



GIBBSBORO POLICE DEPARTMENT POLICY MANUAL

TITLE:	Body Warn Camera Policy	NEW	REVISED
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POLICY REVIEW SCHEDULE	3 Months	6 Months	1 Year	2 Years	Other
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ISSUING AUTHORITY:	<i>Chief Brian K. Leadley Jr.</i>				
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ELECTRONIC DISTRIBUTION	ALL PERSONNEL	SWORN PERSONNEL	SLEO PERSONNEL	PAB SERVER	CIVILIAN PERSONNEL
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OBLIGATION TO REVIEW POLICY AND SEEK ASSISTANCE AS NEEDED

It is the policy of the Gibbsboro Police Department that all officers and applicable employees will thoroughly review and fully familiarize themselves with the attached policy and will adhere to the procedures as described in this policy. Any employee shall request assistance from their supervisor if they should be in need of further explanation or training regarding this policy.

CONTINGENCIES AND UNFORESEEN CIRCUMSTANCES

Officers are occasionally confronted with situations where no written guideline exists and supervisor advice is not readily available. As it would be impossible to address all possible situations with written guidelines, considerable discretion is given to the officer handling the situation.

Faced with the need to make decisions or take an action where no guidelines exist, officers should rely on their experience and training, and the following resources;

1. Attorney General Guidelines, Memorandums, and Directives
2. Departmental General Order, Special Orders, and Training Bulletins
3. New Jersey Title 39 and 2C
4. Current Search and Seizure directives

The written directives developed by the Gibbsboro Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I. Purpose

To establish a policy that is in accordance with the guidelines set forth by the New Jersey Attorney General's Office for the proper and lawful operation of the body worn audio/video camera systems worn by authorized Gibbsboro Police Department personnel, and to define the tagging, access regulations, media storage, public disclosure, and retention system for the events recorded by the devices.

II. Policy

Body Worn Cameras (hereinafter BWC) will be deployed to sworn Gibbsboro Police Department personnel in a manner consistent with the provisions outlined in this written policy and under the authority of the Chief of Police.

BWCs are viewed as a valuable asset intended to assist Gibbsboro Police Department members in solving crimes and successfully prosecuting offenders by augmenting an officer's testimony with a video/audio record of the incident. BWC recordings preserve accurate visual depictions of physical evidence and also document how physical evidence was found, thereby helping to establish the facts that must be presented in Fourth Amendment suppression hearings. BWCs also record the physical appearance of suspects and crime victims, preserving evidence of any apparent injuries. The audio portion of BWC recordings will document witness and suspect statements. This preserves not only the substantive content of those statements, but may also show whether officers have legal requirements. Additionally, this equipment will enable department administrators to conduct periodic reviews of officer- citizen contacts for quality control purposes and aid in the investigation of citizen complaints.

BWC promote police accountability and transparency. A BWC recording of a police-involved shooting or other use of force incident can often provide objective evidence of what occurred. The practical utility of BWCs discourages officers and civilians from engaging in inappropriate conduct. These devices also discourage both law enforcement and civilian witnesses from providing false information about the circumstances of the encounter; a BWC recording not only can vindicate an officer who is falsely accused of misconduct, but also discourage a person from making false allegations against the officer in the first place.

III. Procedure

A. Definitions

1. Activate – To actuate the recording mode/ function of body worn camera
2. Body Worn Camera (BWC) – A device worn by a law enforcement officer that makes an electronic audio and video recording of activities that take place during any law enforcement action. The term does not include a mobile video recording device when mounted inside a police vehicle (i.e., a dash cam). The term also 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 Rule 3:17 (electronic recording of station house custodial interrogations; From NJ Attorney General 2021 BWC Policy).

3. Constructive Authority – Shall have the same meaning as defined in the Attorney General’s Use of Force Policy, 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 a conducted energy device (e.g., “move out of the way,” “get down,” etc.).
4. Force – Shall have same meaning as defined in the Attorney General’s Use of Force Policy. The term “force” shall include physical, mechanical, enhanced mechanical and deadly force.
5. Investigation of a Criminal Offense – Any police activity pertaining to the investigation of a indictable crime, disorderly persons offense, or petty disorderly persons 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 a criminal offense has been or is being committed; an arrest for a criminal offense; an interview of a potential witness of a criminal offense; or canvassing an area, neighborhood, or premises for potential witnesses to a criminal offense.
6. Law Enforcement Agency, Agency, or Department – Means a law enforcement agency operating under the authority of the laws of the State of New Jersey.
7. Law Enforcement Officer or “Officer” – Means a sworn officer employed by a law enforcement agency; A person whose public duties include the power to act as an officer for the detection, apprehension, arrest, and conviction of offenders against the laws of this State. For the purpose of this policy, the term shall also apply to Class II Special Law Enforcement Officers.
8. Mobile Video Recording System - A device or system installed or used in a police vehicle or worn or otherwise used by an officer that electronically records visual images depicting activities that take place during a motor vehicle stop or other law enforcement action.
9. 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 the aforementioned activities, and they are sometimes referred to as crime suppression units. The nature of their work is varied and 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 anonymous.

10. School – 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.
11. Youth Facility – Means a facility where children assemble under adult supervision for educational or recreational purposes, such as day care centers, youth camps, etc.
12. Tactical Team - 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.

B. General

1. A law enforcement officer employed by the Gibbsboro Police Department may only use a BWC system that has been issued and approved by the Chief of Police or his designee.
2. An officer equipped with a BWC must comply at all times with the requirements established in this policy or by law.
3. A BWC shall be used only in performance of official police duties and for the purpose of recording incidents, investigations and police-citizen encounters involving those law enforcement activities specified in this policy. A BWC shall not be utilized to record activities while an officer is on break or otherwise is not actively performing law enforcement functions (e.g., while eating meals, while in a restroom). In these instances, the device may be powered down.
4. The decision to activate or deactivate a BWC is a police action subject to the rule established in New Jersey Attorney General Law Enforcement Policy No. 2015-1 & 2005-1;2a/b, which strictly prohibits any form of racially-influenced policing.
5. No BWC recording shall be accessed, viewed, copied, disseminated, or otherwise used by a sworn officer or civilian employee of the Gibbsboro Police Department except for an official purpose specified in this policy or by law.
6. Any sworn officer or civilian employee of the Gibbsboro Police Department who knowingly violates the requirements of this policy shall be subject to discipline.

7. Any willful or repetitive violation of this policy shall be reported to the Camden County Prosecutor and to the Director of the Division of Criminal Justice. The Camden County Prosecutor and Director are authorized to take such actions as are reasonable and necessary to ensure compliance with this policy and to prevent further violations.
8. A BWC shall not be activated or used by an officer for personal purposes, or when engaged in police union business. Nor shall a BWC be used to record conversations involving counseling, guidance sessions, personal evaluations, or any similar supervisory interaction.
9. An Officer's BWC shall be powered on at the start of their shift or overtime assignment and only powered off at the end of the shift, overtime assignment or in accordance with sections III.B.3 or IX.Q of this policy.

