



Milford Police Department

General Orders

Body Worn Camera Systems



1. Purpose

1. The purpose of this policy is to set standards related to the use, management, storage and retrieval of digital multimedia video files stored on or generated from the use of department issued or approved body-worn cameras, including but not limited to:
 - a. Creating video and audio records to contribute to the accurate documentation of critical incidents, police-public contacts, crime and accident scenes, and arrests.
 - b. Preserving visual and audio information for use in current and future investigations in accordance with applicable guidelines referenced herein.
 - c. Capturing crimes in-progress, whether committed against the police officer or the community, and to preserve evidence for presentation in court.
 - d. Documenting police response to an incident.
 - e. Aiding in the documentation of victim, witness or suspect statements pursuant to an on-scene response and/or documentation of the advisement of rights, and consents to conduct a lawful search, when applicable.
2. The purpose of equipping police officers with issued or approved body-worn cameras is to assist in the following:
 - a. **Strengthening police accountability** by documenting incidents and encounters between officers and the public.
 - b. **Resolving officer-involved incidents and complaints** by providing an objectively independent record of events.
 - c. **Improving agency transparency** by allowing the public to see video evidence of police activities and encounters in accordance with applicable laws regarding public disclosure.
 - d. **Identifying and strengthening officer performance** by using footage for officer training and monitoring when appropriate and consistent with the law.
 - e. **Improving evidence documentation** for investigation, prosecutions, and administrative reviews of employee performance and/or civil actions.

3. While recordings obtained from video recorders provide an objective record of events, it is understood that video recordings do not necessarily reflect the experience or state of mind of the individual officer(s) in a given incident. Moreover, the recordings, especially video, have limitations and may depict events differently than the events recalled by the involved member. Specifically, it is understood that the recording device will capture information that may not have been heard and/or observed by the involved officer(s) and that the involved officer(s) may see and hear information that may not be captured on video.

2. Scope

This Order applies to all personnel using BWC recording systems and managing BWC data.

1. All department issued or approved body-worn camera equipment and media associated with the body-worn cameras, data, images, video/audio and metadata captured, recorded, or otherwise produced by the body-worn camera shall not be viewed, copied, released, disclosed, or disseminated in any form or manner outside the parameters of this policy pursuant to the department's FOIA policy and practice.
2. This policy does not apply to or limit the use of in-car audio/video recording systems.
3. This policy does not govern the use of surreptitious/covert recordings devices used in undercover operations.

3. Definitions

1. Body Worn Camera (BWC) - A device capable of recording and storing video and/or audio that is mounted to an officer's uniform, upper torso, or headgear.
2. Cloud Storage (Evidence.com) – Wireless or Internet connection storage system to store, manage, and share data from an off-site server system. Typically, a model of networked enterprise storage where data is stored in virtualized pools of storage which are generally hosted by third parties. Hosting companies operate large data centers, and people who require their data to be hosted buy or lease storage capacity from them.
3. Taser Axon Flex – A body worn camera system that consists of an adaptive camera, mounting systems and controller unit.
4. Taser Body – A single unit body worn camera system that consists of a controller unit with a built in camera.
5. Axon Docking Station – a docking station that recharges the controller unit and securely transfers the video/audio data that was captured on the BWC.
6. Event mode – When the BWC is placed in event mode the audio/video is being recorded onto the control unit. Additionally, the prior 30 seconds of buffered video is also saved.
7. Evidence Transfer Management (ETM) - ETM is the transfer of media from the body-worn camera to a secured server or other reliable secured storage source. The method of evidence transfer management for body-worn cameras shall be approved by the Chief of Police.

