



San Antonio Police Department Research and Planning Unit



The following is a comprehensive history of the San Antonio Police Department's General Manual ***Procedure 410 – Body Worn Cameras***. This documents includes the first procedure adopted upon implementation of its BWC program and all subsequent updates as of June 8, 2023. Changes in the procedure are new verbiage, highlighted in yellow, and deleted verbiage is struck out and highlighted in blue. The breakout is as follows:

Version	Effective Date	Gen. Ord.	Explanation
Pilot Program	February 19, 2014	None	Procedure for the Pilot Program conducted to select a BWC system,
Original	November 10, 2015	15-10	This procedure was created to provide instructions on the wearing of and use of Body Worn Cameras.
Update	Feb. 12, 2016	16-01	This procedure was revised to further clarify instructions on the wearing of and use of Body Worn Cameras.
Update	Jul. 6, 2016	16-02	This procedure was revised to further clarify start-up of the BWC, authorized personal who may view videos and follow-up detective investigator responsibilities.
Update	Jan. 31, 2017	17-01	This procedure was revised to inform officers that the use of the portable Coban microphone is mandatory only if the Taser camera malfunctions.
Update	Dec. 5, 2019	19-03	This procedure has been updated with substantial changes and clarifications to include new terminology on camera status, requirements, and documentation on camera usage, when to record, camera inventory control, supervisors review responsibilities, etc.
Update	Dec. 21, 2020	20-07	This procedure has been separated into two (2) sections; Section A Operations and Section B - Critical Incident Information Release. The new section (Sect. B) establishes criteria for cases when SAPD will release video recordings and 911 records related to Critical Incidents.
Update	Sep. 12, 2022	22-02	Has been updated by reducing the period to release BWC video from 60 days to 30 days.

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PILOT PROGRAM

EFFECTIVE DATE: February 19, 2014

**Procedure was developed for the Pilot
Program being conducted to select a
Bost Worn Camera System**



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Body Worn Digital Recording Systems

.01 INTRODUCTION

The purpose of this procedure is to establish guidelines for the Body Worn Digital Recording Systems (BWDRS) Pilot Program and the equipment assigned to the San Antonio Police Officers for capturing audio/video evidence with BWDRS of police interactions.

.02 POLICY

- A. Officers participating in this pilot project and with properly functioning BWDRS shall make a recording of all events surrounding the contact, stop, detention, interview and a rest of suspected violators as outlined in Section .05 and maintain this recorded evidence for consideration in criminal prosecution.
- B. All audio/video recordings generated on Department-owned equipment are the property of the San Antonio Police Department. The copying or reproducing of any audio/video recording files generated by members of the Department for use outside of Department business is prohibited. Requests for copies will be processed by the Video Evidence Custodian.
- C. Distribution of any audio/video recordings generated by Department members in any format or for any purpose must be in compliance with this procedure and applicable unit SOPs.

.03 ADMINISTRATIVE

- A. All generated audio/video files will be retained according to Section .14 of this procedure.
- B. Standardized viewing privileges of audio/video files for administrative and investigatory purposes shall be as follows:
 - 1. All officers will be able to view their own recordings;
 - 2. Detective Investigators and above will have viewing privileges for all recordings.

.04 STARTUP

- A. At the start of their shift, Police Officers will perform a function test of the camera to ensure the unit powers on and recording initiates. (Note: officers do not need to validate recording via Back Office client, as this would require a physical connection to the workstation in order to upload video). The test should:
 - 1. Ensure proper alignment and positioning of the camera.
 - 2. Ensure the date and time is correct.
 - 3. Perform a functional test by activating the camera, and stating their name, badge number and the date. **IF POSSIBLE**, The officer will then play back the recording to ensure the system recorded correctly.
- B. Officers shall not place any objects in front of any camera that may interfere with recording of video.

.05 RECORDING

- A. Officers are not required to advise citizens they are being recorded or show any citizen a video which they recorded.
- A. Officers shall begin recording the following events and continue recording until it is concluded; any deviations will require a supervisor's approval and must be documented in the officer's report or CFS comment entry field.
 - 1. Upon observation of suspicious or criminal behavior;



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2. Officer initiated contacts:
 - a. Arrests
 - b. Field contacts
 - c. Traffic stops
 - d. During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as headquarters or the Magistrate's Office, the officer will cease recording upon entering the facility or transferring custody of the prisoner/witness
3. Contact with complainants regarding crimes against persons ; and
4. In instances where the Officer reasonably believes that the recording may provide evidence in a criminal or internal investigation.
- B. Subsequent arrest, handcuffing, and search of violators should take place in view of the camera when practical and in accordance with Departmental policy and this procedure. All arrests, handcuffing, and searches occurring out of view of the camera must be documented in the officer's report or CFS comment entry field (i.e., searching an arrestee on the sidewalk instead of directly in front of patrol vehicle due to traffic).
- C. Officers may stop recording an event where its use may compromise police operations. All stoppages must be documented in the officer's report or CFS comment entry field.
 1. Examples include but are not limited to: conversations with criminal informants, private conversations between officers or command personnel, working traffic control or performing crime scene duties.
 2. The camera should be turned on immediately should a significant event arise.
 3. Officers encountering tactical situations where use of the BWDRS would place them at a tactical disadvantage (i.e., building searches for armed actors) should place the receiver BWDRS in either "stealth" or "covert" mode (if available on the system being tested), or turn it off.
- D. Stoppage of the BWDRS must be documented in the officer's report or CFS comment entry field.
- E. Recording Suspected DWI Violators
 1. When an officer makes a decision to start an investigation of a violator, the officer shall activate the BWDRS and may verbally articulate the initial traffic violation observed, thus starting the process of building reasonable suspicion. This articulation should continue through the entire recording including the field sobriety testing, arrest, search and transportation of the suspect.
 2. When stopping the violator, the officer positions the police vehicle approximately two car lengths behind the suspect's vehicle in order to create a proper arena of performance.
 3. Optimum lighting should be used at night whenever possible:
 - a. Low beam headlights and takedown lights should be used during BWDRS video recording. High beam and spotlights should be used only when needed for the safety of the suspect and officer.
 - b. When Standardized Field Sobriety Tests (SFSTs) are being performed, no spotlights should be directed at the offender's vehicle, and should only be pointed at the ground. Also, wigwag headlights shall not



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be used, and the front strobe lights, if so equipped, shall be turned off. The rear strobes may be activated for suspect and officer safety.

4. The officer should articulate reasonable suspicion and probable cause as it develops. As needed, the officer removes the suspect from the suspect's vehicle and escorts him to the right rear of the suspect vehicle, with the suspect facing the police vehicle. The officer should stand so as to observe the suspect as well as any other occupants in the vehicle and to monitor vehicle traffic.
5. Any intoxicants found in the suspect vehicle, as well as any evidence seized, shall be brought in view of the camera and the officer shall articulate the description of the evidence in order to record such information.

I. Officers shall not:

1. Intentionally create digital recordings of other employees in a reas where a reasonable expectation of privacy exists such as locker rooms, restrooms, etc.
2. The use of the BWDRS system for the clandestine recording of the voice or image of a member of the Department is prohibited unless specifically authorized by the Office of the Chief.
3. Knowingly record undercover officers or confidential informants
4. Use a departmentally owned officer-worn digital recording device to record any type of personal activities
5. Allow non-sworn personnel to view the DME without permission from the officer's immediate supervisor. Governmental employees who are directly involved in the investigation and/or prosecution of a criminal case related to the DME or who work in Internal Affairs or IT Services supporting BWDRS are exempt from this provision
6. Create recordings in patient care areas of medical facilities unless the recording is for official police business such as a criminal investigation, dying declaration, Horizontal Gaze Nystagmus (HGN) on injured drivers, or a specific call for police service
7. Intentionally record juveniles unless evidentiary in nature as authorized by the Family Code.

.06 WHEN DEACTIVATION OF BWDRS EQUIPMENT IS AUTHORIZED

- A. Unless otherwise permitted by this procedure, once the BWDRS is activated it shall remain on until the incident has concluded.
- B. For the purpose of this section, conclusion of the incident has occurred when:
 1. The occurrence has concluded;
 2. All arrests have been made and arrestees transported and released from custody ;
 3. All witnesses and victims have been interviewed; and
 4. The continued recording will not serve to obtain additional evidence.
- C. Recording may cease if/when no further law enforcement action is likely to occur (e.g. waiting on a tow truck or family member to arrive.



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- D. Whenever the BWDRS equipment is deactivated during an incident the officer will provide a brief verbal explanation for the deactivation prior to turning off or stopping the recording and will document it via a report.
- E. Failure to record activities as denoted in this policy will not be considered a policy violation as long as reasonable justification is documented via a report and articulated to the officer's chain of command.

07. REPORTS/RECORDING DATA ENTRY

- A. Officers will upload video in accordance with the specific device's operational instructions.
- B. When uploading BWDRS video each officer shall properly enter pertinent data field identifiers associated with each video, and at a minimum, include the:
 - 1. Full SAPD case number for all arrest cases or incidents requiring a case number; (In those instances where an "X" number is issued in lieu of a case number, the officer is responsible for entering the case number and proper "category tag" once the case number has been generated.);
 - 2. Traffic citation number(s) in the ticket number data field; and
 - 3. The appropriate video tag at the conclusion of each incident or when uploading video files.
 - 4. Full Call For Service (CFS) number in the "Remarks" field.
 - 5. Cover officers are to use the case number and CFS number to categorize their video.
- C. Officers shall annotate in their reports the existence or absence of any associated recorded audio/video file.

08. EQUIPMENT

- A. Each officer will be issued a BWDRS and BWDRS charger. It will be the officer's responsibility to report for duty with a fully charged BWDRS.
- B. No member assigned BWDRS equipment shall alter, modify, reuse, tamper with or disable the system in any manner.
- C. Department BWDRS equipment shall not be connected to unauthorized computers. Non-Department-issued equipment shall not be connected to any Department BWDRS device.
- D. Officers assigned BWDRS equipment are responsible for ensuring the equipment remains in the operating condition it was issued. Officers shall notify their immediate supervisor of damaged or malfunctioning BWDRS equipment and complete SAPD Form #162, *Found Damage Report*. Damaged BWDRS will be returned to the BWDRS Program Manager.
- E. Lost BWDRS will be documented via an Officers report and reported to the BWDRS Program Manager.
- F. There will be no replacement BWDRS.
- G. Officers promoting or who will be reassigned to duties where they will not be utilizing the BWDRS will return their BWDRS to the BWDRS Program Manager.

09. VIDEO COPIES/RECORDS REQUESTS

- A. Requests for audio/video files will be handled under the Open Records Act.



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- B. A copy (for internal use only) of an audio/video file may be requested through the Video Evidence Custodian. If such copy is provided, the file shall not be further copied except by the Video Evidence Custodian.
- C. Requests for audio/video files from other criminal justice agencies are to be submitted in writing on a agency letterhead and signed by the agency's chief executive officer to the Video Evidence Custodian.
- D. All copies of audio/video files will be produced by the Video Evidence Custodian. A copy is defined as a reproduction of the primary recording of the event.
- E. Requests for files for prosecutorial purposes may be submitted directly to the Video Evidence Custodian.
- F. Requests for files from defense attorneys in county, district, or federal courts must be made through the appropriate prosecutor.
- G. The cost for producing the audio/video files will be determined by the Records Unit.
- H. All other requests for audio/video files should be referred to the Office of the Chief.
- I. An internal/electronic signature log will be automatically generated and kept for every audio/video file produced via BWDRS to document all members accessing the file. Members shall be prepared to justify the reason for accessing/viewing files.

.10 COMPLAINTS RECEIVED/VIDEO REVIEW

- A. When a complaint is received alleging misconduct involving an officer who is assigned a BWDRS, the following procedures shall be followed:
 - 1. The Internal Affairs Unit shall first determine if BWDRS evidence exists. If so, the Internal Affairs Unit shall request a copy of the video evidence and the Video Evidence Custodian shall cause this evidence to be provided and archived.
 - 2. The Internal Affairs Unit shall view the video of the public contact in question and determine if there is any cause for the allegations in the complaint.
 - 3. If no cause is determined, the Internal Affairs Unit shall contact the complainant and advise them a BWDRS recording was made of the contact and the reviewing officers observed no misconduct.
 - 4. The Internal Affairs Unit shall advise the complaining party that they may make a public records request for a copy of the recording.
 - 5. The Internal Affairs Unit shall proceed with their established protocols if misconduct is determined.
- B. An Officer required to respond to a citizen or administrative complaint shall have the ability to review any BWDRS recording of the subject incident
- C. The Internal Affairs Investigator may, for the purposes of an investigation or complaint, export or copy audio/video files as needed

.11 VIDEO CATEGORIZATION AND RETENTION



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- A. Officers shall categorize each video by selecting the appropriate event type from the menu. The categorization label will determine the minimum length of retention.
- B. Videos will be categorized based on the following criteria:
 - 1. Event 1 – is selected for any Offense – (except DWIs) whereby a Case Number is issued.
 - 2. Event 2 – is selected for all DWI Offenses whereby a Case Number is issued.
 - 3. Event 3 – is selected for instances whereby a Case Number is issued but there is no offense.
 - 4. Event 4 – is selected for calls which are assigned an N-Code for disposition.
 - 5. Event 5 – is selected for Traffic stops and/or field contacts.
 - 6. Event 6 – is selected for non-evidentiary video such as false starts, testing, or IT administrative purposes.

VIDEO CATEGORIZATION AND RETENTION PERIODS

Event Type	Category	Retention Schedule
1	Case Number – Offense	Indefinite
2	Case Number – Offense (DWI)	Indefinite
3	Case Number – Report Only	365 days
4	N-Code	180 days
5	Traffic	180 days
6	Admin/Default	180 days

- C. Officers shall include the existence of video evidence in the case report for follow up investigations.
- D. Any video considered to have evidentiary value, which needs to be retained past the standard retention period, must be identified by a Detective Investigator or a supervisor and have a hold request forwarded to the Records and Administration Office through the chain of command.
- E. Any video that becomes part of an internal investigation will:
 - 1. Have all viewing privileges blocked out with the exception of personnel assigned to the Professional Standards/Internal Affairs Unit, the Shooting Team or as assigned by the Chief of Police. This will be done in “Active case management” and can be done remotely by those with admin rights.
 - 2. Will be placed on hold for indefinite retention until it is no longer needed

.12 VIDEO UPLOADS

- A. When an officer records a call for service and/or incident which requires an Automated Field Report (AFR) the officer will:
 - 1. If allowed by the system, the officer will review and tag the video with appropriate incident information.
 - a. The officer will note at the beginning of the narrative of his AFR report that a video is available
- B. Prior to the end of shift officers will:
 - 1. Go to a designated workstation and upload the BWDRS video.



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2. Officers will review and tag the video to appropriate file i.e., CFS, N-Code, Citation, or Default.
- C. Special/Exigent Circumstance Video File Uploading:
 1. Officers involved in collisions and/or otherwise not able to return to the substation shall adhere to the following:
 - a. The notified supervisor or Patrol Supervisor shall coordinate the retrieval and upload of the BWDRS.
 - b. The Crime Scene Investigator Supervisor will then upload the video.
 - c. Upon completion of the video upload the BWDRS must be returned to the Officer's supervisor.
 2. Critical Incidents
 - a. Upon the conclusion of a critical incident all Officers will return to the appropriate facility in order to have all video manually uploaded. A BWDRS unit will NOT be returned to service until all video evidence has been removed from the unit and confirmed for release by CSI.
 3. Failsafe Video Data includes all recordings initiated by the officer as well as all video (no audio) captured throughout the entire shift, as long as the BWDRS program is running. Failsafe video may contain pertinent evidentiary data related to an event, but is only available for **48 hours from the time of the incident**.
 - a. A supervisor may request an upload of a systems Failsafe data by submitting a request to a CSI Sergeant.
- D. All video must be downloaded by the Officer at the end of their assigned shift. No officer is permitted to take a device home while it still contains video on it.

.13 REVIEWING BWDRS VIDEO

- A. The viewing of videos is restricted for official use only. Videos may be viewed for the following purposes
 - a. Criminal investigations;
 - b. Internal Affairs or complaint reviews in accordance with Section .12, *COMPLAINTS RECEIVED/VIDEO REVIEW*;
 - c. Pursuits;
 - d. Use of force reviews;
 - e. Open Record Requests (ORRs) in accordance with .11, *"OPEN RECORD REQUESTS"*
 - f. Officer involved crashes; or
 - g. Other – any purpose not listed in this procedure shall have prior approval by a supervisor and documented in the *Notes* section.
- B. Personnel requiring access to locked videos will send a request for access/viewing of the specific video through their chain of command.
- C. Personnel reviewing videos shall manually document name, badge number and the purpose of their viewing in the *Notes* field in the Coban viewer application.
- D. The making of unauthorized copies and/or copies for personal use is prohibited.

ORIGINAL 15-10

EFFECTIVE DATE: November 10, 2015

**Procedure was created to provide
instructions on the wearing of and use
of Body Worn Cameras.**



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Procedure 410 – Body Worn Cameras

Office with Primary Responsibility:	COP, COB, CSB	Effective Date: Prior Revision Date:	November 10, 2015 NEW
Office(s) with Secondary Responsibilities:	PSC, PNC, TSC, SSD, MCC	Number of Pages:	8
Forms Referenced in Procedure:	SAPD FM #162	Related Procedures:	None

.01 INTRODUCTION

The purpose of this procedure is to establish guidelines for the operation of body worn cameras (BWC) assigned to San Antonio Police Officers for capturing audio/video evidence of police interactions including, but not limited to, traffic violations, field interviews, field sobriety testing, and/or other official police activity.

.02 TERMINOLOGY

Body Worn Camera (BWC) means a bodily worn digital recording system and its components used to record audio and video during police interactions.

Digital Media Evidence (DME) means analog or digital media, including, but not limited to, electronic recordings of video, photograph, audio, film, magnetic and optical media, and/or the information contained therein digitally committed to file and of probative value that is stored or transmitted in binary form.

.03 POLICY

- A. It is the policy of the San Antonio Police Department to present for prosecution audio/video evidence of traffic and other law violations as outlined in Section .06 of this procedure. To this end, officers with properly functioning BWC equipment shall record all events surrounding the contact, stop, detention, interview, and arrest of suspected violators and maintain this recorded evidence for consideration in criminal prosecution.
- B. All digital media evidence (DME) generated on Department-owned BWC equipment is the property of the San Antonio Police Department. The copying or reproducing of any DME generated by members of the Department for use outside of Department business is prohibited. Requests for copies will be processed by the Video Evidence Custodian.
- C. Distribution of any DME generated by Department members in any format or for any purpose must be in compliance with this procedure and applicable unit SOPs.

.04 ADMINISTRATIVE

- A. All generated DME will be retained according to Section .12 of this procedure.
- B. DME shall not be altered, modified, misused, or tampered with,
- C. Any disabling of the BWC system in any manner is prohibited.
- D. Standardized viewing privileges of DME for administrative and investigatory purposes shall be as follows:
 - 1. All officers will be able to view their own DME;
 - 2. Detective-Investigators and above will have viewing privileges for all DME.



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.05 START UP

- A. At the start of their shift, Police Officers will perform a function test of the BWC to ensure the unit powers on and recording initiates. (Note: officers do not need to validate recording via Evidence.com). The officer should:
 - 1. Ensure proper alignment and positioning of the BWC on the officer's outer most garment (no object shall be placed in front of the camera in such a manner that it interferes with or obstructs the recording of video.)
 - 2. Perform a functions test by activating the BWC and stating their name, badge number, and the date. (If possible, the officer will then play back the recording to ensure the system recorded correctly.)

.06 RECORDING

- A. Officers are not required to advise citizens they are being recorded or show any citizen a video which they recorded.
- B. Officers shall begin recording the following events and continue recording until the event is concluded. Any deviations will require a supervisor's approval and must be documented in the officer's video, report, or CFS comment entry field in accordance with Section .07 of this procedure.
 - 1. Upon observation of suspicious or criminal behavior;
 - 2. Upon reception of calls for service;
 - 3. Officer initiated contacts:
 - a. Arrest
 - b. Field Contacts
 - c. Traffic Stops
 - 4. During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as headquarters or the Magistrate's Office, the officer may cease recording upon entering the facility or transferring custody of the prisoner/witness;
 - 5. Contact with complainants regarding crimes against persons; and
 - 6. In instances where the Officer reasonably believes that the recording may provide evidence in criminal investigations.
- C. Subsequent arrest, handcuffing and search of violators should take place in view of the camera when practical and in accordance with Departmental policy. All arrests, handcuffing, and searches occurring out of view of the camera must be documented in the officer's video, report, or CFS comment entry field in accordance with Section .06 of this procedure.
- D. Officers may stop recording an event where camera use may compromise police operations. The BWC should be turned back on immediately following the stoppage or should a significant event arise.

Examples include, but are not limited to: conversations with criminal informants, private conversations between officers or supervisory personnel, performing crime scene duties, or situations where the officer would be placed in a tactical disadvantage.
- E. All stoppages, other than administrative functions testing or accidental activation, of the BWC must be documented in the officer's video, report or CFS comment entry field in accordance with Section .07 of this procedure.



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F. Recording Suspected DWI Violators

1. When an officer makes a decision to start an investigation of a violator, the officer shall activate the BWC and may verbally articulate the initial traffic violation observed, thus starting the process of building reasonable suspicion. This articulation should continue through the entire recording including the field sobriety testing, arrest, search, and transportation of the suspect.

Optimum lighting for DME recording should be considered whenever possible.

2. The officer should articulate reasonable suspicion and probable cause as it develops.
3. Any intoxicants found in the suspect vehicle, as well as any evidence seized, shall be brought in view of the camera and the officer shall articulate the description of the evidence in order to record such information in the officer's video, report, or CFS comment entry field in accordance with Section .08 of this procedure.

G. Officers shall not:

1. Intentionally create DME recordings of themselves or other employees in areas where a reasonable expectation of privacy exists such as locker rooms, restrooms, etc.
2. Use the BWC for the clandestine recording of the voice or image of a member of the Department unless specifically authorized by the Office of the Chief.
3. Knowingly record undercover officers or confidential informants.
4. Use departmentally-owned BWC equipment to record any type of personal activities.
5. Allow non-sworn personnel to view the DME video without permission from the officer's immediate supervisor. Governmental employees who are directly involved in the investigation and/or prosecution of a criminal case related to the DME video or who work in Internal Affairs or IT Services supporting BWC are exempt from this provision.
6. Create recordings in patient care areas of medical facilities unless the recording is for official police business such as a criminal investigation, dying declaration, Horizontal Gaze Nystagmus (HGN) on injured drivers, or a specific call for police service, in compliance with Federal HIPPA regulations.

