

Body-Worn Cameras

429.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of a body-worn camera (BWC) by members of this department and for the access, use, and retention of department BWC media (50 ILCS 706/10-20).

The provisions of this policy, including notice, documentation, access, and retention, also apply to other portable audio/video recording devices used by members, where applicable.

This policy does not apply to undercover operations, wiretaps, or eavesdropping (concealed listening devices).

429.1.1 DEFINITIONS

Definitions related to this policy include (50 ILCS 706/10-10; 50 ILCS 706/10-20):

Activate - To place a BWC in active mode (also called event mode). In active mode, the BWC records both video and audio.

Body Worn Camera (BWC): An electronic camera system for creating, generating, sending, receiving, storing, displaying, and processing audiovisual recordings.

BWC Administrator: Administrative staff member, appointed by the Chief of Police, who is responsible for oversight of the Department's BWC Program.

BWC media - The video, audio, and images captured by department BWCs and the associated metadata.

BWC media systems - Any software, including web-based programs and mobile applications, authorized by ILETSB and used by the Department to upload/download, store, view, transfer, and otherwise maintain BWC media.

Buffering Mode: The device feature for which the camera continuously video records and holds the most recent 30 seconds of video prior to record activation; audio recording is not captured when the camera is in this mode. With this feature, the initial event that causes the officer to activate the recording is likely to be captured automatically.

Community Caretaking Function: A function unrelated to the investigation of a crime such as participating in public meetings, town halls or other community outreach events.

Deactivate - To place a BWC in buffering mode (also called ready or pre-event mode). In buffering mode, the BWC records video (without audio) in short, predetermined intervals of at least 30 seconds that are retained only temporarily. However, when a BWC is activated, the interval recorded immediately prior to activation is then stored as part of the BWC media. Deactivate does not mean powering off the BWC.

Event - A general term referring to a set of circumstances that may, but does not necessarily, correlate directly to a single public safety incident.

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Event Mode: When the event button on the BWC is activated the camera is recording both audio and video for up to twelve hours. The buffered video, not audio, captured directly before the event will be saved and attached to the event's permanent memory.

Flag: To mark important evidence that you want to find more easily in the future. You can filter your evidence by flagged status and quickly view the flagged evidence files.

In Uniform: Pursuant to the Law Enforcement Officer-Worn Body Camera Act, 50 ILC 706/10, means a law enforcement officer who is wearing any officially authorized uniform designated by a law enforcement agency, or a law enforcement officer who is visibly wearing articles of clothing, a badge, tactical gear, gun belt, a patch, or insignia that he or she is a law enforcement officer acting in the course of his or her duties.

Label: Process of editing the evidence Title, Case ID (Event or Case Number) and Description.

Law enforcement-related encounters or activities - Pursuant to the Law Enforcement Officer- Worn Body Camera Act, 50 ILCS 706/10, this includes, but is 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. This does not include situations where the officer is completing paperwork alone or only in the presence of another law enforcement officer or is participating in training in a classroom setting.

429.2 POLICY

It is the policy of the Department to use BWCs and BWC media for evidence collection and to accurately document events in a way that promotes member safety and department accountability and transparency while also protecting the privacy of members of the public. The department is committed to the belief that video and audio documentation of an officer's encounter with the community is an important and valuable resource. Use of these cameras should facilitate professionalism, accountability, and transparency by documenting interactions with the public. The police department strives to respect all individuals' reasonable expectation of privacy, as provided by law.

Furthermore, the department recognizes that the body worn camera may not capture all of what the officer sees and hears, or what an officer senses, feels, or experiences. The recorded images do not provide the totality of the circumstances that drives the officer's response to a particular situation.

429.3 RESPONSIBILITIES

429.3.1 BWC COORDINATOR RESPONSIBILITIES

The Chief of Police or the authorized designee should delegate certain responsibilities to a BWC coordinator.

The responsibilities of the coordinator include (50 ILCS 706/10-20):

- a. Serving as a liaison between the Department and the BWC manufacturer/distributor and any third-party media storage vendor.