4. Procedures

1. Beginning of the shift procedures
 - a. Issued or approved body-worn cameras shall be used by the police officer while in the performance of his/her scheduled duties.
 - b. Issued or approved body-worn cameras shall be operated in accordance with the manufacturer's recommended guidelines, department training and department policies and procedures.
 - c. Prior to the beginning of each shift, the police officer issued or assigned a body-worn camera shall test and perform an inspection to ensure that the body-worn camera has a properly charged battery and is functioning correctly.
 - (1) If problems are encountered with any component of the system, the body-worn camera shall not be used and the police officer shall arrange for repair or replacement through department established procedures. The Police Officer should be immediately provided a replacement BWC, when practicable.
 - (2) Malfunctions, damage, loss or theft of any issued or approved body-worn camera shall be immediately reported by the police officer to the on-duty shift supervisor

or other responsible person as designated by the Chief of Police. The Police Officer should be immediately provided a replacement BWC, if practicable.

2. Use and activation of an issued or approved body-worn camera.
 - a. Police officers issued or assigned a body-worn camera shall wear such camera on his/her outmost garment and shall position it above the midline of his/her torso when in use.
 - b. *Due to the close proximity to the public and the likelihood that a public interaction may take place at any time, officers assigned to walking, bicycle, or ATV Patrols shall activate their BWC during the entire period that they are engaging in active patrol, (i.e. walking, biking, driving). Officers assigned to stationary assignments outside of the patrol vehicle shall activate their BWC whenever there is a likelihood that they will come into contact with the public.*
 - c. Police officers issued or assigned a body-worn camera shall activate the camera at the inception of the interaction with the public in a law enforcement capacity.
 - (1) For the purposes of this policy, “interacting with the public in a law enforcement capacity,” means that a police officer is in personal contact with one or more members of the public, the purpose of which is to conduct a self-initiated investigation into, or to respond to a complaint involving, the possible commission of any offense, violation or infraction, *or to engage in a conversation with the public on a police related matter, not subject to the exemptions listed in section 4.3.a.*
 - (2) In addition, police officers shall record the following:
 - a. Vehicular pursuits;
 - b. Motorist assists;
 - c. The taking of statements from suspects, witnesses and victims;
 - d. The conducting of interviews with suspects, witnesses, complainants and victims;
 - e. Transportation and processing of prisoners;
 - f. Any incident or event not otherwise prohibited by this policy, which may be dangerous, unpredictable, or potentially useful for department training purposes;
 - g. Situations where a police officer, by reason of training and experience, determines that the incident should be documented on video.

Note: At no time shall police officers disregard officer safety or the safety of the public for the purpose of activating or utilizing the body-worn camera.

- d. Once the body-worn camera is activated for the purpose of documenting an interaction with the public in a law enforcement capacity, it should remain activated until the interaction with the public has concluded to ensure the integrity of the recording, except as otherwise provided for by law or by this policy.
 - (1) Additional police officers arriving on a scene that have been issued or assigned a body-worn camera shall also record the interaction with the public, and shall also continue to record until the completion of the incident.
 - (2) For purposes of this policy, conclusion of an interaction with the public occurs when a police officer terminates his/her law enforcement contact with a member of the public.
- 3. When an issued or approved body-worn camera is not to be activated or should be Deactivated and/or Muted if the device has the capability.
 - a. Except as otherwise required by this policy, no police officer shall use body-worn recording equipment to intentionally record:
 - (1) A communication with other law enforcement agency personnel, except as the officer performs his or her duties. In this instance the body worn camera is to be muted (if the device has the capability) during the communication.
 - (2) An encounter with an undercover officer or informant;
 - (3) When an officer is on break or is otherwise engaged in a personal activity;
 - (4) A person undergoing a medical or psychological evaluation, procedure or treatment;
 - (5) Any person other than a suspect to a crime if an officer is wearing his/her issued or approved body-worn camera in a hospital or other medical facility setting; or
 - (6) In a mental health facility, unless responding to a call involving a suspect to a crime who is thought to be present in the facility.
 - (7) Any private conversation to which the officer is not a party; or
 - (8) Any telephonic conversation unless specifically authorized by law while in the performance of their official duties.
 - b. Deactivation or muting of a body-worn camera under certain circumstances:
 - (1) Although generally, body-worn cameras should remain activated until the conclusion of an incident, police officers may consider requests to deactivate or

mute the body-worn camera should he/she determine that, based upon the circumstances; the investigation could be significantly hampered if the recording were to continue. In instances where the audio content of the recording is of concern (Ex: discussion with supervisor) the officer is to mute the device (if it has the capability) as opposed to deactivation the recording. Whenever possible, police officers should consult with supervisors before making the decision to deactivate or mute their body-worn camera.

