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POLICY AND ADMINISTRATIVE PROCEDURES Manual of Policies and Procedures				

Title BODY WORN CAMERA

Legal References (includes but is not limited to) Indiana Code 11-8-5-2 Indiana Code 5-14-3	Related Policies/Procedures (includes but is not limited to) 02-01-110 02-03-104 02-03-114 02-04-101 03-02-101	Replaces: 02-03-119 (Eff. Date 2-15-2023 / ED # 23-07)
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I. PURPOSE:

The purpose of this policy and administrative procedure is to provide guidance and to establish a standard process for Department employees when using a body-worn camera (BWC) during the course of their job duties. The goal is to promote safety and transparency, and to document qualifying events as described below in this policy. All Department employees issued a BWC as part of their job duties shall adhere to the guidelines and procedures set forth in this policy and administrative procedure.

II. POLICY STATEMENT:

It is the policy of the Department to use body-worn cameras (BWC) to ensure transparency and foster trust and safety within its communities. It shall be the responsibility of each user to deploy their BWC in accordance with this policy and administrative procedure.

III. DEFINITIONS:

For the purpose of this policy and administrative procedure, the following definitions are presented:

- A. **AUTOMATIC ACTIVATION:** A BWC setting where the camera begins recording without the wearer having to activate the camera (e.g., removing OC from holster, etc.).

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- B. **BLUETOOTH SIGNAL ACTIVATION:** A short-range wireless technology that is used for exchanging data between fixed and mobile devices. This technology may be used to automatically activate BWCs within a specified range during a qualifying event.
- C. **BODY WORN CAMERA (BWC):** A Department-issued multimedia camera system designed to be worn on an employee’s outermost garment in adherence to the manufacturer's recommendation and used to capture audio and video data.
- D. **BODY WORN CAMERA ADMINISTRATOR:** The facility’s designated person responsible for the oversight and management of the BWC program.
- E. **BUFFERING:** A body-worn camera setting that occurs when the BWC is powered on but not permanently storing recorded audio and video. In this mode, the BWC buffers for thirty (30) seconds with audio and video before the wearer activates the BWC, either through manual or automatic activation.
- F. **DIGITAL EVIDENCE SYSTEM:** A secure video file management system (e.g., Evidence.com) used for downloading, storing, sharing, and retrieving video files recorded with surveillance and body worn camera systems.
- G. **KIOSK:** Device used to assign cameras to individual staff members.
- H. **MANUAL ACTIVATION:** The wearer of the BWC activates the BWC to begin recording.
- I. **POWER OFF:** Completely powering down the BWC and disabling video recall, buffering, and all recording of sound and video.
- J. **QUALIFYING EVENT:** An event that requires a manual or automatic activation of the BWC.
- K. **SIGNAL SIDEARM UNIT (SSA):** A sensor that will send a signal to activate the BWC. The SSA will be attached to OC holsters. Once the OC canister is pulled from the holster, the BWC will be activated. This will also activate all BWCs within a 100 feet radius.
- L. **VIDEO RECALL:** A feature that enables the BWC to capture 18-hours of lower resolution video recording, with audio, when it is powered on. Video recall ensures that BWC wearers are able to make personal safety their primary concern and qualifying events are still visually captured.

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IV. PROCEDURE:

A. Training

1. Designated employees will be issued a BWC only after successful completion of required training. At a minimum, the training shall include the following subjects and topics:
 - a. This policy and administrative procedure;
 - b. Proper BWC placement on the employee;
 - c. BWC usage (e.g., qualifying events);
 - d. Buffering mode;
 - e. BWC operation (e.g., manual and automatic activation and deactivation);
 - f. Maintenance and manufacturer’s recommendations for care; and,
 - g. Why the Department supports BWC.

BWCs shall not be used to record training events unless doing so is specifically part of the lesson plan. Any audio/video footage from BWCs used for training purposes shall be stored separately from recordings used for other Department purposes.

