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|  <p>CHAMPLIN POLICE DEPARTMENT POLICY AND PROCEDURES</p> | <p>Segment: 4 – Operations and Procedures White Section</p> | <p>Section: 404</p> |
| | <p>Section Title: Body Worn Camera</p> | <p>Total Pages: 16</p> <p>Revised Date: 09/29/2023</p> |

PURPOSE

The primary purpose of using body-worn-cameras (BWCs) is to capture evidence arising from police-citizen encounters. This policy sets forth guidelines governing the use of BWCs and administering the data that results. Compliance with these guidelines is mandatory, but it is recognized that officers must also attend to other primary duties and the safety of all concerned, sometimes in circumstances that are tense, uncertain, and rapidly evolving.

404.01

OBJECTIVES

- A. To enhance officer safety.
- B. To document statements and events during the course of an incident.
- C. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
- D. To preserve audio and visual information for use in current and future investigations.
- E. To provide a tool for self-critique and field evaluation during officer training.
- F. To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of audio-video recordings.
- G. To assist with the defense of civil actions against law enforcement officers and the Champlin Police Department.
- H. To assist with the training and evaluation of officers.

404.02

POLICY

It is the policy of this department to authorize and require the use of department issued BWCs as set forth below, and to administer BWC data as provided by law.

404.03

SCOPE

This policy governs the use of BWCs in the course of official duties by police officers and community service officers. It does not apply to the use of squad-based (dash-cam) recording systems. This policy does not apply to audio/video recordings, interviews or interrogations conducted at any Champlin Police Department facility, undercover operations, wiretaps, or eavesdropping (concealed listening devices) except those captured on a BWC.

The Chief or Chief's designee may supersede this policy by providing specific instructions for BWC use to individual officers or providing specific instructions pertaining to particular events or classes of events, including but not limited to political rallies and demonstrations. The chief or designee may also provide specific instructions or standard operating procedures for BWC use to officers assigned to specialized details, such as carrying out duties in courts or guarding prisoners and/or patients in hospitals and mental health facilities.

404.04

DEFINITIONS

The following phrases have special meanings as used in this policy:

- A. **MGDPA or Data Practices Act** refers to the Minnesota Government Data Practices Act, Minn. Stat. § 13.01, et seq.
- B. **Records Retention Schedule** refers to the General Records Retention Schedule for Minnesota Cities.
- C. **Law enforcement-related information** - information captured or available for capture by use of a BWC that has evidentiary value because it documents events with respect to a stop, arrest, search, citation, or charging decision.
- D. **Evidentiary value** - that the information may be useful as proof in a criminal prosecution, related civil or administrative proceeding, further investigation of an actual or suspected criminal act, or in considering an allegation against a law enforcement agency or officer. The Department will be under no obligation to retain data solely for use in third-party tort litigation.
- E. **General citizen contact** - an informal encounter with a citizen that is not and does not become law enforcement-related or adversarial, and a recording of the event would not yield information relevant to an ongoing investigation. Examples include, but are not limited to, assisting a motorist with directions, summoning a wrecker, or receiving generalized concerns from a citizen about crime trends in his or her

neighborhood.

- F. **Adversarial** - a law enforcement encounter with a person that becomes confrontational, during which at least one person expresses anger, resentment, or hostility toward the other, or at least one person directs toward the other verbal conduct consisting of arguing, threatening, challenging, swearing, yelling, or shouting. Encounters in which a citizen demands to be recorded or initiates recording on his or her own are deemed adversarial.
- G. **Unintentionally Recorded Footage** is a video recording that results from an officer's inadvertence or neglect in operating the officer's BWC, provided that no portion of the resulting recording has evidentiary value. Examples of unintentionally recorded footage include, but are not limited to, recordings made in station house locker rooms, restrooms, and recordings made while officers were engaged in conversations of a non-business, personal nature with the expectation that the conversation was not being recorded.
- H. **Official Duties**, for purposes of this policy, means that the officer is on duty and performing authorized law enforcement services on behalf of this agency.
- I. **Body Worn Camera (BWC)** – A device worn on the person of a police department employee that is capable of recording video and audio footage.
- J. **Data Subject** – Under Minnesota Law, the following are considered data subjects for purposes of administering access to BWC data:
 - 1. Any person or entity whose image or voice is documented in the data
 - 2. The officer who collected the data
 - 3. Any other officer whose voice or image is documented in the data regardless of whether that officer is, or can be, identified by the recording
- K. **Confidential Data** – BWC data that is collected or created as part of an active criminal investigation is confidential. This classification takes precedence over private and/or public classifications.
- L. **Private Data** – BWC recordings are presumptively classified as private data about the data subjects under MN statutes, with applicable Data Practices Act provisions applying.
- M. **Public Data** – In certain instances, BWC data is classified public data

under MN statutes, with applicable provisions of the Data Practices Act applying:

1. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous.
2. Data that documents the use of force by a peace officer, that results in substantial bodily harm.
3. Data that a data subject requests to be made accessible to the public, subject to redaction. Data on any data subject (other than a peace officer) who has not consented to the public release must be redacted if practicable (Minn. Stat. §13.825, subd. 2(a)(2)). In addition, any data on undercover officers must be redacted.
4. Data that documents the final disposition of a disciplinary action against a public employee.
5. If another provision of the Data Practices Act classifies data as private or otherwise not public, the data retains that other, more restricted, classification. For instance, data that reveals protected identities under MN Statute 13.82, subd. 17, would not be released, even if it would otherwise fit into the public category.

404.05

USE AND DOCUMENTATION

- A. Officers using a BWC must have completed department approved training in this policy, use of the device, and download of data, as recommended by the vendor.
- B. Officers' cameras shall be worn at or above the mid-line of the waist in a position that maximizes the BWC's capacity to record video footage of the officers' activities.
- C. Officers may use only department issued BWCs in the performance of official duties for this agency or when otherwise performing authorized law enforcement services as an employee of this department. BWC use for off-duty law enforcement related employment purposes must be approved by the Chief of Police. Part-time law enforcement employment for another agency outside of the City of Champlin is not an authorized use of department issued BWCs.
- D. All police officers and community service officers working uniform patrol, uniform special details, traffic duties, and school liaison duties shall use a BWC unless permission has been granted by a supervisor to deviate from this clause. Plain clothes officers/investigators and administrators are not obligated to use a BWC but may elect to use a BWC on a case-by-case basis, pursuant to the needs of the specific investigation or job duty. Investigators, Drug Task Force Officers, and other officers serving search/arrest warrants

outside of the Police Department building must use a BWC, unless permission is granted by a supervisor. Officers performing duties at the direction of the Weapons of Mass Destruction Team are not required to use a BWC.

- E. Any member assigned to the Anoka-Hennepin Narcotics and Violent Crimes Task Force shall follow the section of the Task Force Operating Procedures and Guidelines Manual relating to Portable Audio/Video Recording Devices while assigned to the Task Force and working in that capacity.
- F. Notwithstanding the further guidelines of this policy, the School Liaison Officer should activate his BWC in the following situations:
 - 1. When summoned by any individual to respond to an incident where it is likely that law enforcement action will occur.
 - 2. Any self-initiated activity where it is previously known that you will make a custodial arrest.
 - 3. Any self-initiated activity where it is previously known that your questioning/investigation will be used later in criminal charges.
 - 4. When feasible, a School Liaison Officer shall activate the BWC when the contact becomes adversarial or the subject exhibits unusual behaviors.
 - 5. Nothing in this policy minimizes the fact that in many instances the School Liaison Officer is suddenly forced to take law enforcement action and has no opportunity to activate the BWC. Such instances should be documented in an ICR in accordance with this policy.
- G. Officers performing law enforcement activities under the command and control of another chief law enforcement officer or federal law enforcement official shall adhere to the Champlin Police Departments BWC policy.
- H. Officers who have been issued BWCs shall operate and use them consistent with this policy. Officers shall conduct a function test of their issued BWCs at the beginning of each shift to make sure the BWC is performing in accordance with the manufacturer's recommendations, covering the following matters:
 - 1. The BWC is not damaged.
 - 2. The BWC powers on.
 - 3. The BWC connects with the smartphone application.
 - 4. Ensure recording mechanism captures audio and video, via a test recording.

