

Worksession

MEMORANDUM

April 14, 2016

TO: Planning, Housing, and Economic Development Committee
Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst *SJF*

SUBJECT: Worksession: FY17 Operating Budget – M-NCPPC Park Police

Those expected for this worksession:

From Park Police:

Chief Antonio B. DeVaul
Assistant Chief George Coleman
IT Systems Manager Alan Felsen
Budget Manager Tricia Mccourt

Overview

For FY17, M-NCPPC request for Park Police is \$13,973,206 and 117 workyears (budget excerpt ©1). Proposed funding represents a 0.6% decrease from the approved FY16 operating budget. M-NCPPC requests one new full time career position for a system administrator to manage the Park Police division's databases and disparate computer systems affecting law enforcement and security. Park Police will be required to achieve 9.4 workyears of lapse; slightly more than what was required in FY16.

M-NCPPC Park Police				
	FY15 Actual	FY16 Approved	FY17 Proposed	% Change FY16-FY17
Personnel	\$12,620,023	\$13,211,318	\$12,968,569	-1.9%
Operating	\$842,019	\$846,420	\$1,004,637	15.7%
Capital Outlay	\$1,960			
TOTAL	\$13,464,002	\$14,057,738	\$13,973,206	-0.6%

Crime Statistics/Goals and Performance Measures

The annual crime statistic report for Park Police is attached at ©3-4 and the Goals and Performance Measures reported in the M-NCPPC budget document are attached at ©5-6. In 2015, Part I crimes were down by about 3%. Part II crimes were down by about 8%. In terms of Part I Crimes, many of the actual numbers of offenses are relatively small, so large percentage changes can occur from small number changes. Three murders and one rape were reported in 2015. The incidents of robbery, 1st degree assault, and burglary all decreased from 2014. Thefts, however, have increased about 7%. The most reported Part I Crime continues to be theft. Juvenile physical arrests have decreased significantly over the past several years, from 65 in 2012 to 0 in 2015.

M-NCPPC Park Police						%Change
	2011	2012	2013	2014	2015	2014-2015
Part 1 Offenses						
Murder	0	0	0	0	3	
Rape	0	3	0	2	1	-50.0%
Robbery	6	7	16	9	8	-11.1%
1st Degree Assault	3	8	4	13	3	-76.9%
Burglary	19	11	13	13	6	-53.8%
Thefts	154	133	169	145	155	6.9%
Auto Thefts	4	2	2	0	1	#DIV/0!
TOTAL PART 1	186	164	204	182	177	-2.7%
Part 2 Offenses						
Destruction/Vandalism	206	175	135	147	134	-8.8%
Sex Offense	7	17	9	6	12	100.0%
Narcotic Drug Law	220	289	270	222	204	-8.1%
Littering/Dumping	68	60	43	46	54	17.4%
2nd Degree Assault	23	42	47	22	27	22.7%
Other Part 2	222	203	243	186	137	-26.3%
TOTAL PART 2	746	786	747	629	568	-9.7%
TOTAL OFFENSES	932	950	951	811	745	-8.1%
Physical Arrests:						
Adult Arrests	171	124	130	74	91	23.0%
Juvenile Arrests	61	65	39	6	0	-100.0%
Arrest by Citation/Warrant						
Adult Criminal Citations	285	434	473	404	73	-81.9%
Juvenile Criminal Citations	182	249	174	170	131	-22.9%
Outstanding Warrant	85	97	69	59	67	13.6%
TOTAL ARRESTS	784	969	885	713	362	-49.2%
Total Civil/Traffic/State Citations	14,750	16,599	18,638	17,535	25,057	42.9%

Body Camera Program

The Park Police are implementing a body camera program for FY17. The program will provide 90 cameras and provide coverage for all sworn positions:

Positions	Number of Cameras Assigned
Patrol	42
Special Operations	12
Community Response Team	7
Canine	5
Rangers	3
Investigative Services Section	7
Chief and Administrative Staff	14
TOTAL:	90

The Police have chosen Panasonic Arbitrator as the vendor for body cameras. Expenditure detail is included on ©6. Total contractual costs are estimated to be \$145,003 over five years. The Department's draft Body Camera Policy is attached at ©10-18.

New Information Technology (IT) Position

The FY17 budget request also includes one full-time career position as a System Administrator to manage the Division's databases. The Division has hired a contractual Information Technology Systems Manager. The incumbent oversees the administration and integration of various systems that are applied to law enforcement, enterprise security, and life safety. Some of the systems overseen include Police Mapping/Auto Vehicle Locator systems, State/CJIS/NCIC interfaces, Electronic Ticketing systems, Automated Crash Reporting systems, In-Car Enforcement Video System, Fire Alarms, Emergency Call Stations, Security Operations, and other related systems. The proposed annual salary and benefits for a full-time employee is \$100,658.

