



University of Pennsylvania Police Department 4040 Chestnut Street, Philadelphia, Pa 19104			 
Directive: 110	Subject: Body Worn Cameras Program	Effective Date: 09/10/2018	
Reference: CALEA standards: 41.3			Amended Date: 08/01/2023

I. Purpose

The purpose of this directive is to provide procedures and guidelines for the University of Pennsylvania Police Department (UPPD) employees in the use of body worn cameras and the management, storage and retrieval of all information recorded by issued cameras.

Captured images will be utilized but not limited to factually documenting interactions between the community and police officers, to have the ability to review contacts for training purposes, and to preserve video and audio of specific interaction(s) in a neutral manner.

II. Policy (CALEA 41.3.8a)

This policy is intended to provide guidance during the initial phase of deployment and the use of Body Worn Cameras (BWC). This policy does not apply to any audio or video recordings from other systems including the closed-circuit systems within the patrol zone.

There are many situations where the activation of the BWC is appropriate and/or required and this policy is not intended to describe every possible circumstance. It is understood that not all situations will begin as clearly necessitating documentation by the BWC nor will all recorded events have a clear ending for when the BWC is no longer required. Members of the UPPD are expected to follow departmental policy and procedures, utilizing ethical, legal, and experience based good judgement when activating or deactivating the BWC.

UPPD personnel will not be subject to discipline when audit or inspection of the images/audio reveals a directive violation considered to be 'minor' in nature. Minor violations can be loosely defined as those that typically warrant a 'counseling' and/or recommendation for training for the first offense. More serious violations, including any violation that would be considered a violation of statute or law, would be addressed as appropriate for the situation in accordance with UPPD policy.

Officers must be trained in the use of BWCs before utilizing the technology. Officers will only be permitted to use department-issued body cameras and are not authorized to use any personal

recording devices. All recordings are property of the University of Pennsylvania Police Department and cannot be reviewed, edited or disseminated without the approval of the Chief of Police; this does not include authorized review by commissioned personnel within the UPPD.

III. Scope

This draft directive shall affect all sworn members of the UPPD.

IV. Definitions

- A. Body Worn Camera (BWC): Any approved camera system worn on the body of a trained police officer intended to capture audio and video data that will be stored and used for investigative, training, and/or as a law enforcement tool.
- B. Docking Station: The charging and uploading equipment intended to store the BWC and process the captured data and digital transfer of information as designed.
- C. BWC System Administrator: The designated individual(s) responsible for the control, maintenance, equipment hardware, software, and liaison with the vendor.
- D. Retention: The length of time captured video will be retained.
- E. Buffering Mode: The BWC continuously loops video recording for thirty (30) seconds and captures video only prior to being placed in event mode by the officer. With default settings, the system does not capture audio while in buffering mode. Audio recording begins thirty (30) seconds after the camera is turned on. The system does not record when the camera is off.
- F. Event Mode: The BWC is entered into EVENT mode when the EVENT mode button is depressed on the unit two (2) times. In this mode the BWC will record audio and video. The “buffered” video captured directly preceding the event will be saved and attached to the event recording automatically.
- G. Program Manager: The Captain of Staff and Administrative Services is the designated administrator of the program. There will be Information Technology (IT) personnel assigned to support all issues with hardware, software, and the management of data. There will be support personnel identified under the direction of the Chief of Police or designee as requirements for support are identified. These personnel may not be limited to Staff and Administration services, IT, or administrative assistants.
 - 1. BWC Administrative Officer: will work with the Program Manager and be responsible for ensuring:
 - a. officers are utilizing their BWCs while on-duty and in conjunction with the Directive
 - b. cameras are being returned to the assigned docking station