IV. **Officers Required / Not Required to wear BWCs.**

- A. The following officers shall be required to be equipped with BWCs and adhere to the provisions of this Policy when performing their duties:
 1. All uniformed patrol officers while acting in the performance of official duties, as required by N.J.S.A. 40A:14-118.3 (P.L. 2020, c. 128). This shall include uniformed officers assigned to traffic law enforcement, as well as Class II Special Law Enforcement Officers (SLEO IIs) assigned to patrol or traffic law enforcement duties.
 2. All officers assigned to tactical teams as defined in this Policy. Tactical Teams shall include S.W.A.T. (Special Weapons and Tactics), S.R.T. (Special Response Team), T.E.A.M.S. (Technical Emergency and Mission Specialists), Entry Teams, Rapid Deployment, Fugitive or similar units
 3. All officers assigned to proactive enforcement teams as defined in this policy.
 4. All officers assigned to canine units.
 5. All officers whose assigned duties include regular interaction with members of the public, which reasonably may give rise to an arrest situation or use of force.
 6. All officers assigned to "front desk" duty in law enforcement agencies, whose duties include interaction with members of the public who enter police stations to report incidents or request assistance or information.
 7. All officers assigned to a pre-planned search warrant execution or a pre-planned arrest.

8. All uniformed officers assigned to duties at demonstrations or potential civil disturbances.
- B. Officers Not Required to Wear BWCs - Notwithstanding the provisions of IV.A, the following officers are not required by this Policy to be equipped with BWCs:
1. Officers engaged in undercover assignments.
 2. Officers acting as hostage negotiators or crisis negotiators working in conjunction with tactical teams.
 3. Officers assigned to administrative positions within the law enforcement agency. This provision shall not exclude officers assigned to “front desk” duty, as defined in Section IV.A.6, from the requirement to be equipped with BWCs.
 4. Officers meeting with confidential sources or recruiting potential confidential sources.
 5. Officers engaged in union representation of a member of the collective bargaining unit.
 6. Officers assigned to duties within schools or youth facilities as part of the normal daily educational environment, such as School Resource Officers (SROs) and Class III Special Law Enforcement Officers (SLEO IIIs). Officers assigned to duties at schools or youth facilities working security or crowd-control functions at special events such as athletic competitions, graduations or similar public events shall be equipped with BWCs.
 7. Non-uniformed officers assigned to investigative, non-enforcement duties, when authorized by the agency’s law enforcement executive.
- C. Special Circumstances - Exemptions from the requirements in Section IV.A are permitted only when approved by the Director of Division of Criminal Justice or the County Prosecutor, and only under such special circumstances that warrant an exemption. The reasons for the exemption must be documented and demonstrate a special need. Such requests for exemption shall be made in advance and approved in writing.
- D. Placement of BWC - A BWC used by a law enforcement officer shall be placed so that it maximizes the camera’s ability to capture video footage of the officer’s activities. This may include placement on helmets, vests or other such location so long as the device is secured properly and will maximize the device’s recordation function.
- E. Applicability of and Compliance with Attorney General Directive No. 2005-1 - The decision to activate or de-activate a BWC is a police action subject to the rule established in Attorney General Law Enforcement Directive (“AG Directive”) No. 2005-1, which strictly prohibits any form of racially-influenced policing.

V. **Training**

- A. The Training Unit Supervisor shall establish a training program to ensure that all officers equipped with BWCs, including supervisors and command staff members, along with officers and civilian employees who access or handle BWC recordings, are familiar with the equipment/software and provisions of this policy.
1. The training programs shall include instruction on the proper use and operations of the unit and the companion software program.
 2. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibrations and performance, and to incorporate changes, updates or other revisions to policy and/or equipment. The Training Unit shall prepare a remedial training course for those officers who require additional training.

VI. **Equipment**

- A. The Gibbsboro Police Department has purchased Axon Body 3 audio/video recording units. This shall be the only BWC authorized for use by Gibbsboro Police Department personnel. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Gibbsboro Police Department.
1. References to BWC shall include the Axon Body 3 wireless device, which houses a video camera, audio/video recording hardware, and a port for charging the device and downloading events.
- B. For uniformed officers, who are required to wear a BWC, there are several mounting options. The camera shall be worn as close to center mass as the uniform allows on the officer's body. The BWC may be affixed to the buttoned placket on the officer's uniform shirt in chest/sternum area.
1. Officers authorized to wear exterior vest covers shall mount the BWC center mass of the garment utilizing the mounts provided. This shall include the wearing of the BWC on the outer carrier of the tactical rifle plates and tactical out vest and carriers whenever possible.
 2. Officers wearing a jacket or other outer garment shall not cover or obstruct the view of their BWC, and shall mount the BWC to the jacket or outer most garments when wearing a jacket. This shall be done as soon as safely possible when an officer utilizes an outer garment.
 3. Officers who are authorized to wear the Class D Uniform (patrol golf style shirt), the BWC shall be mounted in a location so as long as the device is secured properly and will maximize the devices' ability to capture video footage of the officers' activities.

- C. Each BWC has a unique serial number and has been assigned an internal tracking identification number (same as officer's badge number).
- D. Officers may while preparing for, or during a significant tactical operation and upon approval of the officer's supervisor, place black tape over the power switch so that the function LED lights are not visible or place the camera in stealth mode.

VII. Inspection and Maintenance

- A. Each officer shall be responsible for determining that their device is fully functional and that its battery is adequately charged at the start of his or her duty shift and before going into the field.
 - 1. Equipment malfunctions shall be immediately brought to the attention of a supervisor before going into the field so that a replacement unit may be procured.
 - 2. The Officer will then obtain a spare BWC and have it assigned to his/herself utilizing the Axon program prior to departing headquarters. Officer will also be responsible for determining if the spare BWC is fully functional prior to departing.
 - 3. If BWC malfunctions while out in the field, the malfunction, upon its discovery, shall be reported to the officer's supervisor as soon as it is safe and practicable to do so. Officer will then obtain a spare BWC and have it assigned to his/herself utilizing the Axon program prior to departing headquarters. Officer will also be responsible for determining if the spare BWC is fully functional prior to departing.
 - 4. Officers are prohibited from changing any settings through Axon, except for turning beep and lighting indicators of recording off or placing camera in stealth mode for tactical needs.
 - 5. All employees are prohibited from tampering with any BWC unit, including but not limited to, attempting to take the unit apart, disable, alter or repair a component in any way.
 - 6. Officers utilizing a spare shall record the required information on the spare BWC Log located at the charging station.
 - 7. Officers utilizing the BWC shall periodically and no later than the end of each shift uploads the contents of the unit by placing the unit in one of the designated docking/charging stations. Each event file uploaded will contain information related to the date, BWC identifier, and assigned officer for the incident.

- D. BWCs may be stored in designated docking/charging stations in the designated area or kept in an officer's vehicle if the vehicle is permanently assigned to him/her, at home when off duty or in other approved in HQ such as an employee's personally assigned desk or office. The docking stations allow for the units to be charged and for the upload of events to Evidence.com. After events are completely uploaded, Officers may charge BWC at home.

