

Memorandum

TO: ALL DEPARTMENT PERSONNEL **FROM:** Anthony Mata
Chief of Police

SUBJECT: DUTY MANUAL REVISION: L 4433 **DATE:** September 2, 2022
OFFICER RESPONSIBILITIES
(BWC)

APPROVED

Memo #2022-044

BACKGROUND

A review of Duty Manual section L 4433 OFFICER RESPONSIBILITIES discovered changes were necessary to bring it into alignment with best practices.

ANALYSIS

The Duty Manual has been revised to reflect changes described below. Additions are shown in *italics and underlined*. Deletions are shown in ~~strike-through~~ form.

L 4433 OFFICER RESPONSIBILITIES:

Revised 09-02-22

Every officer assigned a body worn camera working a uniformed or plain-clothes assignment in the City of San Jose, to include secondary employment and the Main Lobby, is responsible for ensuring that they are equipped with a Department-issued body worn camera and that the camera is fully charged and in good working order at the beginning of their shift. If a device is in need of repair, members will notify their supervisor and turn the body worn camera into Central Supply for repair or replacement. Actual time spent testing or reporting damage to a body worn camera shall be regarded as time worked.

Note: This section is inclusive of all uniform types (i.e., school resource officer, bicycle patrol, secondary employment, etc.), but is not meant to include Bureau of Investigation detectives, other Bureaus, or secondary employment where officers are not in uniform, unless otherwise engaged in the service of a search or arrest warrant (see Duty Manual Section L 4435, item #6.)

Uniformed officers will wear the body worn camera on their uniform at a location that will facilitate an optimum recording field of view. This location may vary from officer to officer based upon his/her specific uniform and body composition.

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Exception: When the optimum recording field of view might be better facilitated by removing the camera from the uniform and mounting the camera to a stable object or platform to better capture the event, officers may attempt do so at their discretion.

Officers will 'power on' the body worn camera before going into service and keep it powered on for the remainder of his/her shift, with the exception of bathroom breaks or those times when an officer is entering a Department locker room. The officer will only 'power off' his/her body worn camera at the conclusion of his/her shift prior to placing it in a camera dock to upload.

Note: An exception to this rule ~~are~~ is an Officer-Involved Incidents, as outlined in Duty Manual Section L 4446.

Officers shall not deliberately remove, dismantle or tamper with any hardware, video evidence, and/or the evidence management software component of the body worn camera.

Each officer is responsible for ensuring that their assigned body worn camera is uploaded during their shift as needed or at the completion of their shift, or at any time the device's memory is deemed to be full. Actual time spent uploading the body worn camera files at the completion of an officer's shift shall be considered booking evidence and regarded as time worked.

Exception: If an officer is working a uniformed secondary employment (i.e., school pay job, airport pay job, traffic control, etc.) on a regularly scheduled day off, he/she will upload the video evidence at the earliest opportunity on their first day back to work. In the interim, the officer will ensure the safety of the camera and its contents until such time it can be uploaded. A supervisor may direct an officer to upload sooner should the event or investigation require the video evidence sooner. In these situations, the officer will ensure his/her video evidence is uploaded in accordance with the supervisor's instruction.

Media captured via the body worn camera shall only be uploaded to Department-approved secure storage. Since the content of the recording may be considered evidence, and are considered Department records of investigation, officers will comply with all sections in the Duty Manual regarding the handling of evidence and official Department records.

ORDER

Effective immediately, all Department personnel shall adhere to the above Duty Manual section.



Anthony Mata
Chief of Police

AM:SD:JP