



# ROCKFORD POLICE DEPARTMENT

## GENERAL ORDER

**NUMBER: 2.56**

**TITLE: BODY WORN CAMERAS**

**SERIES NUMBER: 2 - OPR**

**SERIES TITLE: OPERATIONS**

**TOPICS / REFERENCE: OPERATIONAL GUIDELINES, RETENTION AND RECORDS, SUPERVISOR RESPONSIBILITY**

**APPENDICES: A, B**

**ORIGINAL EFFECTIVE / ISSUE DATE: OCTOBER 13, 2021**

**DATE OF LAST REVISION:**

**THIS ORDER REMAINS IN EFFECT UNTIL REVISED FOR RESCINDED**

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### **POLICY:**

The Rockford Police Department will use Body Worn Camera video recording to assist in documenting law enforcement activities. The use of such equipment shall be in accordance with applicable laws. Proper use and maintenance of the equipment is essential to ensure operational readiness and proper functioning of the equipment.

### **PURPOSE:**

The Rockford Police Department is committed to protecting the safety, welfare, and integrity of all officers and the public they serve. Therefore, all officers shall use the body worn cameras (BWCs) consistent with this policy and the requirements of 50 ILCS 706/10. Use of these cameras will facilitate professionalism, accountability, and transparency by documenting interactions with the public. This policy is not intended to erode relationships with the community by capturing footage or conversations with citizens who do not wish to be recorded. The Rockford Police Department strives to respect the reasonable privacy expectations of civilians, as provided by law.

Furthermore, the Rockford Police Department recognizes that the body worn cameras may not capture all of what the officer sees and hears, or what an officer senses or experiences. The recorded images do not provide the totality of the circumstances that drives the officer's response to a particular situation. Officers will continue to provide thorough police reports to ensure the totality of each incident is documented.

The purpose of this policy is to establish guidelines for the use and operation of officer worn body worn cameras (BWCs).

This Order is comprised of the following numbered sections:

- I. DEFINITIONS
- II. OBJECTIVES FOR BODY WORN CAMERA
- III. TRAINING PRIOR TO USE OF BODY WORN CAMERAS
- IV. REQUIREMENTS AT BEGINNING AND END OF SHIFT
- V. OPERATIONAL GUIDELINES FOR USE OF BODY WORN CAMERAS BY UNIFORMED OFFICERS
- VI. OPERATIONAL GUIDELINES FOR USE OF BODY WORN CAMERAS BY NON-UNIFORMED OFFICERS
- VII. OPERATIONAL GUIDELINES FOR USE OF BODY WORN CAMERAS BY SWAT PERSONNEL
- VIII. OPERATIONAL GUIDELINES FOR USE OF BODY WORN CAMERAS BY FEDERALLY DEPUTIZED TASK FORCE OFFICERS
- IX. SUPERVISOR RESPONSIBILITY
- X. PROHIBITED USE OF BODY WORN CAMERAS
- XI. CRITICAL INCIDENTS
- XII. REASONABLE PRIVACY EXPECTATIONS
- XIII. UPLOADING AND EVIDENCE DOCUMENTATION
- XIV. RETENTION AND PUBLIC REQUESTS FOR RECORDINGS
- XV. PUBLIC RECORDINGS
- XVI. REPORTING
- XVII. VIOLATIONS

**APPENDICES:**

- A. [Use of Body Worn Cameras by Federally Deputized Task Force Officers](#)
- B. [Supervisor Monthly Review Form](#)

**I. DEFINITIONS:**

- A. **AXON Docking Station:** A multi-ported docking station used to simultaneously recharge the body worn camera while uploading all digitally encrypted data from the device.
- B. **Badge:** An officer's department issued identification number associated with his or her position as a police officer with that department.
- C. **Board:** The Illinois Law Enforcement Training Standards Board created by the Illinois Police Training Act.

