



Jacksonville Sheriff's Office
ORDER

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I. Purpose of the Policy

- A. The purpose of this policy is to establish guidelines for the use, management, storage and retrieval of Body Worn Cameras (BWCs) and recordings. This order supports the Sheriff's Office Core Values of "Worthy of Trust," "Respect for Each Other," "Community Focused," and "Always Improving."
- B. The Jacksonville Sheriff's Office (JSO) has adopted the use of BWCs in order to accomplish several objectives. The primary objectives are as follows: [CALEA 41.3.8]
 - 1. Enhance accountability and public trust by preserving evidence of officer interaction with citizens;
 - 2. Capture digital video evidence for criminal, civil and traffic-related court cases; [CALEA 41.3.8]



3. Assist officers when legally permissible with recalling facts or other details captured by their assigned BWC that will help them accurately articulate a chain of events when writing reports;
 4. Serve as a training tool for officer safety and best practices, and
 5. Assist in the assessment of contacts between officers and citizens by reviewing procedures and interpersonal actions.
- C. In order to enhance the services provided to the community, it is the policy of the JSO to provide all full time sworn police officers (including recruits in the Field Training Program) and full time sworn police sergeants in uniform of the agency with a BWC. The BWCs shall be used to assist authorized personnel in the performance of their duties by providing an accurate and unbiased recorded account of an incident, thereby reinforcing the community's perception of our professionalism and transparency. This policy is intended to achieve an appropriate balance between the benefits of BWC devices with the community and officers' reasonable expectations of privacy.
- D. BWCs are not a substitute for an officer's reasonable beliefs and perceptions, and cannot account for an officer's physiological responses during critical incidents, such as visual tunneling and auditory exclusion. BWCs should not be viewed as the only measure of truth because they may show more or less than what the officer sees, hears, and/or observes. BWCs, however, have an important, but limited use as one of many policing tools.
- E. This policy does not govern the use of surreptitious recording devices used by undercover officers in undercover operations.
- F. The Fourth Amendment of the U.S. Constitution protects people and provides them with a reasonable expectation of privacy from government intrusion. Guidance explaining protections against unreasonable search and seizure can be found in the case of *Katz v. United States*, 389 U.S. 347 (1967), which extends Fourth Amendment protection to all areas where a person has a "reasonable expectation of privacy." In summary, the Court found that the government may not generally intrude into places, unwanted, when a person enjoys a reasonable expectation of privacy.
- G. This policy shall not violate the Fourth Amendment Rights of citizens as afforded under the U.S. Constitution.

II. Procedures

A. Definitions

1. Activation - Pressing the start/stop button activates the BWC to begin recording audio and video;
2. Audio Recording - The electronic recording of conversation, spoken words, or other sounds;



3. Body Worn Camera (BWC) - The camera system that captures audio and video signals, capable of being worn on an officer's person that includes at minimum a camera, microphone, and storage component;
4. BWC Uploading - The act of transferring recorded data from the BWC to the storage server;
5. BWC Recording - The electronic recording of visual images, with or without audio, with the inclusion of thirty seconds (video only) prior to and after the activation of the recording as determined by the Sheriff and BWC manufacturer.
6. Buddy officer – JSO officer assigned to attend to the personal needs of an officer who was principally involved in a critical incident;
7. Classification Tags – The JSO method to mark and identify BWC recordings for a specific purpose and for which a predetermined retention period has been set;
8. Critical Incidents – Officer-involved shootings, In-custody deaths, Response to Resistance incidents (resulting in death, serious or alleged serious injury), officer involved traffic crashes/pursuits with fatalities or serious injuries, serious injury or death of an officer in the line of duty;
9. Deactivation - Pressing the start/stop button stops an active recording and returns the BWC to standby mode;
10. Docking the BWC - The process by which an officer places the BWC into a JSO network-attached data transfer device, causing videos previously recorded onto the BWC to be uploaded to the storage server;
11. JSO Investigators – Officer assigned to Internal Affairs Unit, Integrity and Special Investigations Unit, or the officer's lieutenant;
12. Metadata - Information that is used to identify the officer to whom the BWC is issued, the date and time each video was recorded, and officer interaction/offense categorization of BWC recordings;
13. Officer - Used in this directive to include full time police officers, police officers in the Field Training Program, police sergeants and any other personnel who wear, use, maintain, store, or release audio or video data recorded by body cameras;
14. Person(s) of Interest - Someone law enforcement authorities would like to speak with or investigate further in connection with a crime, but probable cause does not exist to make an arrest;
15. **Police Activity** – Engagement with an individual(s) within the community and/or in instances when an officer reasonably believes contact with such an individual exists while working within an official capacity as a law enforcement officer and carrying out the duties and



responsibilities associated of such under Florida State Law and JSO policy. Examples include, but are not limited to: Calls for service, all investigative and enforcement actions, self-initiated field activity, supervisory direction and all engagements with a suspect, including advising of Miranda warning (Rights) and transportation;

