

PASSAIC COUNTY SHERIFF'S OFFICE

POLICIES AND PROCEDURES



SUBJECT: BODY WORN CAMERAS / MOBILE VIDEO RECORDERS

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BY THE ORDER OF:

A handwritten signature in black ink, appearing to read "Thomas Adamo".

SHERIFF THOMAS ADAMO

PURPOSE: The purpose of this policy is to maintain guidelines for the use, management, storage, and release of audio-visual media recorded by mobile video recorders (MVRs) and body worn video/audio cameras (BWCs). MVRs and BWCs are intended to enhance officer safety, produce effective materials for training, and to produce an additional method of documenting evidence to prosecute those who violate the law.

POLICY: It is the policy of the Passaic County Sheriff's Office to utilize body worn video/audio cameras (BWCs) and mobile video recorders (MVRs) to assist officers in the performance of their duties by providing an accurate and unbiased recorded account of an incident.

All personnel (sworn and civilian) shall use this equipment (including accessing recordings) consistent with manufacturer's guidelines, this policy, and those policies, directives, or guidelines issued by the New Jersey Attorney General and Passaic County Prosecutor's Office. Failure to use this technology in accordance with this policy and those policies, directives, or guidelines issued by the New Jersey Attorney General and Passaic County Prosecutor's Office can result in discipline.

The use of MVR and/or BWCs with electronically enhanced audio/visual capabilities such as infrared/night vision features is not authorized.

The Passaic County Sheriff's Office website/webpage shall contain a clear statement that this agency utilizes body worn video/audio cameras. The website/webpage posting shall include an image showing what the device looks like and how it is to be worn by uniformed officers or plainclothes detectives so that the public will be able to determine whether an officer is equipped with the device.

Any willful or repetitive violations of this policy shall be reported the internal affairs supervisor who shall report such directly to the Sheriff and Passaic County Prosecutor's Office. The Passaic County Prosecutor's Office is authorized to take such actions as are reasonable and necessary to ensure compliance with this policy and to prevent future violations.

PROCEDURES:

I. DEFINITIONS

- A. For purposes of this policy, the following terms are defined:
1. Activate – means to actuate (put into operation) the recording mode/function of a BWC or MVR.
 2. Advisement – a statement made by an officer at the outset of using a BWC camera to record a communication, conversation, or interaction with the public for the specific purpose of informing the public that the communication or conversation is being recorded.
 3. Body worn audio/video recorder (BWC) – is an officer worn device that makes an electronic audio/video recording of activities that take place during any law enforcement action. The term does not include any form of electronic recording device worn by a law enforcement officer while acting in an undercover capacity nor does the term include an electronic recording device when used to comply with the requirements of Court Rule R. 3:17 (electronic recording of station house custodial interrogations).
 4. Constructive authority – involves the use of an officer's authority to exert control over a subject (see this agency's policy on *Use of Force*), except that the term shall apply only to constructive authority directed against a person who is subject to an investigative detention or arrest (e.g., "...*show me your hands*," "...*get out of the vehicle*", etc.), or directed against any person if the officer has un-holstered a firearm or CED (e.g., "...*move out of the way*", "...*get down*", etc.).
 5. Deactivate – the process of stopping the recording mode / function of a BWC or MVR.
 6. Digital evidence – includes photographs, audio and video recordings that are stored electronically.
 7. Equipped with a BWC – means that an officer is wearing a BWC at the time in question, as opposed to simply receiving BWC equipment from the agency.
 8. Force – has the same meanings as defined in this agency's policy on *Use of Force*.
 9. Investigation of a criminal offense – means any law enforcement activity pertaining to the investigation of an indictable crime, disorderly persons offense, or petty disorderly offense, including but not limited to responding to a report of a possible criminal offense; an investigative detention based on or leading to reasonable and articulable suspicion to believe that a criminal offense has been or is being committed; an arrest for a criminal offense; an interview of a potential witness to a criminal offense; or canvassing an area, neighborhood, or premises for potential witnesses to a criminal offense.

10. Law enforcement incident, as defined in *New Jersey Attorney General Directive 2019-4*, includes:
 - a. Any use of force by a law enforcement officer resulting in death.
 - b. Any use of force by a law enforcement officer that results in serious bodily injury.
 - c. Any use of deadly force (including the discharge of a firearm) by a law enforcement officer, regardless of whether such force resulted in injury.
 - d. The death of any civilian during an encounter with a law enforcement officer; and
 - e. The death of any civilian while in the custody of law enforcement.
11. Metadata – A created digital image may include metadata that describes how large the picture is, the color depth, the image resolution, when the image was created, and other data.
12. Mobile video recorder – is a mobile video / audio recording equipment installed in a law enforcement vehicle. MVRs shall be maintained in all marked vehicles with MVR mounts.
13. Mute: a feature/mode of the BWC or MVR when the officer deactivates the audio portion of the recording. Video is still being recorded while mute mode is activated.
14. Proactive enforcement team – includes officers who are typically assigned to target vice, drugs, organized street crime, violent crime and/or any other targeted enforcement. Unlike officers who are responsible for responding to traditional calls for service, these officers are typically assigned the singular responsibility of addressing these activities (e.g., street crime unit, crime suppression unit, etc.). The nature of their work may include being dressed in traditional uniform, modified uniform, or plain clothes. These officers may work alongside undercover officers, conduct surreptitious surveillance, engage in high intensity enforcement via motor vehicle/pedestrian stops and/or interact with confidential informants or witnesses who wish to remain.
15. School – means a public or nonpublic elementary or secondary school within this State offering education in grades kindergarten through 12, or any combination of grades, at which a child may legally fulfill compulsory school attendance requirements.
16. Serious bodily injury – means bodily injury which creates a substantial risk of death, or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ. For purposes of this policy, serious bodily injury and serious bodily harm have the same meaning.
17. Significant bodily injury – means bodily injury which creates a temporary loss of the function of any bodily member or organ or temporary loss of any one of the five senses.