- D. Body Worn Camera:** An electronic camera system for creating, generating, sending, receiving, storing, displaying, and processing audiovisual recordings that may be worn about the person. A body worn camera must be equipped with pre-event recording, capable of recording at least 30 seconds prior to camera activation, and capable of recording for a period of 10 hours.
- E. Body Worn Camera (BWC) Administrator:** Commander, appointed by the chief of police, who is responsible for oversight of the police department's body worn camera program.
- F. Body Worn Camera (BWC) Coordinator:** Sworn officer, appointed by the commander, who is responsible for the day to day functions of the police department's body worn camera program.
- G. Buffering Mode:** The device feature for which the camera continuously video records and holds the most recent 60 seconds of video prior to record activation; audio recording is not captured when the camera is in this mode. With this feature, the initial event that causes the officer to activate the recording is likely to be captured automatically.
- H. Business Offense:** An offense punishable by a fine in excess of \$1,000 and for which a sentence of imprisonment is not an authorized disposition, as defined in 705 ILCS 135/1-5.
- I. Community Caretaking Function:** A task undertaken by a law enforcement officer in which the officer is performing an articulable act unrelated to the investigation of a crime. "Community caretaking function" includes, but is not limited to; participating in town halls or other community outreach, helping a child find his or her parents, providing death notifications, and performing in-home or hospital well-being checks on the sick, elderly, or persons presumed missing.
- J. Confidential Recording:** A recording made inadvertently or by mistake that is NOT required by state law or department policy. (Determination made by the Chief, Deputy Chief, Assistant Deputy Chief).
- K. Critical Incident:** Any employee involved in a use of deadly force, an incident that results in death or serious injury of any person, or any incident deemed to be a high stress event.
- L. Deactivate:** The process of ending the recording of an event on a body-worn camera.
- M. Event Mode:** When the event button on the body worn camera is activated and the camera is recording both audio and video for up to ten hours. The buffered video, not audio, captured directly before the event will be saved and attached to the event's permanent memory.
- N. Exigent Circumstances:** Includes, but is not limited to, any circumstances that would cause a reasonable person to believe that the action is necessary to prevent physical harm to the officers or other persons, the destruction of relevant evidence, the escape of the suspect, or some other consequence intended to disrupt legitimate law enforcement efforts.

- O. Fund:** The Law Enforcement Camera Grant Fund.
- P. In Uniform:** A law enforcement officer who is wearing any officially authorized uniform designated by a law enforcement agency, or a law enforcement officer who is visibly wearing articles of clothing, a badge, tactical gear, gun belt, a patch, or other insignia that identifies he or she is a law enforcement officer acting in the course of his or her duties.
- Q. Law Enforcement Officer or Officers:** Any person employed by a State, county, municipality, special district, college, unit of government, or any other entity authorized by law to employ peace officers or exercise police authority and who is primarily responsible for the prevention or detection of crime and the enforcement of the laws of this State.
- R. Law Enforcement Agency:** All State agencies with law enforcement officers, county sheriff's offices, municipal, special district, college, or unit of local government police departments.
- S. Law Enforcement Related Encounters or Activities:** Include, but are not limited to; traffic stops, pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd control, traffic control, non-community caretaking interactions with an individual while on patrol, or any other instance in which the officer is enforcing the laws of the municipality, county, or State. "Law enforcement-related encounter or activities" does not include when the officer is completing paperwork alone or only in the presence of another law enforcement officer.
- T. Minor Traffic Offense:** A petty offense, business offense, or Class C misdemeanor under the Illinois Vehicle Code or a similar provision of a municipal or local ordinance.
- U. Peace officer:** Has the meaning provided in Section 2-13 of the Criminal Code of 2012.
- V. Petty offense:** Any offense for which a sentence of imprisonment is not an authorized disposition.
- W. Recording:** The process of capturing data or information stored on a recording medium as required under 50 ILCS 706/ Law Enforcement Officer-Worn Body Camera Act.
- X. Recording medium:** Any recording medium authorized by the Board for the retention and playback of recorded audio and video including, but not limited to; VHS, DVD, hard drive, cloud storage, solid state, digital, flash memory technology, or any other electronic medium.
- Y. Restricted Recording:** A classification of a recording that is only viewable by senior command level personnel.
- Z. Stealth Mode:** A setting on the body worn camera that allows it to remain in BUFFERING MODE without any display, lights, or other external indicators.
- AA. Turned Off:** The body worn camera device is completely powered down and unable to record.

- BB. Unrestricted Recording:** A classification of a recording that is viewable by the user and all supervisory personnel.
- CC. Verbal Announcement/Notice:** Verbal statement by the officer indicating a body camera is recording the interaction. Example: “My body camera is on; you are being recorded.”

