

Section: **PATROL**Title: **IN CAR VIDEO RECORDING EQUIPMENT**

In-Car video equipment shall be powered on anytime the vehicle is in operation. This includes, but is not limited to, patrol operations, special assignments, and driving to and from work. The camera system shall not be disabled or turned off unless authorized to do so by the Sheriff or his designee. Officers will have the in-car video camera recording equipment activated during every Illinois Vehicle Code enforcement stop and/or motorist/pedestrian assist. Audio as well as visual recording will be used on all Illinois Vehicle Code enforcement stops. Video Recording of Motorist assists / Community Caretaking events shall only be audio recorded when the use of emergency overhead lighting is activated. Pedestrian contacts will only be audio recorded when stopped for a violation of the Illinois Vehicle Code, for a criminal investigation, or upon consent.

Officers will record the entire enforcement stop from start to finish. The recording should not be interrupted or stopped until completion of the enforcement stop and/or motorist/pedestrian assist. When using audio, it will remain on during all violator contact.

Officers, who are operating video equipment, shall identify themselves and their office and will make audio recordings simultaneously with video recordings if the reason for the initial stop is a violation of the Illinois Vehicle Code or a criminal investigation. This includes criminal violations discovered as a result of the Illinois Vehicle Code stop.

Officers will not audio record an enforcement stop when an individual has not committed a violation of the Illinois Vehicle Code or a criminal statute. Officers will stop audio recording of an enforcement stop upon release of the violator and prior to initiating a separate criminal investigation (i.e., telling the violator he/she is free to go and asking for consent to search). However, audio recordings can be made of non-traffic enforcement stops if the officer obtains consent from the violator.

Officers are encouraged to activate the camera any time it would be beneficial, such as observations of suspicious activity, traffic problems, or crowd problems. Officers are encouraged to inform their supervisor of any video recorded sequences and incidents which may be of value for training. Once reviewed, the supervisor will forward the request to the sheriff or his designee for approval to use for training.

All video and audio recordings made by in-car video equipment

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will be automatically retained based on the classification assigned to it by the officer. This classification is to be made directly after the recording is stopped. If the officer misses the opportunity to correctly classify the type of recording made, the correct classification is to be made using the provided software installed on an office workstation. Relevant information including the case number, citation number, or warning number are to be added to this information if available. Suspect information or other additional information should also be added when available. If the officer or their supervisor feels that the video recorded will be needed longer than the auto-retain period will provide, the video should be manually retained. This will cause the video to remain on the system until the manual retain option is turned off.

STORAGE OF VIDEO

The storage of video shall be the responsibility of the Sheriff or his designee. No specific definition of the storage medium will be provided due to the rapidly changing infrastructure involving digital video storage. Video storage may include any combination or sole use of the following mediums: hard disk drive, hard disk drive arrays, solid state disk drive arrays, optical medium, cloud storage, tape drives, or other methods approved by the Sheriff or his designee.

DUPLICATION OF VIDEO

Replication of recorded video is only to be made by the Sheriff or his designee. This includes, but is not limited to, copies of video burned onto optical media or media such as flash drives. Requests for video copies should be forwarded to the appropriately assigned personnel for production. Any release of video to other than Law Enforcement agencies, the State's Attorney's office, a lawful subpoena, or for a FOIA Request, must be approved by the Sheriff or his designee.

Section: **PATROL**Title: **Body Worn Video Equipment****POLICY**

The Coles County Sheriff's Office will use Portable Body Worn Video Equipment (AKA: Body Cameras) to assist in the prosecution of violators, to enhance officer safety, and for any other lawful purpose. The Coles County Sheriff's Office will establish procedures for the maintenance, repair, and use of Body Camera recording equipment. The Coles County Sheriff's Office will also establish procedures for the management of recorded digital video. Procedures for training operators of Body Cam equipment and handling of video medium will also be established.

DEFINITIONS

Definitions related to this policy include (50 ILCS 706/10-10):

Body-worn camera or camera - An electronic camera system for creating, generating, sending, receiving, storing, displaying and processing audiovisual recordings that may be worn about the person of a law enforcement officer.

Law enforcement-related encounters or activities - include, but are not limited to, traffic stops, pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd control, traffic control, non-community caretaking interactions with an individual while on patrol, or any other instance in which the officer is enforcing the laws of the municipality, county, or State. "Law enforcement-related encounter or activities" does not include when the officer is completing paperwork alone or only in the presence of another law enforcement officer.

