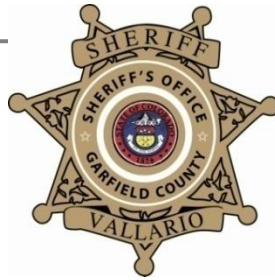


Sheriff of Garfield County

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GARFIELD COUNTY SHERIFF'S OFFICE POLICY / PROCEDURE GENERAL

SUBJECT: BODY WORN CAMERAS

EFFECTIVE DATE: January 01, 2024

POLICY:

The Garfield County Sheriff's Office will provide authorized members of the agency with Body-Worn Camera (BWC) recording devices to capture both the audio and video of contacts between our members and the public. The use of BWC recording devices is intended to enhance the mission of the Garfield County Sheriff's Office by accurately capturing contacts between members and the public.

PURPOSE:

To provide Deputies guidance on the Sheriff's Office policy concerning the use and employee responsibilities of the BWC recording devices.

DEFINITIONS:

- **Activate/Activated Mode:** When a body-worn camera is actively recording, either through a programmed trigger (such as weapon drawn, shots fired, officer down, sirens on, patrol car door open, etc.) or by the operating deputy, the body-worn camera creates and preserves a video file associated with that activation.
- **BWC:** Body-Worn Camera.
- **Contact(s):** An interaction with an individual whether or not the person is in a motor vehicle, whether consensual or nonconsensual, for the purpose of enforcing the law or investigating possible violations of the law. Contact(s) do not include routine interactions with the public at the point of entry or exit from a controlled area. (CRS 24-31-901)
- **Data:** The video/audio file created and captured by the BWC hardware.
- **Download:** Retrieving, transferring, and/or viewing Data from a storage location that has already been removed from the BWC hardware.
- **Metadata:** Data used to describe or provide information about the downloaded BWC audio and video.
- **Physical Force:** The application of physical techniques or tactics, chemical agents, or weapons to another person. (CRS 24-31-901)

- **System Administrator:** The individual designated by the Sheriff to have oversight of the BWC program. This will include the responsibility of the operation and administration of the support systems and equipment.
- **Tagging Data:** Adding metadata to data that has been captured by the BWC hardware.
- **Upload:** Removing all data from the BWC hardware and transferring it to a long- term storage location.

USER RESPONSIBILITY:

All statutorily required Deputies must wear a BWC in the course of, or in furtherance of their official duties. Deputies must ensure that the BWC is in proper working order and operate their BWC in accordance with manufacturer’s instructions and department training.

BWC MOUNTING:

The agency recognizes there is no location on the body that a BWC can be mounted that normal law enforcement movements will not temporarily obscure the video.

It is the responsibility of the Deputy to properly mount the BWC utilizing only agency- approved mounting devices. The selected location of the BWC on each individual Deputy may be different, but the chosen location should provide the best view of what is occurring during the majority of contacts.

BWC ACTIVATION REQUIREMENTS:

In the event an immediate threat to life or safety of a Deputy or member of the public makes activating the BWC impossible or dangerous, the Deputy will activate the BWC as soon as it is safe to do so. All Deputies required to wear a BWC recording device will activate the camera at the inception of, or first reasonable opportunity to do so.

BWC DE-ACTIVATION:

Once activated, the BWC recording device should remain on continuously until the Deputy reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Deputies may deactivate or mute audio recording on the BWC when privacy concerns outweigh law enforcement interest, and the absence of the recording will not affect the investigation.

DOCUMENTING, UPLOADING, TAGGING, AND/OR REVIEWING DATA:

- BWC users will document the existence of BWC recordings in all reports. Additionally, if a BWC user fails to activate his or her BWC, fails to record the entire contact, or interrupts the recording, the user will document why the recording was not made, was interrupted, or was terminated.
- Deputies are required to upload videos and to properly “tag” the metadata of the videos they produce.
- Deputies must ensure each recording is properly labeled for retention.
- Deputies are allowed to review their videos to assist with the investigation, when completing their reports, in preparation for court testimony, or for training purposes. The video is not a replacement for a report.

SHARING OR DOWNLOADING BWC DATA:

Supervisors and/or the Video Evidence Technician are the only authorized individuals who can share downloaded videos. Employees are prohibited from making personal copies of recorded videos for non-work related purposes.