Council Staff Recommendation

Council staff recommends approval as submitted.

This packet contains

Proposed Budget Detail FY17	© 1
Park Police Organizational Structure	2
Crime Statistics for Calendar 2015	3-4
Park Police Overview, including Goals and Performance Measures	5-6
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**Montgomery County
Department of Parks - Park Police**

BUDGET AT A GLANCE

Summary of Division Budget

	FY16 Adopted	FY17 Proposed	% Change
Budget			
Expenditures	\$14,057,738	\$13,973,206	-0.6%
Staffing			
Funded Career Positions	116.00	117.00	0.9%
Funded Workyears	111.90	111.60	-0.3%

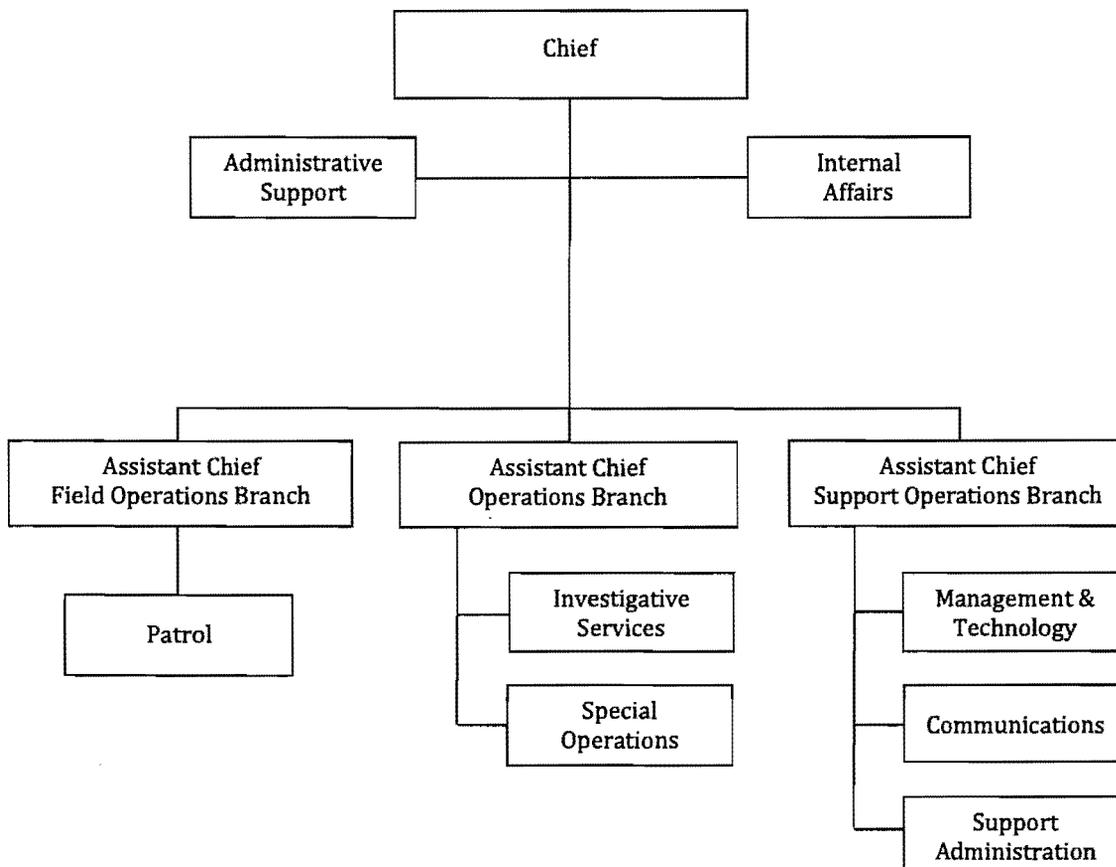
HIGHLIGHTS AND MAJOR CHANGES IN FY17 PROPOSED BUDGET

- Includes one (1) full time career and one (1) WY and funding for a system administrator to manage the division's databases and disparate computer systems affecting law enforcement and security.
- Includes increase of salary lapse by 1.3 WYs based on historical trend.
- Increases Supplies & Materials by \$140,000 for body worn cameras for all sworn police officers and by \$9,973 for other divisional needs.
- Increases Other Services & Charges by \$8,244 for contractual increases.



