or psychological treatment or evaluations by a clinician or similar medical professional. Members shall position themselves in such a way as to afford the patients as much privacy as possible.
9. Members equipped with BWCs who are on the scene of an incident and are not the primary reporting member shall inform the reporting member of their BWC recording(s) so that the primary member may record this information in his or her report.
    - a. The notation "*BWC Activated*" shall be placed at the beginning of the reporting member's non-public narrative as defined in Part V.A.14 of this order. "*BWC*" shall also be handwritten on the top of the front page of all PD Forms 163.
    - b. The member with the BWC shall categorize the recording in accordance with Part V.B of this order.
  10. BWCs may be used to record initial interviews of victims, complainants and witnesses.
  11. Once activated in accordance with this order, members shall not deactivate their BWC until/unless:
    - a. They have notified the dispatcher of their assignment's disposition, and they have cleared the assignment or, in the case of arrest, have transferred custody of the arrestee to another member.
    - b. Their involvement in the citizen contact or detention has concluded.
    - c. They receive an order from a higher-ranking member. In such cases, members shall document the order and the name of the official in their associated incident or arrest reports and on the BWC when practicable.
    - d. The search requiring activation as outlined in Part V.A.4.p of this order has concluded, and the member believes he or she will have no further interaction with the person or property.
    - e. A pursuit has been terminated, and the member has returned to service through the dispatcher.

- f. In the event of a prolonged crime scene or an incident during which time they need to take a break (e.g., restroom break). In those cases, members shall contact the dispatcher to request a break and later document in the non-public narrative section of all related reports or their notebook the interruption of the BWC recording.
12. In accordance with Part V.A.4.w, when members activate their BWCs and such activation was not required by policy, and the circumstances do not require continued recordings, they may use their discretion when deciding to deactivate their BWC.
  13. After members deactivate their BWCs, it is their responsibility to ensure they reactivate their BWC should the circumstances require it, even if the subsequent recording is being made for the same event.
  14. Reporting Requirements: At the completion of their shift, members shall:
    - a. Document activation of the BWC device **at the beginning** of their non-public narrative on field contact reports, incident and offense reports, supplemental reports (PD Forms 252) accompanying incident and traffic crash reports, and arrest reports in the Records Management System (RMS), as well as PD Forms 42 (Injury or Illness Report), PD Forms 43, PD Forms 61D (Violation Citations) and notices of infraction (NOIs).
      - (1) **“BWC” shall be handwritten on the top of the front page of all PD Forms 163 (Arrest/Prosecution Report).**
      - (2) **The notation at the beginning of the narrative of associated reports shall be “BWC Activated.”**
      - (3) The member’s last name, first name, and CAD number only need to be recorded if different from the reporting member listed on the report.
    - b. Document in the non-public narrative section of all related reports or their notebook any delay or failure to activate their BWC and any interruption of a BWC recording required by this order.
    - c. Upload recorded data to the storage database.
    - d. Ensure a PD Form 81-C (Property Release) is submitted documenting their BWC recording for any arrests.

- e. Charge the camera in an MPD-approved BWC docking station.

## B. BWC Recording Categories

1. BWC categories are either “automated,” meaning that MPD data systems [e.g., Computer Aided Dispatch (CAD) and the Records Management System (RMS)] may automatically assign a category to a BWC recording, or “manual,” meaning a member must assign a category to a BWC recording.
2. When BWC recordings are uploaded to the storage database, the recordings will be automatically compared against MPD data systems. For most police actions, the recordings will be assigned their respective central complaint number (CCN) and an “automated” category with an associated retention period. However, when the data systems are unavailable or when the systems are unable to assign a category and CCN, the member shall be responsible for manually categorizing the recording and for entering the CCN in the ID field.
3. **Members shall review the CCN and category information for their recordings on every shift to ensure all information from their previous shift is complete and correct.**

NOTE: There will be BWC recordings that the systems are not able to automatically categorize or match CCNs. Therefore, it is imperative that members perform this daily review.