18. Subject of the video footage – means any law enforcement officer, suspect, victim, detainee, conversant, injured party, or other similarly situated person who appears on the body worn camera recording and shall not include a person who only incidentally appears on the recording.
 19. Substantive report – means a report that includes a detailed accounting of the incident. It does not include a report which simply refers to other reports or to the existence of BWC, MVR, or other camera recordings.
 20. Tactical team – is a group of officers who are specially selected, trained, and equipped to handle high-risk incidents including, but not limited to, those involving snipers, barricaded persons, warrant services, apprehensions, acts of terrorism, and other situations or activities as deemed necessary by command leadership.
 21. Tagging – is the electronic labeling of a video/audio file captured by a BWR. The terms categorizing or category can be used interchangeably with the terms tagging or tag.
 22. Undercover officer – is a law enforcement officer operating with an assumed identity and/or disguise for the purposes of gaining the trust of an individual or organization to learn or confirm confidential information or to gain the trust of targeted individuals to gather information or evidence. Plain-clothed officers and detectives are not considered undercover officers unless working with an assumed identity and/or disguise.
 23. Youth facility – means a facility where children (under 18) assemble under adult supervision for educational or recreational purposes, such as day-care centers, group homes, residential facilities, youth camps, pre-schools, tutoring locations, vocational schools etc.
- B. All references to MVR and BWC include the equipment installed in a vehicle, body worn devices and, where appropriate, the wireless transmitter, microphone, removable media, server, metadata, and other accessories necessary to operate this system.

II. GENERAL ADMINISTRATION

- A. BWC and MVR recordings are invaluable to law enforcement for evidential purposes. BWCs and MVRs have demonstrated its value in the prosecution of criminal, traffic, and other related offenses and to protect officers from false claims of misconduct. Additionally, this equipment will provide valuable instructional material that can be utilized for in-service training programs.
- B. While visual and audio evidence may be captured on the recordings, the use of BWCs and MVRs is not intended to document all evidentiary material relevant to court or administrative proceedings, but it can serve to supplement an officer's senses and eyewitness account. There is no intent to utilize the BWC as a management tool to punish officers for minor agency rule infractions.
 1. Officers shall not be subject to criticism for the proper exercise of lawful discretion in enforcement matters.
 2. BWC shall only be utilized for legitimate law enforcement purposes.

- C. Adequate safeguards are necessary to ensure that this technology is:
1. Used in a non-discriminating way.
 2. Used to document visual evidence.
 3. Used to safeguard against potential violations of N.J.S.A. 2A: 156A-1, et seq., *New Jersey Wiretapping and Electronic Surveillance Control Act* (MVRs).
- D. These recordings will serve the following purposes:
1. Recordings serve as protection for officers when there are complaints about their conduct or professionalism during encounters with the public.
 2. The recordings can be introduced into evidence in criminal and motor vehicle prosecutions as well as in civil litigation.
 3. The recordings can resolve disputes concerning what occurred during incidents, thereby protecting both the public and the officers involved.
 4. When complete recall is not possible, such as when multiple events are happening simultaneously or out of an officer's line of sight, an audio/visual recording can provide an accurate record of events.
 5. Subject to the restrictions in this policy, supervisors will be able to view the recordings and select portions to use to train officers in safety, field training, interpersonal skills, proper law enforcement procedures, and legal doctrines.
 6. Subject to the restrictions in this policy, recordings can permit supervisors to undertake more meaningful performance appraisals.
 7. Subject to the restrictions in this policy, recordings augment management's ability to evaluate its basic law enforcement practices and interactions between its personnel and the public.
 8. Subject to the restrictions in this policy, recordings enhance management's ability to train personnel in proper law enforcement procedures.
- E. Repairs to any BWC/MVR equipment shall only be performed under the direction of the IT Division or the BWC Unit. PCSO employees shall not attempt any repairs on their own.
- F. The IT Division, BWC Unit or its designee shall maintain a training program on the lawful and proper use of BWC and MVR equipment. The Sheriff may designate one or more persons to coordinate and/or conduct such training. Officers shall receive initial training on the proper use of BWC and MVR equipment. Additional training can be available through Axon Academy. Proper use of a BWC/MVR is considered an essential job requirement.
1. Only officers who have received training in the use of BWCs/MVRs are permitted to use this system and must demonstrate a satisfactory degree of familiarity and efficiency in the use of this system.

2. Officers shall receive initial training during their field training phase by their Filed Training Officer.
 3. The BWC and MVR user manuals shall be posted on DMS. All users must acknowledge receipt of these user manuals.
 4. Officers shall receive periodic refresher training at least once every three years to ensure the continued effective use and operation of the equipment in accordance with any changes, updates, or other revisions in this policy and equipment.
 5. Any supervisor can cause supplemental training to any officer who has demonstrated a lack of knowledge of the proper use of BWCs/MVRs or as part of a disciplinary matter.
- G. BWCs and MVRs are intended for official law enforcement use only and are not to be used for frivolous or personal activities. Intentional misuse or abuse of the units will result in disciplinary action.
- H. All recording media, video, images, metadata, and audio are the sole intellectual property of the Passaic County Sheriff's Office and will not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the expressed written consent of the Sheriff, the Passaic County Prosecutor's Office, or the New Jersey Division of Criminal Justice.
- I. Under no circumstances will any employee of the Passaic County Sheriff's Office make a personal copy of any recorded event without the permission of the Sheriff, the Passaic County Prosecutor's Office, or the New Jersey Division of Criminal Justice.
- J. Officers will use only those BWCs and MVRs approved by the Sheriff. Such BWCs/MVRs shall not be capable of recording images or conversations that cannot be seen or heard by the officer using/wearing the device without the expressed approval of the Passaic County Prosecutor's Office or the New Jersey Division of Criminal Justice. Wearing any personally owned video/audio recorder is not authorized without the expressed permission of the Sheriff, the Passaic County Prosecutor's Office, or the New Jersey Division of Criminal Justice. Violations will be subject to disciplinary action, up to and including termination.
- K. BWCs and MVRs shall be used only in conjunction with official law enforcement duties.
1. Officers engaged in undercover operations or surveillance activities are not required to utilize BWCs or MVRs.
 2. BWCs and MVRs shall not be used to record:
 - a. Encounters with undercover officers or confidential informants (NOTE: If an officer records an encounter with an undercover officer or confidential informant, they shall promptly notify the BWC Unit to conduct the appropriate redactions).
 - b. Strip and body cavity searches.

