

Portable Audio/Video Recorders

429.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties (50 ILCS 706/10-20). Portable audio/video recording devices include all recording systems whether body-worn, hand-held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Pingree Grove Police Department facility, where another recording system captures the necessary media. Nor does this policy apply to authorized undercover operations, including wiretaps or eavesdropping (concealed listening devices).

429.1.1 DEFINITIONS

Definitions related to this policy include (50 ILCS 706/10-10):

Body-worn camera or camera - An electronic camera system for creating, generating, sending, receiving, storing, displaying, and processing audiovisual recordings that may be worn about the person of a law enforcement officer. 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 8 hours.

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)

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.

Law enforcement-related activities - Activities in which the member is enforcing the law, including traffic or pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd, and traffic control. It does not include tasks unrelated to the investigation of a crime such as participating in town halls or other community outreach; helping a child find the child's parents; providing death notifications; performing in-home or hospital well-being checks on the sick, elderly, or persons presumed missing; or completing paperwork while alone, participating in training in a classroom setting, or is only in the presence of another law enforcement officer.

Portable recorder or recorder - Either an audio-only recording device or a body-worn camera.

429.2 POLICY

The Pingree Grove Police Department shall provide specified officers with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public (50 ILCS 706/10-15). The Pingree Grove Police Department acknowledges captured audio or video or both does not necessarily include all observations (visual or otherwise) made by an officer that factored into a specific decision or

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course of action taken during an event. As recorded audio and video media is subject to limitations that prevent it from capturing every observation (visual or otherwise) made by an officer and therefore does not define the totality of the circumstances of an event. Furthermore, the Pingree Grove Police Department acknowledges captured audio or video or both may sometime reveal facts or circumstances that may have not been noticed or observed by an officer at the time of recording.

429.2.1 OBJECTIVES FOR BODY WORN CAMERA

The Pingree Grove 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.

429.3 OFFICER PRIVACY EXPECTATION

All recordings made by officers on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Officers shall have no expectation of privacy or ownership interest in the content of these recordings.

429.4 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.
- C. At the end of their shift, officers shall return the BWC to the docking station for uploading. The camera shall remain at the docking station until the officer's next

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shift. Officers are not authorized to bring the camera home, except as approved by a supervisor. 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. Members of Special Units such as: Major Crimes or K.C.A.R.T. may also keep their BWC at home when not on shift, in the event they are called in to respond to an incident.
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 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.

. Uniformed officers shall wear the camera in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a body-worn camera, the assigned member shall record his/her name, PGPD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Officers shall document the existence of a recording in any report or other official record of the contact, including any instance where the camera malfunctioned or the officer deactivated the recording. Officers shall include the reason for deactivation.

429.4.1 UNIFORMED OFFICER RESPONSIBILITIES

Each uniformed officer assigned to patrol duties, planned special events, or any other assignment where a uniformed officer acts in a capacity where they are expected to engage in law enforcement-related activities, will be responsible for making sure that they are equipped with a body-worn camera issued by the Department. Uniformed officers shall wear the camera in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

429.4.2 OFFICERS ON SCHOOL GROUNDS

The Pingree Grove Police Department recognizes that the duties and working environment for officers on school grounds are unique within law enforcement. It recognized that officers are required to maintain school safety while keeping the sanctity of the learning environment that the school provided. Officers are expected to continuously build trusting relationships with students

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and staff. They also may have impromptu interventions with students to deescalate arguments and/or conflicts. It is with this understanding that the Pingree Grove Police Department provides special regulations to officers on school grounds on their use of body-worn cameras while remaining in compliance with state law.

A. The body-worn camera shall be activated in any of the following situations:

1. When summoned by any individual or respond to an incident where it is likely that a law enforcement- related activity will occur.
2. Any self-initiated activity where it is previously known or facts develop that a custodial arrest will be made or a law enforcement-related activity will occur.
3. Any self-initiated activity where it is previously known or facts develop that the questioning/investigation will be used later in criminal charges.
4. When feasible an officer shall activate the body-worn camera when the contact becomes adversarial, the subject exhibits unusual or aggressive behavior, or circumstances indicate that an internal complaint will likely be filed.

If exigent circumstances prevent an officer from turning on a body-worn camera when required, the camera shall be activated as soon as practical. The officer shall document the reasons(s) for the delayed activation in an official report.