16. Standby Mode – While the BWC is powered on, the BWC has not been activated to commencing active recording;
17. Suspect – A person believed to have committed a crime.

B. **General**

1. Failure to adhere to this policy could subject an officer to disciplinary action up to and including dismissal (refer to Order 501 [Code of Conduct]).
2. All BWC equipment and recordings are the property of JSO.
3. Officers are prohibited from using non-departmental BWCs in an official JSO capacity while on or off duty.
4. Officers will be in a uniform or have their badge prominently displayed when using a BWC.
5. BWCs will only be worn on the uniform for which it is intended and may not be moved to obstruct or change the intended view.
6. BWCs will be powered on at the beginning of an officer's shift and powered off prior to docking.
7. BWC recordings are not replacements for any JSO written reports or investigatory statements.
8. If an officer is lawfully present (e.g., invitation, arrest warrant, search warrant, etc.) at a location where a person has a reasonable expectation of privacy (e.g., residence, restroom, dressing room, locker room, hospital, or mental health facility, etc.), there is no requirement for the officer to announce to any person whether the BWC is recording. Additionally, there is no requirement that the officer discontinue use of the BWC if requested when the officer's presence is due to **Police Activity** or an invitation extended remains.
9. If an officer is asked whether their BWC is recording, the officer shall truthfully state if the BWC is recording. (Example of statement: "Ma'am/Sir, I am advising you that our interaction is being recorded").

C. **Activation** [CALEA 41.3.8, 83.2.2]

1. Officers who are assigned BWCs whether primary or back up will activate their BWCs upon arriving at the scene of a **Police Activity**. Every reasonable attempt should be made to activate the BWC prior to engaging in **Police Activity** (Examples include: before exiting the



patrol vehicle upon arriving at a call for service, while at a safe distance prior to engaging with a suspicious person, preceding the initiation of a traffic stop, upon engaging in any pursuit, etc.);

2. Officers responsible for completing associated reports will indicate therein whether any BWC was activated during the course of subject incident (including, but not limited to General Offense Report, Arrest and Booking Report, Uniform Traffic Citation, Armor Report, etc.). This will apply whether the recording was activated by the primary or back up officer(s).

D. Deactivation [CALEA 41.3.8, 83.2.2]

1. An officer may deactivate his BWC when his involvement within a **Police Activity** has concluded.
 - a. At times officers will perform **police functions** which do not directly involve engagement with an individual(s) within the community. While performing these functions, BWC recording may be ceased: examples include writing reports, directing traffic at the scene of a crash, holding a perimeter position on a stable crime scene, securing/transporting evidence, or when commanding officers/supervisors direct otherwise.
 - b. Deactivation of the BWC is appropriate when an officer's involvement in a **Police Activity** concludes or while performing these police functions; however, activation is required should **Police Activity** otherwise occur.
2. Prior to deactivating the BWC, officers will make a recorded statement as to the reason the device is being deactivated for all reasons other than end of **Police Activity** (examples include: supervisory direction, conference with legal counsel, unrelated phone conversation, strategic or tactical JSO operation planning, "buddy officer assigned").
3. After an officer de-activates their BWC, it is his responsibility to ensure they re- activate their BWC should a subsequent **Police Activity** occur in which the officer is involved.
4. Officers who are assigned as a buddy officer to another officer directly involved within a Critical Incident will ensure their BWCs are deactivated during the entire time of the assignment with the involved officer.
5. In certain instances (neighborhood canvasses, extended searches, high profile cases, etc.) a person willing to provide information may be reluctant to do so while a BWC is activated. Officers shall use discretion in these instances and weigh the need to obtain possibly critical information with the continued use of a BWC and loss of information. Officers shall record a statement for the reason of the deactivation.