B. BWC Use

1. It is the responsibility of each employee who has been issued a BWC to ensure the device is handled with reasonable care for optimal performance. BWC equipment malfunctions shall be immediately reported verbally to the employee’s supervisor so that a replacement unit may be issued. An employee experiencing an equipment malfunction shall also complete and submit an Incident Report (State Form 7212)/Event to their supervisor by the end of the employee’s shift. The Supervisor will be responsible for submitting the proper ticket to the BWC Administrator.
2. Only Department-issued BWC equipment and accessories may be used to create recordings during official Department work. Recordings or photographs made on Department-issued BWC equipment or otherwise captured or recorded by employees during the performance of their job duties are the property of the Department and subject to Indiana’s public records law. Release of any recording made by employees during the performance of their duties must comply with Indiana public records law. Employees are prohibited from editing, altering, deleting, copying, sharing, or otherwise distributing any BWC recordings unless authorized to do so. Any reproduction or sharing of recordings or use outside the parameters of this policy and administrative procedure is strictly prohibited without authorization of the BWC

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Administrator or Legal Services.

3. Employees issued a BWC shall wear it on the front of their uniform/clothing, attached to the outermost layer of clothing in adherence to manufacturer’s recommendation, and positioned forward facing to facilitate an unobstructed field of view. Only manufacturer-approved BWC mounts shall be used. The BWC will be positioned in a manner as to capture the event from the perspective of the employee. BWCs shall not be powered down unless authorized by the Warden or designee.

C. Qualifying Events

1. A qualifying event requires manual or automatic activation of the BWC. Manual activation shall occur as soon as safe and reasonably practicable to do so.
2. Qualifying events for IDOC staff shall include but are not limited to, the following:
 - a. Critical incidents (e.g., assaults, suicide attempts, fire, death, escapes, correctional or law enforcement officer involved shootings);
 - b. Responding to an emergency call for assistance;
 - c. Force outlined in Policy and Administrative Procedure 02-01-109, “The Use of Physical Force;”
 - d. Interacting with aggressive or agitated individuals;
 - e. Escorts determined by the supervising officer, including any escort from a use of force event;
 - f. Vehicle transports when incarcerated individuals become aggressive or disruptive, experience medical emergencies, or require unscheduled vehicle stops;
 - g. Anytime the wearer, at their own discretion, feels threatened, harassed, or unsafe.
3. After a qualifying event occurs, it is the responsibility of the wearer to notify their supervisor within a reasonable period of time, after it is safe to do so, that there was a qualifying event. They shall also inform their supervisor whether they activated their camera. The supervisor, at their discretion, may instruct the employee to dock the BWC so the recording can be uploaded right away or wait until the end of the shift/workday. If the employee reports they failed to activate their camera, or are not

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sure if/when they did, the supervisor shall take the camera offline to access video recall.

D. Authorized Use

The BWC shall be activated during all qualifying events and shall not be deactivated until the completion of the qualifying event. A qualifying event is considered completed once all actions required by policy have been taken and the incident has ended, or the supervisor has determined the incident to be over. Qualifying event activations are required regardless of whether a fixed camera system is present in the area.

E. Unauthorized Use

1. BWCs shall not be activated outside of a qualifying event. This includes, but is not limited to, the following situations:
 - a. Other than during a qualifying event, in any place where a reasonable expectation of privacy exists (e.g., restrooms);
 - b. During unclothed searches or monitored urine drug screens;
 - c. To record administrative conversations or concerns;
 - d. To record conversations involving privileged communication (e.g., attorney/client visits, clergy interactions);
 - e. During any official inquiry regarding Department employment (e.g., administrative investigations, or pre-disciplinary hearings) or when providing representation or serving as a witness on behalf of an employee during an official inquiry regarding Department employment;
 - f. Conversations with fellow staff during non-job-related activities, either overtly or covertly.
2. If a qualifying event emerges during one of the situations outlined in section VI, E, 1 of this policy and administrative procedure, the employee may activate the BWC. Any activations of these types must be verbally reported to a supervisor immediately and documented on a State Form 7212/Event. If the supervisor is the reason for the activation, the report can be forwarded to the next level of supervision available at the facility. In the absence of a higher level of supervision, the employee shall provide the

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notification or State Form 7212 directly to the BWC Administrator using the facilities customary process for doing so.