- a. In the event any category information is missing or incorrect, members shall immediately assign the correct category/categories to the recording.
- b. Members shall ensure all of their recordings are associated with at least one category.
- c. In the event that the ID field is empty, members shall enter the 8-digit CCN (with no hyphens or dashes and without the word “CCN”) into the ID field.
- d. If no CCN numbers were drawn for the event:
  - (a) “NA” shall be typed in the ID field rather than leaving the field blank; or
  - (b) In the event a Notice of Infraction (NOI) was issued, the NOI number shall be entered into the ID field.
- e. Members shall not add any other information to this field.

4. **Member Categories:** The most relevant category that applies from the priority list below shall be chosen. Members shall not use any category other than those listed below. The categories for use by members, listed in priority order, are:
  - a. **“Requires Supervisory Review”** – (Manual Category)
    - (1) The “Requires Supervisory Review” category applies to any recording that needs review by an official and possible extended retention due to one or more of the following circumstances:
      - (a) The member is injured or another member is injured or killed during the performance of their duties;
      - (b) There is any use of force by the recording member or another member;
      - (c) The member is involved in an incident that results in a fatality including, but not limited to, in-custody deaths and crashes or vehicular pursuits resulting in a fatality; or
      - (d) The member has reason to believe that the event may result in a complaint or the recording may be of use in a future court proceeding.
    - (2) When a member categorizes a recording as “Requires Supervisory Review,” he or she shall notify their supervisor prior to the end of his or her shift.
    - (3) A supervisor shall review the recording within 24 hours in accordance with Part VI.A.5 of this order.
  - b. **“First Amendment Assembly”** – (Manual Category)
  - c. **“Murder / Manslaughter”** – (Automated Category)
  - d. **“First and Second Degree Sexual Assault”** – (Automated Category)
  - e. **“All Other Sexual Offenses”** – (Automated Category)
  - f. **“Death Report / Suicide”** – (Automated Category)
  - g. **“Crime Involving a Public Official - Misdemeanor”** – (Automated Category)

- h. **“Crime Involving a Public Official - Felony”** – (Automated Category)
  - i. **“All Other Felonies”** – (Automated Category)
  - j. **“All Other Misdemeanors”** – (Automated Category)
  - k. **“Incident, No Arrest”** – (Manual Category)
  - l. **“Contact/Stop/Civil Enforcement”** – (Manual Category) – Includes:
    - (1) All contacts initiated pursuant to a law enforcement investigation, whether criminal or civil (e.g., issuance of Notice of Violation (NOV)); and
    - (2) All stops (i.e., traffic, pedestrian, and bicycle), and frisks as defined in GO-OPS-304.10 (Police-Citizen Contacts, Stops, and Frisks).
  - m. **“BWC Testing”** – (Manual Category) – Includes recordings taken by members to ensure their BWCs are operating properly.
5. Only BWC Unit Coordinators, the MPD BWC Coordinator and the Court Liaison Division (CLD) shall record notes about BWC recordings.

### C. Accidental Recordings

1. In the event of an accidental activation of their BWC where the resulting recording has no investigative or evidentiary value, members may submit a deletion request to their administrative captain thru their sergeant or will forward the same to the MPD BWC Coordinator at [bwc.project@dc.gov](mailto:bwc.project@dc.gov) for review and tracking.
2. Members shall ensure the request contains sufficient information (e.g., date, time, member CAD number) to locate the recording.
3. The MPD BWC Coordinator shall review accidental recordings and determine whether or not the recording had an official purpose. If the recording had no official purpose, the administrative captain or MPD BWC Coordinator shall document this in the recording notes and delete the recording. An audit log on the history of every recording will be maintained in the storage database.

#### D. Access and Review

1. Members may view their BWC recordings and BWC recordings that have been shared with them to assist in accurate report writing, testifying in court, for training purposes, and debriefing. Members may also view their recorded data when they are the subject of criminal or administrative investigations in accordance with Part V.E of this order.
2. Recordings **shall not** be routinely or randomly viewed by officials for the sole purpose of enforcing policy violations observed on the recordings.
3. In accordance with Part IV.M of this order, members may only share recordings with other MPD members who have accounts on the MPD-approved storage database. Under no circumstances shall members share recordings with any non-MPD persons or members who do not have an account.
4. Only members the rank of sergeant and above, civilian equivalents, or Internal Affairs Bureau (IAB) investigators are allowed to download BWC recordings for criminal or administrative investigations.
5. United States Attorney's Office (USAO), Office of Police Complaints (OPC) and Office of the Attorney General (OAG) staff have their own accounts to the storage database; therefore, MPD members shall not share or download BWC recordings for these organizations.