.07 WHEN DEACTIVATION OF BWC EQUIPMENT IS AUTHORIZED

- A. Unless otherwise permitted by this procedure, once the BWC is activated, it shall remain on until the incident has concluded.
- B. For the purpose of this section, conclusion of the incident has occurred when:
 - A. All arrests have been made and arrestees have been transported and released from custody;
 - B. All witnesses and victims have been interviewed; and
 - C. The continued recording will not serve to obtain additional evidence.
- C. All stoppages, other than administrative functions testing or accidental activation, of the BWC must be documented in the officer's video, report or CFS comment entry field.
- D. Failure to record activities as laid out in this policy will not be considered a policy violation as long as reasonable justification is documented to the officer's chain-of-command.

.08 REPORTS/RECORDING DATA ENTRY



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- A. Officers will upload video in accordance with the specific device's operational instructions.
- B. Prior to uploading BWC DME, the officer shall ensure the pertinent data field identifiers associated with each video have been annotated, and at minimum, include the following:
 - 1. Full SAPD case number for all arrest cases or incidents requiring a case number. (In those instances where a CFS number is issued in lieu of a case number, the officer is responsible for entering the case number and proper "category tag" once the case number has been generated.);
 - 2. Traffic citation number(s) in the additional data/notes field;
 - 3. The appropriate video tag at the conclusion of each incident or when uploading video files; and
 - 4. Full CFS number in the designated entry field.
- C. Cover officers are to use the case number and/or CFS number to tag their video.
- D. Officers shall annotate in their reports the existence or absence of any associated DME.

.09 EQUIPMENT

- A. On an individual basis, officers will sign for and be issued a BWC as well as the device's associated accessories. It will be the officer's responsibility to ensure the BWC device is fully charged and operable prior to their tour of duty.
- B. No member assigned BWC equipment shall alter, modify, reuse, tamper with or disable the device or associated accessories in any manner.
- C. Department BWC equipment shall not be connected to unauthorized computers. Non-Department-issued equipment shall not be connected to any Department-issued BWC device.
- D. Officers assigned BWC equipment are responsible for ensuring the equipment remains in operating condition. Officers shall notify their immediate supervisor of damaged or malfunctioning BWC equipment and complete SAPD Form #162, *Found Damage Report*. Damaged BWC will be returned to the BWC Program Manager or their designee.
- E. Lost BWC will be documented via an officer's report and submitted to their immediate supervisor and the BWC Program Manager or their designee.
- F. Replacement BWC will be issued by the BWC Program Manager or their designee.
- G. Officers promoting or who will be reassigned to duties where they will not be utilizing the BWC will return their BWC to the BWC Program Manager or their designee within 72 hours of the transfer.

.10 VIDEO COPIES/RECORDS REQUEST

- A. Requests for DME will be handled under the Open Records Act in accordance with GM Procedure 323 *Release of Police Records*.
- B. A copy (for internal use only) of DME file may be requested through the Video Evidence Custodian or their designee. If such copy is provided, the file shall not be further copied except by the Video Evidence Custodian or their designee.
- C. Requests for DME from other criminal justice agencies are to be submitted in writing on agency letterhead and signed by the agency's chief executive officer to the Video Evidence Custodian or their designee.



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- D. All copies of DME will be produced by the Video Evidence Custodian or their designee. A copy is defined as a reproduction of the primary recording of the event.
- E. Requests for DME for prosecutorial purposes may be submitted directly to the Video Evidence Custodian or their designee.
- F. Requests for DME from defense attorneys in county, district, or federal courts must be made through the appropriate prosecutor.
- G. The cost for producing the DME will be determined by the Records Unit.
- H. All other requests for DME should be referred to the Office of the Chief.
- I. An automated internal electronic data access log (chain-of-custody) will be generated and kept for every DME file produced via BWC to document the authenticity of the DME. Members shall be prepared to justify the reason for accessing/viewing DME.

.11 COMPLAINTS RECEIVED/VIDEO REVIEW

- A. When a complaint is received alleging misconduct involving an officer who is assigned a BWC, the following procedures shall be followed:
 - 1. The officer's immediate supervisor or Internal Affairs Unit shall determine if BWC DME exists.
 - 2. The supervisor or Internal Affairs Unit shall view the video of the incident in question and determine if there is any cause for the allegations in the complaint.
 - 3. If no cause is determined, the supervisor or Internal Affairs Unit shall contact the complainant and advise them a BWC DME was made of the incident and that no misconduct was observed.
 - 4. The supervisor or Internal Affairs Unit shall advise the complaining party that they may make an open records request for a copy of the DME.
 - 5. The supervisor or Internal Affairs Unit shall proceed with their established protocols if misconduct is determined.
- B. An officer responding to a citizen or administrative complaint shall have the ability to review any BWC DME of the incident in question.
- C. The Internal Affairs Investigator may, for the purposes of an investigation or complaint, export or copy DME as needed.

.12 VIDEO CATEGORIZATION AND RETENTION

- A. Officers shall categorize each video by selecting the appropriate event type from the menu. The categorization label will determine the minimum length of retention.
- B. Videos will be categorized based on the following criteria:
 - 1. Event 0 – is selected for non-evidentiary video such as false starts, testing, or IT administrative purposes;
 - 2. Event CRA – is selected for all CRASH or traffic accidents whereby a Case Number is used;
 - 3. Event DWI – is selected for all DWI Offenses whereby a Case Number is used;



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4. Event FOR – selected for all Felony Offenses whereby a Case Number is used;
5. Event INC – selected for instances whereby a Case Number is issued but there is no offense;
6. Event MOR – selected for all Misdemeanor Offenses whereby a Case Number is used;
7. Event NC – is selected for calls which are assigned an N-Code for disposition; and
8. Event TS – is selected for Traffic Stops.

VIDEO CATEGORIZATION AND RETENTION PERIODS		
Event Code	Category	Retention Schedule
0	Admin/Default	180 days
CRA	Crash	180 days
DWI	DWI	3,650 days
FOR	Felony Offense Report	3,650 days
INC	Incident	180 days
MOR	Misdemeanor Offense Report	730 days
NC	N-Code	180 days
TS	Traffic	180 days

- C. Officers shall include the existence of DME in the case report for follow-up investigation.
- D. Any video considered to have evidentiary value, which needs to be retained past the standard retention period, must be identified by a Detective Investigator or a supervisor and have a hold request forwarded to the Records and Administration Office through the chain-of-command.
- E. Any video that becomes part of an internal investigation will:
 1. Have all viewing privileges blocked out with the exception of personnel assigned to the Professional Standards/Internal Affairs Unit, the Shooting Team, or as assigned by the Chief of Police. This will be done in “active case management” and can be done remotely by those with administrative rights.
 2. Be placed on hold for indefinite retention until it is no longer needed.

.13 VIDEO UPLOADS

- A. When an officer records a call for service and/or incident which requires an Automated Field Report (AFR), the officer will review and tag the video with appropriate incident information. The officer will note at the beginning of the narrative of his AFR that a DME is available.
- B. Prior to the end of their duty day the officer will:
 1. Go to a designated docking station and upload the BWC video;
 2. Officers will ensure all DME are tagged appropriately i.e. CFS, N-Code, Citation, or Default.
- C. Special/Exigent Circumstance DME Uploading.
 1. Officers involved in collisions and/or otherwise not able to be return to the substation shall adhere to the following:
 - a. The notified supervisor or Patrol Supervisor shall coordinate the retrieval and upload of the BWC;
 - b. The Crime Scene Investigator Supervisor will then upload the BWC (if applicable);



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- c. Upon completion of the video upload, the BWC must be returned to the Officer's supervisor.
- 2. Critical Incidents
 - a. Upon the conclusion of a critical incident, all officers will return to the appropriate facility in order to have all DME uploaded. The BWC device will not be returned to service until all DME has been removed and completion confirmation of upload has been received; either automated or by CSI.
- D. All video must be uploaded before the officer's next assigned shift. No officer is permitted to take a BWC home while it still contains video on it, unless authorized by the Unit/Division Commander or accordance with Section .16 of this procedure.

.14 SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall ensure officers are using the recording equipment according to established guidelines, policies, and procedures.
 - 1. Supervisors, on a quarterly basis, will review at least one recording for all officers under their command to ensure proper usage of recording equipment and adherence to established policy and procedures.
 - 2. Supervisors will only review recordings from Type 2–8 category of events, in accordance with Section .11 of this procedure.
 - 3. Supervisors will take corrective action for any procedural violation they observe and document the findings on the proper form.
- B. Supervisors shall record all incidents (i.e. use of force, officer involved accidents, and complaints on officers) when requested or required to respond, in addition to those listed under Section .06B of this procedure.
- C. Supervisors shall view the recordings of all use of force incidents, police vehicle crashes, and police pursuits prior to completing their evaluations.
- D. Supervisors may view the recordings of their subordinates in the field at any time during the shift.
- E. Minor infractions (non-criminal) discovered during the routine reviews of recorded material should be addressed by the reviewing supervisor, including retraining when appropriate. Disciplinary actions will be addressed in accordance with GM Proc. 303, *Disciplinary Procedures*.
- F. Any supervisor made aware of damaged or malfunctioning recording equipment shall arrange for repair or replacement of the equipment. Damage shall be inspected by the supervisor and he/she will make every attempt to locate and assign a working BWC system to the officer.

.15 REVIEWING DME

- A. The viewing of videos is restricted for official use only. Videos may be viewed for the following purposes:
 - 1. Criminal investigations;
 - 2. Internal Affairs or complaint reviews in accordance with Section .11 of this procedure;
 - 3. Pursuits;
 - 4. Use of force reviews;



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5. Open Record Requests (ORRs) in accordance with Section .10 of this procedure;
 6. Officer involved crashes; or
 7. Other – any purpose not listed in this procedure shall have prior documented approval by a supervisor.
- B. Personnel requiring access to locked videos will send a request for access/viewing of the specific DME through their chain-of-command.
- C. Personnel reviewing DME shall manually document name, badge number, and the purpose of their viewing in the “notes” field in the BWC application.
- D. An officer is entitled to access any recording of an incident involving the officer before the officer is required to make a statement about the incident.
- E. The making of unauthorized copies is prohibited.

.16 USE OF BWC OFF-DUTY

- A. Officers working off-duty as an extension of police services shall utilize their BWCs in accordance with this procedure.
- B. Officers shall dock and upload their BWC on their next regularly scheduled duty day or within 72 hours of their last regular duty assignment.
1. Officers are required to appropriately tag all DME taken while working off-duty employment in accordance with .12 *VIDEO CATEGORIZATION AND RETENTION* within 24 hours of being uploaded.
 2. Video left uncategorized will be forwarded to the officer’s first line supervisor for review and possible disciplinary action.

UPDATE – 22-02

EFFECTIVE DATE: September 12, 2022

**Procedure has been updated by
reducing the period to release BWC
video from 60 days to 30 days.**



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Office with Primary Responsibility:	COP, COB, CSB	Effective Date:	November 10, 2015 February 12, 2016
Office(s) with Secondary Responsibilities:	PSC, PNC, TSC, SSD, MCC	Prior Revision Date:	NEW
		Number of Pages:	10
Forms Referenced in Procedure:	SAPD FM #162	Related Procedures:	303, 310, 408, 409, 507, 705

.01 INTRODUCTION

The purpose of this procedure is to establish guidelines for the operation of **Body Worn Cameras** (BWC) assigned to San Antonio Police Officers for capturing audio/video evidence of police interactions including, but not limited to, traffic violations, field interviews, field sobriety testing, and/or other official police activity.

.02 TERMINOLOGY

Body Worn Camera (BWC) means a bodily worn digital recording system and its components used to record **audio/video** during police interactions.

Digital Media Evidence (DME) means analog or digital media, including, but not limited to, electronic recordings of video, photograph, audio, film, magnetic and optical media, and/or the information contained therein digitally committed to file and of probative value that is stored or transmitted in binary form.

Cloud Storage means a model in which data is stored on remote servers accessed from the internet. It is maintained, operated and managed by a cloud storage service provider contracted by the department.

.03 POLICY

- A. It is the policy of the San Antonio Police Department to present for prosecution audio/video evidence of traffic and other law violations as outlined in Section .06 of this procedure. To this end, Officers with properly functioning BWC equipment shall record all events surrounding the contact, stop, detention, interview, and arrest of suspected violators and maintain this recorded evidence for consideration in criminal prosecution.
- B. All DME generated on Department-owned BWC equipment is the property of the San Antonio Police Department. The copying or reproducing of any DME generated by members of the Department for use outside of Department business is prohibited. Requests for copies will be processed by the Departments Video Evidence Custodian.
- C. Distribution of any DME generated by Department members in any format or for any purpose must be in compliance with this procedure and applicable unit SOPs.
- D. All Officers shall be assigned BWC equipment issued by the Department and properly trained in its functions and procedures before use. Officers shall use the issued BWC equipment while wearing the command uniform, regulation uniform, formal uniform or unit-specific uniform as specified in Procedure 310, in accordance with this procedure and applicable unit SOPs. Officers wearing relaxed apparel or honor guard uniform shall be excluded from wearing the BWC.
- E. The BWC program shall be reviewed and updated continuously by Research & Planning as the program moves forward.

.04 ADMINISTRATIVE

- A. All generated DME will be retained according to Section .12 of this procedure.
- B. DME shall not be altered, modified, misused, or tampered with.



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- C. Any disabling of the BWC system in any manner is prohibited.
- D. Any unauthorized decals, emblems, symbols or other advertisement affixed to the device are prohibited. A label containing identifiable markings, affixed to the rear of the BWC device not visible while worn is authorized.
- E. Standardized viewing privileges of DME for administrative and investigatory purposes shall be as follows:
 - 1. All Officers will be able to view their own DME;
 - 2. Detective-Investigators and above will have viewing privileges for all DME.

.05 START UP

- A. At the start of their shift, Police Officers will perform a function test of the BWC to ensure the unit powers on and recording initiates. (Note: Officers do not need to validate recording via Evidence.com). The Officer should:
 - 1. Ensure proper alignment and positioning of the BWC on the front of the Officer's outer most garment (no object shall be placed in front of the camera in such a manner that it interferes with or obstructs the recording of video); and
 - 2. Perform a functions test by activating the BWC and stating their name, badge number, and the date. (If possible, the Officer will then play back the recording to ensure the system recorded correctly).

.06 RECORDING

- A. Officers are not required to advise citizens they are being recorded or show any citizen a video which they recorded; furthermore, Officers should not activate/deactivate the BWC solely upon the request of a citizen.
- B. Officers shall create a Call for Service (CFS) and/or Case number for any self-initiated video at the time of recording. Officers shall stop recording at the end of each CFS/Case number and start a separate recording for each new CFS/Case number assigned or initiated.
- C. Officers shall use the recording to gather pertinent information for composing reports, training, and investigatory purposes.
- D. Officers shall begin recording the following events and continue recording until the event is concluded; (Any deviations will require a supervisor's approval and must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .07 of this procedure):
 - 1. Upon observation of suspicious or criminal behavior;
 - 2. Upon reception of CFS; Upon reception of or response to CFS, whether dispatched or not;
 - 3. Officer-initiated contacts:
 - a. Arrest;
 - b. Field Contacts;
 - c. Traffic/Pedestrian Stops;
 - d. Vehicle/Foot Pursuits;



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4. During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as **Public Safety Head Quarters (PSHQ)** or the Magistrate's Office, the **Officer** may cease recording upon entering the facility or transferring custody of the prisoner/witness;
 - ~~5. Contact with complainants regarding crimes against persons;~~
 5. In instances where the Officer reasonably believes that the recording may provide evidence in criminal investigations;
 6. Service of search or arrest warrants on the premises of a residence, business or building, if the Officer is assisting in such service of search or arrest warrants; and
 7. Citizen-initiated contacts or flagged down requests for public safety services.
- E. Subsequent arrest, handcuffing and search of violators should take place in view of the camera when practical and in accordance with Departmental **policies**. All arrests, handcuffing, and searches occurring out of view of the camera must be documented in the **Officer's** video, report, or CFS comment entry field in accordance with Section .06 of this procedure.
- F. Officers shall not stop or mute a recording during a public encounter or assigned CFS, except for the following reasons.
1. Officers may stop and/or mute:
 - a. Encounters with undercover officers or confidential informants;
 - b. Personal relief or break and;
 2. Officers may momentarily mute only:
 - a. Conversations that involve police and/or case tactics or strategy and;
 - b. Personal emergency matters of a sensitive nature (i.e. family emergency, medical emergency, catastrophic event).
 3. Officers may mute, with Supervisors approval only, where Officers duties are unlikely to lead to information relevant to a case, (i.e. directing traffic, preserving a crime scene). The BWC audio shall be reactivated immediately if the circumstances change or any police action is to be taken.
- ~~F. Officers may stop recording or mute an event where camera use may compromise police operations or if the Officer is out of auditory range of non Departmental personnel. The BWC should be turned back on, immediately following the stoppage or should a significant event arise.~~
- ~~Examples include, but are not limited to: conversations with criminal informants, private conversations between Officers or supervisory personnel, performing crime scene duties or situations where the Officer would be placed in a tactical disadvantage.~~
- G. All stoppages **and/or mutings**, other than administrative functions testing or accidental activation, of the BWC must be verbally documented—**stating a specific reason**—in the **Officer's** video, **and** report or CFS comment entry field in accordance with Section .07 of this procedure.

H. Recording Suspected DWI Violators



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- ~~1. When an Officer makes a decision to start an investigation of a violator, the Officer shall activate the BWC and may verbally articulate the initial traffic violation observed, thus starting the process of building reasonable suspicion. This articulation should continue through the entire recording including the field sobriety testing, arrest, search, and transportation of the suspect.~~
- ~~2. Optimum lighting for DME recording should be considered whenever possible.~~
- ~~3. The Officer should articulate reasonable suspicion and probable cause as it develops.~~
- ~~4. Any intoxicants found in the suspect vehicle, as well as any evidence seized, shall be brought in view of the camera and the Officer shall articulate the description of the evidence in order to record such information in the officer's video, report, or CFS comment entry field in accordance with Section .08 REPORTS/DATA ENTRY of this procedure.~~

H. When an Officer makes the decision to start an investigation, or at the start of the initial CFS, the Officer may verbally articulate facts or observations that may be noteworthy. This articulation may continue throughout the entire recording. (Note: This does not apply to DWI investigations, Procedure 507, Sec .04.)

I. Officers shall not:

1. Intentionally create DME recordings of themselves or other employees in areas where a reasonable expectation of privacy exists such as locker rooms, restrooms, etc.
2. Be assigned to a new call before the end of their current call, due to video recording restrictions.
3. Use the BWC for the clandestine recording of the voice or image of a member of the Department unless specifically authorized by the Office of the Chief.
4. Knowingly record undercover officers or confidential informants.
5. Use Departmentally-owned BWC equipment to record any type of personal activities.
6. Allow non-sworn personnel to view the DME video without permission from the Officer's immediate supervisor. Governmental employees who are directly involved in the investigation and/or prosecution of a criminal case related to the DME video or who work in Internal Affairs or IT Services supporting BWC are exempt from this provision.
7. Create recordings in patient care areas of any medical or mental health facilities unless the recording is for official police business such as a criminal investigation, dying declaration, Horizontal Gaze Nystagmus (HGN) on injured drivers, or a specific call for police service, in compliance with Federal HIPPA regulations.
8. Record any court facility, legal proceeding (i.e. deposition, city council meetings) or, secured governmental facility.
9. Upload or convert DME for use on any type of social media.

J. Officers shall notify a Supervisor immediately if he/she accidentally records, or is aware of any of the listed incidents:

1. An Officer, SAPD employee, COSA employee, or authorized person in a designated private area (i.e. restroom, locker room), accessible to the Officer, shall notify a supervisor immediately of the recording;
2. An individual in a designated private area (i.e. restroom, locker room) where the video is non-evidentiary;
3. A Personal conversation among Officers or other employees, where the video is non-evidentiary;



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- K. When responding to a call or initiating any activity in which an explosive device, suspected explosive device or Hazardous Materials Environment is present, the officer will, prior to exiting their vehicle, ensure that their in-car system is recording and remove their microphone and/or BWC and leave it in their vehicle. The removing of the microphone and/or BWC and leaving it in the vehicle must be clearly documented in the officer's report or CFS comment entry field.

.07 WHEN DEACTIVATION OF BWC EQUIPMENT IS AUTHORIZED

- A. Unless otherwise permitted by this procedure, once the BWC is activated, it shall remain on until the incident has concluded.
- B. For the purpose of this section, conclusion of the incident has occurred when:
1. All arrests have been made and arrestees have been transported and released from custody;
 2. All witnesses and victims have been interviewed; and
 3. The continued recording will not serve to obtain additional evidence.
- C. All stoppages other than administrative functions testing or accidental activation, of the BWC must be documented in the Officer's video, report, or CFS comment entry field.
- D. Failure to record activities as laid out in this policy will not be considered a policy violation as long as reasonable justification is documented. ~~to the Officer's chain of command.~~

.08 REPORTS/RECORDING DATA ENTRY

- A. Officers will upload video in accordance with the specific device's operational instructions.
- B. Upon completion of a call and termination of a BWC recording, the system will auto tag the DME, the officer shall enter the pertinent data field identifiers associated with each video (e.g. citation #, warning #, etc.), in the CFS/Case notes section before being placed in service.
- ~~C. Prior to uploading BWC DME, the officer shall ensure the pertinent data field identifiers associated with each video have been annotated, and at minimum, include the following:~~
- ~~4. Full SAPD case number for all arrest cases or incidents requiring a case number. (In those instances where a CFS number is issued in lieu of a case number, the Officer is responsible for entering the case number and proper "category tag" once the case number has been generated.);~~
 - ~~5. Traffic citation number(s) in the additional data/notes field; CAD notes section;~~
 - ~~6. The appropriate video tag at the conclusion of each incident or when uploading video files; and~~
 - ~~7. Full CFS number in the designated entry field.~~
- C. Cover **Officers** are to use the case number and/or CFS number to tag their video.
- D. Officers shall annotate in their reports the existence or absence of any associated DME.