VIII. Notice that BWC are Deployed / Activated

- A. The Gibbsboro Police Department has recognized that it is appropriate to provide some form of notice to citizens so that they understand that anything said to a BWC-equipped officer may be electronically recorded, and that the images and sounds of the police-civilian interaction will be stored and accessible for future law enforcement use in accordance with the provisions of this policy.
 - 1. Such notice to the public that BWCs are in use will help to achieve the benefits of discouraging persons from engaging in conduct that might provoke the use of law enforcement force, and discouraging persons from filing false complaints against police.
- B. The Gibbsboro Police Department shall take the reasonable steps to inform the citizenry of the agency's decision to deploy BWCs. The Gibbsboro Police Department shall publish a statement on the department's website that it deploys BWCs. The website posting shall include a picture showing what the device looks like, and how it is to be generally worn by officers so that citizens will be able to determine whether an officer is equipped with the device.
- C. When an officer equipped with a BWC activates the device during an encounter with a civilian the officer shall verbally notify the person(s) with whom the officer is conversing that the BWC has been activated **UNLESS IT IS UNSAFE OR INFEASIBLE TO PROVIDE SUCH NOTIFICATION.**
 - 1. If the officer decides not to provide notification of BWC activation because it is unsafe or infeasible to do so, the officer shall document the reasons for that decision by narrating the same on the BWC recording before the officer stops recording and if the officer was unable to do so due to an emergency situation the officer shall narrate the reason when recording resumes.
 - 2. The failure to verbally notify a person pursuant to this section shall not affect the admissibility of any statements or evidence.

- D. If a civilian inquires of an officer whether the officer is equipped with a BWC, or inquires whether the device is activated, the officer shall answer truthfully unless the Camden County Prosecutor or designee, or Director of the Division of Criminal Justice or designee, has expressly authorized the officer to make a covert electronic recording.
1. This policy does not apply to officers while operating in an undercover capacity or while conducting/participating in a station house custodial interrogation electronically recorded.
 2. Nothing in this section shall be construed to establish a basis for suppressing a statement or other evidence.
- E. Notice When Using BWCs Inside a Private Residence - Prior to entering a private residence, a law enforcement officer shall notify the occupant that the occupant is being recorded by the BWC and, if the occupant requests the officer to discontinue use of the officer's 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. A request to discontinue the use of a BWC made to a law enforcement officer pursuant to this Section and the response to the request shall be recorded by the recording system prior to discontinuing use of the recording system.
- F. Notice When Using BWCs with an Apparent Crime Victim - When interacting with an apparent crime victim, a law enforcement officer shall, as soon as practicable, notify the apparent crime victim that he or she is being recorded by the BWC and, if the apparent crime victim requests the officer to discontinue use of the BWC, the officer shall immediately discontinue use of the BWC. A request to discontinue the use of a BWC made to a law enforcement officer pursuant to this Section and the response to the request shall be recorded by the recording system prior to discontinuing use of the recording system.
- G. Notice When Using BWCs with a Person Seeking to Remain Anonymous - When interacting with a person seeking to anonymously report a crime or assist in an ongoing law enforcement investigation, a law enforcement officer shall notify the person that they are wearing a BWC and, if the person requests that the officer discontinue use of the BWC, the officer shall evaluate the circumstances and, if appropriate, discontinue use of the BWC. A request to discontinue the use of a BWC made to a law enforcement officer pursuant to this Section and the response to the request shall be recorded by the recording system prior to discontinuing use of the recording system.

IX. **Activation Requirements**

- A. BWCs shall be utilized to record contacts with citizens in the performance of official duties. BWC's shall be activated upon being dispatched to, or initiating a call for service, or as soon as it is safe and practical to do so. Examples of such contacts include, but are not limited to:
1. The officer has contact with a citizen as a result of a call for service or request for police assistance, including walk-in complaints at Gibbsboro Police HQ. The officer shall activate the BWC as soon as he/she realizes that the interaction will result in the initiation of a case number. The terms "request for assistance" and "call for service" shall mean when an officer is assigned or initiates a case number.
 2. The officer initiates contact that requires the initiation of a case number.
 3. The officer initiates an investigative detention, such as a traffic stop, criminal suspicion stop (Terry Stop), checkpoint, or roadblock stop.
 4. The officer responds to a call for service.
 5. The officer is conducting a motorist aid or community caretaking check that also requires the officer to initiate a case number.
 6. The officer is interviewing a witness in the course of investigating a criminal offense.
 7. The officer is conducting a custodial interrogation of a suspect, unless the interrogation is otherwise being recorded in accordance with Court Rule 3:17 (electronic recordation of station house interrogation).
 8. The officer is making an arrest.
 9. The officer is conducting a protective frisk for weapons except when conducting such action of a prisoner or subject at GPD HQ.
 10. The officer is conducting any kind of search (consensual or otherwise) except when conducting such action of a prisoner or subject person at GPD HQ.
 11. The officer is engaged in a police response to any type of civil disorder in circumstances where the officer is engaged with or in the presence of civilians, and the officer or any other officer on the scene may be required to employ constructive authority or force.
 12. The 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 section based on specific and articulable facts warranting heightened caution that are documented by narration on the recording and/or in any investigation or incident report.
 13. The officer is transporting an arrestee to a police station, county jail, or otherwise

place of confinement, or a hospital or other medical care or mental health facility.

14. The officer reasonably believes that any other officer on the scene has undertaken or is engaged in any of the foregoing police actions/activities.
- B. To ensure that the entire encounter/event/episode is recorded, in accordance with this Policy and the law, a BWC should be activated before a uniformed officer arrives at the scene of a dispatched call for service or other police activity listed in Section IX.A. The officer need not begin recording at the moment he or she receives instructions from a dispatcher.
 - C. BWCs shall remain activated for the entire duration of an event/encounter/episode and shall not be deactivated until it is concluded (e.g., the BWC equipped officer has left the scene; all the civilians involved in the encounter have left the scene; the officer has informed the dispatcher or a supervisor that the event has concluded; the event is “closed” on the computer-aided dispatch system, etc.). This includes any subsequent transport of a subject (regardless of custody status). See Section IX – Circumstances When Activation/Use is Subject to Special Conditions/ Restrictions for authorized exceptions.
 - D. When an officer, whether in uniform, is transporting an arrestee to a police station, county jail, or otherwise place of confinement, or a hospital or other medical care or mental health facility, the BWC shall remain activated at all times while the officer is in the presence of the arrestee and until the arrestee is secured in a holding cell or secured to a prisoner bench in the Squad Room (Processing Room), 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.
 1. When the arrestee is secured in the Squad/Processing Room as noted in Section D above, the officer shall deactivate the camera and also shut the camera power off.
 2. When the arrestee is transported to a medical facility, the officer shall deactivate the camera once treatment begins on the patient and resume if/when the arrestee is escorted from the hospital for police transport.
 - a. If the arrestee engages the officer in dialogue, causes a disturbance, or the officer believes constructive authority or force may be necessary, the BWC shall be immediately reactivated.
 3. When transporting a prisoner to the Camden County Jail, the officer shall deactivate the BWC when the officer reaches the doorway threshold of the entrance to the jail while in the sally port.
 4. Special Provisions Governing the Use of BWCs when Investigating Underage Alcohol and Marijuana Use - Consistent with the provisions of N.J.S.A. 2C:33-

15a(4), the video and audio recording functions of an officer's BWC shall be activated whenever the officer is responding to a call for service related to an underage person who is suspected of violating the law with respect to possessing or consuming an alcoholic beverage, marijuana, hashish, or a cannabis item, or at the initiation of any other law enforcement or investigative encounter between an officer and a person related to a violation or suspected violation of that provision. The BWC shall remain activated until the encounter has fully concluded and the officer leaves the scene and shall not be deactivated based on a request by a person who is the subject of the call for service related to a violation of N.J.S.A. 2C:33-15, or for any other reason.