## **II. OBJECTIVES FOR BODY WORN CAMERA:**

The Rockford Police Department adopted the use of body worn camera, hereinafter referred to as BWC, technology to accomplish the following objectives:

- A.** Promote officer safety.
- B.** Document statements and events during the course of an incident
- C.** Enhance an officer’s ability to document and review statements and actions for internal reporting requirements, as well as courtroom preparation and presentations.
- D.** Preserve visual and audio information and evidence for use in investigations and criminal prosecutions.
- E.** Serve as a training tool to provide impartial measurement for self-critique and field evaluation during officer training.
- F.** Enhance public trust and accountability by preserving factual representations of officer and citizen interactions.

## **III. TRAINING PRIOR TO USE OF BODY WORN CAMERAS**

- A.** Prior to being assigned a body camera, officers **MUST** complete mandatory training provided by the department to obtain an understanding on how to use the BWC system and the procedures outlined in this policy.
- B.** Additional training may be required at periodic intervals for officers displaying a substandard performance in the use of the BWC or when there has been a change in the policy or procedure.
- C.** Recordings may be used for the purposes of instruction, training, or ensuring compliance with agency policies. Officers who are aware that a particular recording may be used for training should notify a supervisor who will review the recording to determine its feasibility as a training tool.
  - 1.** Officers involved in a recording that will be used for training shall be notified, in person, by a supervisor. This practice will facilitate a discussion regarding the purpose for using the recording and gives the officer an opportunity to express any concerns about using the recording for training.

2. The use of recordings for training shall not be used to belittle, ridicule or embarrass any officer.
  3. Recordings designated for training purposes may be viewed by officers in the presence of a training instructor or a supervisor.
  4. Following the applicable storage retention period, these recordings may be kept for an extended period of time, at the discretion of the BWC Administrator. Refer to Section XIV for more information.
- D. Requests from an outside agency for BWC footage, for the purpose of training, shall be forwarded to the BWC administrator for approval.

#### **IV. REQUIREMENTS AT BEGINNING AND END OF SHIFT:**

Officers shall use reasonable care to ensure the proper functioning of BWC equipment. By signing off on this policy, officers who have received a BWC agree to maintain the BWC in a state of operational readiness. Equipment malfunctions shall be brought to the attention of his/her immediate supervisor, as soon as possible, so that a replacement unit may be procured.

- A. Prior to going into service, officers shall inspect the BWC display and notification screen to verify proper functioning and ensure the battery is charged in accordance with the manufacturer's recommendation.
- B. Officers shall also inspect the body of the camera and associated equipment to look for signs of visible damage. As soon as practical, any visible damage or concerns about the functionality of the equipment will be documented and brought to the attention of the immediate supervisor. All damage should be documented in the PS Tracker system.
- C. At the end of their shift, officers shall return the BWC to the AXON docking station for uploading. The camera shall remain at the docking station until the officer's next shift. Officers are not authorized to bring the camera home, except as provided in Section D. If the camera was damaged during the officer's shift, the officer shall bring it to the attention of his/her supervisor as soon as possible.
- D. Officers may take their BWC home at the end of their shift for the purpose of working a detail assignment scheduled for the next day or following their shift, or for preparation of being called in as an investigator.
  1. Upon completion of the detail assignment, officers shall return the BWC to the docking station at the completion of their next scheduled shift. However, officers shall ensure that the BWC has enough battery life to record his/her next shift. In instances where the BWC does not have sufficient battery life, the officer is responsible for checking out a spare BWC prior to starting his/her shift.

This exception does not apply when the officer will be off for an extended period of time or when there is a significant recording. In those instances, officers must return the BWC to the AXON docking station.

2. Officers are responsible for the care and maintenance of their assigned body-worn camera as it relates to environmental conditions such as temperature, etc.

