

Springfield Police Department Body-Worn Camera Program Frequently Asked Questions (FAQs)

The Springfield Police Department body-worn camera (BWC) program was supported by City Council throughout Spring of 2020 and provided partial program funding within the fiscal year 2020-21 budget approved in June 2020. To support system selection efforts, vendor demonstrations and product testing were conducted with vendors who are considered industry leaders and were able to meet business requirements. Getac was ultimately selected to provide BWCs for the Springfield Police Department (SPD) and in late October 2020 the City of Springfield was awarded a \$120,000 grant from the Department of Justice supporting BWC program implementation. Once grant related funding conditions were accomplished on March 1, 2021, SPD worked with the vendor to identify a revised target implementation date of May 2021. The department continues to focus efforts on product implementation, officer training, and community outreach.

To proactively provide information on questions and concerns community members often have about body-worn camera programs, the following information was prepared.

Oregon Revised Statute 133.741 addresses many issues, including privacy concerns, recordings, retention requirements, and equipment operation. Please note that responses to some FAQs are subject to change as the SPD develops its policies and procedures.

PUBLIC INFORMATION

How is SPD sharing information with the City and community?

City Council has been provided regular project updates since August 2020, which are included in City Council packets available to the public. SPD staff has made numerous presentations to City Council regarding the BWC project and federal grant application process. Information about the BWC project was also presented to the Springfield Police Advisory Committee; updates will continue to be provided to these groups during regularly scheduled meetings, which are open to the public (virtually). SPD plans to coordinate community focused information sharing opportunities throughout Spring 2021.

Who can I contact if I have questions about SPD's BWC program?

SPD welcomes your questions and are available to share information about the BWC project. For more information, please send an e-mail to police@springfield-or.gov.

Where can I get more information about the body-worn camera topic?

The U.S. Department of Justice's Bureau of Justice Assistance's Body-Worn Camera Toolkit website is a comprehensive resource. https://www.bja.gov/ProgramDetails.aspx?Program_ID=115

Does the Springfield Police Department have information about the BWC program on their website?

Information will soon be posted on SPD's website. Please visit: <https://www.springfield-or.gov/city/police-department/>

POLICY AND PROCEDURES

Does the SPD have a written policy on body-worn cameras?

Yes. Springfield Police Department has written policies in place that have been approved by the U.S. Department of Justice and comply with Oregon Revised Statute. **The policy is available online at <http://www.springfield-or.gov/city/police-department/department-policies/> under 36.1.1 Body-Worn Cameras.**

Will all officers wear the cameras (e.g., patrol officers, detectives, sergeants)?

It is expected that front line employees, including patrol and traffic officers, as well as school resource officers, will be issued and be wearing cameras.

PRIVACY CONCERNS

By Oregon law, law enforcement agencies who use body-worn cameras must continuously record from the time a police officer has reasonable suspicion or probable cause that a person they are about to contact has committed or is about to commit a crime/violation. The camera must remain on until the contact has concluded. However, the law allows for exceptions as long it is for officer safety, the safety of the public, or to protect the privacy of a community member.

Does the officer have to tell me when I'm being recorded?

Yes, in most cases. In compliance with Oregon state law, officers are required to announce at the beginning of interactions that a recording is occurring unless the announcement cannot be made without jeopardizing officer safety, the safety of any other person, and/or impair a criminal investigation.

What if I don't want to be recorded?

It depends on the situation. In locations where individuals have a reasonable expectation of privacy, such as a residence, individuals may decline to be recorded or request that an officer not record them. Officers will evaluate each situation and when appropriate, honor the individual's request. However, officers have no obligation to stop recording in response to the request if the recording involves an investigation, arrest, lawful search, or the circumstances clearly dictate that continued recording is necessary.

Will cameras be turned off for calls involving sensitive situations? (e.g., domestic violence, sexual assaults, hospital visits, mental health crisis situations, etc.)

Yes, unless specific circumstances in certain situations dictate otherwise.

