



# Ramsey County Sheriff's Office

Minnesota's First Law Enforcement Agency – Established 1849

## Detention Division Body Worn Camera Policy

### 499.1 BODY WORN CAMERA SYSTEM

**PURPOSE and SCOPE:** The purpose of the Body Worn Camera (BWC) system in a detention facility is to provide additional reliable documentation of interactions and encounters with inmates in the facility. It is understood that the BWC may be limited by position, environment or other factors and shall not be the sole source of documentation used to interpret or evaluate an incident. BWC provides another mechanism for facility security and documents activity through the combined audio and visual recording of incidents as they are occurring.

The Ramsey County Sheriff's Office has adopted the use of BWC to accomplish several objectives to include but not limited to:

- Document all staff-inmate interactions such as calls for assistance and use of force incidents;
- To assist supervisory staff by providing additional information for evaluations and targeted training;
- To provide documentation of criminal or other activity that include the confiscation and documentation of evidence or contraband; and
- To enhance officer safety.

**PURPOSE:** The purpose of this policy is to establish guidelines for the use and management of BWC audio-visual equipment and data.

**SCOPE:** This Policy applies to all correctional staff of the Ramsey County Sheriff's Office. This policy neither governs the use of surreptitious recording devices used in undercover operations, nor use of a BWC by a licensed peace officer.

#### 499.1.1 DEFINITIONS

**Axon** – The vendor selected by the department to provide BWCs and evidence.com, a cloud-based system for uploading, managing and storing BWC data.

**Recorded Media** – Audio and video signals recorded on any of several storage devices, including but not limited to, analog tape (VHS, SVHS, Hi 8mm), digital tape (DV), or other portable digital storage devices.



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**Body Worn Camera (BWC)** – This refers to any system that captures audio and video signals that is capable of being worn as part of a uniform, and includes, at a minimum, a camera, microphone, and recorder.

**BWC Data** – Audio and/or video data collected by a department BWC.

**Supervisor** - As used in this policy refers to Detention Sergeants appointed with responsibility to serve as a supervisor of correctional staff.

**Manager** – As used in this policy it refers to Detention Lieutenants appointed with responsibility to oversee Detention Sergeants and the day-to-day operations of the Detention facility.

**BWC Technician** - Personnel, trained in the operational use, maintenance, and repair of BWCs, data duplicating, storage, and retrieval methods and procedures, and who possess a working knowledge of video forensics and evidentiary procedures.

**Degaussing** - Electronic cleansing by overwriting, erasing and/or destruction of analog and digital recording data that returns a device to its original state so it is ready for the recording of new audio and images.

**Activate** - To begin recording.

**Deactivate** – To stop recording.

**Buffer** - A vendor-configured component of the BWC that records 30 seconds of video only, without audio, prior to a BWC activation. The buffer records only when the BWC is powered on. Audio recording begins when an officer activates recording.

**Evidence.com** - A cloud-based system provided by Axon to upload, manage and store BWC data. Accounts, permissions and roles within evidence.com are administered by the technology unit.

**Mandatory Recording** – When the BWC must be activated under this policy.

**Mute** – Using the capability of the BWC to stop audio recording while continuing to record video.

**Officer** – The term officer is used generically throughout this policy for ease of reference. For unity of purpose it is important to note that within this policy "officer" refers to sworn members and unsworn personnel classified as Community Service Officer, Correctional Officer, Sergeant, Lieutenant, Assistant Superintendent, Superintendent of the Ramsey County Sheriff's Office who are issued a camera or authorized to wear one who have been properly trained in its use.

**Prohibited Recording** - When an officer is prohibited from recording under this policy. A recording may be prohibited in a situation (i.e.: interacting with a CSC victim) or in a physical location (i.e.: in a sheriff facility). Inadvertent prohibited recordings will be managed by the video management unit.