The JSO preference is to record such statements; however, it is recognized that such persons may be hesitant to provide information while being recorded due to a fear of retaliation, privacy concerns or a feeling that the information is sensitive. In these situations, officers may decide that obtaining the information is more



important than recording the conversation. The officer shall then record a **statement** of the deactivation (e.g., "Community member desires to make an unrecorded statement"). After obtaining the statement, the officer shall immediately activate their BWC to resume the **Police Activity** when safe to do so.

6. When a prohibited use of the BWC as outlined below is discovered, officers will deactivate their BWCs when it is safe to do so. If portions of the prohibited use are suspected to have been captured by the BWC, the officer should comply with the provisions of this order.
7. Unless a **Police Activity** is occurring, BWCs will be deactivated for all other activities, including, but not limited to entering: places where persons have a reasonable expectation of privacy such as hospitals, private offices/work places, governmental facilities, etc. Other deactivation examples include: the Firing Range, JSO Academy, engaging in administrative responsibilities, static post assignments, training, roll calls, during break periods; when instructed by supervisor to end recording, law enforcement strategic or tactical discussions, or when in the presence of undercover officers, and confidential informants.

E. **Prohibitions**

1. Officers will not use their BWCs for any purpose other than their official JSO law enforcement duties.
2. BWCs will not be used to record a particular person based solely on the person's race, color, religion, national origin, gender, age, marital status, personal appearance, sexual orientation, identity or expression, family responsibility, homelessness status, physical disability status, or political affiliation.
3. BWCs will not be used to knowingly capture legally privileged communications as defined in Chapter 90, Florida Statutes, including but not limited to: sexual assault counselor/victim privilege, domestic violence advocate/victim privilege, attorney/client, doctor/patient, etc.
4. BWCs will not be used to knowingly record undercover officers and confidential informants.
5. BWCs will not be used as a means to conduct a field show up of a suspect.
6. BWCs will not be used to record any personal conversation or a conversation between another officer/individual.
7. BWCs will not be activated when discussing strategic or tactical JSO operations.
8. Officers will not make copies of any recording; disseminate any recording to the public, any media outlet, social media, or any other employee. The posting of BWC recordings to any social media site, without prior written approval of the Sheriff or designee is strictly prohibited.
9. Officers will not capture a screen shot of BWC recordings for their personal use and are prohibited from otherwise recording any BWC recording for personal use.



10. Officers will not use any other electronic devices or other means in order to intentionally interfere with the capability of BWCs.
11. Officers will not allow anyone to view their BWC recording(s) without written/emailed authorization from the BWC Administrator or designee.
12. Each BWC is configured for single use. Therefore, officers will not use a BWC not assigned to them.
13. Officers will not erase, alter, reuse, modify, or tamper with any BWC recording.
14. BWCs will not be used within 1000 feet of a bomb threat scene.
15. Any use of BWC recording not expressly provided herein without the expressed written consent of the BWC Administrator or Undersheriff is strictly prohibited.

F. Privacy Considerations / Citizens Advisement

1. When an officer is asked whether a BWC is being utilized, the officer shall truthfully advise if the BWC is recording regardless of location. Officers shall not lead a person to believe the BWC has been deactivated when in fact, the BWC is left active.
2. Officers are reminded, they may advise the victim or others present at the scene, that BWC recordings taken inside a personal residence, medical, mental, or social service facility, places where there is a reasonable expectation of privacy or related to an incident involving domestic violence, stalking, or sexual assault will be withheld from release to the public as prescribed by law.
3. All BWC recordings will be redacted as prescribed by law.

G. Accidental Recordings

1. In the event of an accidental activation of their BWC where the resulting BWC recording has no investigative or evidentiary value, officers shall report known or suspected incidents to the BWC Administrator via email with the date, time, CCR# (if applicable), and a brief summary describing the accidental recording.
2. Officers will indicate the accidental recording within the BWC software platform by placing the phrase "Accidental Recording" in the note section.
3. Upon reviewing an identified "Accidental Recording", a determination shall be made by the BWC Administrator in accordance with existing laws if the recording may be permanently deleted due to lack of investigative or evidentiary value.