Supervisors and/or certified Instructors with supervisor approval can download and utilize videos for the purpose of debriefing a critical incident and/or training or for on-scene tactical information.

SUPERVISORY RESPONSIBILITY/AUDITS:

Supervisors shall review BWC data and ensure Deputies are complying with activation procedures as outlined in this document. Additionally, supervisors should use these reviews to assess whether the equipment is functioning properly, whether Deputies are using the equipment as intended and in line with procedures, and to identify any training needs.

Supervisors may review the data to evaluate the performance of a subordinate or to investigate allegations of misconduct.

OFFICER INVOLVED SHOOTING (OIS):

Deputies who are involved in an officer-involved shooting, in-custody death incident, or other use of deadly force will continue recording until a supervisor is on scene.

When the scene is safe, the supervisor will order the Deputy to turn off their camera and take immediate custody of the BWC to be secured and subsequently downloaded as soon as practical. The supervisor will hold the BWC as evidence until the CIT arrives to take over the investigation. The Deputy involved may view the video for future interviews and statements.

SYSTEM ADMINISTRATOR(S):

The BWC System Administrator(s) are responsible for the maintenance updates, trouble-shooting cameras, and Evidence.com. They will work with the Garfield County Sheriff's Office IT Department to ensure the proper operation.

RETENTION CATEGORIES:

The GCSO will adhere to the Colorado Sheriff's Record Retention Schedule NO: 11.150: (Video and Audio Recordings), concerning all BWC digital evidence retention periods.

REQUESTS FOR BWC RECORDINGS:

1. District Attorney's Office
 - a. Recordings should be provided as-is without redaction.
2. Victims/Public/Media
 - a. Must request recordings via Records Inspection Request Form
 - b. Release of footage must be approved by a Records Specialist
 - c. Per CORA/CCJRA guidelines, BWC footage is likely "criminal justice records" but *not* records of "official action", thus a custodian *may* allow or disallow footage at their discretion. GCSO will favor transparency and release these records (with some exceptions, listed below). Audio and video may be redacted from footage to adhere to CORA/CCJRA requirements before release.

RESTRICTED FOOTAGE:

Except for recordings of incidents where there is a complaint of peace officer misconduct, certain footage will not be released to the public/media at the discretion of The Sheriff or his designee.

REDACTION OF BWC RECORDINGS:

Except for recordings of incidents where there is a complaint of peace officer misconduct, generally, BWC footage (audio *and/or* video) will be redacted in the same manner as written records.

PEACE OFFICER MISCONDUCT COMPLAINTS:

For any incident in which there is an official complaint of peace officer misconduct, recordings will be released according to the requirements of C.R.S. § 24-31-902(2)(a)&(b). Recordings may be blurred to protect substantial privacy interests.

RELEASE OF BWC RECORDINGS TO THE DISTRICT ATTORNEY:

1. Requests for footage must follow same process as any other records request (processed through Records). Requests for related BWC footage are passed along to an evidence technician.
2. The evidence technician will verify the BWC recordings exist and are appropriately categorized for retention purposes.
3. A case will be created by an evidence technician and then will be shared to the District Attorney's office through the partner agency share function of Evidence.com.

RELEASE OF BWC RECORDINGS TO PUBLIC/MEDIA:

1. After receiving a formal request from a records specialist, the digital evidence technician will verify the BWC recordings exist and are appropriately categorized for retention purposes.
2. If necessary, the digital evidence technician may be utilized to redact footage based on guidelines listed above.
3. The digital evidence technician will provide redacted footage to a records specialist for release via physical media (i.e. CD/DVD) or an external download link.
4. Release of footage will be documented according to Records Unit guidelines.

DETENTIONS/TRANSPORT BWC USE:

- Due to the video recording system throughout the Detention facility, Deputies shall not wear a BWC in the normal course of duty.
- A BWC will be used for all planned/anticipated use of force events.
- GCSO transport vehicles are outfitted with internal cameras monitoring the inmates for the duration of their transport. In any event the inmates are outside the transport vehicle, BWC's will be activated during the transport to the next secure facility.

PROHIBITED USE:

- ONLY Authorized Detention personnel shall operate a BWC within the Detention facility.
- Arresting Officers/Deputies SHALL NOT enter the Detention facility with their agency issued BWC, or any other recording device. They may be secured in a weapons locker with their weapons, or stored in their vehicle.