- c. When on break or otherwise engaged in personal activities.
 - d. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room (BWC).
 - e. When engaged in law enforcement union business.
 - f. When involved in internal affairs interviews, counseling sessions, guidance sessions, personnel evaluation interviews, or other supervisor-subordinate interaction.
 - g. Inside of schools, youth facilities, hospitals, medical facilities, or places of worship, unless directly related to an incident that warrants recording, see section V.L.7 of this policy.
 - h. While discussing criminal investigation strategies.
 - i. When investigating or searching for potential explosive or incendiary devices (e.g., electrostatic interference might trigger explosive devices).
3. Officers are not required to wear and use a BWC:
- a. When engaged in hostage negotiations.
 - b. When processing crime scenes.
 - c. When conducting searches of cellphones, tablets, computers, or other electronic devices pursuant to a search warrant, when such items have already been seized and the search is performed at a location other than the premises of the initial search and seizure.
 - d. When conducting searches of cellphones, tablets, computers, or other electronic devices that are suspected to contain images of child sexual exploitation.
4. This agency will not tolerate the reliance by any officer on race, ethnicity, gender, gender identity, gender expression, sexual orientation, religion, economic status, age, culture, LGBTQ+ status, proficiency with the English language, or any other immutable characteristic of a group or class of persons, in determining whether to activate or deactivate a BWC or MVR.
5. BWCs shall not be used to gather intelligence information based on 1st Amendment protected speech, associations, or religion, or to record activity that is unrelated to a response to a call for service or a law enforcement or investigative encounter between a law enforcement officer and a member of the public, except in accordance with any applicable policies, guidelines, or directives promulgated by the New Jersey Attorney General.
- L. If a member of the public makes an inquiry whether they are being recorded, officers shall inform him/her that there is an MVR and/or BWC in use if such devices are in use.

- M. Officers shall not cease recording an event at the request of any person or entity other than a supervisor. Any cessation of recording will be documented in the applicable report.

III. BODY WORN CAMERAS

- A. BWC will be assigned to officers working in a uniformed capacity and shall be utilized daily consistent with the requirements and restrictions in this policy.
 - 1. Officers are not required to use their BWCs in headquarters or any remote offices unless they are investigating a walk-in complaint or other similar related functions.
 - 2. Detectives shall wear BWCs when conducting arrests and while engaged in field duties (e.g., patrol coverage, search and arrest warrant service, raids, etc.) consistent with the requirements and restrictions in this policy.
 - 3. BWCs shall be worn and used on all extra duty assignments except for such assignments that involve solely traffic direction.
 - 4. Officers shall also wear and use a BWC consistent with this policy when:
 - a. On aggressive driving, DWI interdiction assignments, or other proactive enforcement team.
 - b. When assigned to front desk assignments and interacting with the public on a law enforcement matter.
 - c. When assigned to or assisting any tactical team in the field.
 - d. When assigned to duties at demonstrations or potential civil disturbances.
- B. BWCs shall be docked in the designated multi-charger docking station at the end of each shift. The docking stations allow for the units to be charged, updated to the latest firmware and for the downloading of events to the BWC server.
- C. BWCs SHALL NOT be brought home, left in a vehicle, or turned over to another officer unless that officer is assigned to a specialized on-call unit and has received prior permission from their Tour Commander or Supervisor.
- D. Prior to beginning a shift, officers assigned a BWC will ensure its readiness by conducting an operational inspection.
 - 1. When removing the BWC from its docking station, ensure that the BWC is powered on;
 - 2. Perform a test of the BWC to ensure it is in proper working order by pressing the record button;
 - 3. State your name, date, and time along with the shift you are working during the test;
 - 4. Once the test is complete, push the button to end the recording;

5. Tag the most recent recording with 'test recording' by using the side button to scroll through the designated tag names that will read out on the LCD display on the top of the BWC.
- E. BWCs that are not in full working order shall be taken out of service, removed from the charging station, and forwarded to the BWC Unit pending repair. The BWC Unit shall contact the BWC service provider to schedule repair or replacement based on the problem as soon as practicable.
- F. When assigned to a vehicle, officers shall integrate the BWC and the MVR.
- G. Any problems preventing the use of the unit during the shift will be immediately reported to the duty supervisor and the IT Division using a *Helpdesk Ticket*.
- H. Officers shall also inspect BWCs at the conclusion of each shift to ensure system integrity.
- I. Officers will wear the BWC mounted to the front of their uniform using the mounting equipment provided by the manufacturer.
 1. Officers are responsible for ensuring that the BWC remains in a position to allow them to record an encounter or incident.
 2. While in attendance at ceremonial functions, officers may be relieved of this requirement at the discretion of the detail supervisor.
- J. All officers assigned a BWC are responsible for its use and maintenance during their tour of duty.
- K. When assigned to an officer for duty, the BWC will remain in standby mode ready to be activated at any time. When an officer activates the recording mode / function, the device will record from the moment the record start / stop button is pressed.
- L. The covert feature 'Stealth Mode' allows the BWC to record and work as normal but does not allow for any lights to turn on is only to be used in accordance with supervisory approval in accordance with New Jersey Attorney General and Passaic County Prosecutor's Office policies, guidelines, and directives.

IV. MOBILE VIDEO RECORDERS

- A. Equipment installed in an agency vehicle is the responsibility of the officer assigned to that vehicle. The officer must ensure that the MVR is operating properly prior to the start of his/her shift and must report all malfunctions, damage, or other problems to their supervisor and to the IT Division using a *Helpdesk Ticket*.
- B. Officers assigned to MVR equipped vehicles shall ensure that all preoperational checks are performed in accordance with the training provided and shall bring any problems to the attention of their supervisor as soon as possible.
- C. Installation, removal, or repairs to any of the MVR equipment shall only be performed under the direction of the IT Division or its designees.
 1. No officer or other agency employee shall conduct him/herself in any way

that would intentionally interfere with any data upload from occurring. If an officer or agency employee is found to have intentionally interfered with any upload, an internal affairs investigation shall be initiated.

- D. Record-After-the-Fact (RATF) allows law enforcement to capture video evidence retroactively, even if a recording was not initiated at the time of an incident. If a RATF video is needed, The IT Division shall be immediately notified through the chain of command concerning any MVR equipped vehicle that is involved in (not just present at):
1. A crime of the 1st, 2nd, 3rd, or 4th degree.
 2. A collision with death or serious bodily injuries to any party.
 3. Any in-custody death occurring within the vehicle or in view of the MVR.

NOTE: RATF videos are only accessible for a rolling 24 hours and do not feature any audio. If there is a necessity to acquire MVR footage, the supervisor shall instruct the officer to transport the unit to Headquarters and turn the vehicle off in order to safeguard the footage.