.09 EQUIPMENT



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- A. On an individual basis, Officers will sign for and be issued a BWC as well as the device's associated accessories. It will be the Officer's responsibility to ensure the BWC device is fully charged and operable prior to their tour of duty.
- B. No member assigned BWC equipment shall alter, modify, reuse, tamper with or disable the device or associated accessories in any manner.
- C. Department BWC equipment shall not be connected to unauthorized computers. Non-Department-issued equipment shall not be connected to any Department-issued BWC device.
- D. Officers assigned BWC equipment are responsible for ensuring the equipment remains in operating condition. Officers shall notify their immediate supervisor of damaged or malfunctioning BWC equipment and complete ~~SAPD Form #162, Found Damage Report~~ SAPD Form BWC2, Body Worn Camera Equipment Replacement Receipt.
- E. Officers shall report lost/damaged BWC's to their immediate supervisor. Damaged BWC will be returned by the supervisor to the ITSD Client Services Technician or their designee. ~~to the BWC Program Manager or their designee.~~ Prior to officer returning to duty, the supervisor shall remove the lost/damaged BWC serial # associated with the officer in Evidence.com and replace it with the newly assigned BWC serial #.
- ~~F. Lost, missing, or damaged docking station will be documented immediately via an Officer's report and submitted to their immediate supervisor and the BWC Program Manager or their designee.~~
- ~~G. Replacement BWC will be issued by the BWC Program Manager or their designee.~~
- F. Officers promoting or who will be reassigned to duties where they will not be utilizing the BWC will return their BWC to their immediate supervisor ~~the BWC Program Manager or their designee~~ within 72 hours of the transfer. Prior to the Officer's new duty assignment, the supervisor shall remove the BWC serial # from Evidence.com and notify the ITSD Client Services Technician or their designee.
- G. Officers will use only Department-approved BWC equipment, cloud storage, and download stations.

.10 VIDEO COPIES/RECORDS REQUEST

- A. Requests for DME will be handled under the Open Records Act in accordance with GM Procedure 323, Release of Police Records.
- B. A copy (for internal use only) of DME file may be requested through the Video Evidence Custodian or their designee. If such copy is provided, the file shall not be further copied except by the Video Evidence Custodian or their designee.
- C. Requests for DME from other criminal justice agencies are to be submitted in writing on agency letterhead and signed by the agency's Chief Executive Officer to the Video Evidence Custodian or their designee.
- D. All copies of DME will be produced by the Video Evidence Custodian or their designee. A copy is defined as a reproduction of the primary recording of the event.
- E. Requests for DME for prosecutorial purposes may be submitted directly to the Video Evidence Custodian or their designee.
- F. Requests for DME from defense attorneys in county, district, or federal courts must be made through the appropriate prosecutor.
- G. The cost for producing the DME will be determined by the Records Unit.



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- H. All other requests for DME should be referred to the Office of the Chief of Police.
- I. An automated internal electronic data access log (chain-of-custody) will be generated and kept for every DME file produced via BWC to document the authenticity of the DME. Members shall be prepared to justify the reason for accessing/viewing DME.
- J. The release of all digital evidence created/generated through the use of BWC will only be conducted under the statutes and limitations outlined in the *Texas Occupation Code, Title 10. Occupations Related to Law Enforcement and Security, Chapter 1701. Law Enforcement Officers*

.11 COMPLAINTS RECEIVED/VIDEO REVIEW

- A. When a complaint is received alleging misconduct involving an Officer who is assigned a BWC, the following procedures shall be followed:
 - 1. The Officer's immediate supervisor or Internal Affairs Unit shall determine if BWC any police originated DME exists.
 - 2. The supervisor or Internal Affairs Unit shall view the video(s) of the incident in question and determine if there is any cause for the allegations in the complaint.
 - 3. If no cause is determined, the supervisor or Internal Affairs Unit shall contact the complainant and advise them a BWC police originated DME was made of exists for the incident and that no misconduct was observed.
 - 4. The supervisor or Internal Affairs Unit shall advise the complaining party that they may make an open records request for copy/copies of the police originated DME.
 - 5. The supervisor or Internal Affairs Unit shall proceed with their established protocols if misconduct is determined.
- B. An Officer who is the respondent to a citizen or administrative complaint shall have the ability to review any BWC police originated DME and/or any police originated DME audit trail of the incident in question.
- C. The Internal Affairs Investigator may, for the purposes of an investigation or complaint, export or copy any and all police originated DME as needed.

.12 VIDEO CATEGORIZATION AND RETENTION

- A. After stopping the recording, Officers shall categorize each video after stopping the recording by selecting the appropriate event type from the menu and shall include the existence of video evidence in the police report for follow up investigations.
- B. The categorization label will determine the minimum length of retention. Videos will be categorized based on the following criteria beginning on December 9, 2014:
 - ~~B. Videos will be categorized based on the following criteria:~~
 - 1. Event 0 – is selected for non-evidentiary video such as false starts, testing, or IT administrative purposes;
 - 2. Event CRA – is selected for all CRASH or traffic accidents whereby a Case Number is used;
 - 3. Event DWI – is selected for all DWI Offenses whereby a Case Number is used;
 - 4. Event FOR – selected for all Felony Offenses whereby a Case Number is used;



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5. Event INC – selected for instances whereby a Case Number is issued but there is no offense;
6. Event MOR – selected for all Misdemeanor Offenses whereby a Case Number is used;
7. Event NC – is selected for calls which are assigned an N-Code for disposition; and
8. Event TS – is selected for Traffic Stops.

VIDEO CATEGORIZATION AND RETENTION PERIODS		
Event Code	Category	Retention Schedule
0	Admin/Default	180 days
CRA	Crash	180 days
DWI	DWI	3,650 days
FOR	Felony Offense Report (see .12C)	3,650 days
INC	Incident	180 days
MOR	Misdemeanor Offense Report	730 days
NC	N-Code	180 days
TS	Traffic	180 days

~~C. Officers shall include the existence of DME in the case report for follow up investigation.~~

~~D. Any video considered to have evidentiary value, which needs to be retained past the standard retention period, must be identified by a Detective Investigator or a supervisor and have a hold request forwarded to the Records and Administration Office through the chain of command. Any video categorized as a capital felony or first degree felony, must be retained for a minimum 50 years in accordance with Texas State Library and Archives Commission (record # PS4125-05b).~~

C. Any/all videos initially categorized or upgraded to a Capital Felony or First Degree Felony must be retained for a minimum of 50 years (18,250 days) in accordance with the Texas State Library and Archive Commission (Record # PS-4125-05b). Capital Felony/First Degree Felony, or any other video having evidentiary value, which needs to be retained past the standard retention period, must be identified by a Detective Investigator or a supervisor and have a hold request with an expiration date forwarded to the Records and Administration Office through the chain of command.

~~E. Any video that becomes part of an internal investigation will:~~

D. Any video that becomes part of an internal investigation will:

1. Have all viewing privileges blocked out with the exception of personnel assigned to the Professional Standards/Internal Affairs Unit, the Shooting Team, or as assigned by the Chief of Police. This will be done in “active case management” and can be done remotely by those with administrative rights.
2. Be placed on hold for indefinite retention until it is no longer needed.

E. Non-evidentiary, accidental recordings tagged under event 0 which contain personal and/or sensitive material and which fall under Section .06J, may be deleted when:

1. An immediate supervisor is notified in writing; the supervisor notifies a systems administrator, who will restrict the video;
2. Reviewed by a supervisor from the office of the Chief of Police;



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3. Reviewed by a Deputy Chief;
4. Reviewed and finalized by Police Audio/Video Records Specialist.

.13 VIDEO UPLOADS

- ~~A. When an Officer records a CFS and/or incident which require an Automated Field Report (AFR), the Officer will review and tag the video with appropriate incident information. The Officer will note at the beginning of the narrative of his AFR that a DME is available.~~
- A. Prior to the end of their duty day the officer will go to a designated docking station and upload the BWC DME. The DME will then be uploaded to the departments contract cloud based storage.
- a. ~~Go to a designated docking station and upload the BWC video;~~
 - b. ~~Officers will ensure all DME are tagged appropriately, (i.e., CFS, N Code, Citation, or Default).~~
- B. Special/Exigent Circumstance DME Uploading.
1. If Officers are involved in collisions and/or are otherwise unable to return to the substation, supervisors shall adhere to the following:
 - a. The notified supervisor or Patrol Supervisor shall coordinate the retrieval and upload of the BWC;
 - b. The Crime Scene Investigator Supervisor will then upload the BWC (if applicable);
 - c. Upon completion of the video upload, the BWC must be returned to the Officer's supervisor.
 2. Critical Incidents
 - a. Upon the conclusion of a critical incident, all Officers will return to the appropriate facility in order to have all DME uploaded. The BWC device will not be returned to service until all DME has been removed and completion confirmation of upload has been received either automated or by the CSI supervisor or designee.
- C. All video must be uploaded before the Officer's next assigned shift. No Officer is permitted to take a BWC home while it still contains video on it, unless authorized by the Unit/Division Commander on duty Sergeant or in accordance with Section .16 of this procedure.

.14 SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall ensure Officers are using the recording equipment according to established guidelines, policies, and procedures.
1. Supervisors, on a quarterly basis, will review at least one recording for all Officers under their command to ensure proper usage of recording equipment and adherence to established policy and procedures.
 2. Supervisors will only review recordings from Type 2–8 category of events, in accordance with Section .11 of this procedure.
 3. Supervisors will take corrective action for any procedural violation they observe and document the findings on the proper form.



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- B. Supervisors shall record all incidents (i.e. use of force, Officer-involved accidents, and complaints against Officers) when requested or required to respond, in addition to those listed under Section .06BD of this procedure.
- C. Supervisors shall view the recordings of all use of force incidents, police vehicle crashes, and police pursuits prior to completing their evaluations.
- D. Supervisors may view the recordings of their subordinates in the field at any time during the shift.
- E. Minor infractions (non-criminal) discovered during the routine reviews of recorded material should be addressed by the reviewing supervisor, including retraining when appropriate. Disciplinary actions will be addressed in accordance with GM Proc. 303, *Disciplinary Procedures*.
- F. Any supervisor made aware of damaged or malfunctioning recording equipment shall arrange for repair or replacement of the equipment. Damage shall be inspected by the supervisor and he/she will make every attempt to locate and assign a working BWC system to the Officer. Supervisors shall replace the damaged/malfunctioning BWC in accordance with Section .09E of this procedure.

.15 REVIEWING DME

- A. The viewing of videos is restricted for official use only. Videos may be viewed for the following purposes:
 - 1. Criminal investigations;
 - 2. Internal Affairs or complaint reviews in accordance with Section .11 of this procedure;
 - 3. Pursuits;
 - 4. Use of force reviews;
 - 5. Open Record Requests (ORRs) in accordance with Section .10 of this procedure;
 - 6. Officer involved crashes; or
 - 7. Other – any purpose not listed in this procedure shall have prior documented approval by a supervisor.
- B. Personnel requiring access to locked videos will send a request for access/viewing of the specific DME through their chain-of-command.
- C. Personnel reviewing DME shall manually document name, badge number, and the purpose of their viewing in the “notes” field in the BWC application.
- D. An Officer is entitled to access any police originated DME recording of an incident involving the Officer before the Officer is required to make a statement about the incident.
- E. The making of unauthorized copies is prohibited.

.16 USE OF BWC OFF-DUTY

- A. Officers working off-duty, with an approved off-duty employment permit, as an extension of police services shall utilize their BWCs in accordance with this procedure.
- B. Off-duty Officers involved in an incident, where the BWC is used to collect DME, shall notify dispatch for a CFS or Case number to be assigned, so that proper tagging of the DME can occur.



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- C. Officers requiring the use of BWC for off duty employment are allowed to utilize the BWC with video not yet uploaded.
- D. Officers shall dock and upload their BWC on their next regularly scheduled duty day or within 48 72 hours of their last regular duty assignment (in an effort to prevent loss or tampering of evidence). An Officer may request to go beyond the 72 hour period with the approval of a Sergeant Lieutenant or above, as per Section .13D of this procedure.
 - 1. ~~Officers are required to appropriately tag all DME taken while working off duty employment in accordance with Section .12 VIDEO CATEGORIZATION AND RETENTION of this procedure, within 24 hours of being uploaded.~~
 - 2. ~~Video left uncategorized will be forwarded to the Officer's first line supervisor for review and possible disciplinary action.~~
- E. If, while off-duty, the officer's BWC is lost/damaged, the officer shall refer to Section .09E of this procedure to obtain a replacement.

.17 TRAINING VIDEOS

- A. Officers/Supervisors aware of recorded files containing material that may be deemed beneficial as training material shall direct notification up the chain-of-command.
- B. The Training Academy Commander may, with the approval of the Chief of Police, use such recording for training purposes, taking into consideration pending judicial and/or administrative investigations.

UPDATE 16-02

EFFECTIVE DATE: July 6, 2016

**Procedure was revised to further clarify
start-up of the BWC, authorized
personal who may view videos and
follow-up detective investigator
responsibilities.**



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Office with Primary Responsibility:	COP, COB, CSB	Effective Date: Prior Revision Date:	February 12, 2016 July 06, 2016 November 10, 2015 February 12, 2016
Office(s) with Secondary Responsibilities:	PSC, PNC, TSC, SSD, MCC	Number of Pages:	10
Forms Referenced in Procedure:	SAPD FM #162	Related Procedures:	303, 310, 408, 409, 507, 705

.01 INTRODUCTION

The purpose of this procedure is to establish guidelines for the operation of Body Worn Cameras (BWC) assigned to San Antonio Police Officers for capturing audio/video evidence of police interactions including, but not limited to, traffic violations, field interviews, field sobriety testing, and/or other official police activity.

.02 TERMINOLOGY

Body Worn Camera (BWC) means a bodily worn digital recording system and its components used to record audio/video during police interactions.

Digital Media Evidence (DME) means analog or digital media, including, but not limited to, electronic recordings of video, photograph, audio, film, magnetic and optical media, and/or the information contained therein digitally committed to file and of probative value that is stored or transmitted in binary form.

Cloud Storage means a model in which data is stored on remote servers accessed from the internet. It is maintained, operated and managed by a cloud storage service provider contracted by the department.

.03 POLICY

- A. It is the policy of the San Antonio Police Department to present for prosecution audio/video evidence of traffic and other law violations as outlined in Section .06 of this procedure. To this end, Officers with properly functioning BWC equipment shall record all events surrounding the contact, stop, detention, interview, and arrest of suspected violators and maintain this recorded evidence for consideration in criminal prosecution.
- B. All DME generated on Department-owned BWC equipment is the property of the San Antonio Police Department. The copying or reproducing of any DME generated by members of the Department for use outside of Department business is prohibited. Requests for copies will be processed by the Departments Video Evidence Custodian.
- C. Distribution of any DME generated by Department members in any format or for any purpose must be in compliance with this procedure and applicable unit SOPs.
- D. All Officers shall be assigned BWC equipment issued by the Department and properly trained in its functions and procedures before use. Officers shall use the issued BWC equipment while wearing the command uniform, regulation uniform, formal uniform or unit-specific uniform as specified in Procedure 310, in accordance with this procedure and applicable unit SOPs. Officers wearing relaxed apparel or honor guard uniform shall be excluded from wearing the BWC.
- E. The BWC program shall be reviewed and updated continuously by Research & Planning as the program moves forward.

.04 ADMINISTRATIVE

- A. All generated DME will be retained according to Section .12 of this procedure.



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- B. DME shall not be altered, modified, misused, or tampered with.
- C. Any disabling of the BWC system in any manner is prohibited.
- D. Any unauthorized decals, emblems, symbols or other advertisement affixed to the device are prohibited. A label containing identifiable markings, affixed to the rear of the BWC device not visible while worn is authorized.
- E. Standardized viewing privileges of DME for administrative and investigatory purposes shall be as follows:
 - 1. All Officers will be able to view their own DME;
 - 2. Detective-Investigators and above will have viewing privileges for all DME.

.05 START UP

- A. At the start of their shift, Officers ~~will perform a function test of the BWC to ensure the unit powers on and recording initiates. (Note: Officers do not need to validate recording via Evidence.com).~~ The Officer should: shall ensure proper alignment and positioning of the BWC on the front of the Officer's outer most garment (no fixed object shall be placed in front of the camera in such a manner that it interferes with or obstructs the recording of video). Officers shall ensure that the BWC is operational by powering the unit on and confirming the status of the indicator LED's.
 - 1. ~~Ensure proper alignment and positioning of the BWC on the front of the Officer's outer most garment (no object shall be placed in front of the camera in such a manner that it interferes with or obstructs the recording of video); and~~
 - 2. ~~Perform a functions test by activating the BWC and stating their name, badge number, and the date. (If possible, the Officer will then play back the recording to ensure the system recorded correctly).~~

.06 RECORDING

- A. Officers are not required to advise citizens they are being recorded or show any citizen a video which they recorded; furthermore, Officers should not activate/deactivate the BWC solely upon the request of a citizen.
- B. Officers shall create a Call for Service (CFS) and/or Case number for any self-initiated video at the time of recording. Officers shall stop recording at the end of each CFS/Case number and start a separate recording for each new CFS/Case number assigned or initiated.
- C. Officers shall use the recording to gather pertinent information for composing reports, training, and investigatory purposes.
- D. Officers shall begin recording the following events and continue recording until the event is concluded; (Any deviations will require a supervisor's approval and must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .07 of this procedure):
 - 1. Upon observation of suspicious or criminal behavior;
 - 2. Upon reception of or response to CFS, whether dispatched or not;
 - 3. Officer-initiated contacts:
 - a. Arrest,
 - b. Field Contacts,
 - c. Traffic/Pedestrian Stops,



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- d. Vehicle/Foot Pursuits;
- 4. During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as Public Safety Head Quarters (PSHQ) or the Magistrate's Office, the Officer may cease recording upon entering the facility or transferring custody of the prisoner/witness;
- 5. In instances where the Officer reasonably believes that the recording may provide evidence in criminal investigations;
- 6. Service of search or arrest warrants on the premises of a residence, business or building, if the Officer is assisting in such service of search or arrest warrants; and
- 7. Citizen-initiated contacts or flagged down requests for public safety services.
- E. Subsequent arrest, handcuffing and search of violators should take place in view of the camera when practical and in accordance with Departmental policies. All arrests, handcuffing, and searches occurring out of view of the camera must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .06 of this procedure.
- F. Officers shall not stop or mute a recording during a public encounter or assigned CFS, except for the following reasons.
 - 1. Officers may stop and/or mute:
 - a. Encounters with undercover officers or confidential informants;
 - b. Personal relief or break and;
 - 2. Officers may momentarily mute only:
 - a. Conversations that involve police and/or case tactics or strategy and;
 - b. Personal emergency matters of a sensitive nature (i.e. family emergency, medical emergency, catastrophic event).
 - 3. Officers may mute, with Supervisors approval only, where Officers duties are unlikely to lead to information relevant to a case, (i.e. directing traffic, preserving a crime scene). The BWC audio shall be reactivated immediately if the circumstances change or any police action is to be taken.
- G. All stoppages and/or mutings, other than administrative functions testing or accidental activation, of the BWC must be verbally documented—stating a specific reason—in the Officer's video, and report or CFS comment entry field in accordance with Section .07 of this procedure.
- H. When an Officer makes the decision to start an investigation, or at the start of the initial CFS, the Officer may verbally articulate facts or observations that may be noteworthy. This articulation may continue throughout the entire recording. (**Note: This does not apply to DWI investigations, Procedure 507, Sec .04.**)
- I. Officers shall not:
 - 1. Intentionally create DME recordings of themselves or other employees in areas where a reasonable expectation of privacy exists such as locker rooms, restrooms, etc.
 - 2. Be assigned to a new call before the end of their current call, due to video recording restrictions.



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3. Use the BWC for the clandestine recording of the voice or image of a member of the Department unless specifically authorized by the Office of the Chief.
 4. Knowingly record undercover officers or confidential informants.
 5. Use Departmentally-owned BWC equipment to record any type of personal activities.
 6. Allow non-sworn personnel to view the DME video without permission from the Officer's immediate supervisor. Governmental employees who are directly involved in the investigation and/or prosecution of a criminal case related to the DME video or who work in Internal Affairs or IT Services supporting BWC are exempt from this provision.
 7. Create recordings in patient care areas of any medical or mental health facilities unless the recording is for official police business such as a criminal investigation, dying declaration, Horizontal Gaze Nystagmus (HGN) on injured drivers, or a specific call for police service, in compliance with Federal HIPPA regulations.
 8. Record any court facility, legal proceeding (i.e. deposition, city council meetings) or, secured governmental facility.
 9. Upload or convert DME for use on any type of social media.
- J. Officers shall notify a Supervisor immediately if he/she accidentally records, or is aware of any of the listed incidents:
1. An Officer, SAPD employee, COSA employee, or authorized person in a designated private area (i.e. restroom, locker room), accessible to the Officer, shall notify a supervisor immediately of the recording;
 2. An individual in a designated private area (i.e. restroom, locker room) where the video is non-evidentiary;
 3. A Personal conversation among Officers or other employees, where the video is non-evidentiary;
- K. When responding to a call or initiating any activity in which an explosive device, suspected explosive device or Hazardous Materials Environment is present, the officer will, prior to exiting their vehicle, ensure that their in-car system is recording and remove their microphone and/or BWC and leave it in their vehicle. The removing of the microphone and/or BWC and leaving it in the vehicle must be clearly documented in the officer's report or CFS comment entry field.

.07 WHEN DEACTIVATION OF BWC EQUIPMENT IS AUTHORIZED

- A. Unless otherwise permitted by this procedure, once the BWC is activated, it shall remain on until the incident has concluded.
- B. For the purpose of this section, conclusion of the incident has occurred when:
1. All arrests have been made and arrestees have been transported and released from custody;
 2. All witnesses and victims have been interviewed; and
 3. The continued recording will not serve to obtain additional evidence.
- C. All stoppages other than administrative functions testing or accidental activation, of the BWC must be documented in the Officer's video, report, or CFS comment entry field.
- D. Failure to record activities as laid out in this policy will not be considered a policy violation as long as reasonable justification is documented.



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.08 REPORTS/RECORDING DATA ENTRY

- A. Officers will upload video in accordance with the specific device's operational instructions.
- B. Upon completion of a call and termination of a BWC recording, the system will auto tag the DME, the officer shall enter the pertinent data field identifiers associated with each video (e.g. citation #, warning #, etc.), in the CFS/Case notes section before being placed in service.
- C. Cover Officers are to use the case number and/or CFS number to tag their video.
- D. Officers shall annotate in their reports the existence or absence of any associated DME.