**V. OPERATIONAL GUIDELINES FOR USE OF BODY CAMERAS BY UNIFORMED OFFICERS:**

- A. Officers shall only use Department-issued body cameras.
- B. Body cameras will be paired with a holster activation device that officers must wear while in uniform and on-duty.
- C. Officers shall securely position the camera on their upper torso or belt so events in front of the officer are most likely to be captured.
- D. Body cameras must be turned on (EVENT MODE) when the officer is responding to calls for service or engaged in any law enforcement-related encounter or activity that occurs while the officer is on duty.
- E. Officers shall comply with this policy when engaged in off-duty employment in a Rockford Police Department uniform.
- F. If a police report is written, the officer shall document in the report that the incident or interaction was recorded by a body camera and note the existence of the recording in the property section of that report.
  1. Line 1 of report, "This incident is recorded on BWC #, tagged abc123."
  2. Line 2 of report, "Reporting Officer reviewed or did not review recording prior to completing this report."
- G. In all circumstances, other than those described in paragraphs (J) and (K) of this section, once a body camera recording has been initiated the officer shall not cease recording until a reasonable and prudent person would consider the stop or contact to be completed, except when:
  1. The initial incident that required the activation has stabilized or concluded, the officer is not actively interacting with citizens or actively participating in the investigation, and the officer does not reasonably anticipate doing so in the immediate future; or
  2. The officer is engaged in scene protection, traffic direction, monitoring in a traffic post, while consulting with other officers or supervisors, or other similar activity and reasonably believes there is no longer any necessity to record.

- H.** Body cameras must be deactivated when:
1. The victim of a crime requests that the camera be turned off, and unless impractical or impossible, that request is made on the recording. (Except as explained in section H & L below).
  2. A witness of a crime or a citizen who wishes to report a crime requests that the camera be turned off, and unless impractical or impossible that request is made on the recording.
  3. The officer is interacting with a confidential informant used by the law enforcement agency.
- I.** Body cameras may be deactivated when the officer is engaged in a community caretaking function. However, the camera must be activated when the officer has reason to believe the person on whose behalf the officer is performing a community caretaking function has committed or is in the process of committing a crime. If exigent circumstances exist which prevent the camera from being activated, the camera must be activated as soon as practical.
- J.** If exigent circumstances exist, or if the officer has reasonable, articulable suspicion that a victim, witness, or confidential informant has committed or is in the process of committing a crime, the officer may continue to record that person. In these situations, unless impractical or impossible, the officer must verbally indicate the reason for continuing to record despite the request from the victim, witness, or confidential informant.
- K.** When a body camera recording is deactivated by an officer prior to the conclusion of an event, the officer shall:
1. Describe the reason by narration prior to deactivation (i.e., "victim requested the camera be turned off").
  2. Document the reason for deactivation in the report, if one is written.
- L.** Body cameras may be deactivated when a person in custody is willing to speak with the officer but refuses to do so unless the camera is turned off, unless the law requires the recording because of the offense. Offenses that require recording of custodial interrogations are:
1. Juveniles in custody for misdemeanor or felony Sex Offenses under Article 11 of the Illinois Criminal Code, and any state felony charge.
  2. Adults in custody for murder; homicide; manslaughter; voluntary manslaughter; reckless homicide; drug-induced homicide; fatal DUI; predatory criminal sexual assault; aggravated arson; aggravated kidnapping; aggravated vehicular hijacking; home invasion; aggravated criminal sexual assault; armed robbery; aggravated battery with a firearm.



- M.** Because it may not be immediately apparent to an officer which subjects are witnesses, victims, suspects, or unrelated bystanders, officers are required to keep the body camera activated while they determine the role of each person in the incident. Officers are not expected to make a positive determination of what each person's role was prior to conducting interviews, so the standard will be reasonable belief based on the available information to the officer at that time.
- N.** Officers will not unreasonably endanger themselves or another person to conform to this policy. In any situation in which the camera is required to be turned on and exigent circumstances exist which prevent the camera from being turned on as directed by this policy, the camera must be turned on as soon as practicable. The reason for the delay will be noted in the police report or dispatch ticket if there is no report.
- O.** Officers are encouraged to provide notice to the subject being recorded unless it is unsafe to do so or exigent circumstances exist. If a person inquires as to whether a body camera is in use or whether a recording is being made, officers shall provide a prompt and truthful response.
- P.** Body worn cameras shall not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms, or restrooms unless there is a call for service in that area where law enforcement response is needed. Officers must provide notice of recording to any person if the person has a reasonable expectation of privacy, such as a person's place of residence, bathrooms, locker rooms, and hospital rooms. Proof of notice must be evident in the recording. If exigent circumstances exist which prevent the officer from providing notice, notice must be provided as soon as practicable.
- Q.** Officers should not record patients during medical or psychological evaluations or treatments and shall take all reasonable measures to avoid recording uninvolved persons or medical documents.
- R.** An officer may initiate a body camera recording any time the officer believes it would be appropriate or valuable to document an incident.
- S.** Officers are not required to record consensual contacts or incident contact with citizens unless that contact becomes confrontational or changes to an investigative or law enforcement contact, or they believe doing so would otherwise be beneficial.
- T.** During an officer's shift, the body camera shall remain in buffering mode. Officers shall not turn off the power to the body camera or remove it from their person during their shift or detail; with the following exceptions:

