

INTRADEPARTMENTAL CORRESPONDENCE

March 25, 2015

1.1

TO: Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: CITY COUNCIL INQUIRY RELATIVE TO THE
IMPLEMENTATION OF BODY WORN VIDEO

RECOMMENDED ACTION

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE this report.
2. That the Board TRANSMIT the Department's report to the City Council regarding the implementation of body worn video (BWV).

DISCUSSION

The following is in response to a City Council inquiry regarding the implementation of BWV. This report addresses the Department's testing, evaluation and selection of a BWV solution, and the steps the Department has taken to develop a BWV policy that addresses the many issues involved with the deployment of video technology that is intended to record enforcement and investigative contacts with the public.

If you have any questions, please contact Maggie Goodrich, Chief Information Officer, Information Technology Bureau at (213) 486-0370.

Respectfully,



CHARLIE BECK
Chief of Police

Attachments

Body Worn Video
March 25, 2015
Council File Numbers 13-1243 and 14-1738

I. Background

In 2010, at the direction of the Chief of Police, the Los Angeles Police Department (LAPD or Department) Tactical Technology Section (TTS), which is charged with developing and evaluating new and emerging technology for the Department, began researching and evaluating the latest developments in body worn video (BWV) technology. The LAPD was looking for a solution that was secure, reliable and easy to use, that could ultimately be worn by patrol officers and serve as an additional source of evidence in criminal prosecutions and administrative investigations.

The main issues hindering adoption at that time were form factor, battery life, storage, and cost. The few systems that were available did not have sufficient battery power to endure an officer's 12-hour field deployment without utilizing or tethering multiple batteries. This made the systems cumbersome and impractical for mass adoption.

Additionally, those researching the technology quickly found that the camera itself was only a fraction of the concern when it came to selecting the right solution for the Department. It became clear that a BWV system must provide not just a camera, but a total solution, including: a video transfer mechanism, storage, and advanced video management software. These features were identified as critical to ensure all video transferred would be original and unaltered, the chain of custody of the video would be properly maintained, and secure access control measures and audit logs would be provided. At that time, however, while BWV development appeared to be a focus for a number of vendors, none offered a total solution that would meet the needs of the Department.

Over the next several years, the LAPD TTS followed the incremental developments in this area of technology, and regularly discussed the operational and technical needs of the LAPD with various vendors, in the hope that a solution would ultimately surface that would meet the needs of the Department.

In August 2013, Steve Soboroff, President of the Los Angeles Board of Police Commissioners (the Commission), met with LAPD representatives to discuss the state of the BWV technology, and the potential for the implementation of BWV across the Department. At that time, the Department believed the technology had advanced significantly, and body camera technology had reached a point of viability for the unique needs of the City. The miniaturization of the devices, coupled with the improved performance of battery life, video compression and the reduction in storage costs were significant factors for consideration of use by the Department. Given these advancements, a field test was needed and Commissioner Soboroff

pledged to raise private funds for the purchase of BWV, if the Department tested the equipment and recommended a BWV solution.

On September 17, 2013, Councilmember Mitchell Englander, Chair of the Public Safety Committee for the Los Angeles City Council, introduced a motion (C.F. No. 13-1243) requesting that the LAPD conduct a field test of BWV and report its findings and recommendations on the,

... style of body camera to be used, and policy recommendations on how a department-wide body camera program can be implemented, including but not limited to how the department will use video for investigative purposes, internal disciplinary actions, what video is discoverable, and retention period.

Though many vendors in the market produced a body worn camera in September 2013, only two vendors met the Department's requirements as set forth above. Some vendors offered to build a solution for the Department, but the Department evaluated only solutions that existed at the time and were in use by other agencies at that time.

Taser International (Taser), provided a solution with two styles of cameras and a hosted/cloud storage and video management solution. The second, Coban Technologies (Coban) offered a camera manufactured by a third party (VieVu) that integrated with the LAPD's existing digital in-car video on-premise storage and video management solution.

Over approximately six months, the LAPD tested the solutions in the field and evaluated their performance. During that time, Commission President Soboroff raised approximately \$1.3 million in private funds to purchase several hundred body worn cameras. The Los Angeles Police Foundation donated an additional \$250,000 in funding to purchase BWV equipment.