**Montgomery County
Department of Parks - Park Police**

ORGANIZATIONAL STRUCTURE



**MARYLAND-NATIONAL CAPITAL PARK POLICE
MONTGOMERY COUNTY DIVISION
2015 ANNUAL CRIME REPORT
JANUARY - DECEMBER
CRIME STATISTICS**

PART I OFFENSES						
CRIME	2011	2012	2013	2014	2015	CHANGE
MURDER	0	0	0	0	3	3
RAPE	0	3	0	2	1	-1
ROBBERY	6	7	16	9	8	-1
1ST DEGREE ASSAULTS	3	8	4	13	3	-10
Gun	1	2	0	7	0	-7
Knife	0	5	2	6	0	-6
Other	2	1	2	0	3	3
BURGLARY	19	11	13	13	6	-7
Force	15	10	7	12	5	-7
No Force	3	1	4	1	1	0
Attempts	1	0	2	0	0	0
THEFTS	154	133	169	145	155	10
AUTO THEFTS	4	2	2	0	1	1
PART I TOTALS	186	164	204	182	177	-5

PART II OFFENSES						
OFFENSE	2011	2012	2013	2014	2015	CHANGE
DESTRUCTION	206	175	135	147	134	-13
Vandalism	65	63	59	85	62	-23
Hate/Violence	5	6	2	3	1	-2
Graffiti	136	106	74	59	71	12
SEX OFFENSES	7	17	9	6	12	6
NARCOTIC DRUG LAWS	220	289	270	222	204	-18
LITTERING/DUMPING	68	60	43	46	54	8
2ND DEGREE ASSAULTS	23	42	47	22	27	5
OTHER PART II	222	203	243	186	137	-49
PART II TOTAL	746	786	747	629	568	-61
TOTAL OFFENSES	932	950	951	811	745	-66

* "Change" is difference between 2014 and 2015 figures only

**2015 ANNUAL CRIME REPORT
JANUARY - DECEMBER
CRIME STATISTICS (CONTINUED)**

ARRESTS	2011	2012	2013	2014	2015	CHANGE
Adult Physical Arrests	171	124	130	74	91	17
Juvenile Physical Arrests	61	65	39	6	0	-6
Adult Criminal Citations	285	434	473	404	73	-331
Juvenile Citations/Juv Pet.	182	249	174	170	131	-39
Outstanding Warrant Arrests	85	97	69	59	67	8
TOTAL ARRESTS	784	969	885	713	362	-351

CITATIONS	2011	2012	2013	2014	2015	CHANGE
Civil	996	1143	801	667	1105	438
Civil Warnings	1692	1944	1706	1944	3228	1284
Parking	887	533	748	1081	1055	-26
State	5072	3918	4668	3342	4,360	1,018
State Warnings	5212	7980	8892	8654	12,332	3,678
DNR	48	82	88	28	29	1
SERO	574	669	1412	1177	1999	822
Field Contacts	269	330	323	642	949	307
TOTAL CITATIONS	14,750	16,599	18,638	17,535	25,057	7,522

25057

ACCIDENTS	2011	2012	2013	2014	2015	CHANGE
Fatal	0	0	0	0	0	0
Injury	18	31	32	28	24	-4
Property Damage	65	59	59	71	85	14
Hit and Run	6	7	4	9	0	9
TOTAL ACCIDENTS	89	97	95	108	109	1

POLICE ACTIVITIES	2011	2012	2013	2014	2015	CHANGE
Self Initiated Calls	76,689	76,621	71,205	83,496	93,007	9,511
Total Calls for Service	82,833	77,252	76,598	89,510	98,855	9,345
REPORTS WRITTEN	1672	1652	1586	1449	1362	-87

* "Change" is difference between 2014 and 2015 figures only

Montgomery County

Department of Parks - Park Police

OVERVIEW

The division is committed to providing professional public safety services with a focus on crime prevention and detection through statistical analysis of citizen based calls for service and officer observations to ensure a safe park system.

The park land is diverse in its terrain. The use of bicycles, ATVs, marine, canine, motorcycle and horse-mounted officers demonstrate the unique resources the Park Police deploy to ensure that all areas of the park system are patrolled.

The Park Police division is divided into three operational branches and an Administrative Section. The operational components are the **Field Operations** branch comprised of Patrol Services; the **Support Operations** branch comprised of Community Services, Management and Technology, Communications and Support Administration; and the **Operations Branch** comprised of Investigative Services and Special Operations. The **Administrative Section** includes the Office of the Division Chief and Internal Affairs. The division's personnel compliment is augmented by approximately 41 volunteers.

