



U.S. Department of the Interior  
National Park Service  
United States Park Police

**General  
Order  
80.00**

## Body Worn Camera Program

### Notes

This General Order rescinds Force Memorandum No. 3 (Series 2015) – Use of Body Worn Cameras and Force Memorandum No. 11 (Series 2021) – Body Worn Camera Interim Policy – New York and San Francisco Field Office.

#### Referenced DOI Policies

- N/A

#### Referenced NPS Directives

- N/A

#### Referenced USPP Policies

- GM – Use of Force Investigations

#### Referenced Forms

- N/A

### Authorized By

Christopher Stock

Acting Chief of Police

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### I. POLICY

It is the policy of the United States Park Police (USPP) to promote public trust, increase transparency, and better ensure the safety of Sworn Personnel and the public by recording and accurately documenting encounters between law enforcement officers and the public through the use of Body Worn Cameras (BWCs).

### II. PURPOSE

This policy establishes guidelines for the proper use, management, storage, and retrieval of audio/visual media recorded by BWCs.

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The USPP requires the use of BWCs for Sworn Personnel engaged in, or when reasonably expected to be engaged in, law enforcement activities to accomplish the following objectives:

- A. Provide accurate documentation of police-public contacts, arrests, and critical incidents, as well as to enhance the accuracy of incident reports and testimony in court.
- B. Enhance the USPP's ability to review probable cause determinations for arrest, Sworn Personnel and suspect/subject interactions, and evidence for investigative and prosecutorial purposes.
- C. Provide additional information for Sworn Personnel evaluation and training.
- D. Provide accurate and timely documentation of law enforcement actions and other incidents, as described in this General Order.

### III. DEFINITIONS

- A. Activate – Physically pressing the appropriate button on the BWC to begin a recording. This will also capture the previously buffered 30 seconds of video recording.
- B. Body Worn Camera (BWC) – A camera worn on the person of Sworn Personnel that records and stores audio and video data during the performance of their official duties.
- C. Buffering – The option to let a camera pre-record before activation of the BWC.
- D. Call for Service – A request from a member of the public for assistance that is either self-initiated by Sworn Personnel or received by Dispatch Operations through a call or text to 911 or a non-emergency line.
- E. Category – The label assigned to recordings as they are created, uploaded, and stored within the Digital Evidence Management System (DEMS) for retention purposes.

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- F. Deactivate – Physically pressing the appropriate button on the BWC to end the recording. Deactivation returns the device to stand-by mode.
- G. Digital Evidence – All digitally stored files to include photographs, audio recordings, and video recordings captured by a BWC.
- H. Digital Evidence Management System (DEMS) – A Software as a Service (SaaS) platform to store and manage digital evidence. Evidence.com was the DEMS when this General Order was published.
- I. Docking Station – Hardware connected to a network that is designed to upload recordings from the BWC to the DEMS. The docking station simultaneously recharges the BWC while uploading all digitally encrypted data from the device.
- J. Download – Refers to the extraction of files from a device or application. For the purpose of this General Order, the terms upload and download are used synonymously to mean file transfer between one device and another or one application and another.
- K. Enforcement Action – An event or incident in which Sworn Personnel interact with an individual in order to enforce the law or maintain the peace.
- L. Health Care Facility – A facility that provides care, services, or supplies related to the health of an individual. Health care includes, but is not limited to, preventive, diagnostic, therapeutic, rehabilitative, maintenance, mental health, or palliative care.
- M. Heightened Privacy Interest – An area where an individual has a reasonable expectation that their communications, activities, or property located therein would not be observed or overheard by the public.
- N. ID – The alpha-numeric identifier to be attached to BWC recordings. This will be the Records Management System (RMS) case number.
- O. Incident – An occurrence, natural or human caused, that necessitates a

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response to protect life or property, which includes planned events, as well as emergencies and disasters of all kinds and sizes.