All RATF requests need to be requested through the Chain of Command approved by the Chief or his/her designee.

- E. No one is permitted to move the installed components of the system from its positions without authorization by the Sheriff or the IT Division. Likewise, no one is authorized to repair any MVR equipment or related component except those personnel authorized by the Sheriff or the IT Division.
- F. Equipment shall be maintained according to manufacturer's recommendations.
- G. Whenever the MVR is activated, officers shall ensure that the audio portion is also activated and the volume on the vehicle's AM/FM radio and other broadcasting devices is turned down. Video recording may not completely document events as they occur. Therefore, officers are encouraged to provide narration as the events are occurring.
- H. Recordable incidents in section V of this policy shall be recorded from beginning to end.
1. While it is recognized that not every event takes place in the field and that subjects may move off camera, officers are encouraged to park their vehicle in the best position to allow the camera to record the pertinent event. If necessary, an officer may reposition a camera to capture the event, when possible, but officer safety always comes first.
 2. If an MVR recording must be terminated, the officer must verbally justify the reason on the recording prior to deactivation and document the reasons for such termination in the report of the incident. In instances not requiring an investigation report, officers shall clearly document the reasons in the CAD record of the incident.
 3. In some instances, officers might wish to deactivate/mute the audio portion of the MVR to discuss strategy with another officer or to share intelligence.

This is acceptable practice so long as the subject(s) of the activity remains visible on the camera. The officer should verbally record the reasons for deactivation/muting prior to deactivation/muting and should re-activate/unmute the audio portion as quickly as possible. The fact and reason that the audio was deactivated must be documented in the report of the incident. In instances not requiring an investigation report, officers shall clearly document the reasons in the CAD record of the incident.

4. At no time should the MVR be deactivated while an officer is interacting verbally or physically with a subject.
5. Any officer found to have purposely deactivated the MVR (video or audio) without justification in violation of this policy shall be the subjected of an internal affairs investigation and potential discipline.

V. INCIDENTS TO RECORD

- A. When assigned to an officer for duty, the BWC will remain in standby mode ready to be activated at any time. When an officer activates the recording mode / function, the device will record from the moment the record start / stop button is pressed.
- B. Activation of MVR equipment will automatically occur when:
 1. The patrol vehicle's emergency lights are in operation.
 2. The patrol vehicle is involved in a motor vehicle collision severe enough to trigger sensor on MVR.
 3. MVRs are programmed with a 30-second 'pre-record' feature (video ONLY).
- C. Except when otherwise restricted in this policy (subsection II.K), officers shall video and audio record all law enforcement activity including any interaction with a civilian. However, if an immediate threat to the officer's life or safety makes activating the BWC or MVR impossible or dangerous, the officer shall activate the BWC/MVR at the first reasonable opportunity to do so. Examples of such required recordings include, but are not limited to:
 1. All traffic stops from the time of the stop until the stop is concluded, including field sobriety testing.
 2. An officer is responding to a call for service and is at or near the location to where the officer has been dispatched.
 3. Any call for service related to a violation or suspected violation of possessing or consuming marijuana, hashish, or cannabis item.
 4. Stationary law enforcement details, such as DWI checkpoints, car/truck inspections, seatbelt use checkpoints, etc.
 5. Crime scenes except for crime scene processing.
 6. Motor vehicle and foot pursuits.
 7. Uniformed officer interviews in the field of witnesses when conducting

investigations of criminal violations (not to include undercover investigations, related surveillance activities, or stationhouse recordings of custodial interrogations/interviews).

8. Investigative detentions/field interviews.
 9. Warrantless searches (all types, including frisks, but not strip or body cavity searches).
 10. Search or arrest warrant service (entire service).
 11. Out-of-court identifications (i.e., show ups, lineups).
 12. Arrests.
 13. Drug recognition expert evaluations.
 14. Overdose and suspected overdose investigations.
 15. Emotionally disturbed person investigations / encounters.
 16. Arrestee/prisoner/civilian transportation.
 17. When an officer uses constructive authority or force, or reasonably believes that constructive authority or force may be used in any encounter or situation not otherwise listed in this subsection based on specific and articulable facts warranting heightened caution (must be documented by narration on the recording and/or in any report).
 18. Crowd control, unruly crowds, or any incident requiring activation of the all-hazards or emergency operations plan.
 19. Strikes, picket lines, demonstrations.
 20. Domestic violence investigations.
 21. Officer initiated pedestrian stops.
 22. The officer is conducting a motorist aid or community caretaking check
- D. BWCs and MVRs shall remain activated for the entire duration of a civilian contact required in section V.C above until the officer has departed the scene and the officer has notified communications that the event is completed.
- E. Notwithstanding any other provision of this policy, when an officer equipped with a BWC or MVR is dispatched to or otherwise goes to the scene of an incident knowing or reasonably believing that law enforcement deadly force has been or is being employed, or to a scene where an officer has requested emergency assistance (e.g., an officer in distress, shots fired, etc.), the officer shall activate his/her BWC/MVR before arriving at the scene when feasible.
- F. Notwithstanding any other provision of this policy, an officer while at the scene of a law enforcement deadly-force event, pursuit resulting in a fatality, in-custody death, or the on-scene investigation of such events shall not deactivate his/her BWC/MVR unless instructed to do so by the assistant prosecutor or deputy attorney general

supervising the investigation of the deadly force incident pursuant to *Attorney General Law Enforcement Directive 2019-4*. The assistant prosecutor, deputy attorney general, or his/her designee supervising the investigation may provide such instruction telephonically.