- (2) Whenever possible, a police officer who deactivates or mutes the body-worn camera during the course of an event in which this policy otherwise requires recording, shall both record on the camera the reason for the interruption or termination of recording prior to deactivating or muting the body-worn camera, and document such event in his/her report.

4. Malfunction of Body-Worn Camera

If any malfunctioning or unintentional failure to record in accordance with this policy occurs, the police officer shall document the reason and notify his/her supervisor regarding the lack of recording. Such documentation shall be in a manner determined by the Chief of Police.

5. End of Shift Procedures

- a. Police Officers shall ensure that all files from an issued or approved body-worn camera are securely downloaded and retained in accordance with section I of this policy, with sufficient frequency so as to ensure that there remains adequate data storage available for recording future incidents.
- b. Officers shall cause the recorded video to be stored, downloaded, transferred or otherwise saved and labeled and categorized in the following manner:
 - (1) Case Number or Event Number in the ID field, must be 10-digit number (ex: 2021005555)
 - (2) A brief description in the Title field (eg. 1201 Boston Post Rd Robbery)
 - (3) Categorized with all applicable category identifiers (for instance a felony arrest on a MV Stop with a use of force should be categorized with “10-Felony Arrest,” “11-Use of Force,” and “17- MV Stops,”)

5. Training

No police officer shall use an issued or approved body-worn camera prior to being trained in accordance with statutes in the use of the equipment, and in the retention of data created by such equipment. Every police officer must receive training on the proper care and maintenance of the equipment at least annually.

6. Responsibilities of Supervisory Personnel

1. Chief of Police

- a. The Chief of Police shall designate one or more department members to oversee and administer the storage and management of all digital multimedia video files generated by the use of issued or authorized body-worn cameras.
- b. The Chief of Police shall ensure the BWC data collection and storage is purged from the systems operation storage and/or software program in accordance with the State of Connecticut Library Records of Retention schedule and department policy.
- c. The Chief of Police shall ensure that body-worn camera video files that are subject to a preservation request or court order are appropriately catalogued and preserved.
- d. The Chief of Police shall approve the method of evidence transfer management (ETM) from the body-worn camera to a secured storage server, cloud, website or other secured digital media storage.

2. Supervisors

- a. Supervisors shall ensure that police officers equipped with issued or approved body-worn cameras are using the camera and audio in accordance with policy and procedures as defined herein.
- b. Supervisors shall periodically inspect issued or approved body-worn camera equipment assigned to police officers to ensure proper operability established by protocols provided through training and manufacturer's recommendations.
- c. Supervisors or other persons designated by the Chief of Police may periodically review issued or approved body-worn camera recordings of traffic stops and citizen contacts in accordance with this policy as well as reports generated as a result of these incidents to:
 - (1) Ensure body-worn camera equipment is operating properly;
 - (2) Ensure that police officers are utilizing the body-worn cameras appropriately and in accordance with policies and procedures; and
 - (3) Identify any areas in which additional training policy revisions or guidance is required.
- d. Supervisors shall ensure that all body-worn camera video files are appropriately preserved in accordance with this policy.