#### E. Investigative Reviews and Member Access

1. Members who are conducting criminal or administrative investigations (e.g., Investigators/Detectives, members assigned to Major Crash, Criminal Research Specialists, Supervisors, Internal Affairs Agents) shall:
  - a. Review and re-categorize the recordings related to their investigations after making a determination of whether the BWC recordings are of evidentiary value. (See Part V.G of this order for retention categories).
  - b. Document their reviews of BWC recordings in the final investigative packet.
2. Uses of Force, In-custody Deaths, and Criminal and Administrative Investigations

- a. Officials who request incident summary (IS) numbers shall inform the Internal Affairs Division (IAD) if the member was wearing a BWC.
- b. In the event of a serious use of force or in-custody death, the element watch commander shall ensure, and the responding IAD member shall verify, that all related BWC recordings are uploaded to the storage database as soon as possible.
- c. IAD shall restrict access to BWC recordings related to criminal or sensitive allegations.
- d. Officials or IAD members preparing preliminary reports shall indicate if BWCs were present and who was equipped with the cameras by name and CAD number.
- e. For investigative reports for matters requiring IS numbers, document whether BWC footage is available or known to exist. If there is footage, officials shall include the member's name, CAD number and CCN if applicable in the investigative report.

### 3. Member Access

- a. Members who are involved in a serious use of force, in-custody death, or are the subject of a criminal investigation may view their BWC recording related to the incident prior to completing and submitting any required reports and being interviewed by the appropriate investigative unit provided that:
  - (1) The member is in receipt of a declination from the prosecuting authority **or** after a Reverse Garrity is issued; **and**
  - (2) The recording is viewed at the IAD or at a location approved by an IAD official.
- b. Members who are the subject of an administrative investigation may view their BWC recording prior to completing and submitting any required reports and being interviewed by the appropriate investigative unit.

### F. Warrants

Members who obtain warrants shall ensure that any associated BWC recordings are categorized as "Pending Warrant / Papered Case / Criminal Investigation".



G. Retention

1. BWC recordings shall be retained and accessible on the BWC database for a period of 90 calendar days unless they are categorized as follows:

Automatic Category	
Category	Retention
1. Murder / Manslaughter	65 Years
2. First and Second Degree Sexual Assault	15 Years
3. All Other Sexual Offenses	10 Years
4. Death Report / Suicide	10 Years
5. Crime Involving a Public Official Felony	9 Years
6. Crime Involving a Public Official Misdemeanor	6 Years
7. All Other Felonies	6 Years
8. All Other Misdemeanors	3 Years
Manual Categories	
9. FOIA/Civil Litigation Hold	Indefinite
10. Pending Warrant / Papered Case / Ongoing Criminal Investigation	Indefinite
11. Training	Indefinite
12. Internal Affairs / Office of Police Complaints Investigation	10 Years
13. Internal Investigations (e.g., Chain of Command Misconduct)	5 Years
14. First Amendment Assembly	3 Years
15. For Supervisory Review	90 Days
16. Incident, No Arrest	90 Days
17. Contact / Stop / Civil Enforcement	90 Days
18. No-Papered Arrest	90 Days
19. BWC Testing	90 Days

2. BWC recordings with an “indefinite” retention period shall be retained until all related criminal proceedings, claims, litigation, litigation holds, complaints, or related incidents are resolved.
3. Digital evidence captured by BWCs shall be treated as official records and handled pursuant to existing Department policies and procedures including, but not limited to, SO-06-03 [Records Retention and Evidence Preservation (Millicent Allewelt Act of 2004)].

#### H. BWC Recordings Used in Training

Members are encouraged to notify their officials of any recordings that may be of value for training purposes.