MISSION

To provide public safety services to protect the properties, resources, citizens and visitors within the Montgomery County park system.

PROGRAMS AND SERVICES PROVIDED

- Proactive Patrols
- Undercover Investigations
- Crime Prevention Through Environmental Design
- Community Involvement
- Property and Evidence
- Radio System Management
- Media Relations
- Special Event Planning
- Background Investigations
- Crime Scene Management
- Public Safety Education
- Wildlife Management
- Fleet Management
- Mobile Data Network
- Computer Aided Dispatch
- Strategic Planning
- Recruitment
- Park Facility Assessments

ACCOMPLISHMENTS

- Patrol and Horse-mounted Officers assisted Baltimore City Police during the April 2015 riots. Officers were used at various locations throughout the city to restore and maintain peace.
- Special Operations Officers trained the Baltimore City Mobile Field Force Unit and Baltimore City Police Mounted Unit in crowd control and civil disturbance response methods.
- A Community Response Team (CRT) was created to become the operational arm of the Investigative Services Section. The CRT responds to citizen complaints within the park system, such as complaints of illegal narcotics activity.
- Several high profile Felony Lane Gang cases were closed by arrest, resulting in nearly 40 federal indictments.



**Montgomery County
Department of Parks - Park Police**

- The Division, was awarded the 2015 Traffic Symposium Award for Second Runner-Up in the Montgomery County Police Department's Municipal "Click It or Ticket" Challenge.
- Provided active shooter training, "Run, Hide, Fight" to Commission employees.
- One Park Police Officer was honored by the Mid-Atlantic Association of Women in Law Enforcement with a 2015 Valor Award.
- One Park Police Officer was recognized by the Maryland Police and Correctional Training Commissions as Non-Academy Instructor of the Year.
- Park Police are currently testing and evaluating Body Worn Camera units in an initial pilot program.

GOALS AND PERFORMANCE MEASURES

Goal Provide proactive patrols to protect and preserve properties, resources and activities of the Maryland-National Capital Park and Planning Commission				
Objective				
Proactively patrol parks to keep parks safe.				
Program Indicator	Target	FY15 Actuals	FY16 Estimated	FY17 Proposed
Annual Park Checks *	73,000	73,277	58,500	73,000
Average per Day	200	201	160	200
Objective				
Investigate and solve crimes.				
Program Indicator	Target	FY15 Actuals	FY16 Estimated	FY17 Proposed
% of closed investigations/cases	22%	20%	22%	22%
(National Average is 22%)				
Note: The estimate for FY16 is projected to be lower due to the number of vacant positions for the first part of the fiscal year.				



(6)

Park Police Budget Questions (FY17):

1. Please provide an overview of the body camera program.

a. How many officers are participating?

90 Units would cover all sworn officers:

Patrol (Ofcs, Sgts, Lts)	42
Special Operations (Ofcs, Sgts, Lt)	12
Community Response Team (Ofcs & Sgt)	7
Canine (Ofcs & Sgt)	5
Rangers	3
Investigative Services Section (Ofcs, Sgt, Lt)	7
Chief & Admin Staff	14
	90

b. What are the costs associated with the body camera program? (equipment, electronic storage, any additional staffing, MPIA requests, etc.)

PANASONIC ARBITRATOR COSTS								
	Cost	Quantity	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Cameras	\$942	90	\$84,780	\$0	\$0	\$0	\$0	\$84,780
Camera Maintenance (10% estimate)	\$94	90	\$0	\$8,478	\$8,478	\$8,478	\$8,478	\$33,912
Licensing	\$2,890	1	\$2,890	\$2,890	\$2,890	\$2,890	\$2,890	\$14,450
Server Activation & 3 Days Training	\$9,335	1	\$9,335	\$0	\$0	\$0	\$0	\$9,335
Docks/Chargers	\$842	3	\$2,526	\$0	\$0	\$0	\$0	\$2,526
Cumulative cost			\$99,531	\$11,368	\$11,368	\$11,368	\$11,368	\$145,003

c. Do you, or will you, have a written policy for the use of body cameras? If you have this now, could you send me a copy?

i. Interim Policy Attached

2. The proposed budget includes one full time career position for a system administrator to manage the division's databases. Please describe the position and duties, including personnel costs and any associated operating costs.

