**SAMPLE POLICY**

**BODY WORN (BWC) AND IN CAR CAMERA (ICC)**

**JOB SAFETY OBSERVATION**

The materials provided in this correspondence are for general informational and educational purposes only and are not intended to be and should not be considered legal advice or opinions. Prior to making any policy or rule changes seek the advice of your municipal attorney.

**I. Purpose**

The purpose of this policy is to ensure that agency equipment is operating properly, and to establish fair and equitable officer assessments based on the agency’s professional standards, rules, regulations and best business practices.

The mission of this agency is establish programs that will assist supervisors with the task of evaluating officer performance. The procedures outlined in this policy will assist supervisors with the task of recognizing officers who are performing in an exemplary manner and to uphold the responsibilities of this agency’s mission to comply with the New Jersey Attorney General’s Directive 2015-01 “Early Warning System.”

This procedure applies to all employees who have been issued or directed to utilize a

Body Worn Camera (BWC) or In-Car Camera (ICC).

**II. Definitions**

Shall: A mandatory task that must be completed.

Should: A recommendation that is advantageous to complete.

May: A choice that the task may or may not be completed.

BWC: A body-worn camera issued by the agency and governed by agency policy.

ICC: An in-car camera installed by the agency and governed by agency policy.

***X:*** A number that is best determined by the agency based on agency size, call volume,

 officer assignment, and other factors. This sample policy has been drafted so that the

 agency head will determine the appropriate numerical number that should be

 inserted to replace **"X".**

BWC/ICC Job Safety Observation: A process that focuses on organizational practices, individual behaviors, and general work methods in a proactive manner to prevent workplace incidents while creating an opportunity to deliver constructive feedback, praise, and when necessary corrective actions.

Early Warning System: As defined by the New Jersey Attorney General

Early Warning System Directive (*or as otherwise detailed or directed by the agency)*

NJ Attorney General Early Warning System Directive:

<https://www.state.nj.us/lps/dcj/agguide/directives/2015-1_BWC.pdf>

**III. BWC and ICC Job Safety Observation Report**

A BWC/ICC Job Safety Observation Report is completed anytime a supervisor reviews

BWC/ICC video other than for formal Internal Affairs Investigations (*The agency may*

*direct or specify otherwise*).

**IV. Video Review Selection**

Unless a specific incident must be reviewed, videos should be determined by reviewing

the officer's assigned cases in the records management system as opposed to selecting

recorded videos from the video management system. This type of selection process will

assist in ensuring the officer is activating his/her BWC or ICC when required to

do so based on the agency's applicable BWC or ICC policy.

**V. Supervisor "Random" Review Provisions**

The reviewing Commander or Supervisor shall review *X* videos per month per officer

unless there are not *X* BWC or ICC recordings available to review. Sergeants equipped

with a BWC or operating a vehicle equipped with an ICC shall be reviewed by

their supervisor. Lieutenants/Captains/Deputy Chief equipped with a BWC or

operating a vehicle with an ICC shall be reviewed by their supervisors.

**VI. Specific Instance Reviews**

A. The supervisor may review BWC recordings under the following circumstances *("may"*

*can be replaced with "shall" at the agency's discretion - it is recommended that all*

*supervisors take the same review action to prevent claims of unfairness from officers*):

|  |  |
| --- | --- |
| 1 | During the course of accepting an initial Internal Affairs complaint and the review of any BWC recordings may be helpful in resolving the concerns of the complainant or assisting the supervisor in reviewing the incident. |
| 2 | An Officer’s Supervisor may review the BWC recording of an officer if he/she feels the review is necessary to assist in managing an investigation or assisting with individual officer training needs.  |
| 3 | Whenever an officer has suffered a work-related injury. |
| 4 | When reviewing a motor vehicle crash involving the officer |
| 5 | Whenever an officer is involved in a foot pursuit incident. |
| 6 | Whenever an officer is involved in a vehicular pursuit |
| 7 | Whenever a civilian has suffered an injury as a result of law enforcement action or a civilian has suffered an injury on or in township/borough/city property and it is possible the officer’s BWC captured the recording or the area of where the incident resulting in the injury occurred.  |
| 8 | When the supervisor has been advised by Internal Affairs (*or other agency protocol*) that the officer has been subject to the Early Warning System, the supervisor shall review ***X***number of videos per week for ***X*** working days.  |

**VII. Working Test Period/Probationary Reviews**

1. The officer's Supervisor may review BWC recordings under the following circumstances *("May" can be replaced with "Shall" at the agencies discretion it is recommended that all supervisors take the same review action to prevent allegations of retaliation/unfairness from officers):*
2. During the course of the officer's first year of employment, the reviewing supervisor shall review a minimum of *X* videos per work-week.
3. When a “Performance Improvement Plan” is in place.

**VIII. Observed Performance**

1. When a supervisor reviews a video recording and discovers one or more videos where the answers to the review questions on the BWC/ICC Job Safety Observation Report have resulted in an answer of “No”, the supervisor shall:
2. Initiate corrective action to assist with the officer's professional development which may include (*The agency should replace and/or add specific measures in accordance with their rules and regulations and training policies*):
3. *Recommended training if the supervisor cannot provide or facilitate such training*
4. *Refer to Internal Affairs if appropriate*
5. *Verbal Counseling*
6. *Official reprimand*
7. *The Supervisor may (The agency can replace "may" with "shall") also r*eview an additional ***X*** BWC videos in the preceding month and additional **X** videos beyond the required ***X*** videos in the next ***X*** working days. (*It is recommended that all supervisors take the same review action to prevent claims of unfairness from officers*
8. Whenever a supervisor reviews a video recording and identifies exemplary actions,

the supervisor may (*The agency can replace "may" with "shall" and the agency should*

*replace and/or add specific measures in accordance with their rules and regulations and*

*award/employee recognition policies):*

1. Submit a request for an official recognition award/letter
2. Issue a Positive Performance Notice

**X. BWC and ICC Job Safety Observation Report - Report Retention**

All completed and final BWC/ICC Job Safety Observation Reports shall be retained in

the officer's training file (*or other location as specified by each agency*).