1. Officers can deactivate their BWCs once they leave the scene of the incident.
 2. BWCs do not need to remain activated while officers are receiving medical evaluation, medical treatment, or have returned to headquarters.
 3. Once officers deactivate their BWCs in these instances, they shall surrender their BWCs to a supervisor, who shall submit them as evidence in accordance with this agency's policy on *Evidence and Property*.
- G. When a BWC and/or MVR is activated to transport an arrestee/prisoner, it shall remain activated at all times while the BWC-equipped officer is in the presence of the arrestee and until the arrestee is secured in a cell, or until custody of the arrestee has been transferred to county jail personnel, or until the arrestee is with hospital/medical/mental health personnel and the officer is no longer in the presence of the arrestee.
- H. When wearing a BWC, officers shall notify the subject of the recording that they are being recorded unless it is unsafe or unfeasible to provide such notification. Such notification shall be made as close to the inception of the encounter as is reasonably possible.
1. If the officer decides not to provide notification of BWC activation because it is unsafe or unfeasible to do so, the officer shall document the reasons for that decision in the investigation report of the incident and/or by narrating the reasons on the BWC recording.
 2. The failure to verbally notify a person pursuant to this section shall not affect the admissibility of any statement or evidence.
- I. Prior to entering a private dwelling or place of abode (e.g., hotel/motel rooms, boarding houses, etc.), officers shall notify the occupant that the occupant is being recorded and, if the occupant requests the officer to discontinue use of the BWC, the officer shall immediately discontinue use of the BWC unless the officer is actively engaged in investigating the commission of a criminal offense, or is responding to an emergency, or reasonably believes that the officer will be required to use constructive authority or force
- J. When interacting with an apparent crime victim, officers shall, as soon as practicable, notify the apparent crime victim that he or she is being recorded and, if the apparent crime victim requests the officer to discontinue use of the BWC, the officer shall immediately discontinue use of the BWC.
- K. When interacting with a person seeking to anonymously report a crime or assist in an ongoing law enforcement investigation, if the person requests that the officer discontinue use of the body worn camera, officers shall evaluate the circumstances and, if appropriate, discontinue use of the BWC.
- L. If a civilian inquires of an officer whether the officer is equipped with a BWC or MVR, or inquires whether the device is activated, the officer shall answer truthfully unless

the Passaic County Prosecutor or his/her designee, or Director of the Division of Criminal Justice or his/her designee, has expressly authorized the officer to make a covert electronic recording.

1. Officers may deactivate a BWC/MVR when a civilian conversing with the officer requests that the device be turned off under circumstances where it reasonably appears that the person will not provide information or otherwise cooperate with the officer unless that request is respected (e.g., prior to providing such information, the person indicates that he/she will only provide such information if it were not recorded; provided however, that the agreement to participate under that condition is itself recorded).
 - a. Officers shall not suggest to the person that the BWC/MVR should be deactivated, nor shall the officer ask the person whether he or she would prefer that the BWC/MVR be deactivated. Rather, the request for deactivation must be self-initiated by the civilian.
 - b. In deciding whether to deactivate the BWC/MVR, the officer shall consider the privacy and safety interests of the person requesting deactivation, whether the encounter is occurring in the person's residence, and the need for the information or assistance that the person will provide is important to the investigation yet, is not critical to require recording.
 - c. The officer may explain the consequences of deactivation (e.g., evidence relevant to a criminal investigation will not be recorded).
2. Officers may deactivate a BWC/MVR when a person, other than an arrestee, is seeking emergency medical services for him or herself or another and requests that the BWC/MVR be deactivated. In deciding whether to deactivate the BWC/MVR, the officer shall consider the privacy interests of the person requesting deactivation and the person in need of medical assistance (e.g., a victim of an assault during a fight does not want to be recorded, etc.). However, in situations when an officer reasonably believes that the officer or another person is likely to use force, the BWC shall be re-activated as soon as it is safe and practicable to do so.
3. When an officer deactivates a BWC or MVR:
 - a. The conversation between the officer and the civilian concerning the request for deactivation shall be electronically recorded; and
 - b. The officer before deactivating the BWC or MVR shall narrate the circumstances of the deactivation (e.g., "*...I am now turning off my BWC/MVR as per the victim's request.*"); and
 - c. The officer shall report the circumstances concerning the deactivation to their supervisor as soon as is practicable; and
 - d. The officer shall document the circumstances of the deactivation in the investigation report concerning the incident under investigation, including the time of activation and/or deactivation.
4. If an officer declines a request to deactivate a BWC/MVR, the reasons for

declining the request (e.g., the officer believes that there is a reasonable possibility that it may be necessary to use constructive authority or force during the encounter) must be memorialized on the recording and documented and shall be reported to their supervisor as soon as it is safe and practicable to do so.

- a. If the officer declines a deactivation request, the officer shall immediately inform the person making the request of that decision.
 - b. Officers are prohibited from misleading the person making the deactivation request into believing that the BWC/MVR has been turned off when in fact it is operating unless the Passaic County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee expressly has authorized covert recording.
5. Officers can deactivate a BWC/MVR when specifically authorized to do so by an assistant prosecutor for good and sufficient cause as determined by the assistant prosecutor. When an officer deactivates a BWC/MVR pursuant to this section, the officer shall narrate the circumstances of the deactivation indicating the assistant prosecutor who authorized the deactivation.
 6. Officers should deactivate/mute a BWC/MVR while participating in a discussion pertaining to criminal investigation strategy and planning (e.g., to consider what investigative techniques to pursue, such as what questions to pose to a suspect or witness, whether to summon a drug/explosives detection canine, whether to apply for a search warrant, whether to request permission to conduct a consent search, or to conduct another type of warrantless search, etc.), provided that the strategy/planning discussion is not conducted in the immediate presence of a civilian and further provided that the BWC-equipped officer is not actively engaged in the collection of physical evidence (i.e., conducting a search). When an officer deactivates a BWC pursuant to this section, the officer shall narrate the circumstances of the deactivation (e.g., "*...I am now turning off my BWC (MVR) to discuss investigative strategy with my supervisor.*").
 7. If an officer is required to deactivate the BWC when entering a school, house of worship, health care facility, substance abuse treatment center, etc., the officer shall narrate the reason for deactivation (e.g., "*...I am entering a school building where children are present.*"). The BWC shall be reactivated as soon as it is safe and practicable to do so when the circumstances requiring deactivation no longer exist (e.g., the officer is conversing with an adult as part of a criminal investigation while in a place within the school where children would not be in view of the BWC).
 8. If a BWC captures the image of a patient in a substance abuse treatment facility, the Sheriff or his/her designee shall notify the Passaic County Prosecutor or his/her designee to ensure compliance with all applicable federal laws and regulations providing for the confidentiality of substance abuse treatment information (42 USC § 290dd-2, 42 CFR §23.1 to 23.41).
 - a. The recording shall not be accessed without the permission of the Passaic County Prosecutor or his/her designee.