- c. all officers are tagging recorded videos and events correctly
 - d. will tag videos as necessary as requested
 - e. new officers are being trained in the operation and deployment of BWCs for patrol
 - f. availability to officers needing assistance or having hardware/software issues
 - g. Shift Lieutenants submit the required monthly video review
 - h. Other duties as identified as the program develops
- H. AXON Sync: The desktop software application that will allow users of BWCs to review and tag files from the body worn camera. The primary devices to be utilized will desktop computers during the initial deployment. The use of MDTs will be considered as appropriate following the initial phase(s) of deployment.
- I. Evidence.com: A cloud-based digital media storage program that allows users and administrators of the Body Worn Camera program to store, view, and retain encrypted images that are CJS compliant. The department will assign personnel accounts and related privileges depending upon the role of the user. All transactions in Evidence.com are fully audited by the system with date and time stamp.
- J. Tagging: The process of connecting the BWC to an approved device for the purpose of entering the information specific to that recorded event, incident or interaction. This includes the address of the incident, the full UPPD CAD Event Number, and the category/type of incident.
- K. Bookmarking: A feature that allows the recording officer to highlight a particular point of interest in a video that allows viewing that moment or recording while recording or without viewing the entire video.
- L. Field Activities: Duty assignments and/or tasks that place or could have the potential to reasonably expected to place sworn personnel in situations where they would be required to act in enforcement rather than administrative or support capacities.

V. Procedures

A. General Guidelines

1. The University of Pennsylvania Police Department recognizes there are certain circumstances where officers in a proactive (non-dispatched) state may become involved in a situation requiring immediate action to prevent injury, make an arrest and/or prevent escape or the destruction of property and/or evidence. Although officers are expected to activate the BWC in these types of situations, they are only expected to do so if it is practical and safe. If the immediate activation of the BWC is not feasible, the officer must

activate the BWC at the first available opportunity after the immediate threat has been addressed.

At no time should the officer's safety, or the safety of the public, be compromised for the sole purpose of activating the BWC.

2. Only those officers who have received department training in the use of department owned body worn cameras and the content of this policy shall be authorized to use and handle such equipment and associated accessories. Officers are permitted to utilize only the BWC assigned to them.
3. All sworn personnel on-duty and performing field activities, shall wear and utilize their issued body worn whether assigned to a uniformed or non-uniformed function in accordance with directive.
 - a. Only sworn personnel in uniform or otherwise clearly identifiable as law enforcement officers are permitted to use a BWC.
4. Officers shall not use other electronic devices or other means to intentionally interfere with the capability of the BWC.
5. Officers shall not erase, alter, modify or tamper with any BWC, software, hardware, recorded audio/video data or related metadata.
6. Officers assigned a BWC are responsible for ensuring equipment is inspected, fully charged, tested, and affixed securely to the body prior to standing for roll call and inspection. BWCs must be placed into stand-by mode upon leaving the headquarters building for the patrol assignment. (CALEA 41.3.8e)
 - a. Placement for the BWC is the center of the chest, or off-center away from the firearm side of the outer garment, consistent with best practices and officer safety.
 - b. Loss, malfunction, damage or other issue with the BWC will be immediately reported to an on-duty supervisor, a UPPD-10 completed, and notification to the Technical Officer and Manager made via email.
 - c. The BWC may be removed from the officer's body to record incident-related footage, such as evidence on the ground, if the typical chest placement mounting is not conducive to capturing the image(s).
 - d. Due to the strength of the securing magnets, persons with a pacemaker are excluded from wearing the magnet, and it is advised to keep all ATM/credit cards away from the magnet.

