

**Audits of Body Worn Camera Footage
Pursuant to City Code 2.10.200
November 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 November 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 4,590 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 that officers appeared to materially comply with City Code, State law, and Department policies.

BODY WORN CAMERA REVIEWS

Case No. 1

Summary

Officers responded to a 7-Eleven where one officer is speaking to a person right outside the entrance to the store. The person is smoking a cigarette and making a call on his telephone while interacting with officers. An officer conducts a brief *Terry* frisk after the person ends his telephone call.

While not apparent at the outset of the body camera recording, it appears that officers were called on a complaint of a child welfare call. It appears that the person speaking to officers was soliciting money with a child in cold and wet weather during the nighttime hours. Officers advise the person to keep himself and his child safe and let him go and end the call.

Findings

The officers appear to comply with State and City Codes and Police Department policy.

Case No. 2

Summary

Officer driving home from his shift observes one man assault another man and he pulls over to intervene and investigate. The two men are now sitting on a sidewalk when the officer approaches them. He asks the victim of the assault if he wants to press charges and the victim says no. The officer then obtains the names and dates of birth for the two men and runs their information in his vehicle's mobile data terminal (MDT).

As the initial officer returns to the two men, another officer arrives as backup. The officers determine that the two men have a domestic relationship. Both men have warrants. The victim of the assault has a second degree felony warrant for Burglary.

While the two men tell officers that no assault occurred, the initial officer details his observation to the second officer. He tells the second officer that he observed the aggressor strike the other man in the face and then shove the victim.

Based on that information, the second officer determines that he will arrest the aggressor for domestic violence assault and transport him to the Jail. A third officer arrives on scene to assist. The officers handcuff and place the aggressor into the rear of the second officer's police vehicle. The second officer then explains to the victim his rights as a domestic violence victim. The officers also determine that they have to take the victim into custody on this second degree felony warrant and handcuff him and place him into another vehicle for transport to Jail.

The matter then concludes.

Findings

The officers appear to comply with State and City Codes and Police Department policy.

Case No. 3

Summary

Officers arrive at a parking lot of a hotel and meet with a man who appears to have been the victim of a vehicle burglary and potentially a vehicle theft (although it appears that he has recovered his car). The man informs officers of the circumstances surrounding the burglary and theft. The officers take the information, pull evidence from the vehicle, and remove the vehicle from the NCIC listing so that it will no longer be flagged as stolen.

Finding

The officer appears to comply with State and City Codes and Police Department policy.

Case No. 4

Summary

Officers arrive at a parking lot for a business that is adjacent to the VOA shelter for homeless youth. There are 6 young people (unclear if any are under 18, but all appear to be teenagers) who are taking shelter in a covered parking stall. It appears that officers were called out because the 6 young people were openly smoking marijuana from a bong in the parking lot.

Officers advise the young people that this is not behavior that they should engage in. One officer seizes a bong that was between two people seated on the pavement of a parking stall. Officers then obtain the names and dates of birth for the young people. Officers tell four of the young people (who were not within reach of the bong) to leave. No citations issued. Officers keep the two who were within reach of the bong detained a bit longer because one of them had an outstanding warrant and the other didn't have any information that was coming up. Officers later obtain the correct information for the other young person and find that he also has a warrant.

Officers advise the two that they need to take care of their warrants and that they should think twice about the behaviors that lead to encounters with law enforcement. Officers advise them that they will not book them on the warrants, nor cite them for any offense related to the bong and marijuana, but will seize those items and destroy them. The officer send the two on their way. The matter concludes.

Finding

The officers appear to comply with State and City Codes and Police Department policy.

Case No. 5

Summary

This appears to be a recording of a video that is being played back on a computer that is evidence in a harassment complaint. During the recording, a person is narrating what is observed on the video. At the conclusion of the video, the recording ends.

Findings

The recording doesn't appear to depict any actions taken by any officer, and therefore there does not appear to be a violation of any State and City Codes or Police Departmental policies.

CONCLUSION

Of the five matters that were reviewed, the audit found that officers appeared to materially comply with City Code, State law, and Department policies.