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**OIT** – Ramsey County Sheriff's Office, Office of Information and Technology

**Tactics** – An action or strategy carefully planned to achieve a specific goal

**Calculated Use of Force** - Any use of force that can be anticipated and planned for in advance

### **BWC MODES OF OPERATION [Off, On-Buffering, On-Recording]**

- (a) Off - The switch of the BWC is in the off position, indicated by the switch positioned towards the outside of the camera with no orange mark visible. The camera does not buffer or record in the off mode.
- (b) On - Buffering. The switch is positioned towards the center of the camera. An orange mark is visible. The camera is powered on, in standby mode, and buffering in a 30-second loop. The buffer records video only, no audio. The camera must typically be worn in the on-buffering position.
- (c) On - Recording. The BWC has been activated by the officer to record. Audio joins the buffer at the point the BWC is activated by the officer. Recording continues until the officer stops recording by returning the BWC to on-buffering mode or by turning the BWC off.

**MGDPA** - The Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13 and Minnesota Rules, chapter 1205.

### **499.2 CORRECTIONAL OFFICER RESPONSIBILITIES AND PROCEDURES**

#### **Mounts -**

- (a) Officers shall wear the BWC using one of the mounts provided by the department or available for purchase from [Axon.com/buy](http://Axon.com/buy).
- (b) Two magnetic mounts are issued with the BWC. Officers may replace damaged or lost mounts, or purchase additional at [Axon.com/buy](http://Axon.com/buy) after creating an account at [Axon.com/buy](http://Axon.com/buy).
- (c) Mounts which have been damaged during the course of duty may be reimbursed.
- (d) Officers wishing to order additional mounts beyond the magnetic mounts will be reimbursed from any available funds in their uniform allowance.

**Wearing the BWC** - Officers must wear the BWC above the midline of their torso, facing forward on the out-most clothing or jacket. Officers shall not intentionally obscure the view of their BWC.

BWC user(s) shall test the BWC system operation in accordance with manufacturer specifications and consistent with training.

Testing includes:

- (a) The BWC unit is functional and has an adequate power source;



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- (b) The BWC is connected to the recording equipment;
- (c) The view of the camera is free of obstruction;
- (d) The camera lens is operational;
- (e) The camera is facing the intended direction;
- (f) The recording mechanism is capturing both audio and video information;
- (g) The system plays back both audio and video tracks; and
- (h) The date and time are accurate.

System access for documentation is accomplished by BWC user(s) logging into the system with a personal passcode. If the system is malfunctioning, BWC user(s) shall take the BWC out of service and report it to the supervisor immediately. The supervisor may allow the BWC to remain in service for the shift if the BWC remains operational or for extenuating circumstances.

BWC user(s) shall not intentionally access, obstruct, interfere, edit, alter, degauss, duplicate, share, disclose, or otherwise distribute BWC equipment, audio, video or other information without the permission of the Superintendent or designee.

BWC user(s) shall not use BWC to record other staff or professionals outside of the interactions with inmates.

BWC user(s) shall securely download all recordings no later than the end of the shift.

### **499.2.1 DISCOVERY OF POTENTIAL MISCONDUCT**

The department shall require officers who witness or become aware of violations of department policy to immediately report said violation to their supervisor. If a civilian employee, an officer, or a sergeant reviewing BWC data observes a violation of department policy they shall report the violation to their supervisor. A supervisor notified of such a violation shall take the appropriate actions based on the circumstances of the violation.

All who review BWC data shall focus their review on the reasons for which they are justified to do so.

### **499.2.2 MEMBER PRIVACY EXPECTATION**

All recordings made by members acting in an official capacity shall remain the property of the Ramsey County Sheriff's Office regardless of whether those recordings were made with office-issued or personally owned recorders. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

### **499.3 SUPERVISOR RESPONSIBILITIES**

The supervisor shall respond to all incidents as defined in section 499.4 to ensure the incident is being captured by BWC. The supervisor will ensure all recordings are securely downloaded prior to the end of each shift. Supervisors should assess and review at reasonable or regular intervals staff performance captured by the BWC system during the incident defined in section 499.4.