5. There are no device-reported errors.
- I. Malfunctions, damage or theft of a BWC and related equipment shall be reported immediately to a supervisor and the malfunction shall be documented in writing. If the malfunction cannot be repaired or if no supervisor is working, the officer will use a spare BWC. If a BWC malfunctions while recording, is lost or damaged, the circumstances shall be documented in a police report and a supervisor shall be notified.
- J. Prior to the end of an officer's shift, the officer shall download recorded data using designated download points. Officers are encouraged to try and download BWC data throughout their shifts if practical while at the office.
- K. Officers must document BWC use and non-use as follows:
 1. Whenever an officer makes a recording, the existence of the recording shall be documented by typing "BWC" in the Incident Summary box in LETG.
 2. Whenever an officer fails to record an activity that is required to be recorded under this policy or captures only a part of the activity, the officer must document the circumstances and reasons for not recording in an incident report. Supervisors shall ensure BWC use is in compliance with this policy when reviewing reports and CAD data.
- L. The department will maintain the following records and documents relating to BWC use, which are classified as public data:
 1. The total number of BWCs owned or maintained by the agency;
 2. A daily record of the total number of BWCs actually deployed and used by officers.
 3. The total amount of recorded BWC data collected and maintained; and
 4. This policy, together with the Records Retention Schedule.
- M. Pursuant to Minn. Stat. 13.825, subd. 6, officers may only use a portable recording system issued and maintained by the Champlin Police Department.

404.06

GENERAL GUIDELINES FOR RECORDING

- A. This policy is not intended to describe every possible situation in which the

BWC should be activated, although there are many situations where use of the BWC is appropriate. Officers should activate the BWC any time the user believes it would be appropriate or valuable to record an incident.

- B. Officers shall activate their BWCs prior to arrival while responding to all calls for service, except as listed in (C.) below, and during all law enforcement-related encounters and activities, including but not limited to pursuits, Terry stops of motorists or pedestrians, arrests, searches, suspect interviews and interrogations, and during any police/citizen contacts that becomes adversarial. However, officers need not activate their cameras when it would be unsafe, impossible, or impractical to do so, but such instances of not recording when otherwise required must be documented as specified in the Use and Documentation guidelines, part (E)(2) (above).
- C. Officers have discretion to record or not record general citizen contacts or minor calls for service where contact with the public is unlikely.
- D. Officers shall not record encounters with undercover officers or informants unless otherwise directed by a supervisor.
- E. Officers have no affirmative duty to inform people that a BWC is being operated or that the individuals are being recorded. Officers may elect to inform individuals that they are being recorded if the officer deems it necessary and appropriate, in furtherance of conflict resolution and/or de-escalation of tense situations. If an individual asks the officer if they are recording, the officer shall answer truthfully. Individuals requesting government data will be referred to the records division.
- F. Once activated, the BWC should continue recording until the conclusion of the incident or encounter, or until it becomes apparent that additional recording is unlikely to capture information having evidentiary value. The supervisor/officer having charge of a scene may likewise direct the discontinuance of recording when further recording is unlikely to capture additional information having evidentiary value. If the recording is discontinued while an investigation, response, or incident is ongoing, officers shall state the reasons for ceasing the recording on camera before deactivating their BWC. If circumstances change, officers shall reactivate their cameras as required by this policy to capture information having evidentiary value. Any decision to discontinue recording shall be made with respect to the eight policy objectives.
- G. Officers shall not intentionally block the BWC's audio or visual recording functionality to defeat the purposes of this policy. Officers may mute the recording when discussing issues regarding the incident or investigation in a private manner. They may also do so to avoid recording private data on an MDC screen. Officers will make a verbal note that they are taking such

an action prior to muting audio.

- H. Notwithstanding any other provision in this policy, officers shall not use their BWCs to record other agency personnel during non-enforcement related activities, such as during pre- and post-shift time in locker rooms, during meal breaks, or during other private conversations, unless recording is authorized as part of an administrative or criminal investigation.
- I. Formal statements from suspects, victims, or witnesses that are captured on the BWC shall be recorded as separate recordings on a non BWC audio recording device to be entered as evidence and transcribed.
- J. Officers are not required to use the BWC while inside the Champlin PD booking facility or other recorded booking facility.

404.07

SPECIAL GUIDELINES FOR RECORDING

Officers may, in the exercise of sound discretion, determine:

- A. To use their BWCs to record any police-citizen encounter if there is reason to believe the recording would potentially yield information having evidentiary value, unless such recording is otherwise expressly prohibited.
- B. Officers shall use their BWCs and squad-based audio/video systems to record their transportation and the physical transfer of persons in their custody to hospitals, detox and mental health care facilities, juvenile detention centers, and jails, but otherwise should not record in these facilities unless the officer anticipates witnessing a criminal event or being involved in or witnessing an adversarial encounter or use-of-force incident.