1. Members recommending the use of a BWC recording for training purposes shall submit the request through the chain of command to the Commanding Official, Metropolitan Police Academy (MPA) for approval.
2. Prior to approving the use of a BWC recording for training purposes, the Commanding Official, MPA, shall:
  - a. Take into consideration the identity of the persons involved, the sensitivity of the incident, and the benefit of using the file versus other means.
  - b. Ensure that involved parties who appear in the recording provide written consent on a MPD BWC Recording Release and Consent Form (Attachment C) prior to using the recordings for training purposes.
  - c. Ensure that signed MPD BWC Recording Release and Consent Forms are filed and maintained with the associated lesson plan.
  - d. Confirm with the MPD Privacy Officer that appropriate redactions are made to recordings prior to them being used in training.
3. The Commanding Official, MPA, shall ensure that videos authorized for training are categorized as “Training” in the MPD-approved storage database.

## VI. ROLES AND RESPONSIBILITIES

### A. Sergeants shall:

1. Ensure cameras are not issued to members who have not received MPD BWC training.

2. Ensure members are equipped with fully-charged, functioning BWCs, and have the appropriate mounting equipment to support the BWC, at the beginning of each shift.
    - a. Inspect each member who is issued a BWC to ensure that it is being worn correctly and functioning.
    - b. Ensure digital evidence recorded from previous shifts has been uploaded prior to issuing BWCs.
    - c. When notified of a damaged or inoperable BWC, ensure the malfunctioning BWC is replaced immediately, a PD Form 43 is completed, and any damaged or malfunctioning equipment is returned to the MPD BWC Coordinator for repair or replacement.
  3. Track and manage the assignment of the cameras daily.
  4. Ensure members who are deployed with BWCs are noted on the roll call and deployment statistical sheets, and that the number of members with BWCs is called into the CIC each shift.
  5. In accordance with Part V.B.4.a of this order, review and re-categorize all recordings categorized as "Requires Supervisory Review."
  6. Conduct regular inspections during check-off to ensure members have recorded required events and are categorizing their BWC recordings appropriately.
  7. Ensure members turn in their BWCs prior to the end of their shift and store BWC devices in designated, secured storage locations at MPD facilities when devices are not in use.
  8. Ensure PD Form 81-Cs are included in arrest packages during their review and approval.
- B. Watch Commanders
1. Citizen Complaints
    - a. Upon request, complainants shall be permitted to view un-redacted copies of alleged **non-criminal** misconduct at the district station in the district where the complaint occurred under the following conditions:

- (1) The watch commander must first view the recording and ensure that there are no other persons in the recording.
  - (2) The complainant must sign the PD Form 99-B (Citizen Consent Form to view BWC Recording) (Attachment D) prior to viewing the recording.
  - (3) The viewing must occur in the presence of the watch commander.
  - (4) The alleged incident must not involve an underlying criminal matter subject to prosecution (e.g., assault, driving under the influence).
  - (5) The recording must be viewed at least 48 hours after the alleged incident to ensure the video has been uploaded to the MPD-approved storage database.
    - (a) If the complainant makes a request to view a recording, and it has not yet been uploaded, the watch commander shall arrange a mutually agreeable time for the complainant to return and view the recording.
    - (b) If the watch commander is unable to locate the requested recording, he or she shall notify IAD of the complainant's request to view the video and of his or her negative search results when requesting IS numbers.
- NOTE: Watch commanders are reminded that most BWC recordings will be available for review by complainants for 90 calendar days from the date of the incident.

- (6) **Under no circumstances** shall the complainant:
  - (a) Be allowed to use any recording device to make a copy of the BWC recording.
  - (b) Be provided a copy of the recording. Complainants may contact the FOIA Office to request copies of the recording.

- b. The watch commander shall document his or her review of the video with the complainant when making his or her recommendation on the PD Form 99-A (Citizen Feedback Form

– Supervisor Review).

c. Notwithstanding the provisions of this order:

- (1) A complainant's request to view a BWC recording prior to initiating a complaint is **voluntary**. Whether or not the complainant chooses to request to view the recording shall in no way be considered by MPD if the complainant chooses to proceed with the complaint.
- (2) Members are reminded that all citizen complaints shall be handled in accordance with MPD policy including GO-PER-120.25 (Processing Citizen Complaints).

C. BWC Unit Coordinators shall:

1. Provide assistance and technical support to members in their assigned units who have BWCs.
2. Conduct periodic reviews of BWC recordings to ensure that the members are recording mandatory events as outlined in this order.
3. Handle the reassignment of BWCs for members in a less than full duty status for more than 30 days to include notifying the MPD BWC Coordinator, Telecommunications, and the Equipment and Supply Branch of the reassignment.
4. Based on the BWC assignment information provided by the Equipment and Supply Branch on a quarterly basis, conduct reconciliation and ensure any incorrect BWC assignment information is corrected and that the Equipment and Supply Branch is notified.
5. Review and respond to the MPD Privacy Officer's quarterly report of storage database users for their specific element.