5. Special Activation Rules Governing Certain Use-of-Force Incidents, In-Custody Deaths, and Other Exigent Circumstances Where Officers Are in Danger - Notwithstanding any other provision of this Policy, when an officer equipped with a BWC is dispatched to or otherwise goes to the scene of a "Law Enforcement Incident" as defined in AG Directive 2019-4, the officer shall activate the BWC before arriving at the scene when feasible. Notwithstanding any other provision of this Policy, an officer while at the scene of a "Law Enforcement Incident" shall not de-activate the BWC unless instructed to do so by the assistant prosecutor or assistant or deputy attorney general supervising the investigation of the deadly-force incident pursuant to AG Directive 2019-4, or his or her designee. Such instruction may be given telephonically by the assistant prosecutor, assistant or deputy attorney general, or designee supervising the investigation.

- E. If a civilian requests that an officer deactivate a BWC during a contact, the officer has no obligation to stop recording if the recording is pursuant to an investigation, arrest, lawful search, or the circumstances clearly dictate that continued recording is necessary.
1. When a civilian conversing with an 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, the officer may deactivate the BWC. Such request for deactivation must be self-initiated by the civilian.
 2. Officers are prohibited from misleading the person making the deactivation request into believing that the BWC has been turned off when it is, in fact operating.
 3. Additionally, if a civilian request a BWC be deactivated in the course of making an Internal Affairs complaint against an officer or employee of the agency, the officer accepting the complaint shall comply with the request and narrate that a request was made to deactivate the BWC in relation to an Internal Affairs complaint.
 4. In this circumstance, the officer shall notify a supervisor of the request and

document the action on the Internal Affairs Complaint Form.

5. The officer shall not suggest to the person that the BWC should be deactivated, nor should the officer ask the person whether he or she would prefer that the BWC be deactivated. Rather, the request for the deactivation must be self-initiated by the civilian making the complaint.
 6. De-Activation at the Request of a Person Seeking Emergency Medical Assistance. Notwithstanding Section IX.B, an officer may de-activate a BWC when a person, other than an arrestee, is seeking emergency medical services for him or herself or another and requests that the BWC be de-activated. In deciding whether to de-activate the BWC, the officer shall consider the privacy interests of the person requesting de-activation and the person in need of medical assistance.
 7. An officer may mute a BWC, except as noted in subsection (a) below, while participating in a discussion pertaining to criminal investigation strategy and planning, 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 evidence. When an officer mutes a BWC pursuant to this section, the officer shall narrate the circumstances of the muting.
 - a. Officers shall not mute their BWC while at the scene of a police deadly-force event or the on-scene investigation of an event.
 8. An officer may mute a BWC while participating in a discussion pertaining to criminal investigation strategy and planning, 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 evidence. When an officer mutes a BWC pursuant to this section, the officer shall narrate the circumstances of the muting.
 9. Any time a BWC is going to be deactivated or muted pursuant to any of the approved reasons listed above, the officer shall narrate the reason for deactivation or muting before performing the function.
 8. Any time a BWC has been deactivated pursuant to any of the approved reasons listed above, upon reactivation or, the officer shall narrate that the recording has resumed.
- F. Any officer providing assistance or back up to an officer on a call for service or citizen contact is required to have their BWC activated in accordance with this policy until the assignment is cleared or their assistance is no longer needed.
- G. Officers on extra-duty or off duty overtime assignments shall deploy their BWC during their assigned traffic and/or security details. The camera shall be powered on but officers shall activate the BWC in accordance with the procedures set forth in this policy if they

are required to undertake official police actions during the course of their assignment as noted in Section IX.

- H. When BWC is activated, officers are encouraged to provide narration where practical and appropriate in an effort to augment the value of the recording and to provide clarity for the viewer. Officers may also mark significant events while recording and provide details of the marked segments.
- I. Officers may, if possible, narrate the circumstances at the start of the encounter audibly so that the recordings on the BWC will be easier to locate if review of the video is necessary at a later time (e.g., an officer arriving at the scene of a serious motor vehicle accident may narrate the recording by stating as the BWC is activated, “Officer Smith arriving at the scene of a serious motor vehicle accident at the corner of State Street and Dudley Avenue”).
- J. Officers shall include in the narrative report that BWC footage is available for the incident by typing/writing the letters BWC in all capital letters at the end of the report or by documenting it in sentence form.
- K. If an officer fails to activate the BWC when required, fails to record the entire event contact, or interrupts the recording, the member shall document in the applicable incident or case report, and notify a supervisor why a recording was not made, was interrupted, or was terminated. If no incident report is required for the case, the officer shall document the reasons in the case disposition notes section when they close out the case.
- L. Officer shall note in incident and case reports when BWC recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports.
- M. BWC recordings shall not be utilized as a replacement for written reports. Officers shall not simply refer to the recording in lieu of submission of a narrative portion of the offense report.
- N. Despite an incident being captured by the BWC the officer shall document in all applicable reports a sufficient and detailed summary for the reader of the report to have an understanding of the events that occurred.
- O. Clarification – Activation Requirements
 - 1. Officers who are “on assignment” and listed on a call for service shall not activate their BWC solely because they are assigned to a “Case #”. Section IX(A)(1-2) lists that an officer shall activate a BWC when initiating a CFS; however this section does not apply when an officer is “on assignment” for “blanket case numbers” such as Community Relations Events, SRT Operations, or patrol activities such as Directed Patrols, Neighborhood Patrols, Traffic Action Notices, etc. unless there is contact with a civilian and a trigger under Section IX that would require BWC activation.

P. BWC Powering Down at HQ

1. The BWC shall be powered off at any time when an officer is in the secure area of HQ except when:
 - a. An officer is initially bringing a prisoner into HQ and he/she hasn't yet secured the prisoner in the Processing Room/Squad Room as noted in Section IX(D).
 - b. An officer is testing the BWC or downloading recorded video.
 - c. When the officer is handling an incident in accordance with Section IX(A)(1)
 - d. "Secure areas of HQ" shall include: All areas and offices of Police HQ except the lobby.
 - e. "Secure areas of HQ" are not municipal building hallways, municipal court, and all other areas and offices of the municipal building.