Example: Staff is conducting a strip search of an incarcerated individual and during the search they notice the individual is getting more nervous and is starting to refuse orders. As they begin to act more aggressively, the employee begins to feel threatened and since this is a qualifying event the BWC may be activated.

Example: Staff is engaged in a conversation with any other employee outside of a qualifying event and they become agitated or aggressive with the staff resulting in them feeling threatened or harassed. The BWC may be activated.

3. Any employee entering a non-Department facility or community setting (i.e. hospitals, work details, etc.) shall comply with the facility or community setting’s local policy on video recording. If a local policy does not exist, the employee shall default to this policy and administrative procedure. If there is a local policy, it shall be incorporated into Post Orders.

F. Powering On, Buffering Time, and Automatic Activations

1. To begin recording, the BWC must be powered on. Facility employees shall ensure the BWC is powered on upon receipt of the BWC and before assuming their post or beginning their job duties.
2. All activations, regardless of type, will result in capturing the buffering time. The buffering time for the BWC shall be thirty (30) seconds with video and audio.
3. Automatic activations may occur in the following instances when Bluetooth signaling device is installed:
 - a. OC is removed from its holster;
 - b. Bluetooth signals; and,
 - c. Taser activations

G. Power-Off Authorization

An employee shall not power off a BWC. Prior to an employee entering a restroom, the BWC shall be removed and placed in an approved secured location. The BWC must be put on immediately after leaving the restroom.

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H. Disclosure or Demands to Cease Recording

1. The BWC system is configured to flash green when the system is powered on but not actively recording and to flash red when the BWC is actively recording. There are three (3) flashing lights on the front of the device in a circular pattern to indicate which mode the device is in.
2. During qualifying events, an employee must inform those who ask that audio/video recording equipment is in use. It is not necessary to proactively inform a person that they are being recorded unless the employee believes this will help de-escalate the situation, calm the person down, and/or avoid a confrontation.
3. Employees are not required to cease recording an event, situation, or circumstance solely at the demand of any person other than a supervisor.

I. Uploading Recording

1. At the completion of a shift/workday for residential facilities, the BWC shall be placed in a docking station to upload.
2. The BWC may be placed into a docking station whenever needed throughout the course of the work period, such as needing to charge the BWC or to upload a recently recorded event.

J. Video Recall Process (see Facility Directive)

1. The BWC, in the powered-on position, can retrieve eighteen (18) hours of low-resolution video with audio. The use of the video recall function must be approved by the Warden.
2. If retrieval becomes necessary, an individual with appropriate permissions shall connect the BWC to a device which has the appropriate software installed and download the video.
3. Video recall shall be accessed whenever a qualifying event occurred and the employee was unable to, or forgot to, activate their camera. It shall be the responsibility of the user to immediately notify the supervisor if their BWC was not activated during a qualifying event.