D. District Commanders shall:

1. Ensure all members have been properly trained on all related BWC directives, procedures for operating the cameras, and instructions for resolving common recording, charging, and downloading issues.
2. Ensure that daily reviews of the recordings for that district are tagged and properly notated and assigned for corrective action by the next working day of the officer.

E. The MPD BWC Coordinator shall:

1. Serve as the designated custodian of records for all BWC recordings.

2. Serve as the system administrator of any BWC software applications.
  3. Track all requests for, release and sharing of all recordings, including but not limited to those from subpoenas, FOIA requests, and litigation holds.
  4. Monitor recordings that are about to reach the end of their retention period.
  5. Monitor the deletion of all accidental recordings of the recordings.
  6. Ensure BWC recordings are secured and retained as outlined in this order.
  7. Work with the MPD Property Officer and Office of the Chief Information Officer to ensure all recordings are stored in an MPD-approved storage database.
  8. Assist in coordinating all internal and external communications regarding BWC policies.
  9. Serve as the primary point of contact with the BWC vendor.
- F. The Commanding Official of the Equipment and Supply Branch shall:
1. Be responsible for the distribution and replacement of BWCs.
  2. Provide BWC Unit Coordinators a listing of all assigned BWCs on a quarterly basis for reconciliation.
- G. The Director of the FOIA Office shall ensure requests for BWC recordings and information from the public are received and processed in accordance with GO-SPT-204.05 (Freedom of Information Act Requests).
- H. The Director of the CLD shall ensure:
1. Papering packages contain a PD Form 81-C.
  2. BWC recordings of papered cases and non-papered arrests are categorized appropriately (i.e., "Warrant/Papered Arrest/Ongoing Criminal Investigation" or "No Papered Arrest").
- I. The Director of the Office of Risk Management shall:
1. Notify the MPD BWC Coordinator to retain BWC recordings associated with pending claims.

2. Ensure periodic audits are conducted of BWC recordings. The audits shall include an assessment of:
    - a. Member performance and training needs.
    - b. Consistency between written reports and recordings.
    - c. Compliance with this order.
- J. The MPD Privacy Officer shall:
1. Work with the Director of the Office of Risk Management on periodic audits to ensure:
    - a. Recordings do not violate the privacy of citizens or members and adhere to the required policy.
    - b. External and internal subscribers to MPD's BWC storage site are validated.
  2. Coordinate annual reviews of BWC recordings with "indefinite" retention periods to ensure they are still subject to being retained.
  3. Monitor the BWC vendor's privacy practices.
  4. Assist with drafting memorandums of understanding (MOUs) with outside agencies that want access to the BWC recordings.
- K. The Chief Technology Officer, MPD Office of the Chief Technology Officer shall ensure:
1. BWC equipment malfunctions and failures are documented and repairs are requested in a timely manner.
  2. Docking stations are installed and maintained.
  3. A tiered support response is coordinated to assist sergeants with fixing more complex camera and docking station issues.
  4. Ensure all members and approved staff from other agencies have accounts to the storage database.
- L. The Commanding Official of the Metropolitan Police Academy shall assist in coordinating training for members who will be assigned cameras.

**VII. CROSS REFERENCES**

- A. GO-PER-120.21 (Disciplinary Procedures and Processes)
- B. GO-PER-120.23 (Serious Misconduct Investigations)
- C. GO-PER-120.25 (Processing Citizen Complaints).
- D. GO-SPT-204.05 (Freedom of Information Act Requests)
- E. GO-OPS-304.10 (Police-Citizen Contacts, Stops, and Frisks)
- F. GO-SPT-304.18 (Language Access Programs)
- G. GO-RAR-306.01 (Canine Teams)
- H. GO-SPT-401.01 (Field Reporting System)
- I. SO-06-03 [Records Retention and Evidence Preservation (Millicent Allewelt Act of 2004)]
- J. SOP-11-01 (Handling First Amendment Assemblies and Mass Demonstrations)

**VIII. ATTACHMENTS**

- 1. Attachment A: TASER BWC Approved Wearing Methods
- 2. Attachment B: MPD Body Worn Camera Recording Notice
- 3. Attachment C: MPD BWC Recording Release and Consent Form
- 4. Attachment D: Citizen Consent Form to view BWC Recording



Cathy L. Lanier  
Chief of Police

CLL:PAB:MOC



## TASER BWC, Approved Wearing Methods

### TASER AXON Body

The AXON Body Camera has the camera (audio and video) and the battery in the same device.