- b. Destruction of the recording would be inappropriate until it has been determined that it had not captured exculpatory information that must be provided to a defendant in discovery.
 - c. All other requests for approval to show/disseminate a BWC recording under this subsection shall be made to the Passaic County Prosecutor's Office.
- 9. In any instance where a BWC/MVR was deactivated pursuant to this section, the device shall be reactivated as soon as it is safe and practicable to do so when the circumstances justifying deactivation no longer exist (e.g., the interview of the person requesting deactivation is completed, etc.) and the officer would otherwise be required to activate the BWC/MVR.
- M. Officers shall not activate a BWC while in a courtroom during court proceedings, unless the officer is responding to a call for service or is authorized to use constructive force or authority, or unless the presiding judge expressly authorizes such activation.
- N. Officers shall not activate a BWC/MVR, and shall deactivate a BWC/MVR that has been activated, if the officer knows or reasonably believes that the BWC/MVR would capture the image of an undercover officer or confidential informant or otherwise would pose a risk to the safety of an undercover officer or confidential informant, unless such activation is expressly authorized by a supervisor, or unless the exigency of the situation and danger posed to an officer (e.g., active shooter, actual use of law enforcement force, officer in distress, etc.) require that the encounter/incident be recorded, in which event the officer shall inform their supervisor that the image of an undercover officer or confidential informant was recorded. The BWC/MVR shall be activated/reactivated as soon as it is safe and practicable to do so when the risk of capturing the image of an undercover officer or confidential informant no longer exists.
- O. BWC shall be deactivated and removed while in the ALCOTEST area when the ALCOTEST device is being used. Nothing herein shall be construed to preclude the use of a BWC to record the behavior of a person arrested for driving while intoxicated other than while the person is in the ALCOTEST area while the ALCOTEST device is being operated. If this provision requires deactivation of a BWC, the officer shall narrate the reasons for deactivation (e.g., "*...I am deactivating the BWC because the suspect is about to take a breath test*"), and the BWC shall be reactivated when safe and practicable to do so following the completion of the breath testing operation.
- P. When a BWC/MVR is activated, officers are encouraged to provide narration where practical and appropriate to augment the value of the recording and to provide clarity for the viewer.
- Q. Non-law enforcement personnel shall not be allowed to review the recordings at the scene of contact. Officer complaints shall be handled in accordance with the policies set forth in this agency's policy on *Internal Affairs*. All other requests to view and/or obtain footage by the public shall be handled in accordance with section VIII of this policy.
- R. If an officer fails to activate the BWC or MVR, fails to record the entire event contact, or interrupts the recording, the officer shall document in the applicable investigation

report the reason(s) why a recording was not made, was interrupted, or was terminated.

VI. OFFICER RESPONSIBILITIES

- A. When video/audio footage is captured involving any part of an arrest or significant event officers will classify (tag) the recording with the appropriate category and incident number and type the letters *BWC* and/or *MVR* in all capital letters including the *BWC* serial number at the end of their report.
1. *BWC* and *MVR* recordings are not a replacement for written reports.
 2. Under no circumstances shall officers simply refer to a *BWC* or *MVR* recording on an investigation report instead of detailing the facts and circumstances of their investigation/observations.
- B. Officers shall tag their *BWC* and *MVR* recordings immediately following completion of an event.
- C. *BWC* and *MVR* recordings that have been tagged as having evidentiary value shall be maintained on the server as evidence in accordance with this agency's policy on *Property and Evidence*.
- D. Additionally, officers shall categorize recordings that capture any of the following circumstances that the New Jersey Attorney General has deemed '*special privacy*' issues as such. The following *BWC/MVR* recordings must be specifically tagged as they raise special privacy or safety issues:
1. Images of a law enforcement incident, as defined by *New Jersey Attorney General Directive 2019-4*:
 - a. Any use of force by a law enforcement officer resulting in death or serious bodily injury.
 - b. Any use of deadly force (including the discharge of a firearm) by a law enforcement officer, regardless of whether such force resulted in injury.
 - c. The death of any civilian during an encounter with a law enforcement officer.
 - d. The death of any civilian while in the custody of law enforcement.
 2. Images of a victim of a criminal offense.
 3. Images of a juvenile.
 4. Images made in a dwelling (e.g., a home, apartment, college dormitory room, hotel/motel room, etc.), a school or youth facility, a healthcare facility or medical office, a substance abuse or mental health treatment facility, or a place of worship.
 5. Videos of conversation with a person who requested to deactivate the *BWC/MVR* was declined.

6. Video of special operations events of an arrest and/or search warrant where confidential tactical information (e.g., verbal codes and hand signals used to give direction to officers, techniques for interior movements and clearing rooms during execution of a warrant, techniques for convincing persons to open doors during warrant execution, etc.) may have been recorded.
 7. Images of any screen of a law enforcement computer monitor that is displaying confidential personal or law enforcement sensitive information.
- E. If more than one officer captures video/audio of an event that will be maintained as evidence, it is the responsibility of the attending supervisor to ensure that all recordings of such event are tagged properly and uniformly.

VII. SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall:
1. Ensure that all officers follow procedures for proper use of BWCs and MVRs as outlined in this policy.
 2. Document requests for repairs or replacement of damaged or non-functional BWC and MVR equipment via interoffice correspondence.
 3. Identify material or incidents that may be appropriate for training.
- B. Supervisors are responsible for ensuring that on-duty officers are equipped with functioning BWCs at the beginning of each shift and ensure that each officer has returned his/her BWC to the docking station in their respective briefing rooms at the end of each tour.
- C. Supervisors shall conduct random formal reviews of selected recordings to assess officer performance and adherence to policies, procedures, and established professional standards. Supervisors shall review at least one BWC and MVR recording per assigned subordinate each calendar month. Upon completion of these reviews, the supervisor shall prepare a report in the Guardian Tracking system documenting the review.
- D. Supervisors shall flag video/audio that may be appropriate for training purposes. Behaviors to review include, but are not limited to:
1. Review of officer safety techniques on car stops/incidents; and
 2. Officers' demeanor; and
 3. Periodic assessment of officers' overall performance; and
 4. Determination if the BWCs/MVRs being used in accordance with agency policies; and
 5. Identify training needs.

- E. Supervisors shall formally review all instances when a BWC is deactivated prior to the conclusion of an incident and forward the documented review through the chain-of-command to the Sheriff or his/her designee.
- F. If an internal affairs complaint is associated with a recorded event, or an officer believes an incident may generate an internal affairs complaint, the supervisor will tag the video/audio for indefinite retention.
- G. Supervisors must understand that minor infractions (not criminal in nature) discovered while reviewing the recorded material should be viewed as training opportunities and not as routine disciplinary actions. Should the behavior or action become habitual after being informally addressed the appropriate disciplinary or corrective action shall be taken.