1. Exigent circumstance occur and a supervisor shall be made aware of the situation;
  2. During meal breaks in a non-public setting; or
  3. During personal breaks in non-public setting; or
  4. When at the Department, not on a call for service; or
  5. During the uploading process.
- U.** The recording officer or his/her supervisor may access and review recordings prior to completing incident reports or other documentation in all matters except critical incidents provided the officer or his/her supervisor discloses that fact in the report or documentation.

**VI. OPERATIONAL GUIDELINES FOR USE OF BODY CAMERAS BY NON-UNIFORMED OFFICERS:**

- A.** Officers assigned to the Investigations Division or any other non-uniformed position shall wear a body camera when they are visibly wearing articles of clothing, a badge, tactical gear, gun belt, patch, or other insignia that identifies he or she is a law enforcement officer acting in the course of his or her duties.
- B.** Officers assigned to the Investigations Division or any other non-uniformed position shall be equipped with a body camera and record the following situations:
1. An in-person interrogation, whether custodial or non-custodial, of an individual suspected of committing a crime, regardless of the location of that interrogation; except as enumerated in Section (C) below.
  2. A planned arrest detail.
  3. Execution of a search warrant.
  4. A uniformed detail.
  5. A uniformed patrol assignment.
  6. Any enforcement stop of a person or a vehicle.
  7. Response to an emergency call for service, unless vehicle is equipped with a dash cam and activated.
  8. Any other law enforcement encounters.
- C.** When an interrogation that must be recorded by law or this policy takes place in a location that has other video and audio recording options such as an interview room, that equipment may be used in lieu of the officer's body worn camera.

- D. Non-uniformed officers involved in the execution of a search warrant may deactivate the body camera recording once the scene is secure if they are not involved in an interrogation or are no longer in contact with citizens involved in the search warrant.
- E. While on duty, non-uniformed officers will have their assigned body camera available to them and charged at all times.
- F. Non-uniformed officers are subject to the same requirements and restrictions as uniformed officers except as explicitly provided in this policy.

**VII. OPERATIONAL GUIDELINES FOR USE OF BODY CAMERAS BY SWAT PERSONNEL:**

- A. Members of the Department's SWAT Team will wear a body camera during all search warrants, arrest details, or other incidents as directed by the SWAT supervisor.
- B. Unless unsafe to do so, officers will begin the body camera recording just prior to the execution of a search warrant, arrest activity, or other enforcement activity, or at any time directed to by a supervisor.
- C. SWAT officers may deactivate the body camera recording once the scene is secure provided they are not involved in an interrogation or are no longer in contact with citizens involved in the search warrant.
- D. Except as otherwise provided, SWAT Personnel are subject to the same requirements and restrictions as uniformed officers.

**VIII. OPERATIONAL GUIDELINES FOR USE OF BODY CAMERAS BY FEDERALLY DEPUTIZED TASK FORCE OFFICERS:**

- A. The use of body worn cameras by federally deputized task force officers shall be in compliance with this General Order. However, if any provision of this General Order conflicts with the attached Addendum ([Appendix A - Use of Body-Worn Cameras by Federally Deputized Task Force Officers](#)), the Addendum shall control.

**IX. SUPERVISOR RESPONSIBILITY:**

- A. Supervisors shall ensure officers equipped with BWC utilize them in accordance with policy and training.
- B. An officer's supervisor may authorize a reasonable delay in uploading of a body worn camera recording upon demonstrating that exigent circumstances exist.