H. Secondary Employment



1. During secondary employment, officers issued a BWC shall adhere to all guidelines and procedures herein regarding the BWC while performing enforcement stops or responding to a **Police Activity**.
2. Any BWC recording captured must be uploaded no later than when the officer returns to his regular assignment under normal circumstances. The officer will complete the upload at the beginning of their next work shift, unless otherwise directed by a supervisor.
3. All actual or subsequent investigations of critical incidents, as defined herein, captured by the BWC must be uploaded upon the conclusion of **Police Activity**.

I. Off Duty

1. It is recognized that off duty officers not in uniform may have to engage in **Police Activity** while off duty, which may result in incidents not being recorded.
2. However, off duty officers in uniform which engage in **Police Activity** are required to adhere to the rules and regulations outlined in this policy as if they were on duty.
3. Any BWC recording captured must be uploaded no later than when the officer returns to their regular assignment under normal circumstances. The officer will complete the upload at the beginning of their next work shift, unless otherwise directed by a JSO superior.

J. Officer Responsibilities: Equipment, Inspection, Maintenance, and Repair

1. Officers are responsible for the proper care of the BWC used by and/or issued to them.
2. Prior to each shift, the officer will perform the following steps: [CALEA 41.3.8]
 - a. Ensure that the equipment is fully charged and working properly. Officers will test the body camera's operation in accordance with manufacturer specifications and department operating procedures and training.
 - b. Officers are to attach the BWC directly to the officer's uniform or person as trained by JSO which allows the optimum recording of video and audio.
 - c. If the BWC is malfunctioning, officers shall immediately replace the BWC with their assigned back up BWC. As soon as possible, the officer shall have the malfunctioning BWC replaced by the BWC Unit.
3. Prior to the end of each shift, officers will dock the BWC at their assigned substation/work location to ensure recordings are uploaded to the system and the device battery charges. Officers will retrieve their second issued BWC from the docking station.

Officers should always maintain one of their two issued BWC devices for use while on duty or working secondary employment in accordance with training.



4. Malfunctions, damage, loss, or theft must immediately be reported to the officer's immediate supervisor as soon as practical. A General Offense Report must be completed when a BWC is damaged, lost or stolen.
5. Officers shall notify their immediate supervisor of any BWC recording believed to have captured any employee of JSO involved in misconduct or criminal activity (refer to Order 501 [Code of Conduct]).
6. Officers are responsible for properly applying classification tags to all recordings with the appropriate category to ensure proper retention periods apply to each recording in accordance with JSO policy and state law.
7. Officers will use the highest level classification tag as determined by **Police Activity**, in accordance with training. Officers capturing BWC recordings shall indicate the classification within the CAD system at the time of checking back from the call.

K. **Data Access and Responsibility / Review**

1. Access

All officers who are required to wear, use, maintain, or store BWCs will be trained in the BWC policy and procedures prior to obtaining access to BWC data storage. Additionally, all officers who use maintain, store, or release BWC recordings will be trained in the BWC policy and procedures prior to obtaining access to BWC data storage. Authorized officers shall only access BWC recordings under the following conditions in accordance with their assigned duties:

- (1) Officers shall be allowed to review only their own BWC recordings when not otherwise prohibited, upon his own initiative or request, before writing a report or providing a statement regarding any event arising within the scope of his official duties. Such reports or statements may not provide for a review of BWC recordings due to an officer's inherent duty to immediately disclose information including, but not limited to the necessity to secure an active crime scene, to identify pertinent individuals or other legal obligations.
 - (2) By an officer to make sure the BWC is working properly.
 - (3) Officers shall not view any BWC recording captured by another officer or supervisor. Once recordings are uploaded, request for access to view may be requested by such officers through the BWC unit.
2. When access to a BWC recording needs to be restricted, officers or Supervisors will notify the BWC Administrator on an Intradepartmental Correspondence form (P-0004) in an email attachment regarding the BWC recording upon uploading the footage. Such restricted recordings include, but are not limited to:
 - a. CI/UO is captured in video;