In November 2014, the Department reported to the Commission that it recommended the selection of the BWV solution from Taser based on its ease of use and advanced capabilities and features. The Board approved the recommendation and requested that the Department proceed with the development of a policy and proceed with the meet and confer process with the Los Angeles Police Protective League (LAPPL) as quickly as possible.¹

¹ At that meeting of the Board of Police Commissioners, those who appeared on behalf of the Department to recommend the Taser solution to the Board were asked if they had a business relationship of any sort with any of the companies that provided BWV solutions for the field test and evaluation. None of the personnel involved with the evaluation, testing, or recommendations had any such business relationship with TASER, Coban or any other BWV provider.

On December 16, 2014, Councilmember Curren D. Price, Jr. introduced a motion (C.F. No. 14-1738), requesting that the LAPD report to the City Council the results of its field testing. The motion specified that,

The report should include the results of the pilot program in Central Division, information on what vendor will be selected to provide the cameras, the purchase and implementation timeline, and information on how the Department will deploy the cameras across the City and what policies the Department will put in place on the use of body-worn cameras.

On December 16, 2014, Chief of Police Charlie Beck and Mayor Eric Garcetti held a press conference and announced the deployment of 800 body worn cameras in 2015, to be purchased by the Los Angeles Police Foundation. Mayor Garcetti also announced that his fiscal year 2015-16 budget would include funding to enable 7,000 LAPD personnel to use BWV in the field.

II. The Field Test

The Department tested the two BWV solutions using volunteers assigned to the Central Area Safer Cities Initiative (SCI). SCI officers were selected because of the nature of their assignment, which includes foot beats and multiple investigative and enforcement contacts with members of the public.

Thirty SCI officers volunteered for the 90-day field test and began testing the Taser BWV solution in January 2014. The volunteers tested each of two cameras offered by Taser (*See* fig. 1 and 2 for examples of the Axon Body and Axon Flex cameras) while on duty in the field, docked the cameras in the Taser Electronic Transfer Mechanism (ETM or docking station) to download the video to Taser's Evidence.com storage solution and charge the camera, and accessed Evidence.com to review video as required by the draft policy that was published for purposes of the field test. At the end of the 90-day field test of the Taser solution, both models of cameras were collected from the SCI officers.



Figure 1: Axon Body



Figure 2: Axon Flex

In June 2014, the SCI officers began the 90-day field test of the Coban solution. Each officer wore the VieVu camera (*See* fig. 3 for an example of a VieVu camera),

connected the camera to a computer on the LAPD Local Area Network (LAN) to download the video to the Department's on premise storage solution, and accessed the Coban video management software to review video as required by the draft policy that was published for purposes of the field test. At the end of the 90-day field test of the Coban solution, the VieVu cameras were collected from the SCI officers.



Figure 3: VieVu L3

At the start of each of the two field tests, officers from the LAPD TTS trained each SCI officer in the use of the BWV camera solution and the related policy. (See Ex. 1 and Ex. 2 attached for the two draft policies that were utilized for the field tests of the two solutions.) TTS officers also gave presentations at roll calls for each Watch in Central Area to ensure all officers in the Division were aware of the field test. Additionally, TTS officers trained supervisors in Central Area and investigators from various administrative sections and divisions within the Department, including Internal Affairs Group, Force

Investigation Division and Use of Force Review Division, on how to retrieve and review BWV captured during the field test. Any video requiring to be duplicated for criminal prosecutions or administrative investigations was produced on disc by TTS.

Over the course of each of the two 90-day field tests, TTS staff interviewed the SCI officers every 30 days to receive feedback from the officers. The surveys first asked about the use of the particular solution tested and subsequent surveys asked for more detailed feedback from the officers as they used the equipment for a longer time period. Some officers chose to submit their feedback in writing while others chose to provide feedback during interviews by TTS staff.

While the field tests were underway, the Department (including representatives from the LAPD Employee Relations Group, Information Technology Bureau, Planning and Research Division, and the Office of Operations) held meetings with representatives from the Office of the Inspector General and the LAPPL to discuss the progress of the testing. During each of those meetings with the LAPPL, volunteers from the SCI attended to provide direct input to the group in regard to the use and policy of BWV. The input and feedback from those SCI officers was overwhelmingly positive. Officers explained that as they grew accustomed to the BWV device, they saw a variety of benefits of BWV. For example, officers indicated that once a person they had contact with understood the encounter was being recorded, it often deescalated the situation. Officers also indicated that the video captured during an encounter helped clear an officer of false allegations made in a complaint against the officer.