- P. Law Enforcement Contacts – Any interaction with law enforcement once reasonable suspicion is established that a crime/violation has been or is about to be committed.
- Q. Metadata – Descriptors that identify the time, date, location, and badge number linked to the creation and categorization of BWC recordings.
- R. Power On – The BWC is turned on and is in either active recording mode or stand-by mode. When initially powered on, the BWC enters stand-by mode.
- S. Record Management System (RMS) – The department-wide central records system into which bureau law enforcement personnel enter incident reports and other data related to law enforcement contacts. The Incident Management, Analysis, and Recording System (IMARS) was the RMS when this General Order was published.
- T. Serious Use of Force – As defined by GM – *Use of Force Investigations*, any use of force involving:
  - 1. serious physical injury;
  - 2. head strikes with an impact weapon;
  - 3. incidents resulting in a loss of consciousness, or that create a substantial risk of death, serious disfigurement, disability, or impairment of the functioning of any body part or organ;
  - 4. incidents where a person receives a bite from a USPP canine; and
  - 5. the use of neck restraints or techniques.
- U. Stand-by Mode – The BWC is powered on and buffering a 30-second video-only recording.
- V. Storage Device – A media storage device that has been recognized by the

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courts as having established evidentiary value.

- W. Sworn Personnel – Employees designated by the Secretary of the Interior pursuant to [54 U.S.C. § 102701\(a\)](#) to maintain law and order and protect individuals and property within National Park System (NPS) units. For the purposes of this General Order, the term “officer” may be used interchangeably with Sworn Personnel and indicates Sworn Personnel of all ranks.
- X. Title – The incident classification of the BWC recording.
- Y. Touhy Request – A request for official records in support of litigation where the Government is not a party to the litigation.
- Z. Unintentional Recording – Any unintended recording that does not comply with this General Order or applicable law.

### IV. GENERAL PROVISIONS

- A. Safety shall take precedence over recording incidents and Sworn Personnel shall not allow the operation of BWCs to interfere with their own personal safety, the safety of others, or the safe operation of vehicles.
- B. BWCs shall be used to capture audio and visual recordings for law enforcement contacts, calls for service, and investigations.
- C. Sworn Personnel are not required to announce or otherwise inform members of the public that their BWCs have been activated. However, Sworn personnel may find that informing a member of the public that a body worn camera is recording the encounter can be an effective tool to de-escalate a law enforcement contact.
- D. Except for those circumstances described in Section V(D) of this General Order below, Sworn Personnel may record any conversation while acting within the scope of their authority, to include – but not limited to – overhearing or recording any communication that they could lawfully overhear or record.

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- E. All Sworn Personnel shall wear and use BWCs in accordance with Section V. of this General Order, subject to the following exceptions:
1. Sworn Personnel should not activate a BWC while attending to court-related business unless taking law enforcement action.
  2. Sworn Personnel detailed to another agency shall be provided specific instructions regarding the use of BWCs before beginning their assignment.
  3. Sworn Personnel assigned to a plainclothes unit may remove their BWC when engaged in non-enforcement and/or non-investigatory actions. However, such personnel must wear their BWC when they engage in, or reasonably anticipate engaging in, an activity listed in Section XII. of this General Order. Additional procedures related to plainclothes operations may be set forth in Standard Operating Procedures (SOP).
- F. With approval from a Captain or above, Sworn Personnel assigned to primarily administrative functions may remove their BWCs when engaged in non-enforcement and/or non-investigatory actions, but shall wear their BWCs when they engage in, or reasonably anticipate engaging in, an activity listed in the Section XII. of this General Order. Detailed incident reports are still required and are the appropriate means to document the totality of the circumstances for the incident.
- G. BWCs have a 30 second video-only buffer which is included in the recording when the BWC is activated.
- H. All recordings, associated digital evidence, and/or metadata collected using the BWC are considered part of the USPP investigative record and for official use only.
- I. BWC recordings shall be released to the public only as permitted by Department of Interior (DOI) policy and other applicable federal record release authorities, including the Privacy Act of 1974 and the Freedom of

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Information Act (FOIA), and shall take into account the duty to protect the privacy rights of the persons depicted in the recording, and any need to protect ongoing law enforcement operations.

- J. Sworn Personnel shall operate their assigned BWC in accordance with this General Order and its procedures, as well as any other procedures mandated by the USPP and/or the DOI.
- K. Sworn Personnel shall maintain their BWC in working order, charged, and with enough data storage capacity to complete their shift under normal circumstances.
- L. Only Sworn Personnel shall use a BWC device, except for training purposes.
- M. BWC equipment is for official use only and shall not be utilized for personal use.
- N. The use of any non-issued BWC or other personal recording device for the same purpose is prohibited.
- O. The subjects of recordings shall not be allowed to review the recordings at the incident scene.
- P. Sworn Personnel who fail to comply with this General Order may be subject to administrative action.
- Q. BWC recordings cannot be deleted, nor can they be manipulated from their original format; however, they may be redacted once the original recording has been preserved in the Digital Evidence Management System (DEMS).

### V. GENERAL PROCEDURES

#### A. Prior Inspection

- 1. Prior to the beginning of each shift, Sworn Personnel shall perform an inspection to ensure that their BWC is operational in accordance

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with the manufacturer's recommendations and that—

- a. the BWC's battery is adequately charged;
- b. the BWC is functional;
- c. the BWC lens is free of debris;
- d. the BWC is securely mounted above the beltline on the torso in a position to maximize the BWC's ability to record the wearer's perspective; and
- e. that there is no other technical issue that could interfere with the use of the BWC.

2. Any technical issue with the BWC shall be reported to a Supervisor and Shift Commander or field office equivalent as soon as practical. The Supervisor shall remove the non-functioning camera from service immediately and replace it with a functioning camera, if available.

### B. Activation

1. While on-duty, the BWC shall be in stand-by mode. Any technical issue with the BWC shall be reported to a Supervisor and Shift Commander or field office equivalent as soon as practicable.
2. Sworn Personnel – including primary, secondary, and assisting Sworn Personnel – shall activate their BWCs as soon as an emergency response is initiated, when arriving at the scene of a non-emergency call for service, or at the beginning of any law enforcement contact. A list of scenarios which would require activation of the BWC has been attached to this General Order as an Section XII.
3. If the BWC is not activated at the beginning of a call for service or law enforcement contact, it shall be activated as soon as it is safe and practical to do so.



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4. As much as possible, the recording should capture the entire contact, starting when the decision is made to contact the individual/violator and ending after the individual/violator has left the scene or the incident has otherwise resolved.
5. Sworn Personnel shall record the transport of prisoners unless the duration of the transport could reasonably compromise battery life of the BWC.
6. If an arrestee becomes uncooperative during transport, or if there is some evidentiary purpose to record the situation, Sworn Personnel shall re-activate their BWC.
7. Sworn Personnel shall document in their incident report any—
  - a. inability or failure to activate the BWC as required by this General Order,
  - b. premature deactivation of the BWC, or
  - c. any interruption in the recording.
8. The USPP recognizes that it may not always be practical to activate BWCs. Sworn Personnel shall thoroughly detail the circumstances which prevented activation of the camera in their incident report.

### C. Deactivation

1. When a BWC has been activated to document an incident, it shall not be deactivated until the incident has concluded, unless—
  - a. Sworn Personnel encounter an undercover officer or confidential informant;
  - b. Sworn Personnel enter a location where individuals have a heightened privacy interest, such as a restroom or locker room, and there is no legitimate law enforcement purpose to justify the continued recording (Refer to Section VI below in

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this General Order for more information).

- c. Sworn Personnel utilize discretion to stop recording a sensitive situation, for instance, when talking to a sexual assault victim (see Section V(E)(4) below in this General Order); or
  - d. When an officer of any rank is involved in a serious use of force and the scene has been taken over by other Sworn Personnel, the involved officer (and the Sworn Personnel attending to them) shall deactivate their camera(s) prior to providing a public safety statement.
2. When deactivating the BWC prior to the conclusion of an incident, Sworn Personnel shall state aloud the reason(s) for the deactivation of the BWC. If it becomes necessary to reactivate the BWC, Sworn Personnel shall state aloud that recording has been resumed.

### D. Prohibited Use

BWCs shall be used only in conjunction with official law enforcement duties and shall not be used to record and shall remain in stand-by mode during the following events or circumstances:

1. In government facilities to include pre-shift conferences, roll-calls, locker rooms, break rooms, restrooms, or other instances not related to an enforcement contact or criminal investigation.
2. Any activity unrelated to the performance of official duties.
3. During USPP administrative investigations.
4. During line-ups or briefings.
5. During major crime briefings to include operational plans for warrants or during a crime scene walk-through.
6. During contact with confidential informants.

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7. To capture any legally privileged communications (e.g., attorney/client, doctor/patient, etc.).
8. For the purposes of surreptitious or covert recordings.
9. During any personal activities.

### E. Discretionary Use

1. Unless otherwise directed by this General Order, Sworn Personnel may exercise their discretion to activate or deactivate their BWCs when they believe doing so constitutes a valid law enforcement purpose.
2. Sworn Personnel who reasonably exercise this discretion when permitted by this General Order will not be subject to discipline for the decision to record or not record those portions of an event.
3. Alternatively, Sworn Personnel may request authorization to activate or deactivate their BWC from a Supervisor or Shift Commander who shall balance the value of obtaining a recording with the reluctance of a victim, witness, or informant to provide information while being recorded.
4. Recording witness and victim interviews in situations related to sexual assault, domestic violence, and/or child abuse is encouraged to collect evidence. However, if a witness, victim, or guardian of the victim is reluctant to make a statement on camera, Sworn Personnel should use their own discretion to decide whether to deactivate the BWC.
5. Sworn Personnel may exercise discretion to record when a victim, witness, or other person who wishes to make a statement or share information during a voluntary interaction and/or who is free to terminate the encounter, requests on camera that the camera be turned off.

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6. Sworn Personnel should be sensitive to cultural and religious events where photography or videography is discouraged. Officers should err on the side of recording where they reasonably believe they are present at an active crime scene.
- F. Uploading Data to the Digital Evidence Management System (DEMS)
1. Sworn Personnel shall upload all BWC recordings to the DEMS once per shift unless an extension is granted by a Supervisor.
  2. Supervisors may grant extensions if it is not practicable for the Sworn Personnel to report to their duty station.
  3. If Sworn Personnel are able to report to their duty station but they are at end of shift, and no arrest, pursuit, use of force, or otherwise significant incident occurred during their shift, then the supervisor may grant an extension.
  4. If a recording contains an arrest, pursuit, use of force, or otherwise significant incident, no extension may be granted unless authorized by the Division Commander on a case-by-case basis weighing all the available externalities.
  5. Sworn Personnel shall follow the BWC manufacturer's guidance in the operation of charging stations and any other peripherals used to upload data to the DEMS.
  6. RMS case numbers shall be added to the DEMS for recordings that are a part of a case where someone will or may be charged with a crime.
  7. All BWC recordings must be assigned one of the following categories prior to or after being uploaded to the DEMS:
    - a. Evidence: Evidence of a crime is on the recording, a custodial arrest, and/or a mandatory appearance citation is issued. This would include any reportable use of force incident.

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Retention period is indefinite. The incident number should be noted in the “ID” section of the recording in the DEMS.

- b. Non-evidentiary: General law enforcement incident without a citation issued or arrest made.
- c. Non-evidentiary Citation Issued: General law enforcement incident with a case number assigned AND a bailable (fine) citation was issued. Case number should be noted in the “ID” section of the recording in the DEMS.

- 8. After initial categorization, the category of a recording may be changed at a later date if circumstances require.
- 9. If a complaint is associated with a recorded incident, or Sworn Personnel believe that an incident may generate a complaint, the Supervisor shall ensure the recording is flagged for indefinite retention.

### G. Reporting

- 1. An incident report will include an entry that the BWC was activated.
- 2. If the BWC was deactivated before the conclusion of the incident, Sworn Personnel shall note the reason(s) for the deactivation in their incident report.
- 3. Recordings will be properly labeled with case ID and the appropriate categorization.
- 4. When preparing incident reports, Sworn Personnel may use the playback features of their BWC to review the recording for accuracy of details, with the exception of a serious use of force incident. If Sworn Personnel choose to review their recording before writing their report, they shall indicate this in their incident report.
- 5. Sworn Personnel involved in a serious use of force are prohibited from viewing the recording prior to providing their initial voluntary

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interview so as not to alter their own memory of the event.

### H. Unintentional Recordings

1. As soon as an unintentional recording is discovered, the Sworn Personnel who discovered the recording shall immediately report it to a Supervisor using an inter-office memorandum that indicates the circumstances and requests permission to remove/lock the metadata associated with the recording.
2. The Supervisor shall review and forward this memorandum to the BWC Program Coordinator via their chain of command.

### I. Repairs and Malfunctions

1. Malfunctions, damage, loss, or theft of BWCs shall be reported immediately to a Supervisor.
2. Malfunctioning cameras shall be taken out of service until repaired by the manufacturer or a certified repair vendor.
3. Every effort should be made to preserve any recording that may be recoverable.
4. Depending on the severity of the crime and the value of the evidence, storage devices may be transferred to a crime laboratory or company specializing in disaster recovery of data.