- b. Victim communications with advocates, attorneys or therapists;
 - c. Strategic or Tactical JSO Operation Plans;
 - d. Sexual Assault Victims; or
 - e. Alleged misconduct or criminal act by a member.
3. Commanding Officer Responsibilities:
- a. To ensure that this program maintains its integrity, it is imperative that commanding officers ensure that officers equipped with BWCs utilize them in accordance with policy and procedures defined herein.
 - b. Upon receipt of randomly selected recordings from the BWC Administrator, commanding officers shall review BWC recordings to ensure that the equipment is operating properly and that officers under their supervision are using the devices appropriately in accordance with policy and to identify any areas in which additional training or guidance is required. The review should be documented in the JSO Employee Evaluation System.
 - c. Commanding officers may review all BWC recordings regarding their subordinates when deemed necessary, but should not consider such review to substitute for field supervision of subordinates.
 - Commanding officers shall contact the BWC Administrator and submit in writing/email all requests to access specified BWC recordings as indicated herein.
 - d. When a superior officer is notified of a malfunctioning camera, the superior officer will ensure their subordinate officer promptly obtains a BWC replacement from the BWC Unit.
 - e. When an officer (who has successfully completed their probation) claims to have failed to activate/de-activate his BWC as required and the failure is not otherwise associated with other violations, the commanding officer will, upon being informed of the failure and after conferring with Internal Affairs to ensure the failure is not otherwise being administratively investigated, access pertinent JSO records and materials (including BWC recordings), in addition to personnel, to determine if the failure was reasonably excusable (refer to Order 571 [Internal Affairs]).
 - (1) If after this fact finding, the commanding officer concludes the failure to activate/de-activate was reasonably excusable, the commanding officer shall document these findings without any further action.



- (2) If after this fact finding, the commanding officer concludes the failure to activate/de-activate was not reasonably excusable and no other JSO policy violations were recognized to have occurred, then the following BWC Activation Failure Step progressive actions will progress separate and distinct from JSO's traditional disciplinary progressive track (except for Step 6) as follows:
 - (a) First Step: initial failure shall result in an informal counseling;
 - (b) Second Step: second failure shall result in a formal counseling;
 - (c) Third Step: third failure shall result in a WR I;
 - (d) Fourth Step: fourth failure shall result in a WR II;
 - (e) Fifth Step: fifth failure shall result in a suspension up to 10 days; and
 - (f) Sixth or more failure(s) will result in a JSO's traditionally progressive disciplinary action no less than a 10-day suspension up to termination.
 - (3) All JSO action to address BWC activation failings of probationary officers will be handled in a manner consistent with the discretion of management, up to and including separation.
 - (4) Each concluded non-excusable failure shall remain active for no more than one calendar year (365 days) from the date of its occurrence (actual or reasonably should have known, whichever is later). Progression within the BWC Activation Failure Step track shall be determined for any non-excusable failures by considering all prior non-excusable failures remaining within one calendar year (365 days) of the subject occurrence.
 - (5) A third or greater non-excusable failure (otherwise referenced as Step 3 or higher) occurring within one calendar year (365 days) of a prior equivalent Step occurrence shall immediately be forwarded to the Internal Affairs unit for an administrative investigation as to the habitual pattern of the failures and potentially result in either the associated Step result as stated with the BWC Activation Failure Step track in this order or a traditionally progressive disciplinary action of no less than a 10-day suspension up to termination. Thereafter the BWC Activation Failure progression track shall resume as stated herein with a subsequent occurrence.
- f. Officers will be provided a ninety (90) calendar day grace period upon being initially issued the BWC. The BWC Activation Failure Step actions as stated above will not commence until ninety calendar days have elapsed.
 - g. Supervisors shall provide a written or electronic request to his commanding officer to review BWC recordings as deemed appropriate. Commanding officers shall request access to the BWC recording(s) to the BWC System Administrator as outlined in this order.

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L. Critical Incidents [CALEA 41.3.8]

1. During the course of a shift, officers equipped with BWC may encounter situations where critical incidents are recorded, as defined herein. BWC recordings related to a criminal or administrative investigation will be treated as any other digital evidence.
2. Immediately after any critical incident, the following actions will be taken:
 - a. To ensure no unauthorized viewing and to protect the integrity of the ensuing investigation, a patrol supervisor shall take sole possession of any BWC which has actually or potentially captured a critical incident, criminal offense, or suspected serious misconduct by an officer or an employee of JSO.
 - b. BWCs which contain actual or potential video/audio recording of a critical incident shall be provided by the possessing officer upon request to his patrol supervisor, the investigating unit detective or the detective's supervisor.
 - c. Critical incident recordings which are sensitive in nature and require timely viewing at the scene of an incident and/or immediate access restriction will require a call out of the BWC Administrator or designee. The BWC Administrator or designee will respond to the scene and upload the recording(s) from the device(s) and limit access as appropriate.
 - d. Under no circumstances will an officer record a conversation with legal representation.
 - e. Supervisors shall ensure that a replacement BWC is provided to an officer who's BWC has been taken in custody and cannot be returned prior to his return to their regular duties.