.09 EQUIPMENT

- A. On an individual basis, Officers will sign for and be issued a BWC as well as the device's associated accessories. It will be the Officer's responsibility to ensure the BWC device is fully charged and operable prior to their tour of duty.
- B. No member assigned BWC equipment shall alter, modify, reuse, tamper with or disable the device or associated accessories in any manner.
- C. Department BWC equipment shall not be connected to unauthorized computers. Non-Department-issued equipment shall not be connected to any Department-issued BWC device.
- D. Officers assigned BWC equipment are responsible for ensuring the equipment remains in operating condition. Officers shall notify their immediate supervisor of damaged or malfunctioning BWC equipment and complete SAPD Form BWC2, *Body Worn Camera Equipment Replacement Receipt*.
- E. Officers shall report lost/damaged BWC's to their immediate supervisor. Damaged BWC will be returned by the supervisor to the ITSD Client Services Technician or their designee. Prior to officer returning to duty, the supervisor shall remove the lost/damaged BWC serial # associated with the officer in Evidence.com and replace it with the newly assigned BWC serial #.
- F. Officers promoting or who will be reassigned to duties where they will not be utilizing the BWC will return their BWC to their immediate supervisor within 72 hours of the transfer. Prior to the Officer's new duty assignment, the supervisor shall remove the BWC serial # from Evidence.com and notify the ITSD Client Services Technician or their designee.
- G. Officers will use only Department-approved BWC equipment, cloud storage, and download stations.

.10 VIDEO COPIES/RECORDS REQUEST

- A. Requests **by non criminal justice agencies/individuals** for DME will be handled under the Open Records Act in accordance with GM Procedure 323, *Release of Police Records*.
- B. A copy (for internal use only) of DME file may be requested through the Video Evidence Custodian or their designee. If such copy is provided, the file shall not be further copied except by the Video Evidence Custodian or their designee.
- C. Requests for DME from other criminal justice agencies are to be submitted in writing on agency letterhead and signed by the agency's Chief Executive Officer to the Video Evidence Custodian or their designee.



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1. Requests for DME for prosecutorial purposes may be submitted directly to the Video Evidence Custodian or their designee.
 2. Requests for DME from defense attorneys in county, district, or federal courts must be made through the appropriate prosecutor.
- D. All copies of DME will be produced by the Video Evidence Custodian or their designee. A copy is defined as a reproduction of the primary recording of the event.
- ~~E. Requests for DME for prosecutorial purposes may be submitted directly to the Video Evidence Custodian or their designee.~~
- ~~F. Requests for DME from defense attorneys in county, district, or federal courts must be made through the appropriate prosecutor.~~
- E. The cost for producing the DME will be determined by the Records Unit.
- F. All other requests for DME should be referred to the Office of the Chief of Police.
- G. An automated internal electronic data access log (chain-of-custody) will be generated and kept for every DME file produced via BWC to document the authenticity of the DME. Members shall be prepared to justify the reason for accessing/viewing DME.
- H. The release of all digital evidence created/generated through the use of BWC will only be conducted under the statutes and limitations outlined in the *Texas Occupation Code, Title 10. Occupations Related to Law Enforcement and Security, Chapter 1701. Law Enforcement Officers*

.11 COMPLAINTS RECEIVED/VIDEO REVIEW

- A. When a complaint is received alleging misconduct involving an Officer who is assigned a BWC, the following procedures shall be followed:
1. The Officer's immediate supervisor or Internal Affairs Unit shall determine if any police originated DME exists.
 2. The supervisor or Internal Affairs Unit shall view the video(s) of the incident in question and determine if there is any cause for the allegations in the complaint.
 3. If no cause is determined, the supervisor or Internal Affairs Unit shall contact the complainant and advise them police originated DME exists for the incident and that no misconduct was observed.
 4. The supervisor or Internal Affairs Unit shall advise the complaining party that they may make an open records request for copy/copies of the police originated DME.
 5. The supervisor or Internal Affairs Unit shall proceed with their established protocols if misconduct is determined.
- B. An Officer who is the respondent to a citizen or administrative complaint shall have the ability to review any police originated DME and/or any police originated DME audit trail of the incident in question.
- C. The Internal Affairs Investigator may, for the purposes of an investigation or complaint, export or copy any and all police originated DME as needed.

.12 VIDEO CATEGORIZATION AND RETENTION



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- A. After stopping the recording, Officers shall categorize each video by selecting the appropriate event type from the menu and shall include the existence of video evidence in the police report for follow up investigations.
- B. The categorization label will determine the minimum length of retention. Videos will be categorized based on the following criteria beginning on December 9, 2014:
1. Event 0 – is selected for non-evidentiary video such as false starts, testing, or IT administrative purposes;
 2. Event CRA – is selected for all CRASH or traffic accidents whereby a Case Number is used;
 3. Event DWI – is selected for all DWI Offenses whereby a Case Number is used;
 4. Event FOR – selected for all Felony Offenses whereby a Case Number is used;
 5. Event INC – selected for instances whereby a Case Number is issued but there is no offense;
 6. Event MOR – selected for all Misdemeanor Offenses whereby a Case Number is used;
 7. Event NC – is selected for calls which are assigned an N-Code for disposition; and
 8. Event TS – is selected for Traffic Stops.

VIDEO CATEGORIZATION AND RETENTION PERIODS		
Event Code	Category	Retention Schedule
0	Admin/Default	180 days
CRA	Crash	180 days
DWI	DWI	3,650 days
FOR	Felony Offense Report (see .12C)	3,650 days
INC	Incident	180 days
MOR	Misdemeanor Offense Report	730 days
NC	N-Code	180 days
TS	Traffic	180 days

- C. Any/all videos initially categorized or upgraded to a Capital Felony or First Degree Felony must be retained for a minimum of 50 years (18,250 days) in accordance with the Texas State Library and Archive Commission (Record # PS-4125-05b). Capital Felony/First Degree Felony, or any other video having evidentiary value, which needs to be retained past the standard retention period, must be identified by a Detective Investigator or a supervisor and have a hold request with an expiration date forwarded to the Records and Administration Office through the chain of command.
- D. Any video that becomes part of an internal investigation will:
1. Have all viewing privileges blocked out with the exception of personnel assigned to the Professional Standards/Internal Affairs Unit, the Shooting Team, or as assigned by the Chief of Police. This will be done in “active case management” and can be done remotely by those with administrative rights.
 2. Be placed on hold for indefinite retention until it is no longer needed.
- E. Non-evidentiary, accidental recordings tagged under event 0 which contain personal and/or sensitive material and which fall under Section .06J, may be deleted when:
1. An immediate supervisor is notified in writing; the supervisor notifies a systems administrator, who will restrict the video;



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2. Reviewed by a supervisor from the office of the Chief of Police;
3. Reviewed by a Deputy Chief;
4. Reviewed and finalized by Police Audio/Video Records Specialist.

.13 VIDEO UPLOADS

- A. Prior to the end of their duty day the officer will go to a designated docking station and upload the BWC DME. The DME will then be uploaded to the departments contract cloud based storage.
- B. Special/Exigent Circumstance DME Uploading.
 1. If Officers are involved in collisions and/or are otherwise unable to return to the substation, supervisors shall adhere to the following:
 - a. The notified supervisor or Patrol Supervisor shall coordinate the retrieval and upload of the BWC;
 - b. The Crime Scene Investigator Supervisor will then upload the BWC (if applicable);
 - c. Upon completion of the video upload, the BWC must be returned to the Officer's supervisor.
 2. Critical Incidents
 - a. Upon the conclusion of a critical incident, all Officers will return to the appropriate facility in order to have all DME uploaded. The BWC device will not be returned to service until all DME has been removed and completion confirmation of upload has been received by the CSI supervisor or designee.
- C. All video must be uploaded before the Officer's next assigned shift. No Officer is permitted to take a BWC home while it still contains video on it, unless authorized by the on duty Sergeant or in accordance with Section .16 of this procedure.

.14 SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall ensure Officers are using the recording equipment according to established guidelines, policies, and procedures.
 1. Supervisors, on a quarterly basis, will review at least one recording for all Officers under their command to ensure proper usage of recording equipment and adherence to established policy and procedures.
 2. Supervisors will only review recordings from Type 2–8 category of events, in accordance with Section .11 of this procedure.
 3. Supervisors will take corrective action for any procedural violation they observe and document the findings on the proper form.
- B. Supervisors shall record all incidents (i.e. use of force, Officer-involved accidents, and complaints against Officers) when requested or required to respond, in addition to those listed under Section .06D of this procedure.
- C. Supervisors shall view the recordings of all use of force incidents, police vehicle crashes, and police pursuits prior to completing their evaluations.
- D. Supervisors may view the recordings of their subordinates in the field at any time during the shift.



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- E. Minor infractions (non-criminal) discovered during the routine reviews of recorded material should be addressed by the reviewing supervisor, including retraining when appropriate. Disciplinary actions will be addressed in accordance with GM Proc. 303, *Disciplinary Procedures*.
- F. Any supervisor made aware of damaged or malfunctioning recording equipment shall arrange for repair or replacement of the equipment. Damage shall be inspected by the supervisor and he/she will make every attempt to locate and assign a working BWC system to the Officer. Supervisors shall replace the damaged/malfunctioning BWC in accordance with Section .09E of this procedure.

.15 REVIEWING DME

- A. The viewing of videos is restricted for official use only. Videos may be viewed for the following purposes:
 - 1. Criminal investigations;
 - 2. Internal Affairs or complaint reviews in accordance with Section .11 of this procedure;
 - 3. Pursuits;
 - 4. Use of force reviews;
 - 5. Open Record Requests (ORRs) in accordance with Section .10 of this procedure;
 - 6. Officer involved crashes; or
 - 7. Other – any purpose not listed in this procedure shall have prior documented approval by a supervisor.
- B. Personnel requiring access to locked videos will send a request for access/viewing of the specific DME through their chain-of-command.
- C. Personnel reviewing DME shall manually document name, badge number, and the purpose of their viewing in the “notes” field in the BWC application.
- D. An Officer is entitled to access any police originated DME recording of an incident involving the Officer before the Officer is required to make a statement about the incident.
- E. The making of unauthorized copies is prohibited.

.16 USE OF BWC OFF-DUTY

- A. Officers working off-duty, with an approved off-duty employment permit, as an extension of police services shall utilize their BWCs in accordance with this procedure.
- B. Off-duty Officers involved in an incident, where the BWC is used to collect DME, shall notify dispatch for a CFS or Case number to be assigned, so that proper tagging of the DME can occur.
- C. Officers requiring the use of BWC for off duty employment are allowed to utilize the BWC with video not yet uploaded.
- D. Officers shall dock and upload their BWC on their next regularly scheduled **tour of duty day** or within 72 hours of their last regular duty assignment (in an effort to prevent loss or tampering of evidence). An Officer may request to go beyond the 72 hour period with the approval of a Sergeant or above, as per Section .13D of this procedure.
- E. If, while off-duty, the officer’s BWC is lost/damaged, the officer shall refer to Section .09E of this procedure to obtain a replacement.



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.18 TRAINING VIDEOS

- A. Officers/Supervisors aware of recorded files containing material that may be deemed beneficial as training material shall direct notification up the chain-of-command.
- B. The Training Academy Commander may, with the approval of the Chief of Police, use such recording for training purposes, taking into consideration pending judicial and/or administrative investigations.

DRAFT

UPDATE 17-01

EFFECTIVE DATE: January 31, 2017

Procedure was revised to inform officers that the use of the portable Coban microphone is mandatory only if the Taser camera malfunctions.



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Office with Primary Responsibility:	COP, COB, CSB	Effective Date: Prior Revision Date:	July 06, 2016 January 31, 2017 February 12, 2016 July 06, 2016
Office(s) with Secondary Responsibilities:	PSC, PNC, TSC, SSD, MCC	Number of Pages:	9
Forms Referenced in Procedure:	SAPD FM #162	Related Procedures:	303, 310, 408, 409, 507, 705, 905

.01 INTRODUCTION

The purpose of this procedure is to establish guidelines for the operation of Body Worn Cameras (BWC) assigned to San Antonio Police Officers for capturing audio/video evidence of police interactions including, but not limited to, traffic violations, field interviews, field sobriety testing, and/or other official police activity.

.02 TERMINOLOGY

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Cloud Storage means a model in which data is stored on remote servers accessed from the internet. It is maintained, operated and managed by a cloud storage service provider contracted by the department.

.03 POLICY

- A. It is the policy of the San Antonio Police Department to present for prosecution audio/video evidence of traffic and other law violations as outlined in Section .06 of this procedure. To this end, Officers with properly functioning BWC equipment shall record all events surrounding the contact, stop, detention, interview, and arrest of suspected violators and maintain this recorded evidence for consideration in criminal prosecution.
- B. All DME generated on Department-owned BWC equipment is the property of the San Antonio Police Department. The copying or reproducing of any DME generated by members of the Department for use outside of Department business is prohibited. Requests for copies will be processed by the Departments Video Evidence Custodian.
- C. Distribution of any DME generated by Department members in any format or for any purpose must be in compliance with this procedure and applicable unit SOPs.
- D. All Officers shall be assigned BWC equipment issued by the Department and properly trained in its functions and procedures before use. Officers shall use the issued BWC equipment while wearing the command uniform, regulation uniform, formal uniform or unit-specific uniform as specified in Procedure 310, in accordance with this procedure and applicable unit SOPs. Officers wearing relaxed apparel or honor guard uniform shall be excluded from wearing the BWC.
- E. The BWC program shall be reviewed and updated continuously by Research & Planning as the program moves forward.

.04 ADMINISTRATIVE

- A. All generated DME will be retained according to Section .12 of this procedure.



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- B. DME shall not be altered, modified, misused, or tampered with.
- C. Any disabling of the BWC system in any manner is prohibited.
- D. Any unauthorized decals, emblems, symbols or other advertisement affixed to the device are prohibited. A label containing identifiable markings, affixed to the rear of the BWC device not visible while worn is authorized.
- E. Standardized viewing privileges of DME for administrative and investigatory purposes shall be as follows:
 - 1. All Officers will be able to view their own DME;
 - 2. Detective-Investigators and above will have viewing privileges for all DME.

.05 START UP

- A. At the start of their shift, Officers shall ensure proper alignment and positioning of the BWC on the front of the Officer's outer most garments (no fixed object shall be placed in front of the camera in such a manner that it interferes with or obstructs the recording of video **at any time during the course of the Officer's duties**). Officers shall ensure that the BWC is operational by powering the unit on and confirming the status of the indicator LED's.

.06 RECORDING

- A. Officers are not required to advise citizens they are being recorded or show any citizen a video which they recorded; furthermore, Officers should not activate/deactivate the BWC solely upon the request of a citizen.
- B. Officers shall create a Call for Service (CFS) and/or Case number for any self-initiated video at the time of recording. Officers shall stop recording at the end of each CFS/Case number and start a separate recording for each new CFS/Case number assigned or initiated.
- C. Officers shall use the recording to gather pertinent information for composing reports, training, and investigatory purposes.
- D. Officers shall begin recording the following events and continue recording until the event is concluded; (Any deviations will require a supervisor's approval and must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .07 of this procedure):
 - 1. Upon observation of suspicious or criminal behavior;
 - 2. Upon reception of or response to CFS, whether dispatched or not;
 - 3. Officer-initiated contacts:
 - a. Arrest,
 - b. Field Contacts,
 - c. Traffic/Pedestrian Stops,
 - d. Vehicle/Foot Pursuits;
 - 4. During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as Public Safety Head Quarters (PSHQ) or the Magistrate's Office, the Officer may cease recording upon entering the facility or transferring custody of the prisoner/witness;
 - 5. In instances where the Officer reasonably believes that the recording may provide evidence in criminal investigations;



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6. Service of search or arrest warrants on the premises of a residence, business or building, if the Officer is assisting in such service of search or arrest warrants; and
 7. Citizen-initiated contacts or flagged down requests for public safety services.
- E. Subsequent arrest, handcuffing and search of violators should take place in view of the camera when practical and in accordance with Departmental policies. All arrests, handcuffing, and searches occurring out of view of the camera must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .06 of this procedure.
- F. Officers shall not stop or mute a recording during a public encounter or assigned CFS, except for the following reasons.
1. Officers may stop and/or mute:
 - a. Encounters with undercover officers or confidential informants;
 - b. Personal relief or break and;
 2. Officers may momentarily mute only:
 - a. Conversations that involve police and/or case tactics or strategy and;
 - b. Personal emergency matters of a sensitive nature (i.e. family emergency, medical emergency, catastrophic event).
 3. Officers may mute, with Supervisors approval only, where Officers duties are unlikely to lead to information relevant to a case, (i.e. directing traffic, preserving a crime scene). The BWC audio shall be reactivated immediately if the circumstances change or any police action is to be taken.
- G. All stoppages and/or muting, other than administrative functions testing or accidental activation, of the BWC must be verbally documented—stating a specific reason—in the Officer's video, and report or CFS comment entry field in accordance with Section .07 of this procedure.
- H. When an Officer makes the decision to start an investigation, or at the start of the initial CFS, the Officer may verbally articulate facts or observations that may be noteworthy. This articulation may continue throughout the entire recording. **(Note: This does not apply to DWI investigations, Procedure 507, Sec .04.)**
- I. Officers shall not:
1. Intentionally create DME recordings of themselves or other employees in areas where a reasonable expectation of privacy exists such as locker rooms, restrooms, etc.
 2. Be assigned to a new call before the end of their current call, due to video recording restrictions.
 3. Use the BWC for the clandestine recording of the voice or image of a member of the Department unless specifically authorized by the Office of the Chief.
 4. Knowingly record undercover officers or confidential informants.
 5. Use Departmentally-owned BWC equipment to record any type of personal activities.



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6. Allow non-sworn personnel to view the DME video without permission from the Officer's immediate supervisor. Governmental employees who are directly involved in the investigation and/or prosecution of a criminal case related to the DME video or who work in Internal Affairs or IT Services supporting BWC are exempt from this provision.
 7. Create recordings in patient care areas of any medical or mental health facilities unless the recording is for official police business such as a criminal investigation, dying declaration, Horizontal Gaze Nystagmus (HGN) on injured drivers, or a specific call for police service, in compliance with Federal HIPAA regulations.
 8. Record any court facility, legal proceeding (i.e. deposition, city council meetings) or, secured governmental facility.
 9. Upload or convert DME for use on any type of social media.
- J. Officers shall notify a Supervisor immediately if he/she accidentally records, or is aware of any of the listed incidents:
1. An Officer, SAPD employee, COSA employee, or authorized person in a designated private area (i.e. restroom, locker room), accessible to the Officer, shall notify a supervisor immediately of the recording;
 2. An individual in a designated private area (i.e. restroom, locker room) where the video is non-evidentiary;
 3. A Personal conversation among Officers or other employees, where the video is non-evidentiary;
- K. When responding to a call or initiating any activity in which an explosive device, suspected explosive device or Hazardous Materials Environment is present, the officer will, prior to exiting their vehicle, ensure that their in-car system is recording and remove their microphone and/or BWC and leave it in their vehicle. The removing of the microphone and/or BWC and leaving it in the vehicle must be clearly documented in the officer's report or CFS comment entry field.

.07 WHEN DEACTIVATION OF BWC EQUIPMENT IS AUTHORIZED

- A. Unless otherwise permitted by this procedure, once the BWC is activated, it shall remain on until the incident has concluded.
- B. For the purpose of this section, conclusion of the incident has occurred when:
1. All arrests have been made and arrestees have been transported and released from custody;
 2. All witnesses and victims have been interviewed; and
 3. The continued recording will not serve to obtain additional evidence.
- C. All stoppages other than administrative functions testing or accidental activation, of the BWC must be documented in the Officer's video, report, or CFS comment entry field.
- D. Failure to record activities as laid out in this policy will not be considered a policy violation as long as reasonable justification is documented.

.08 REPORTS/RECORDING DATA ENTRY

- A. Officers will upload video in accordance with the specific device's operational instructions.



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- B. Upon completion of a call and termination of a BWC recording, the system will auto tag the DME, the officer shall enter the pertinent data field identifiers associated with each video (e.g. citation #, warning #, etc.), in the CFS/Case notes section before being placed in service.
- C. Cover Officers are to use the case number and/or CFS number to tag their video.
- D. Officers shall annotate in their reports the existence or absence of any associated DME.

.09 EQUIPMENT

- A. On an individual basis, Officers will sign for and be issued a BWC as well as the device's associated accessories. It will be the Officer's responsibility to ensure the BWC device is fully charged and operable prior to their tour of duty.
- B. No member assigned BWC equipment shall alter, modify, reuse, tamper with or disable the device or associated accessories in any manner.
- C. Department BWC equipment shall not be connected to unauthorized computers. Non-Department-issued equipment shall not be connected to any Department-issued BWC device.
- D. Officers assigned BWC equipment are responsible for ensuring the equipment remains in operating condition. Officers shall notify their immediate supervisor of damaged or malfunctioning BWC equipment and complete SAPD Form BWC2, *Body Worn Camera Equipment Replacement Receipt*.
- E. Officers shall report lost/damaged BWC's to their immediate supervisor. Damaged BWC will be returned by the supervisor to the ITSD Client Services Technician or their designee. Prior to officer returning to duty, the supervisor shall remove the lost/damaged BWC serial # associated with the officer in Evidence.com and replace it with the newly assigned BWC serial #.
- F. Officers promoting or who will be reassigned to duties where they will not be utilizing the BWC will return their BWC to their immediate supervisor within 72 hours of the transfer. Prior to the Officer's new duty assignment, the supervisor shall remove the BWC serial # from Evidence.com and notify the ITSD Client Services Technician or their designee.
- G. Officers will use only Department-approved BWC equipment, cloud storage, and download stations.

.10 VIDEO COPIES/RECORDS REQUEST

- A. Requests by non criminal justice agencies/individuals for DME will be handled under the Open Records Act in accordance with GM Procedure 323, *Release of Police Records*.
- B. A copy (for internal use only) of DME file may be requested through the Video Evidence Custodian or their designee. If such copy is provided, the file shall not be further copied except by the Video Evidence Custodian or their designee.
- C. Requests for DME from other criminal justice agencies are to be submitted in writing on agency letterhead and signed by the agency's Chief Executive Officer to the Video Evidence Custodian or their designee.
 - 1. Requests for DME for prosecutorial purposes may be submitted directly to the Video Evidence Custodian or their designee.
 - 2. Requests for DME from defense attorneys in county, district, or federal courts must be made through the appropriate prosecutor.



