

**BAY CITY DEPARTMENT OF PUBLIC SAFETY
BAY CITY, MICHIGAN**

SECTION 4 - FIRE OPERATIONS
GENERAL ORDER

May 7, 2018
INDEX NO. 4.7

FIRE OPERATIONS BODY CAMERA

I. PURPOSE

The purpose of this General Order is to define and establish operational and submission standards for the Fire Operations Body Camera.

II. DEFINITIONS

- A. *Fire Operations Body Camera* - A body camera is an audio / visual recording system worn and used to document certain fire operations related incidents.
- B. *Event Mode* - When the body camera is recording audio and video.
- C. *Normal (Buffering) Mode* - When turned on, the body camera continuously loops video recording for up to 30 seconds before the camera is placed in Event Mode. Records video only (no audio) while buffering. The camera does not buffer when turned off.

III. OPERATIONAL STANDARDS

- A. Only Department issued body cameras are authorized for use.
- B. The body camera will be assigned to Station 1 and maintained by the Battalion Chief or the Acting Battalion Chief.
- C. The Battalion Chief or Acting Battalion Chief will inspect the body camera for any physical damage and ensure the device is in working order at the beginning of their shift.
- D. Unless articulable exigent circumstances exist, the Battalion Chief or Acting Battalion Chief will place the body camera in the Event Mode as soon as practical during a given situation.
- E. The Battalion Chief or Acting Battalion Chief shall submit a memorandum to the Fire Chief explaining the circumstances regarding a camera not being placed in the event mode.
- F. Body camera recordings will be used for official Department purposes only.
- G. The body camera will be placed on the turn-out gear of the Battalion Chief or Acting Battalion Chief in a location that maximizes the camera's recording angle and limits potential obstructions to the camera's angle of view.

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H. Failure to comply with these standards will result in either additional training or disciplinary action.

IV. USE STANDARDS

- A. Unless articulable exigent circumstances exist, the Battalion Chief or Acting Battalion Chief will activate the body camera for the following, but not limited to, events:
1. Structure fires
 2. Haz-Mat incidents
 3. Ice or water rescue
 4. Any other legitimate fire operations contact where the Battalion Chief or Acting Battalion Chief believes that a recording of an incident would be appropriate
- B. Once on, the Battalion Chief or Acting Battalion Chief will continue to record until the completion of the event or they have left the scene, except for instances outlined in this General Order. The mute button will not be utilized except for instances where it would be authorized to deactivate the body camera.
- C. Consideration may be given when an individual requests not to be recorded. The Battalion Chief or the Acting Battalion Chief will verbally notify the Fire Chief when an individual requested not to be recorded.
- D. If during the course of an incident it becomes necessary to deactivate the body camera, the Battalion Chief or Acting Battalion Chief will verbally explain the reason for termination of the video to the Fire Chief.
- E. Fire Operations personnel may use media captured via the body camera to assist with the investigation and completion of reports.
- F. Media captured via the body camera may be used by supervisors for training purposes, with authorization from the Public Safety Director or their designee.
- G. The Fire Chief may review specific body camera media or data for the purpose of performance review, critique, early intervention inquiries, civil claims and administrative inquiry. Routine audits of recording devices shall be used for maintenance and training purposes only and not for discipline, absent additional corroborating evidence or civilian complaint.

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V. RESTRICTIONS

- A. The body camera will not be intentionally activated to record conversation(s) of fellow employees with or without their knowledge during routine activities.
- B. The body camera will not be activated in places where a reasonable expectation of privacy exists, such as locker rooms or restrooms.
- C. Employees are prohibited from copying or releasing body camera recordings unless authorized by the Public Safety Director or their designee.
- I. Employees shall not make copies of any body camera recordings for their personal use.
- J. Unauthorized use or dissemination of information / recordings may result in disciplinary action up to and including discharge.
- K. The body camera shall not be used for the purpose of conducting Departmental administrative investigations. However, this requirement shall not restrict internal investigators' access to or review of camera recordings when investigating complaints of misconduct.
- L. The Department shall not solicit citizen complaints. If an employee self-reports minor violations of policy and no citizen complaint is received, the Department shall not take disciplinary action against the officer.

VI. MEDIA STORAGE

- A. When a body camera has been used to record an incident, the Battalion Chief or Acting Battalion Chief shall turn the body camera over to the Fire Chief.
- B. The Fire Chief will then turn the body camera over to the Video / Crime Analyst. The video will be downloaded to a disc and / or stored in the cloud based server, depending on the nature of the incident.
- C. Employees shall not erase, alter or tamper with any camera or collected data.
- D. Employees requesting a file to be deleted will submit a memorandum of explanation to the Fire Chief.
 - 1. The Fire Chief will make a determination and forward the memorandum to the department program administrator to complete the request.

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2. These memorandums will be retained by the department program administrator.

VII. CATEGORIES AND RETENTION SCHEDULE

- A. Uncategorized
 1. All videos that have not been categorized will fall under this category.
 2. The retention for uncategorized video is 180 days.
- B. Civil
 1. This category is for all fire incidents that do not include the crime of arson.
 2. The retention for this category is 3 years.
- C. Felony
 1. This category is for the crime of arson.
 2. The retention for this category is 7 years.
- D. Pending Review
 1. Any video that is corrupted will fall under this category until it can be retrieved and re-categorized.
 2. The retention for this category is indefinite and the video will remain until manually deleted.
- E. Citizen Complaints / Internal Investigations
 1. This category is for all incidents that result in a citizen complaint or an internal investigation.
 2. The retention for this category will be the conclusion of any ongoing criminal investigation, internal investigation, criminal prosecution or civil action or 3 years, whichever is longer.

VIII. DOCUMENTATION AND REPORTING

- A. When the body camera is used in any incident, this fact will be documented in any report that is prepared.
- B. When preparing an incident report in connection with the incident, the following details of the recording shall be included in that report:
 1. An indication that a recording was made
 2. The date and time of the recording

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- 3. The reason for the recording (i.e.: structure fire, haz-mat incident, ice or water rescue, etc.)

- C. Video recordings are intended to supplement incident reports. Submitted reports are still required to comprehensively capture the totality of the event.

VIII. RETENTION AND PUBLIC RELEASE

- A. Body camera recordings captured as part of an employee's duties shall be the property of the Bay City Department of Public Safety and be considered a record of the Bay City Department of Public Safety.

- B. The release of information requested through a Freedom of Information Act request will be subject to the same statutory exemptions from disclosure as any other department records.

- C. Prior to releasing any body camera recordings, proper redactions will be completed.

By order of:


Michael J. Cecchini
Public Safety Director