M. Criminal / Administration Investigation of an Officer [CALEA 41.3.8]

1. JSO Investigators are responsible for requesting BWC recordings only relevant to cases they are assigned. JSO Investigators conducting criminal or administrative investigations against an officer shall:
 - a. Obtain a listing of each officer, including the subject officer, present at the incident, and documentation of whether that officer was equipped with a BWC, and whether the BWC was activated.
 - b. Ensure that all related BWC recordings have been uploaded to the storage database.
 - c. Request and view all available BWC recordings to determine whether the BWC file is of evidentiary value and process it in accordance with established protocols.
 - d. Request that the BWC Administrator restricts access to all BWC recordings related to the criminal or administrative allegations when appropriate until otherwise notified.



- e. Request that the BWC Administrator restrict public disclosure of the BWC recording in criminal or internal investigations, in accordance with the public record laws.
2. When a commanding officer or supervisor is made aware of alleged misconduct, actually or potentially, captured on a BWC, the following procedure shall be followed:
 - a. In instances of alleged minor misconduct, a supervisor shall take custody of any BWC device(s) and ensure it is docked for timely upload of recordings. Recordings shall be "shared" in accordance with "Commanding Officer Responsibilities" specified in this order.
 - b. When the alleged misconduct is serious (i.e., involves a critical incident or criminal in nature), the commanding officer or supervisor shall take custody of the BWC and hand deliver it to the BWC Administrator or designee. The BWC Administrator or designee shall upload the recordings and immediately upon availability restrict the pertinent recording(s) related to the alleged misconduct.
 - c. At the request of an investigator from Internal Affairs or Integrity Special Investigations Unit, the BWC Administrator or designee may be requested to upload pertinent recordings at the scene.
3. JSO Investigators shall notify the BWC Administrator to remove the access restriction when the criminal/internal investigation is closed or the BWC recordings is no longer protected under the provisions of the public record laws.

N. Docking / Storage and Security Procedures [CALEA 41.3.8, 83.2.2]

1. At the end of the officer's shift, officers will securely upload the BWC recording(s) contained on their BWC utilizing the approved procedures (wireless, docking station, etc.) and in accordance with training. BWC recordings will be stored utilizing a secure storage server and backed up for redundancy purposes. All BWC recordings will be stored utilizing the JSO approved security methods in compliance with Criminal Justice Information Standards (CJIS).
2. At no time shall any officer other than the officer issued the BWC touch, handle, or remove the BWC from the docking station, except solely for the BWC Administrator, the ISM for maintenance related issues, or by a JSO investigator working an administrative or criminal investigation where the BWC contains potential evidence related to an active investigation.
3. Files will be securely stored in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution.
4. Each BWC recording shall have a chain of custody audit trail which documents all events associated with a file.

O. BWC Administrator



The BWC Administrator is designated as the Custodian of Record for all BWC recordings and has oversight responsibilities to include, but not limited to, the following:

- a. Ensuring that officers are trained in the use of the BWC data storage and equipment prior to issuance.
- b. Ensuring access level and roles to users in the BWC data storage as directed and/or approved by the Chief of Service or his designee:
 - (1) Officers have access only to their recordings;
 - (2) Commanding officers and above have access to all BWC recordings captured by officers under their command. However, commanding officers shall indicate the following without exception for accountability and system integrity in written/email form upon request:
 - (a) BWC recording officer's name and ID number;
 - (b) Date/Time if available;
 - (c) CCR if available;
 - (d) Internal case number if available; and
 - (e) Brief summary of the nature and reason of the request and (e.g., verification after JSO reminder of officer's deactivation statements).
 - (3) Authorized State Attorney Users have access to BWC recordings that contain evidentiary data related to a prosecutorial criminal case; and
 - (4) BWC Administrator has access to all recordings.
- c. Assigning passwords to authorized users.
- d. Ensure officers are assigned a fully functional BWC. Malfunctioning BWCs shall be replaced immediately.
- e. Maintaining an accurate listing of all BWC users.
- f. Providing technical support for malfunctioning BWC equipment and facilitate all warranty repairs with the vendor.
- g. Policy and procedure review and evaluation.
- h. Management of the digital data storage management system.
- i. Ensure BWC files are secured and retained in accordance with record retention laws.