The Division has hired a contract Information Technology Systems Manager. This law enforcement technology expert is tasked with overseeing the administration and integration of numerous systems that are applied to law enforcement, enterprise security and life safety. A snapshot of some of the systems overseen include Police Mapping/Auto Vehicle Locator systems, State/CJIS/NCIC Interfaces, Electronic Ticketing systems, Automated Crash Reporting systems, In-Car Enforcement Video System, Fire Alarms, Emergency Call Stations, Security Operations and more. This position will oversee the implementation of the Body Worn Camera Initiative and be responsible for managing the

data associated with the program. The proposed annual salary for a full time employee is \$80,000 plus benefits \$34,000 (FICA, Medicare, unemployment, retirement and health insurance).

3. Please provide an updated staffing chart.

M-NCPPC Park Police		
	Proposed FY17	Current Vacancies
SWORN		
Chief	1	0
Captain	3	1
Lieutenant	8	0
Sergeant	14	0
Police Officers	69	7
SUBTOTAL SWORN	95	
NON-SWORN	22	4
TOTAL	14	12

4. Please provide crime data for calendar 2015.

See Attachment

5. Please list (including cost) what identified upgrades, replacements, and/or new IT needs the Police Department currently has for FY17.

- Replace approx. 50 10-year-old Arbitrator in-car video units.
- Replace CF-53s Computers (would like to replace 16).

6. Park checks were down for the first part of FY16 due to vacancies. Which positions were vacant, and for how long? Park checks were not down in the first part of FY16.

FY Start	7/1/2010	1/1/2011	7/1/2011	1/1/2012	7/1/2012	1/1/2013	7/1/2013	1/1/2014	7/1/2014	1/1/2015	7/1/2015	1/1/2016
FY End	12/31/2010	6/30/2011	12/31/2011	6/30/2012	12/31/2012	6/30/2013	12/31/2013	6/30/2014	12/31/2014	6/30/2015	12/31/2015	3/31/2016
FY Half	2011-1	2011-2	2012-1	2012-2	2013-1	2013-2	2014-1	2014-2	2015-1	2015-2	2016-1	2016-2
Prop Chks	25600	26822	26794	25156	26728	24877	27524	32794	34672	37490	41097	11409
Per Day	142.2	149.0	148.9	139.8	148.5	138.2	152.9	182.2	192.6	208.3	228.3	156.8

(8)

We continue to do more with less. Our annual total number of property checks, along with the daily rate of property checks, has continually increased over the last three years, including the first half of FY16 and this half to date. This is due to several factors:

- Technological improvements which allows staff to easily log property checks from the field.
- Subdividing large park areas (regional parks, stream valleys, etc.) into smaller units to more accurately track what is actually being checked and when.
- Documented minimum performance standards that require certain numbers of property checks each day.
- Unprecedented numbers of new officers in field-training which requires heightened levels of property checks in order for new officers to thoroughly become acclimated to property locations and layouts.

7. You assisted with crowd control in Baltimore City in April 2015. Does the Park Police get reimbursed for any of these expenses, by the State or by Baltimore City?

The Maryland-National Capital Park Police did not receive reimbursement for expenses associated with crowd control in Baltimore City in April 2015.

- I. Policy
 - a. It is the policy of the department to utilize Body-Worn Cameras (BWC) for the purpose of accurately documenting events, actions, conditions, and statements made during citizen contacts, arrests, and other critical incidents.
 - b. Video and/or audio recordings will be utilized to enhance criminal/traffic reporting, evidence collection, investigations, prosecution, and training.
- II. Legal Considerations
 - a. Maryland law makes it lawful for officers to record video and audio using a BWC when used in accordance with department policy.
 - b. Except as otherwise exempted by law, officers shall notify, as soon as is practicable, the individual that the individual is being recorded, unless it is unsafe, impractical, or impossible to do so.
 - c. The notice provision is satisfied even if another individual becomes a party to the communication after the initial notice has been provided.
- III. Operating Procedures
 - a. The use of BWC recording equipment by officers who have been issued the equipment and trained in its use is mandatory.
 - b. Officers will wear the BWC on their person at all times when on duty in accordance with their training except when:
 - i. Temporarily removing the camera to recharge the battery or upload videos.
 - ii. Temporarily removing the camera when entering private areas such as bathroom or locker room facilities when there is no valid reason to record video.
 - iii. [Others?]
 - c. Officers will test the function of the BWC at the beginning of each shift in accordance with training.
 - d. Upon discovering a BWC malfunction, officers will promptly report the malfunction to a supervisor.
 - e. Officer will upload videos from the BWC to the server in accordance with their training and will ensure that the internal memory of the BWC does not fill to capacity.
- IV. Mandatory Recording
 - a. Officers will begin recording with their BWCs in the following circumstance unless doing so would be unsafe, impossible, or impractical. In those circumstance officers shall begin recording with the BWC at the first reasonable opportunity to do so.
 - i. At the initiation of a call for service or other activity that is investigative or enforcement in nature, or an encounter between the officer and a member of the public that is investigative or enforcement in nature; and
 - ii. Any encounter that becomes confrontational after the initial contact.
 - b. When victims, witnesses or other individuals wish to make a statement or share information, but refuse to do so while being recorded, or request that the camera be turned off, officers may turn off the BWC in order to obtain the statement or information. If the encounter begins when the BWC is not actively recording, officers may, but are not required to, temporarily activate the BWC for the sole purpose of documenting the person's refusal to be recorded.