- C.** When a supervisor becomes aware that a recorded incident pertains to a critical incident, as outlined in Section XI, the supervisor shall review only those recordings necessary and relevant to their investigative scope. The supervisor is responsible for forwarding the information via the chain of command with the exception of an incident being investigated by the Winnebago Boone County Integrity Task Force, [General Order 1.11](#).
- D.** Not less than once every 31 days, lieutenants or their designee shall ensure an appropriate sampling of BWC recordings pertaining to the work groups under their command are reviewed. The purpose of this review is to ensure that equipment is operating properly and that officers are using the cameras appropriately and in accordance with this policy and training.
- 1.** An appropriate sampling shall be interpreted as a sufficient number of recordings that is proportionate to the number of officers assigned to the work group.
    - a.** Patrol Sergeants shall review (2) BWC recordings per month from each officer under their direct supervision.
    - b.** Lieutenants shall also conduct one (1) BWC digital recording review per month from each Patrol Sergeant under their direct supervision.
    - c.** Selection of the BWC recording shall be from the first day of the previous month to the last day of the previous month (for example: if reviewing in February, select videos recorded from January 1st to January 31st) with the purpose of assessing officer performance, identifying material that may be appropriate for training, and ensuring compliance with this General Order.
  - 2.** The selection of recordings will be conducted in a manner that promotes an equitable review of recordings from all officers.
  - 3.** Supervisors shall document their review using the BWC Monthly Review, a copy of which is found in Appendix B. Completed forms shall be forwarded to the BWC Program Administrator.
  - 4.** Supervisors shall not review recordings for the sole purpose of searching for violations of department policy or law not related to a specific complaint or incident.
- E.** Recordings shall not be used to discipline law enforcement officers unless:
- 1.** A formal or informal complaint of misconduct has been made.
  - 2.** A use of force incident has occurred.

3. The encounter on the recording could result in a formal investigation under the Uniform Peace Officer's Disciplinary Act. The Uniform Peace Officer's Disciplinary Act defines a formal investigation as the process of investigation ordered by a commanding officer during which the questioning of an officer is intended to gather evidence of misconduct which may be the basis for filing charges seeking his or her removal, discharge or suspension in excess of three days.
  4. As corroboration of other evidence of misconduct.
- F. Recordings shall not be used to prepare performance evaluations, unless used for the purpose of correcting substandard employee performance that was brought to the supervisor's attention or highlighting commendatory performance of an employee.
- G. Supervisors shall encourage officers to upload body-worn camera recordings at multiple times during their shift.

**X. PROHIBITED USE OF BODY CAMERAS:**

- A. Body cameras shall not be used to record:
1. Communications with other police personnel during routine, non-enforcement related activities.
  2. Communications with other police personnel during planning and tactical discussions.
  3. Encounters with undercover officers or informants except as otherwise provided in this policy.
  4. When an officer is on break or is otherwise engaged in personal activities.
  5. In any location where individuals have a reasonable expectation of privacy, such a person's place of residence, locker rooms, dressing rooms, and/or restrooms, except during legitimate law enforcement encounters.
- B. Officers who inadvertently activate the body camera during non-law enforcement activities or in a setting in which others would have a reasonable expectation of privacy (place of residence, locker rooms, dressing rooms, and/or bathrooms) shall notify their supervisor immediately. The supervisor who was notified will as soon as possible classify the recording as "Confidential." The Assistant Deputy Chief of the officer who inadvertently made the recording may review the recording to the point where it can be determined that the recording was appropriately classified. Only Assistant Deputy Chiefs, the Deputy Chief and the Chief of Police will have viewing rights for recordings classified as "Confidential." "Confidential" recordings will be retained for a period of 90 days.

- C. Officers are prohibited from using Department-issued body cameras and recording media for personal use and from making personal copies of recordings created while on-duty or while acting in their official capacity.
- D. Officers shall not use their personal or department issued cellular phones, or any other devices with video recording capabilities, to record the playback of a BWC recording.
- E. Recordings shall not be used by any officer for the purpose of entertainment, embarrassment, or ridicule.
- F. Officers who are off-duty and who take official action are not expected to be in possession of their assigned body camera; except when in uniform and operating an assigned department vehicle.
- G. Live-streaming access to body cameras will ONLY be used for officer safety purposes (i.e., involved in a foot chase, not answering disposition checks, activating 10-78 button on portable radio).