If an incident is recorded on a body-worn camera, the principal of the school or their designee shall be notified of the incident/recording. The officer shall also notify their immediate supervisor or their designee.

Officers on school grounds shall wear the camera in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

It is also recognized that officers often have conversations with students/staff that are unrelated to the investigation of a crime and fall under the definition of a community caretaking function. It is not appropriate to record these conversations as it diminishes the trust between the individual and the officers.

429.4.3 OPERATIONAL GUIDELINES FOR USE OF BODY CAMERAS BY NON-UNIFORMED OFFICERS

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.

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 below.

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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.

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.

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.

While on duty, non-uniformed officers will have their assigned body camera available to them and charged at all times.

Non-uniformed officers are subject to the same requirements and restrictions as uniformed officers except as explicitly provided in this policy.

429.4.4 OPERATIONAL GUIDELINES FOR USE OF BODY CAMERAS BY DEPUTIZED TASK FORCE OFFICERS

The use of body worn cameras by deputized task force officers shall be in compliance with this General Order.

429.5 ACTIVATION OF THE AUDIO/VIDEO RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

Members wearing body-worn cameras and any clothing or any indication they are law enforcement shall have the body-worn camera turned on at all times while they are on-duty and are responding to calls for service or engaged in law enforcement-related activities (50 ILCS 706/10-20).

Other portable recorders should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which an officer would normally notify KaneComm Dispatch

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- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

If exigent circumstances prevent an officer from turning on a body-worn camera when required, the camera shall be turned on as soon as practicable (50 ILCS 706/10-20).

Members shall not record interactions with confidential informants unless exigent circumstances exist or the informant has or is committing a crime (50 ILCS 706/10-20).

Members should remain sensitive to the dignity of all individuals being recorded and unless recording with a body-worn camera is required, exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

429.5.1 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that the member's direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Body-worn cameras shall be turned off when a victim, a witness, or a community member reporting a crime requests that the camera be turned off. The request should be captured on the recording. However, an officer may continue to record or resume recording a victim or witness if exigent circumstances exist or the officer has a reasonable articulable suspicion that the victim or witness has committed or is in the process of committing a crime. Under these circumstances, the officer should indicate on the recording the reason for continuing to record despite the request of the victim or witness (50 ILCS 706/10-20).

Officers are permitted to turn off body-worn cameras while inside a patrol car equipped with Mobile Audio/Video (MAV). Cameras may also be turned off when the officer is not engaged in law enforcement-related activities (50 ILCS 706/10-20).

429.5.2 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Illinois law prohibits any individual from surreptitiously recording any conversation in which any party to the conversation has a reasonable belief that the conversation is private or confidential (720 ILCS 5/14-2).

However, officers using body-worn cameras are not prohibited from recording a private conversation if the person is provided notice of the recording and proof of that notice is captured on the recording. If exigent circumstances exist that prevent the officer from providing notice, notice must be provided as soon as practicable (50 ILCS 706/10-20).

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Officers shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

429.5.3 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

429.5.4 CRITICAL INCIDENTS

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.

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.

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.

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.

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.

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.

429.6 UNINTENTIONAL ACTIVATION

In the event of an unintentional activation of a portable recorder during non-enforcement or non-investigative activities (e.g. - restroom or meal break, other areas where reasonable expectation of employee privacy exists) a Department employee may request the recording be deleted. A correspondence detailing the circumstances of the unintentional recording will be forwarded via the chain of command to the employee's supervisor. If approved, the actual deletion requires two-party authorization. One of those parties will be the employee's supervisor; the other will be the Body-Worn Camera Coordinator. In the event that the employee's supervisor and the Body-Worn

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Camera Coordinator are one in the same, an additional Restricted Administrator will be required. Only the Body-Worn Camera Coordinator shall facilitate the actual removal of any record approved for deletion. Records related to any request for the deletion of media shall be maintained by the Body-Worn Camera Coordinator.

429.7 PROHIBITED USE OF PORTABLE RECORDERS

Officers are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Officers are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Officers shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Officers are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Sergeant. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation or ridicule or in violation of any other Department or Village policy.

An officer may not prevent an individual, who is 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. However, this provision does not prevent an officer from taking reasonable action to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect the public safety and order (Policy 426: Public Recording of Law Enforcement Activity).