- V. Prohibited Recording
 - a. Officers shall not activate a camera to record:
 - i. Agency personnel during routine administrative activities; or
 - ii. Non-work related personal activity.
- VI. Ending a Recording
 - a. Once recording with a BWC has been initiated, officers shall not end the recording until:
 - i. The event or encounter has fully concluded; or
 - ii. The officer leaves the scene and anticipates no further involvement in the event; or
 - iii. A supervisor or agency policy has authorized that a recording may cease because the officer is no longer engaged in a related enforcement or investigative activity; or,
 - iv. When victims, witnesses or other individuals wish to make a statement or share information but refuse to do so while being recorded, or request that the camera be turned off, officers may turn off the BWC in order to obtain the statement or information.
- VII. Classification of Videos
 - a. All videos recorded by the BWC will be classified within forty-eight (48) hours of the recording. The recordings will be classified as follows:
 - i. Criminal Evidence – all recordings made in relation to any incident that results in a criminal charge or where the issuance of a criminal arrest warrant is anticipated. The case number will be entered into the “Case Number” field.
 - ii. Incarcerable Traffic – all recordings made in relation to any incident that results in the issuance of an incarcerable traffic charge. The case number or if there is no case number, the event number (“P” number) will be entered into the case number field.
 - iii. Non-Incarcerable Traffic – all recordings made in relation to any incident that results in the issuance of a non-incarcerable traffic charge. The officer may enter the event number (“P” number) in the case number field, but it is not required.
 - iv. Civil – all recordings made in relation to any incident that results in the issuance of a civil citation. The officer may enter the event number (“P” number) in the case number field, but it is not required.
 - v. Other – any recording that does not fall into the above categories, but will need to be retained.
 - vi. Other classifications may be visible within the system, however officer should only use the classifications listed in “i” through “v” of this section.
- VIII. Supervisors Responsibilities
 - a. Shift supervisors will conduct a monthly review of the video recordings made by their assigned personnel. This review will verify that the officers are logging into the system properly, testing the system as required, and classifying all recorded videos. This review will be documented by the supervisor on a monthly report. The supervisor will watch a sampling of the recordings made by officers under their command and will offer

constructive criticism to both improve the quality of enforcement techniques and aid in improving officer safety.

- b. If a supervisor feels that a recording may be useful as a training tool, he/she will notify the training committee via their Chain of Command. No recording will be used for training purposes while the case is being litigated.

IX. Confidentiality

- a. Leased or purchased BWC equipment and all recordings are the property of M-NCPPC Police. Only BWC equipment approved by policy shall be worn.
- b. Except as authorized by policy, copying, releasing, altering, erasing or allowing unauthorized viewing of an agency video recording (or portion thereof) is prohibited and may subject an officer to disciplinary action.

X. Required Storage and Maintenance of Recordings

- a. All files shall be securely saved and stored in accordance with agency policy.
- b. The BWC System Administrator will maintain the security of and set the user access roles for the BWC system.
- c. All access to and use of the BWC server is logged including the viewing and copying/exporting of videos.
- d. An original, un-edited copy of each video will be retained on the server until purged in accordance with the retention section of this policy.

XI. Review of Recordings

- a. Officers and authorized employees may review video for any reasonable purpose related to official business including but not limited to:
 - i. Report writing and preparation of other official documents
 - ii. Court preparation
 - iii. Review of prosecution evidence
 - iv. Victim/witness/suspect statements
 - v. Crime scenes
 - vi. Statement of charges
 - vii. Administrative investigations
 - viii. Training
 - ix. Performance review
 - x. Incident critique
 - xi. MPIA requests
 - xii. Policy compliance
 - xiii. Disclosures required by law
- b. Internal Use of Recordings
 - i. A BWC recording of a constitutionally protected activity may not be used to identify persons present at the activity who are not suspected of being engaged in illegal activity or in need of assistance.
 - ii. The stored video and audio data from a body worn camera may not:
 - 1. be used to create a database or pool of mug shots;
 - 2. be used as fillers in photo arrays; or
 - 3. be searched using facial or voice recognition software.