7. Body worn cameras will be docked when not in use. Officers will retrieve the BWC at the beginning of their shift and return it to the dock for uploading immediately after tagging and prior to reporting off-duty.
 - a. All incidents recorded, as soon as practical, will be 'tagged' by officers no later than the conclusion of the assigned Officer's shift using the approved method of documenting incidents.
 - b. The following categories will be utilized in the tagging process using the Evidence.com proprietary software programs associated with the BWC before the end of the shift (CALEA 41.3.8c):
 - 1) Patrol Encounters: store checks; property checks, meet complainant, domestics, etc.
 - 2) Officer Initiated Activities: enforcement of city ordinances, summary citations, etc.
 - 3) Report of any crime/criminal behavior
 - 4) Miscellaneous non-criminal
 - 5) Traffic stops
 - 6) DUI related
 - 7) Motor vehicle accident
 - 8) Pedestrian Stops
 - 9) Demonstrations/Rallies/Protests
 - 10) Use of Force / Officer Involved Incidents
 - 11) Civilian Complaint / potential or filed
 - 12) Arrests; misdemeanor or felony
 - 13) Officer Injuries on Duty
 - 14) Noise complaints, loud parties, disturbance house complaints
 - 15) Hospital cases (will be restricted during tagging)
 - 16) CAPS related / 302 / 201 (will be restricted during tagging)
 - 17) Police canine or other animal incidents
 - 18) Alarm response; fire, duress, burglary

19) Training

Multiple categories can be checked as appropriate; i.e. motor vehicle accident, DUI related, arrest.

c. It is critical that all videos be tagged in the following manner:

- 1) Title: Address of the incident, short description of incident as dispatched
i.e. 4040 Chestnut Street, training
- 2) Edit ID: UPPD Event (Control) Number in the exact format
i.e. 17-012345 (must include hyphen and zeros)
17- (year of occurrence, with hyphen)
012345 (CAD assigned incident number)
- 3) Edit Categories: Selected from the drop-down menu that best fits the incident;
multiple may be selected as appropriate for the incident.
- 4) Assignee: Will be populated by the program and should indicate the name and
PennCard number of the officer assigned to the camera.

The date, time and serial number of the BWC will show in the upper right-hand corner of all captured videos. The time will be listed in the universal standard GMT, however converted to EST via the software when uploaded.

- d. Should tagging not be completed at the end of the shift, notification by the officer must be made to the supervisor on-duty. An email will also be sent by the officer to the system administrator(s) to ensure completion of tagging as soon as practical. Notification will include the reason(s) the incidents were not or could not be tagged.
8. Officers assigned a BWC shall place the BWC in EVENT mode immediately upon being dispatched and prior to arriving at all calls for service. This activation should occur during all law enforcement related encounters and activities involving the public, whether the activity is initiated by or assigned to the officer, or is a function of providing assistance to another officer in a back-up capacity.

If safe to do so, officers are encouraged to narrate observable information, such as the approach to the scene, observed activity in-progress, or other relevant information pertinent to the police activity. (CALEA 41.3.8c)

The interactions shall include, but are not limited to the following circumstances:

- a. Traffic stops; officer initiated investigatory stops for traffic violations, investigatory stops, suspicious vehicles and/or in a back-up capacity prior to interaction with the vehicle/operator/passengers
- b. Pedestrian stops; officer initiated or in back-up capacity
- c. Vehicular or foot pursuits
- d. When involved in an arrest or issuance of a citation/CVN
- e. When responding to in-progress calls for service
- f. Protests/demonstrations/rally
- g. Mere encounters
- h. All calls involving suicidal individuals
- i. When engaging in a forced entry
- j. Officer initiated activity with a reasonable expectation of evidentiary value,
- k. Immediately upon a situation becoming adversarial
- l. ERT deployment
- m. When directed by supervisory/command personnel
- n. When conducting a suspect confrontation (i.e., show-up identification of a victim or witness). The recording should include the verbal instructions provided to the victim/witness by the officer prior to the show-up. A view of the suspect should be recorded during the confrontation when reasonable.
- o. To assist in documenting warrantless or consensual searches.
 - 1) The BWC will be used to record the request and consent; however, the recording is intended to enhance a documented consent. This is not intended to replace the Waiver of Rights and Consent to Search Form (UPPD- 55).
- p. Any situation that the officer believes the use of the BWC would be appropriate or would provide valuable documentation if not already activated per policy, such as disturbance house calls, noise complaints, etc.
- q. When entering retail establishments in order to sign logs, conduct store checks, checks of buildings, or other service activity.
- r. When engaged in any official police action, whether in primary or back-up capacity.

