



TULSA COUNTY SHERIFF'S OFFICE

Policy

Chapter: 200-Operations		Policy Number: 202.11 Body-Worn Cameras	Effective Date: 05/11/2022
Supersedes Policy No:		Issued: 01/05/2018	Page: 1 of 20
REVISIONS	SECTION	References: Policy 2-04, Records Administration Policy 5-06, Sheriff's Office Review Board	
01	3.1/A.7, 3.10/A (deleted), 3.13/B, 5.0		
02	2.6 (deleted), 2.1, 3.14/A.4, 3.14/B-D, 3.18, 3.21, 3.24, 3.25		
03	3.09 (added), 3.10 (added), 3.13 (added), 3.26/D (added)		
Issuing Authority: Sheriff Vic Regalado		Signature/Date: ON FILE	

This policy statement and the following procedures are intended for Tulsa County Sheriff's Office use only. The policies, procedures, and post orders are for internal administrative purposes. They are not intended to create any higher legal standard of care or liability in an evidentiary sense than is created by law. Violations of internal Sheriff's Office policies, procedures, and post orders form the basis for disciplinary action by the Sheriff's Office.

1.0 Summary

Body-worn cameras will be used to maintain trust and transparency between the TCSO and the citizens we serve. Body-worn cameras provide objective recordings of events that deputies encounter. These recordings may provide valuable evidence for prosecution, assist deputies with completing reports and protect deputies from false allegations. The benefits of body-worn cameras are: (1) strengthening deputy accountability, (2) preventing confrontational situations, (3) resolving deputy-involved incidents and complaints, (4) improving agency transparency, (5) identifying and correcting internal agency problems, (6) strengthening deputy performance, and (7) improving evidence documentation. Body-worn camera recordings will only be used for official purposes and shall never be used to embarrass, exploit, or harass an employee or the public.

2.0 Definitions

2.1 Body-Worn Camera Administrator

The person assigned to manage and oversee the body-worn camera equipment and systems. Responsible for management of the audio and video recordings obtained from body-worn cameras. This includes, but is not limited to copying, redacting, or deleting the audio and/or video recordings.

2.2 Body-Worn Camera System

The hardware and software that comprises an audio and video recording system.

2.3 Body-Worn Camera

A camera that is worn on the person of a deputy to capture audio and video recordings, at times referred to as BWC in this policy.

2.4 Categorize

The process of labeling a recording for retention purposes.

2.5 Code Response

When a deputy responds to a call or incident which requires activation of light and siren.

2.6 Code Call

A call for service that involves a violent felony in progress and/or a life-threatening situation and requires an immediate emergency response.

2.7 Enforcement Action

Interactions between Tulsa County deputies and citizens involving any of the following events:

(1) Use of force, (2) Emergency vehicle response, (3) Pursuits of any kind, (4) Any stop for a traffic violation, (5) Pedestrian checks and vehicle checks, (6) DUI investigations, including sobriety checkpoints and advisement of the Oklahoma Implied Consent Law, (7) Any arrest and issuance of citation or written warning (8) Detentions of any length and custodial transports, (9) Personal searches as defined in existing policies and procedures, vehicle searches and seizure of evidence, (10) Domestic violence investigations, (11) Advisement of Miranda rights by a deputy and statements by a subject after waiving Miranda rights, and (12) Arrest warrant service and search warrant service

2.8 Standby Mode

When the BWC is powered on but is not actively saving a recording longer than 60 seconds.

2.9 Failure to Activate

When a deputy does not activate the BWC as required by this procedure.

2.10 Function Test

The process of verifying the body-worn camera is operating properly. This includes a visual inspection for any obvious damage, ensuring the LCD screen is properly displaying camera information, recording a short video, uploading the video, and reviewing the video to verify the camera is recording properly.

2.11 Healthcare Facility

Any public or private authority, corporation, or business where healthcare services are provided. Examples may include, but are not limited to, a hospital, emergency room, ambulance, health clinic, doctor's office, nursing home, pharmacy, dental office, drug or alcohol treatment facility or mental health facility.

2.12 Individually Identifiable Health Information

Any personal medical information whether oral or recorded in any form or medium, including demographic information collected from an individual that is created or received by a healthcare provider, health plan, employer or healthcare clearing house and relates to the past, present or future physical or mental health or condition of an individual, the provision of healthcare to an individual or the past, present or future payment for the provision of healthcare to an individual and identifies the individual or there is a reasonable basis to believe that the information can be used to identify the individual.

2.13 Informant

As defined in Tulsa County Sheriff's Office Policy and Procedure 12-08.3, to include an unnamed source.

