CHAPTER 26
BODY WORN CAMERAS

a. PURPOSE:

The Des Moines Police Department deploys body worn cameras to strengthen investigations and promote positive community relations and support. Leading research cites common benefits to include: evidence documentation, officer training and performance, improved behavior by officers and citizens during interactions, and enhanced transparency and accountability.

b. AUTHORIZED USE:

1. For the purpose of this policy, “officer” includes police department employees such as reserve officers, meter checkers, investigators, supervisors, etc., who have been trained and equipped with a body camera to record interactions in their official capacity.

2. Training, including but not limited to policy, back-end software, in-car camera integration, and body worn camera equipment is required prior to use.

3. Officers are responsible to provide reasonable care to ensure proper functioning of the equipment and to promptly report any malfunction to a supervisor.

4. Only cameras issued by the department are authorized. The body worn camera will be positioned on the upper torso with the camera lens aimed forward. (Revised 5/3/2017)

5. Officers shall not intentionally record other employees during casual, administrative, surreptitious circumstances or in locations with an expectation of privacy such as locker room, restroom, etc.

6. Officers are not required to inform citizens of the presence of a body camera.

7. Mandatory wearing of body cameras:

   a. Officers in uniform and assigned to respond to calls for service are required to wear body cameras throughout their regular duty shift (Patrol, traffic, NBSD, etc.)
   b. Officers in uniform and performing off-duty police service are required to wear body cameras for the duration of their shift

8. Discretionary wearing of body cameras:

   a. Officers in plain clothes or uniform and assigned to investigative, administrative and support functions will have access to a body camera which may be worn while performing their official duties
c. **PROCEDURES FOR USE:**

1. Mandatory Recording – Officers wearing cameras shall record and preserve the following interactions with citizens:
   
   a. Arrest  
   b. Call for service  
   c. Crowd control or management  
   d. Emotional situation with yelling, threats, profanity, etc.  
   e. Consent to search  
   f. Incident requiring force  
   g. Information gathering related to an active drug investigation  
   h. Interview of victim, witness or suspect  
   i. Disagreement which may reasonably lead to a complaint or arrest  
   j. Investigative stop (pedestrian, bicycle, etc.)  
   k. “Pat-down” or search of persons  
   l. Prisoner interaction or transport  
   m. Pursuit of person or vehicle  
   n. Traffic stop

2. Officers are not expected to jeopardize their safety in order to activate the device.

3. Once initiated, officers shall continue recording the interaction until it concludes or enters a location with a separate police recording system such as settings designated for interviews or OWI processing.

4. Officers may record routine conversations with citizens unrelated to an official call for service, investigative stop, search, etc.

5. Officers shall document the presence of body camera recordings in written reports.

6. Officers who discover they failed to properly record an incident shall create an audio file containing a brief explanation and report it to a supervisor.

7. Recording exceptions permitted:

   a. During a non-confrontational situation if the person says they are unwilling to provide a recorded statement  
   b. To interrupt a recording to discuss private/privileged topics such as police strategy or charging decisions and resume when finished  
   c. When interviewing a victim of sensitive crimes such as sexual assault, child abuse, etc.  
   d. When inside a medical facility to prevent sensitive, private, or unnecessary recordings  
   e. When interacting with a confidential informant  
   f. Exceptions listed above should be explained before or after the interruption occurs  
   g. When directing traffic or securing a post (i.e. accident, crime scene, search warrant, monitoring prisoners or witnesses)  
   h. When there is no evidentiary value
d. REVIEW OF RECORDINGS:

1. Officers may review their own recording to prepare accurate reports; doing so must be documented in all official reports (CIR, OWI, AIR, etc.) They may review other videos for official purposes only (investigation, court, etc.).

2. A commanding officer may restrict access to a video containing a critical incident (such as a fatal accident, officer involved shooting, AIR involving critical injury, etc.) until the officer involved has provided a formal statement. After viewing the video, the officer will be allowed to offer a second formal statement.