III. Technical Testing

In addition to the field-testing, officers from TTS tested the technical capabilities of the equipment. For example, if the vendor claimed the system could perform a particular function (e.g., a battery life of 12 hours, a 30-second pre-event buffer, video and audio quality, etc.) that function was tested extensively. Both solutions were also tested side-by-side in similar conditions (e.g., low light conditions, on the move, etc.) to enable an apples-to-apples comparison of the solutions.

IV. Test Results and the Recommended Solution

The following results and recommendations were determined through the technical testing conducted by TTS and the end-user feedback provided by the field officers who deployed the devices and used the supporting software. In addition, interviews were conducted with the individual vendors.

a. Taser Test Results

Pros of the Taser Solution

- Physical design
- Sealed device
- Ease of Use (camera and supporting computer based interface)
- Video quality (standard definition)
- Video Stability
- Programmable pre-event buffer (up to 30 seconds)
- Battery Life (exceeded 12 hours)
- Charge time (4 hours)
- Easy download of video from device via ETM
- Firmware, time synchronization, and software on cameras updated automatically via ETM
- Storage managed by Taser
- Scalability
- Mobile device for viewing and adding meta data
- Ease of use for system administrator
- Chain of custody
- System Security (in transit and at rest)
- Electronic sharing capability (based on roles and permissions)
- Web based interface
- Audit/Reporting Documentation
- Product/software controlled by one vendor
- iOS and Android compatible
- Evidence.com also used to manage the Department's Taser x26 devices
- GPS option
- Programmable audible tone for activation and system status

Cons of the Taser Solution

- Initial individual enrollment process
- Administrative Dashboard Usability
- Multiple password security for authentication
- Bluetooth connection issues with iOS devices

Cons of the Axon Flex

- Audio – still usable but could be improved since the microphone is mounted to the side of the camera
- Camera connected to the battery pack via cord
- Camera angle inconsistent when moving between mounting options
- Discomfort when utilizing eyeglass mount for prolonged use
- Eyeglass mount not compatible with most prescription eyewear

Cons of the Axon Body

- Audio – still usable but could be improved due to wind noise
- Need to develop additional mounting options
- Size of device
- Lack of adjustable camera angle

b. Coban/VieVu Test Results

Pros of the Coban/VieVu Solution

- Audio quality
- Same back office video management solution as in-car video
- Camera size
- Camera ease of use
- Battery life
- Hard drive size (16 GB)
- Charge time (3 hours)
- Training (compliments existing training developed for in-car video)
- Sealed Device
- Existing infrastructure and network design

Cons of the Coban/VieVu Solution

- Low-light video quality (standard definition)
- Stability
- No pre-event capability
- Lack of adjustable camera angle
- Mounting clip (stability, durability, and screw head causing uniform damage)
- Accidental activations
- Could not verify a true 1-to-1 transfer of original video (device to storage)
- Lack of viewing device (physical connection required)
- Video did not always upload

- No mass uploading/charging device (at time of testing)
- Back office end-user experience
- Need an LAPD computer to connect, login, and then download video
- On premise solution requires multiple City employees to maintain servers, switches, network connectivity, tape drives, firmware, software, operating systems, etc.
- Lack of reporting functionality
- Product/software controlled by different vendors
- Lack of GPS option
- No programmable audible tone for activation and system status

c. The Recommended Solution

Based on the testing and findings described above, the Department recommended that the Police Foundation purchase the solution from Taser. The testing showed that Taser's Axon Body camera met the Department's technical and operational needs as determined by the technical and field tests. In addition, the Taser offering was designed and functioned as a single system rather than requiring individual components (hardware/software) to be deployed together to form a system.

d. Further Market Analysis

Each year, the International Association of Chiefs of Police (IACP) hosts its annual conference; the largest conference in the United States dedicated solely to law enforcement. The exhibit hall at the conference is host to every major (as well as a variety of smaller) vendor in the law enforcement market. Everything from vehicles to weapons to helicopters to every facet of technology is represented in the exhibit hall.

During the most recent IACP conference in October 2014, a member from LAPD TTS visited every vendor in the exhibit hall that offered a body worn camera and/or system to review the state of the available BWV solutions in the market. It was clear that the recent events in Missouri fueled the introduction of several new cameras into the market place. After in-depth discussions with the various BWV vendors, it was also clear that most offerings were in their early stages of design and development, and were relying on systems initially design for other video platforms (i.e., in-car video, security cameras, etc.) or were in the initial phases of their production. In fact, after understanding the scope of the LAPD's efforts in regard to BWV, several of these BWV companies asked if they could send engineers to the LAPD to learn from the experience of the Department's research and testing, and understand the needs of law enforcement.