VIII. RECORDS RETENTION AND REVIEW

- A. Viewing of BWC and MVR events is limited to sworn officers of this agency. Viewing by any other person is prohibited unless authorized by the Sheriff, his/her designee, The Passaic County Prosecutor's Office, Division of Criminal Justice, or consistent with the provisions of this policy. BWC/MVR recordings shall not be divulged or used for any commercial or other non-law enforcement purpose.
- B. At no time is it permissible for agency employees to record/copy or photograph any of the recorded contents of a BWC or MVR through the means of any phone, camera, or any other electronic device.
- C. NOTE: this section applies to BWCs ONLY. No law enforcement officer or civilian employee of this agency shall access, view, copy, disseminate, or otherwise use a BWC recording except for an official purpose.
 - 1. When relevant to and in furtherance of a criminal investigation or prosecution.
 - 2. When relevant to and in furtherance of an internal affairs investigation.
 - 3. When relevant to and in furtherance of a management review process to identify circumstances indicating law enforcement misconduct or to determine the existence of a pattern or practice of possible misconduct.
 - 4. To assist the officer whose BWC made the recording in preparing his/her **own** substantive report, providing a statement, or submitting to an interview.
 - a. Except:
 - 1) The incident involves the use of force by the officer, when the officer knows or should know that the use of force resulted in significant or serious bodily injury or death; or
 - 2) The incident involved the discharge of a firearm or any use of deadly force by the officer (see this agency's policy on *Use of Force*); or

- 3) The incident involved the death of a person while in law enforcement custody; or
 - 4) The incident involved the death of a person during an encounter with a law enforcement officer; or
 - 5) An incident the officer knows or has been advised is or will be the subject of an internal affairs or civilian complaint relating to the officer's use of force, bias, or dishonesty.
- b. Whenever an officer reviews or receives an accounting of a BWC recording prior to the creation of any report, statement, or interview, the officer shall acknowledge that prior review or receipt of an accounting of the BWC recording either verbally or in writing within each such report, statement, or interview.
- 1) The officer shall document each BWC recording that was reviewed and the date of the review.
 - 2) If the officer received an accounting of a BWC recording, the officer shall document the name of each person who provided an accounting of the BWC recording, the date of the accounting, and the specific BWC recording for which an accounting was provided.
- c. Officers shall only be permitted to review or receive an accounting of such BWC recordings once the investigating entity concludes that (a) the officer has in fact completed the specified incident memorialization and (b) the officer's review or receipt of an accounting of the BWC recording will not otherwise interfere with the ongoing investigation.
- 1) In cases subject to *Attorney General Directive 2019-4*, the independent investigator is the investigating entity.
 - 2) In all other cases, the Sheriff or his/her designee is the investigating entity.
 - 3) The appropriate investigating entity shall document the authorization to review or receive an accounting of a BWC of a specified incident.
5. When relevant to a supervisor's review of an officer's actions as part of the supervisory process authorized by the agency.
 6. To show to a civilian who intends to file a complaint against an officer to demonstrate what occurred during the encounter so that the person can make an informed decision whether to file the complaint.
 7. To comply with the state's discovery obligations in prosecutions pursuant to the Rules of Court.
 - a. Such request must be specific and on the proper instrument, i.e., subpoena, discovery request, etc.

- b. Only those portions of the recording pertinent to the request shall be forwarded.
 - c. The Passaic County Sheriff's Office reserves the right to redact video and audio as applicable by law for defense attorneys' discovery request and OPRA requests as applicable.
 - 1) NOTE: when providing discovery in a domestic violence matter, ensure that the recording is reviewed prior to release to verify that there is no confidential information that should be redacted.
 - 2) This confidential information includes, but is not limited to, the location where the victim is being sheltered or contact phone numbers for those assisting the victim, etc.
 - 3) Confidential personal identifiers must be redacted including social security numbers, driver's license numbers, vehicle registration numbers, insurance policy numbers, active financial account or credit card account numbers, and information regarding an individual's military status (R. 1:38-7 and R.3:9-1(b)).
 - d. All requests for copies or review of BWC recordings are subject to the fee requirements of the prevailing ordinance.
8. To comply with any other legal obligation to turn over the recording to a person or entity.
 9. Solely and exclusively for internal training purposes, provided that the recording is edited so that the identity of individuals depicted in the recording cannot be determined by persons viewing the training video unless the depicted individuals have consented to the recording being used for training purposes.
 - a. Note: consent is not required from Passaic County Sheriff's officers appearing in the recording.
 - b. BWC recordings retained beyond 180 days solely and exclusively for training purposes shall not be admissible as evidence in any criminal or civil legal or administrative proceeding.
 10. To show or disseminate the recording to a civilian or a non-law enforcement entity or to disseminate it to the public, when the Passaic County Prosecutor or his/her designee, or Director of the Division of Criminal Justice or his/her designee, determines that disclosure to that person entity or the public is warranted because the person's/entity's/public's need for access outweighs the law enforcement interest in maintaining confidentiality.
 11. To conduct an audit to ensure compliance with this policy.
 12. To enhance officer and public safety by providing intelligence information in preparation for a raid/warrant execution (e.g., by providing information about

the layout of a premises to be searched), when such use is approved by the Passaic County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee; or