404.08

DOWNLOADING AND LABELING DATA

- A. Each officer using a BWC is responsible for transferring or assuring the proper transfer of the data from his or her camera to the BWC server/cloud by the end of that officer's shift. However, if the officer is involved in a shooting, in-custody death, or other law enforcement activity resulting in death or great bodily harm, a supervisor or investigator shall take custody of the officer's BWC and assume responsibility for transferring the data from it.
- B. Officers shall label the BWC data files at the time of video capture or transfer to storage and should consult with a supervisor if in doubt as to the appropriate labeling. The category label selected shall most closely represent the type of content captured on the BWC. The selected category shall determine the retention period of the file:

1. **Criminal Incident:** The information has evidentiary value with respect to an actual or suspected criminal incident or charging decision.
 - a. **Retention:** Minimum 7 years for uncharged cases. Charged cases must be kept until 90 days after sentencing or if appealed, until final disposition.
2. **Use of Force:** Whether or not enforcement action was taken, or an arrest resulted, the event involved the application of force beyond an escort hold by a law enforcement officer of this or another agency.
 - a. **Retention:** Minimum 7 years.
3. **Evidence:** Whether or not enforcement action was taken, or an arrest resulted, an officer seized property from an individual, directed an individual to dispossess property, or recorded images of evidentiary value.
 - a. **Retention:** Minimum 1 year.
4. **Administrative/Complaint:** The recording involves an adversarial encounter that is likely to result in a complaint or has resulted in a complaint against the officer.
 - a. **Retention:** Minimum 7 years.
5. **Traffic/Subject Stop:** Includes self-initiated traffic stops, subject stops, or other enforcement related public contacts.
 - a. **Retention:** Minimum 540 days
6. **Training:** The event was such that it may have value for training.
 - a. **Retention:** Minimum 90 days but may be retained longer if requested.
7. **Miscellaneous Calls:** The recording does not contain any of the foregoing categories of information and has no apparent criminal or civil evidentiary value. Also includes recordings of general citizen contacts.
 - a. **Retention:** Minimum 180 days.
8. **Test/Unintentional:** Recordings of equipment checks and any other unintentional recordings.
 - a. **Retention:** Minimum 90 days.
9. **Long-Term:** The full unedited and unredacted recording must be kept permanently or for an undetermined period. Includes, but is not limited to Death Investigations, CSC reports and Deadly Force by an officer.
 - a. **Retention:** Until manually deleted.
10. **Uncategorized:** The user did not select a category for the recording prior to saving the video.

- a. **Retention:** Indefinite until a category is assigned.
- 11. **Confidential/DTF/Mobile Field Force:** The recording involves members of the Anoka-Hennepin Narcotics and Violent Crimes Task Force, or other similar task force, and is recorded by either the DTF Detective or supporting officers. This Data is confidential in that it may contain images of Informants, Undercover Detectives, or other Detectives that may, during the course of their assigned duties, work in an undercover capacity.
 - a. **Retention:** Minimum 7 years for uncharged cases. Charged cases must be kept until 90 days after sentencing, or if appealed, until final disposition.
- C. In the event that a BWC data file is mislabeled by an officer, or additional information is discovered that suggests a data file label should be changed, a request to change the label and reasoning for said change shall be forwarded to the Office/Administrative Supervisor.

404.09

ADMINISTERING ACCESS TO BWC DATA

- A. **Data subjects.** Under Minnesota law, the following are considered data subjects for purposes of administering access to BWC data:
 - 1. Any person or entity whose image or voice is documented in the data.
 - 2. The officer who collected the data.
 - 3. Any other officer whose voice or image is documented in the data, regardless of whether that officer is or can be identified by the recording.
- B. **BWC data is presumptively private.** BWC recordings are classified as private data about the data subjects unless there is a specific law that provides differently. As a result:
 - 1. BWC data pertaining to people is presumed private, as is BWC data pertaining to businesses or other entities.
 - 2. Some BWC data is classified as confidential (see C. below).
 - 3. Some BWC data is classified as public (see D. below).
- C. **Confidential data.** BWC data that is collected or created as part of an active criminal investigation is confidential. This classification takes precedence over the “private” classification listed above and the “public” classifications listed below.

D. Public data. The following BWC data is public:

1. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous.
2. Data that documents the use of force by a peace officer that results in substantial bodily harm.
3. Data that a data subject requests to be made accessible to the public, subject to redaction. Data on any data subject (other than a peace officer) who has not consented to the public release must be redacted if practicable. In addition, any data on undercover officers must be redacted.
4. Data that documents the final disposition of a disciplinary action against a public employee.