The findings from this review of the BWV market at IACP further solidified the Department's recommendation of the solution from Taser.

V. Development of the Policy

a. Department Research

In preparation for the development of the BWV policy, the Department collected and reviewed dozens of policies from a variety of agencies across the country, and conducted a comprehensive review of state and local law that might impact BWV policy.

Staff from LAPD TTS also spoke with representatives from various agencies across the country that had deployed, or were in the process of testing/deploying BWV, to seek their input and understand their lessons learned. The Department also contacted representatives from Canada and the United Kingdom who had deployed body cameras to a subset of its officers. Staff also participated in several panel discussions covering topics such as technical considerations for body worn cameras, state of the industry, deployment considerations, testing criteria, and in-depth discussions related to policy.

Additionally, a variety of professional organizations have recognized the growing impact of BWV and have issued supporting model policies and/or reports providing recommendations for deployment. Publications from the International Association of Chiefs of Police (IACP), the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), Police Executive Research Forum (PERF) and several other comprehensive reports have all provided insight into the development of the proposed LAPD policy. The Department also reviewed a number of research studies, such as those published by the City of Rialto Police Department, the Arizona State University School of Criminology: Phoenix Police Body-Worn Camera Project, the National American Civil Liberties Union (ACLU) report titled *Police Body-Mounted Cameras: With Right Policies in Place, a Win For All*, and the report from the City of Baltimore's Working Group on the Use and Implementation of Body-Cameras.

In February of 2015, two Department representatives spoke at the joint White House / Bureau of Justice Assistance *Body Worn Camera Expert Panel*, hosted in Washington D.C. on the grounds of the White House. Representatives from across the United States, as well as the United Kingdom, from a variety of criminal justice organizations, shared their insights into the technical and policy considerations surrounding BWV. Law enforcement officials, prosecutors (City Attorney, District Attorney and U.S. Attorney), policy advisors, and leaders of national professional and community organizations all engaged in dialogue around a variety of policy concerns.

b. Community Meetings and Stakeholder Input

As the Department developed the BWV policy, it reached out to a number of groups and leaders in the community to better understand their concerns in regard to the use of BWV. The Department held a number of meetings with representatives from the Southern California Chapter of the ACLU over the course of the field test, and after the test concluded. The Department also had discussions with Connie Rice of the Advancement Project, and representatives from the Watts Gang Task Force, Cease Fire, the National African American Parent Union, and the Omega Psi Phi Fraternity, and many leaders from various communities. The Department demonstrated the BWV solution and solicited opinions on the elements of a Department policy on the use of the system. The discussions were candid and passionate, and provided excellent insight into the issues the Department should consider from the community's perspective.

The Board of Police Commissioners also held two community meetings, one in Operations-South Bureau and one in Operations-Valley Bureau. At these meetings, the Commission President and Chief of Police began with opening remarks to explain the purpose of the cameras, and then the Department provided a demonstration of the selected BWV solution. This was followed by extensive public comment from the community, wherein each speaker was given two minutes to speak. The speakers were specifically asked to address what the Commission should ask the Department to consider as the policy was developed. The Executive Director of the Commission made notes of any questions raised during public comment. At the end of public comment, the Executive Director read each question, and a Department representative addressed the question at hand.

In an effort to reach the broadest audience, the Department partnered with the University of California, Los Angeles to conduct an online survey to seek community input on the use and policy considerations related to body worn cameras. The survey was posted on the Department external website for five months and received 1,923 responses.

The Office of the Board of Police Commissioners also mounted an email campaign-seeking feedback from the community. Approximately 800 emails were sent and 83 individuals responded to the email survey. Of the respondents, only three were opposed to officers wearing body cameras.

