



NYPD The Key

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Excerpt from our I.O. Recap 2020: Keeping you in touch with recent changes to the P.G.

I.O. 37 (208-27) Desk Officer Debriefs DAT Arrestee IF...

The rule has always been: A/O request PDS/other investigator to debrief prisoner, if appropriate.

- That's ALL it said, there was no caveat for if the PDS, etc. are not available.

NOW it says;

- Request a **UMOS** from PDS/other appropriate investigative unit to debrief AND, if no such UMOS available/can't respond in reasonable time and DAT is done, **notify D.O.**

Desk Officer (new step)

- Ensure prisoner was debriefed as per 210-18, as appropriate and if no PDS, etc. available and DAT process is complete, **YOU, the Desk Officer** debrief or ensure **any other** available supervisor do it.

I.O. 52 (212-123) Body Worn Camera {BWC}

Step 1c. How to position the BWC

- ~~Center of chest~~ is now **vicinity of breast pocket.**

Changes to the list of MANDATORY activations

- 10-10 (~~suspicious person, shots fired, man with gun, drug sales~~) is now ALL 10-10s except missings.
- Add **10-12** security holding, **10-52** dispute, **10-53** with injuries when Hwy CIS or ECT respond.
- To search of person and their belongings, add; **or their vehicle, and/or home,**
- After carstops they added **vehicle checkpoints.**
- Add these 3 new ones;
 - Bag check,
 - Transit system ejection,
 - Transit system sleeping passenger check.

Last item on list is **arrests** & it says to keep BWC on till perp lodged at command for arrest process,

- Now add; immediately ask, ON CAMERA, if they need med/psych help –get EMS, etc
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Changes to 212-123, Body Worn Camera procedure made by I.O. 52 of 2020 (cont'd)

- Where it says to begin recording **prior to arrival** (they took out “~~or immediately upon arrival~~)
 - With this caveat: Vehicle operators may activate their BWC immediately after arrival at incident location in order to ensure the safe operation of Department vehicle.
- Under the Deactivation rules where it says to record till the incident is over, they added this;
 - Recording should include **complainant/witness statements** unless prohibited.
- Under the ‘do not activate list (strip search, inside medical facility, etc)’ add; **Briefings and tactical discussions** regarding resource capabilities, or after-action debriefings involving ESU personnel.
- Mandatory activation of a BWC will take **precedence** over prohibited BWC recordings (i.e., record an arrest {which is mandatory} even if it’s in a medical facility {which is prohibited})
- Now you can upload, not just thru the LAN but also using your **Department smartphone**.
- There is a numbered priority order for upload into categories, 1 - 4 (1 = Arrest, 2 = Homicide, 3 = Summons, 4= Investigative Encounter) that has not changed, they just added a new #5 Uncategorized.
- New step: “Categorize all BWC videos **by the end of next scheduled tour.**”

When you can view your footage

- Used to say for a ~~Level 3~~ use of force, firearms discharge or person seriously injured/DOA.
 - NOW it says **Level 4** (means you can no longer view for a Level 3 use of force incident).

When the Sgt responds and secures the cameras

- Used to say for Level 3, firearms discharge and SI/DOA. NOW says for Levels 3 **and 4**.
- Sgt used to provide the BWCs they secured to either FID, IAB, or other investigating supervisor.
 - NOW for firearms discharge or Level 4, Sgt gives camera to FID –period.
 - AND Sgt confers (doesn’t automatically give camera) with IAB for Level 3 and determines whether to secure camera pending their response.

Actor “Desk Officer” is now “Desk Officer / Unit Supervisor”

- D.O. used to ensure *any* video related to an arrest is given to the A/O and the D.A.
 - NOW the D.O. “Ensures **A/O** has shared BWC video with DA...” and made this new form;
DISTRICT ATTORNEY BODY-WORN CAMERA CHECKLIST.
- D.O. also used to ensure arrest videos done as above for ~~previous tour arrests~~. That step is GONE.
 - Those steps re; arrest related videos used to be ~~entered in the Command Log~~ –NO MORE.

New steps in place of the above;

- D.O/Unit Supervisor: Log into BWC video management system **at least once per tour**, and identify BWC video recorded by command personnel that have not been categorized properly.
- Instruct BWC user to categorize their BWC video, as appropriate.

New Actor: Arresting/Assigned Officer

- Used to “notify” the ADA, now there is a new form **DISTRICT ATTORNEY BWC CHECKLIST**

Two new steps for the Training Sergeant;

- Do inspection rpt to Compliance Div’s BWC Unit by 20th of month for videos reviewed in prior month
- Ensure newly assigned personnel are trained & equipped with a BWC compatible with the command.
 - Notify ITB, Strategic Technology Division, if a new BWC is needed.

While you’re at it, add this step to 202-19, Training Sergeant

- Prepare and submit monthly BWC inspection report to the Compliance Division’s Body-Worn Camera Unit by the 20th of each month for video reviewed during the previous month.

New ICO steps;

- When MOS transfers, ensure they take their BWC with them, but if it’s a non-BWC command, ensure their BWC is returned to ITB, Strategic Technology Div.
- Ensure distribution of “Quarterly” BWC Self-Inspections to command staff and ensure “Monthly” BWC Self-Inspections are conducted and made available for review by QAD.
- Complete all investigatory communications sent by the Compliance Division in regard to BWC usage.

Additional Data changes

- Default preservation period went from ~~1-year~~ to **EIGHTEEN months.**
- DON’T use a still shot of video for a Showup. That’s not new but they added this;
 - MAY use (print and paste) for **Photo Arrays.**
- To have BWC footage downloaded to a DVD for case work or investigation, email Legal Bureau’s BWC Unit with pertinent information or specific details of the incident.