

**Audits of Body Worn Camera Footage
Pursuant to City Code 2.10.200
March 2022**

SUMMARY

This memorandum constitutes a random audit, pursuant to City Code 2.10.200.E, of body worn camera recordings for the month of March 2022. The ordinance requires that any findings of material non-compliance with state law, City Code and Police Department policy to be referred to the Chief of Police, the Mayor, the Council Chair, the Mayor's Chief of Staff, and the City Attorney.

The system used by the Department, at the time this audit was conducted, cannot randomly generate a body worn camera recording based on a particular timeframe. Because of that limitation, a random number generator was used to identify 5 case numbers (out of 4,991 case numbers) from the month. If a case number had multiple recordings for that case number, a recording was randomly selected for review.

Of the five matters that were reviewed, the audit found one matter where there may be material non-compliance with City Code, State law, and/or Department policy and that matter will be referred pursuant to City Code 2.10.200.E

BODY WORN CAMERA REVIEWS

Case No. 1

Summary

Officer responds to a call where a woman found drugs in her recently deceased boyfriend's safe. The officer puts on gloves and inspects the items. It appears there is marijuana and possibly heroin or meth. The officer tells the woman that he will take the drugs to be destroyed, and then returns to his car. After doing a field test to determine which drug it is, he bags the drugs and returns to his car. The officer begins driving before deactivating his camera, and briefly uses his MDT while the car is in motion. The officer deactivates his body camera after it beeps.

Findings

This matter should be referred pursuant to City Code 2.10.200.E to determine whether the officer may have violated Departmental policies regarding the use of an MDT while driving. From the recording, it does not appear that there was a reason that the officer could not have finished working within his MDT before he began driving and the brief use while he was driving appears unsafe.

Case No. 2

Summary

Officer is responding to a report of a retail theft at Whole Foods. The officer speaks to the manager and then the suspect and orders the suspect to place the stolen items on a table and then escorts him out of the store. The suspect is confused and says he has low blood sugar. Officer and suspect walk to officer's car, where the officer offers food to the suspect and explains that the suspect is trespassed from the

store. After giving the suspect some food and verifying that the suspect does not need medical assistance, the suspect walks away from the vehicle and the call concludes.

Findings

Officers appear to materially comply with State and City Codes and Departmental Policy.

Case No. 3

Summary

The officer arrives and another officer is talking to a suspect. The man is sitting on a gas can by a truck, and the officers find out that he has been sleeping there and question him about reports of suspicious activity. Based on his answers, the officers do not cite him and leave shortly after.

Finding

Officers appear to materially comply with State and City Codes and Departmental Policy.

Case No. 4

Summary

From the body camera recording it is unclear the purpose of the call. The officer arrives at an apartment complex, another officer is talking to a woman on the sidewalk. The officer speaks to a man, who says it was only ever verbal (possibly an altercation?). The officer talks with the man for a couple minutes, then the officers all return to their vehicles. The officers run the people's names, no warrants come up. The man and woman leave, and the call concludes.

Finding

Officers appear to materially comply with State and City Codes and Departmental Policy.

Case No. 5

Summary

The officer's video begins inside the patient's home, with EMS already providing CPR to the patient. The patient dies during the encounter, shortly after the video begins. The officers speak to the family, provide information and comfort, and discuss calling other family, etc. Other family members arrive and the officers discuss the situation with them. The officers discuss the situation with family members that arrived later. After some time, the officers say that they plan on leaving but will stay if the family needs assistance. The family says thank you and that they'll be okay. The officers leave and conclude the call. Officers were compassionate and caring throughout the interaction.

Findings

The officers appear to materially comply with State and City Codes and Departmental Policy. Pursuant to 2.10.200, an officer shall activate their body camera prior to a law enforcement encounter or as soon as reasonably possible. It is unclear whether the officer had an opportunity to activate her camera prior to entering the home, but due to the medical emergency it appears that she may have activated the camera "as soon as reasonably possible." The deactivation of the body camera appears to be technical in nature because while the call had concluded, the officer had not yet returned to her vehicle.

CONCLUSION

The matter where the officer briefly used his MDT while driving will be referred pursuant to the body camera ordinance to determine whether the officer complied with Departmental policies involving the use of an MDT.