- s. Whenever Detectives, wearing a visible badge and/or armband, are engaged in police activity.
- 9. Police Officers are advised to 'bookmark' their videos at the beginning of recordings and during obvious highpoints of an incident in order to quickly locate that video prior to tagging.

B. Equipment Operation

1. Pennsylvania law previously prohibited audio or video recording of communications without two-party consent except in limited circumstances. The Pennsylvania Wiretapping and Electronic Surveillance Control Act 18 PA.C.S. §5704 (16) was amended and signed into law in September 2017 which now permits recording without consent or notification by law enforcement if the following circumstances are present:
 - a. Officers are in uniform or otherwise clearly identifiable as a law enforcement officer.
 - b. The recording officer is in close proximity to the individual's oral communication.
 - c. Officers are using only an approved device, both within the Act and UPPD Directive.
 - d. An Officer, as soon as reasonably practical, informs the individual(s) identifiably present that he/she is recording all images and oral communication. Suggested notification: "Sir/Ma'am, I want to advise you that our interaction is being recorded by a body-camera".
2. Once placed in **event** mode, the BWC will remain activated until the clear and evident conclusion of the interaction or as ordered by a supervisor in accordance with policy and the request is situationally appropriate.
 - a. Officers will comply with all other law enforcement agencies BWC recording policies within their facilities.
 - b. Officers will document the reason anytime the BWC has been deactivated in the form of a recorded announcement on the BWC prior to deactivation and on subsequent official documentation of the incident.
 - c. When inside a personal residence and an officer receives a request by an occupant of the residence to stop recording, such request shall be confirmed as follows: While recording, the officer must ask the occupant to state his/her name and to restate the request to stop recording. The officer will then notify an on-duty Supervisor of the request prior to deactivating the BWC. A request to stop recording made by an individual acting in a disorderly manner or under the influence of drugs or alcohol need not be granted.

- d. The BWC will not be deactivated if the request is made while the interaction is already in progress.
- e. The offer to deactivate the BWC will not be made by the officer prior to, or during, the recording of an incident.
- f. Once a situation has stabilized and it is necessary to discuss issues or concerns with another officer, supervisor, doctor, nurse or paramedic; or if the information to be conveyed is not part of an investigative case, the BWC may be switched to ready mode. The officer will record his/her intent to terminate the recording and the reason why. As soon as the private conversation is completed, the BWC will be reactivated so long as the situation still falls under the definition of required use.
- g. In the event the incident or police activity of the officer should have been recorded, but was not, the officer will document the reason(s) why the activity was not recorded and notify the on-duty supervisor as soon as practical during that work shift and submit a UPPD-10 or UPPD-10A (Supplemental Incident Report) prior to reporting off-duty as directed by a supervisor. The Body Worn Classification and code will be used on the UPPD-10 and UPPD 10A Incident Reports.
 - If no original UPPD-10 was completed for the incident, the officer will complete a UPPD-10 with a new control and case number.
 - If an original UPPD-10 was completed for an incident, the officer will complete a UPPD-10A (Supplemental) using the case and control number from the original UPPD-10.

All BWC use will be documented on the UPPD-10 for the incident and/or on the patrol log if a UPPD-10 is not required.

- h. If an officer has activated the BWC it will remain activated until the incident has come to an obvious conclusion. Prior to the conclusion of the incident, the BWC MAY be deactivated by being put into stand-by mode under the following circumstances, which circumstances must be narrated by the officer during the recording prior to deactivation:
 - 1) When interacting with a confidential informant who requests not be recorded.
 - 2) When the recording could capture gruesome images, persons nude (or private areas exposed) that are not involved in or related to criminal activity or there is no legitimate law enforcement purpose to capture the images.
 - 3) When entering a religious institution during services, unless exigent circumstances exist.

- 4) When entering a hospital room, private patient area (where Doctor/Patient expectation of privacy exists), locker rooms or restrooms.

