



September 12, 2018

**Memorandum: Justin D. Holliday, Chief – Lyons police Department**

**For The Lyons City Council, Lyons City Administrator, Lyons City Attorney**

**Subject: Recommendation for Body-Worn Camera Policy**

1. This policy is effective immediately and remains in effect until rescinded or superseded.
2. References:
  - a. Lyons Police Department General Orders, Body-Worn Camera Policy (BWC) 08-31-2018.
  - b. Operation manual – CopTrax Body-Worn Camera.
3. This policy applies to all personnel of the Lyons Police Department who have been or maybe issued a Lyons Police Department owned body-worn camera (BWC) for conducting Lyons Police Department official business.
4. Lyons Police Department BWC's are for official use only and warrants strict adherence to policy as outlined in the policy. Unofficial or other unauthorized use of the BWC is subject to legal action.
5. Discussion
  - a. BWC's will be assigned to selected personnel who, based on their job functions and responsibilities, shall activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with the policy and law. These personnel are determined by the Chief of Police of the Lyons Police Department.
  - b. The department BWC user is responsible for the accountability, maintenance, and use of the device.

Yours in Service,

A handwritten signature in black ink, appearing to read "J. D. Holliday", is written over a horizontal line.

Justin D. Holliday, Chief  
Lyons Police Department

Lyons Police Department  
General Orders  
Justin D. Holliday, Chief  
Body-Worn Camera Policy (BWC) 08/31/2018

**I. PURPOSE**

This policy is intended to provide officers with instructions on when and how to use body-worn cameras (BWC's) so that officers may reliably record their contacts with the public in accordance with the law.

**II. POLICY**

It is the policy of this department that officers shall activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

**III. PROCEDURES**

**A. Administration**

This agency has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:

1. BWCs allow for accurate documentation of police/public contact, arrests and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
2. Audio and video recordings also enhance this agency's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
3. The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

**B. When and How to Use the BWC**

1. Officers shall activate the BWC to record all contacts with citizens in the performance of official duties.
2. Whenever possible, officers should inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as residence, they may decline to be recorded unless the recording is being made in pursuant to an arrest or search of the residence or the individuals. The BWC shall remain activated until the event is completed to ensure the integrity of the recording unless the contact moves into an area restricted by this policy (see items D.1-4).
3. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated.
4. Civilians shall not be allowed to review the recordings at the scene.

**C. Procedures for BWC Use**

1. BWC equipment is issued primarily to informed personnel as authorized by this agency. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.
2. Police personnel shall use only BWC's issued by this department. The BWC equipment and all data, images, video, and metadata captured, recorded or otherwise produced by the equipment is the sole property of this agency.
3. Police personnel who are assigned BWC's must complete an agency approved and/or provided training program to ensure proper use and operations additional training may be required.

**D. Restrictions on Using the BWC**

1. Communications with other police personnel without the permission of the chief executive officer (CEO);
2. Encounters with undercover officers or confidential informants;
3. When on break or otherwise engaged in personal activities; or
4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

**E. Storage**

1. All files shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, BWC identifier, and assigned officer.
2. All images and sounds recorded by the BWC are the exclusive property of this department. Accessing, copying or releasing files for non-law enforcement purposes is strictly prohibited.
3. All access to BWC files must be specifically authorized by the CEO or his or her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
4. Files should be securely stored in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under control of a criminal justice agency.

**F. Supervisory Responsibilities**

1. Supervisory personnel shall ensure that officers equipped with BWC devices utilize them in accordance with policy and procedures defined herein.
2. At least monthly, supervisors will randomly review BWC recordings to ensure that the equipment is operating properly, and those officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.
3. Some states have eavesdropping statutes that require two-party consent prior to audio recording. Consult your legal advisor for state and local laws that affect your agency.
4. For this document, the term "file" refers to all sounds, images, and associated metadata.

**G. Video Categories and Retention Durations**

- |  |                 |
|--|-----------------|
| 1. No Evidentiary Value                  | 60 days         |
| 2. Incident Reports                      | 1 year          |
| 3. Traffic Stops                         | 1 year          |
| 4. Case/Arrests                          | 5 years         |
| 5. Traffic Accidents                     | 3 years         |
| 6. DO NOT DELETE                         | Manually Delete |
| 7. Other Contact or Potential Complaints | 180 days        |

All the above options must be approved by a Judge, City Attorney or the Chief. ALL VIDEOS ARE EVIDENCE an order to destruct must be signed by a Judge. Please consult with City Attorney before your evidence is destructed.

Lyons Police Department  
General Orders  
Justin D. Holliday, Chief  
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