

OFFICE OF CONSTITUTIONAL POLICING AND POLICY

NOTICE 1.14

December 20, 2018

TO: All Department Personnel

FROM: Director, Office of Constitutional Policing and Policy

SUBJECT: POWERING OFF BODY-WORN CAMERA DEVICES WHILE IN DEPARTMENT FACILITIES

Purpose

This Notice is to advise that you may “power off” your Body Worn Video (BWV) camera while in Department facilities under the circumstances set forth below. This will prevent video-only recordings preserved in the camera’s pre-activation buffer from attaching to the video of incidents where activation is required under Department policy.

The Pre-Activation Buffer

The Department, with the agreement of the Los Angeles Police Protective League, recently increased the pre-activation buffer recording of body-worn video cameras from 30 seconds to two minutes.

The pre-activation buffer enables you to preserve the video footage automatically recorded before you activate your BWV camera. This recording, however, does *not* include any audio footage but instead records only the video images captured in the two minutes before you activate the recording function of your camera.

Once the recording function is activated, by depressing the front button of the device, the two-minute audio-free recording is preserved and attached to the video stream that you ultimately upload to the Department’s storage system. If the BWV camera is powered off, however, there is no pre-activation buffer that can be preserved.

The Benefits of the Pre-Activation Buffer

The pre-activation video recording provides important evidence when recording enforcement or investigative activities with members of the public. For example, when you are unable to activate your camera because of an exigency, the two-minute buffer will capture the video images of what occurred immediately prior to your activation, although without the audio. This can provide critical information about what a suspect did that required you to act immediately, evidence to support the lawfulness of a detention or arrest or images of a suspect’s threatening behavior which required the need to use force.

This evidence increases the likelihood of a successful criminal prosecution of the suspect and helps adjudicate use of force investigations and citizen complaints. In fact, body-worn video

recordings have enabled a significant increase in the adjudication of demonstrably false citizen complaints and in exonerating officers who are accused of misconduct while performing their lawful duties.

When Your BWV May be Powered Off

While the pre-activation buffer may provide useful evidence when activation is required, it can also unintentionally preserve recordings in places prohibited by Department policy, such as in locker rooms, during roll calls, and while in Department restrooms.

Accordingly, you are authorized to power down your BWV camera, which shuts down the ability to capture video images prior to activating the recording function, in the following locations and circumstances:

1. While in Department roll call rooms, locker rooms, restrooms, or similar areas where recording is prohibited under Department Manual Sections 3/579.15; or,
2. While in Department facilities and not engaged in an enforcement or investigative activity with a member of the public.

When Your BWV Must be Powered On

You must have your BWV camera POWERED ON and ready to activate while in a Department facility and likely to become engaged in an enforcement or investigative activity involving a member of the public, including:

- While assigned to the front desk;
- While escorting, transferring, or booking arrestees;
- While entering or leaving Department facilities; or,
- While in other areas or circumstances where it is likely to require an investigative or enforcement activity with a member of the public where activation is required under Department policy.

Note: In the event of an unintentional and inadvertent BWV or DICVS recording that captures sensitive, personal information for which access should be restricted, you may submit a written request to your commanding officer to restrict access to that portion of the video recording. For further details on this procedure, consult Office of Constitutional Policing and Policy Notice Re: *“Procedures Regarding Authorized Access By Department Personnel to Body Worn and Digital In-Car Video Recordings,”* dated August 28, 2015.

While Deployed to the Field Keep Your BWV Device Powered On

In addition to the circumstances above, you must have your BWV camera POWERED ON and ready to activate at all times while deployed to the field.

Conclusion

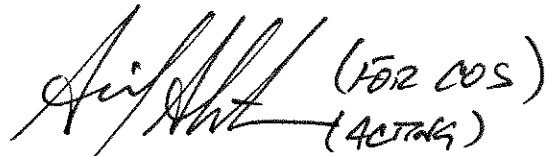
The pre-activation buffer is an important tool that ensures critical evidence and information is preserved before you are required to activate the recording function. However, by allowing you to power off your camera while in Department facilities as specified above, it will ensure that video-only recordings in prohibited areas will not be preserved.

Bottom Line: *While you are in a Department facility and not engaged in, nor likely to be engaged in, an investigative or enforcement action with a member of the public, you may power down your BWV. However, once you leave the building to work a field related assignment, or while working at the front desk, or escorting or transporting a prisoner, make sure to keep your BWV powered on and ready to activate as required.*

If you have any questions regarding this Notice, please contact the Office of Constitutional Policing and Policy, at (213) 486-8730 or Information Technology Group at (213) 486-0370.



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