X. Circumstances When BWC Activation/Use are Subject to Special Conditions or Restrictions

- A. Unless an officer is actively investigating the commission of a criminal offense, or is responding to an emergency, or reasonably believes that he or she will be required to use constructive authority or force, the officer shall not activate a BWC, or shall de-activate a BWC that has been activated, while the officer:
 1. Is in a school or youth facility or on school or youth facility property under circumstances where minor children would be in view of the BWC;
 2. Is in a patient care area of a healthcare facility, medical office, or substance abuse treatment facility under circumstances where patients would be in view of the BWC; or
 3. Is in a place of worship under circumstances where worshippers would be in view of the BWC.
- B. In the event that a BWC captures the image of a patient in a substance abuse treatment facility, the officer who recorded the incident on his/her BWD shall complete a memo his/her supervisor who shall forward it via chain of command to the Professional Standards Unit who shall notify the Camden County Prosecutor or designee shall be notified to ensure compliance with all applicable federal laws and regulations providing for the confidentiality of substance abuse treatment information.

1. The recording shall not be accessed without the permission of the Camden County Prosecutor or designee.
 2. Note that 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. In order to prevent the recording of events unrelated to the call for service, officers at police headquarters addressing walk-in complaints are authorized to deactivate their BWC when not in the presence of the citizen. Examples include the typing of complaints or other follow-up activities conducted in the Headquarters area. The officer shall narrate on the BWC the reason for the deactivation and immediately reactivate the unit each time contact with the citizen is re-established.
- D. An officer shall not activate a BWC, or shall deactivate a BWC that has been activated, if the officer knows or reasonably believes that the BWC would capture the image of an undercover officer or confidential informant or otherwise would pose 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 force, officer in distress, etc.) require that the encounter/incident be recorded, in which event the officer shall inform his or her supervisor that the image of an undercover officer or confidential informant was recorded.
1. In the event of a planned arrest/search warrant execution where it is expected that an undercover officer or confidential informant would be present (e.g., a raid where the undercover operative will be arrested to preserve his or her cover), the Camden County Prosecutor or designee, or the Director of the Division of Criminal Justice or designee, may provide specific instructions to any BWC-equipped officers participating in the operation on whether to activate their devices.
 2. The BWC shall be activated/reactivated as soon as it is safe and practicable to do so if and when the risk of capturing the image of an undercover officer or confidential informant no longer exists.
- E. In the event that a BWC worn during the execution of tactical operations (e.g., Special Response Team, or SWAT operations, execution of arrest and/or search warrants, etc.) records confidential tactical information the disclosure of which might jeopardize future operations or officer safety (e.g., verbal codes or hand signals used to communicate information or instructions, techniques for interior movements and clearing rooms, techniques to convince persons to open doors, etc.), the recording shall be tagged in accordance with the procedures set forth in Section XI.

- F. An officer 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 such activation is expressly authorized by the judge.
- G. BWCs shall be deactivated, turned off and removed from DWI Processing Room booking area by all officers' present while processing a subject for driving while intoxicated as to not inhibit the Alcotest or similar alcohol testing device or machine.
- H. An officer may deactivate a BWC when specifically authorized to do so by an Assistant Prosecutor or Deputy Attorney General for good and sufficient cause as determined by the assistant prosecutor or deputy attorney general. When an officer deactivates a BWC pursuant to this section, the officer shall narrate the circumstances of the deactivation indicating the assistant prosecutor or deputy attorney general who authorized the deactivation (e.g., "I am turning off my BWC as per the instruction of Assistant Prosecutor (insert name).").
- I. An officer, while at the scene of a police deadly-force event or the on-scene investigation of an event, shall not deactivate the BWC 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 No. 2006-5, or his or her designee. Such instruction may be given telephonically by the assistant prosecutor, or deputy general, or designee supervising the investigation.
- J. If a BWC is deactivated in accordance with the provisions outlined in this policy and circumstances develop so that an officer is authorized to use force, the BWC shall be reactivated as soon as it is safe and practical to do so.
- K. Restrictions on Using BWCs Surreptitiously or to Gather Intelligence Information on First Amendment Protected Activity - A BWC shall not be used surreptitiously. Additionally, a BWC shall not be used to gather intelligence information based on First 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, provided that nothing in this subsection shall be construed to prohibit activation of video and audio recording functions of a BWC as authorized under the law or this Policy.

XI. Secure Storage, Retention, Evidentiary Process, and Accessibility of BWC Recordings

- A. Contents downloaded from BWCs shall be stored on Evidence.com. All recordings are maintained within the BWC system and are authenticated by an internal audit program with the BWC system. All images and sounds recorded by the BWC are the exclusive property of the Gibbsboro Police Department.
 - 1. Officers shall whenever possible access Evidence.com at least one time during their tour of regular duty to ensure that the BWC footage has been properly associated with the correct case in Infoshare and has been assigned the correct

retention schedule.

- a. No Case Assigned (reviewed by IA prior to deletion)
 - b. Uncategorized-Until Manually Deleted (Default)
 - c. Protected Mandatory-Until Manually Deleted (see section X.A)
 - d. Protected Normal-180 day (see section X.A)
 - e. Arrest- any incident or call for service where an arrest is made.
 - f. Police Investigation-any call for service that does not involve reporting of an offense or crime.
 - g. Criminal Investigation-all calls for service where an offense or crime is being reported or investigated.
 - h. MVC Investigation
 - i. Medical/Crisis Response
 - j. Pursuit
 - k. Pedestrian Stop
 - l. Traffic Stop
 - m. DWI
 - n. Currency/Bail Exchange
 - o. Officer Injury
 - p. Prisoner Transport
 - q. Search Warrant
 - r. SRT Assignment
 - s. Training Demo
 - t. Internal Affairs Investigation
 - u. Seized Firearm – Crisis Category
2. If when checking evidence.com, officers find that their BWC recordings from their prior tour are not categorized correctly, they shall notify their immediate supervisor to coordinate doing so.
 3. Officers shall notify their immediate supervisor of any BWC recording that is subject to special conditions set forth in section X.B so that they can be categorized and uploaded to evidence.com prior to the end of their assigned work shift. Officers may utilize the evidence program on their MDT, desk top work station or the BWC docking station. Officers shall verify that the video is uploaded and categorized correctly in evidence.com.