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- D. All copies of DME will be produced by the Video Evidence Custodian or their designee. A copy is defined as a reproduction of the primary recording of the event.
- E. The cost for producing the DME will be determined by the Records Unit.
- F. All other requests for DME should be referred to the Office of the Chief of Police.
- G. An automated internal electronic data access log (chain-of-custody) will be generated and kept for every DME file produced via BWC to document the authenticity of the DME. Members shall be prepared to justify the reason for accessing/viewing DME.
- H. The release of all digital evidence created/generated through the use of BWC will only be conducted under the statutes and limitations outlined in the *Texas Occupation Code, Title 10. Occupations Related to Law Enforcement and Security, Chapter 1701. Law Enforcement Officers*

.11 COMPLAINTS RECEIVED/VIDEO REVIEW

- A. When a complaint is received alleging misconduct involving an Officer who is assigned a BWC, the following procedures shall be followed:
 - 1. The Officer's immediate supervisor or Internal Affairs Unit shall determine if any police originated DME exists.
 - 2. The supervisor or Internal Affairs Unit shall view the video(s) of the incident in question and determine if there is any cause for the allegations in the complaint.
 - 3. If no cause is determined, the supervisor or Internal Affairs Unit shall contact the complainant and advise them police originated DME exists for the incident and that no misconduct was observed.
 - 4. The supervisor or Internal Affairs Unit shall advise the complaining party that they may make an open records request for copy/copies of the police originated DME.
 - 5. The supervisor or Internal Affairs Unit shall proceed with their established protocols if misconduct is determined.
- B. An Officer who is the respondent to a citizen or administrative complaint shall have the ability to review any police originated DME and/or any police originated DME audit trail of the incident in question.
- C. The Internal Affairs Investigator may, for the purposes of an investigation or complaint, export or copy any and all police originated DME as needed.

.12 VIDEO CATEGORIZATION AND RETENTION

- A. After stopping the recording, Officers shall categorize each video by selecting the appropriate event type from the menu and shall include the existence of video evidence in the police report for follow up investigations.
- B. The categorization label will determine the minimum length of retention. Videos will be categorized based on the following criteria beginning on December 9, 2014:
 - 1. Event 0 – is selected for non-evidentiary video such as false starts, testing, or IT administrative purposes;
 - 2. Event CRA – is selected for all CRASH or traffic accidents whereby a Case Number is used;
 - 3. Event DWI – is selected for all DWI Offenses whereby a Case Number is used;



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4. Event FOR – selected for all Felony Offenses whereby a Case Number is used;
5. Event INC – selected for instances whereby a Case Number is issued but there is no offense;
6. Event MOR – selected for all Misdemeanor Offenses whereby a Case Number is used;
7. Event NC – is selected for calls which are assigned an N-Code for disposition; and
8. Event TS – is selected for Traffic Stops.

VIDEO CATEGORIZATION AND RETENTION PERIODS		
Event Code	Category	Retention Schedule
0	Admin/Default	180 days
CRA	Crash	180 days
DWI	DWI	3,650 days
FOR	Felony Offense Report (see .12C)	3,650 days
INC	Incident	180 days
MOR	Misdemeanor Offense Report	730 days
NC	N-Code	180 days
TS	Traffic	180 days

- C. Any/all videos initially categorized or upgraded to a Capital Felony or First Degree Felony must be retained for a minimum of 50 years (18,250 days) in accordance with the Texas State Library and Archive Commission (Record # PS-4125-05b). Capital Felony/First Degree Felony, or any other video having evidentiary value, which needs to be retained past the standard retention period, must be identified by a Detective Investigator or a supervisor and have a hold request with an expiration date forwarded to the Records and Administration Office through the chain of command.
- D. Any video that becomes part of an internal investigation will:
 1. Have all viewing privileges blocked out with the exception of personnel assigned to the Professional Standards/Internal Affairs Unit, the Shooting Team, or as assigned by the Chief of Police. This will be done in “active case management” and can be done remotely by those with administrative rights.
 2. Be placed on hold for indefinite retention until it is no longer needed.
- E. Non-evidentiary, accidental recordings tagged under event 0 which contain personal and/or sensitive material and which fall under Section .06J, may be deleted when:
 1. An immediate supervisor is notified in writing; the supervisor notifies a systems administrator, who will restrict the video;
 2. Reviewed by a supervisor from the office of the Chief of Police;
 3. Reviewed by a Deputy Chief;
 4. Reviewed and finalized by Police Audio/Video Records Specialist.

.13 VIDEO UPLOADS

- A. Prior to the end of their duty day the officer will go to a designated docking station and upload the BWC DME. The DME will then be uploaded to the departments contract cloud based storage.
- B. Special/Exigent Circumstance DME Uploading.



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1. If Officers are involved in collisions and/or are otherwise unable to return to the substation, supervisors shall adhere to the following:
 - a. The notified supervisor or Patrol Supervisor shall coordinate the retrieval and upload of the BWC;
 - b. The Crime Scene Investigator Supervisor will then upload the BWC (if applicable);
 - c. Upon completion of the video upload, the BWC must be returned to the Officer's supervisor.
2. Critical Incidents
 - a. Upon the conclusion of a critical incident, all Officers will return to the appropriate facility in order to have all DME uploaded. The BWC device will not be returned to service until all DME has been removed and completion confirmation of upload has been received by the CSI supervisor or designee.
- C. All video must be uploaded before the Officer's next assigned shift. No Officer is permitted to take a BWC home while it still contains video on it, unless authorized by the on duty Sergeant or in accordance with Section .16 of this procedure.

.14 SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall ensure Officers are using the recording equipment according to established guidelines, policies, and procedures.
 1. Supervisors, on a quarterly basis, will review at least one recording for all Officers under their command to ensure proper usage of recording equipment and adherence to established policy and procedures.
 2. Supervisors will only review recordings from Type 2–8 category of events, in accordance with Section .11 of this procedure.
 3. Supervisors will take corrective action for any procedural violation they observe and document the findings on the proper form.
- B. Supervisors shall record all incidents (i.e. use of force, Officer-involved accidents, and complaints against Officers) when requested or required to respond, in addition to those listed under Section .06D of this procedure.
- C. Supervisors shall view the recordings of all use of force incidents, police vehicle crashes, and police pursuits prior to completing their evaluations.
- D. Supervisors may view the recordings of their subordinates in the field at any time during the shift.
- E. Minor infractions (non-criminal) discovered during the routine reviews of recorded material should be addressed by the reviewing supervisor, including retraining when appropriate. Disciplinary actions will be addressed in accordance with GM Proc. 303, *Disciplinary Procedures*.
- F. Any supervisor made aware of damaged or malfunctioning recording equipment shall arrange for repair or replacement of the equipment. Damage shall be inspected by the supervisor and he/she will make every attempt to locate and assign a working BWC system to the Officer. Supervisors shall replace the damaged/malfunctioning BWC in accordance with Section .09E of this procedure.

.15 REVIEWING DME

- A. The viewing of videos is restricted for official use only. Videos may be viewed for the following purposes:



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1. Criminal investigations;
 2. Internal Affairs or complaint reviews in accordance with Section .11 of this procedure;
 3. Pursuits;
 4. Use of force reviews;
 5. Open Record Requests (ORRs) in accordance with Section .10 of this procedure;
 6. Officer involved crashes; or
 7. Other – any purpose not listed in this procedure shall have prior documented approval by a supervisor.
- B. Personnel requiring access to locked videos will send a request for access/viewing of the specific DME through their chain-of-command.
- C. Personnel reviewing DME shall manually document name, badge number, and the purpose of their viewing in the “notes” field in the BWC application.
- D. An Officer is entitled to access any police originated DME recording of an incident involving the Officer before the Officer is required to make a statement about the incident.
- E. The making of unauthorized copies is prohibited.

.16 USE OF BWC OFF-DUTY

- A. Officers working Off-Duty Employment, with an approved off-duty employment permit or Outside Employment, with an approved off-duty employment permit as an extension of police services, shall utilize their BWCs in accordance with this procedure. However, Officers shall not utilize their BWC equipment while working NSA assignments.
- B. Off-duty Officers involved in an incident, where the BWC is used to collect DME, shall notify dispatch for a CFS or Case number to be assigned, so that proper tagging of the DME can occur.
- C. Officers requiring the use of BWC for off duty employment are allowed to utilize the BWC with video not yet uploaded.
- D. Officers shall dock and upload their BWC on their next regularly scheduled tour of duty or within 72 hours of their last regular duty assignment (in an effort to prevent loss or tampering of evidence). An Officer may request to go beyond the 72 hour period with the approval of a Sergeant or above, as per Section .13DC of this procedure.
- ~~E. Officers working extended off duty hours (i.e., Courtesy Officer, Rodeo Officer, etc.), shall not work more than 14 consecutive days without a 24 hour rest period, unless authorized by a supervisor in accordance with GM Proc. 905 Off Duty and Outside Employment.~~
- E. Officers working **Extended Off-Duty hours** (i.e. Courtesy Officer or Rodeo, etc.) shall not work more than fourteen (14) consecutive days without docking their BWC for a “rest period” of twenty-four (24) hours to allow it to upload all video content, charge the battery and transmit / receive firmware updates and system maintenance.
- F. If, while off-duty, the officer’s BWC is lost / damaged, the officer shall refer to Section .09E of this procedure to obtain a replacement.

.18.17 TRAINING VIDEOS



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- A. Officers/Supervisors aware of recorded files containing material that may be deemed beneficial as training material shall direct notification up the chain-of-command.
- B. The Training Academy Commander may, with the approval of the Chief of Police, use such recording for training purposes, taking into consideration pending judicial and/or administrative investigations.

UPDATE 19-03

EFFECTIVE DATE: December 5, 2019

Procedure has been updated with substantial changes and clarifications to include new terminology on camera status, requirements, and documentation on camera usage, when to record, camera inventory control, supervisors review responsibilities, etc.



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Office with Primary Responsibility:	COP, COB, CSB	Effective Date: Prior Revision Date:	January 31, 2017 December 5, 2019 July 06, 2016 January 31, 2017
Office(s) with Secondary Responsibilities:	PSC, PNC, TEC, FCD, IDC, SSB	Number of Pages:	9-10
Forms Referenced in Procedure:	SAPD FM #162	Related Procedures:	303, 310, 408, 409, 507, 705, 905

.01 INTRODUCTION

The purpose of this procedure is to establish guidelines for the operation of Body Worn Cameras (BWC) assigned to San Antonio Police Officers for capturing audio/video evidence of police interactions including, but not limited to, traffic violations, field interviews, field sobriety testing, and/or other official police activity.

.02 TERMINOLOGY

Body Worn Camera (BWC) means a bodily worn digital recording system and its components used to record audio/video during police interactions.

Digital Media Evidence (DME) means analog or digital media, including, but not limited to, electronic recordings of video, photograph, audio, film, magnetic and optical media, and/or the information contained therein digitally committed to file and of probative value that is stored or transmitted in binary form.

~~Cloud Storage means a model in which data is stored on remote servers accessed from the internet. It is maintained, operated and managed by a cloud storage service provider contracted by the department.~~

Body Worn Camera Status

- 1) **Off** – the camera is not on. In this mode, the camera does not have power and will not record video or buffering video but does record button presses.
- 2) **Buffering Mode (ON)** – the camera is powered on but not recording. In this mode, the camera stores a 30 second history in flash memory prior to the start of the BWC DME recording. When the recording is started the buffering recording becomes part of the BWC DME. Officers are required to leave their BWC powered ON for their entire shift, except when on a Personal Relief Break.
- 3) **Recording** – the camera is powered on and recording a video. An officer starts a recording by pushing the event button twice. A recording is stopped by a “long” press of the event button.

Buffering Video means the video stored in the flash memory of a Body Worn Camera that captures events prior to a recording being started.

.03 POLICY

- A. It is the policy of the San Antonio Police Department to present for prosecution audio/video evidence of traffic and other law violations as outlined in Section .06 of this procedure. To this end, Officers with properly functioning BWC equipment shall record all events surrounding the contact, stop, detention, interview, and arrest of suspected violators and maintain this recorded evidence for consideration in criminal prosecution.
- B. All DME generated on Department-owned BWC equipment is the property of the San Antonio Police Department. The copying or reproducing of any DME generated by members of the Department for use outside of Department business is prohibited. Requests for copies will be processed by the Departments Video Evidence Custodian.
- C. Distribution of any DME generated by Department members in any format or for any purpose must be in compliance with this procedure and applicable unit SOPs.



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- D. All Officers ~~shall be~~ assigned BWC equipment issued by the Department ~~shall be~~ and properly trained in its functions and procedures before use. Uniformed officers that regularly engage or have contact with the public shall wear their issued BWC during their tour of duty. Officers wearing any other uniform should have their issued BWC readily available for use as outlined in this procedure. ~~shall use the issued BWC equipment while wearing the command uniform, regulation uniform, formal uniform or unit specific uniform as specified in Procedure 310, in accordance with this procedure and applicable unit SOPs. Officers wearing relaxed apparel or honor guard uniform shall be excluded from wearing the BWC.~~
- E. The BWC program shall be reviewed and updated continuously by ~~Research & Planning~~ the Body Worn Camera Unit as the program moves forward. Individual Sections/Units shall be responsible to document their individualized utilization of cameras, which are in line with this procedure but not defined in this procedure, in their respective Standard Operating Procedures (SOPS). Examples may include utilizing the BWC for interviews/interrogations, training and other section/unit specific activities.
- F. Failure to record activities as laid out in this policy will not be considered a policy violation as long as reasonable justification is documented. Any justification for failing to activate the body worn camera because it is unsafe, unrealistic, or impracticable is based on whether a reasonable officer under the same or similar circumstances would have made the same decision (Texas Occupations Code Sec 1701.657 (d)).

.04 ADMINISTRATIVE

- A. All generated DME will be retained according to Section .12 of this procedure.
- B. DME shall not be altered, modified, misused, or tampered with.
- C. Any disabling of the BWC system in any manner is prohibited.
- D. Any unauthorized decals, emblems, symbols or other advertisement affixed to the device are prohibited. A label containing identifiable markings, affixed to the rear of the BWC device not visible while worn is authorized.
- E. Standardized viewing privileges of DME for administrative and investigatory purposes shall be as follows:
1. All Officers will be able to view their own DME;
 2. Detective-Investigators and above will have viewing privileges for all DME.
- F. All generated BWC DME associated with a Call for Service number should be identified and labeled by the DME system, as long as the officer is assigned to a CFS prior to the beginning of the recording.

.05 START UP

- A. Officers shall ensure that the BWC is operational by powering the unit on and confirming the status of the indicator LED's.
- B. Officers shall ensure proper alignment and positioning of the BWC on the front of the Officer's outer most garments (~~fixed~~ nothing shall be placed in front of the camera in such a manner that it interferes with or obstructs the recording of video at any time during the course of the Officer's duties, this includes any object that prevents the camera from recording both video and audio).
- C. Officers shall keep their Body Worn Camera in buffering mode (ON) throughout their shift. Officers shall not change the operation of their Body Worn Camera that prevents the camera from capturing the buffering video, the video and audio of their calls.



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.06 RECORDING

- A. Officers are not required to advise citizens they are being recorded ~~or show~~ and are prohibited from showing any citizen a video which they recorded; furthermore, Officers should not ~~activate/deactivate~~ start/stop the BWC solely upon the request of a citizen.
- B. Officers shall create a Call for Service (CFS) ~~and/or Case number~~ for any self-initiated video at the time of recording. Officers shall stop recording at the end of each CFS ~~Case~~ number and start a separate recording for each new CFS ~~Case~~ number assigned or initiated.
- C. Officers shall use the recording to gather pertinent information for composing reports, training, and investigatory purposes.
- D. Officers shall begin recording the following events and continue recording until the event is concluded; (Any deviations will require a supervisor's approval and must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .07 of this procedure):
 - 1. Upon observation of suspicious or criminal behavior;
 - ~~2. Upon reception of or response to CFS, whether dispatched or not;~~
 - 2.3 Officer-initiated contacts:
 - a. Arrest,
 - b. Field Contacts,
 - c. Traffic/Pedestrian Stops,
 - d. Vehicle/Foot Pursuits;
 - ~~3.4~~ During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as Public Safety Head Quarters (PSHQ) or the Magistrate's Office, the Officer may ~~cease~~ stop recording upon entering the facility or transferring custody of the prisoner/witness;
 - ~~4.5~~ In instances where the Officer reasonably believes that the recording may provide evidence in criminal investigations;
 - ~~5.6~~ Service of any search or arrest warrants on the premises of a residence, business or building, if the Officer is assisting in such service of search or arrest warrants; and
 - ~~6.7~~ Citizen-initiated contacts or flagged down requests for public safety services.
- E. Officers should begin recording upon reception of or response to CFS, whether dispatched or not; to include assisting outside agencies (Federal, State, County or Municipal.) However, officers shall begin recording prior to arriving at the scene.
- F. Subsequent arrest, handcuffing and search of violators should take place in view of the camera when practical and in accordance with Departmental policies. All arrests, handcuffing, and searches occurring out of view of the camera must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .06 of this procedure.
- F. Officers shall not stop or mute a recording during a public encounter or assigned CFS, except for the following reasons.
 - 1. Officers may stop and/or mute:



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- a. While conferring with undercover/covert officers from investigative divisions, or confidential informants or with federal officers/agents. However, officers shall un-mute prior to continuing or taking any law enforcement action;
- b. Personal relief or break and;
2. Officers may momentarily mute only:
 - a. Conversations that involve police and/or case tactics or strategy and;
 - b. Personal emergency matters of a sensitive nature (i.e. family emergency, medical emergency, catastrophic event).
3. Officers may mute, with Supervisors approval only, where Officers duties are unlikely to lead to information relevant to a case, (i.e. directing traffic, preserving a crime scene). The BWC audio shall be reactivated immediately if the circumstances change or any police action is to be taken.
- G. All stoppages and/or muting, other than administrative functions testing or accidental activation recording, of the BWC must be verbally documented—stating a specific reason—in the officer's video, and in writing in the officers report or CFS comment entry field in accordance with Section .07 of this procedure.
- H. When an Officer makes the decision to start an investigation, or at the start of the initial CFS, the officer may verbally articulate facts or observations that may be noteworthy. This articulation may continue throughout the entire recording. **(Note: This does not apply to DWI investigations, Procedure 507, Sec .04.)**
- I. Officers shall not:
 1. Mute/Stop BWC DME Recordings where other members of the department are off duty and a subject of the call in which the member was not acting under the color of his or her authority.
 2. Intentionally create DME recordings of themselves or other employees in areas where a reasonable expectation of privacy exists such as locker rooms, restrooms, etc.
 3. Be assigned to a new call before the end of their current call, due to video recording restrictions. Officers will not request a dispatcher to "put a call on hold" to briefly make the scene of another call then return to the original call on the same recording.
 4. Use the BWC for the clandestine recording of the voice or image of a member of the Department unless specifically authorized by the Office of the Chief.
 5. Knowingly record undercover officers or confidential informants.
 6. Use Departmentally-owned BWC equipment to record any type of personal activities.
 7. Allow non-sworn personnel to view the DME video without permission from the Officer's immediate supervisor. Governmental employees who are directly involved in the investigation and/or prosecution of a criminal case related to the DME video or who work in Internal Affairs or IT Services supporting BWC are exempt from this provision.
 8. Create recordings in patient care areas of any medical or mental health facilities unless the recording is for official police business such as a criminal investigation, dying declaration, Horizontal Gaze Nystagmus (HGN) on injured drivers, or a specific call for police service, in compliance with Federal HIPAA regulations.



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9. Record any court facility, legal proceeding (i.e. deposition, city council meetings) or, secured governmental facility.

10. Upload or convert DME for use on any type of social media.

11. Connect BWC equipment to any unauthorized computers, phones, tablets or similar devices, either wirelessly or by the use of a cable.

J. Officers shall notify a Supervisor immediately if he/she accidentally records, or is aware of any of the listed incidents:

1. An Officer, SAPD employee, COSA employee, or authorized person in a designated private area (i.e. restroom, locker room), accessible to the Officer, shall notify a supervisor immediately of the recording;

2. An individual in a designated private area (i.e. restroom, locker room) where the video is non-evidentiary;

3. A Personal conversation among Officers or other employees, where the video is non-evidentiary;

4. Supervisors shall make notifications as listed in this procedure section 12.E.

K. When responding to a call or initiating any activity in which an explosive device, suspected explosive device or Hazardous Materials Environment is present, the officer will, prior to exiting their vehicle, ensure that their in-car system is recording and remove their microphone and/or BWC and leave it in their vehicle. The removing of the microphone and/or BWC and leaving it in the vehicle must be clearly documented in the officer's report or CFS comment entry field.

.07 WHEN ~~DEACTIVATION OF BWC EQUIPMENT IS AUTHORIZED~~ A BODY WORN CAMERA VIDEO CAN BE STOPPED

A. Unless otherwise permitted by this procedure, once the BWC is ~~activated~~ recording, it shall remain ~~on~~ recording until the incident has concluded.

B. For the purpose of this section, conclusion of the incident has occurred when:

1. All arrests have been made and arrestees have been transported and released from custody;

2. All witnesses and victims have been interviewed; and

3. The continued recording will not serve to obtain additional evidence.

C. ~~All stoppages other than administrative functions testing or accidental activation of the BWC must be documented in the Officer's video report, or CFS comment entry field.~~ All stoppages and/or muting, other than accidental recording, of the BWC must be verbally documented—stating a specific reason—in the officer's video, and in writing in the officers report or CFS comment entry field in accordance with Section .07 of this procedure.

D. Failure to record activities as laid out in this policy will not be considered a policy violation as long as reasonable justification is documented. Any justification for failing to activate the body worn camera because it is unsafe, unrealistic, or impracticable is based on whether a reasonable officer under the same or similar circumstances would have made the same decision (Texas Occupations Code Sec 1701.657 (d)).

.08 ~~REPORTS/RECORDING DATA ENTRY~~ BWC DME UPLOADS

A. Officers will upload video in accordance with the specific device's operational instructions.



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- B. ~~Upon completion of a call and termination of a BWC recording, the system will auto tag the DME.~~ The officer shall enter the any pertinent data field identifiers information associated with each video (e.g. citation #, warning #, etc.), in the CFS/Case notes section of CAD before being placed in service.
- ~~C. Cover Officers are to use the case number and/or CFS number to tag their video.~~
- C. Officers shall annotate in their reports the existence or absence of any associated BWC DME.
- D. Prior to the end of their duty day the officer will go to a designated docking station and upload the BWC DME. The DME will then be uploaded to the departments contract cloud based storage.
- E. Special/Exigent Circumstance DME Uploading.
1. If Officers are involved in collisions and/or are otherwise unable to return to the substation, supervisors shall adhere to the following:
 - a. The notified supervisor or Patrol Supervisor shall coordinate the retrieval and upload of the BWC;
 - b. The Crime Scene Investigator Supervisor will then upload the BWC (if applicable);
 - c. Upon completion of the video upload, the BWC must be returned to the Officer's supervisor.
 2. Critical Incidents
 - a. Upon the conclusion of a critical incident, all Officers will return to the appropriate facility in order to have all DME uploaded. The BWC device will not be returned to service until all DME has been removed and completion confirmation of upload has been received by the CSI supervisor or designee.
- F. All video must be uploaded before the Officer's next assigned shift. No Officer is permitted to take a BWC home while it still contains video on it, unless authorized by the on duty Sergeant or in accordance with Section .16 of this procedure.