429.8 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, officers should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

An officer shall notify their supervisor when the officer reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.

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- (f) Disclosure may compromise an undercover officer or confidential informant.
- (g) The recording or portions of the recording may be exempted from disclosure under the Freedom of Information Act or the Law Enforcement Officer-Worn Body Camera Act (5 ILCS 140/7.5; 50 ILCS 706/10-20).

Any time an officer reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the officer should promptly notify a supervisor of the existence of the recording.

429.8.1 BODY-WORN CAMERAS

With respect to body-worn camera recordings, the recording member and supervisor are prohibited from redacting, duplicating, or altering the recording (50 ILCS 706/10-20).

429.9 REVIEW OF RECORDED MEDIA FILES

For the purposes of redaction, labeling, or duplicating recordings, access to camera recordings shall be restricted to only those personnel responsible for those purposes, as determined by the Body-Worn Camera Coordinator. The recording officer or his or her supervisor may not redact, label, duplicate or otherwise alter the recording officer's camera recordings. Officers and their supervisors may categorize recordings to ensure proper identification of the recording and/or association of the recording to a report. Except as otherwise provided in this section, the recording officer and his or her supervisor may access and review recordings prior to completing incident reports or other documentation, provided that the officer and supervisor discloses that fact in the report or other case related documentation. For the purposes of this section, a supervisor is deemed to have disclosed the fact an officer reviewed recordings prior to completing incident reports or other documentation with their signature approving an officer's report where the officer affirmatively states in the report that the officer reviewed the video recording related to the incident identified in the report. Officers should not use the fact that a recording was made as a reason to write a less detailed report. Officers may not view any recordings from a device other than devices approved by the Chief of Police or their designee. Officers shall not access and/or review videos from an employee owned personal device without permission from the Chief of Police or their designee

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing a member's performance.

The supervisor of the recording member shall document in the report or other documentation if the supervisor or the recording member reviewed body-worn camera recordings prior to completing the report or other documentation.

A law enforcement officer shall have access to or review his or her body-worn camera recordings or the body-worn camera recordings of another officer prior to completing reports or other documentation when the officer:

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- (a) Has been involved in or is a witness to an officer-involved shooting, use of deadly force incident, or use of force incident resulting in great bodily harm.
- (b) Is ordered to write a report in response to or during the investigation of a misconduct complaint against the officer.

If the officer subject to either condition noted above prepares a report, any report shall be prepared without viewing body-worn camera recordings, and subject to supervisor's approval, officers may file amendatory reports after viewing body-worn camera recordings. Any supplemental reports prepared under this provision shall also contain a statement that the officer reviewed the video prior to preparing the supplemental report.

The recording officer's assigned field training officer may access and review recordings for training purposes. Any detective or investigator directly involved in the investigation of a matter may access and review recordings which pertain to that investigation but may not have access to delete or alter such recordings.

If the officer prepares a report related to the circumstances listed above, subject to a supervisor's approval, a member may file a supplemental report after viewing body-worn camera recordings. The member shall document in the supplemental report that the member reviewed recordings (50 ILCS 706/10-20).

Recorded files may also be reviewed:

- Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation.
- Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- By media personnel with permission of the Chief of Police or the authorized designee.
- In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records/Freedom of Information Officer prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

Any officer or employee who knowingly and intentionally fails to comply with this policy and/or alters or destroys body worn camera footage is subject to disciplinary action up to and including termination of employment.

429.9.1 ACCESSING LIVE MEDIA

If the assigned body-worn cameras are capable of providing live streaming video feeds that can be viewed remotely, access to these applications will be limited to those holding the rank of sergeant or above. These applications are to assist supervisory personnel during events of a critical nature

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in order to provide timely data useful in making informed decisions. Events of a "critical nature" include:

- (a) Planned high risk events, including warrant services and protests;
- (b) Unplanned high risk events, including active shooters and hostage situations;
- (c) Officer safety events, including incidents where an officer's current location or condition are not known and attempts to contact the officer are not successful; or
- (d) As determined by the Chief of Police or his/her designee.

If practical, supervisors accessing live video feeds should notify the officer(s) equipped with the body-worn camera being viewed remotely.