- j. Ensure BWC files are reviewed and released in accordance with federal, state, local statutes, regulations, and Departmental policies.
 - k. Responsible for making copies of BWC files for court presentation, criminal/administrative investigations.
 - l. Responsible for the disposal of copied BWC recordings not admitted as evidence in court or part of an administrative investigation in accordance with existing laws.
 - m. Providing administrative support with regard to the BWC data storage.
 - n. Assigning personnel for the purpose of "sharing" BWC recordings evidence with the State Attorney's Office (SAO) or Office of General Counsel (OGC).
 - o. Responding to requests from the Public Records Unit.
 - p. Redacting or deleting any BWC recording in accordance with local, state, and federal laws governing the release of such materials. Any BWC recording redacted shall be documented and filed for recording purposes.
 - q. Review accidental recordings and determine whether or not the recording or a portion thereof had an official purpose. If the recording had no official purpose, the BWC administrator shall document this in the recording notes and delete the recording as prescribed by law. An audit log on the history of every recording will be maintained in the storage database.
 - r. Through members of the BWC Unit, process public record request for BWC recordings as prescribed by law.
 - s. All access to BWC recordings (images, sounds, and metadata) must be specifically authorized by the BWC Administrator or his designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
 - t. Conduct Data analysis and perform a program evaluation at least annually which will be forwarded to the Undersheriff for review.
- P. Audits of BWC Recording Data [CALEA 41.3.8]**
- 1. The BWC Administrator shall be responsible for conducting audits of BWC recordings, and shall ensure accountability and compliance in accordance with the guidelines and procedures in this directive.
 - 2. Quarterly, the BWC Administrator shall forward three (3) random system selected BWC recordings to commanding officers for their or their designee's review of their subordinates' compliance.



3. Semi-annually, the BWC Administrator shall conduct a random audit of BWC data and generate a report documenting the findings. The audit should be reflective of the department and include multiple samples for review. The report shall further address any training or written directive issues resulting from the audit, and provide recommendations regarding compliance and accountability. The report shall be submitted directly, but not limited to the Director of Personnel and Professional Standards for review.
4. Any violations regarding this written directive, as it pertains to local, state, or federal laws shall be documented and submitted to the Internal Affairs Unit commanding officer for further review.

Q. Training [CALEA 41.3.8]

All officers who have access to BWC data storage must complete a JSO approved training program to include:

- a. Camera operation (Activation, Deactivation, and other features);
- b. Proper placement of the camera on the uniform;
- c. Department policy and relevant state/federal laws on camera usage;
- d. Review of procedures for recordings to be used as Evidence;
- e. Basic maintenance;
- f. Procedures for documenting and reporting malfunctioning to their issued BWC;
- g. Procedures for uploading and classifying recorded data;
- h. Procedures for accessing and reviewing recorded data; and
- i. Annual In-service BWC refresher training.

R. BWC Recordings Used for Training

1. Officers are encouraged to notify the Director of the Northeast Florida Criminal Justice Training Center (NEFCJC) via their chain of command of any recordings that may be of value for Department-wide training purposes.
2. Upon receipt of the notification that a recording with potential training value, the Director of the NEFCJC will contact the BWC Administrator to request the recording be reviewed for applicable redactions as prescribed by law before being "shared" for training. Additionally the Director shall:



- a. Take into consideration the identity of the persons involved, the sensitivity of the incident, and the benefit of using the file versus other means.
- b. Notify the involved officers that his captured BWC recording will be used for training.
- c. Confirm with the BWC Administrator that appropriate redactions are made to recordings prior to them being used in training.
- d. The BWC Administrator shall ensure that recordings authorized for training are updated with any notes/classification tags identifying such as "Training" in the JSO approved storage database.

S. Evidentiary Requests

1. All JSO Investigating units and authorized JSO personnel requiring BWC recordings for official criminal or administrative investigations shall make requests directly to the BWC Unit via email to JSOBodyCam@jaxsheriff.org. Requests should contain as much of the following information to ensure any and all related recordings are received by the investigating officer, but will not be granted without compliance with subsection d. below:
 - a. CCR Number.
 - b. Date/Time of recording.
 - c. Names and ID of the officer assigned to the generating BWC.
 - d. Brief summary of the nature and reason of the request for accountability and system integrity (e.g., verification after JSO reminder of officer's deactivation statements).
2. Recordings "shared" with JSO investigating officers will be sent in a "view only/download" status as deemed appropriate.