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### **499.4 MANDATORY BWC RECORDING**

Understanding that officers encounter tense, uncertain, and rapidly evolving situations, officers must activate their BWC at their earliest opportunity and before arriving on scene when recording is required by this policy.

Activating a BWC early, before an officer arrives on scene, allows an officer to safely turn on the BWC before reacting to or dealing with the circumstances of a particular call, incident, investigation or event. This also helps document important information from a view closer to that of the officer's perspective. Therefore, officers must activate their BWCs when preparing for, initiating or responding to any call or incident, and before arriving on scene in the following circumstances and conditions:

- (a) During the booking process, when an inmate demonstrates uncooperative behavior or Detention Staff have knowledge of an inmate demonstrating uncooperative behavior prior to booking;
- (b) Calls for assistance;
- (c) Restraint chair use;
- (d) WRAP restraint system use
- (e) Verbal and/or physical altercation;
- (f) Use of force situations;
- (g) Calculated use of force situations:
  - 1. Removal of uncooperative arrestees from squad cars, transport vehicles
  - 2. Removal of uncooperative inmates from cells
  - 3. A situation where an officer feels force could potentially be used;
- (h) Victim, witness, and suspect statements should be captured using a digital audio recorder, but the BWC may be used in those circumstances
- (i) A situation deemed as unusual, within the user's professional judgment;
- (j) When directed by a supervisor;
- (k) Inmate movement to segregation.

#### **499.4.1 PROHIBITED BWC USAGE**

To respect the dignity of others, staff will make every effort to avoid recording videos of persons who are nude or when bare human body areas are exposed, except when involved in a physical altercation. The BWC shall not be used to record non-work related personal activity and shall not be activated in places such as locker rooms, dressing rooms, or restrooms, unless the incident is in that location. Recording the following are prohibited:

- (a) Interactions solely among other department employees when not actively investigating or assigned to a call or incident;
- (b) Non-work related activity;
- (c) Within areas of the correctional facility restricted to personnel-only access, including roll call rooms, locker rooms, break rooms, and report rooms. BWCs should only record citizen



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- contacts inside a Detention facility if relevant to an investigation or to comply with the Mandatory Recording situations described in this policy;
- (d) During a work break;
  - (e) At any location where a reasonable expectation of privacy exists, such as a bathroom or locker room, unless necessary for a law enforcement investigation or to comply with the Mandatory Recording situations described in this policy;
  - (f) In patient care areas outside the Detention facility, including hospitals, sexual assault treatment centers, or other healthcare facilities unless necessary for a law enforcement investigation or to comply with the Mandatory Recording situations described in this policy; and
  - (g) Routine unclothed body searches shall not be video recorded.

This policy recognizes that officers encounter tense, uncertain, and rapidly evolving situations regardless of location. Given this fact, officers may unintentionally create a prohibited recording or may intentionally record to comply with the Mandatory Recording requirements of this policy. The BWC Technician will manage all data recorded in scenarios which this policy prohibits.

### **499.4.2 CESSATION OF RECORDING**

Officers may de-activate BWC equipment when:

- (a) The incident, event or situation has concluded;
- (b) The inmate contact has concluded;
- (c) The officer does not reasonably believe, within their professional judgment, that deactivation will result in the loss of critical documentary information; and
- (d) When officers are discussing tactics when responding to an emergency situation.

### **499.4.3 FAILURE TO ACTIVATE BWC**

If users fail to activate the BWC, fail to record the entire contact/incident, or the recording is interrupted, the users shall document why the recording was not made, was interrupted, or was terminated in their report. Users are permitted to verbally indicate the intent to stop the recording before stopping the device, and upon reactivation, verbally state that they have restarted the device and are again recording.