.09 EQUIPMENT

- A. On an individual basis, Officers will sign for and be issued a BWC as well as the device's associated accessories. It will be the Officer's responsibility to ensure their issued BWC device is fully charged, available and operable prior to their tour of duty.
- B. No member assigned BWC equipment shall alter, modify, reuse, tamper with or disable the device or associated accessories in any manner.
- ~~C. Department BWC equipment shall not be connected to unauthorized computers. Non Department issued equipment shall not be connected to any Department issued BWC device in any way.~~
- C. Officers assigned BWC equipment are responsible for ensuring the equipment remains in operating condition. Officers shall notify their immediate supervisor of damaged or malfunctioning BWC equipment and complete SAPD Form BWC2, *Body Worn Camera Equipment Replacement Receipt*.
- ~~D. Officers shall report lost/damaged/malfunctioning BWCs to their immediate supervisor. and complete a A written report shall be completed as directed by the Officer's SOP for lost or damaged items. Damaged BWC will be returned by the supervisor to the ITSD Client Services Technician or their designee. Prior to officer returning to duty, the supervisor shall remove the lost/damaged BWC serial # associated with the officer in Evidence.com and replace it with the newly assigned BWC serial #.~~
- a. Replacement cameras can be obtained through :
 - i. The Body Worn Camera Unit or;



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- ii. The Ready Room at Public Safety Headquarters (a supervisor must check out the key from RMC). When a supervisor replaces an officer's camera, the supervisor shall assign the replacement camera to the officer and complete form BWC2, which is located in the Ready Room at PSHQ.

~~F. Officers promoting or who will be reassigned to duties where they will not be utilizing the BWC will return their BWC to their immediate supervisor within 72 hours of the transfer. Prior to the Officer's new duty assignment, the supervisor shall remove the BWC serial # from Evidence.com and notify the ITSD Client Services Technician or their designee.~~

~~G. Officers will use only Department approved BWC equipment, cloud storage, and download stations.~~

.10 VIDEO COPIES/RECORDS REQUEST

- A. Requests by non-criminal justice agencies/individuals for DME will be handled under the Open Records Act in accordance with GM Procedure 323, *Release of Police Records*.
- B. A copy (for internal use only) of DME file may be requested through the Video Evidence Custodian or their designee. If such copy is provided, the file shall not be further copied except by the Video Evidence Custodian or their designee.
- C. Requests for DME from other criminal justice agencies are to be submitted in writing on agency letterhead and signed by the agency's Chief Executive Officer to the Video Evidence Custodian or their designee. Request letters may be emailed PDCobanVideoRequests@sanantonio.gov.
 - 1. Requests for DME for prosecutorial purposes may be submitted directly to the Video Evidence Custodian or their designee.
 - 2. Requests for DME from defense attorneys in county, district, or federal courts must be made through the appropriate prosecutor.
- D. All copies of DME will be produced by the Video Evidence Custodian or their designee. A copy is defined as a reproduction of the primary recording of the event.
- E. The cost for producing the DME will be determined by the Records Unit.
- F. All other requests for DME should be referred to the Office of the Chief of Police.
- G. An automated internal electronic data access log (chain-of-custody) will be generated and kept for every DME file produced via BWC to document the authenticity of the DME. Members shall be prepared to justify the reason for accessing/viewing DME.
- H. The release of all digital evidence created/generated through the use of BWC will only be conducted under the statutes and limitations outlined in the *Texas Occupation Code, Title 10. Occupations Related to Law Enforcement and Security, Chapter 1701. Law Enforcement Officers*

.11 COMPLAINTS RECEIVED/VIDEO REVIEW

- A. When a complaint is received alleging misconduct involving an Officer who is assigned a BWC, the following procedures shall be followed:
 - 1. The Officer's immediate supervisor or Internal Affairs Unit shall determine if any police originated DME exists.
 - 2. The supervisor or Internal Affairs Unit shall view the video(s) of the incident in question and determine if there is any cause for the allegations in the complaint.



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3. If no cause is determined, the supervisor or Internal Affairs Unit shall contact the complainant and advise them police originated DME exists for the incident and that no misconduct was observed.
 4. The supervisor or Internal Affairs Unit shall advise the complaining party that they may make an open records request for copy/copies of the police originated DME.
 5. The supervisor or Internal Affairs Unit shall proceed with their established protocols if misconduct is determined.
- B. An Officer who is the respondent to a citizen or administrative complaint shall have the ability to review any police originated DME and/or any police originated DME audit trail of the incident in question.
- C. The Internal Affairs Investigator may, for the purposes of an investigation or complaint, export or copy any and all police originated DME as needed.

.12 VIDEO CATEGORIZATION AND RETENTION

- A. After stopping the recording, Officers shall apply the proper call disposition code to the call. Officers shall categorize each video by selecting the appropriate event type from the menu and shall include the existence of video evidence in the police report for follow up investigations.
- B. Video retention will be computer generated based on the call disposition code the officer entered. All generated BWC DME associated with a Call for Service number should be identified and labeled by the DME system, as long as the officer is assigned to a CFS prior to the beginning of the recording. The categorization label will determine the minimum length of retention. Videos will be categorized based on the following criteria beginning on December 9, 2014:
1. Event 0 is selected for non evidentiary video such as false starts, testing, or IT administrative purposes;
 2. Event CRA is selected for all CRASH or traffic accidents whereby a Case Number is used;
 3. Event DWI is selected for all DWI Offenses whereby a Case Number is used;
 4. Event FOR is selected for all Felony Offenses whereby a Case Number is used;
 5. Event INC is selected for instances whereby a Case Number is issued but there is no offense;
 6. Event MOR is selected for all Misdemeanor Offenses whereby a Case Number is used;
 7. Event NC is selected for calls which are assigned an N Code for disposition; and
 8. Event TS is selected for Traffic Stops.

VIDEO CATEGORIZATION AND RETENTION PERIODS		
Event Code	Category	Retention Schedule
0	Admin/Default	180 days
CRA	Crash	180 days
DWI	DWI	3,650 days
FOR	Felony Offense Report (see .12C)	3,650 days
INC	Incident	180 days
MOR	Misdemeanor Offense Report	730 days
NC	N Code	180 days
TS	Traffic	180/730 days



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VIDEO CATEGORIZATION AND RETENTION PERIODS	
Category	Retention Schedule
Admin Retention	5 years
Admin/Default, Crash, N-Code	180 days
Felony (Capital & First)	50 years
Felony (Second, Third & State), Recovered Stolen Veh, DWI	10 years
Misdemeanor Offense Report	2 years
Open Records Request	4 years
Police Act 30 Mon Retent	900 days
Reportable Incident, Traffic	2 years
Training	15 days
Uncategorized, Restricted, Pending Review	Until Manually Deleted

- C. Any/all videos initially categorized or upgraded to a Capital Felony or First Degree Felony must be retained for a minimum of 50 years (18,250 days) in accordance with the Texas State Library and Archive Commission (Record # PS-4125-05b). Capital Felony/First Degree Felony, or any other video having evidentiary value, which needs to be retained past the standard retention period, must be identified by a Detective Investigator or a supervisor and have a hold request with an expiration date forwarded to the Records and Administration Office through the chain of command.
- D. Any video that becomes part of an internal investigation will:
1. Have all viewing privileges blocked out with the exception of personnel assigned to the Professional Standards/Internal Affairs Unit, the Shooting Team, or as assigned by the Chief of Police. This will be done in “active case management” and can be done remotely by those with administrative rights.
 2. Be placed on hold for indefinite retention until it is no longer needed.
- E. Non-evidentiary, accidental recordings tagged under **event 0 category Admin Default**, which contain personal and/or sensitive material and which fall under Section .06J, may be deleted when:
1. An immediate supervisor is notified in writing; the supervisor notifies a systems administrator, who will restrict the video;
 2. Reviewed by a supervisor from the office of the Chief of Police;
 3. Reviewed by a Deputy Chief;
 4. Reviewed and finalized by Police Audio/Video Records Specialist.

~~13 VIDEO UPLOADS~~

~~G. Prior to the end of their duty day the officer will go to a designated docking station and upload the BWC DME. The DME will then be uploaded to the departments contract cloud based storage.~~

~~H. Special/Exigent Circumstance DME Uploading:~~

~~3. If Officers are involved in collisions and/or are otherwise unable to return to the substation, supervisors shall adhere to the following:~~

~~d. The notified supervisor or Patrol Supervisor shall coordinate the retrieval and upload of the BWC;~~



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- e. ~~The Crime Scene Investigator Supervisor will then upload the BWC (if applicable);~~
- f. ~~Upon completion of the video upload, the BWC must be returned to the Officer's supervisor.~~

4. Critical Incidents

- b. ~~Upon the conclusion of a critical incident, all Officers will return to the appropriate facility in order to have all DME uploaded. The BWC device will not be returned to service until all DME has been removed and completion confirmation of upload has been received by the CSI supervisor or designee.~~
- I. ~~All video must be uploaded before the Officer's next assigned shift. No Officer is permitted to take a BWC home while it still contains video on it, unless authorized by the on duty Sergeant or in accordance with Section .16 of this procedure.~~

.14 SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall ensure Officers are using the recording equipment according to established guidelines, policies, and procedures.
 - 1. Supervisors, on a quarterly basis, will review at least one recording for all Officers under their command to ensure proper usage of recording equipment and adherence to established policy and procedures and where the officer had interaction with a citizen in their official capacity as a peace officer (Operational Conduct).

OPERATIONAL CONDUCT – Activity and/or action undertaken by a sworn member of the Department (Texas licensed Peace Officer) while acting in their official capacity and exercising their police powers. This includes actions taken while on duty or off duty employment.

- 2. Supervisors will ~~only~~ review ~~any category of~~ recordings ~~from Type 2-8 category of events~~ except Admin/Default, in accordance with Section .11 of this procedure.
- 3. Supervisors will take corrective action for any procedural violation they observe and document the findings on the proper form.
- 4. Supervisors will identify and document the video they reviewed on the appropriate departmental form. All reviews shall be done no later than the 15th day after the quarter has ended. Supervisors shall provide an explanation in the "notes" section for any officer who did not have any videos reviewed during the quarter. Reviewing timelines are as follows:

	Starts	Ends	Review Deadline
Quarter 1	January 1 st	March 31 st	April 15 th
Quarter 2	April 1 st	June 30 th	July 15 th
Quarter 3	July 1 st	September 30 th	October 15 th
Quarter 4	October 1 st	December 31 st	January 15 th

- B. Supervisors shall record all incidents (i.e. use of force, Officer-involved accidents, and complaints against Officers) when requested or required to respond, in addition to those listed under Section .06D of this procedure.
- C. Supervisors shall view the recordings of all use of force incidents, police vehicle crashes, and police pursuits prior to completing their evaluations.
- D. Supervisors may view the recordings of their subordinates in the field at any time during the shift.
- E. Minor infractions (non-criminal) discovered during the routine reviews of recorded material should be addressed by the reviewing supervisor, including retraining when appropriate. Disciplinary actions will be addressed in accordance with GM Proc. 303, *Disciplinary Procedures*.



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- F. Any supervisor made aware of a damaged or malfunctioning recording equipment body worn camera shall arrange for replacement of the equipment body worn camera. ~~Damage shall be inspected by the supervisor and he/she will make every attempt to locate and assign a working BWC system to the Officer.~~ Supervisors shall replace the damaged/malfunctioning BWC in accordance with Section .09E of this procedure.

.15 REVIEWING DME

- A. The viewing of videos is restricted for official use only. Videos may be viewed for the following purposes:
1. Criminal investigations;
 2. Internal Affairs or complaint reviews in accordance with Section .11 of this procedure;
 3. Pursuits;
 4. Use of force reviews;
 5. Open Record Requests (ORRs) in accordance with Section .10 of this procedure;
 6. Officer involved crashes; or
 7. Other – any purpose not listed in this procedure shall have prior documented approval by a supervisor.
- B. Personnel requiring access to locked videos will send a request for access/viewing of the specific DME through their chain-of-command.
- C. Personnel reviewing DME shall manually document name, badge number, and the purpose of their viewing in the “notes” field in the BWC application.
- D. An Officer is entitled to access any police originated DME recording of an incident involving the Officer before the Officer is required to make a statement about the incident.
- E. The making of unauthorized copies is prohibited.

.16 USE OF BWC OFF-DUTY

- A. Officers working Off-Duty Employment or Outside Employment, with an approved off-duty employment permit as an extension of police services, shall utilize their BWCs in accordance with this procedure. However, Officers shall not utilize their BWC equipment while working NSA assignments.
- B. Off-duty Officers involved in an incident, where the BWC is used to collect DME, shall notify dispatch for a CFS or Case number to be assigned, so that proper tagging of the DME can occur.
- C. Officers requiring the use of BWC for off duty employment are allowed to utilize the BWC with video not yet uploaded.
- D. Officers shall dock and upload their BWC on their next regularly scheduled tour of duty or within 72 hours of their last regular duty assignment (in an effort to prevent loss or tampering of evidence). An Officer may request to go beyond the 72 hour period with the approval of a Sergeant or above, as per Section .13C of this procedure.
- E. Officers working **Extended Off-Duty hours** (i.e. Courtesy Officer or Rodeo, etc.) shall not work more than fourteen (14) consecutive days without docking their BWC for a “rest period” of twenty-four (24) hours to allow it to upload all video content, charge the battery and transmit / receive firmware updates and system maintenance.



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- E. If, while off-duty, the officer's BWC is lost / damaged, the officer shall refer to Section .09E of this procedure to obtain a replacement.

.17 TRAINING VIDEOS

- A. Officers/Supervisors aware of recorded files containing material that may be deemed beneficial as training material shall direct notification up the chain-of-command.
- B. The Training Academy Commander may, with the approval of the Chief of Police, use such recording for training purposes, taking into consideration pending judicial and/or administrative investigations.

UPDATE 20-07

EFFECTIVE DATE: December 21, 2020

Procedure has been separated into two (2) sections; Section A Operations and Section B - Critical Incident Information Release. The new section (Sect. B) establishes criteria for cases when SAPD will release video recordings and 911 records related to Critical Incidents.



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Office with Primary Responsibility:	COP, COB, CSB, CMS	Effective Date:	Dec 5, 2019 December 21, 2020
		Prior Revision Date:	January 31, 2017 December 5, 2019
Office(s) with Secondary Responsibilities:	PSC, PNC, TEC, FCD, IDC, SSB, COR	Number of Pages:	40 12
Forms Referenced in Procedure:	SAPD FM #162	Related Procedures:	303, 307 , 310, 408, 409, 507, 705, 905

Subsection A. Operations

.01 INTRODUCTION

The purpose of this procedure is to establish guidelines for the operation of Body Worn Cameras (BWC) assigned to San Antonio Police Officers for capturing audio/video evidence of police interactions including, but not limited to, traffic violations, field interviews, field sobriety testing, and/or other official police activity.

.02 TERMINOLOGY

Body Worn Camera (BWC) means a bodily worn digital recording system and its components used to record audio/video during police interactions.

Digital Media Evidence (DME) means analog or digital media, including, but not limited to, electronic recordings of video, photograph, audio, film, magnetic and optical media, and/or the information contained therein digitally committed to file and of probative value that is stored or transmitted in binary form.

Body Worn Camera Status

- 1) Off – the camera is not on. In this mode, the camera does not have power and will not record video or buffering video but does record button presses.
- 2) Buffering Mode (ON) – the camera is powered on but not recording. In this mode, the camera stores a 30 second history in flash memory prior to the start of the BWC DME recording. When the recording is started the buffering, recording becomes part of the BWC DME. Officers are required to leave their BWC powered ON for their entire shift, except when on a Personal Relief Break.
- 3) Recording – the camera is powered on and recording a video. An officer starts a recording by pushing the event button twice. A recording is stopped by a “long” press of the event button.

Buffering Video means the video stored in the flash memory of a Body Worn Camera that captures events prior to a recording being started.

.03 POLICY

- A. It is the policy of the San Antonio Police Department to present for prosecution audio/video evidence of traffic and other law violations as outlined in Section .06 of this procedure. To this end, Officers with properly functioning BWC equipment shall record all events surrounding the contact, stop, detention, interview, and arrest of suspected violators and maintain this recorded evidence for consideration in criminal prosecution.
- B. All DME generated on Department-owned BWC equipment is the property of the San Antonio Police Department. The copying or reproducing of any DME generated by members of the Department for use outside of Department business is prohibited. Requests for copies will be processed by the Department's Video Evidence Custodian.
- C. Distribution of any DME generated by Department members in any format or for any purpose must be in compliance with this procedure and applicable unit SOPs.
- D. All Officers assigned BWC equipment issued by the Department shall be properly trained in its functions and procedures before use. Uniformed officers that regularly engage or have contact with the public shall wear their



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issued BWC during their tour of duty. Officers wearing any other uniform should have their issued BWC readily available for use as outlined in this procedure

- E. The BWC program shall be reviewed and updated continuously by the Body Worn Camera Unit as the program moves forward. Individual Sections/Units shall be responsible to document their individualized utilization of cameras, which are in line with this procedure but not defined in this procedure, in their respective Standard Operating Procedures (SOPS). Examples may include utilizing the BWC for interviews/interrogations, training and other section/unit specific activities.
- F. Failure to record activities as laid out in this policy will not be considered a policy violation as long as reasonable justification is documented. Any justification for failing to activate the body worn camera because it is unsafe, unrealistic, or impracticable is based on whether a reasonable officer under the same or similar circumstances would have made the same decision (Texas Occupations Code Sec 1701.657 (d)).

.04 ADMINISTRATIVE

- A. All generated DME will be retained according to Section 12 of this procedure.
- B. DME shall not be altered, modified, misused, or tampered with.
- C. Any disabling of the BWC system in any manner is prohibited.
- D. Any unauthorized decals, emblems, symbols or other advertisement affixed to the device are prohibited. A label containing identifiable markings, affixed to the rear of the BWC device not visible while worn is authorized.
- E. Standardized viewing privileges of DME for administrative and investigatory purposes shall be as follows:
 - 1. All Officers will be able to view their own DME;
 - 2. Detective-Investigators and above will have viewing privileges for all DME.
- F. All generated BWC DME associated with a Call for Service number should be identified and labeled by the DME system, as long as the officer is assigned to a CFS prior to the beginning of the recording.

.05 STARTUP

- A. Officers shall ensure that the BWC is operational by powering the unit on and confirming the status of the indicator LED's.
- B. Officers shall ensure proper alignment and positioning of the BWC on the front of the Officer's outermost garments (nothing shall be placed in front of the camera in such a manner that it interferes with or obstructs the recording of video at any time during the course of the Officer's duties, this includes any object that prevents the camera from recording both video and audio).
- C. Officers shall keep their Body Worn Camera in buffering mode (ON) throughout their shift. Officers shall not change the operation of their Body Worn Camera that prevents the camera from capturing the buffering video, the video and audio of their calls.

.06 RECORDING

- A. Officers are not required to advise citizens they are being recorded and are prohibited from showing any citizen a video which they recorded; furthermore, Officers should not start/stop the BWC solely upon the request of a citizen.



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- B. Officers shall create a Call for Service (CFS) for any self-initiated video at the time of recording. Officers shall stop recording at the end of each CFS number and start a separate recording for each new CFS number assigned or initiated.
- C. Officers shall use the recording to gather pertinent information for composing reports, training, and investigatory purposes.
- D. Officers shall begin recording the following events and continue recording until the event is concluded; (Any deviations will require a supervisor's approval and must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .07 of this procedure):
 - .1 Upon observation of suspicious or criminal behavior;
 - .2 Officer-initiated contacts:
 - a. Arrest,
 - b. Field Contacts,
 - c. Traffic/Pedestrian Stops,
 - d. Vehicle/Foot Pursuits;
 - .3 During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as Public Safety Head Quarters (PSHQ) or the Magistrate's Office, the Officer may ~~cease~~ stop recording upon entering the facility or transferring custody of the prisoner/witness;
 - .4 In instances where the Officer reasonably believes that the recording may provide evidence in criminal investigations;
 - .5 Service of any search or arrest warrants on the premises of a residence, business or building, if the Officer is assisting in such service of search or arrest warrants; and
 - .6 Citizen-initiated contacts or flagged down requests for public safety services.
- E. Officers should begin recording upon reception of or response to CFS, whether dispatched or not; to include assisting outside agencies (Federal, State, County or Municipal.) However, officers shall begin recording prior to arriving at the scene.
- F. Subsequent arrest, handcuffing and search of violators should take place in view of the camera when practical and in accordance with Departmental policies. All arrests, handcuffing, and searches occurring out of view of the camera must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .06 of this procedure.
- F. Officers shall not stop or mute a recording during a public encounter or assigned CFS, except for the following reasons:
 - 1. Officers may stop and/or mute:
 - a. While conferring with undercover/covert officers from investigative divisions, or confidential informants or with federal officers/agents. However, officers shall un-mute prior to continuing or taking any law enforcement action;
 - b. Personal relief or break and;



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2. Officers may momentarily mute only:
 - a. Conversations that involve police and/or case tactics or strategy and;
 - b. Personal emergency matters of a sensitive nature (i.e. family emergency, medical emergency, catastrophic event).
3. Officers may mute, with Supervisors approval only, where Officers duties are unlikely to lead to information relevant to a case, (i.e. directing traffic, preserving a crime scene). The BWC audio shall be reactivated immediately if the circumstances change or any police action is to be taken.
- G. All stoppages and/or muting, other than accidental recording, of the BWC must be verbally documented—stating a specific reason—in the officer's video, and in writing in the officer's report or CFS comment entry field in accordance with Section .07 of this procedure.
- H. When an Officer makes the decision to start an investigation, or at the start of the initial CFS, the officer may verbally articulate facts or observations that may be noteworthy. This articulation may continue throughout the entire recording. **(Note: This does not apply to DWI investigations, Procedure 507, Sec.04.)**
- I. Officers shall not:
 1. Mute/Stop BWCDME Recordings where other members of the department are off duty and a subject of the call in which the member was not acting under the color of his or her authority.
 2. Intentionally create DME recordings of themselves or other employees in areas where a reasonable expectation of privacy exists such as locker rooms, restrooms, etc.
 3. Be assigned to a new call before the end of their current call, due to video recording restrictions. . Officers will not request a dispatcher to “put a call on hold” to briefly make the scene of another call then return to the original call on the same recording.
 4. Use the BWC for the clandestine recording of the voice or image of a member of the Department unless specifically authorized by the Office of the Chief.
 5. Knowingly record undercover officers or confidential informants.
 6. Use Departmentally-owned BWC equipment to record any type of personal activities.
 7. Allow non-sworn personnel to view the DME video without permission from the Officer's immediate supervisor. Governmental employees who are directly involved in the investigation and/or prosecution of a criminal case related to the DME video or who work in Internal Affairs or IT Services supporting BWC are exempt from this provision.
 8. Create recordings in patient care areas of any medical or mental health facilities unless the recording is for official police business such as a criminal investigation, dying declaration, Horizontal Gaze Nystagmus (HGN) on injured drivers, or a specific call for police service, in compliance with Federal HIPAA regulations.
 9. Record any court facility, legal proceeding (i.e. deposition, city council meetings) or, secured governmental facility.
 10. Upload or convert DME for use on any type of social media.
 11. Connect BWC equipment to any unauthorized computers, phones, tablets or similar devices, either wirelessly or by the use of a cable.



