**Body Worn Camera**

The Skamania County Sheriff’s Office has body worn camera’s (BWC) that allows the patrol and corrections division to record contacts with the public and incarcerated inmates during the official performance of their assigned duties.

**Definitions**

**Activate** – Any process that causes the BWC system being used to transmit or store video or audio data in an active mode.

**Body-worn Camera recording system** – System that captures audio and video signals, that is capable of being worn on an officer’s person, and that includes at a minimum, a camera, microphone, and recorder.

**Recorded Media** – Audio/Video signals recorded or digitally stored on a storage device or portable media.

**Policy**

It is the policy of the Skamania County Sheriff’s Office to require the use body worn camera to enhance our service, provide additional safeguards to our employees, and to ensure systems are being used safely, securely and efficiently.

**Deputy and Corrections Officer Responsibilities**

At the beginning their shift, each Deputy/Corrections Officer, will properly equip him/herself to record audio and video in the field through the use of an issued body worn camera. Each Deputy will follow established procedures for downloading the stored data.

Deputies/Corrections Officer will test the BWC systems operation in accordance with manufacturer’s specifications and Office operating procedures and training prior to going into the field. If the BWC is malfunctioning, the Deputy shall notify their supervisor.

Each Deputy/Corrections Officer shall read and adhere to RCW 9.73 in its entirety, with particular attention to RCW 9.73.090 (1) (c). Each Deputy/Corrections Officer is responsible to comply with current case law pertaining to audio/video recordings. The Office will provide on-going training and information to each Deputy/Corrections Officer as to current case law pertaining to audio/video recording laws effecting law enforcement in the state of Washington.

Each Deputy/Corrections Officer is responsible for the proper care and maintenance of the BWC equipment use by and/or issued to the Deputy/Corrections Officer.

Prior to going into the field with a BWC system, each Deputy/Corrections Officer will ensure that the equipment in charged and working properly. Any problems should be brought to the supervisor’s attention. Deputy’s/Corrections Officer’s shall place the BWC in a position that will allow the recording of citizen contacts, arrests, or any other work related contact.

When practical, preferably at end of each shift, Deputy’s/Corrections Officer’s will download the data using the prescribed hardware.

Once the data is downloaded, data can only be retrieved from the storage system.

**Activation of the BWC**

The BWC is designed to record audio and video simultaneously and is manually turned on by the Deputy/Corrections Officer. An advisement will be made to the person and/or person(s) being contacted they are being recorded.

This policy is not intended to describe every possible situation in which the BWC system may be used, although there are many situations where its use is appropriate. A Deputy/Corrections Officer may activate the system any time he/she believes it would be appropriate or valuable to document an incident or event.

In some circumstances it is not possible to capture images of the event due to conditions or location of the camera, however the audio portion can be valuable evidence and should be activated when it’s safe to do so. The BWC system shall be activated in all field contacts, when practicle and safe to do so, involving actual or potential criminal conduct within video or audio range such as:

Traffic stops or traffic related contacts

Priority responses

Suspicious person(s) and vehicle(s)

Arrests

Vehicle and suspect searches

Physical or verbal confrontations or use of force

DUI investigations, inclusing SFST’s.

Crimes in progress

Self-initiated activity in which the Deputy/Corrections Officer believes there may be evidentiary value in activating the BWC system.

Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:

Domestic Violence calls for service

Disorderly Conduct calls for service

Offenses involving violence or weapons

Booking of any new arrests

Cell searches

Any emergency response into the jail facility

Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise be recorded.

Any other circumstance where the Deputy/Corrections Officer believes that a recording of an event would be appropriate.

It will be the Deputy/Corrections Officer’s responsibility to mark or tag any event that may result in criminal, civil, or internal process.

**Cessation of recording**

Once activated, the BWC system shall remain on until, in the opinion of the Deputy/Corrections Officer, the incident has concluded. Exceptions are for purposes of officer safety and if the Deputy/Correction Officer believes the BWC activation will impede an interview.

**Activation not required**

Activation of the BWC system is not required when exchanging information with other Deputies/Corrections Officers or law enforcement officials or during breaks, lunch periods, completing reports or written documents, or when not in service or actively on duty.