429.10 BODY-WORN CAMERA COORDINATOR

The Chief of Police or the authorized designee should designate a coordinator responsible for (50 ILCS 706/10-20):

- (a) Identifying members who are assigned body-worn cameras.
- (b) Identifying members permitted to access recordings in order to redact or duplicate recordings.
- (c) Ensuring body-worn cameras acquired on or after July 1, 2015, are equipped with pre-event recording of at least the 30 seconds prior to camera activation and are capable of recording for a period of at least 10 hours.
- (d) Establishing procedures for:
 - 1. The care and maintenance of body-worn cameras, including reasonable efforts to be made by supervisors to correct or repair body-worn camera equipment upon notice from a member experiencing technical difficulties, failures, or problems with the equipment.
 - 2. Compliance with the Law Enforcement Officer-Worn Body Camera Act and guidelines established by the Illinois Law Enforcement Training and Standards Board (ILETSB) for the use of body-worn cameras.
 - 3. Security of recordings including access controls.
 - 4. Redacting and duplicating recordings.
 - 5. Supervisor and member review of recordings.
- (e) Providing an annual report to the ILETSB pursuant to 50 ILCS 706/10-25.
- (f) Ensuring the Department uses authorized body-worn camera recording media (50 ILCS 706/10-10).

429.11 RETENTION OF RECORDINGS

Recordings made on officer-worn cameras must be retained by the Department, or by the camera vendor used by the agency, on a storage platform for a period of no less than 90 days. Under no circumstances shall any recording, except for a non-law enforcement related activity or encounter, made with an officer-worn body camera be altered, erased, or destroyed prior to the expiration of

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the 90-day storage period. In the event any recording made with an officer-worn body camera is altered, erased, or destroyed prior to the expiration of the 90-day storage period, the Department shall maintain, for a period of one year, a written record including the name of the individual who made such alteration, erasure, or destruction, and the reason for any such alteration, erasure, or destruction. The Department Coordinator is responsible for maintaining these records.

All recordings other than those made with body-worn cameras shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 90 days unless the recordings are made a part of any criminal, civil, or administrative proceeding and then the recordings must only be destroyed upon a final disposition and an order from the court (720 ILCS 5/14-3(h-15)).

After the 90-day storage period, recordings must be destroyed unless any of the following occur (50 ILCS 706/10-20):

- (a) A formal or informal complaint has been filed.
- (b) The officer discharged his/her firearm or used force during the encounter.
- (c) Death or great bodily harm occurred to any person in the recording.
- (d) The encounter resulted in a detention or arrest other than a traffic stop resulting in only a minor traffic offense or a petty offense.
- (e) The officer is the subject of an internal investigation or otherwise being investigated for possible misconduct.
- (f) The supervisor of the officer, prosecutor, defendant or court determines that the encounter has evidentiary value in a criminal prosecution.
- (g) With supervisor approval, the recording officer requests that the video be retained for official purposes related to his/her official duties.

Under these circumstances, the recording of the encounter shall not be altered or destroyed for two years. If the recording is used in a criminal, civil or administrative proceeding, the recording shall not be destroyed except upon a final disposition and order from the court.

Recordings may be retained for a period longer than 90 days anytime a supervisor designates the recording for training purposes and may be viewed by officers, in the presence of a supervisor or training instructor, for the purposes of instruction, training or ensuring compliance with department policies.

429.11.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

429.12 SUPERVISORS RESPONSIBILITIES

Supervisors shall ensure officers equipped with body-worn cameras utilize them in accordance to policy and training.

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An officer's supervisor may authorize a reasonable delay in uploading of a body worn camera recording upon demonstrating that exigent circumstances exist.

Upon receiving notice from an officer of technical difficulties, failures, or problems with the officer worn body camera or associated equipment the supervisor shall make every reasonable effort to facilitate the correction and repair of any of the officer worn body camera equipment.

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 any of the multi-jurisdictional task forces.

Not less than once every 7 days, Sergeants 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, recordings are categorized accurately, 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 (1) BWC recordings per week from each officer under their direct supervision.
 - (b) Deputy Chief shall also conduct one (1) BWC digital recording review per week from each Patrol Sergeant under their direct supervision.
 - (c) Selection of the BWC recording shall be from Sunday through Saturday 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, Completed forms shall be forwarded to the Deputy Chief for review.
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.

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.

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4. As corroboration of other evidence of misconduct.

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.

Supervisors shall encourage officers to upload body-worn camera recordings at multiple times during their shift.