

Goochland County Animal Care & Protection
Standard Operating Procedure

Effective Date: August __, 2023

Subject: Body Worn Camera Program

Approved: _____
County Administrator

Established by: _____
Director of Animal Care & Protection

PURPOSE

The purpose of this Standard Operating Procedure is to provide Animal Protection Officers (APO) with guidance for the proper use of department-issued Body Worn Cameras (BWC) to accurately record law enforcement actions, capture evidence pursuant to investigations, and enhance transparency and accountability. This SOP also establishes guidelines for management, storage, release, and retrieval of BWC recordings.

PROCEDURES

- A. General use of Body Worn Camera (BWC)
 - a. The BWC program is intended to achieve the following:
 - i. Documentation of APO contact with persons, contact with animals, and critical incidents.
 - ii. Enhancement of law enforcement reports and courtroom testimony.
 - iii. Documentation of crime scene, accident scene, and/or other events that may include documentation of evidence.
 - iv. Supervisor review and evaluation of APO interactions with persons and animals.
 - v. Identifying and correcting internal agency issues (i.e. tactics, communications, policy compliance, customer service, officer safety, etc.)
 - vi. Enhancement of Department training.
 - b. All APOs who are assigned BWCs shall complete a Department Approved training program to ensure proper use and operations. Additional training may be required as needed at periodic intervals to ensure the continued effective use and operation of BWC equipment, and to incorporate changes, updates, or other revisions in Department policy and equipment.
- B. Equipment
 - a. Department issued BWCs shall be for official Departmental use only and shall not be used for non-work related or personal activities.
 - b. The BWC and all video files are the property of Goochland County Animal Care & Protection Department and are to be used for official purposes only.
 - c. APOs shall only use BWCs approved and issued by the Department. Using personally owned BWC equipment or other audio/video recording equipment is not permitted.
 - d. APOs shall be assigned individual BWC and shall not use BWC equipment assigned to other APOs.

- e. APOs shall wear and utilize their BWC in accordance with this SOP during normal business hours, including while responding when on call, and while working any departmental overtime. Officers are not required to wear their BWC while attending court.
 - f. APOs shall be held strictly accountable for the proper care, security, use and maintenance of their BWC and associated equipment.
- C. Officer Responsibilities
- a. APOs shall report to the Animal Shelter at beginning shift or as soon as practical after beginning shift and dock their BWC into the docking station in order to download all recordings from the previous shift. All recordings shall be assigned to the appropriate case number and marked as evidentiary, non-evidentiary, or training. APOs shall conduct an operational inspection of their BWC, including battery life and depletion.
 - b. The BWC shall be affixed to the front of the APOs uniform as close to the center of the APOs chest as is feasible. APOs may reposition the BWC based on uniform variances and ability to access other equipment as long as the BWC remains as close to the center-chest position as practical and its position allows relatively unobstructed recording of the APO's point of view. APOs should, as practical, monitor the position of the BWC to ensure that it is capturing appropriate footage (e.g. not obstructed, or pointed at the sky or ground).
 - c. APOs shall activate the recording of their BWC prior to any of the following circumstances and continue recording through the entirety of the event:
 - i. Upon arrival at any call for service, even if the APO is not the lead APO on the scene. Recording is not required for transport and impoundment of animals at the Animal Shelter.
 - ii. Phone conversations that occur in lieu of a physical response to a call for service.
 - iii. Events involving the rendering of public services or law enforcement-related activity. (examples: flagged down by a citizen, responding to seeing a loose animal)
 - iv. Arrival at an active automobile accident.
 - v. Transportation of any citizen as part of an active call for service.
 - vi. Upon activating emergency lights and siren for an emergency response.
 - vii. Any situation in which an APO or an APO in close proximity discharges a weapon or other form of lethal force. APO shall continue to record with their BWC until specifically directed by their supervisor to stop recording.
 - viii. Any situation in which an APO is in close proximity to a sworn local, state, or federal law enforcement agent who discharges a firearm or deploys another form of lethal force. APO shall continue to record with their BWC until specifically directed by their supervisor to stop recording.
 - d. APOs shall not intentionally obstruct the BWC or intentionally avoid recording an incident on the BWC at any time.
 - e. If an APO fails to activate the BWC, fails to record the entire contact, or if the BWC malfunctions during use, the APO shall document accordingly in the memo section of the case file. The APO shall also immediately notify by email the Director, Chief, and Deputy Chief of the incident.
 - f. Accidental recordings may be requested for immediate deletion by emailing the Chief (Chief may email the Director for such actions.)

- g. APOs shall not edit, alter, erase, duplicate, copy, or otherwise distribute in any manner BWC video without prior written authorization and approval of the Chief or designee.
 - h. APOS shall not allow anyone other than Goochland APOs, Deputy Chief, Chief, Director, and Commonwealth's Attorneys to view BWC recordings.
 - i. It shall be the responsibility of the lead APO of a case to ensure all recordings which constitute evidence or are required to be included in a case file are properly categorized as evidentiary and maintained for storage prior to their scheduled deletion date.
- D. Supervisors Responsibilities
- a. Ensure APOs use BWCs in accordance with departmental policy and procedure.
 - b. Supervisors may restrict or prohibit an APO from viewing the BWC recording if an administrative inquiry or investigation has been initiated.
 - c. Supervisors shall ensure recordings associated with a received complaint are uploaded and properly categorized as evidentiary as soon as possible.
 - d. Conduct random reviews of selected recordings in order to assess APO performance, complaint resolution, the identification of videos that may be appropriate for training purposes, and monitor the overall utilization of BWC equipment.
 - e. A Supervisor may utilize a BWC recording for training purposes.
- E. Privacy and Restricted Use
- a. When asked, APOs should inform individuals that they are being recorded on the BWC.
 - b. BWC recording of any APO contact with individuals is permissible in a private residence, provided the APO has legal authority to be in that location (e.g. execution of a search warrant). However, in locations where individuals have a reasonable expectation of privacy, such as their residence, APOs shall stop recording if individuals object to be recorded, unless the recording is being made pursuant to an investigation, arrest, or search. If an APO has stopped recording due to an objection, the APO shall leave the scene and report the incident immediately to a supervisor.
 - c. No law prohibits APOs from recording citizens in public, as individuals in a public area have no expectation of privacy.
 - d. BWCs shall not intentionally record confidential information on the BWC from such sources as NCIC, VCIN, or other criminal databases; should confidential information be recorded, it may be redacted with the approval of the Chief or designee. This does not include radio transmissions that occur in the course of normal duties.
- F. In general, APOs shall not record with their BWCs during the following circumstances:
- a. When not on a call for service.
 - b. In a medical or mental health facility.
 - c. In a federal or locality's courthouse.
 - d. On public or private school grounds unless on an active call for service.
- G. Categorizing Videos
- a. Evidentiary Recording
 1. Collected during criminal investigation or used to support criminal charges by the APO or other law enforcement.
 2. Captures a confrontational encounter between APO and resident(s) or animal(s).
 3. Records the discharge of a weapon or other lethal force.
 4. Has been requested in a Freedom of Information Act request.
 5. Has been requested in a pending litigation or has been the subject of a subpoena or other lawful court order.
 6. Collected during an incident that has become the subject of a resident inquiry or complaint.

- b. Non-evidentiary Recording – video and/or audio does not relate to criminal investigation or criminal charges, or includes non-confrontational encounters between APO and resident(s) or animal(s).
- c. Training – identified by a supervisor as appropriate for use in training.

H. Video Retention

- a. BWC recordings should be retained for the amount of time required by Library of Virginia record retention requirements. It is essential to preserve all recordings related to any criminal offenses, claim filed, personnel complaint, pending litigation, or administrative investigation in accordance with applicable law. Under current Library of Virginia guidelines, the following retention requirements apply:
 - 1. Evidentiary Recording of Resolved Investigative Case Files – 10 years after closed case (then confidential destruction)
 - 2. Evidentiary Recording of Unresolved Investigative Case Files – 4 years after created (then confidential destruction)
 - 3. Non-evidentiary Recording – 30 days after creation (non-confidential destruction)
- b. When the Chief or designee authorizes any deletion or redaction, the approval of the deletion or redaction shall be done in writing and the request and approval shall be kept in accordance with the Library of Virginia record retention schedules.
- c. If a video is reclassified to a different category (e.g. non-evidentiary to evidentiary), the video will be subject to deletion based on the new category.