The following are the general questions/concerns/themes that arose from the input from community stakeholders across the Department's various outreach efforts:

- When to record
- When officers should review video
- Privacy
- Release of video
- Retention

- Limitations of the technology
- Voice activation
- Accountability
- Public disclosure of policy governing use

VI. Policy Governing the Use and Retention

The confidential meet and confer process between the LAPD and the LAPPL regarding a draft BWV policy is in progress. The Department is working with the LAPPL to ensure an effective policy is developed that addresses the many issues involved with the deployment of video technology that will record enforcement and investigative contacts with members of the public. Once the negotiations are completed, the draft policy will be presented to the Chief of Police and, if approved, submitted to the Board of Police Commissioners for final approval. While the specifics of the draft policy remain confidential to ensure the integrity of the negotiations with the LAPPL, the policy is expected to address the requirements for usage, review, and retention of the equipment and video recordings.

VII. Implementation Plan and Timeline

The Chief of Police has announced that body worn cameras will be initially deployed to officers in Newton Area, Mission Area, Central Traffic Division, and three specialized units within Central Area². Since the original announcement, Metropolitan Division, Special Weapons and Tactics (S.W.A.T.) has been added to the initial deployment plan.

Prior to the initial deployment, several technical and infrastructure tasks must be completed. At each division selected, a small amount of construction must be performed to accommodate the docking cradles (ETM) for the Axon cameras. This will also require the installation and/or upgrade of existing power connections at each station. The Department of General Services and Facilities Management Division are both currently involved in assessing the needs and cost of these physical improvements. Information Technology Agency is also involved in designing and recommending improvements to the network infrastructure. This effort is also currently underway.

The Los Angeles Police Foundation has completed the procurement of the 860 cameras purchased with the donated funds, and the Axon Body cameras are scheduled to ship to the LAPD in the first week of April. The power, infrastructure and IT work described above will require two to three months to complete, from the date of this report. As such, the deployment of the first batch of cameras is expected to begin this summer in Newton Area, followed by the other Areas and Divisions detailed above. It is expected that this deployment will be complete in the fall of 2015.

² The Safer Cities Initiative; the Eastside Detail; and the LA Live Detail.

VIII. Procurement

The initial procurement of BWV is being handled directly by the Los Angeles Police Foundation (the Foundation) through the expenditure of approximately \$1.5 million in donated funds. While the BWV camera and related equipment typically retails for approximately \$600 per unit (including the camera and mobile viewer), the Foundation was able to obtain nearly a 50% discount on the retail price. The Foundation also purchased the Taser Officer Safety Plan for each device, which includes unlimited storage for each BWV camera at a price of \$85 per month, per device.

The Officer Safety Plan pricing is locked in for five years. The Foundation has committed to paying for years one and two of service, and the LAPD plans to request general funds to cover the costs in years three through five (\$868,428 per year for the initial purchase by the Foundation). The Officer Safety Plan also includes the right to receive replacement/upgraded cameras twice during the five-year term of the agreement, as well as one Taser Conducted Electrical Weapon (CEW), and five year extended warranties on all CEW's, BWV cameras, and the camera docking stations.

Should the City elect to provide general funds for additional BWV equipment, the LAPD will work with the City Attorney and the General Services Department to ensure compliance with all City procurement rules and requirements.

IX. Conclusion

The LAPD has identified a BWV solution in Taser and Evidence.com that is secure, reliable and easy to use. The Department intends to use the technology to capture evidence of enforcement and investigative activities in the field to aid in criminal prosecutions and administrative investigations, and sees the implementation of the technology as an opportunity to promote accountability on both sides of the camera.

Over the course of the deployment of BWV, the LAPD intends to measure the impact of the technology on both the Department and the community. To that end, the LAPD applied for and has been awarded a \$1 million grant from the National Institute of Justice (NIJ), the research arm of the U.S. Department of Justice, to study and measure the impact of BWV. The LAPD will partner with professors from UCLA and George Mason University, as well as Dr. Craig Uchida from Justice and Security Strategies, to evaluate the impact of BWV on the officers wearing the cameras, and the community members captured on video, to better understand the impact of the technology. The LAPD will have the opportunity to apply for an additional \$1 million in funding in each of two subsequent years (up to \$3 million total in funding) to continue the study. The results of the study will be reported to NIJ, the Board of Police Commissioners, the City Council and the community.