**XI. CRITICAL INCIDENTS:**

- A. Officers may encounter situations where the circumstances rise to the level of a critical incident. These situations often require a response from supervisors and/or investigative units. [General Order 2.10](#) defines “critical incident” as, “Any employee involved in a use of deadly force, an incident that results in death or serious injury of any person, or any incident deemed to be a high stress event.”
- B. The initial supervisor or his/her designee responsible for operations at the critical incident site, but not directly involved in the actual incident, shall take physical custody of the body worn camera(s) that may have captured the incident.
- C. A law enforcement officer shall not have access to or review his/her body worn camera recordings or the body worn camera recordings of another officer prior to completing incident reports or other documentation when the officer;
  - 1. Has been involved in or is a witness to an officer-involved shooting, use of deadly force incident, or use of force incidents resulting in great bodily harm;
  - 2. Is ordered to write a report in response to or during the investigation of a misconduct complaint against the officer.

- D. If the officer subject to subparagraph C of this Section prepares a report, any report shall be prepared without viewing body worn camera recordings without the approval of the Chief of Police or Deputy Chief of Police. Officers must file a supplement report after viewing body worn camera recordings in such instances. Supplemental reports under this provision shall also contain documentation regarding the access and viewing of the video.
- E. The supervisor shall, as soon as practicable, upload the recording(s), and flag the recordings to extend the retention period, and classify the recording(s) as CONFIDENTIAL.
- F. Protected conversations with the appropriate counsel should not take place until the device is removed or completely powered off. Any protected recording captured on a body-worn camera MUST be classified as CONFIDENTIAL.

**XII. REASONABLE EXPECTATIONS OF PRIVACY:**

- A. When the subject has a reasonable expectation of privacy, officers shall inform individuals that they are being audio and video recorded. Proof of the notification must be evident in the recording and documented in the officer's police report.
- B. A person's objection to being audio and video recorded will not be honored in situations pursuant to an arrest or search of a residence. A subject who is being arrested does not have a reasonable expectation of privacy.
- C. If an officer is uncertain as to whether a reasonable expectation of privacy exists, the officer shall provide the aforementioned verbal notice.

**XIII. UPLOADING AND EVIDENCE DOCUMENTATION:**

- A. All body worn camera recordings may be considered as evidence.
- B. The body worn cameras shall be placed in the AXON docking station at the end of each shift. The recordings will be stored and accessible to authorized employees via a secure, web-based digital media storage facility.
- C. Whenever an incident is recorded and a report is written regarding that incident, the recording shall be noted in the corresponding police report.
- D. Whenever an incident is recorded by a body camera and the recording is entered as evidence, it is the responsibility of the officer who made the recording to ensure the existence of the recording(s) is entered into the property section of the police report.
- E. Exigent circumstances must exist to authorize any delay in the uploading of the BWC body worn camera recording. Approval must be given by the supervisor.

- F. For the purposes of redaction, labeling, or duplicating recordings, access to camera recordings shall be restricted to only those personnel responsible for those purposes.
- G. The recording officer or his or her supervisor may not redact, label, duplicate, or otherwise alter the recording officer's camera recordings.
- H. Except as otherwise provided in this policy, the recording officer and his or her supervisor may access and review recordings prior to completing incident reports or other documentation, provided that the supervisor discloses that fact in the report or documentation (including Blue Team investigations).
- I. Under no circumstances may an employee delete, erase, or alter a body camera recording prior to the expiration of the required storage period pursuant to this policy and state law.

#### **XIV. RETENTION AND PUBLIC REQUESTS FOR RECORDINGS:**

- A. Recordings made by officer-worn body cameras must be retained by the Rockford Police Department or the web-based digital media storage facility used by the Department, on a recording medium for a period of at least 90 days.
- B. Under no circumstances shall any recording made by an officer-worn body camera be altered, erased, or destroyed prior to the expiration of the 90-day storage period.
- C. Following the 90-day storage period, any and all recordings made with an officer-worn body camera may be destroyed unless any encounter captured on the recording has been flagged. Recordings shall be flagged in the following situations:
  - 1. A formal or informal complaint has been filed.
  - 2. The officer discharged his/her firearm or used force during the encounter.
  - 3. Death or great bodily harm occurred to any person in the recording.
  - 4. The encounter resulted in a detention or an arrest, excluding traffic stops which resulted in only a minor traffic offense or business offense.
  - 5. The officer is the subject of an internal investigation or otherwise being investigated for possible misconduct.
  - 6. The officer's supervisor, prosecutor, defendant, or court determines that the encounter has evidentiary value in a criminal prosecution.
  - 7. The recording officer requests that the video be flagged.



