

Status of the Body Worn Camera Policy Within the Houston Police Department

T. N. Oettmeier
Executive Assistant Chief
Houston Police Department

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Today's Objectives

1. Timeline
2. Present highlights of the HPD BWC policy
3. Address your questions and suggestions

Timeline To Date

- August, 2013 First BWC Proposal to estimate funding
- December, 2013 Received cameras to implement pilot program
- January, 2014 Draft policy incorporated into training regimen
- January, 2014 COP announces pilot of 100 BWCs
- February/March 2014 Community interaction venues to share sample of BWC videos
- March, 2014 HPD submits initial BWC PBJ
- October, 2014 HPD submits revised PBJ
- November, 2014 Mayor Parker approves PBJ & project
- December, 2014 COP – Mayor’s report on BWCs & VEMS
- January, 2015 DA Anderson donates \$1 million – cams only
- January, 2015 RFP issued – responses due Feb. 26
- March, 2015 Vendor responses received
- March – Present Evaluation of proposals, No Contact/Quiet Period

Who Will Wear BWCs?

- All uniform first responders and supervisors
- All officers who work police-related extra-jobs
- Approximate number: 4,100 plus 400 for spares and temporary replacements

Policy Input Considerations:

- Texas Senate Bill 158: Body Worn Camera Program
- Implementing a Body Worn Camera Program: Recommendations and Lessons Learned – PERF and COPS Office
- International Association of Chiefs of Police Model Policy
- Major City Police Agency Policies

Highlights of HPD's BWC Policy

Texas Senate Bill 158

- An officer with a BWC shall act in a manner consistent with the policy of the law enforcement agency...with respect to when and under what circumstances a BWC will be activated.

Highlights of HPD's BWC Policy

Texas Senate Bill 158

- The necessity for the officer to act to ensure his/her safety and the safety of others prior to activating the camera...
- Failing to activate because it is unsafe, unrealistic, or impractical is based on whether a reasonable officer under the same or similar circumstances would have made the same decision.

Highlights of HPD's BWC Policy

Activation

- Officers shall:
 - Activate the camera in accordance with the performance of law enforcement activities; we want officers to activate prior to actual citizen contact or as soon as it is possible to do so
 - Continue recording until the law enforcement activity is completed or there is a reason, as permitted by policy, to deactivate

Highlights of HPD's BWC Policy

Activation Cont'd.

- Arriving on a scene
- Self initiating a law enforcement activity
- Initiating a traffic or pedestrian stop
- Responding to a citizen who “flags” an officer for assistance
- Attempting to or actually detaining and arresting a person

Highlights of HPD's BWC Policy

Activation Cont'd.

- Searching of people, vehicles, buildings and places
- During the execution of a search warrant, arrest warrant, or a consent search
- Prisoner transports
- Interviewing victims or witnesses
- Foot or vehicle pursuits

Fail to Activate

- An officer who does not activate a BWC in response to a call for assistance must include in the officer's incident report or otherwise note in the case file or record, the reason for not activating the camera.
- Failing to activate because it is unsafe, unrealistic, or impractical is based on whether a reasonable officer under the same or similar circumstances would have made the same decision.

Highlights of HPD's BWC Policy

Special Circumstances

- DWI Incidents
- Use of Force Incidents
- Weapon Discharge Incidents
- Extra-Employment
- Special Events

Highlights of HPD's BWC Policy

Privacy Concerns and Advisements

- Medical / Psychiatric Facilities
- Restrooms, Dressing Rooms, Locker Rooms

Highlights of HPD's BWC Policy

Prohibitions

- Unauthorized equipment
- No copies or uploading to public or social media outlets
- No recordings used for personal gain
- No altering, dismantling, erasing, or tampering

Highlights of HPD's BWC Policy

Activation Prohibitions Cont'd.

- Non-work related activities
- Pre-shift conferences
- Conversations with fellow employees
- Discussions with confidential informants
- Conversations with other law enforcement agency personnel involving crime matters
- Line-up proceedings and associated briefings

Highlights of HPD's BWC Policy

Prohibitions Cont'd.

- Knowingly recording other Department members unless engaged in official enforcement duties
- Casual encounters with citizens
- Department meetings
- While attending training
- Inside police facilities unless conducting a law enforcement action

Accidental Recordings

- Officer will notify their supervisor
- Supervisor will review the video to determine legitimacy of accidental claim
- Supervisor will prepare written correspondence to Shift Commander with recommendation

Important Officer Requirements:

- Shall document in incident report the existence of a video(s)
- Secondary units with videos shall notify primary officer if they have videos, primary officer will document in incident report

Audits of BWC Recordings

- Monthly Audits by Supervisors
- Semi-Annual Audits by Inspections Division
- Semi-Annual Technical Audits by Technology Services Division

Retention of BWC Recordings

- Evidentiary recordings will be retained in accordance with statute of limitations for offenses
- Non-evidentiary recordings will be kept for 90 days

BWC Video Tech Unit

- Deploy, maintain, and support functionality of the camera, associated hardware and software, system settings and any other equipment.
- Inventory, warranty/non-warranty repairs;
- Audits;
- Maintenance of security; and
- Assist in accessing Video Evidence Management System

BWC Video Records Unit

- Manage and account for the acquisition, maintenance, and removal of video from the Video Evidence Management System;
- Exercise control over access to Video Evidence Management System, uploading, reviewing, auditing, and transmitting videos;
- Produce videos on demand in response to requests;
- Provide support throughout the HPD in location and retrieval of video evidence.

Requests for Videos

- Recordings captured during the scope of an officer's duties may be subject to release under applicable laws.

Requests for Videos

- Submit requests to the HPD's Office of Public Affairs.
- All requests will be handled in accordance with the Public Information Act, Chapter 552 of the Texas Government Code, Chapter 1701 of the Texas Occupations Code and department procedures

Requests for Videos

Texas Senate Bill 158

- When requesting a copy of a recording, a member of the public must submit a written request for information recorded by a BWC to the HPD that includes:
 - The date and approximate time of the recording;
 - The specific location where the recording occurred; and
 - The name of one or more persons known to be subject of the recording

Questions and Suggestions