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4. After learning of a qualifying event which was not recorded, the supervisor shall take physical custody of the BWC and assume responsibility for uploading and retaining the recordings from the BWC. If the supervisor does not have the appropriate permissions or access to a computer with the software required, they shall completely power off the BWC and remove it from service. Then they shall complete a report (i.e, Incident Report, Event, Memo) stating the reason that the camera needs accessed and the approximate time, or time frame, when the qualifying event was reported to have occurred. The camera shall be stored in a supervisor access only area as designated by the BWC Administrator.
 5. Video recall shall not be relied on as a default. Video recall ensures that BWC wearers are able to make personal safety their primary concern and qualifying events are still video recorded.
- K. Accountability, Storage, and Issuance (see Facility Directive)
1. A BWC shall be accounted for in accordance with Policy and Administrative Procedure 04-01-101, “Fixed Asset Management.”
 2. When not in use, the BWC shall be maintained in a secure location identified by the BWC Administrator.
 3. Facilities shall inventory BWCs on every shift in accordance with facility/division directives or post orders.
 4. BWCs shall be issued using log sheets developed for Quick Response Team equipment or using the kiosk system, for applicable facilities.
 5. If a BWC or SSA is lost or stolen, the person assigned the BWC/SSA shall immediately notify their supervisor and complete an Incident Report. The supervisor shall notify the Custody Supervisor and submit an Incident Report to the BWC Administrator and assigned Executive Director of Adult Facilities with any supportive documents tracing the BWC to when it was last accounted for.
 6. If a BWC or SSA is damaged, the person assigned the BWC/SSA shall immediately notify their supervisor and complete an Incident Report. The supervisor shall notify the Custody Supervisor and submit an Incident Report to the BWC Administrator and assigned Executive Director of Adult Facilities with any supportive documents.

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7. When not in use, the BWC shall be powered on and placed in the docking station. The docking station shall be located in a secure, climate-controlled area.
8. If assigned a signal side arm unit (SSA), it shall be considered property of the Department and shall be issued individually to staff and returned to the Department upon termination of employment or a change in employment status that does not require wearing the unit. The SSA shall be returned within five (5) business days of termination or change in employment status.

L. Kiosks (see Facility Directive)

Kiosks shall give the facilities the ability to self-assign body cameras from a pool of shared devices. At the beginning of the shift, each staff person will have a camera assigned to them, utilizing the kiosk. Each facility with assigned body cameras shall develop a Facility Directive which will:

1. Establish a location within the facility where the kiosk will be installed;
2. Establish the process for the assignment of the cameras to staff, and
3. Establish back up assignment procedures if the kiosk is unavailable.

M. Maintenance

The BWC Administrator shall maintain the BWC systems and perform routine maintenance in accordance with the manufacturer’s instructions. This process will be documented and retained in accordance with retention schedule requirements.

N. Staff Responsibilities for the BWC

1. Supervisors are responsible for ensuring that employees are wearing and using the BWC cameras in accordance with policy. Enforcement of BWC rules shall be conducted in a supportive manner. Correcting minor violations of this policy and administrative procedure by coaching or counseling is appropriate.
2. Supervisors must properly title, identify, and categorize, in a timely manner, the recordings of all qualifying events and any other recordings they deem appropriate for legitimate correctional, supervisory, or criminal justice reasons.
3. If an employee wearing a BWC is involved in a deadly force incident, or other serious incident, or was present for any part of one of these events, the supervisor shall take

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physical custody of the BWC, power the BWC off, and preserve the evidence in a secured location for the assigned investigator.

4. Supervisors may review BWC camera recordings not associated with a qualifying event only when there is a legitimate documented correctional supervisory or criminal justice reason. This includes but is not limited to:
 - a. When the supervisor is investigating a documented complaint against an employee;
 - b. When any other incident is reported which may require an administrative review; or
 - c. Where recordings may have evidentiary value.

The reason for the review shall be documented in the notes section of the BWC recording that is being reviewed. If the supervisor determines the BWC footage requires further review, they shall title, identify, and categorize the file and make a note as to why they are doing so. The supervisor shall complete an Incident Report and submit it to the BWC Administrator for further action, attaching a copy of the documented concern that initiated the review (e.g., documented complaint against an employee).

