



CITY OF POLSON

Office of the City Manager
106 1st Street E. | Polson, MT 59860
406-883-8207 | 406-883-8238
citymanager@cityofpolson.com
www.cityofpolson.com

ADMINISTRATIVE POLICY NO. 2022 01:

Body Camera Use In Building Inspection & Code Enforcement Departments

In order to utilize best practice(s) for the use of Body Camera technology, outside of the emergency service departments, the attached policy (*Body Cameras, 3/23/2022*) is effective immediately in the Building Inspection and Code Enforcement Departments.

Parts of this Body Camera policy related to digital storage may require delayed, or phased, implementation due to existing market conditions affecting the purchase and installation of new computer hardware. However, such implementation will be accomplished at the earliest possible opportunity.

Dated this 23rd day of March 2022.

Edwin R. Meece, City Manager



Building and Code Enforcement Departments.

SUBJECT: Body Cameras

FROM: Ed Meece, City Manager

EFFECTIVE DATE: 3/23/22

The purpose of this executive order is to establish policy regarding the collection, use and processing of audiovisual and digital media/devices.

This order consists of the following numbered articles:

- I. Definitions**
- II. Assignment of Equipment**
- III. Equipment Repair**
- IV. Body Worn Camera (BWC)**
- V. BWC Recording Storage**

I. Definitions

- a. Audio Recording – The electronic recording of conversation, spoken words, or other sounds.
- b. Body Worn Camera (BWC) – Equipment worn by staff that captures audio/video and includes at a minimum a camera, microphone, and recorder.
- c. Controller Switch – Master on/off power.
- d. Event Record Button – Push-button activation switch of the BWC device.
- e. Image – An imitation or representation of a person or thing, drawn, painted, photographed, etc.
- f. Digital Devices – Devices which can store, display, or manipulate data (i.e., MP3 players, memory stick, external hard drives, digital cameras, cell phone cameras, etc.).
- g. Digital Image – An image that is stored in numerical form.
- h. Copy Image – A reproduction of information contained in a primary or original image.

Duplicate Image – An accurate and complete replica of an original image, irrespective of media.

- j. *Media or Data* – Photographs, audio recordings and video and audio footage captured.
- k. *Incident* – an event or occurrence of an action or situation that is a separate from normal or typical interactions done during the performance of official duty.
- l. *Processed Image* – An output image (See Image Processing).
- m. *Server Storage System*– A storage system that stores data in a highly secure environment accessible to the City Manager or their designee.
- n. *Working Image* – An image subjected to processing.
- o. *Archiving* – Long-term storage of an image.
- p. *Capture* – The process of recording an image.
- q. *Capture Device* – A device used in the recording of an image.
- r. *File Format* – The structure by which data is organized in a file.
- s. *Image Analysis* – The extraction of information from an image beyond that which is readily apparent through visual examination.
- t. *Image Enhancement* – Any process intended to improve the visual appearance of an image.
- u. *Image Verification* – A process by which personnel identify an image as being an accurate representation.
- v. *Intermediate Storage* – Any media or device on which an image is temporarily stored for transfer to permanent or archival storage.
- w. *Original File Format* – The file format of the primary image.
- x. *Storage* – The act of preserving an image.
- y. *Disk* – A disk used to save/stored computerized data.
- z. *Memory Card* – A unique data/information storage device in some digital cameras utilized to record/save digital images.

- aa. Computer – A device (desktop, tower, racked mounted unit, handheld, or laptop) containing the memory, processor, and storage devices that processes, communicates, and stores information.
- bb. Computer Peripherals – Input (i.e., mouse, keyboard, web camera, scanner, etc.) and output (i.e., printer, display screens, and plotters).

II. Assignment of Equipment

- a. Polson Building Department and Code Enforcement (hereafter PBID) owned equipment will be assigned to individual staff.
- b. Staff will inspect and functionally check the equipment at the beginning of each shift.
- c. Only PBID issued equipment will be used for audio and/or visual recordings or photographs (hereafter data recording).

III. Equipment Repair

- a. All equipment malfunctions will be brought to the attention of a supervisor. When repairs are required, a Work Order Request must be completed.
- b. Routine maintenance will be performed in accordance with the manufacturer's recommendations and instructions.