Exhibit 1

OPERATIONS-CENTRAL BUREAU

ORDER NO. 1

January 1, 2014

TO: All Concerned Personnel, Operations-Central Bureau

FROM: Commanding Officer, Operations-Central Bureau

SUBJECT: DEPLOYMENT AND USE OF THE BODY-WORN VIDEO (BWV) SYSTEM – VOLUNTARY PROOF OF CONCEPT

EFFECTIVE: IMMEDIATELY

PURPOSE:

The purpose of this Order is to establish the Bureau protocol for use and deployment of the Body-Worn Video (BWV) camera system. This protocol is part of a proof of concept program to evaluate the BWV provided by Taser International, Inc. BWV systems have proven to be an effective tool in documenting duty-related activity, similar to digital in-car video. BWV systems shall be deployed as part of this voluntary proof of concept to contribute significantly to officer safety, provide evidence for criminal prosecutions, resolve personnel complaints, and foster positive relations with the community.

At this time, use of a BWV device by any officer is **voluntary**; however, any officer or supervisor electing to accept a BWV device is required to use the device as outlined in this Order.

PROCEDURE:

The BWV system is designed to aid officers in providing accurate depictions of events for courtroom presentations, capturing potentially incriminating statements from suspects, documenting and reviewing statements from victims and witnesses, and obtaining actual time frames of events for reporting purposes. The BWV system is being deployed to capture audio and video recording of field activity during the course of official police duties.

I. OFFICER RESPONSIBILITIES

A. Officers utilizing the Body-Worn Video device shall be responsible for the following:

- Deploying the BWV camera as part of their regular field assignment;
- Ensuring that the battery is fully charged and the device is assembled correctly;
- Ensuring they are deploying the BWV camera assigned to them and testing the equipment prior to going into service;

- Immediately reporting unresolved equipment malfunctions and/or problems to their supervisor and noting the issue in their daily log;
- Positioning the camera on their uniform to facilitate optimum recording field of view;
- Docking their issued cameras for automated upload of BWV files daily at the end of their shift to charge the battery, ensuring storage capacity is not exceeded, and/or viewing uploaded videos.
- Under the heading "Court Information" of both the Investigative Report (IR) and the Arrest Report, officers shall document whether any portion of the incident was captured by the BWV system;
- If any portion of an incident resulting in an arrest was captured by the BWV system, officers shall identify the existence of video to the appropriate prosecutorial agency, such as on the City Attorney Disclosure Statement.

II. RECORDING LAW ENFORCEMENT ACTIVITIES

A. Required activation of the Body-Worn Video system. There are many situations where the use of the BWV is appropriate. This Order is not intended to describe every possible circumstance. In addition to the required conditions below, officers may activate the BWV system during any other occasion when, in the officer's judgment, it would be beneficial to do so. Unless it is unsafe or impractical to do so, or where a malfunction or other mechanical issues impeding the use of the device exist, officers shall activate their BWV cameras prior to initiating the following activities:

- All vehicle stops;
- All pedestrian stops;
- Enforcement encounters where there is a reasonable suspicion the person(s) is involved in criminal activity. This includes, but is not limited to, dispatched calls, as well as self-initiated activities.

Exception: Exigent circumstances may preclude officers from activating the BWV system and will be evaluated on a case-by-case basis.

Officers shall not use the BWV system to record any the following:

- Non-work related activity;
- In places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms, restrooms, or hospital emergency rooms.

B. Deactivation of the Body-Worn Video System. Once the BWV is activated, the system shall remain active and recording until the entire incident or field contact has stabilized, or the contact has ended.

III. REVIEW OF MATERIAL RECORDED BY THE BODY-WORN VIDEO SYSTEM. The recorded video file can be viewed on the viewer device supplied to each officer or through the Evidence Sync Program. Additionally, once the BWV system

is docked and uploaded to Evidence.com, officers can view the transferred video file(s) on Evidence.com via the Department's Local Area Network.

Note: Officers shall not alter, delete, or copy any video footage recorded by the BWV system.

- A. Documentation.** When preparing crime and/or arrest reports, the reporting employee shall, when practicable, review any incident captured by their BWV system to refresh their recollection.
- B. Obtaining video.** Employees requiring a physical copy of video footage for court or as part of an investigation shall make a written request via email to BWV@lapd.lacity.org with the specific information of the video (i.e., serial number of involved officer, date, time, etc.), the date the copy is needed, and the purpose of the request.
- C. Situations involving a use of force.** Prior to being interviewed regarding a use of force (UOF), officers shall, when practicable, review their video footage captured during the incident and/or other relevant footage.

In accordance with Department Manual Section 3/794.37, employees involved in a Categorical Use of Force (CUOF) shall be separated and monitored in order to maintain the independence of their recollection of the incident. To support this standard, employees involved in a known CUOF shall review their video footage captured during the incident and/or other relevant footage prior to being interviewed. During the review of the video footage, the employee shall be accompanied by his/her employee representative, or the assigned investigator, should the employee elect not to have a representative during the interview.