**BODY-WORN
CAMERA
COORDINATOR**

The Sheriff or the authorized designee should designate a coordinator responsible for (50 ILCS 706/10-20):

- (a) Identifying members who are assigned body-worn cameras.
- (b) Identifying members permitted to access recordings in order to redact, label or duplicate recordings.
- (c) Ensuring body-worn cameras acquired on or after July 1, 2015, are equipped with pre-event recording of least the 30 seconds prior to camera activation and are capable of recording for a period of at least 10 hours.
- (d) Establishing procedures for:

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1. The care, maintenance, and use of body-worn cameras, including reasonable efforts to be made by supervisors to correct or repair body-worn camera equipment upon notice from an Officer experiencing technical difficulties, failures or problems with the equipment.

2. Compliance with the Law Enforcement Officer-Worn Body Camera Act and guidelines established by the Illinois Law Enforcement Training and Standards Board (ILETSB) for the use of body-worn cameras.

3. Security of recordings including access controls.

4. Redacting, labeling and duplicating recordings.

5. Supervisor and member review of recordings.

(e) Providing an annual report to the ILETSB pursuant to 50 ILCS 706/10-25.

(f) Ensuring the Department uses authorized body-worn camera recording media (50 ILCS 706/10-10).

RESPONSIBILITIES Prior to going into service, each uniformed Officer will be responsible for making sure that he/ she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or malfunctions at any time, the Officer shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as practicable (50 ILCS 706/10-20). Uniformed Officers should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever practicable.

Any Officer assigned to a non-uniformed position may carry an approved portable recorder at any time they believe that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed Officers should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever possible.

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Officers should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the Officer deactivated the recording. Officers shall include the reason for deactivation.

USE OF BODY
CAMERA
EQUIPMENT

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Officers should activate the recorder any time the Officer believes it would be appropriate or valuable to record an incident.

Officers wearing body-worn cameras and any clothing or any indication they are law enforcement shall have the body-worn camera turned on at all times while they are on-duty and are responding to calls for service or engaged in law enforcement-related activities (50 ILCS 706/10-20).

Body Cameras shall be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview (FI) situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which an Officer would normally notify CECOM
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

If exigent circumstances prevent an Officer from turning on a body-worn camera when required, the camera shall be turned on as soon as practicable (50 ILCS 706/10-20).

Officers shall not record interactions with confidential informants unless exigent circumstances exist or the informant has or is committing a crime (50 ILCS 706/10-20).

Officers should remain sensitive to the dignity of all individuals

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being recorded and unless recording with a body-worn camera is required, exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the Officer that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criteria. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

No Officer shall jeopardize his/her safety in order to activate a Body Camera or change the recording media. However, the recorder should be activated in situations described above as soon as practicable. The circumstance for the delay in activation of the body-worn camera shall be set forth in the officer's report.

Once activated, the Body Camera should remain on continuously until the Officer's direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Body-worn cameras shall be turned off when a victim, witness or community Officer reporting a crime requests that the camera be turned off. The request should be captured on the recording. However, an Officer may continue to record or resume recording a victim or witness if exigent circumstances exist or the Officer has a reasonable articulable suspicion that the victim or witness has committed or is in the process of committing a crime. Under these circumstances, the Officer should indicate on the recording the reason for continuing to record despite the request of the victim or witness (50 ILCS 706/10-20).

Officers are permitted to turn off Body Cameras while inside a patrol car equipped with functioning in-car video recording units. Body Cameras shall be turned off when the Officer is not engaged in law enforcement-related policing activities (50 ILCS 706/10-20).

Officers shall be responsible for the appropriate labelling and uploading of the Body Cameras videos on a daily basis.

Officers who review recordings prior to completing incident reports or other documentation shall disclose that fact in the

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report or other documentation (50 ILCS 706/10-20).

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

PROHIBITED USE OF BODY CAMERAS

Officers are prohibited from using department-issued Body Cameras and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Officers are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Officers shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Officers are prohibited from using personally owned recording devices while on-duty without the express consent of the Sheriff or his designee. Any Officer who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements.

Recordings shall not be used by any Officer for the purpose of embarrassment, intimidation or ridicule.

STORAGE AND RETENTION OF VIDEO

The storage and retention of video shall be the responsibility of the Sheriff or his designee keeping in accordance with Illinois law. No specific definition of the storage medium will be provided due to the rapidly changing infrastructure involving digital video storage. Video storage may include any combination or sole use of the following mediums: hard disk drive, hard disk drive arrays, solid state disk drive arrays, optical medium, cloud storage, tape drives, or other methods approved by the Sheriff or his designee.

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other than Law Enforcement agencies, the State's Attorney's office, a lawful subpoena, or for a FOIA Request, must be approved by the Sheriff or his designee.