7. Authorized Personnel Access to Uploaded Digital Multimedia Video Files

1. General access to digital multimedia video files shall be granted to authorized personnel only. Accessing, copying, or releasing any digital multimedia video files for other than official law enforcement purposes is strictly prohibited, except as otherwise required by state and federal statutes, policies and procedures.
 - a. The Chief of Police or his/her designee may review specific body-worn camera digital multimedia video files for the purpose of training, performance review, critique, early intervention inquiries, civil claims, administrative inquiry, or other articulable reason.
 - b. A police officer may review a recording from his or her body-worn recording equipment in order to assist such officer with the preparation of a report or otherwise in the performance of his or her duties. The officer shall only view the video to refresh their recollection of the event as it occurred and was recorded from the same viewing angle as it was observed by the officer at the time. If the officer's recollection of the event is different from what is observed in the video, the officer should indicate such in his/her report.
 - c. If a police officer is giving a formal statement about the use of force or if a police officer is the subject of a disciplinary investigation in which a recording from body worn recording equipment or a dashboard camera with a remote recorder, is being considered as part of a review of an incident, the officer shall have the right to review (A) such recording in the presence of the officer's attorney or labor representative, and (B) recordings from other body-worn recording equipment capturing the officer's image or voice during the incident. Not later than forty-eight hours following an officer's review of a recording under subparagraph (A) of this subdivision, or if the officer does not review the recording, not later than ninety - six hours following the initiation of such disciplinary investigation, whichever is earlier, such recording shall be disclosed, upon request, to the public, subject to the provisions of C.G.S. 296d subsection (g).
 - d. If a request is made for public disclosure of a recording from body-worn recording equipment or a dashboard camera of an incident about which (A) a police officer has not been asked to give a formal statement about the alleged use of force, or (B) a disciplinary investigation has not been initiated, any police officer whose image or voice is captured on the recording shall have the right to review such recording in the presence of the officer's attorney or labor representative. Not later than forty-eight hours following an officer's review of a recording under this subdivision, or if the officer does not review the recording, not later than ninety-six hours following the request for disclosure, whichever is earlier, such recording shall be disclosed to the public, subject to the provisions of C.G.S. 29-6d subsection (g).

2. Under no circumstances shall any individual with access to body-worn camera media or data files be allowed to use, show, reproduce or release recordings for the purpose of ridicule or embarrassment of any police officer or individual, or for other non-law enforcement related purposes. This includes disclosure of any portion of a body-worn camera video file to a media organization unless such disclosure has been approved by the Chief of Police or his/her designee.
3. Digital multimedia video files may be reviewed by individuals other than the recording police officer in any of the following situations:
 - a. By a department member investigating or adjudicating a complaint regarding a specific act of officer conduct;
 - b. By technical support staff for purposes of assessing proper functioning of body cameras;
 - c. By the Internal Affairs Unit or other Unit or person(s) designated by the Chief of Police, when participating in an official misconduct investigation concerning a specific act or officer conduct alleged in a complaint of misconduct;
 - d. By a sworn law enforcement officer who is participating in a criminal investigation;
 - e. By the Municipality's legal representative;
 - f. Police Officers may, upon request; review a copy of the recording from their own issued or assigned body-worn recording equipment in order to assist such officer in providing a statement as a witness to events which are the subject of a department internal administrative inquiry, including officer shooting investigations, in the event that a BWC recording is part of an Internal Affairs investigation, the video may be viewed by the officer in the presence of a supervisor, except when the video has been released to officer's legal representative in accordance with FOIA or by order of the court.
 - g. By representatives of the Division of Criminal Justice, Municipal Attorneys, Office of the Attorney General, retained counsel and other representatives authorized by the municipality, such as municipal insurance carriers, in the course of their official duties; or
 - h. By other department personnel as authorized by the Chief of Police or his/her designee
 - i. The Administrative Division shall be designated as the custodian for all BWC media files, whether stored on the cloud or on a local server.

8. Releasing or Duplicating Body-Worn Camera Recordings

1. Releasing Body-Worn Camera Digital Multimedia Video Files

Processing Freedom of Information Act (FOIA) requests:

All FOIA requests for body-worn camera digital multimedia video files shall be processed through the office of the Chief of Police or his/her designee.