#### Directions for Wearing the AXON Body Camera

1. The top part of the AXON Body Camera is where the Power Button is located. The serial number is located on the back and bottom of the camera.



2. There are two mounts to the AXON Body Camera; the camera comes with an S-clip case that slides over your shirt button to lock into place, and there is also a holster that slides onto your pocket. Directions for the S-clip are slightly different for men versus women's shirts:

For men's shirts:

- a. Snap the camera into its case if it is not already attached. The straight edge of the clip will be at the top.
- b. Slide the right-hand side of the case between two buttons toward the top of the shirt. Push the right side of the shirt into the clip in the back. This part of the clip will be left *outside* the shirt.
- c. Next, tuck the left side of the case *under* the shirt, and push the left side of the shirt into the clip in the back.
- d. Slide the case down to snap over the shirt button. The case will lock in place.

For women's shirts:

- a. Snap the camera into its case if it is not already attached. The straight edge of the clip will be at the bottom.
- b. Slide the left-hand side of the case between two buttons toward the top of the shirt. Push the left side of the shirt into the clip in the back. This part of the clip will be left *outside* the shirt.
- c. Next, tuck the right side of the case *under* the shirt, and push the right side of the shirt into the clip in the back.

- d. Slide the case down to snap over the shirt button. The case will lock in place.

### **TASER AXON Flex**

The AXON Flex Camera has two components: a smaller camera and a separate battery from which you operate the camera, called a Controller. The Flex Camera is linked to the Controller by a thin cable.

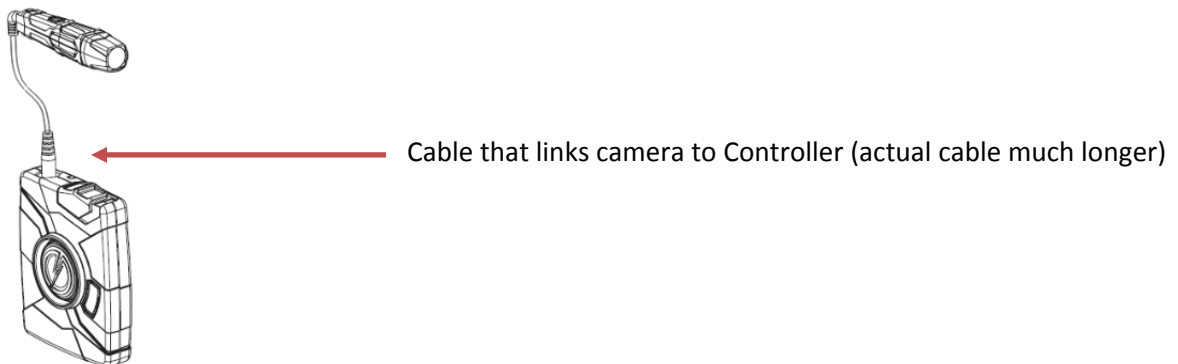
#### **Directions for Wearing the AXON Flex Camera**

Controller functions as the battery and the device used to turn the camera on/off, adjusting the volume, etc. The Controller looks like the AXON Body Camera, but has no lens on the front.

1. The top part of the Controller is where the Power Button is located. The speaker is on the smaller camera. The serial number is located on the back of the Controller, not the camera.



2. The Flex Camera must attach to the Controller in order to power up and record properly. The square end of the cable attaches to the bottom of the camera, and the other end of the cable to the top of the Controller.



3. The Controller can be stored in your pocket as is or in a holster attached to your belt. To attach to a belt, secure the Controller in its holster, ensuring the top of the camera aligns with the lever

on the top of the case that toggles back and forth to expose the cable port. Next, slide the metal clip that came with the holster into the back of the holster to secure to your belt.