SAO or OGC requests of BWC recordings for filing decisions, court purposes, etc. shall be directed to the BWC Unit by the attorney or paralegal designee.

3. Officers subject to investigations shall be provided all applicable BWC recordings pursuant to current practices and associated orders (for example, Order 571 [Internal Affairs]).

T. Records Requests

1. The authority governing the release of BWC recordings or associated reports containing criminal investigative information and criminal history information is found in various State and Federal Statutes, local ordinances, and Administrative rules and directives including, but not limited to:
 - a. Section 37.111, Municipal Ordinance;



- b. Chapters 39, 119, 257, and 943 Florida Statute; and
 - c. Chapters 1B-24, 26, and 27, Florida Administrative Code.
2. Public Records requests for BWC recordings shall be accepted and processed, in accordance with the provisions of federal law, state law (including Chapter 119, Florida Statutes), local statutes, and policies. The request shall be forwarded to the BWC Administrator for processing. The BWC Administrator or designee will make every reasonable effort to notify the officer who created the produced BWC recording via email prior to its production (without intentionally divulging the requester).

U. Retention and Disposal of Body-Worn Camera Video Recordings

1. The retention of BWC recordings will be in accordance with the General Records Schedule as published by the Secretary of State for Law Enforcement Agencies GS2 is the publication consulted for guidelines when planning records disposal.
2. BWC recordings are managed for retention by software applications. Recordings are retained in accordance with this directive and statutory requirements addressing the storage of evidence. The software is programmed to perform automated purges to delete recordings set to expire as provided in this policy. The BWC Administrator shall ensure the appropriate programming occurs.
3. A non-event classification tag is defined as a recording that was a result of accidental activation of a BWC. A non-event classification tag may also be a recording wherein the officer had no contact with a citizen and no law enforcement action was warranted.
4. BWC recordings must be retained according to the mandates or retention periods established by local, state, or federal law, and if applicable, JSO policy. Such recordings that do not qualify for retention beyond the associated retention periods may be deleted by the BWC Administrator.
5. If a BWC recording does not meet the criteria for retention, but an officer or supervisor believes such recording may be worthy of retaining based on the circumstances of the event, they shall consult with the BWC Administrator.
6. BWC recordings may only be deleted by the BWC Administrator or approved employees authorized by the Sheriff or his designee for such purpose.
7. It is the responsibility of the BWC Administrator (or other authorized designee) to extend the retention rate if it is determined the recording should be archived for future court proceedings, administrative access, or otherwise may serve to support criminal and civil statute of limitations (capital or life felonies, evidence preservation requests, DNA evidence, etc.), and if applicable, that copies are stored on DVD, or other media approved by ISM, in support of such extension. Requests for extension must be directed to the BWC Administrator by the JSO investigating officer, unit, SAO, or OGC.



8. Only the Public Information Unit may satisfy requests for public copies. BWC recordings obtained on JSO systems shall not be released to the public without prior approval from BWC Administrator (or their designee). Request for copies of recordings that extend outside JSO or the SAO shall be subject to the applicable provisions of law.

JSO RETENTION SCHEDULE - CLASSIFICATION TAGS

90 DAYS	1 YEAR	4 YEARS	5 YEARS	7 YEARS	99 YEARS
BC	BC1	BC4	BC5	BC7	BC99
Training	Street Encounter (Signal 13)	Vehicle Pursuit (COJ Traffic Crash)	Misdemeanor (Incident or Arrest)	Felony (Incident or Arrest)	Life Capital Felony
Citizen Contact (No LEO Action)	Traffic Crash (Citizen)	Baker Act / Ex Parte	Response to Resistance		Felony Resulting in Death
Alarm Call with no Crime	Traffic Stop	Search Warrant	Injury in the Line of Duty		Traffic Crash Resulting in Death
	Vehicle / Foot Pursuit (No Injury, Crash or Arrest)	DUI			Legal Requests
	Other Events (Explain in Notes)				

Check Back Codes Legend:	
BC = 90 Days	BC5 = 5 Years
BC1 = 1 Year	BC7 = 7 Years
BC4 = 4 Years	BC99 = 99 Years

Mike Williams
 Mike Williams
 Sheriff

References: