



# Baltimore County

## GOVERNMENT

[Executive](#) | [Council](#) | [Courts](#) | [Departments](#)



Apply



Pay



Report



Follow Up



Contact



Residents



Businesses



Visitors

[Home](#) > [Departments](#) > [Police Department](#) > [Body Worn Camera Program](#) > [Use Policy](#)

## BCoPD Body-Worn Camera Use Policy

This is a document of the Baltimore County Police Department (BCoPD) body-worn camera use policy for Baltimore County police officers.

### Background

The Police Department has purchased body-worn cameras to be issued to uniformed personnel in a phased roll-out between July of 2016 and December of 2018. The body-worn cameras (BWC) purchased have a 640 by 480 Video Graphic Array (VGA) video resolution, and record at a rate of 30 frames per second within a 75 degree field of view. The BWCs have rechargeable batteries that last for approximately 12 hours. The components of the BWC are: a camera, controller/battery pack, and a connector cable. Each BWC user will also be issued a mobile smart device that connects to the BWC via a Bluetooth connection. BWC users have the ability to play back, tag, and categorize recordings using the mobile smart devices.

The Department's body-worn camera system is a point-of-view style recording device designed to approximate the vantage point of the recording officer. Recordings will not capture everything that is occurring during an incident (e.g., slight movements or resistance by the subject, or other items that cannot be seen, statements that were not recorded, etc.). Recordings also lack the officer's perception of what is taking place. Members are reminded that the existence of a recording does not decrease the need for them to complete a detailed written report. It is of the utmost importance for members to understand the need for detailed reports when transcribing what was seen, heard, and perceived by members since these may not be captured by the recording.

The BWC system will begin operating in pre-event buffering mode once the camera is powered on and an audible beep is heard. While in pre-event buffering mode, a 30 second continuous loop of

video-only recording will be available. Once the BWC is activated, the most recent 30 seconds of video only will be retained, and the BWC will begin recording both video and audio in event mode until the BWC is deactivated. All BWC recordings will be uploaded to a cloud-based digital evidence management system (DEMS).

Information captured by the BWCs can be used in multiple ways to benefit the Department, its members, and the community. Recorded materials can be used as evidence in court proceedings, as training materials for law enforcement officers, to improve complaint resolution, and it may be released to the community to enhance public trust in police activities.

BWC recordings are subject to public release pursuant to the Maryland Public Information Act (MPIA), MD. Code Ann. Gen. Provis. §§ 4-401 to 601, and other applicable laws. Recordings will also be released subject to subpoenas and court orders.

## Purpose

To establish procedures for the use of a BWC system.

## Relationship to Departmental Values

This program supports the Department's values of ***INTEGRITY, FAIRNESS, and SERVICE*** by providing a tool for enhanced complaint resolution, improved criminal prosecutions, and to enhance police/community relationships.

## Policy

Members trained in the use of the BWC system will follow the procedures set forth in this Special Order. Procedures regarding the use of the DEMS in this Special Order supersede those listed in Addendum to Special Order number 2015-04, Electronic Control Device (ECD) Recording System Pilot Program.

## Procedures

## Definitions

- Activation - recording of both audio and video by switching the device from Pre-Event Buffering Mode to Event Mode.
- Body-Worn Camera (BWC) - an audio-visual recording device worn on the person of a Department member.
- Deactivation - to stop actively recording the event and return the device to Pre-Event Buffering Mode.

- Digital Evidence Management System (DEMS) - a cloud based storage system used to store all BWC recordings.
- Event Mode - actively recording video and audio on the BWC.
- Evidence Transfer Manager (ETM) - a docking, charging, and data transfer unit.
- Person In Interest - a person having a greater right of access to a recording than the general public.
- Pre-Event Buffering Mode - a continuous 30 second video-only (i.e., no audio) recording, which is captured as a part of the full recording once the device is placed in Event Mode (i.e., activated).

## General

- BWCs will only be used for official purposes.
- BWC devices are individually issued and assigned to members.
- The activation policy contained in this document only applies to members equipped with a BWC, and does not place additional requirements on the duties of non-equipped members.
- BWCs should be activated as soon as possible to ensure as much of the incident as possible is captured.

Note: If there is immediate danger to the member or others, the BWC should be activated once that immediate danger has been addressed and it has been deemed safe, practical and possible to activate the device.

## Members

- Only use the BWC system after they have been trained in the use of the system and the Department's BWC policy.
- Only use Department issued recording devices and accessories.
- Will be in uniform or have their badge or the Department's insignia prominently displayed when using a BWC.

Note: Articles of clothing containing the word "Police" alone, do not satisfy this requirement.

- Only use the device assigned to them.
- Assigned a BWC will wear the device with the power on, using authorized mounting systems, while engaged in patrol functions or other regular field operations.
- Discovering that they possess another member's BWC will immediately notify their supervisor who will contact the Technology and Communications Section (TCS) for instructions.
- Document in the *Narrative* tab of all Incident Reports and Incident Supplements if BWC recordings are available.

## System Recordings

- Are the property of the Department.
- Will not be copied, reproduced, shared, posted, downloaded, or disseminated in any manner unless for an official law enforcement purpose.
- Will only be copied, reproduced, shared, posted, downloaded, or disseminated in any manner absent an official law enforcement purpose when authorized by the Chief of Police or the TCS Video Manager.
- Will be uploaded to the Department's DEMS without exception.
- Will not be deleted without authorization from the TCS Video Manager.
- Of constitutionally protected activities, may only be used to identify persons present at the activity who are suspected of being engaged in illegal activity, or are in need of assistance.
- May not be:
  1. Used to create a database or pool of mugshots.
  2. Used as fillers in photo arrays.
  3. Searched using facial recognition software.

Exception: Recognition software may be used to analyze the recording of a particular incident when a supervisor has reason to believe that a specific suspect or person in need of assistance may be the subject of a particular recording.

- Are accessible to members based upon the member's rank and assignment within the Department.

## Device Testing and Support

- Members will perform a BWC function test at the beginning of each shift.
- Members discovering a BWC is malfunctioning, at any time, will immediately report the issue to the Office of Information Technology (OIT) service desk.

## Public Notification

- Members shall notify individual(s) they are being recorded as soon as possible, unless it is unsafe, impractical, or impossible to do so.

Exception: Unless otherwise exempted by law.

- When notification is delayed, it will be given once it is safe, practical, and possible.

Note: These provisions are satisfied even if another individual becomes a party to the communication after the initial notice has been provided.

## Required BWC Activation

- Members wearing a BWC will activate the device as soon as possible unless it is unsafe, impractical, or impossible.
- The device will be activated in the following circumstances whether or not they are engaged in a call for service:
  1. Enforcement or investigative activity (e.g., traffic stops, searches, pursuits, arrests, field interviews, stop and frisk situations, etc.).
  2. Other activities of a potentially confrontational nature.
  3. Emergency vehicle operations.
  4. Custodial transports.

### **Prohibited Uses of BWCs**

- Non-duty related personal activities.
- Within 500 feet of bomb threat scenes.  
Note: The device must be powered off at the controller/battery pack.
- During in depth interviews with sexual assault victims beyond the initial call for service assessment.
- Interactions with confidential informants.
- During court proceedings, unless an on-view incident occurs.
- To capture legally privileged communications (e.g., attorney/client, doctor/patient, etc.).
- Surreptitious recording.  
Exception: Those specifically allowed by law.
- Private conversations and administrative activities among Department personnel.  
Exception: During authorized training sessions as directed by an instructor.
- Outside the state of Maryland.  
Note: When a prohibited use of the BWC is encountered during an active recording, members will deactivate their BWC when it is safe, practical, and possible to do so.

### **Discretionary BWC Uses**

- Members wearing a BWC have the discretion to activate the device during any legitimate law enforcement contact if the member believes a recording of an incident would be appropriate (e.g., transports of people of the opposite sex, advising of Miranda rights, etc.).
- In order to preserve the dignity of our citizens, members will exercise good judgement prior to the discretionary use of the BWC during situations where a heightened expectation of privacy exists (e.g., restrooms, locker rooms, etc.).

### **BWC Deactivation**

- When deactivation circumstances exist, the member will deactivate the BWC as soon it is safe, practical, and possible to do so.
- Once recording has been activated, members shall not end the recording until one of the following occurs:
  1. The event or encounter has fully concluded.
  2. The member leaves the scene and anticipates no further involvement in the event.
  3. A supervisor has authorized that a recording may cease because the member is no longer engaged in a related enforcement or investigative activity.
  4. When a prohibited activation circumstance is encountered.
  5. When the member's video must be played back in the field.
  6. Required activation circumstances no longer exists, or did not exist, and the member has determined that:
    - a. A heightened expectation of privacy exists and deactivation is necessary in order to preserve the dignity of our citizens (e.g., locker rooms, restrooms, etc.).
    - b. A victim, witness, or other individual wishes to make a statement or share information, but requests not to be recorded or refuses to be recorded.

Note: During these situations members may deactivate their BWC in order to obtain the statement or information.
    - c. An accidental activation has occurred.
- 7. As directed by an instructor during an authorized training session.

## Secondary Employment

- Members may use their Department issued BWC while engaged in authorized uniformed secondary employment.

Note: It is the member's responsibility to ensure the BWC device is fully charged prior to beginning their next tour of duty.
- Members will not use their Department issued BWC when engaged in authorized non-uniformed secondary employment.

Note: Members choosing to carry the BWC while engaged in uniformed secondary employment will comply with this Order.

## Classification and Uploading

- All recordings will be labeled with the proper identification (ID), title, and category(ies) by the uploading member.
- Members will ensure:

1. Their departmental identification number is entered in the ID field

1. The nearest departmental identification number is entered in the *ID* field.
2. The appropriate central complaint (CC) number is entered in the *Title* field.  
Exception: The *Title* field for recordings that are not associated with a particular incident (e.g., accidental recordings, desk officer prisoner checks, etc.) will be left blank.

## Categories and Retention

- All categories that apply to the recording will be selected in the *Category* field.
- Members will select at least one primary category (i.e., 1 to 8) for each BWC recording.
- Additional categories will be selected when applicable.
- The Department's categories and retention periods are:

1. *Miscellaneous and Non-Criminal*

Retention: 18 months.

Use: Field interviews, non-criminal calls, and accidental recordings.

2. *Routine Traffic*

Retention: 18 months.

Use: Non-jailable and non-arrestable traffic.

3. *Misdemeanors and Serious Traffic*

Retention: 3 years.

Use: All misdemeanors, jailable and arrestable traffic, and crashes.

4. *Felony Miscellaneous*

Retention: 10 years.

Use: All felonies not listed in number five.

5. *Felony Specified*

Retention: Indefinite.

Use: Homicides, rapes, and first and second degree sex offenses.

6. *Administrative Investigations*

Retention: Five years.

Use: Use of force incidents, pursuits, and unusual occurrences.

7. *CEW Compliance*

Retention: Five years.

Retention: Five years.

Use: Subject becomes compliant without the discharge of a conducted electrical weapon (CEW).

#### 8. *Training or Testing*

Retention: 18 months.

Use: CEW Spark tests, authorized training, function checks.

#### 9. *Administratively Restricted*

Retention: Five years.

Use: A secondary category used to restrict access to a recording. The appropriate primary category must also be selected.

Note: When this category is selected, the member will no longer be able to view the recording once it is uploaded, unless they have permission to view restricted recordings.

#### 10. *Pending Review*

Retention: Indefinite

Use: Technology and Communications Section only.

- Members will notify their corporal, sergeant, or lieutenant when categorizing a recording with a restricted category.

### **Recording Redaction and Reproduction**

- All requests for production of recordings will be sent to the TCS Video Manager.
- BWC recording requests will be fulfilled and redacted in accordance with applicable laws.
- BWC recordings requested by the public will be categorized as:
  1. *Publicly Releasable* - Released to any member of the public subject to public redaction requirements.
  2. *Person In Interest Releasable* - Releasable to a Person in Interest subject to individual redaction requirements.
  3. *Non-Releasable* - Recordings that cannot be released at the time of the request in accordance with legal requirements.
- Recordings of the following nature will be automatically categorized as non-releasable:
  1. Suspected neglect, abuse and or exploitation of a vulnerable adult or child.
  2. Covert personnel and or activities.
  3. An ongoing investigation.



#### 4. Intelligence information or security procedures.

- Exceptions to release and redaction standards may only be authorized by the Chief of Police.

### Recording Members

- Are responsible for the timely upload, classification, and tagging of their own recordings. Exception: Recording uploads conducted by TCS personnel.
- Use the ETM for uploads unless otherwise authorized by a supervisor or the TCS.
- Use the mobile smart device for playback, tagging, and categorizing in the field prior to docking the BWC, when practical.
- Categorize as *Restricted* accidental recordings that would jeopardize individual dignity or modesty, and document requests for deletion of such recordings on a Form 12L, Intra-Department Correspondence, submitted through their chain of command to the TCS.
- Dock their BWC in their assigned ETM docking port at the end of their tour of duty where it will remain until the next use, unless otherwise authorized by a shift/unit commander or higher.
- Ensure their BWC is charged, and has sufficient recording space available, prior to their next tour of duty if authorized to possess the device off duty.

### Access to Recordings

- Members have access to their own recordings, and recordings shared by other members.
- Members may access recordings for the following purposes:
  1. Report writing or preparation of other official documents.
  2. Court preparation.
  3. Review of prosecution evidence.
  4. Review of victim/witness/suspect statements.
  5. Crime scene observations.
  6. Statement of charges preparation.
  7. Clarifying observations at the scene of an incident.
- Members will share their recordings with other members upon request to further an investigation or for other official purposes.
- Investigating members are responsible for sharing all appropriate recordings with the State's Attorney's Office (SAO) in a timely fashion.

### Corporals/Sergeants

- Ensure restricted categories have been appropriately applied.

- Have access to their own recordings, and other members' non-restricted recordings within their command.
- May access recordings for the following purposes in addition to those listed in Access to Recordings:
  1. Complaint investigation and resolution.
  2. Administrative investigations.
  3. Pursuant to an established Performance Enhancement Plan (PEP).
  4. To further collaborative operational needs.
  5. Auditing to comply with the Line Inspection program.
- Are restricted from accessing recordings for the purpose of:
  1. General performance review.
  2. Routine preparation of performance reports.
  3. Searching, without cause, for policy violations to initiate disciplinary action.
- May share recordings with other members, and the SAO as necessary.

### **Shift/Unit Commanders**

- Notify the TCS to respond and collect BWCs from members involved in:
  1. Police involved shootings.
  2. In custody deaths.
  3. Other incidents of police activity where death occurs.
  4. Any other incident as directed by a bureau commander or higher.
- May authorize a member to possess his/her BWC device while off duty.

Note: The shift/unit commander will determine if there is valuable recorded data requiring immediate upload prior to approving a member's request.

### **Lieutenants**

- Have access to all non-restricted recordings.
- May access recordings for the same purposes as those listed for Corporals/Sergeants.
- Have the same restrictions as those listed for Corporals/Sergeants.
- May share recordings with other members, and the SAO as necessary.

### **Sworn Executive Corps Members**

- Have access to all recordings, including restricted recordings.
- May access recordings for the following purposes in addition to those listed for Lieutenants:
  1. Identifying training needs.
  2. Incident critique.

- Have the same restrictions as those listed for Lieutenants.

### **Internal Affairs Section (IAS)**

- Have access to all recordings.
- May review any recording in the event of an alleged violation of law, or administrative procedure.
- Ensures that members and their representatives are given the opportunity to review all related recordings prior to providing a statement during an administrative investigation.

### **Technology and Communications Section (TCS)**

- Provides first line support to field users of the BWC system.
- Responds to collect BWCs and upload/tag/categorize recordings from members involved in:
  1. Police involved shootings.
  2. In custody deaths.
  3. Other incidents of police activity where death occurs.
  4. Any other incident as directed by a bureau commander or higher.
- May access recordings for the following purposes:
  1. Technical and user support.
  2. Sharing of recordings within the Department beyond those available to field personnel.
- Manages BWC system user accounts.
- Manages BWC system and device settings.
- Ensures the DEMS is configured to:
  1. Enforce security and access controls satisfying County and Criminal Justice Information Services (CJIS) security standards.
  2. Automatically create and track audit and access logs, including all viewing, copying, and editing.
  3. Preserve unedited original versions of stored recordings.

### **TCS Video Manager**

- Has access to all recordings.
- May access recordings for the following purposes:
  1. BWC recording system administration:
    - a) Extending retention.
    - b) Sharing of recordings beyond those available to field personnel.
    - c) Reassigning ownership of recordings.

- d) Selecting/removing a restricted category.
- e) Pre-deletion review.

2. BWC policy compliance, including:

- a) Categorization.
- b) Titling.
- c) Tagging.

3. Recording release requests, including:

- a) Maryland Public Information Act (MPIA).
- b) Subpoenas.
- c) Court Orders.

4. Redaction and reproduction processing, including:

- a) *Publicly Releasable*.
- b) *Person in Interest Releasable*.
- c) *Non-Releasable*.

5. Other Departmental needs as directed by the TCS Commander or Chief of Police.

- Receives, reviews, and processes requests for the production of BWC recordings from court orders and subpoenas.
- Receives, reviews, and processes public requests for copies of BWC recordings in accordance with the Maryland Public Information Act (MPIA), MD. Code Ann. Gen. Provis. §§ 4-401 to 601.
- Estimates, collects, and processes fees associated with request fulfillment in accordance with the MPIA.
- Releases authorized and redacted recordings consistent with this policy and applicable law.
- Sends a denial letter, explicitly stating the reason, if the release of a recording is not authorized.
- Consults with the Legal Section, and other commands and agencies as needed and directed by the TCS Commander.
- Ensures confidential information is not visible/audible prior to the release of a recording.
- Authorizes exceptions to the denial and redaction standards as directed by the Chief of Police.
- Receiving a deletion request for an accidental recording that would compromise the modesty or dignity of a member will:

1. Assign an appropriate TCS member to confirm the nature of the recording.
2. Execute an immediate deletion when there is no other duty related reason to retain the recording.

### Technology and Communications Section Commander

- Serves as the Body-Worn Camera Program Administrator for the Department.

### Legal Section

- May be consulted by the TCS Video Manager for direction related to duplication, deletion, or redaction of recordings, as needed.

### Chief of Police

- Has final authority regarding duplications, redaction, release, and deletion of recordings.
- Designates a Video Manager within the Department to act on his/her behalf.

*Revised July 14, 2016*

## POLICE DEPARTMENT

Police Overview

Body-Worn Camera Program

BWC Informational Video

**@BACOPOLICEFIRE**  
**TWITTER**

**BACO Public Safety** @BACOPoliceFire

#BCoFD reminds you to drink plenty of water and limit time outdoors in hot weather.  
#HeatSafety ^NL

**Practice HEAT SAFETY Wherever You Are**

- Job Sites:** Stay hydrated and take breaks in the shade as often as possible.
- Indoors:** Check up on the elderly, sick and those without AC.
- Vehicles:** Never leave kids or pets unattended in vehicles.
- Outdoors:** Limit strenuous outdoor activities, find shade.



**DID THIS PAGE HELP?**

Fields marked with \* are required.

**Page Rating \***

- Excellent
- Good
- Average
- Poor
- Very Poor

**SUBMIT**

# Baltimore County Government

Historic Courthouse  
 400 Washington Avenue  
 Towson, Maryland 21204

[Directions >>](#)

## Help

- [Phone Numbers](#)
- [Find a County Service](#)
- [Report a Problem](#)



© Copyright 2016 Baltimore County Government

[Contact Baltimore County](#) | [User Terms](#) | [Privacy](#) | [Jobs](#) | [Site Map](#) | [Reasonable Accommodation](#)