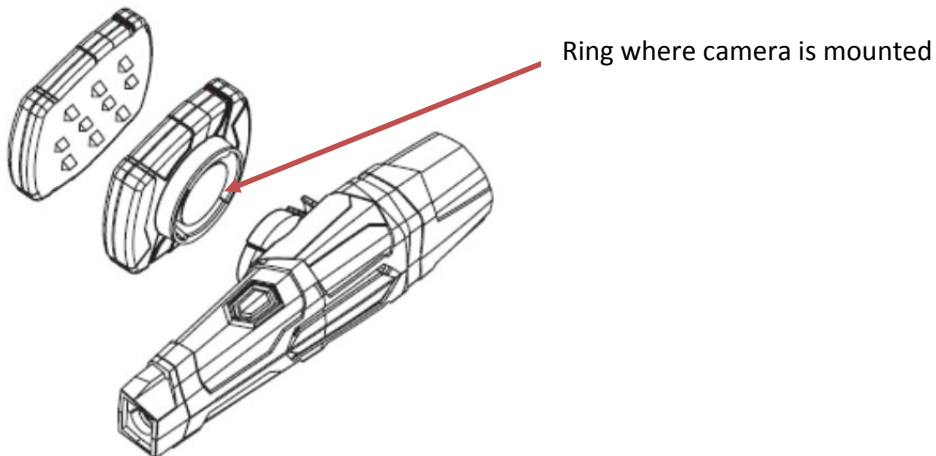
### **Directions for Mounting the AXON Flex Camera**

There are several mounts for the Flex Camera, each clipped on using a strong magnet. The magnetic clip allows rotation of the camera up and down to adjust the angle after it has been connected to the mount.

The three mounts that MPD will be piloting are the Collar Mount, the Low-Rider Headband and the Oakley Glasses Mount. The mounts should always be worn so that the Flex Camera is on the side that the officer wears his/her firearm.

#### ***Collar Mount***

There are two magnetic clips to hold the collar mount to your shirt collar, one for each side of the collar. Each clip features a set of teeth on one side and a ring on the other; the sides with the teeth are magnetically attracted to each other.



To use the collar mount:

1. Place the collar mount around the back of your neck.
2. Snap the teeth to the inside of the collar on the side of the shirt where the camera will not be mounted and attach the closed ring to the other side.
3. On the other side of the shirt, where the camera clip will be worn, snap the teeth to the inside of the inside of the shirt and attach the open ring to the other side.

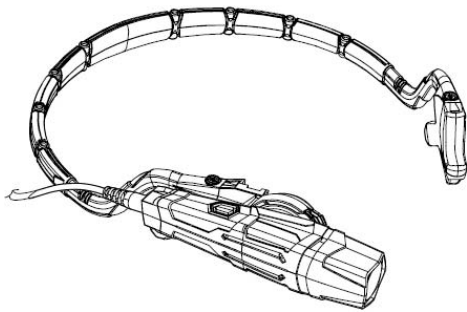
4. Snap the camera into the open ring, with the lens facing forward.
5. Connect the camera/Controller cable to the bottom of the camera. Ensure that the cable does not obstruct the motion of your head. If the cable is exposed down a good portion of your back, hide it under your shirt.
6. Plug the other side of the cable into the Controller.

### ***Low-Rider Headband Mount***

There are two sizes of the headband mount: regular and large.

To use the headband mount:

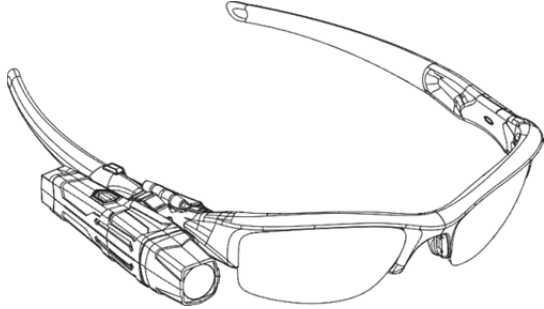
1. Slip the headband behind your head.
2. Snap the camera into the open ring, with the lens facing forward.
3. Connect the camera/Controller cable to the bottom of the camera. Ensure that the cable does not obstruct the motion of your head. If the cable is exposed down a good portion of your back, hide it under your shirt.
4. Plug the other side of the cable into the Controller.



### ***Oakley Eyewear Mount***

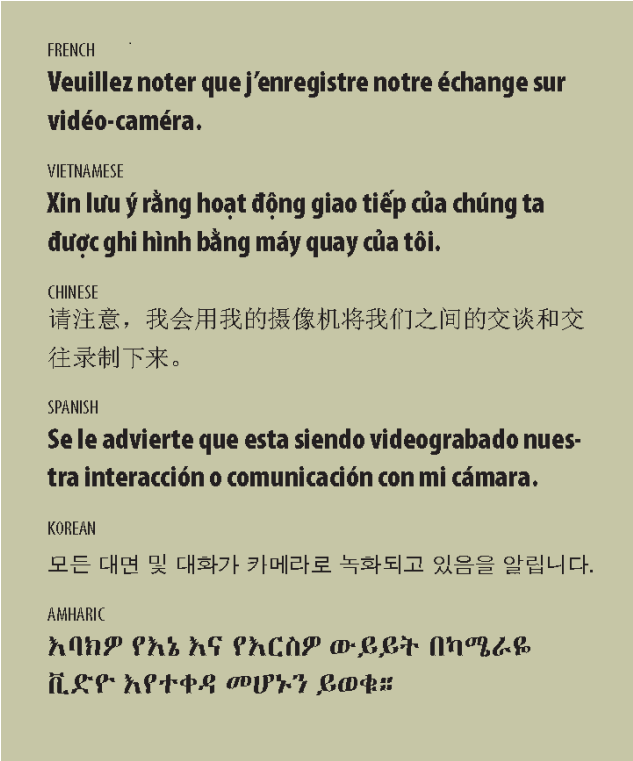
1. Select whether you want to have sunglasses or clear glasses on.
2. Slip the glasses on your head.
3. Snap the camera into the open ring, with the lens facing forward.

4. Connect the camera/Controller cable to the bottom of the camera. Ensure that the cable does not obstruct the motion of your head. If the cable is exposed down a good portion of your back, hide it under your shirt.
5. Plug the other side of the cable into the Controller.





**FRONT**



**BACK**

**METROPOLITAN POLICE DEPARTMENT  
BWC RECORDING RELEASE AND CONSENT FORM**

By signing this Photo, Video and Sound Recording Release and Consent Form, you are irrevocably giving permission to the Metropolitan Police Department (MPD) to use photographs, video or sound recordings of you for training purposes. This is completely voluntary and up to you.

Your consent to the use of the photographs, video and sound recordings and your image, likeness, appearance, and voice is irrevocable. You will not receive compensation for the use of your image, likeness, appearance, and voice now or in the future. The photographs, video and sound recordings may be used in MPD training in whole or in part, alone or with other recordings. The photographs, video and sound recordings will not be used for any commercial uses. The MPD has the right and may allow approved contract employees to copy, edit, redact, retouch, or otherwise change the photographs, video and sound recordings at the MPD's discretion. All right, title, and interest in the photographs, video and sound recordings belong solely to the MPD.

I understand and agree to the conditions outlined in this form. I acknowledge that I am fully aware of the contents of this release and am under no disability, duress, or undue influence at the time of my signing of this instrument.

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Printed Name of Involved Party

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Signature of Involved Party

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Date

**Citizen Consent Form to view BWC Recording  
Metropolitan Police Department, Washington, D.C.**

I \_\_\_\_\_ request to view an unredacted video from an officer's body worn camera. *I would like to allege a complaint against a Metropolitan Police Department (MPD) officer and agree to verify the event by viewing the unredacted video.*

By signing this form I understand that to view the video I must be the only individual in this video except the officer wearing the body worn camera. I understand that I am viewing the video to observe alleged non-criminal misconduct. I agree to view the recording in the presence of an MPD official.

I will not use any recording device to duplicate the video or audio. I understand that I will not receive a copy of the recording. Body worn camera recordings are considered law enforcement records and are the property of MPD.

The alleged incident occurred at least 48 hours ago (to ensure the video is uploaded into the MPD storage database).

I understand that if I want to request a copy of the recording I need to contact the MPD Freedom of Information Act office.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date