2. Duplicating Body-Worn Camera Digital Multimedia Video Files

- a. When a police officer who is required to produce a digital multimedia video file pursuant to a subpoena or other court order, the Chief of Police or other designee shall arrange, prior to the date of the court appearance, for a copy of the required portion of the original video file to be duplicated.
- b. The original video file, as well as any duplicate copy, shall be held as evidence in accordance with this policy.
- c. GA-22 has their own access to Milford Police Body Worn Camera Footage via Axon Evidence. The Milford Police Department will maintain all proprietary interest in BWC video files and any public release of these files will come from the Police Department, following the parameters set forth in this General Order.

9. Storage and Retention

1. Digital multimedia video files shall be maintained in an approved storage location, such as a server, storage device, cloud storage, website or other approved secure storage media, authorized by the Chief of Police.
2. All digital multimedia video files shall be securely stored in accordance with state record retention laws and Department policy.
 - a. Digital multimedia video files not reproduced for evidentiary purposes or otherwise required to be preserved in accordance with this policy shall be maintained for a period of a minimum of ninety (90) days.
 - b. Digital multimedia video files shall be preserved while a case remains open and under investigation, or while criminal or civil proceedings are ongoing or reasonably anticipated, or in accordance with the State Records of Retention schedule, whichever is greater.
 - c. All other digital multimedia video files reproduced for evidentiary purposes or otherwise caused to be preserved shall be maintained for a minimum of four (4) years.
 - d. Digital multimedia video files shall be preserved in accordance with any specific request by representatives of the Division of Criminal Justice, Municipal Attorney, Officer of the Attorney General, retained counsel and other authorized claims representatives in the course of their official duties.

- e. Digital multimedia video files shall be preserved in response to oral, electronic or written preservation requests from any member of the public where such requests indicate that litigation may be reasonably anticipated.

(1) All such preservation requests shall promptly be brought to the attention of the recipient's supervisor and the Municipal Attorney's office.

10. Restrictions

1. The use of a personally owned BWC is prohibited except in exigent circumstances and with the authorization of a supervisor.
2. The BWC shall not be used to record in any department bathrooms, locker rooms or any other place where there would be a reasonable expectation of privacy.
3. BWC recordings may be randomly reviewed by the Chief of Police or his/her designee to monitor officer performance and determine training needs for our personnel.
4. Personnel shall immediately report any problems, malfunctions, damage or loss of the BWC to their immediate supervisor. Officers shall not attempt to make any repairs to the BWC system.
5. Officers assigned a BWC shall not allow citizens to view BWC recordings unless authorized by a supervisor.

11. Responsibilities

1. Prior to each shift officers shall inspect the BWC to ensure that it is fully charged and operational. Officers shall be provided with several approved mounting options for the BWC, provided that the camera is worn on the upper torso, above the waistline.
2. The BWC shall be assigned to the current user by the protocol set forth by the manufacturer, and as instructed during BWC Training
3. At the conclusion of the officer's shift, the battery pack and camera must be returned to the docking station to allow for proper charging and uploading of videos.
4. If an officer has any problems with the download procedure it shall be immediately reported to his/her supervisor, and a service slip shall be completed and investigated.
5. Probationary Officers are required to sign out a BWC for each shift and utilize it in accordance with this policy.
6. At no time should an officer jeopardize their safety, or the safety of any other officer or a member of the public, in order to activate the BWC.
7. Absent a critical incident or exigent circumstances, officers shall not record suspects in common areas in medical facilities. Efforts should be made to move suspects to a private setting in such a facility prior to conducting any recordings.