### J. Deleting Recordings

1. In the instance of an unintentional or prohibited recording containing sensitive material, Sworn Personnel shall submit an inter-office memorandum explaining the need for the removal to their Supervisor.
2. This memorandum shall be sent to the BWC Program Coordinator via the appropriate chain of command.
3. The BWC Program Coordinator shall determine whether

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modification or deletion of the recording is appropriate pursuant to applicable federal record release authorities and the circumstances surrounding the recording on a case-by-case basis.

### VI. SPECIAL PROCEDURES RELATED TO PRIVACY CONSIDERATIONS

#### A. Heightened Privacy Interests

1. If Sworn Personnel are permitted to be in a certain location under the Fourth Amendment and applicable law, they may use their BWCs in a manner consistent with this General Order. However, in locations where individuals have a heightened privacy interest, such as a residence, Sworn Personnel should exercise care and good judgment to respect the privacy interests of the individual.
2. In these situations, Sworn Personnel should balance of the value of obtaining a recording with the reluctance of the individual to provide information while being recorded.
3. If the individual's concern is that the recording would take place within the residence, Sworn Personnel should attempt to conduct the contact outside of the residence with the camera activated or consult their Supervisor and/or the Shift Commander to determine whether deactivating the BWC to obtain information is appropriate under the circumstances.

#### B. Demonstrations and Other First Amendment Activities

1. BWCs shall not be used for the purpose of monitoring activities protected by the First Amendment or the lawful exercise of other rights secured by the Constitution or laws of the United States.
2. Sworn Personnel shall operate BWCs in stand-by mode during demonstrations and other First Amendment activities, unless—
  - a. Sworn Personnel witness a crime or violation among the participants,

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- b. a contact becomes adversarial, and/or
    - c. enforcement action and/or arrest is likely.
  3. Sworn Personnel shall not covertly record the participants of a demonstration or other First Amendment activity.
  4. Recordings of demonstrations or other First Amendment activities shall not be retained past the normal period of retention set forth by DOI and NPS retention schedules absent evidence of a crime or other requirement for preservation.
- C. Recording in Health Care Facilities
  1. Sworn Personnel should be sensitive to the privacy rights of bystanders and other individuals who may be present in the health care facility or ambulance in close proximity to the person the Sworn Personnel is seeking to interview.
  2. Therefore, Sworn Personnel should take precautions to avoid the unintentional capture of medical information by the BWC.

## VII. RELEASE OF RECORDINGS, RETENTION, CONTROL, AND INVENTORY

- A. Recordings and associated records shall be retained in accordance with this General Order and in compliance with any other applicable federal policy, regulation, or law.
- B. Storage
  1. BWC recordings shall be stored on the DEMS and attached to an audit trail within the system to maintain the chain of custody.
  2. Sworn Personnel shall not erase, alter, re-use, modify, or tamper with recordings or take any other action which could interfere with the retrieval of BWC recordings.
- C. Release of Copies of Recordings



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1. Any viewing, sharing, downloading, or redaction of recordings must be identifiable in the BWC audit trail.
2. BWC recordings shall not be viewed or shared by anyone without a legitimate, lawful purpose.
3. A request to preserve a BWC recording for training purposes may be made by submitting a written request through the appropriate chain of command with approval from the BWC Program Coordinator with the concurrence of the Commander, Office of Workforce Development.
4. All FOIA requests for BWC recordings will be processed through the USPP FOIA Officer or other designated personnel who will review the recordings for appropriate redactions, review proposed redactions with the DOI Office of the Solicitor, and prepare the response and release of data in accordance with all applicable policies, regulations, and laws.
5. All Touhy requests and subpoenas for BWC recordings will be sent to the USPP Office of Professional Responsibility (OPR) which will coordinate the review and release of the records, in consultation with the Office of the Solicitor.
6. When requested by the FOIA Officer, the Office of Inspector General, and/or the OPR, those officials with access to the BWC recordings shall provide them and all related records.
7. When requested as evidence in a criminal prosecution, the release of the BWC recording shall be coordinated by the relevant Court Liaison and/or BWC Program Coordinator.