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- b. Acquiring sufficient BWCs to equip all law enforcement officers with BWCs while on duty (50 ILCS 706/10-15).
- c. Ensuring BWCs are equipped with pre-event recording of at least 30 seconds prior to activation and can record for at least 10 hours as required by law.
- d. Developing inventory procedures for issuing and tracking BWC equipment, including properly marking BWCs as property of the Department and recording the date each BWC is placed into or taken out of service.
- e. Assisting with troubleshooting and maintenance of BWC equipment and media systems and, when necessary, coordinating the repair or replacement of BWCs.
 - 1. All equipment and system malfunctions and their resolutions should be documented, and maintenance and repair records should be maintained for all BWCs.
- f. Managing BWC media systems so that:
 - 1. Systems used by the Department are authorized by ILETSB (50 ILCS 706/10-10).
 - 2. Access is limited to the minimum necessary authorized users and user privileges are restricted to those necessary for the member to conduct assigned department duties.
 - 3. Security requirements, such as two-factor authentication and appropriate password parameters, are in place for user credentials.
- g. Configuring BWC media systems, or developing manual procedures, so that media is appropriately categorized and retained according to the event type tagged by members.
- h. Retaining audit logs or records of all access, alteration, and deletion of BWC media and media systems, and conducting periodic audits to ensure compliance with applicable laws, regulations, and department policy.
- i. Developing and updating BWC training for members who are assigned a BWC or given access to BWC media systems.
- j. Coordinating with the community relations coordinator to (see the Community Relations Policy):
 - 1. Provide the public with notice of the department's use of BWCs (e.g., posting on the department website or social media pages).
 - 2. Gain insight into community expectations regarding BWC use.
- k. Coordinating with the Police Services Supervisor to (see the Police Services and Records Maintenance and Release policies):
 - 1. Determine and apply proper retention periods to BWC media.
 - 2. Develop procedures for the appropriate release of BWC media.
- l. Coordinating with the Property and Evidence Control to develop procedures for the transfer, storage, and backup of evidentiary BWC media (see the Property and Evidence Control Policy).
- m. Completing an annual administrative review of the BWC program and providing it to the Chief of Police for review.
- n. Establishing procedures to comply with the Law Enforcement Officer-Worn Body Camera Act and guidelines developed by ILETSB for BWC use.
- o. Providing the required annual report to ILETSB (50 ILCS 706/10-25).

429.3.2 MEMBER RESPONSIBILITIES

Every member issued a BWC is responsible for its proper use, safekeeping, and maintenance.

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Prior to going into service, each uniformed member 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 the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and the BWC Coordinator and obtain a functioning device as soon as reasonably practicable (50 ILCS 706/10-20). Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable. Officers have discretion as to the placement of the BWC, as approved by the Department, and consistent with Axon recommendations.

When using a portable recorder, the assigned member shall record his/her name, WPD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording. When a BWC is not in the physical possession of the member to which it is assigned, it should be placed on the charging dock and stored in a secure location.

Members 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 member deactivated the recording. Members should include the reason for deactivation.

At the end of their shift, officers shall return the BWC to the charging receptacle for uploading. The camera shall remain at the charging receptacle until the BWC is completely uploaded unless otherwise authorized or directed by a supervisor. Officers on any special assignment including members of ILEAS special teams and MERIT shall retrieve their assigned BWC from the police department prior to deployment and shall return their assigned BWC for uploading after completion of the deployment

429.4 BWC USE

The following guidelines apply to the use of BWCs:

- a. Only department-issued BWCs should be used without the express consent of the Chief of Police or the authorized designee.
- b. BWCs should only be used by the member or members to whom it was issued unless otherwise authorized by a supervisor.
- c. The use of department-issued BWCs shall be strictly limited to department-related activities.
- d. Members shall not use BWCs or BWC media systems for which they have not received prior authorization and appropriate training.
- e. Members shall immediately report unauthorized access or use of BWCs or BWC media systems by another member to their supervisor or the Chief of Police.

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- f. Officers are required to turn on their BWC at all times when the officer is wearing their uniform, as defined herein, and is responding to calls for service or engaged in any official related encounter or activities occurring while the officer is on duty, subject to the exceptions listed in this policy.
- g. The safety of the officer takes precedence over the recording of events.
- h. Officers should ensure their BWC is on buffering mode during their tour of duty. This ensures that the capture of the previous 30 seconds of video only prior to the camera transitions to the event mode.
- i. On-duty Officers are encouraged to dock their BWCs in the BWC charging receptacle if present in the police department building for extended periods of time (15 min or more). All officers must retrieve their BWC upon exiting the Police Department.
- j. BWC officers within a 50' radius will automatically switch from Buffering Mode to Event Mode during the following:
 - a. When the officer draws his/her service pistol from their duty holster.
 - b. When the officer activates the emergency lights on his/her police car.
 - c. When the officer removes his/her patrol rifle from the squad gun rack.
- k. Officers assigned a BWC shall change the system from buffering mode to event mode to record the entire incident for *all* of the following:
 - a. When involved in an emergency driving situation and the police car does not have a functioning in-car camera. If the police car has a functioning in-car camera, officers have the discretion to leave their BWC in buffering mode.
 - b. Execution of a search warrant, arrest warrant, or a consent search in which the officer is looking for a suspect.
 - c. Foot pursuits.
 - d. High-risk situations.
 - e. Any call for service, or while engaged in any official law enforcement related encounter or activity that occurs while the officer is on-duty; subject to the parameters set forth in this written department order.
 - f. The initial crime scene search and processing. In instances where the crime scene search and/or processing will be for an extended period of time, the BWC is not required to be in the event mode. However, when the officer believes there is a reasonable likelihood of coming into contact with unauthorized person(s), the BWC shall be transitioned to event mode.
 - g. Situations where an officer reasonably believes it to serve a proper purpose. For example, recording the processing of an uncooperative arrestee through the booking process.
 - h. Transporting a detainee or person(s) not in custody, regardless of gender. If multiple officers are transporting, all officers are required to record the incident using their BWC.
 - a. Prior to arriving at a dispatched call or when self-initiating a response to a call.
- l. Evidence Technicians processing a crime scene after the initial response by officers are not required to activate their BWC while processing the scene unless they encounter another law enforcement activity that requires the activation of the BWC.
- m. Officers working a special event/extra-ordinary detail will wear their BWC in the buffering mode while working the detail. The camera will be transitioned to event mode in accordance with this department order should any law enforcement related activities occur during the detail.

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- n. Officers assigned to a multi-jurisdictional task force (MERIT, ILEAS) and responding to an initial, in-progress call will wear their issued BWC during call-out activities in accordance with this department order.
- o. When exigent circumstances exist, which prevent the BWC from being turned on event mode, the BWC shall be turned on event mode as soon as practicable. The circumstances shall be documented in the officer's incident report and verbalized on the BWC when practicable.
- p. Officers are encouraged to provide notice to the subject being recorded unless it is unsafe to do so, or exigent circumstances exist.
 - a. **Verbal Announcement/Notice:** Verbal statement by the officer indicating a body camera is recording the interaction. Example "My body camera is on; you are being recorded."
 - b. If a person inquires as to whether a body camera is in use or whether a recording is being made, officers shall provide a prompt and truthful response.
- q. During the recording of an incident, Officers shall not turn off the BWC until the entire incident has been recorded. In instances where case strategy is being discussed and release of the information will comprise the investigation, the BWC shall remain in event mode. However, the information will be redacted in the event the recording is requested through Freedom of Information (FOIA) and will be released in accordance with the provisions set forth in the Law Enforcement Officer Worn Body Camera Act.
- r. If the Officer fails to activate the BWC to event mode and does not record the entire incident, or interrupts the recording for any reason, the officer shall as soon as possible follow-up with a verbal explanation on the BWC while it is in event mode, the time, place, and reason why the recording was not made or discontinued. This shall also be documented in the Officer's incident report.
- s. If an incident report is taken, the officer shall document at the beginning of the report that the incident or interaction was recorded by a body camera.
 - a. Example, "Incident - BWC Recorded."
- t. If a BWC is reviewed prior to the writing the incident report, the officers shall document in the report that the incident or interaction was recorded by a BWC and reviewed prior to writing the report.
 - a. Example, "Incident - BWC recorded and reviewed prior to writing report."
- u. In the event of an arrest, the incident is concluded when the subject has been transported to the Station. However, Officers have discretion to continue recording through the booking process to when the subject is placed in a cell.
 - a. The recording of officers serving in an undercover capacity should be avoided. In instances where undercover officers are captured, the identity of that officer will be redacted, if the recording is requested through the Freedom of Information Act (FOIA) and will be released in accordance with the provisions set forth in the Law Enforcement Officer Worn Body Camera Act.
 - b. When other recording mechanisms in the Holding Facility are not in use, the Officer's BWC shall be on event mode when the Miranda warning is being provided to the person in custody.
- v. Officers will not turn off the power to their body camera during their shift or detail, except under the following conditions
 - a. BWCs may be turned off when the officer is inside a correctional facility which is equipped with a functioning camera system.
 - b. Officers shall turn off the BWC during any court-related matter, to include pre-trial conferences, depositions, or any other activity in the courtroom.

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429.4.1 PROHIBITIONS

BWCs should not be used to record (50 ILCS 706/10-20):

- a. Routine administrative activities of the Department that do not involve interactions with the public. Care should be taken to avoid incidentally recording confidential documents that the Department has a duty to keep secure (i.e., criminal justice information). This includes but is not limited to communications with other police personnel during routine, non-enforcement related activities (report writing, case discussions with personnel inside the police facility, etc.) and communications with other police personnel during planning and tactical discussions (roll calls, incident debriefs, etc.).
- b. Areas within the department facilities where members have a reasonable expectation of privacy (e.g., locker rooms or dressing areas, breakrooms) unless responding to a call for service or conducting an investigation.
- c. Conversations of other members without their knowledge.
- d. When a member is taking an authorized break or otherwise engaged in personal activities.
- e. In a courtroom or correctional facility equipped with a functioning camera system unless responding to a call for service or emergency situation.
- f. Interactions with undercover officers or confidential informants.
- g. Strip searches.
- h. Officers shall not edit, redact, erase, or otherwise alter in any manner BWC recordings without prior written authorization by a supervisor. Officers committing violations related to the unauthorized edits, alterations, and dissemination of this data shall be subject to disciplinary action and the provisions set forth in 720 ILCS 5 /33-9.

BWCs shall not be used for the purpose of embarrassment, harassment, or ridicule of any individual or group.

429.5 ACTIVATION OF BWC

Members shall activate their BWC during all calls for service or during the performance of law enforcement-related encounters or activities. Members are not required to activate their BWC during casual or informal contacts with members of the public that are not part of or related to law enforcement-related encounters or activities, or while inside a patrol car equipped with functioning Mobile Audio/Video (MAV). However, members should activate their BWC any time a contact with an individual becomes hostile or adversarial, or the member has a reasonable articulable suspicion that the individual has committed or is in the process of committing a crime (50 ILCS 706/10-20).

Unless otherwise authorized by this policy or approved by a supervisor, BWCs shall remain activated until the call for service or law enforcement-related encounter or activity has concluded. A member may cease recording if they are simply waiting for a tow truck or a family member to arrive, or in other similar situations.

At no time is a member expected to jeopardize their safety to activate their BWC. However, the BWC should be activated as soon as reasonably practicable in required situations (50 ILCS 706/10-20).

If a member attempts to activate their BWC but the BWC fails to record an event, the member should notify their supervisor as soon as practicable.

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429.5.1 NOTICE OF RECORDING

Unless otherwise approved based on unique circumstances, a member should wear the BWC in a manner that is conspicuous and shall answer truthfully if asked whether they are equipped with a BWC or if their BWC is activated.

As soon as practicable, members shall verbally notify individuals that have a reasonable expectation of privacy that they are being recorded using a BWC. The notice should be captured on the recording or narrated by the member (50 ILCS 706/10-20; 720 ILCS 5/14-2).

429.5.2 PRIVACY CONSIDERATIONS

Members should remain sensitive to the dignity of individuals being recorded and should exercise sound discretion with respect to privacy concerns.

Private citizens do not have a reasonable expectation of privacy when talking with police officers during the scope of an officer's official duties, even when the contact is in a private residence. When officers are lawfully present in a home, during the course of official duties, there is no reasonable expectation of privacy. Officers are not required to give notice to the resident or others that they are being recorded.

When responding to a place where individuals have an expectation of privacy (e.g., medical or mental health facilities, restrooms) or to a sensitive situation (e.g., individuals partially or fully unclothed), the officer must provide notice of the recording and proof of notice must be evident in the recording. Proof of the notification and consent must be evident in the recording and documented in the officer's incident report. Once the initial notice has been provided, the notice requirement has been satisfied, even when another individual becomes a party to the communication. When consent is not obtained, members are permitted to mute or deactivate their BWC if it reasonably appears that the privacy concern outweighs any legitimate department interest in recording the event.

A person's objection to being audio and video recorded will not be honored in situations pursuant to an arrest or search of a residence. A subject who is being arrested does not have a reasonable expectation of privacy.

If exigent circumstances exist which prevents the officer from providing the notice, notice must be given as soon as practical.

Members may also mute or deactivate their BWC:

- a. To protect the privacy of a victim or witness.
- b. When an individual wishes to provide information anonymously.
- c. To avoid recording a confidential informant or undercover officer.
- d. When discussing case tactics or strategy.
- e. During private conversations with other members or emergency responders.

Members shall deactivate their BWC when a victim, a witness, or a community member reporting a crime requests that the camera be turned off, unless exigent circumstances exist or the member has reasonable articulable suspicion that the individual has committed or is in the process of committing a crime. The individual's request to deactivate and the member's reason for continuing to record despite the request should be captured on the recording (50 ILCS 706/10-20).

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Members should choose to mute rather than deactivate BWCs when practicable. Deactivation should only be used when muting the BWC will not accomplish the level of privacy necessary for the situation.

Before muting or deactivating their BWC, the member should verbally narrate the reason on the recording. As soon as possible once the privacy concern is no longer an issue, or when circumstances change so that the privacy concern no longer outweighs the department's interest in recording the event (e.g., the individual becomes combative, the conversation ends), the member should unmute or reactivate their BWC and verbally note that recording has resumed.

Members shall not surreptitiously record another Department member unless lawfully authorized by the Chief of Police or the authorized designee.

The surreptitious audio recording of private conversation or when there is reasonable expectation of privacy is prohibited by law.

429.5.3 LIVESTREAMING

Livestreaming enables authorized individuals to remotely view the audio and video captured by a member's BWC in real time. Only supervisors and dispatchers approved by the Chief of Police or the authorized designee shall have access to livestreaming capabilities.

BWCs cannot be remotely activated. When a BWC device has been activated in event recording mode, they are capable of live streaming audio and video over the Axon digital platform to authorized users as set forth herein. GPS is only active on the BWC device when it's in event recording mode.

BWCs shall not be livestreamed without extraordinary/exigent circumstances. The following extraordinary/exigent circumstances would allow authorized users to view a BWC in livestream mode:

1. **Anytime an authorized user believes an officer is in need of emergency assistance.**
2. **Felony/High Risk Traffic Stop**
3. **Bombing or explosive incidents**
4. **Civil unrest, riot, or looting**
5. **Any act of terrorism**
6. **Hostage or barricade situation**
7. **Active Shooter**
8. **Foot or vehicle pursuit**
9. **Any ongoing investigation or incident where the officer was notified in advance that livestreaming would take place via audio and/or visual means**

429.5.4 DOCUMENTATION

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Members are encouraged to provide narration while using a BWC when it would be useful to provide context or clarification of the events being recorded. However, the use of a BWC is not a replacement for written reports and should not be referred to in a written report in place of detailing the event.

Every report prepared by a member who is issued a BWC should state "BWC available" or "BWC unavailable," as applicable, and should document:

- a. To the extent practicable and relevant, the identity of individuals appearing in the BWC media.
- b. An explanation of why BWC media is unavailable including any malfunction, damage, or battery issue that resulted in the failure of the BWC to capture all or part of the event.
- c. Any exigency or other circumstances that prevented the member from immediately activating the recording at the beginning of the event.
- d. Any period of the event in which the member deactivated or muted their BWC and the reason for such action.
- e. If livestreaming was activated during the event, the reason for livestreaming and the members who communicated or participated in the event through BWC livestreaming.

429.6 UPLOADING BWC MEDIA

All BWC recordings are considered evidence.

The BWC will be placed in the proper charging receptacle at the end of each shift. It will be the responsibility of each officer that is assigned a BWC to ensure the camera is properly placed in the charging receptacle and the videos are appropriately tagged and uploaded. Officers are required to upload all body camera videos prior to the end of each tour of duty

BWC media related to a serious or high-profile event (e.g., search for a missing child, active shooter situation) should be uploaded and tagged as soon as practicable upon returning to the Department.

Following an officer involved shooting or death or other event deemed necessary, a supervisor should take possession of the BWC for each member present and upload and tag the BWC media.

Once the recording has been uploaded, the officer is responsible for reviewing the footage and assigning data into categories in accordance with the records management system and department policy. Officers shall ensure the following is accurately assigned to the footage:

1. ID – The case or event number
2. The applicable retention category assignment
3. Accuracy of last name and badge number of the officer who created the recording.

Officers are required to correctly classify all body camera videos prior to the end of each tour of duty unless authorized by a supervisor to wait until the next day's shift. Body camera videos must be classified if the officer does not work again for more than 24 hours after the end of the shift.

429.6.1 TAGGING BWC MEDIA

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Members should tag all media captured by their BWC with their name and/or identification number, the case or incident number, and the event type. BWC media should be tagged upon uploading or, if capabilities permit tagging in the field, as close to the time of the event as possible. If more than one event type applies to BWC media, it should be tagged with each event type. If BWC media can only be tagged with a single event type, the media should be tagged using the event type with the longest retention period.

BWC media depicting sensitive circumstances or events should be tagged as restricted. BWC media should be flagged for supervisor review when it pertains to a significant event such as:

- a. An incident that is the basis of a formal or informal complaint or is likely to result in a complaint.
- b. When a member has sustained a serious injury or a line-of-duty death has occurred.
- c. When a firearm discharge or use of force incident has occurred.
- d. An event that has attracted or is likely to attract significant media attention.

Supervisors should conduct audits to confirm BWC media is being properly uploaded and tagged by their subordinates. Supervisors shall conduct a random audit of BWC recordings on a quarterly basis. **Every 3 month period, supervisors shall randomly review (1) BWC recording from each officer pertaining to the supervisor's direct area of responsibility to ensure that the equipment is operating properly and that officers are using the cameras appropriately and in accordance with legislation, policy and training.**

1. **The selection of recordings will be conducted in an impartial manner that promotes an equitable review of recordings from all officers under the supervisor's chain of command.**
2. **Supervisors shall document their review using the BWC Supervisory Audit form in SharePoint.**
3. **Supervisors shall identify any areas in which additional training or guidance is required.**
4. **Supervisors shall not review recordings for the sole purpose of searching for violations of Department policy or law not related to a specific complaint or incident.**

Recordings shall not be used to prepare performance evaluations unless used for the purpose of correcting substandard employee performance that was brought to the supervisor's attention or highlighting commendatory performance of an employee. Additionally, recordings may not be reviewed indiscriminately for disciplinary purposes

429.7 BWC MEDIA

All BWC media is the sole property of the Department. Members shall have no expectation of privacy or ownership interest in the content of BWC media.

All BWC media shall be stored and transferred in a manner that is physically and digitally secure with appropriate safeguards to prevent unauthorized modification, use, release, or transfer. Contracts with any third-party vendors for the storage of BWC media should include provisions specifying that all BWC media remains the property of the Department and shall not be used by the vendor for any purpose without explicit approval of the Chief of Police or the authorized designee.

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Members shall not alter, copy, delete, release, or permit access to BWC media other than as permitted in this policy without the express consent of the Chief of Police or the authorized designee (50 ILCS 706/10-20).

BWC media systems should not be accessed using personal devices unless authorized by the Chief of Police or the authorized designee.

429.7.1 ACCESS AND USE OF BWC MEDIA

BWC media systems shall only be accessed by authorized members using the member's own login credentials and in accordance with the Information Technology Use Policy.

BWC media shall only be accessed and viewed for legitimate department-related purposes in accordance with the following guidelines (50 ILCS 706/10-20):

- a. BWC media tagged as restricted should only be accessible by those designated by the Chief of Police or the authorized designee.
- b. Members and their supervisors may review their own BWC media for department-related purposes and prior to completing incident reports or other documentation. However, members shall not review their BWC media or the BWC media of another member before completing their report or other documentation when the member has been involved in or is a witness to an officer-involved shooting, use of deadly force incident, or use of force incident resulting in great bodily harm; or is ordered to write a report in response to or during the investigation of a misconduct complaint against the member. In those instances, if the member prepared a report and subject to a supervisor's approval, they may file a supplemental report after reviewing BWC media and document that review in the supplemental report. In all other instances, members and supervisors should document in their report if they reviewed BWC media before completing the report.
- c. Investigators may review BWC media pertaining to their assigned cases.
- d. A member testifying regarding a department-related event may review the pertinent BWC media before testifying.
- e. Supervisors are permitted to access and view BWC media of their subordinates.
 1. Supervisors should review BWC media that is tagged as a significant event or that the supervisor is aware pertains to a significant event.
 2. Supervisors should conduct documented reviews of their subordinate's BWC media at least annually to evaluate the member's performance, verify compliance with department procedures, and determine the need for additional training. The review should include a variety of event types when possible. Supervisors should review BWC media with the recording member when it would be beneficial to provide guidance or to conduct one-on-one informal training for the member.
 3. Supervisors should conduct periodic reviews of a sample of each subordinate's BWC media to evaluate BWC use and ensure compliance with this policy.
- f. The Training Officer is permitted to access and view BWC media for training purposes.
 1. Staff members may review BWC media as part of their review to identify training needs.
 2. The Training Officer may use BWC media for training purposes with the approval of the Chief of Police or the authorized designee. The Training Officer should use caution to avoid embarrassing or singling out a member and, to the extent practicable, should seek consent from the members appearing

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in the BWC media before its use for training. When practicable, sensitive issues depicted in BWC media should be redacted before being used for training.

- g. The Police Services Supervisor may access BWC media when necessary to conduct department-related duties.
- h. The BWC coordinator may access BWC media and the BWC media system as needed to ensure the system is functioning properly, provide troubleshooting assistance, conduct audits, and fulfill other responsibilities related to their role.
- i. A member's field training officer may access and review BWC media for training purposes.

429.7.2 PUBLIC ACCESS

Unless disclosure is required by law or a court order, BWC media should not be released to the public if it unreasonably violates a person's privacy or sense of dignity or depicts the interior of:

- a. A private residence.
- b. A facility that offers health care, mental health or substance abuse treatment, or social services.
- c. A school building.
- d. Any other building in which public access is restricted or which implicates heightened security concerns.

Requests for the release of BWC media shall be processed in accordance with the Records Maintenance and Release Policy and the Law Enforcement Officer-Worn Body Camera Act (50 ILCS 706/10-20). The Police Services Supervisor should review BWC media before public release.

429.8 RETENTION OF BWC MEDIA

BWC media should be retained on a BWC media system in accordance with state records retention laws but in no event for a period of less than 90 days. BWC media shall not be altered, erased, or destroyed prior to the expiration of the 90-day storage period. In the event any BWC media is altered, erased, or destroyed prior to the expiration of the 90-day storage period, the Chief of Police shall maintain a written record including the name of the individual who made such alteration, erasure, or destruction, and the reason for any such alteration, erasure, or destruction for one year (50 ILCS 706/10-20).

After the 90-day storage period, BWC media must be destroyed unless any of the following occur (50 ILCS 706/10-20):

- a. A formal or informal complaint has been filed.
- b. The member discharged a firearm or used force during the encounter.
- c. Death or great bodily harm occurred to any person in the BWC media.
- d. The encounter resulted in a detention or arrest other than a traffic stop resulting in only a minor traffic offense or a petty offense with a fine of more than \$1,000.
- e. The member is the subject of an internal investigation or otherwise being investigated for possible misconduct.
- f. The supervisor of the member, prosecutor, defendant, or court determines that the encounter has evidentiary value in a criminal prosecution.
- g. The recording member requests that the BWC media be retained for official purposes related to their official duties or believes that it may have evidentiary value in a criminal prosecution.

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Under these circumstances, the BWC media of the encounter shall not be altered or destroyed for two years. If the BWC media is used in a criminal, civil, or administrative proceeding, it shall not be destroyed except upon a final disposition and order from the court.

BWC media may be retained after the expiration of the 90-day storage period any time a supervisor designates it for training purposes and may be viewed by members, in the presence of a supervisor or training instructor, for the purposes of instruction, training, or ensuring compliance with department policies.

Unless circumstances justify continued retention, BWC media should be permanently deleted upon the expiration of the retention period in a way that it cannot be retrieved. BWC media shall not otherwise be deleted by any person without the authorization of the Chief of Police or the authorized designee.

429.9 REPORTING

On or before May 1st of each year, the Wheaton Police Department shall provide an annual report to The Illinois Law Enforcement Training and Standard Board. The report shall include:

- A. A brief overview of the makeup of the agency, to include the number of officers using a BWC.
2. The number of BWCs used by the department.
3. Technical issues with the equipment and how the issues were remedied.
4. Brief description of the review process used by supervisors.
5. For each recording used in the prosecution of conservation, criminal, or traffic offenses or municipal ordinance violations:
 1. The time, date, location of the incident
 2. The offense charged and the date charges were filed.
6. Any other relevant information pertaining to the administration of the BWC program

429.10 SCHOOL RESOURCE OFFICERS

The Wheaton Police Department recognizes that the duties and working environment for School Resource Officers (SROs) are unique within law enforcement. It is recognized that SROs are required to maintain school safety while keeping the sanctity of the learning environment that the school provides. SROs are expected to continuously build trusting relationships with students and staff. They also often have impromptu interventions with students to deescalate arguments and/or conflicts. It is with this understanding that the Wheaton Police Department provides special regulations to SROs on their use of Body Worn Cameras (BWCs), while remaining in compliance with state law.

The BWC shall be activated in any of the following situations:

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- A. When summoned by any individual to respond to an incident where it is likely that a law enforcement-related activity will occur.
2. Any self-initiated activity where it is previously known, or facts develop that a custodial arrest will be made or a law enforcement-related activity will occur.
3. Any self-initiated activity where it is previously known, or facts develop that the questioning/investigation will be used later in criminal charges.
4. When feasible an SRO shall activate the BWC when the contact becomes adversarial, the subject exhibits unusual or aggressive behavior, or circumstances indicate that an internal complaint will likely be filed.

SROs shall adhere to school district policies regarding parental notification prior to interviewing students. SROs will provide a verbal notice of BWC recording to the involved student, prior to any interview or interrogation made in conjunction with a criminal investigation, unless it is unsafe to do so. Example, "My body camera is on; you are being recorded."

If exigent circumstances prevent an SRO from turning on a BWC when required, the BWC shall be activated as soon as practicable.

It is also recognized that SROs often have conversations with students/staff that are unrelated to the investigation of a crime and fall under the definition of a community caretaking function. It is not appropriate to record these conversations as it diminishes the trust between the individual and the SRO. For the purposes of this order, a community caretaking function shall include discussions and investigations of school rule violations that are previously known to be non-criminal in nature.

429.11 TASK FORCE OFFICERS

Pursuant to any cooperative Task Force agreement entered into by the City of Wheaton Police Department, the assigned officer shall adhere to the policy and procedures of the agency while in the assignment. This may include being federally deputized as a Task Force Officer, 21 U.S.C. Section 878. This allows the officer the proper authority and enables them to act as a federal law enforcement officer while under the supervision of the task force.

429.12 TRAINING

The BWC coordinator should ensure that each member issued a BWC receives initial training before use, and periodic refresher training thereafter. Training should include:

- a. Proper use of the BWC device and accessories.
- b. When BWC activation is required, permitted, and prohibited.
- c. How to respond to an individual's request to stop recording.
- d. Proper use of the BWC media systems, including uploading and tagging procedures.
- e. Security procedures for BWC media, including appropriate access and use.

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Members who are not issued a BWC but who have access to BWC media systems shall receive training on the BWC media system, including appropriate access, use, and security procedures.