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- J. Officers shall notify a Supervisor immediately if he/she accidentally records, or is aware of any of the listed incidents:
 - 1. An Officer, SAPD employee, COSA employee, or authorized person in a designated private area (i.e. restroom, locker room), accessible to the Officer, shall notify a supervisor immediately of the recording;
 - 2. An individual in a designated private area (i.e. restroom, locker room) where the video is non-evidentiary;
 - 3. A Personal conversation among Officers or other employees, where the video is non-evidentiary;
 - 4. Supervisors shall make notifications as listed in this procedure section 12.E.
- K. When responding to a call or initiating any activity in which an explosive device, suspected explosive device or Hazardous Materials Environment is present, the officer will, prior to exiting their vehicle, ensure that their in-car system is recording and remove their microphone and/or BWC and leave it in their vehicle. The removing of the microphone and/or BWC and leaving it in the vehicle must be clearly documented in the officer's report or CFS comment entry field.

.07 WHEN A BODY WORN CAMERA VIDEO CAN BE STOPPED

- A. Unless otherwise permitted by this procedure, once the BWC is recording, it shall remain recording until the incident has concluded.
- B. For the purpose of this section, conclusion of the incident has occurred when:
 - 1. All arrests have been made and arrestees have been transported and released from custody;
 - 2. All witnesses and victims have been interviewed; and
 - 3. The continued recording will not serve to obtain additional evidence.
- C. All stoppages and/or muting, other than accidental recording, of the BWC must be verbally documented—stating a specific reason—in the officer's video, and in writing in the officer's report or CFS comment entry field in accordance with Section .07 of this procedure.
- D. Failure to record activities as laid out in this policy will not be considered a policy violation as long as reasonable justification is documented. Any justification for failing to activate the body worn camera because it is unsafe, unrealistic, or impracticable is based on whether a reasonable officer under the same or similar circumstances would have made the same decision (Texas Occupations Code Sec 1701.657 (d)).

.08 BWC DME UPLOADS

- A. Officers will upload video in accordance with the specific device's operational instructions.
- B. The officer shall enter any pertinent information associated with each video (e.g. citation #, warning #, etc.), in the CFS/Case notes section of CAD before being placed in service.
- C. Officers shall annotate in their reports the existence or absence of any associated BWC DME.
- D. Prior to the end of their duty day the officer will go to a designated docking station and upload the BWC DME. The DME will then be uploaded to the department's contract cloud-based storage.
- E. Special/Exigent Circumstance DME Uploading.



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1. If Officers are involved in collisions and/or are otherwise unable to return to the substation, supervisors shall adhere to the following:
 - a. The notified supervisor or Patrol Supervisor shall coordinate the retrieval and upload of the BWC;
 - b. The Crime Scene Investigator Supervisor will then upload the BWC (if applicable);
 - c. Upon completion of the video upload, the BWC must be returned to the Officer's supervisor.
 2. Critical Incidents
 - a. Upon the conclusion of a critical incident, all Officers will return to the appropriate facility in order to have all DME uploaded. The BWC device will not be returned to service until all DME has been removed and completion confirmation of upload has been received by the CSI supervisor or designee.
- F. All video must be uploaded before the Officer's next assigned shift. No Officer is permitted to take a BWC home while it still contains video on it, unless authorized by the on duty Sergeant or in accordance with Section .16 of this procedure.

.09 EQUIPMENT

- A. On an individual basis, Officers will sign for and be issued a BWC as well as the device's associated accessories. It will be the Officer's responsibility to ensure their issued BWC device is fully charged, available and operable prior to their tour of duty.
- B. No member assigned BWC equipment shall alter, modify, reuse, tamper with or disable the device or associated accessories in any manner.
- C. Officers assigned BWC equipment are responsible for ensuring the equipment remains in operating condition. Officers shall notify their immediate supervisor of damaged or malfunctioning BWC equipment and complete SAPD Form BWC2, *Body Worn Camera Equipment Replacement Receipt*.
- D. Officers shall report lost/damaged/malfunctioning BWCs to their immediate supervisor. A written report shall be completed as directed by the Officer's SOP for lost or damaged items.
 - .1 Replacement cameras can be obtained through:
 - a. The Body Worn Camera Unit or;
 - b. The Ready Room at Public Safety Headquarters (a supervisor must check out the key from RMC). When a supervisor replaces an officer's camera, the supervisor shall assign the replacement camera to the officer and complete form BWC2, which is located in the Ready Room at PSHQ.

.10 VIDEO COPIES/RECORDS REQUEST

- A. Requests by non-criminal justice agencies/individuals for DME will be handled under the Open Records Act in accordance with GM Procedure 323, *Release of Police Records*.
- B. A copy (for internal use only) of DME file may be requested through the Video Evidence Custodian or their designee. If such copy is provided, the file shall not be further copied except by the Video Evidence Custodian or their designee.
- C. Requests for DME from other criminal justice agencies are to be submitted in writing on agency letterhead and signed by the agency's Chief Executive Officer to the Video Evidence Custodian or their designee. Request letters may be emailed PDCobanVideoRequests@sanantonio.gov.



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1. Requests for DME for prosecutorial purposes may be submitted directly to the Video Evidence Custodian or their designee.
2. Requests for DME from defense attorneys in county, district, or federal courts must be made through the appropriate prosecutor.
- D. All copies of DME will be produced by the Video Evidence Custodian or their designee. A copy is defined as a reproduction of the primary recording of the event.
- E. The cost for producing the DME will be determined by the Records Unit.
- F. All other requests for DME should be referred to the Office of the Chief of Police.
- G. An automated internal electronic data access log (chain-of-custody) will be generated and kept for every DME file produced via BWC to document the authenticity of the DME. Members shall be prepared to justify the reason for accessing/viewing DME.
- H. The release of all digital evidence created/generated through the use of BWC will only be conducted under the statutes and limitations outlined in the *Texas Occupation Code, Title 10. Occupations Related to Law Enforcement and Security, Chapter 1701. Law Enforcement Officers*

.11 COMPLAINTS RECEIVED/VIDEO REVIEW

- A. When a complaint is received alleging misconduct involving an Officer who is assigned a BWC, the following procedures shall be followed:
 1. The Officer's immediate supervisor or Internal Affairs Unit shall determine if any police originated DME exists.
 2. The supervisor or Internal Affairs Unit shall view the video(s) of the incident in question and determine if there is any cause for the allegations in the complaint.
 3. If no cause is determined, the supervisor or Internal Affairs Unit shall contact the complainant and advise them police originated DME exists for the incident and that no misconduct was observed.
 4. The supervisor or Internal Affairs Unit shall advise the complaining party that they may make an open records request for copy/copies of the police originated DME.
 5. The supervisor or Internal Affairs Unit shall proceed with their established protocols if misconduct is determined.
- B. An Officer who is the respondent to a citizen, or administrative complaint, shall have the ability to review any police originated DME and/or any police originated DME audit trail of the incident in question.
- C. The Internal Affairs Investigator may, for the purposes of an investigation or complaint, export or copy any and all police originated DME as needed.

.12 VIDEO CATEGORIZATION AND RETENTION

- A. After stopping the recording, Officers shall apply the proper call disposition code to the call.
- B. Video retention will be computer generated based on the call disposition code the officer entered. All generated BWC DME associated with a Call for Service number should be identified and labeled by the DME system, as long as the officer is assigned to a CFS prior to the beginning of the recording.



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VIDEO CATEGORIZATION AND RETENTION PERIODS	
Category	Retention Schedule
Admin Retention	5 years
Admin/Default, Crash, N-Code	180 days
Felony (Capital & First)	50 years
Felony (Second, Third & State), Recovered Stolen Veh, DWI	10 years
Misdemeanor Offense Report	2 years
Open Records Request	4 years
Police Act 30 Mon Retent	900 days
Reportable Incident, Traffic	2 years
Training	15 days
Uncategorized, Restricted, Pending Review	Until Manually Deleted

- C. Any/all videos initially categorized or upgraded to a Capital Felony or First-Degree Felony must be retained for a minimum of 50 years (18,250 days) in accordance with the Texas State Library and Archive Commission (Record # PS-4125-05b). Capital Felony/First Degree Felony, or any other video having evidentiary value, which needs to be retained past the standard retention period, must be identified by a Detective Investigator or a supervisor and have a hold request with an expiration date forwarded to the Records and Administration Office through the chain of command.
- D. Any video that becomes part of an internal investigation will:
1. Have all viewing privileges blocked out with the exception of personnel assigned to the Professional Standards/Internal Affairs Unit, the Shooting Team, or as assigned by the Chief of Police. This will be done in “active case management” and can be done remotely by those with administrative rights.
 2. Be placed on hold for indefinite retention until it is no longer needed.
- E. Non-evidentiary, accidental recordings tagged under category Admin Default, which contain personal and/or sensitive material, and which fall under Section .06J, may be deleted when:
1. An immediate supervisor is notified in writing; the supervisor notifies a systems administrator, who will restrict the video;
 2. Reviewed by a supervisor from the office of the Chief of Police;

.13 SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall ensure Officers are using the recording equipment according to established guidelines, policies, and procedures.
1. Supervisors, on a quarterly basis, will review at least one recording for all Officers under their command to ensure proper usage of recording equipment and adherence to established policy and procedures and where the officer had interaction with a citizen in their official capacity as a peace officer (Operational Conduct).
- OPERATIONAL CONDUCT**– Activity and/or action undertaken by a sworn member of the Department (Texas licensed Peace Officer) while acting in their official capacity and exercising their police powers. This includes actions taken while on duty or off duty employment.
2. Supervisors will review any category of recordings except Admin/Default, in accordance with Section .11 of this procedure.



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3. Supervisors will take corrective action for any procedural violation they observe and document the findings on the proper form.
4. Supervisors will identify and document the video they reviewed on the appropriate departmental form. All reviews shall be done no later than the 15th day after the quarter has ended. Supervisors shall provide an explanation in the “notes” section for any officer who did not have any videos reviewed during the quarter. Reviewing timelines are as follows:

	Starts	Ends	Review Deadline
Quarter 1	January 1 st	March 31 st	April 15 th
Quarter 2	April 1 st	June 30 th	July 15 th
Quarter 3	July 1 st	September 30 th	October 15 th
Quarter 4	October 1 st	December 31 st	January 15 th

- B. Supervisors shall record all incidents (i.e. use of force, Officer-involved accidents, and complaints against Officers) when requested or required to respond, in addition to those listed under Section .06D of this procedure.
- C. Supervisors shall view the recordings of all use of force incidents, police vehicle crashes, and police pursuits prior to completing their evaluations.
- D. Supervisors may view the recordings of their subordinates in the field at any time during the shift.
- E. Minor infractions (non-criminal) discovered during the routine reviews of recorded material should be addressed by the reviewing supervisor, including retraining when appropriate. Disciplinary actions will be addressed in accordance with GM Proc. 303, *Disciplinary Procedures*.
- F. Any supervisor made aware of a damaged or malfunctioning body worn camera shall arrange for replacement of the body worn camera. Supervisors shall replace the damaged/malfunctioning BWC in accordance with Section .09E of this procedure.

.14 REVIEWING DME

- A. The viewing of videos is restricted for official use only. Videos may be viewed for the following purposes :
 1. Criminal investigations;
 2. Internal Affairs or complaint reviews in accordance with Section .11 of this procedure;
 3. Pursuits;
 4. Use of force reviews;
 5. Open Record Requests (ORRs) in accordance with Section .10 of this procedure;
 6. Officer involved crashes; or
 7. Other – any purpose not listed in this procedure shall have prior documented approval by a supervisor.
- B. Personnel requiring access to locked videos will send a request for access/viewing of the specific DME through their chain-of-command.
- C. Personnel reviewing DME shall manually document name, badge number, and the purpose of their viewing in the “notes” field in the BWC application.



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- D. An Officer is entitled to access any police originated DME recording of an incident involving the Officer before the Officer is required to make a statement about the incident.
- E. The making of unauthorized copies is prohibited.

.15 USE OF BWC OFF-DUTY

- A. Officers working Off-Duty Employment or Outside Employment, with an approved off-duty employment permit as an extension of police services, shall utilize their BWCs in accordance with this procedure. However, Officers shall not utilize their BWC equipment while working NSA assignments.
- B. Off-duty Officers involved in an incident, where the BWC is used to collect DME, shall notify dispatch for a CFS or Case number to be assigned, so that proper tagging of the DME can occur.
- C. Officers requiring the use of BWC for off duty employment are allowed to utilize the BWC with video not yet uploaded.
- D. Officers shall dock and upload their BWC on their next regularly scheduled tour of duty or within 72 hours of their last regular duty assignment (in an effort to prevent loss or tampering of evidence). An Officer may request to go beyond the 72-hour period with the approval of a Sergeant or above, as per Section .13C of this procedure.
- E. Officers working **Extended Off-Duty hours** (i.e. Courtesy Officer or Rodeo, etc.) shall not work more than fourteen (14) consecutive days without docking their BWC for a “rest period” of twenty-four (24) hours to allow it to upload all video content, charge the battery and transmit / receive firmware updates and system maintenance.
- E. If, while off-duty, the officer’s BWC is lost / damaged, the officer shall refer to Section .09E of this procedure to obtain a replacement.

.16 TRAINING VIDEOS

- A. Officers/Supervisors aware of recorded files containing material that may be deemed beneficial as training material shall direct notification up the chain-of-command.
- B. The Training Academy Commander may, with the approval of the Chief of Police, use such recording for training purposes, taking into consideration pending judicial and/or administrative investigations.



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Subsection B. Critical Incident Information Release

.17 INTRODUCTION

- A. This section reflects the San Antonio Police Department commitment to enhancing public trust and increasing transparency in relation to the handling of “Critical Incidents” (defined below), specifically where an officer involved shooting occurs. SAPD recognizes the significance of providing the public with information related to critical incidents, especially those where police interactions with the public result in serious injury or death of an individual. However, the release of information must be balanced with other sound public policy objectives, including privacy and due process.
- B. This section establishes criteria for cases when SAPD will release video recordings and 911 records related to Critical Incidents. Releasing of video recordings and other information will be consistent with applicable State Law, confidentiality, and privacy laws and with the objective of not compromising ongoing investigations.
- C. Understanding that a video recording alone does not provide the entire account of events of an interaction with a police officer, SAPD may provide context that may include 911 calls, still photographs, witnesses’ recordings, narratives, and other information that will help describe the incident and place the recordings and audio in the appropriate context.

.18 CRITICAL INCIDENTS DEFINED

- A. For purposes of this section, Critical Incidents are defined as follows:
 - 1. Officer-Involved Shootings: Use of a firearm by a police officer that causes serious bodily injury or death
 - 2. Use-of-force: Use of force by a police officer that results in death or serious bodily injury
 - 3. A critical incident does not apply to officer-involved shootings of an animal, an unintentional discharge during pre-shift equipment checks, or during training qualifications on the firing range.
 - 4. Any other police encounter where the Chief of Police determines that releasing of a video recording serves a law enforcement purpose.

.19 RELEASE TIMELINE

- A. The Department will post audio and video recordings of Critical Incidents, after approval by the Chief of Police, 60 days after the date of an incident.
- B. Critical Incidents where domestic violence is involved or suspected will not be released unless the Chief of Police determines it serves a law enforcement purpose.
- C. Critical Incident recordings will be posted in the SAPD website and kept for 12 months.
- D. Except where release is prohibited by law, any decision to delay release beyond the 60 days in this procedure will be posted on the Department’s website stating the reason(s) for the delay. The recording should be released as soon as the reason(s) for the delay has been resolved to the satisfaction of the Chief of Police.
- E. Reasons to delay the release of a recording will be determined by the Chief of Police and may include:
 - 1. To protect the safety of the individuals involved
 - 2. To protect the integrity of an active investigation
 - 3. To protect confidential sources



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4. To protect the constitutional rights of an accused

F. If the Chief of Police determines that a recording of a Critical Incident will not be released to the public, in accordance with this procedure, the Department will post a statement stating the reasons for the decision within 60 days of the incident.

.20 INFORMATION TO BE RELEASED

A. The Chief of Police has discretion to publicly release, in whole or in part, any video recording related to a critical incident as defined in this procedure.

B. Release of any information related to juvenile suspects, including recordings, is prohibited by Texas law and will not be released.

.21 VIDEO RELEASE PROCEDURES

A. The Police Media Services Unit will be responsible for preparing the recording of the Critical Incident for public release, with the contents to be reviewed by the City Attorney's Office for legal compliance with applicable state and federal law.

B. Once the release of the recordings is approved by the Chief of Police, the Media Services Unit will make the following notifications 24 to 72 hours prior to the release:

1. Officers depicted in the video

2. Subject upon whom force was used or subject's legal counsel if applicable

3. If subject is deceased, the next of kin will be notified

4. City Manager and City Attorney

5. City Manager will notify Mayor and Council

6. District Attorney's Office

.22 RELEASE – LIMITED WAIVER

A. The release of any specific recording does not waive the Department's right to withhold other recording or information in the same case or any other case, as permitted by law. This procedure is not intended to displace or supersede any legal right or remedy available to any entity, and it is also not intended to prevent or hinder compliance by the Department with respect to any legal disclosure requirements.

UPDATE 16-01

EFFECTIVE DATE: February 12, 2016

**Procedure was revised to further clarify
instructions on the wearing of and use
of Body Worn Cameras.**



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Office with Primary Responsibility:	COP, COB, CSB, CMS	Effective Date:	December 21, 2020 September 12, 2022
		Prior Revision Date:	December 5, 2019 December 21, 2020
Office(s) with Secondary Responsibilities:	PSC, PNC, TEC, FCD, IDC, SSB, COR	Number of Pages:	12
Forms Referenced in Procedure:	SAPD FM #162	Related Procedures:	303, 307, 310, 408, 409, 507, 705, 905

Subsection A. Operations

.01 INTRODUCTION

The purpose of this procedure is to establish guidelines for the operation of Body Worn Cameras (BWC) assigned to San Antonio Police Officers for capturing audio/video evidence of police interactions including, but not limited to, traffic violations, field interviews, field sobriety testing, and/or other official police activity.

.02 TERMINOLOGY

Body Worn Camera (BWC) means a bodily worn digital recording system and its components used to record audio/video during police interactions.

Digital Media Evidence (DME) means analog or digital media, including, but not limited to, electronic recordings of video, photograph, audio, film, magnetic and optical media, and/or the information contained therein digitally committed to file and of probative value that is stored or transmitted in binary form.

Body Worn Camera Status

- 1) Off – the camera is not on. In this mode, the camera does not have power and will not record video or buffering video but does record button presses.
- 2) Buffering Mode (ON) – the camera is powered on but not recording. In this mode, the camera stores a 30 second history in flash memory prior to the start of the BWC DME recording. When the recording is started the buffering, recording becomes part of the BWC DME. Officers are required to leave their BWC powered ON for their entire shift, except when on a Personal Relief Break.
- 3) Recording – the camera is powered on and recording a video. An officer starts a recording by pushing the event button twice. A recording is stopped by a “long” press of the event button.

Buffering Video means the video stored in the flash memory of a Body Worn Camera that captures events prior to a recording being started.

.03 POLICY

- A. It is the policy of the San Antonio Police Department to present for prosecution audio/video evidence of traffic and other law violations as outlined in Section .06 of this procedure. To this end, Officers with properly functioning BWC equipment shall record all events surrounding the contact, stop, detention, interview, and arrest of suspected violators and maintain this recorded evidence for consideration in criminal prosecution.
- B. All DME generated on Department-owned BWC equipment is the property of the San Antonio Police Department. The copying or reproducing of any DME generated by members of the Department for use outside of Department business is prohibited. Requests for copies will be processed by the Department’s Video Evidence Custodian.
- C. Distribution of any DME generated by Department members in any format or for any purpose must be in compliance with this procedure and applicable unit SOPs.



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- D. All Officers assigned BWC equipment issued by the Department shall be properly trained in its functions and procedures before use. Uniformed officers that regularly engage or have contact with the public shall wear their issued BWC during their tour of duty. Officers wearing any other uniform should have their issued BWC readily available for use as outlined in this procedure
- E. The BWC program shall be reviewed and updated continuously by the Body Worn Camera Unit as the program moves forward. Individual Sections/Units shall be responsible to document their individualized utilization of cameras, which are in line with this procedure but not defined in this procedure, in their respective Standard Operating Procedures (SOPS). Examples may include utilizing the BWC for interviews/interrogations, training and other section/unit specific activities.
- F. Failure to record activities as laid out in this policy will not be considered a policy violation as long as reasonable justification is documented. Any justification for failing to activate the body worn camera because it is unsafe, unrealistic, or impracticable is based on whether a reasonable officer under the same or similar circumstances would have made the same decision (Texas Occupations Code Sec 1701.657 (d)).

.04 ADMINISTRATIVE

- A. All generated DME will be retained according to Section .12 of this procedure.
- B. DME shall not be altered, modified, misused, or tampered with.
- C. Any disabling of the BWC system in any manner is prohibited.
- D. Any unauthorized decals, emblems, symbols or other advertisement affixed to the device are prohibited. A label containing identifiable markings, affixed to the rear of the BWC device not visible while worn is authorized.
- E. Standardized viewing privileges of DME for administrative and investigatory purposes shall be as follows:
 - 1. All Officers will be able to view their own DME;
 - 2. Detective-Investigators and above will have viewing privileges for all DME.
- F. All generated BWC DME associated with a Call for Service number should be identified and labeled by the DME system, as long as the officer is assigned to a CFS prior to the beginning of the recording.