13. Any other specified official purpose when the Passaic County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee, finds in writing that good and sufficient cause exists to authorize access to a particular BWC recording
- D. Officers shall not erase or in any other manner alter, tamper with, destroy, or conceal BWC/MVR recordings or remove or disable any camera. Officers shall not instruct another to alter, tamper with, destroy, or conceal BWC/MVR recordings or remove or disable any camera. If an officer, employee, or agent fails to adhere to the recording or retention requirements contained in this policy, N.J.S.A. 2C: 28-7, N.J.S.A. 40A:14-118.5 et seq., or intentionally interferes with a BWCs/MVRs ability to accurately capture audio or video recordings:
1. The officer, employee, or agent shall be subject to appropriate disciplinary action and potential criminal sanctions; and
 2. There shall be a rebuttable presumption that exculpatory evidence was destroyed or not captured in favor of a criminal defendant who reasonably asserts that exculpatory evidence was destroyed or not captured; and
 3. There shall be a rebuttable presumption that evidence supporting a plaintiff's claim was destroyed or not captured in favor of a civil plaintiff suing the government, a law enforcement agency, or a law enforcement officer for damages based on law enforcement misconduct if the plaintiff reasonably asserts that evidence supporting the plaintiff's claim was destroyed or not captured.
 4. Any recordings from a BWC recorded in contravention of this policy or any other applicable law shall be immediately brought to the attention of the command staff and immediately destroyed by the command staff following consultation and approval by the Passaic County Prosecutor or Director of the Office of Public Integrity and Accountability. Such recordings shall not be admissible as evidence in any criminal, civil, or administrative proceeding, except as evidence in any proceeding related to the unauthorized use of a BWC.
- E. Recordings are considered investigatory records of this agency and shall be maintained on a secure server and disposed of in accordance with law and New Jersey Attorney General policies, directives, and guidelines and, as applicable, New Jersey Division of Revenue and Enterprise Services, Bureau of Records Management (BRM) records retention schedules.
1. Recordings will be stored on a secure server or other designated storage media. Such storage media shall be maintained as evidence or with the appropriate case file. If maintained as evidence, all policies regarding evidence handling and retention shall be followed.
 2. Except for recordings being stored for criminal, civil administrative proceedings, or evidentiary purposes, recordings shall be retained for a period of:

- a. BWC at least 180 days.
 - b. MVR at least 180 days.
3. Recordings being stored for criminal, civil, or administrative purposes must be retained until the conclusion of the case plus any retention period.
 4. Recordings of an arrest that did not result in an ongoing prosecution, or records the use of law enforcement force, shall be kept until the expiration of the statute of limitations for filing a civil complaint against the officer or the agency.
 5. Recordings shall automatically be retained for not less than three years if it captures images involving an encounter about which a complaint has been registered by a subject of the BWC/MVR recording.
 6. BWC recordings shall be retained for not less than three years if requested by:
 - a. The officer whose BWC made the recording, if that officer reasonably asserts the recording has evidentiary or exculpatory value; or
 - b. The officer who is a subject of the BWC recording, if that officer reasonably asserts the recording has evidentiary or exculpatory value; or
 - c. Any immediate supervisor of an officer whose BWC made the recording or who is a subject of the BWC recording, if that immediate supervisor reasonably asserts the recording has evidentiary or exculpatory value; or
 - d. Any officer, if the BWC recording is being retained solely and exclusively for law enforcement training purposes; or
 - e. Any member of the public who is a subject of the BWC recording; or
 - f. Any parent or legal guardian of a minor who is a subject of the BWC recording; or
 - g. A deceased subject's next of kin or legally authorized designee.
 - h. NOTE: the member of the public, parent, or legal guardian, or next of kin or their designee (subsections VIII.E.6 (e)(f)(g)) shall be permitted to review the BWC recording in accordance with N.J.S.A. 47:1A-1 et seq. to determine whether to request a three-year retention period.
 7. When a BWC/MVR records an incident that is the subject of an administrative internal affairs complaint, the recording shall be kept pending final resolution of the internal affairs investigation, any resulting administrative action and required retention.

- F. Open public record requests. Only the following BWC recordings are exempt from public inspection:

1. Recordings subject to a minimum three-year retention period solely and exclusively pursuant to subsection VIII.E.5 of this policy if the subject of the BWC recording making the complaint requests the BWC recording not be made available to the public.
 2. Recordings not subject to a minimum three-year retention period or additional retention requirements pursuant to subsection VIII.E.6 of this policy.
 3. Recordings subject to a minimum three-year retention period solely and exclusively pursuant to subsection VIII.E.6(a)(b)(c)(d) of this policy.
 4. Recordings subject to a minimum three-year retention period solely and exclusively pursuant to subsection VIII.E.6(e)(f)(g) if an officer, parent, or legal guardian, or next of kin or designee requests the recording not be made available to the public.
- G. A BWC/MVR recording of an event or encounter that involves an investigation of a criminal offense shall not be shared with or provided or shown to any person, entity, or government agency, other than a law enforcement agency or officer or authorized civilian employee of such agency, unless such disclosure is required by the Rules of Court governing discovery in prosecutions, or by a court order, or unless the Sheriff in consultation with the Passaic County Prosecutor or his/her designee determines that the person's/entity's/non-law enforcement agency's/public's need for access outweighs the law enforcement interest in maintaining confidentiality.
1. If disclosure of a BWC/MVR recording as part of the state's discovery obligations in a prosecution might present a danger to any officer or civilian (e.g., reveal an undercover officer, confidential informant, surveillance site, etc.), or might reveal confidential tactical information the disclosure of which might jeopardize future operations or officer safety, the Passaic County Prosecutor or his/her designee shall, in the exercise of sound prosecutorial discretion, take such steps as are appropriate and authorized by law and/or court rule to protect the information from disclosure, such as by seeking a protective order from the court.
 2. A BWC/MVR recording tagged pursuant to subsections VI.C.2 through VI.C.6 of this policy shall not be accessed, viewed, copied, disseminated, or otherwise used without first obtaining the permission of the Passaic County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee. The Passaic County Prosecutor or his/her designee, or the Director of the Division of Criminal Justice or his/her designee may authorize the Sheriff and one or more supervisory officers to grant permission pursuant to this section to access, view, copy, disseminate, or otherwise use BWC/MVR recordings tagged pursuant to subsections VI.C.2 through VI.C.6.
 3. The assistant prosecutor, deputy attorney general or his or her designee overseeing an investigation pursuant to *Attorney General Law Enforcement Directive 2019-4*, may in the exercise of sound discretion authorize a civilian or law enforcement witness to be given access to or view a BWC/MVR recording of the incident under investigation.

- H. Evidence.com shall maintain a record of all BWC recordings that are accessed, viewed, copied, disseminated, or deleted.
- I. The Sheriff shall cause a periodic audit of records to ensure compliance with this policy.
- J. If a recording is required by another law enforcement agency, that recording shall be requested in writing to the BWC Unit for release.
- K. Officers shall not reproduce or store any recordings to any device or storage medium. This shall include, but not limited to, cell phones, electronic notebooks, etc.
- L. Recorded video of unusual or significant incidents, deemed to be beneficial for agency training, may be utilized for agency in-service training purposes only with the approval of the Sheriff.