- iii. This subsection does not prohibit an agency from using recognition software to analyze the recording of a particular incident when a supervisory law enforcement officer has reason to believe that a specific suspect or person in need of assistance may be subject of a particular recording.
- c. The BWC system is not intended to be used as a disciplinary tool against officers for minor infractions of department policies or procedures.
- d. Supervisors will not arbitrarily review BWC recordings for the purpose of identifying minor infractions of department policies or procedures.
- e. However when cases of misconduct and/or repetitive negative behavior are brought to the attention of the department via supervisor review and/or an official complaint, the recording may be reviewed and be used as the basis for performance counseling or disciplinary action.
- f. The department may use the recordings for training or other purposes as approved by the Chief, Park Police Division or designee.
- g. BWC recordings may be used by Field Training Officers to review the actions of probationary officers participating in the Field Training and Evaluation Program.
- h. Supervisors and management can request a copy of BWC video through the Park Police Help Desk. The Management and Technology Section will then burn a DVD copy of the requested video. Physical copies of recorded videos will only be burned to DVD when necessary for inclusion in a case file. Videos that must be reviewed as part of an investigation will be reviewed within the ICVC software.
- i. Officers may request a DVD copy of recorded video for court purposes through the Park Police Help Desk. The Management and Technology Section will then burn a DVD copy and will forward the DVD to the Evidence Section. The requesting officer will then retrieve the DVD from the Evidence Section. If the DVD copy is not retained by the State's Attorney's Office, it will be returned to the Evidence Section for destruction or maintained in the officer's case file.

XII. Retention

- a. All BWC videos that are classified as Criminal Evidence, Incarcerable Traffic or Other will be retained for a minimum of one year or until it is no longer needed for any court or administrative proceedings.
- b. All BWC videos that are classified as Non-Incarcerable Traffic or Civil will be retained for eighteen months and then automatically deleted. If a video originally classified as Non-Incarcerable Traffic or Civil needs to be retained for a longer period of time, the officer will change the video's classification to "Other"
- c. All BWC videos that are marked as "Not Evidence" will be automatically deleted after 90 days, unless the submitting officer or management reclassifies the video.
- d. The Evidence Section will send purge requests to the recording officer for all evidentiary videos that are more than one year old to determine if the video is still needed. If the officer determines the video is no longer needed, the Management Sergeant will confirm the status of the case prior to deleting the video.
- e. Videos approved for training may be retained indefinitely.
- f. Videos classified as "Restricted" will be retained until the Chief of Police or his/her designee grants permission to purge.

- XIII. Dissemination and release of recordings
 - a. BWC video/audio recordings from body cameras will be released as required by the MPIA or other governing law.
 - XIV. Training and discipline
 - a. The Management and Technology Commander will coordinate the initial training of all officers on the proper use of the BWC. The initial training will include, but is not limited to the following:
 - i. Review of the BWC Directive.
 - ii. How to properly logon to the BWC software.
 - iii. How to properly classify a video.
 - iv. How to request a video for court purposes.
 - v. Alternative methods for effective notification of recording to persons with special needs or limited English proficiency.
 - b. The Management and Technology Commander will coordinate any training that is required when new software, features, or enhancements are implemented within the BWC system.
 - c. Officers violating the policies related to the BWC system may be subject to discipline.
 - XV. DISCRETIONARY ACTIVATION
 - a. When not otherwise prohibited by law or agency policy, officers may begin recording with their BWC in circumstances when they determine that doing so would be beneficial to the public interest.
 - XVI. INCIDENT REPORTS
 - a. Incident reports should note any use of BWC.
 - XVII. Public Access
 - a. This policy will be made available to the public upon request.
-

From the State Model Policy:

TESTING:

Prior to beginning each shift, the assigned agency member shall perform a function test of the BWC in accordance with the manufacturer's recommendations and agency policy.

MALFUNCTIONS:

Upon discovering a BWC malfunction, agency members shall promptly report the malfunction to a supervisor or other appropriate authority in accordance with agency policy regarding malfunctions.