However, if another provision of the Data Practices Act classifies data as private or otherwise not public, the data retains that other classification. For instance, data that reveals protected identities under Minn. Stat. § 13.82, subd. 17 (e.g., certain victims, witnesses, and others) should not be released even if it would otherwise fit into one of the public categories listed above.

E. Access to BWC data by non-employees. Officers shall refer members of the media or public seeking access to BWC data to the Office/Administrative Supervisor who shall process the request in accordance with the MGDPA and other governing laws. In particular:

1. An individual shall be allowed to review recorded BWC data about him- or herself and other data subjects in the recording, but access shall not be granted:
 - a. If the data was collected or created as part of an active investigation.
 - b. To portions of the data that the agency would otherwise be prohibited by law from disclosing to the person seeking access, such as portions that would reveal identities protected by Minn. Stat. § 13.82, subd. 17.
2. Unless the data is part of an active investigation, an individual data subject shall be provided with a copy of the recording upon request, but subject to the following guidelines on redaction:

- a. Data on other individuals in the recording who do not consent to the release must be redacted.
 - b. Data that would identify undercover officers must be redacted.
 - c. Data on other officers who are not undercover, and who are on duty and engaged in the performance of official duties, may not be redacted.
 - d. Data subject shall complete an official request form and pay any associated fees from the adopted fee schedule.
3. In the event of an Officer's Use of Deadly Force that results in a death, the Champlin Police Department will, upon request, make available for inspection all portable recording system data, redacted no more than what is required by law, documenting the incident within five days of the request to the following parties:
 - a. The deceased individual's next of kin
 - b. The legal representative of the deceased individual's next of kin
 - c. The other parent of the deceased individual's child.
4. In the event of an Officer's Use of Deadly Force that results in a death, the Champlin Police Department shall release all portable recording system data, redacted no more than what is required by law, documenting the incident no later than 14 days after the incident.
5. The Chief of Police may assert in writing that the public classification of data regarding sections 3 and/or 4 would interfere with an ongoing investigation, in which case the data may remain classified.

F. Access by peace officers and law enforcement employees. No employee may have access to the department's BWC data except for legitimate law enforcement or data administration purposes:

1. Officers may access and view stored BWC video only when there is a business need for doing so, including the need to defend against an allegation of misconduct or substandard performance. Except as provided in the Critical Incident Response Policy, officers may review video footage of an incident in which they were involved prior to preparing a report, giving a statement, or providing testimony about the incident. Officers shall not use the fact that a recording was made as a reason to write a less detailed report.
2. In addition to 1. above, supervisors may view recordings at any time they are making inquiry into an alleged complaint, performance issue, or to ensure policy compliance.

3. All instances of access to BWC data are digitally logged. Agency personnel shall document their reasons in Evidence.com for accessing stored BWC data at the time of each access. Agency personnel are prohibited from accessing BWC data for non-business reasons and from sharing the data for non-law enforcement related purposes, including but not limited to uploading BWC data recorded or maintained by this agency to public and social media websites. Agency personnel are allowed at supervisor direction and on a case-by-case basis to use BWC data for Department and City social media purposes. Allegations of inappropriate access to BWC data will be investigated and discipline may be issued pursuant to the labor contract.
4. Employees seeking access to BWC data for non-business reasons may make a request for it in the same manner as any member of the public.

G. Agency/Supervisor Use of Data.

1. Supervisors shall, on a monthly basis, review BWC usage by each officer to ensure compliance with this policy, including in areas of required recording and data labeling.
2. In addition, supervisors may access BWC data for the purposes of reviewing or investigating a specific incident that has given rise to a complaint or concern about officer performance or misconduct, as well as to review incidents for appropriate use of force.
3. Nothing in this policy limits or prohibits the use of BWC data as evidence of misconduct or as a basis for discipline.
4. Officers should contact their supervisors to discuss retaining and using BWC footage for training purposes. Officer objections to preserving or using certain footage for training will be considered on a case-by-case basis. Field training officers may utilize BWC data with trainees for the purpose of providing coaching and feedback on the trainees' performance.