4. Uploaded events are stored on the system by incident. Each incident can be searched by date/time and officer. In addition, events can be searched by supplemental information keyed in by the officer at the time of upload, such as categories and case number.
- B. The Chief of Police shall oversee the department BWC program. The Chief of Police shall set permissions, authorization levels and tagging/retention categories in the program and coordinate the maintenance and repairs to the BWC units. Only that officer shall have access to edit and/or delete video/audio segments. The officer shall immediately notify the Chief of Police if the system or footage is compromised or accessed without proper authorization.
 - C. Automatic Three-Year Retention Period. A BWC recording 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 recording.
 - D. Three-Year Retention Period Upon Request. Subject to any applicable retention periods established in Section XI to the extent such retention period is longer, a BWC recording shall be retained for not less than three years if voluntarily requested by:
 - a. law enforcement officer whose BWC made the video recording, if that officer reasonably asserts the recording has evidentiary or exculpatory value;
 - b. a law enforcement officer who is a subject of the BWC recording, if that officer reasonably asserts the recording has evidentiary or exculpatory value;
 - c. any immediate supervisor of a law enforcement 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;
 - d. any law enforcement officer, if the BWC recording is being retained solely and exclusively for police training purposes;
 - e. any member of the public who is a subject of the BWC recording;
 - 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.

To effectuate subparagraphs (e), (f), and (g) of this Section, the member of the public, parent or legal guardian, or next of kin or designee shall be permitted to review the BWC recording to determine whether to request a three-year retention period, in accordance

with the provisions of the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., to determine whether to request a three-year retention period.

- E. The retention period and purging guidelines for BWC recordings shall be in accordance with the guidelines set forth by the New Jersey Division of Archive Management. The retention period shall not be less than 180 days and shall be subject to the following additional retention periods:
1. When a BWC recording pertains to a criminal investigation or otherwise records information that may be subject to discovery in a prosecution, the recording shall be treated as evidence and shall be kept in accordance with the retention period of evidence in a criminal prosecution.
 2. When a BWC records an arrest that did not result in an ongoing prosecution, or records a use of force, the recording shall be kept until the expiration of the statute of limitations for filing a civil complaint against the officer and/or the Gibbsboro Police Department.
 3. When a BWC records an incident that is the subject of an internal affairs complaint, the recording shall be kept pending final resolution of the internal affairs investigation and any resulting administrative action.
- F. BWC recordings retained for evidentiary purposes, which shall include any recording that captures a use of force, shall be safeguarded in the same manner as other forms of evidence as detailed in Property and Evidence. As such, these recordings will:
1. Be retained as evidence on Evidence.com and tagged by the requesting member with the case number of the incident under one of the following categories:
 - a. No Case Assigned (reviewed by IA prior to deletion)
 - b. Uncategorized-Until Manually Deleted (Default)
 - c. Protected Mandatory-Until Manually Deleted (see section X.A)
 - d. Protected Normal-180 day (see section X.A)
 - e. Arrest
 - f. Police Investigation
 - g. Criminal Investigation

- h. MVC Investigation
- i. Medical/Crisis Response
- j. Pursuit
- k. Pedestrian Stop
- l. Traffic Stop
- m. DWI
- n. Currency/Bail Exchange
- o. Officer Injury
- p. Prisoner Transport
- q. Search Warrant
- r. SRT Assignment
- s. Training Demo
- t. Internal Affairs Investigation
- u. Seized Firearm – Crisis Category

- G. BWC recordings of arrests that did not result in criminal prosecution shall be retained in Evidence.com and categorized by the requesting member with the case number of the incident along with the appropriate retention schedule selection.
- H. Once categorized, only personnel authorized by the Chief of Police shall have permissions set in the software to view such recordings.
- I. The Gibbsboro Police Department shall ensure that relevant BWC recordings are provided in discovery in a timely fashion. The Police Records Clerk processing discovery requests shall check the case in the RMS for corresponding investigative report(s) for references to the incident being recorded by a BWC.
 - 1. Copies of BWC recordings made for the purpose of complying with the State’s discovery obligations shall be provided in a readily available media format approved by the Director of Criminal Justice in consultation with the Administrative Office of the Court.
 - 2. The Gibbsboro Police Department reserves the right to redact video as applicable by law.

XII. Provisions to Identify Recordings that Raise Special Privacy or Safety Issues

- A. To identify BWC recordings that may raise special privacy or safety issues, officers shall categorize such a recording as a Protected Mandatory or Protected Normal Video when the recording:
1. Captures the image of a victim of a criminal offense;
 2. Captures the image of a child;
 3. Was made in a residential premise (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;
 4. Captures a conversation with a person whose request to deactivate the BWC was declined;
 5. Captures a special operations event or execution of an arrest and/or search warrant where confidential tactical information (e.g., verbal codes and hand signals used to give directions 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;
 6. Captures the image of an undercover officer or confidential informant; or
 7. Captures the screen of a police computer monitor that is displaying confidential personal or law enforcement sensitive information. See also Section X.B (requiring notice to the prosecutor when a BWC captures the image of a patient at a substance abuse treatment facility).
- B. Evidence.com allows for a recording to have multiple tags. Therefore, a video may be tagged as a “Protected Video” in addition to one of the classifications listed in Section X above. The retention period for a “Protected Video” shall be 180 days, unless it also has a companion tag that calls for a longer retention.
- C. A BWC recording tagged pursuant to this section shall not be accessed, viewed, copied, disseminated, or otherwise used without first obtaining the permission of the Camden County Prosecutor or designee, or the Director of the Division of Criminal Justice or designee.
1. Except for when a BWC captures the image of a patient at a substance abuse treatment facility and subject to the requirements of Section XII Public Disclosure of BWC Recordings, the Camden County Prosecutor or Director of the Division of Criminal Justice may authorize the Chief of Police and one or more superior officers or duty positions identified by the Chief of Police, to grant permission pursuant to this section to access, view, copy, disseminate, or otherwise use BWC

recordings tagged pursuant to this section.

- D. For the purpose of this policy, the Chief of Police shall seek permission from the Camden County Prosecutor for Officers who are involved in an investigation or incident to view BWC recordings tagged pursuant to this section in order to conduct such activities including, but not limited to, logging evidence, reporting and preparation for legal proceedings.
- E. For the purpose of this policy, the Chief of Police shall assign the following duty positions to access, view, copy, disseminate, or otherwise use BWC recordings tagged pursuant to this section in order to conduct such activities including, but not limited to, logging evidence, filling discovery requests, administrative reviews, audits for compliance with policies, and internal affairs investigations:
 - 1. Chief of Police;
 - 2. Captains;
 - 3. Lieutenants;
 - 4. Sergeants;
 - 5. Shift Officer in Charge
 - 6. Internal Affairs Unit Personnel;
 - 7. Investigations Bureau Personnel;
 - 8. Police Records Discovery Clerk(s).
- F. If a disclosure of a BWC 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 (e.g., verbal codes or hand signals used to communicate information or instructions, techniques for interior movements and clearing rooms during execution of warrant, techniques for convincing persons to open doors during warrant execution, etc.), the Camden County Prosecutor or designee, or Director of Criminal Justice or designee in cases prosecuted by the Division, 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 by disclosure, such as by seeking a protective order from the court.
- G. Recorded video that is authorized to be released that captures special privacy or safety issues shall be redacted as follows:
 - 1. The reason for viewing will be noted in the "notes" section as "redaction for OPRA request" or "redaction for discovery request".