Officers should clearly narrate the reason for deactivating the BWC prior to deactivating the BWC and ending the recording function.

Administrative restriction of captured images can be requested if there is a potential for compromising the privacy and dignity of persons.

C. Training/Prohibitions/Restrictions (CALEA 41.3.8 b/f)

1. BWCs will be utilized only by those officers that have been approved and trained in the use of the hardware and software components of the camera(s), charging systems, data transfer, and retention systems and are on-duty and in uniform. (CALEA 41.3.8 b)
2. Privately owned body worn cameras are prohibited to be worn by any personnel while on duty. Department owned body worn cameras shall not be used for personal purposes.
3. BWCs shall not be used or activated to:
 - a. Record non-work-related personal activities or conversations.
 - b. Roll calls or briefings or operational tactics.
 - c. When subjects request cessation of recording per section B.2.c above.
 - d. During a discussion of medical issues between patient and provider.
 - e. Inside bathrooms, locker rooms, or hospital rooms or private patient areas where there is a reasonable expectation of privacy unless related to victim or complainant in a criminal matter (investigation), disturbance or other emergency situation.
 - f. Inside a religious institution during services, unless exigent circumstances exist.
 - g. Capture gruesome images, or images of persons nude (or private areas exposed) that are not involved in or related to criminal activity or there is no legitimate law enforcement purpose to capture the images.
 - h. When an officer can clearly articulate and document a reason not to record, i.e. non-police related incident involving a minor child.
 - i. Record conversations of fellow employees or supervisors during administrative activities that are not part of law enforcement related encounters and activities involving the public without the prior authorization by a Supervisor/Commander on the scene of the activity.
 - j. During meals or other non-police activity function.

- k. BWCs will be in recording inside DPS/UPPD headquarters only while in the prisoner areas, specifically garage and mantrap, while interacting with a prisoner.
- 4. Officers shall not lead a person to believe the BWC has been deactivated when the BWC has been left active.
- 5. Officers shall not transfer to, or record on another media system, any images/videos captured on a BWC to any another recording device (i.e. cell phone) or any media or portion thereof captured on a BWC in accordance with UPPD Directive 105 "Use of Electronic Resources, Social Media and Networking". Officers shall not share any recorded footage via the MDT for any purpose, including for the purpose of identification on the street.
- 6. In the event of unintentional recording, locker room, roll call, etc., a UPPD-10 noting date/time/location/reason will be submitted through the chain of command to have the video deleted/restricted by the BWC Administrative Officer or Program Manager; all such requests will be forwarded to the Chief of Police for final approval.

D. Documentation

- 1. All recordings will be noted on the patrol log of the officer wearing the BWC and that of his/her partner. Any incident or law enforcement activity recorded by the BWC, and subject to the completion of a UPPD-10, 75-48, any supplement report, PARS etc. will have all recording(s) documented on the resultant paperwork and documentation.
 - a. Recommended initial line of all reports/memoranda is:

Based upon my personal observation and body worn camera footage I....

- 2. Any statements or arrests captured by a BWC shall be documented as such on a UPPD Incident Report (UPPD-10). The BWC check box will be completed for all incidents with BWC recording requiring the completion of a UPPD-10 Incident Report.
- 3. Each commander will review their Goal and Objectives as they pertain to the use of the BWC equipment. Relevant information will be sent to the Office of Administration. The Department will conduct an annual assessment to be included in the Annual Report and for CALEA Accreditation purposes. (CALEA 41.3.8 g)

E. Supervisor Responsibilities

- 1. Commanders and Supervisors are responsible for ensuring all personnel are in compliance with this policy and the operational guidelines within.
- 2. Supervisors will periodically inspect issued BWCs to ensure working condition, evidence of damage, and proper operation.