H. Other authorized disclosures of data. Officers may display portions of BWC footage to witnesses as necessary for purposes of investigation as allowed by Minn. Stat. § 13.82, subd. 15, as may be amended from time to time. Officers should generally limit these displays in order to protect against the incidental disclosure of individuals whose identities are not public. Protecting against incidental disclosure could involve, for instance, showing only a portion of the video, showing only screen shots, muting the audio, or playing the audio but not displaying video. In addition,

1. BWC data may be shared with other law enforcement agencies only for legitimate law enforcement purposes that are documented in writing at the time of the disclosure.
2. BWC data shall be made available to prosecutors, courts, and other criminal justice entities as provided by law.

I. **Data classification.** The redacting party shall consider the data classifications regarding the following categories of subjects as governed by the MGDPA:

1. Victims and alleged victims of criminal sexual conduct and sex trafficking.
2. Victims of child abuse or neglect.
3. Vulnerable adults who are victims of maltreatment.
4. Undercover officers.
5. Informants.
6. When the video is clearly offensive to common sensitivities.
7. Victims of and witnesses to crimes, if the victim or witness has requested not to be identified publicly.
8. Individuals who called 911, and services subscribers whose lines were used to place a call to the 911 system.
9. Mandated reporters.
10. Juvenile witnesses, if the nature of the event or activity justifies protecting the identity of the witness.
11. Juveniles who are or may be delinquent or engaged in criminal acts.
12. Individuals who make complaints about violations with respect to the use of real property.
13. Officers and employees who are the subject of a complaint related to the events captured on video.
14. Other individuals whose identities the officer believes may be legally protected from public disclosure.

404.10

DATA SECURITY SAFEGUARDS

- A. Champlin Police Department BWC data is stored on Axon's Evidence.com cloud-based storage solution. All data is automatically authenticated, and the originals cannot be altered by users. Evidence.com is CJIS compliant and provides for full logs of access by users and a chain of custody for evidentiary purposes.
- B. Personally owned devices, including but not limited to computers and mobile devices, shall not be programmed or used to access or view agency BWC data.
- C. Officers shall not intentionally edit, alter, or erase any BWC recording, data or meta data prior to the expiration of the applicable retention period.
- D. As required by Minn. Stat. § 13.825, subd. 9, as may be amended from time to time, this agency shall obtain an independent biennial audit of its BWC program.

404.11

DATA RETENTION

It is the BWC user's responsibility to properly categorize all recorded BWC footage for purposes of retention timelines, using categories set up by the Department. The following guidelines will be adhered to regarding data retention:

- A. All BWC data shall be retained for a minimum period of 90 days. There are no exceptions for erroneously recorded or non-evidentiary data.
- B. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous, must be maintained for a minimum period of one year.
- C. Certain kinds of BWC data must be retained for six years:
 1. Data that documents the use of deadly force by a peace officer, or force of a sufficient type or degree to require a use of force report or supervisory review.
 2. Data documenting circumstances that have given rise to a formal complaint against an officer.
- D. Other data having evidentiary value shall be retained for the period specified in the Records Retention Schedule. When a particular recording is subject

to multiple retention periods, it shall be maintained for the longest applicable period.

- E. Subject to Part F (below), all other BWC footage that is classified as non-evidentiary, becomes classified as non-evidentiary, or is not maintained for training shall be destroyed after no sooner than 90 days.
- F. Upon written request by a BWC data subject, the agency shall retain a recording pertaining to that subject for an additional time period requested by the subject of up to 180 days. The agency will notify the requestor at the time of the request that the data will then be destroyed unless a new written request is received.
- G. The department shall maintain an inventory of BWC recordings having evidentiary value.
- H. The department will post this policy, together with its Records Retention Schedule, on its website.

404.12

COMPLIANCE

Supervisors shall monitor for compliance with this policy. The unauthorized access to or disclosure of BWC data may constitute misconduct and subject individuals to disciplinary action and criminal penalties pursuant to Minn. Stat. § 13.09.

404.13

ALLEGATIONS OF MISCONDUCT

Any complaints of misconduct surrounding Champlin Police Department BWC use under this policy or others will be investigated on a case-by-case basis, pursuant to the collective bargaining agreement, MN police officer discipline procedures act (M.S. 626.89) and department policy.

Any employee misusing recorded media or devices in violation of this or other policies or Statutes, to included non-use of recording equipment, will be subject to disciplinary action. Discipline may include verbal reprimand, written reprimand, suspension, demotion, or termination. If criminal behavior is alleged, appropriate agencies will be notified for further investigation.

Date Implemented: 12/07/2018