2. The redaction program creates a duplicate video for the redaction. The original recorded video remains unaltered.
3. The video copy is then video/audio redacted as per the provisions listed in Section XII A and F.

I. Whenever a video is created under the following conditions:

1. Inadvertent, unintentional or accidental activation of BWC which captures video of a private nature not involving police duties (restroom, home, etc.).
 - a. These video recordings shall be tagged as “No Case Assigned” in Evidence.com.
2. Videos in which an officer activates the BWC while responding to an incident, but the officer does not arrive at incident, or the contact does not fit the criteria of activation of this policy. Examples include, and officer responding to an incident, but gets called off or never arrives at the incident.
 - b. These video recordings shall be tagged as “No Case Assigned” in Evidence.com.

XIII. Restrictions on Access to Use and Dissemination of BWC Recordings

- A. All access to downloaded BWC files must be specifically authorized by the Chief of Police or his or her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes. Under no circumstance shall any officer of this department erase, tamper with, reuse, or alter the recording of BWC.
1. The secure program has an internal audit trail function that documents by user identification number the following:
 - a. The date and time of access;
 - b. The specific BWC recording(s) that was/were accessed;
 - c. The officer or civilian employee who assessed the stored BWC recordings.
 2. Officers shall type comments in the notes section when reviewing recorded BWC images to document the reason they are viewing the video. Officers shall specifically type in the notes section the following applicable brief phrases: “*Case Review*”.

The specific terminology for supervisory and administrative reviews is address in

- XV. The terminology as noted in this section (XIII), are for report writing and criminal investigation purposes only and not administrative or supervisory reviews.
- B. Specified Authorized Purposes for Accessing/Using Stored BWC Recordings. No law enforcement officer or civilian employee of a law enforcement agency shall access, view, copy, disseminate, or otherwise use a BWC recording except for an official purpose as specified in this Section and the law. BWC recordings shall not be divulged or used by any law enforcement agency for any commercial or other non-law enforcement purpose. Access to and use of a stored BWC recording is permitted only:
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 possible police misconduct or to determine the existence of a pattern or practice of police misconduct;
 4. When relevant to a supervisor's review of an officer's actions as part of the supervisory process authorized by the agency;
 5. To show a civilian who intends to file a complaint against an officer to demonstrate what actually occurred during the encounter so that the person can make an informed decision whether to file the complaint;
 6. To comply with the State's discovery obligations in prosecutions pursuant to the Rules of Court;
 7. To comply with other legal obligations to turn over the recording to a person or entity; (When responding to a subpoena or court order, or a request pursuant to the Open Public Records Act or common law right to know, disclosure of a BWC recording under this paragraph is permitted only after providing notice to the County Prosecutor or designee, or the Director of the Division of Criminal Justice or designee, pursuant to Section 11 of this Policy)
 8. To show or disseminate the recording to a civilian or a non-law enforcement entity, or to disseminate it to the public, where the Camden County Prosecutor or designee, or Director of the Division of Criminal Justice or designee, determines that disclosure to that particular 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;
 9. Officers may inform their supervisors of any recordings that may be of value for training purposes;
 10. for 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;

11. to conduct an audit to ensure compliance with this Policy and a department's policy, standing operating procedure, directive, or order promulgated pursuant to 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 Camden County Prosecutor or designee, or the Director of the Division of Criminal Justice or designee; or
 13. Any other specified official purpose where the Camden County Prosecutor or designee, or Director of Division of Criminal Justice or designee, finds in writing that good and sufficient cause exists to authorize access to a particular BWC recording.
- C. Restriction on Access to BWC Recordings Related to Investigations Conducted Pursuant to AG Directive 2019-4. To ensure the integrity of the investigation of "Law Enforcement Incidents" conducted pursuant to AG Directive 2019-4, and to avoid possible contamination of a witness's personal recollection of events that could undermine his or her credibility as a witness, notwithstanding any other provision of this Policy, no civilian or law enforcement witness, including the principals of the investigation, shall be given access to or view a BWC recording of the incident, or a BWC recording of the response or on-scene investigation of the incident, without the express prior approval of the "Independent Investigator," as that term is defined in AG Directive 2019-4.
- D. Restriction on Access to BWC Recordings Prior to Creating Reports, Statements, Interviews. A law enforcement officer shall be permitted to review or receive an accounting of a BWC recording prior to creating any required substantive initial reports, providing a statement, or submitting to an interview regarding the recorded event, except under the following circumstances:
1. the incident involves the use of force by the officer, where the officer knows or should know that the use of force resulted in significant or serious bodily injury or death
 2. the incident involves the discharge of a firearm or any other use of deadly force by the law enforcement officer
 3. the incident involves the death of a person while in law enforcement custody;
 4. the incident involves the death of a person during an encounter with a law enforcement officer;
 5. an incident that the officer knows or has been advised is or will be the subject of an internal affairs complaint relating to the officer's use of force, bias, or dishonesty; or
 6. an incident that the officer knows or has been advised is or will be the subject of a citizen complaint relating to the officer's use of force, bias, or dishonesty.
- E. Whenever a law enforcement officer reviews or receives an accounting of a BWC recording prior to the creation of any report, statement, or interview, the law enforcement 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. The law enforcement officer shall document each BWC recording that was reviewed and

the date of the review. If the law enforcement officer received an accounting of a BWC recording, the law enforcement 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.

- F. Nothing in Section XV shall be construed to require a law enforcement officer to review a BWC recording prior to creating any required initial reports, statements, and interviews regarding the recorded event, nor to prevent a law enforcement officer from reviewing or receiving an accounting of such a BWC recording subsequent to the creation of any required initial report, statement, or interview regarding the recorded event.

- G. As noted above, an officer is prohibited from reviewing or receiving an accounting of a BWC recording in certain scenarios specified in subsections 10.3(a)-(f) (the “specified scenarios”) prior to the officer documenting or otherwise memorializing the officer’s recollection of the incident, namely, by creating any required substantive initial report, providing a statement, or submitting to an interview regarding the recorded event (“the specified incident memorialization”). Whenever an officer participates in a specified scenario, then the officer shall only be permitted to review or receive an accounting of a BWC recording 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. In cases subject to Attorney General Directive 2019-4, the investigating entity shall be the Independent Investigator. In all other specified scenarios the investigating entity shall be the chief law enforcement executive or designee. The investigating entity shall document the authorization to review or receive an accounting of a BWC of a specified incident.

- E. Documenting Access to Stored BWC Recordings. Each department shall maintain a record of all access to stored BWC recordings pursuant to this Policy. The department’s record keeping system shall document the following information:
 - 1. the date and time of access;
 - 2. the specific BWC recording(s) that was/were accessed;
 - 3. the officer or civilian employee who accessed the stored BWC recording;
 - 4. the person who approved access, where applicable; and
 - 5. the reason(s) for access, specifying the purpose or purposes for access authorized pursuant to Section XV.B, and specifying the relevant case/investigation number, where applicable.

XIV. Public Disclosure of BWC Recordings

- A. Upon receiving a subpoena, court order, or request pursuant to the Open Public Records Act, or the common law right to know, for a BWC recording, the Administrative Services Division Commander, or his or her designee, within one business day of receipt of such subpoena, court order, or request, and before complying with it, provide notice to the Camden County Prosecutor. Such notice shall state clearly the deadlines by which a response must be made.
- B. Except as otherwise provided in Section XII. B., a BWC recording of an event or encounter that involves an investigation of a criminal offense as defined in Section I, 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 law enforcement agency in consultation with the Camden County Prosecutor or designee, or the Director of the Division of Criminal Justice or 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.
- C. When BWC recordings are reviewed for the Open Public Records Act, or the common law right to know, the Administrative Services Division Commander or his/designee shall type "OPRA Request" with the name of the requestor and "Redacted" in the audit trail notes section. i.e.; OPRA Request John Doe-Redacted"
- D. It shall be the responsibility of the Director of the Division of Criminal Justice or designee, or the Camden County Prosecutor or designee, to determine on a case by case basis whether and when a deadly-force recording will be made publicly available.
- E. When practicable, Officers shall be notified that their BWC recording is being released to the public via Open Public Records Act or departmental release to the media.

XV. Supervisory Responsibilities and Review

- A. Supervisory personnel shall ensure that officers under their command who are equipped with BWC devices utilize them in accordance with policy and procedures defined therein.
- B. A supervisor shall take protective custody of the BWC of any officer(s) that is involved in a serious incident to safeguard any footage of the event captured on the unit(s). Such incidents include the use of deadly force, the use of force resulting in serious bodily injury or death, motor vehicle crashes involving an officer and serious bodily injury, any event resulting in significant bodily injury to the officer, or any other event in which the supervisor feels that the immediate custody of the unit is necessary to protect any footage.
- C. The transfer of custody shall not take place until the entire encounter / event / episode has concluded and the BWC(s) has been deactivated in accordance with the parameters set forth in this policy.

1. The supervisor that takes custody of the unit shall forward it to the Chief of Police or Internal Affairs Unit Officers and they will issue the officer a spare unit if one is not available.
 2. The Internal Affairs Unit Officer shall download and tag any footage captured of the event accordingly.
 3. The unit shall only be placed back in service with approval from the Chief of Police or his designee.
- D. The Chief of Police or his supervisory designee(s) are responsible for reviewing BWC recorded events in an effort to ensure the equipment is operating properly, to assess officers' performance and adherence to written policies and established professional standards, and to identify other training needs.
1. The reviewing Supervisor may review BWC recordings under the following circumstances:
 - a. During the course of accepting an Internal Affairs complaint and the review of any BWC recordings may be helpful in resolving the concerns of the complaint or assisting the supervisor in reviewing the incident.
 - b. Supervisors Review. An Officer's immediate Supervisor or Chief of Police may review the BWC recording of an officer under his command if he/she feels the review is necessary to assist in managing an investigation or assisting with individual officer training needs.
 2. The reviewing Supervisor shall review BWC recordings under the following circumstances:
 - a. Whenever an officer has suffered a work-related injury.
 - b. When reviewing a motor vehicle crash or foot pursuit incident.
 - c. Whenever a civilian has suffered an injury as a result of law enforcement action or a civilian has suffered an injury on or in Township property and it is possible the officers BWC captured a recording of the incident resulting in the injury.
 - d. With the exception of a deadly force incident, whenever use of force is used by an officer or officers.
 3. When reviewing videos in accordance with section D(1(a-b) and D(2)(a-c) above the

reviewing supervisor shall complete a Supervisory Review of Digital Video/Audio Recording Form,

4. The reviewing Supervisor shall review BWC recordings under the following circumstances:
 - a. During the course of the officers' first year of employment:
 1. The reviewing Supervisor shall review a minimum of 3 videos per week (7-day period) during officers first year of employment when such videos exist. The videos will be determined by reviewing the officer's assigned cases in the records management system.
 2. When the Supervisor has been advised by the Internal Affairs Unit that there has been an Early Warning System activation.
 3. When a Supervisor has been advised of a Early Warning System activation the Supervisor shall inform the officer of the Early Warning System activation and review 3 videos per week (7-day period) for 90 days. The videos will be determined by reviewing the officer's assigned cases in the records management system.
 - b. When the during the course of the Supervisor Review the reviewing supervisor has documented one or more video reviews where the answers to the review questions have resulted in "No", the supervisor shall review an additional 3 BWC videos in the preceding month and an additional 3 videos beyond the required 3 videos in the next 20 working days. The videos will be determined by reviewing the officer's assigned cases in the records management system.
5. When reviewing videos in accordance with Section D.4.a-b above the Supervisor reviewing the recordings shall complete the Supervisor BWC Review Log to track the viewing of the required number of videos in the specified time period.
6. Random Review - The reviewing Supervisor shall review 3 videos per month per officer assigned as BWC unless there are not 3 BWC recordings available to review. Sergeants equipped with a BWC shall be reviewed by their supervisors and Lieutenants/Captains/Deputy Chief shall be reviewed by their supervisors. The videos will be determined by reviewing the officer's assigned cases in the records management system. The supervisor shall also utilize the Supervisor BWC Review Log to track the viewing of the required number of videos in the specified time period.
7. Completed Supervisor Review Forms, shall be forwarded to the Chief of Police for review and filing. Supervisors initially reviewing the recorded video shall, if necessary, make any recommendations for training, discipline, or positive performance recognition resulting from the observations. The Chief of Police shall

review such findings to determine if any individual or group is in need of further training.

8. Whenever a supervisor reviews a BWC recording relating to this section by utilizing the storage system, the supervisor shall list “Supervisor Review” in the notes field of the audit trail.
9. Whenever a supervisor reviews a BWC recording and identifies an officer or officers to be recognized with a positive performance Letter, (Positive Performance Letter) shall be submitted.

E. BWC recordings may be reviewed by personnel assigned by the Chief of Police to conduct Internal Affairs complaints when:

1. BWC recordings may contain information relevant to an Internal Affairs Investigation or the filing of an internal affairs complaint.
2. BWC Recordings shall be reviewed by personnel assigned by the Chief of Police to conduct Internal Affairs investigations or other investigations when:
 - a. Any BWC recording of a motor vehicle pursuit.
 - b. An incident occurs on township property which warrants a review of any available BWC. Such incidents include civilian injuries, equipment failures, etc.
 - c. In accordance with the GPD Pursuit Policy.
 - d. All videos tagged as “No Case Assigned” prior to deletion.
3. Whenever an Internal Affairs Investigator reviews a BWC recording by utilizing the storage system, the Investigator shall type “*Admin Review*” in the Audit Trail Notes section.

XVI **Violations**

1. If a law enforcement officer, employee, or agent fails to adhere to the recording or retention requirements contained in this Policy, intentionally interferes with a BWC’s ability to accurately capture audio or video recordings, or violates any other provision of this policy, the officer, employee, or agent shall be subject to appropriate disciplinary action, in addition to any judicial consequences outlined in the law.