### **499.5 REVIEW OF OR ACCESS TO BWC RECORDINGS**

The BWC equipment and all data, images, video, audio and metadata captured, recorded or otherwise produced is the sole property of Ramsey County. All data is subject to the provisions of the MGDPA and is classified according to the type of data it is under the MGDPA. Corrections and detention data can be private, public, or confidential under Minnesota law. Security information is nonpublic data under Minnesota law. Dissemination outside of the Ramsey County Sheriff's Office is strictly prohibited except to the extent permitted or required by law.

Data may be reviewed by BWC users in any of the following situations:

- (a) When preparing reports or statements;
- (b) By a supervisor investigating a specific incident;





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- (c) By a supervisor to assess staff performance;
- (d) To assess proper functioning of BWC systems;
- (e) By a Ramsey County Sheriff's Office investigator who is participating in an official investigation, such as a personnel complaint, administrative inquiry, civil action, or a criminal investigation;
- (f) Staff who are captured on or referenced in the video or audio data may have access to such data in compliance with the MGDPA or if otherwise permitted by law;
- (g) For individual or group training purposes, but if an involved staff member objects to the showing of the recording, his/her objection will be submitted to a supervisor to determine if the training value outweighs the staff objection for not showing the recording. In no event shall any recording be used or shown for the purpose of ridicule or embarrassment of any staff, detainee, or other person shown on the recording; and
- (h) By supervisory personnel to assess possible training value.

The Ramsey County Sheriff's Office reserves the right to limit or restrict staff from accessing or viewing recorded data.

### **499.6 DOCUMENTING BWC USE**

Staff shall include in their incident report if a BWC recording was created.

### **499.7 RECORDING MEDIA STORAGE AND INTEGRITY**

At the end of every shift and once downloaded, all media will be labeled and placed in the designated secure server storage area. All media unless otherwise determined to be of evidentiary, investigative, or training value, will be retained for a minimum of 90 days after which time it may be degaussed, destroyed, or recycled pursuant to the County Retention Schedule.

### **499.8 SYSTEM OPERATIONAL STANDARDS**

- (a) BWC system installations and upgrades should be based on staff safety requirements and device manufacturer recommendations.
- (b) With the exception of radios or other emergency equipment, other devices should not be used within the detention facility in order to intentionally interfere with the capability of the BWC system.
- (c) Staff shall not remove, degauss, alter, reuse, modify or tamper with BWC recordings.
- (d) Only the Superintendent, BWC technician or other approved designee may degauss and reissue equipment and may only do so pursuant to the provisions of this Policy.
- (e) Staff will acknowledge the use of recording equipment if asked.

### **499.9 UPLOADING DATA**

All BWC data is subject to statutory requirements for retention and dissemination. Data may also be evidentiary. Therefore, officers must upload all data collected by the end of shift according to department BWC training, Axon instructions, and the protocols of the officer's unit and/or assignment.



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### **499.10 BWC TECHNICIAN RESPONSIBILITIES**

The Superintendent, BWC technician, or other approved designee is responsible for the following:

- (a) Ordering, issuance, retrieval, storage, degaussing and duplication of all equipment and recorded data;
- (b) Collecting all recorded data for oversight and verification of downloaded data, and once collected:
  - 1. Ensuring that it is stored in the designated secure storage area with authorized controlled access; and
  - 2. Filling out of any incident or other reports;
- (c) Degaussing of media:
  - 1. Pursuant to a court order; and/or
  - 2. In accordance with established retention schedules;
- (d) Assigning of all BWC equipment;
- (e) Ensuring that an adequate supply of BWC equipment is available and operational;
- (f) Ensuring long-term secure storage of data deemed to be of evidentiary value in accordance with evidence storage protocols and established retention schedules; and
- (g) Evidentiary value may be determined by the Superintendent or designee, or by a request from the County Attorney's Office.

### **499.11 TRAINING**

Supervisors and staff that are selected to use the BWC systems shall successfully complete an instruction and training session on this Policy and the use and care of the equipment and media prior to being able to deploy the BWC system. There shall also be periodic training to ensure continued and effective use of the equipment and established procedures.