### VIII. TRAINING

- A. Sworn Personnel shall review this General Order and all other referenced policies and complete all introductory training mandated by the USPP

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and/or DOI before being issued or using a BWC.

- B. Sworn Personnel issued a BWC shall complete all annual or other periodic training related to any aspect of the BWC Program as required by 446 DM 41 or any other policy issued by the USPP and/or DOI.
- C. FOIA Personnel shall complete training on the usage of BWCs, as well as how to use the DEMS to redact or withhold consistent with the FOIA, Privacy Act, and other applicable federal record release authority.
- D. Supervisors shall complete training on their responsibilities listed in Section IX.(A) of this General Order.

### IX. RESPONSIBILITIES

- A. Supervisors shall—
  - 1. ensure Sworn Personnel utilize BWCs according to this General Order and have access to operational BWCs;
  - 2. report any issues with BWC equipment through their chain of command to the BWC Program Coordinator;
  - 3. replace non-operational BWCs when a replacement is on hand;
  - 4. perform periodic administrative reviews of BWC recordings for the purpose of ensuring that BWCs are functional and recordings are appropriately tagged;
  - 5. ensure the appropriate BWC recordings are restricted and that Sworn Personnel do not review the recording of any serious use of force incident;
  - 6. review BWC recordings related to any complaints made against Sworn Personnel;
  - 7. ensure the BWC recording of an incident related to a complaint or likely to generate a complaint is flagged for indefinite retention, and if necessary, request that access be restricted to a recording; and

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8. review and forward any inter-office memoranda required by this General Order to the BWC Program Coordinator.
- B. The Shift Commander shall be responsible for—
1. coordinating the replacement of non-operational BWCs when replacements are not immediately available from Supervisors;
  2. documenting any malfunction, damage, inoperability, or loss of BWC equipment on the Shift Summary; and
  3. documenting any instances in which Sworn Personnel are unable to receive replacement BWCs on the Shift Summary.
- C. The BWC Program Coordinator shall be responsible for—
1. the deletion of BWC recordings;
  2. all communications and coordination with the BWC vendor related to the maintenance and replacement of BWCs;
  3. any periodic reporting on BWCs usage, recordings, and data;
  4. the creation of any SOP as needed; and
  5. all other administrative matters involving the BWC vendor.
- X. REFERENCES AND RELATED RESOURCES
- A. [54 U.S.C. § 102701\(a\)](#) – Law Enforcement Personnel within System
  - B. [The Privacy Act of 1974](#)
  - C. [The Freedom of Information Act](#)
  - D. 446 DM 41 – Use of Body Worn Cameras
  - E. Guideline Manual – Use of Force Investigations

## XI. CHANGE LOG

This General Order was published on September 30, 2022.

XII. APPENDIX: EXAMPLES OF REQUIRED RECORDINGS

In addition to the general rule set forth in Section V(B)(2), BWCs must be activated during the following instances:

- A. The initial response to reported crime or criminal activity.
- B. When enforcement action is reasonably likely.
- C. When revoking a demonstration permit and/or moving citizen out of area of park.
- D. During traffic stops or upon activation of emergency equipment with the intent of stopping a vehicle, whichever occurs earlier.
- E. When investigating suspected driving under the influence cases, including driving behavior, questioning, field sobriety tests, searches, and arrests.
- F. When conducting a stop or pursuit (e.g., traffic, bicycle, or person), the BWC shall be immediately activated once probable cause or reasonable suspicion for the attempted stop has been established.
- G. During field interviews.
- H. When engaged in field contacts that may reasonably be adversarial, have become adversarial, may result in a complaint, and/or when enforcement action is likely.
- I. When performing searches of person or property.
- J. When responding to and/or investigating significant motor vehicle crashes when the BWC will assist in documenting on-scene actions.
- K. During routine non-emergency calls for service (e.g., theft from auto, destruction of property, vandalism, etc.).
- L. When documenting found evidence (e.g., drugs, guns, alcohol, etc.).
- M. During all vehicle searches and when taking inventory of evidence or property.

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- N. When documenting an injury to a person or damage to property.
- O. When interacting with or in the presence of prisoners, arrestees, or any other individual stopped by police.
- P. When interviewing suspects or taking victim statements, unless otherwise prohibited or limited by this policy.
- Q. When in contact with a person reasonably believed to have committed a violation of law.
- R. When transporting an arrestee or prisoner.