MANDATORY ACTIVATION:

Subject to paragraph three of this recommendation below, officers shall begin recording with their BWCs in the below circumstances unless doing so would be unsafe, impossible, or impractical. If officers are unable to begin recording with the BWC due to circumstances making it unsafe, impossible, or impractical to do so, officers shall begin recording with the BWC at the first reasonable opportunity to do so.

1. At the initiation of a call for service or other activity that is investigative or enforcement in nature, or an encounter between the officer and a member of the public that is investigative or enforcement in nature;

and

2. Any encounter that becomes confrontational after the initial contact.

3. When victims, witnesses or other individuals wish to make a statement or share information, but refuse to do so while being recorded, or request that the camera be turned off, officers may turn off the BWC in order to obtain the statement or information. If the encounter begins when the BWC is not actively recording, the law enforcement officer may, but is not required to, temporarily activate the BWC for the sole purpose of documenting the person's refusal to be recorded.

PROHIBITED ACTIVATION:

A law enforcement officer shall not activate a camera to record:

1. Agency personnel during routine administrative activities; or
2. Non-work related personal activity.

ENDING A RECORDING: Once recording with a BWC has been initiated, officers shall not end the recording until:

1. The event or encounter has fully concluded; or
2. The officer leaves the scene and anticipates no further involvement in the event; or
3. A supervisor or agency policy has authorized that a recording may cease because the officer is no longer engaged in a related enforcement or investigative activity; or,
4. When victims, witnesses or other individuals wish to make a statement or share information but refuse to do so while being recorded, or request that the camera be turned off, officers may turn off the BWC in order to obtain the statement or information.

From the State Procedural reference guide

TITLE: BODY-WORN DIGITAL RECORDING DEVICE [BODY WORN CAMERA (BWC)] SAMPLE POLICY and PROCEDURE

I – A. EFFECTIVE DATE: [TBD BY AGENCY]

I – B. ISSUING AUTHORITY: [AGENCY NAME]

I – C. POLICY/PROCEDURE CONTENTS:

- I. Title Page;
- II. Background/Discussion;
- III. Purpose and Scope;
- IV. Legal Citations/Authority;
- V. Definitions;
- VI. Policy:
 - a. policy statement;
 - b. policy availability;
 - c. policy review;
- VII. Body-worn Camera [BWC] Equipment:
 - a. authorized equipment;
 - b. official use restriction;
- VIII. BWC Implementation Procedures – Administration/Management:
 - a. BWC ADMINISTRATOR;
 - b. BWC COORDINATOR;
- IX. BWC Operating Procedures:
 - a. First-line Supervisor Responsibilities;
 - b. BWC User Responsibilities:
 - i. pre-deployment testing;
 - ii. malfunctioning BWCs;
 - iii. recording procedures;
 - iv. recordings by multiple BWC users;
 - v. review of recordings PRIOR to downloading;
 - vi. “tagging” and downloading recordings;
 - vii. docking – end of shift;
- X. Storage/Retention/Maintenance of BWC Recordings:
 - a. Method:
 - i. internal storage;
 - ii. external storage;
 - b. Security/Confidentiality;
 - c. BWC Recordings as Evidence;
 - d. Retention Schedule:
 - i. EVIDENTIARY recordings;
 - ii. NON-EVIDENTIARY recordings;

- e. Copying and releasing Digital Evidence;
- f. Chain of Custody;
- g. BWC File Sharing:
 - i. intra-agency;
 - ii. allied law enforcement/criminal justice agencies;
- h. Deletion of BWC Recordings;
- XI. View Downloaded BWC Recordings:
 - a. Discovery of Member Misconduct;
 - b. Restricted Investigative Uses of;
- XII. Dissemination/Release of BWC Recordings;
 - a. General;
 - b. Requests for Recordings by Law Enforcement/Criminal Justice Agency Personnel;
 - i. Copying BWC Recordings for Investigative Purposes;
 - c. Copying and Disseminating/Releasing BWC Recordings;
 - d. Copying/Releasing Pursuant to Court Orders;
 - e. Requests Pursuant to Maryland Public Information Act:
 - i. general procedure;
 - ii. EVIDENTIARY recordings;
 - iii. NON-EVIDENTIARY recordings;
 - f. BWC Recordings Redaction;
 - g. Proactive BWC Recording Release;
 - h. Release for Commercial Gain;
 - i. Third-Party Release of BWC Recordings;
 - j. Communication of BWC Release Policy to the Public;
- XIII. XIII. BWC Training:
 - a. Pre-operation Requirements;
- XIV. Discipline;
- XV. Policy and Program Evaluation:
 - a. Policy and Procedure Random Inspection;
 - b. BWC Program Evaluation;