The separating and monitoring of involved employees shall be maintained during the review of the video footage (i.e., the review shall never occur jointly among the involved employees).

In accordance with Department Manual Section 4/245.02, officers are required to provide a Public Safety Statement (PSS) subsequent to their involvement in an officer-involved shooting. The timeliness and urgency associated with the PSS will, in most cases, preclude the opportunity to review related captured video footage prior to providing the PSS. The Department supervisor obtaining the PSS shall comply with the Office of the Chief of Police Notice titled, *Obtaining a Public Safety Statement Following an Officer-Involved Shooting Incident*, dated February 15, 2007.

IV. SUPERVISOR RESPONSIBILITIES

- A. Supervisors overseeing the deployment of BWV shall be responsible for the following:**
 - Ensuring officers utilize the BWV system according to this Order;
 - Ensure videos related to critical incidents are uploaded to Evidence.com in a timely manner;

- Upon notification of a problem or malfunction, supervisors shall contact the system administrator at Information Technology Bureau.

V. MISUSE OR ABUSE OF BODY-WORN VIDEO SYSTEM RECORDINGS.

All data and imagery captured by the BWV system are confidential public records and the sole property of the Los Angeles Police Department. Employees are reminded that any misuse or abuse of the BWV system may result in disciplinary action. Department Manual Section 3/405 outlines the Department's policy regarding confidential files, documents, records, and reports. Unauthorized access, use, or dissemination of recordings is prohibited and may subject the employee to disciplinary action and/or criminal prosecution.

CDR  (Pm)

JOSE PEREZ, Jr., Deputy Chief
Commanding Officer
Operations-Central Bureau

DISTRIBUTION "D"

Exhibit 2

OPERATIONS-CENTRAL BUREAU

ORDER NO. 2

June 19, 2014

TO: All Concerned Personnel, Operations-Central Bureau

FROM: Commanding Officer, Operations-Central Bureau

SUBJECT: DEPLOYMENT AND USE OF THE BODY-WORN VIDEO (BWV) SYSTEM – VOLUNTARY PROOF OF CONCEPT

EFFECTIVE: IMMEDIATELY

PURPOSE: The purpose of this Order is to establish Bureau protocol for use and deployment of the body-worn camera system. This protocol is part of a proof of concept program to evaluate Body-Worn Video (BWV) provided by Coban Technologies.

The BWV systems have proven to be effective tools in documenting duty-related activity, similar to digital in-car video. The BWV systems shall be deployed as part of this voluntary Proof of Concept to contribute significantly to officer safety, provide evidence for criminal prosecutions, resolve personnel complaints and foster positive relations with the community.

At this time, use of a BWV device by any officer is **voluntary**; however, any officer or supervisor electing to accept a BWV device is required to use the device as outlined in this Order.

PROCEDURE: The BWV system is designed to aid officers in providing accurate depictions of events for courtroom presentations, capturing potentially incriminating statements from suspects, documenting and reviewing statements from victims and witnesses, and obtaining actual time frames of events for reporting purposes. The BWV system is being deployed to capture audio and video recording of field activity in the course of official police duties.

I. OFFICER RESPONSIBILITIES

A. Officers utilizing the Body-Worn Video device shall be responsible for the following:

- Deploying the BWV camera as part of their regular field assignment;
- Ensuring that the battery is fully-charged;
- Ensuring they are deploying the BWV camera assigned to them and testing the equipment prior to going into service;
- Immediately reporting unresolved equipment malfunctions and/or problems to their supervisor and noting the issue in their daily log;
- Positioning the camera on their uniform to facilitate optimum recording field of view;

- Connecting their issued cameras for upload of BWV files daily at the end of their shift to charge the battery, ensuring storage capacity is not exceeded, and/or viewing uploaded videos to the Coban/VieVu Digital Video Management System (DVMS) on your Department Local Area Network (LAN) computer;
- Under the heading "Court Information" of both the Investigative Report (IR) and the Arrest Report, officers shall document whether any portion of the incident was captured by the BWV system; and
- If any portion of an incident resulting in an arrest was captured by the BWV system, officers shall identify the existence of video to the appropriate prosecutorial agency, such as on the City Attorney Disclosure Statement.