When in a law enforcement facility the BWC shall not be activated, unless being used by a corrections officer in the course of his/her duties or in emergency response situations. This will prevent inadvertent recording of operational or personal conversations. The exception is when the Deputy/Corrections Officer is engaged in law enforcement/corrections activity and interacting in person with a suspect or member of the public. The BWC will be reactivated when resuming normal patrol duties.

**Supervisor responsibilities**

Supervisors shall ensure staff are utilizing BWC in the prescribed manner. They are also tasked with ensuring the equipment remains functional and in the proper care.

**Review of recordings**

All recording media, recorded images and audio recordings are the property of the Skamania County Sheriff’s Office. Dissemination outside of our office is strictly prohibited, except to the extent permitted or required by law. All requests for recording to the public must be reviewed by the Detective Sergeant and/or Undersheriff , who handle public records requests. Each Deputy/Corrections Officer will be able to review their recordings only by specific log-in or preview on the issued device. The Sheriff or his designee will be assigned and have access to the entire video storage system for retrieval, redaction, and review as listed in this policy.

Recordings may be reviewed in any of the following situations:

1. For use when preparing reports or statements
2. By a supervisor investigating a specific act of Deputy conduct
3. By the Sheriff or Undersheriff to assess Deputy performance when either has an articulable basis for inquiry.
4. To assess proper function of the BWC
5. By an office investigator participating in an internal investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
6. By a Deputy/Corrections Officer who is captured on or referenced in the video or audio data and review and uses such data for any purposes relating to his/her employment
7. By court personnel or office staff through the proper process and with permission of the Sheriff or designee.
8. By media personnel through the current public disclosure laws within the state of Washington. All media requests or public records requests require approval by command staff and county legal counsel. No audio of internal recordings may be made public until the final disposition of any criminal or civil litigation which arises from the event or events that were recorded (RCW 9.73.090 (1)(c).
9. To assess possible training value.
10. Recordings may be viewed for training purposes. If a Deputy/Corrections Officer objects to showing a recording, his/her objection will be submitted to the administrative staff for review.
11. By an employee’s legal representative and/or bargaining unit representative who is involved in representing the employee in an official investigation, such as a citizen complaint, administrative inquiry, or criminal investigation.
12. By the County’s legal representative and/or bargaining unit representative who is involved in representing the County in an office matter, such as a citizen complaint, administrative inquiry, lawsuit, or criminal investigation.

In no event shall any recordings be used or shown for the purposes of ridiculing or embarrassing any employee.

**Documenting BWC Use**

If any incident is recorded with the BWC system, the existence of the recording shall be documented in the Deputy’s/Corrections Officer report. If a citation/infraction is issued, the Deputy shall make a notation on the back of the records copy indicating that the incident was recorded.

**Recording Media Storage and Integrity**

All recordings that are not identified as evidence will be retained for as long as required by the Washington State records retention schedule (RCW 9.73.090 (2)).

**BWC Recordings as Evidence**

Deputy’s/Corrections Officer’s who reasonably believe that a recording is likely to contain evidence relevant to a criminal case, potential claim against the Deputy/Corrections Officer or against the Sheriff’s Office should indicate this in an appropriate report or memo. Deputy’s should ensure relevant recordings are preserved by tagging an event by case number or other designator.

**Prohibited Use**

Sheriff’s Office personnel that have assigned BWC systems are prohibited from using the recording equipment, media, or viewing recordings, for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Except as obtained for lawful process, members are prohibited from retaining recordings of activities or information obtained while on-duty. Except as obtained by lawful process, members shall not duplicate or distribute such recordings, except for authorized legitimate Sheriff’s Office business purposes. Representation of an employee in an official investigation, such as a citizen complaint, internal inquiry or a criminal investigation is legitimate Sheriffs’ Office business. All such recordings shall be retained at the Sheriffs’ Office.

Sheriff’s Office employees are prohibited from using any personally owned recording devices while on-duty

**Training**

All Sheiff’s Office employee’s authorized to use a BWC system shall successfully complete an approved course of instruction prior to its use.

**Internal Investigation**

BWC recordings shall not be reviewed by the Sheriff’s Office solely for the purposes of initiating internal investigations against its employees. If a BWC recording is reviewed by the Office in response to a complaint and/or allegation of misconduct by an employee, the employee and guild will be provided any and all material pertinent to the complaint as required and set by the collective bargaining agreement protocol and timelines. For representation of grievances and upon request by the Guild representative, a copy of the recording may be provided subject to a protective order.