3. Officers accused or involved in less serious allegations, (such as a personnel complaint, administrative review or informal inquiry, may view their own video prior to providing a formal statement.

4. Supervisors may review video with citizens, family, attorneys, etc. to address inquires or complaints.

5. Officers shall not permit citizens, family, attorneys, etc. to view videos in a police vehicle or on a body camera unless deemed necessary by a supervisor.

e. STORAGE AND RETENTION:

1. Officers shall securely download all sounds, images, and associated metadata periodically and no later than the end of every scheduled work shift if involved in a case with evidentiary value. Exceptions should be authorized by a supervisor.

2. Critical information such as the date, time, offense, officer name, subject name, event number, etc., should be verified to enable efficient searching and retention.

3. All sounds, images and associated metadata are the exclusive property of the department and shall be securely stored and retained in accordance with applicable laws and department policy. Retention periods may be extended for training, investigative or prosecution reasons; an officer also may request to extend the retention period through a supervisor.

4. Officers shall not attempt to copy, edit, alter, erase, or otherwise modify in any manner recordings except as authorized by state law and department policy. Accessing, copying, or releasing sounds, images, and associated metadata for non-law enforcement purposes is strictly prohibited.

5. The System Administrator shall maintain a redundant system to store recordings at a separate, secure physical location.
6. Officers shall classify all recordings with the longest possible retention period:

   a. Homicide or suspicious death                      25 years to Indefinite
   b. Sexual assault                                    15 years to Indefinite
   c. Unsolved fatal accident                          10 years to Indefinite
   d. Felony cases                                      5 years
   e. Arrest incident report                            3 years
   f. OWI arrest                                        2 years
   g. Pursuit – foot, vehicle                           2 years
   h. Traffic accident investigation                     1 year
   i. Death investigation (not suspicious)              1 year
   j. Explanation of unrecorded event                   1 year
   k. Misdemeanor arrest/detention                       1 year
   l. Pat down, search (traffic or pedestrian)         1 year
   m. Persons or property case                          1 year
   n. Traffic citation                                  1 year
   o. Training                                          1 year
   p. Investigative stop (no search)                    180 days
   q. Prisoner interaction or transport                 180 days
   r. Call for service (no crime or report)             90 days
   s. Public assist                                     90 days
   t. Traffic warning (no search)                       90 days
   u. System test, accidental activation, etc.          30 days

f. SUPERVISOR RESPONSIBILITIES:

1. Supervisors shall perform random reviews to ensure their assigned staff is using camera equipment in accordance with department policy.

2. Supervisors are authorized to review specific officers’ recordings in the following circumstances:

   a. Evaluate progress during field training or probation
   b. Identify videos for training or instructional purposes
   c. Investigate a specific incident, complaint or identify potential pattern of misconduct
   d. Monitor progress toward agreed-upon corrective action

3. Supervisors investigating inquiries, complaints, and use of force incidents shall review relevant videos.

g. RELEASE OF BODY CAMERA RECORDS:

1. The Chief of Police will designate a System Administrator to oversee the management of files, access rights, audits, retention, system updates and the appropriate release of recorded data.

2. Requests for video by citizens, family, attorneys, etc. should be referred to the Digital Evidence Unit.
3. Files will be released when required by applicable laws, ordinances and court orders or as otherwise deemed appropriate by the Chief of Police or designee.

4. The Iowa Open Records Law may require the release of any recordings. However, consideration will be given to all its exceptions such as:

   a. Confidential information such as ongoing investigations – Iowa Code Chapter 22.7
   b. Intelligence information – Iowa Code Chapter 692
   c. Juvenile information – Chapter 232 and 915

h. POLICY REVIEW:

   1. This policy shall be reviewed annually by the Digital Evidence Unit and Policy Manager. Any recommended changes shall be forwarded to the Chief of Police for consideration.