Will interviews with victims and witnesses be recorded?

It will depend on the situation, but typically not, unless the circumstances clearly dictate that continued recording is necessary.

Will officers use body-worn cameras to record casual conversations with community members?

Generally, casual conversations with members of the public will not be recorded unless that conversation becomes adversarial or a police officer develops indicia of activity that would require the Officer to record the encounter.

OFFICER OPERATION

When will the cameras be turned on?

The BWCs will be turned on when a police officer has reasonable suspicion or probable cause that a person they are about to contact has committed or is about to commit a crime/violation. Examples include: responding to calls for service and during law enforcement-related activities, such as traffic stops, arrests, searches, interviews, and pursuits.

Can officers edit, duplicate, share, or delete their video?

No. Officers are prohibited from editing, altering, erasing, duplicating, copying, sharing, or distributing body-worn camera images and information. BWC software systems will not allow editing and the video data is electronically date and time stamped.

PUBLIC RECORDS REQUESTS/USE OF VIDEO

Are videos captured on body-worn cameras or in-car video public record?

Body camera video is considered a public record, but may be exempt from release based on the nature of the content. All public records requests will be evaluated based on applicable law regarding public records release. Any video released per a public records request will have the faces rendered unidentifiable, per ORS 192.345.

Will you use facial recognition technology to obtain evidence or search for suspects?

No, Oregon Revised Statute 133.741 prohibits the use of facial recognition software to examine body camera videos to obtain evidence or search for suspects.

Will SPD review body-worn camera video when investigating a citizen complaint against an officer?

Yes, in most cases. Law enforcement agencies who use BWCs report the use of video evidence is an effective tool when investigating complaints.

Can videos be used for law enforcement training?

Yes. Video recordings may be used for law enforcement training purposes if approved by a supervisor or Command Staff member.

STORAGE/RECORDS RETENTION

How long is the video kept?

Videos are kept based on our set retention schedule that complies with state and federal laws. All video will be kept for a minimum of 180 days.

How secure is the video?

All files will be securely stored in accordance with Oregon records retention laws. Law enforcement agencies are required to comply with the Federal Bureau of Investigation (FBI) Criminal Justice Information Services Division's (CJIS) security policy that governs access to law enforcement data. Consideration will be given to ensure the system is CJIS compliant. Oregon law requires that body-worn camera video hosted by a third party (cloud) remain the property of the law enforcement agency and can only be used for legitimate law enforcement purposes.

EVIDENCE/COURT/PROSECUTION

Can the video be used as evidence in court?

Yes. BWC video will be processed like other pieces of court evidence, such as photographs, victim and witness statements, etc.

EQUIPMENT SELECTION/CONSIDERATIONS

How did SPD choose its camera system?

A project team made up of a cross section of department members was created for the BWC program. The project team developed minimum equipment specifications and requirements for effective SPD operations. Vendor product demonstrations were conducted and two vendors were selected for officer product testing and evaluation. The project team then made a recommendation to SPD Command Staff for a final decision and recommendation to City Council for final approval. Procurement of a BWC system was subject to the City of Springfield's and State of Oregon's purchasing laws and regulations.

What are the limitations of body-worn camera recordings and evidence?

While BWCs can be a useful tool and can provide a unique perspective on police encounters, there are limitations:

1. A camera doesn't follow officers' eyes or see as they see.
2. Some important danger cues can't be recorded.
3. Camera speed differs from the speed of life.
4. A camera may "see" differently than a human does in various lighting situations.
5. An officer's body may block the view.
6. A camera only records in 2-D.
7. A camera can never replace a thorough investigation.

TRAINING

What training will officers receive on how to use the body-worn cameras?

Prior to using a body-worn camera, officers will receive training on the proper operation and care of the cameras as well as department's policy and procedures with respect to the use of the body-worn camera. Additional periodic training will also be provided to ensure the continued effective use and performance of the equipment.

FAQs as of March 30, 2021

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