IV. Body Worn Camera (BWC)

- a. Although this executive order identifies those situations in which activation of the BWC is required, the staff has discretion to manually activate the system any time the staff believes it would be appropriate or valuable to document an incident. The BWC shall only be activated for legitimate building code and code enforcement purposes. Activation is required in the following situations:
 - i. All field contacts involving actual or potential code violations within audio/video range; and
 - ii. If the availability to use the BWC is present then it may be used.
 - iii. Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require data recording.
 - iv. Any other legitimate contact where the staff believes that data recording of an incident would be appropriate.

- v. The BWC must not be used for the purpose of intimidating an individual or to discourage an individual from observing staff activity, making appropriate inquires, or making a complaint.
 - vi. Staff may find themselves in a situation requiring immediate action, in a rapid evolving incident, in these situations – as in all situations –the staff safety is of the utmost importance. Staff should activate the BWC if doing so does not place them or others in danger. Otherwise, they shall activate the BWC at the first available opportunity after the immediate threat has been addressed. The staff may document the reasons for the delayed activation in their report.
- b. Once the BWC is recording, it must remain on until the incident has concluded or the investigation is over; or staff may stop recording if there are long lapses in time between investigation activity (i.e., wait time while driving across town to interview another individual, waiting for medical personnel to finish clearing treating an individual, etc.).
 - c. The BWC shall not be used to record non-work related personal activity. The BWC shall not record in places where staff has a reasonable expectation of privacy, such as a locker room, dressing room, or restroom. The BWC shall not be activated to record conversations of city employees during routine, non-enforcement related activities without their knowledge or during rest or break periods, or in designated break areas unless an active pre-existing investigation is underway or authorized by law.
 - d. Staff are recommended to wear the BWC in a manner consistent with the manufacturer's recommendations.
 - e. If staff believes that a recorded event may lead to a citizen complaint, the staff shall bring the data recording to the attention of the City Manager or their designee.
 - f. Staff must not make covert data recordings of conversations with other staff except during an investigation approved by the City Manager or their designee.
 - g. Staff are not authorized to make copies of any data recordings for their personal use.
 - h. Staff shall wear the BWC at all times while on duty. Staff must wear the BWC in an open and visible manner unless such staff find themselves in a situation requiring immediate action, in a rapid evolving incident, in these situations – as in all situations – the staff safety is of the utmost importance. Otherwise, they are recommended to position the BWC in an open and visible manner at the first available opportunity after the immediate threat has been addressed. The staff are recommended to document the reasons for the delayed positioning in their report.
 - i. General access to data recordings shall be granted to the Building Official, or the Code Enforcement Official, or the City Manager or their designee, only. It is the responsibility of authorized users to keep their username and password confidential. Accessing,

copying, or releasing any data recordings for other than official purposes is strictly prohibited, except as required by law and provided in this order.

- j. City Manager or their designee may review specific data recordings for the purposes of training, performance reviews, critique, early intervention inquiries, civil claims, and administrative inquiries. Routine audits of recording devices may be used for maintenance and training purposes, absent additional corroborating evidence or civilian complaint. Audits must be conducted by the City Manager or their designee.
- k. Under no circumstances shall staff with access to the BWC data recordings be allowed to use, show, reproduce or release data recordings for the purpose of ridicule or embarrassment to any individual or for other non-enforcement related matters.
- l. Prohibition on public or private release of BWC data recording. This includes submission of any portion of a BWC data recording to a media organization or other party unless release has been approved in advance by the City Manager or their designee. All BWC data recordings are the property of the City of Polson.
- m. Data recordings on the server storage system will be assigned, categorized, and otherwise identified as to an address and date. This will ensure no accidental deletions. Only data recordings with no evidentiary value can be deleted by a designated recording staff member appointed by the City Manager; any other deletion requires a supervisor's approval.
- n. At least twice annually, all Building Department personnel will have training on the contents of this policy, to be documented by the Building Department Official.
- o. Violations of this executive order shall be reported to the City Manager and or their designee.

V. BWC Recording Storage

- a. Staff shall upload their issued BWC data recordings to a server storage system facility at the end of every shift.