3. Supervisors will periodically review the recordings of their officers to ensure equipment operation and that use of the BWC is within the guidelines of this Directive. Any issue encountered, such as the need for remedial training, guidance for use, or other administrative review as required will be documented and forwarded to the program administrators.
4. Shift Lieutenants will be responsible for reviewing no less than five (5) randomly selected videos from their assigned shift per calendar month. A review log will be submitted to the Program Administrator on a monthly basis as part of their monthly reporting process.
5. Supervisors will not review BWC videos for the sole purpose of identifying minor violations of policy and/or directive for the purpose of invoking discipline.
6. In the event any BWC captures images/sounds of:
 - a. the use of force by a police officer
 - b. an officer involved shooting
 - c. injury to a prisoner or community member with police involvement
 - d. police vehicle accident
 - e. at the direction of Command level personnel

The BWC of involved police officers will be confiscated by the on-duty supervisor at the conclusion of the incident, transported to the UPPD and uploaded via evidence.com. The BWC Administrative Officer and the Program Manager will be immediately notified in order to restrict the video from all but the Chief of Police and others as specifically authorized by the Chief.

The uploading of the video images will be completed prior to the involved police officer(s) writing of any required reports and/or documents. Police personnel will be afforded the opportunity to view their own recording(s) following the initial uploading and with the approval and presence of the supervisor.

F. Maintenance; lost, stolen or damaged equipment

1. Damage, loss or apparent inoperability of a BWC or its components will be reported immediately to an on-duty supervisor and documented on an UPPD-10.
2. Once damage or loss is documented, a spare camera will be assigned to the officer for the remainder of the shift and through replacement of the inoperative BWC.

G. Review Authorization

1. All data captured by the body worn camera remains the exclusive property of the Division of Public Safety. All access to the images, sounds, and incident metadata must be authorized by the Chief of Police or designee.
2. Officers should be permitted to view their own recordings in order to prepare reports, for court preparation, internal investigations and civil depositions upon approval through an on-duty supervisor/commander.
3. Recordings are not to be shown to complainants, witnesses, suspects or other community members in the field.
4. There will be periodic, random audits and data review by program administrators to ensure compliance with the policy and operation of the hardware; all audits will be documented as such to the Chief of Police and program administrators.
5. Personnel viewing recorded evidence/recordings must include a documented explanation written to the 'notes' section of evidence.com explaining the purpose or reason for viewing the recording.

H. Retention (CALEA 41.3.8 d)

1. Data will be stored, retained, and deleted consistent with the policy and existing laws within the Commonwealth.
2. Incidents that may involve lengthy investigations/closure may have the retention rate extended or marked for an administrative manual deletion.
3. If any commissioned employee believes a specific video should be retained beyond the standard period of time, s/he will request via the chain-of-command the retention period be extended. Examples are potential complaints against police personnel, potential for civil action, or other incidents of note.
4. Officers may request the deletion of unintentional recordings in the event the BWC was inadvertently activated during non-investigative or non-law enforcement purposes. A UPPD-10 detailing the circumstances of the recording will be completed and will be sent to the Chief of Police via the chain of command.

I. Reproduction of Files

1. Unless expressly indicated in this directive, no member of the Police Department or Division of Public Safety may download, copy or otherwise record any video or audio recording onto any device or format without the prior approval of the Chief of Police or designee.

J. Release and review of recordings

1. Only the Chief of Police or designee may approve the release and review of any digital recordings captured by the BWC.
 2. Officers shall ensure that all care is taken to prevent unauthorized persons from viewing all digital recordings.
- K. The Office of the District Attorney for Philadelphia, the University of Pennsylvania's Office of General Counsel, the Philadelphia Police Department or other prosecutorial Police agencies may be given access to specific BWC footage with the prior approval of the Chief of Police.

VI. Compliance

Violations of this directive, or portions thereof, may result in disciplinary action.

VII. Officers Assigned to Other Agencies

Officers of this department assigned to or assisting other law enforcement agencies will be guided by this directive.

VIII. Application

This directive constitutes department policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by law. Violations of policy will only form the basis for departmental administrative sanctions.

Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.