O. Rules for Viewing BWC Recordings by Employees

1. BWC audio and/or video recordings may be viewed by the wearer in the following situations:
 - a. Use of Force incidents as described in Policy and Administrative Procedure 02-01-109, "The Use of Physical Force," after all applicable reports are written;
 - b. Before meeting with attorneys from the Office of the Attorney General;
 - c. Before giving sworn testimony in deposition, administrative hearing, or court proceeding;
 - d. For potential training purposes or professional development; and,
 - e. When the recording is requested by law enforcement agencies.
2. Viewing recordings shall be limited to authorized staff or external partners with a specific need. Individuals that are typically not authorized shall be allowed the

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opportunity to review a video segment when necessary for completion of required reports.

P. Redaction, Storage, Release, and Destruction of BWC Recordings

1. Redactions

- a. Employees are responsible for ensuring that any BWC recording is not altered unless it is being redacted by authorized employees per this policy and administrative procedure.
- b. Redactions may be made at a facility to blur the breasts, buttocks, and genitalia of any person to allow for the recording to be viewed by individuals of the opposite sex.
- c. All other redactions, including those related to victims, must be approved by Legal Services and shall be completed by the BWC analysts.

2. Storage and Retention of BWC Recordings

- a. All BWC recordings collected by employees in the course of their duties shall be uploaded to the appropriate records or evidence management system by an individual with the appropriate permissions, as soon as reasonably possible. All BWC recording files shall be stored in the evidence management system per Policy and Administrative Procedure 00-01-103, "Investigations and Intelligence."
- b. All evidentiary recordings (e.g., any recording identified for subpoena, criminal, or civil court proceedings, or identified for an administrative investigation) and all recordings identified as responsive to a public records request shall be maintained in accordance with the State's Record Retention Schedule and applicable departmental policy.

3. Deletion

- a. Any recording made inadvertently or that has no investigative or administrative value may be deleted if it contains unauthorized footage (e.g., restroom break). If any such recording or digital file was uploaded to the evidence management system, then it may be placed in restricted access until deletion is approved by the BWC administrator.

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b. Individuals with deletion authority are designated by Legal Services.

Q. Procedures for Titling, Identifying, and Categorizing into Evidence

When a supervisor determines that a recording(s) made after an activation is part of a qualifying event, or has administrative / evidentiary value, they shall enter an identification, title, categorization, and tag for each recording associated with the event.

1. Identification

Facilities shall use the ID field to identify the location of the incident or event (e.g., Dining Hall # 3, IHU 1-2, etc.). All recordings associated with the same qualifying event shall receive the same information.

2. Title

Facilities shall use the Title field to list the type of body camera, title of staff person, and first initial and last name of the employee who was wearing the camera (e.g., AB3 Sgt. J. Doe).

3. Category

Upon recording an incident, the staff member shall choose the best matching category(s) of the qualifying event from the pre-established drop-down list on the BWC screen. Supervisors shall verify that the category has been selected for the video. Each video can be placed in multiple categories (e.g., A fire can be placed under a Signal 10, Fire, and Investigation category).

4. Tag

Supervisors shall use the Tag field to list all incarcerated individuals involved in the incident using their DOC numbers. Multiple numbers can be added in this field (e.g., 678901, 112233, 111111).

R. Case Identification Number

A case can be created by any authorized group to a number of recordings in a single area. When creating a case, the responsible party shall use the same identification label as used

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in section IV, Q, 3 of this policy and administrative procedure and all associated videos shall be added to the case.

S. Sharing

BWC recordings may be shared with prosecutors and other law enforcement agencies during discovery using an encrypted format.

V. REVIEW OF BWC PROGRAM:

An annual review of the Body Worn Camera Program will be conducted by the Department’s Legal Team, Operations Team, and the Office of Investigations and Intelligence to ensure continued adherence to changing laws, ensure upkeep with the evolution of technology, and to maximize transparency efforts.

VI. APPLICABILITY:

This policy and administrative procedure is applicable to all Department facilities and employees designated and authorized to wear and work with BWCs.

 (signature on file)
 Christina Reagle
 Commissioner

 11/26/24
 Date