8. When video files have been recorded and they meet the criteria expressed in section 4 subsection 5b, which requires the video to be saved for a specified period of time, it is the responsibility of the officer to update the video file by the end of their next tour of duty with:
 - The case number or event number associated with the recording.
 - The retention category that best identifies the encounter.
 - A title reflective of the encounter.
9. Officers are not required to obtain consent from another person who is subject to the recording. Further, they are not required to advise the person that they are being recorded, provided that:
 - 1 The officer is legally in a private place where they are authorized to be and for a legitimate law enforcement purpose, (i.e. responding to a report of a crime, investigating a crime or other incident), and/or;
 - 2 The officer is in a public place.
10. When an Officer is entering a private place for the purpose of interviewing a witness or complainant, the Officer may acknowledge that they have a recording device if asked by the subject(s) if they are being recorded.
11. In general, the officer should not deactivate the BWC upon a request from a victim, witness or complainant. If a witness, victim or complainant refuses to speak to an officer while being recorded and if the officer believes that it will be helpful and/or prudent not to record the complainant/witness interview on the BWC, the officer may elect not to record the event. However, the officer should video record (on the BWC), the subject's request to deactivate the BWC, if applicable. The officer shall indicate on the recording that he/she is "turning off the recording" and the "reason why" Further, the officer shall document in their police report the reason(s) why the BWC was deactivated or not utilized, (i.e. the witness/complainant is reluctant to speak on video and the lack of candor could jeopardize the investigation).
12. Officers will note in incident reports when video/audio recordings were made.
13. When an officer feels the BWC contains information that may be of evidentiary value for an investigation, he/she shall forward an email notification to the Administrative Division and the shift commander will be copied. The officer will catalogue the recording as such in Evidence.com, and indicate that the recording is being retained as evidence in their police report.
 1. Additionally, the designated Administrative Staff person designated will retrieve the recording from the BWC server and shall copy and tag the recording into evidence and complete a supplemental report detailing such.
14. BWC media containing information that may be of value for case prosecution or in any criminal or civil proceeding shall be safeguarded as other forms of evidence. As such, this media will be subject to the same security restrictions and chain of evidence safeguards as detailed in this Department's evidence control General Order.
15. Personnel are authorized to review their BWC recordings on a designated device, unless restricted by supervisory personnel or this policy. The designated devices are configured to act only as a viewer and do not store any media on the device. Therefore, these devices do not contain any record of the file or the viewing of the file.

16. Officers may be restricted from viewing their recordings when there is probable cause to believe that the officer may be involved in criminal behavior, and where the viewing of the recording would interfere with a criminal investigation.
17. If a BWC is not activated in accordance with this policy, the matter will be examined to determine whether the Officer's failure to activate the device was intentional, inattentiveness to instructions or otherwise, (i.e. time available to the officer to turn on the unit, exigency of the event, prior history of the officer regarding activating the BWC). The matter will be viewed based upon the totality of the circumstances of the event. If the BWC was not activated in accordance with this policy and it is not the result of a dereliction, as determined by the Chief of Police, then the act may result in re-training or counseling.

12. Administrative Responsibilities

1. The administration of the BWC programs will be designated by the Chief of Police.
2. The designated supervisor for each program (*shift/unit/division*) shall:
 1. Ensure that all officers follow established procedures for the use and maintenance of BWC equipment, handling of video/audio recordings and the completion of BWC documentation.
 2. On at least a monthly basis, the designated supervisor shall conduct a random review of video footage for each employee working on the designated shift or unit, when practical. The purpose of this review is to assist in periodic assessment of officer performance, determine whether BWC equipment is being fully and properly used and to identify material that may be appropriate for training. This review shall be documented.
 3. If there is reason to believe that an officer is engaged in misconduct, then the Chief of Police may authorize the additional review of the officer's video recording. Further, if the department's Early Warning System is triggered, indicating that an Officer has received numerous complaints (as defined by the established threshold for each category) of a particular nature, than the Chief of Police may authorize further review of the officer's recordings.
 4. If an officer has displayed a significant deficiency in their performance, the Chief of Police may authorize further review of the video recordings to determine the officer's training needs and to aid in his/her development.
 5. Responsible to ensure that all repairs and replacements of damaged or non-functional BWC equipment are performed.
 6. On a monthly basis ensure media not being preserved for any reason is purged from the BWC server.
 7. Ensure all statistical reporting requirements are being completed as required to ensure adequate program evaluation.

8. Ensure that all recorded material that has an evidentiary value in criminal cases/investigations is properly retained in accordance with this policy.
9. Ensure that all recorded material is catalogued and retained where a civilian complaint or civil lawsuit may result.

Reference:

[ICop User Manual](#)

[ICop Admin Manual](#)