.05 STARTUP

- A. Officers shall ensure that the BWC is operational by powering the unit on and confirming the status of the indicator LED's.
- B. Officers shall ensure proper alignment and positioning of the BWC on the front of the Officer's outer most garments (nothing shall be placed in front of the camera in such a manner that it interferes with or obstructs the recording of video at any time during the course of the Officer's duties, this includes any object that prevents the camera from recording both video and audio).
- C. Officers shall keep their Body Worn Camera in buffering mode (ON) throughout their shift. Officers shall not change the operation of their Body Worn Camera that prevents the camera from capturing the buffering video, the video and audio of their calls.

.06 RECORDING

- A. Officers are not required to advise citizens they are being recorded and are prohibited from showing any citizen a video which they recorded; furthermore, Officers should not start/stop the BWC solely upon the request of a citizen.



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- B. Officers shall create a Call for Service (CFS) for any self-initiated video at the time of recording. Officers shall stop recording at the end of each CFS number and start a separate recording for each new CFS number assigned or initiated.
- C. Officers shall use the recording to gather pertinent information for composing reports, training, and investigatory purposes.
- D. Officers shall begin recording the following events and continue recording until the event is concluded; (Any deviations will require a supervisor's approval and must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .07 of this procedure):
 - 1. Upon observation of suspicious or criminal behavior;
 - 2. Officer-initiated contacts:
 - a. Arrest,
 - b. Field Contacts,
 - c. Traffic/Pedestrian Stops,
 - d. Vehicle/Foot Pursuits;
 - 3. During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as Public Safety Head Quarters (PSHQ) or the Magistrate's Office, the Officer may ~~cease~~ stop recording upon entering the facility or transferring custody of the prisoner/witness;
 - 4. In instances where the Officer reasonably believes that the recording may provide evidence in criminal investigations;
 - 5. Service of any search or arrest warrants on the premises of a residence, business or building, if the Officer is assisting in such service of search or arrest warrants; and
 - 6. Citizen-initiated contacts or flagged down requests for public safety services.
- E. Officers should begin recording upon reception of or response to CFS, whether dispatched or not; to include assisting outside agencies (Federal, State, County or Municipal.) However, officers shall begin recording prior to arriving at the scene.
- F. Subsequent arrest, handcuffing and search of violators should take place in view of the camera when practical and in accordance with Departmental policies. All arrests, handcuffing, and searches occurring out of view of the camera must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .06 of this procedure.
- F. Officers shall not stop or mute a recording during a public encounter or assigned CFS, except for the following reasons.
 - 1. Officers may stop and/or mute:
 - a. While conferring with undercover/covert officers from investigative divisions, or confidential informants or with federal officers/agents. However, officers shall un-mute prior to continuing or taking any law enforcement action;
 - b. Personal relief or break and;



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2. Officers may momentarily mute only:
 - a. Conversations that involve police and/or case tactics or strategy and;
 - b. Personal emergency matters of a sensitive nature (i.e. family emergency, medical emergency, catastrophic event).
3. Officers may mute, with Supervisors approval only, where Officers duties are unlikely to lead to information relevant to a case, (i.e. directing traffic, preserving a crime scene). The BWC audio shall be reactivated immediately if the circumstances change or any police action is to be taken.
- G. All stoppages and/or muting, other than accidental recording, of the BWC must be verbally documented—stating a specific reason—in the officer's video, and in writing in the officer's report or CFS comment entry field in accordance with Section .07 of this procedure.
- H. When an Officer makes the decision to start an investigation, or at the start of the initial CFS, the officer may verbally articulate facts or observations that may be noteworthy. This articulation may continue throughout the entire recording. **(Note: This does not apply to DWI investigations, Procedure 507, Sec.04.)**
- I. Officers shall not:
 1. Mute/Stop BWC DME Recordings where other members of the department are off duty and a subject of the call in which the member was not acting under the color of his or her authority.
 2. Intentionally create DME recordings of themselves or other employees in areas where a reasonable expectation of privacy exists such as locker rooms, restrooms, etc.
 3. Be assigned to a new call before the end of their current call, due to video recording restrictions. . Officers will not request a dispatcher to "put a call on hold" to briefly make the scene of another call then return to the original call on the same recording.
 4. Use the BWC for the clandestine recording of the voice or image of a member of the Department unless specifically authorized by the Office of the Chief.
 5. Knowingly record undercover officers or confidential informants.
 6. Use Departmentally-owned BWC equipment to record any type of personal activities.
 7. Allow non-sworn personnel to view the DME video without permission from the Officer's immediate supervisor. Governmental employees who are directly involved in the investigation and/or prosecution of a criminal case related to the DME video or who work in Internal Affairs or IT Services supporting BWC are exempt from this provision.
 8. Create recordings in patient care areas of any medical or mental health facilities unless the recording is for official police business such as a criminal investigation, dying declaration, Horizontal Gaze Nystagmus (HGN) on injured drivers, or a specific call for police service, in compliance with Federal HIPAA regulations.
 9. Record any court facility, legal proceeding (i.e. deposition, city council meetings) or, secured governmental facility.
 10. Upload or convert DME for use on any type of social media.
 11. Connect BWC equipment to any unauthorized computers, phones, tablets or similar devices, either wirelessly or by the use of a cable.



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- J. Officers shall notify a Supervisor immediately if he/she accidentally records, or is aware of any of the listed incidents:
 - 1. An Officer, SAPD employee, COSA employee, or authorized person in a designated private area (i.e. restroom, locker room), accessible to the Officer, shall notify a supervisor immediately of the recording;
 - 2. An individual in a designated private area (i.e. restroom, locker room) where the video is non-evidentiary;
 - 3. A Personal conversation among Officers or other employees, where the video is non-evidentiary;
 - 4. Supervisors shall make notifications as listed in this procedure section 12.E.
- K. When responding to a call or initiating any activity in which an explosive device, suspected explosive device or Hazardous Materials Environment is present, the officer will, prior to exiting their vehicle, ensure that their in-car system is recording and remove their microphone and/or BWC and leave it in their vehicle. The removing of the microphone and/or BWC and leaving it in the vehicle must be clearly documented in the officer's report or CFS comment entry field.

.07 WHEN A BODY WORN CAMERA VIDEO CAN BE STOPPED

- A. Unless otherwise permitted by this procedure, once the BWC is recording, it shall remain recording until the incident has concluded.
- B. For the purpose of this section, conclusion of the incident has occurred when:
 - 1. All arrests have been made and arrestees have been transported and released from custody;
 - 2. All witnesses and victims have been interviewed; and
 - 3. The continued recording will not serve to obtain additional evidence.
- C. All stoppages and/or muting, other than accidental recording, of the BWC must be verbally documented—stating a specific reason—in the officer's video, and in writing in the officer's report or CFS comment entry field in accordance with Section .07 of this procedure.
- D. Failure to record activities as laid out in this policy will not be considered a policy violation as long as reasonable justification is documented. Any justification for failing to activate the body worn camera because it is unsafe, unrealistic, or impracticable is based on whether a reasonable officer under the same or similar circumstances would have made the same decision (Texas Occupations Code Sec 1701.657 (d)).

.08 BWC DME UPLOADS

- A. Officers will upload video in accordance with the specific device's operational instructions.
- B. The officer shall enter any pertinent information associated with each video (e.g. citation #, warning #, etc.), in the CFS/Case notes section of CAD before being placed in service.
- C. Officers shall annotate in their reports the existence or absence of any associated BWC DME.
- D. Prior to the end of their duty day the officer will go to a designated docking station and upload the BWC DME. The DME will then be uploaded to the departments contract cloud-based storage.
- E. Special/Exigent Circumstance DME Uploading.



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1. If Officers are involved in collisions and/or are otherwise unable to return to the substation, supervisors shall adhere to the following:
 - a. The notified supervisor or Patrol Supervisor shall coordinate the retrieval and upload of the BWC;
 - b. The Crime Scene Investigator Supervisor will then upload the BWC (if applicable);
 - c. Upon completion of the video upload, the BWC must be returned to the Officer's supervisor.
 2. Critical Incidents
 - a. Upon the conclusion of a critical incident, all Officers will return to the appropriate facility in order to have all DME uploaded. The BWC device will not be returned to service until all DME has been removed and completion confirmation of upload has been received by the CSI supervisor or designee.
- F. All video must be uploaded before the Officer's next assigned shift. No Officer is permitted to take a BWC home while it still contains video on it, unless authorized by the on duty Sergeant or in accordance with Section .16 of this procedure.

.09 EQUIPMENT

- A. On an individual basis, Officers will sign for and be issued a BWC as well as the device's associated accessories. It will be the Officer's responsibility to ensure their issued BWC device is fully charged, available and operable prior to their tour of duty.
- B. No member assigned BWC equipment shall alter, modify, reuse, tamper with or disable the device or associated accessories in any manner.
- C. Officers assigned BWC equipment are responsible for ensuring the equipment remains in operating condition. Officers shall notify their immediate supervisor of damaged or malfunctioning BWC equipment and complete SAPD Form BWC2, *Body Worn Camera Equipment Replacement Receipt*.
- D. Officers shall report lost/damaged/malfunctioning BWCs to their immediate supervisor. A written report shall be completed as directed by the Officer's SOP for lost or damaged items.
 - .1 Replacement cameras can be obtained through:
 - a. The Body Worn Camera Unit or;
 - b. The Ready Room at Public Safety Headquarters (a supervisor must check out the key from RMC). When a supervisor replaces an officer's camera, the supervisor shall assign the replacement camera to the officer and complete form BWC2, which is located in the Ready Room at PSHQ.

.10 VIDEO COPIES/RECORDS REQUEST

- A. Requests by non-criminal justice agencies/individuals for DME will be handled under the Open Records Act in accordance with GM Procedure 323, *Release of Police Records*.
- B. A copy (for internal use only) of DME file may be requested through the Video Evidence Custodian or their designee. If such copy is provided, the file shall not be further copied except by the Video Evidence Custodian or their designee.
- C. Requests for DME from other criminal justice agencies are to be submitted in writing on agency letterhead and signed by the agency's Chief Executive Officer to the Video Evidence Custodian or their designee. Request letters may be emailed PDCobanVideoRequests@sanantonio.gov.



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1. Requests for DME for prosecutorial purposes may be submitted directly to the Video Evidence Custodian or their designee.
2. Requests for DME from defense attorneys in county, district, or federal courts must be made through the appropriate prosecutor.
- D. All copies of DME will be produced by the Video Evidence Custodian or their designee. A copy is defined as a reproduction of the primary recording of the event.
- E. The cost for producing the DME will be determined by the Records Unit.
- F. All other requests for DME should be referred to the Office of the Chief of Police.
- G. An automated internal electronic data access log (chain-of-custody) will be generated and kept for every DME file produced via BWC to document the authenticity of the DME. Members shall be prepared to justify the reason for accessing/viewing DME.
- H. The release of all digital evidence created/generated through the use of BWC will only be conducted under the statutes and limitations outlined in the *Texas Occupation Code, Title 10. Occupations Related to Law Enforcement and Security, Chapter 1701. Law Enforcement Officers*

.11 COMPLAINTS RECEIVED/VIDEO REVIEW

- A. When a complaint is received alleging misconduct involving an Officer who is assigned a BWC, the following procedures shall be followed:
 1. The Officer's immediate supervisor or Internal Affairs Unit shall determine if any police originated DME exists.
 2. The supervisor or Internal Affairs Unit shall view the video(s) of the incident in question and determine if there is any cause for the allegations in the complaint.
 3. If no cause is determined, the supervisor or Internal Affairs Unit shall contact the complainant and advise them police originated DME exists for the incident and that no misconduct was observed.
 4. The supervisor or Internal Affairs Unit shall advise the complaining party that they may make an open records request for copy/copies of the police originated DME.
 5. The supervisor or Internal Affairs Unit shall proceed with their established protocols if misconduct is determined.
- B. An Officer who is the respondent to a citizen, or administrative complaint, shall have the ability to review any police originated DME and/or any police originated DME audit trail of the incident in question.
- C. The Internal Affairs Investigator may, for the purposes of an investigation or complaint, export or copy any and all police originated DME as needed.

.12 VIDEO CATEGORIZATION AND RETENTION

- A. After stopping the recording, Officers shall apply the proper call disposition code to the call.
- B. Video retention will be computer generated based on the call disposition code the officer entered. All generated BWC DME associated with a Call for Service number should be identified and labeled by the DME system, as long as the officer is assigned to a CFS prior to the beginning of the recording.



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VIDEO CATEGORIZATION AND RETENTION PERIODS	
Category	Retention Schedule
Admin Retention	5 years
Admin/Default, Crash, N-Code	180 days
Felony (Capital & First)	50 years
Felony (Second, Third & State), Recovered Stolen Veh, DWI	10 years
Misdemeanor Offense Report	2 years
Open Records Request	4 years
Police Act 30 Mon Retent	900 days
Reportable Incident, Traffic	2 years
Training	15 days
Uncategorized, Restricted, Pending Review	Until Manually Deleted

- C. Any/all videos initially categorized or upgraded to a Capital Felony or First-Degree Felony must be retained for a minimum of 50 years (18,250 days) in accordance with the Texas State Library and Archive Commission (Record # PS-4125-05b). Capital Felony/First Degree Felony, or any other video having evidentiary value, which needs to be retained past the standard retention period, must be identified by a Detective Investigator or a supervisor and have a hold request with an expiration date forwarded to the Records and Administration Office through the chain of command.
- D. Any video that becomes part of an internal investigation will:
1. Have all viewing privileges blocked out with the exception of personnel assigned to the Professional Standards/Internal Affairs Unit, the Shooting Team, or as assigned by the Chief of Police. This will be done in “active case management” and can be done remotely by those with administrative rights.
 2. Be placed on hold for indefinite retention until it is no longer needed.
- E. Non-evidentiary, accidental recordings tagged under category Admin Default, which contain personal and/or sensitive material, and which fall under Section .06J, may be deleted when:
1. An immediate supervisor is notified in writing; the supervisor notifies a systems administrator, who will restrict the video;
 2. Reviewed by a supervisor from the office of the Chief of Police;

.13 SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall ensure Officers are using the recording equipment according to established guidelines, policies, and procedures.
1. Supervisors, on a quarterly basis, will review at least one recording for all Officers under their command to ensure proper usage of recording equipment and adherence to established policy and procedures and where the officer had interaction with a citizen in their official capacity as a peace officer (Operational Conduct).
- OPERATIONAL CONDUCT**– Activity and/or action undertaken by a sworn member of the Department (Texas licensed Peace Officer) while acting in their official capacity and exercising their police powers. This includes actions taken while on duty or off duty employment.
2. Supervisors will review any category of recordings except Admin/Default, in accordance with Section .11 of this procedure.



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3. Supervisors will take corrective action for any procedural violation they observe and document the findings on the proper form.
4. Supervisors will identify and document the video they reviewed on the appropriate departmental form. All reviews shall be done no later than the 15th day after the quarter has ended. Supervisors shall provide an explanation in the “notes” section for any officer who did not have any videos reviewed during the quarter. Reviewing timelines are as follows:

	Starts	Ends	Review Deadline
Quarter 1	January 1 st	March 31 st	April 15 th
Quarter 2	April 1 st	June 30 th	July 15 th
Quarter 3	July 1 st	September 30 th	October 15 th
Quarter 4	October 1 st	December 31 st	January 15 th

- B. Supervisors shall record all incidents (i.e. use of force, Officer-involved accidents, and complaints against Officers) when requested or required to respond, in addition to those listed under Section .06D of this procedure.
- C. Supervisors shall view the recordings of all use of force incidents, police vehicle crashes, and police pursuits prior to completing their evaluations.
- D. Supervisors may view the recordings of their subordinates in the field at any time during the shift.
- E. Minor infractions (non-criminal) discovered during the routine reviews of recorded material should be addressed by the reviewing supervisor, including retraining when appropriate. Disciplinary actions will be addressed in accordance with GM Proc. 303, *Disciplinary Procedures*.
- F. Any supervisor made aware of a damaged or malfunctioning body worn camera shall arrange for replacement of the body worn camera. Supervisors shall replace the damaged/malfunctioning BWC in accordance with Section .09E of this procedure.

.14 REVIEWING DME

- A. The viewing of videos is restricted for official use only. Videos may be viewed for the following purposes:
 1. Criminal investigations;
 2. Internal Affairs or complaint reviews in accordance with Section .11 of this procedure;
 3. Pursuits;
 4. Use of force reviews;
 5. Open Record Requests (ORRs) in accordance with Section .10 of this procedure;
 6. Officer involved crashes; or
 7. Other – any purpose not listed in this procedure shall have prior documented approval by a supervisor.
- B. Personnel requiring access to locked videos will send a request for access/viewing of the specific DME through their chain-of-command.
- C. Personnel reviewing DME shall manually document name, badge number, and the purpose of their viewing in the “notes” field in the BWC application.



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- D. An Officer is entitled to access any police originated DME recording of an incident involving the Officer before the Officer is required to make a statement about the incident.
- E. The making of unauthorized copies is prohibited.

.15 USE OF BWC OFF-DUTY

- A. Officers working Off-Duty Employment or Outside Employment, with an approved off-duty employment permit as an extension of police services, shall utilize their BWCs in accordance with this procedure. However, Officers shall not utilize their BWC equipment while working NSA assignments.
- B. Off-duty Officers involved in an incident, where the BWC is used to collect DME, shall notify dispatch for a CFS or Case number to be assigned, so that proper tagging of the DME can occur.
- C. Officers requiring the use of BWC for off duty employment are allowed to utilize the BWC with video not yet uploaded.
- D. Officers shall dock and upload their BWC on their next regularly scheduled tour of duty or within 72 hours of their last regular duty assignment (in an effort to prevent loss or tampering of evidence). An Officer may request to go beyond the 72-hour period with the approval of a Sergeant or above, as per Section .13C of this procedure.
- E. Officers working **Extended Off-Duty hours** (i.e. Courtesy Officer or Rodeo, etc.) shall not work more than fourteen (14) consecutive days without docking their BWC for a “rest period” of twenty-four (24) hours to allow it to upload all video content, charge the battery and transmit / receive firmware updates and system maintenance.
- E. If, while off-duty, the officer’s BWC is lost / damaged, the officer shall refer to Section .09E of this procedure to obtain a replacement.

.16 TRAINING VIDEOS

- A. Officers/Supervisors aware of recorded files containing material that may be deemed beneficial as training material shall direct notification up the chain-of-command.
- B. The Training Academy Commander may, with the approval of the Chief of Police, use such recording for training purposes, taking into consideration pending judicial and/or administrative investigations.



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Subsection B. Critical Incident Information Release

.17 INTRODUCTION

- A. This section reflects the San Antonio Police Department commitment to enhancing public trust and increasing transparency in relation to the handling of “Critical Incidents” (defined below), specifically where an officer involved shooting occurs. SAPD recognizes the significance of providing the public with information related to critical incidents, especially those where police interactions with the public result in serious injury or death of an individual. However, the release of information must be balanced with other sound public policy objectives, including privacy and due process.
- B. This section establishes criteria for cases when SAPD will release video recordings and 911 records related to Critical Incidents. Releasing of video recordings and other information will be consistent with applicable State Law, confidentiality, and privacy laws and with the objective of not compromising ongoing investigations.
- C. Understanding that a video recording alone does not provide the entire account of events of an interaction with a police officer, SAPD may provide context that may include 911 calls, still photographs, witnesses’ recordings, narratives, and other information that will help describe the incident and place the recordings and audio in the appropriate context.

.18 CRITICAL INCIDENTS DEFINED

- A. For purposes of this section, Critical Incidents are defined as follows:
 - 1. Officer-Involved Shootings: Use of a firearm by a police officer that causes serious bodily injury or death
 - 2. Use-of-force: Use of force by a police officer that results in death or serious bodily injury
 - 3. A critical incident does not apply to officer-involved shootings of an animal, an unintentional discharge during pre-shift equipment checks, or during training qualifications on the firing range.
 - 4. Any other police encounter where the Chief of Police determines that releasing of a video recording serves a law enforcement purpose.

.19 RELEASE TIMELINE

- A. The Department will post audio and video recordings of Critical Incidents, after approval by the Chief of Police, **60** within 30 days **after of** the date of an incident.
- B. Critical Incidents where video release is prohibited by law will not be released, for example where the incident involves a juvenile
- BC. Critical Incidents where domestic violence is involved or suspected will not be released unless the Chief of Police determines it serves a law enforcement purpose.
- CD. Critical Incident recordings will be posted in the SAPD website and kept for 12 months.
- DE. Except where release is prohibited by law, any decision to delay release beyond the **60** 30 days in this procedure will be posted on the Department’s website stating the reason(s) for the delay. The recording should be released as soon as the reason(s) for the delay has been resolved to the satisfaction of the Chief of Police.
- EF. Reasons to delay the release of a recording will be determined by the Chief of Police and may include:



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1. To protect the safety of the individuals involved **San Antonio Police Department GENERAL MANUAL Procedure 410 – Body Worn Cameras General Manual Procedures – Section 400 Technical Procedures Page 12 of 12 Effective Date: September 12, 2022**

2. To protect the integrity of an active investigation
3. To protect confidential sources

~~4. To protect the constitutional rights of an accused~~

EG. If the Chief of Police determines that a recording of a Critical Incident will not be released to the public, in accordance with this procedure, the Department will post a statement stating the reasons for the decision within **60 30** days of the incident.

.20 INFORMATION TO BE RELEASED

- A. The Chief of Police has discretion to publicly release, in whole or in part, any video recording related to a critical incident as defined in this procedure.
- B. Release of any information related to juvenile suspects, including recordings, is prohibited by Texas law and will not be released.

.21 VIDEO RELEASE PROCEDURES

- A. The Police Media Services Unit will be responsible for preparing the recording of the Critical Incident for public release, with the contents to be reviewed by the City Attorney's Office for legal compliance with applicable state and federal law.
- B. Once the release of the recordings is approved by the Chief of Police, the Media Services Unit will make the following notifications 24 to 72 hours prior to the release:
 1. Officers depicted in the video
 2. Subject upon whom force was used or subject's legal counsel if applicable
 3. If subject is deceased, the next of kin will be notified
 4. City Manager and City Attorney
 5. City Manager will notify Mayor and Council
 6. District Attorney's Office

.22 RELEASE – LIMITED WAIVER

- A. The release of any specific recording does not waive the Department's right to withhold other recording or information in the same case or any other case, as permitted by law. This procedure is not intended to displace or supersede any legal right or remedy available to any entity, and it is also not intended to prevent or hinder compliance by the Department with respect or any legal disclosure requirements.