- D. Under no circumstances shall any recording made by an officer-worn body camera relating to a flagged encounter be altered or destroyed prior to 2 years after the recording was flagged.
- E. When a flagged recording is used in a criminal, civil, or administrative proceeding, the recording shall not be destroyed until a final disposition and order from the court.
- F. Recordings used for training purposes, following the 90-day storage retention period, may be retained for an extended period of time at the discretion of the Training Division supervisor.
- G. The freedom of information protocol established in the Law Enforcement Officer Body Worn Camera Act shall be followed when reviewing public requests for information.

**XV. PUBLIC RECORDINGS:**

- A. No officer may hinder or prohibit any person, not a law enforcement officer, from recording a law enforcement officer in the performance of his or her duties in a public place or when the officer has no reasonable expectation of privacy.
- B. Unlawful confiscation or destruction of a recording medium of a person who is not a law enforcement officer in violation of this policy may result in criminal penalties and/or departmental discipline, including but not limited to termination.
- C. Officers may take reasonable action to maintain safety and control, secure the crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect the public safety and order.

**XVI. REPORTING:**

- A. On or before May 1 of each year, the Police Department shall provide an annual report to the Illinois Law Enforcement Training and Standards Board. The report shall include:
  - 1. A brief overview of the makeup of the Department, including the number of officers utilizing body cameras.
  - 2. The number of body cameras used by the Department.
  - 3. Any technical issues with the equipment and how those issues were remedied. Including documentation from the PS Tracker program.
  - 4. A brief description of the review process used by supervisors within the Department.
  - 5. For each recording used in the prosecution of a conservation, criminal, traffic offense, or municipal ordinance violations:
    - a. The time, date, location, and district of the incident.

- b.** The offense charged and the date charges were filed.
- 6.** Any other information relevant pertaining to the administration of the body-worn camera program.

**XVII. VIOLATIONS:**

- A.** Violations of this Policy are subject to discipline up to and including termination.
- B.** A law enforcement officer commits law enforcement misconduct when, in the performance of his or her official duties with intent to prevent the apprehension or obstruct the prosecution or defense of any person, he or she knowingly and intentionally fails to comply with paragraphs (3), (5), (6), and (7) of subsection (a) of Section 10-20 of the Law Enforcement Officer-Worn Body Camera Act. Law enforcement misconduct is a Class 3 felony.

ALL GENERAL ORDERS REMAIN IN EFFECT UNTIL REVISED OR RESCINDED.

ANY MEMBER OF THE DEPARTMENT MAY, BY VIRTUE OF EXPERTISE OR POSITION OF FUNCTION, BE DESIGNATED TO AUTHOR OR PROVIDE SOURCE MATERIAL FOR A WRITTEN DIRECTIVE. THE OVERALL AUTHORITY TO ISSUE, MODIFY OR APPROVE WRITTEN DIRECTIVES IS DESIGNATED TO THE CHIEF OF POLICE. HOWEVER, AUTHORITY AND RESPONSIBILITY TO ISSUE DIRECTIVES IS DELEGATED TO THE FOLLOWING.

ALL GENERAL ORDERS ARE SCHEDULED TO BE REVIEWED ANNUALLY BY THE GENERAL ORDER REVIEW COMMITTEE AND WHEN NECESSARY, REVISED OR CANCELED IN ACCORDANCE WITH THE PROCEDURES FOR REVIEWING WRITTEN DIRECTIVES ESTABLISHED IN GENERAL ORDER 1.10 – WRITTEN DIRECTIVES.

ALL NEW AND REVISED GENERAL ORDERS SHALL BE APPROVED BY THE CHIEF OF POLICE BEFORE ISSUE/REISSUE.

ANY EMPLOYEE WITH SUGGESTIONS FOR REVISIONS AND/OR IMPROVEMENTS TO THIS ORDER ARE ENCOURAGED TO SUBMIT THEIR IDEAS TO THEIR RESPECTIVE DISTRICT COMMANDER OR BUREAU CHIEF.

**BY ORDER OF**

\_\_\_\_\_ **10/13/2021**

**Carla Redd**

**Chief of Police**