II. RECORDING LAW ENFORCEMENT ACTIVITIES

A. Required Activation of the Body-Worn Video system. There are many situations where the use of the BWV is appropriate. This Order is not intended to describe every possible circumstance. In addition to the required conditions below, officers may activate the BWV system during any other occasion when, in the officer's judgment, it would be beneficial to do so. Unless it is unsafe or impractical to do so, or where a malfunction or other mechanical issues impeding the use of the device exist, officers shall activate their BWV cameras prior to initiating the following activities:

- All vehicle stops;
- All pedestrian stops; and
- Enforcement encounters where there is a reasonable suspicion the person(s) is involved in criminal activity. This includes, but is not limited to, dispatched calls, as well as self-initiated activities.

Exception: Exigent circumstances may preclude officers from activating the BWV system and will be evaluated on a case-by-case basis.

Officers shall not use the BWV system to record any the following:

- Non-work related activity; and
- In places where a reasonable expectation of privacy exists, such as locker room rooms, dressing rooms, restrooms or hospital emergency rooms.

B. Deactivation of the Body-Worn Video System. Once the BWV is activated, the system shall remain active and recording until the entire incident or field contact has stabilized, or the contact has ended.

III. REVIEW OF MATERIAL RECORDED BY THE BODY-WORN VIDEO SYSTEM. The recorded video file can be viewed by connecting the device to the LAN computer and launching the Coban/VieVu DVMS. Additionally, once the BWV system is uploaded, officers can view the transferred video file(s) via the Department's Local Area Network.

Note: Officers shall not alter, delete, or copy any video footage recorded by the BWV system.

- A. Documentation.** When preparing crime and/or arrest reports, the reporting employee shall, when practicable, review any incident captured by their BWV system to refresh their recollection.
- B. Obtaining Video.** Employees requiring a physical copy of video footage for court or as part of an investigation, shall make a written request, via email, to BWV@lapd.lacity.org, with the specific information of the video (e.g., serial number of involved officer, date, time, etc.), the date the copy is needed and the purpose of the request.
- C. Situations Involving a Use of Force.** Prior to being interviewed regarding a Use of Force (UOF), officers shall, when practicable, review their video footage captured during the incident and/or other relevant footage.

In accordance with Department Manual Section 3/794.37, employees involved in a Categorical Use of Force (CUOF) shall be separated and monitored in order maintain the independence of their recollection of the incident. To support this standard, employees involved in a known CUOF shall review their video footage captured during the incident and/or other relevant footage prior to being interviewed. During the review of the video footage, the employee shall be accompanied by his/her employee representative, or the assigned investigator, should the employee elect not to have a representative during the interview.

The separating and monitoring of involved employees shall be maintained during the review of the video footage (i.e., the review shall never occur jointly among the involved employees).

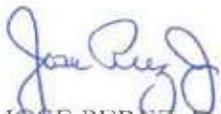
In accordance with Department Manual Section 4/245.02, officers are required to provide a Public Safety Statement (PSS) subsequent to their involvement in an officer-involved shooting. The timeliness and urgency associated with the PSS will, in most cases, preclude the opportunity to review related captured video footage prior to providing the PSS. The Department supervisor obtaining the PSS shall comply with the Office of the Chief of Police Notice, titled *Obtaining a Public Safety Statement Following and Officer-Involved Shooting Incident*, dated February 15, 2007.

IV. SUPERVISOR RESPONSIBILITIES

- A. Supervisors overseeing the deployment of BWV shall be responsible for the following:**
- Ensuring officers utilize the BWV system according to this Order;
 - Ensure videos related to critical incidents are uploaded to the Coban/VieVu DVMS in a timely manner; and
 - Upon notification of a problem or malfunction, supervisors shall contact the system administrator at Information Technology Bureau.

V. MISUSE OR ABUSE OF BODY-WORN VIDEO SYSTEM RECORDINGS.

All data and imagery captured by the BWV system are confidential public records and the sole property of the Los Angeles Police Department. Employees are reminded that any misuse or abuse of the BWV system may result in disciplinary action. Department Manual Section 3/405 outlines the Department's policy regarding confidential files, documents, records and reports. Unauthorized access, use, or dissemination of recordings is prohibited and may subject the employee to disciplinary action and/or criminal prosecution.



JOSE PEREZ, Deputy Chief
Commanding Officer
Operations-Central Bureau

DISTRIBUTION "D"