2.14 Monthly Review

On a monthly basis the Watch Commander will query the recording database for one randomly selected body-worn camera recording for each deputy under the Watch Commander's command. While conducting this review, the Watch Commander shall evaluate the actions of all deputies captured in the recording for compliance with all written directives. For each recording reviewed, the Watch Commander shall complete an entry on Blue

Team under the incident type "inspection". Multiple reviews may be completed under one inspection incident. Upon completion, the incident will be forwarded to Internal Affairs via Blue Team. The Body Camera Review form (Attachment B) may be utilized when submitting one Blue Team incident involving multiple employees. The completed form will be uploaded to the Blue Team Incident as an attachment by the reviewing supervisor prior to submission.

2.15 Official Purposes

Actions commensurate with the duties and responsibilities of a Sheriff's employee while adhering to the written directives of the Sheriff's Office. Other parties such as prosecuting attorneys and/or their staff will have access to body-worn camera recordings to carry out their official duties.

2.16 Operational Purposes

Review of an incident where a specific deputy's performance is not the basis for the review.

2.17 Tag

The process of labeling a recording with all required metadata (identification parameters).

2.18 Undercover Deputy

A deputy requiring anonymity based upon current law enforcement assignment where identifying the deputy could jeopardize his or her safety and/or an on-going investigation.

2.19 Voluntary Contact

A consensual encounter by a deputy with a person for official purposes. A voluntary contact can be initiated by a deputy in a place where the public and the deputy have a lawful right to be or in a place where a person has a reasonable expectation of privacy, such as a person's home. Consent by the person can be expressed or implied and must be freely and voluntarily given and be free of coercion. "Free of coercion" means a reasonable person would believe they are free to leave or not respond to the deputy's questions and deny the deputy's request. Consent can be revoked by the person at any point during a voluntary contact.

3.0 Procedures

The following procedures govern the use and management of body-worn camera systems. These procedures do not apply to undercover investigations and/or court-ordered or court-authorized electronic surveillance.

3.1 Use of Department Issued Body-Worn Cameras

- A. Each deputy must be trained in the operation of the body-worn camera system and the applicable written directives prior to use.
1. Only department issued body-worn camera systems shall be used.
 2. Each deputy assigned a body-worn camera is required to use it during his or her shift and shall operate the assigned body-worn camera in accordance with written directives.
 3. Each deputy will power on their assigned camera to standby mode at the beginning of their shift (when they go 10-8). The camera is to remain on and in standby mode throughout the shift unless activated for enforcement action.
 4. If the deputy does not have a permanently assigned camera, or they upload from headquarters, the deputy will retrieve the camera as soon as possible at the beginning of the shift.
 5. If a priority call or other circumstance prevents a deputy from checking out a camera, the deputy shall return to headquarters after completing that incident or call and check a camera out for the remainder of the shift.
 6. All department issued body-worn cameras, associated equipment and recordings are the property of the Tulsa County Sheriff's Office.
 7. If a body-work camera is present during an enforcement action as defined in this policy, it will be noted in an official report or on a citation, if issued.
- B. Body-worn cameras contain configuration settings that are applied by the body-worn camera administrator and settings that are configurable by the deputy. The deputy will not intentionally change or modify any of the body worn camera administrator's configuration settings.

3.2 Maintenance and Care

Each deputy is responsible for all body-worn camera equipment assigned to him or her.

- A. Prior to each shift, the deputy shall ensure the assigned body-worn camera is operating properly by performing a function test.
- B. A deputy may perform a function test at any other time he/she believes it is necessary.
- C. If at any time the deputy discovers the body-worn camera is damaged or malfunctioning, the deputy shall notify his or her supervisor as soon as practical. If the supervisor cannot resolve the issue, the supervisor will notify the body-worn camera administrator by email and the deputy will submit a damage/malfunction memo.
- D. If the body-worn camera is physically damaged, the deputy will also complete an incident report in SOMS titled Damage to County Equipment.
- E. If a camera is damaged or malfunctioning, it shall not be used and will be returned to the body-worn camera administrator.

3.3 Prohibited Use of Body-Worn Cameras

- A. Body-worn cameras and/or body-worn camera recordings shall not be:
 - 1. Used for personal gain or activities.
 - 2. Copied, deleted, altered, uploaded, reviewed, or released in any manner, except as authorized by written directives.
 - 3. Viewed by citizens without proper consent; or
 - 4. Made during part time employment.
- B. Body-worn cameras shall not be:
 - 1. Used to record department employees, except as provided for by this procedure.
 - 2. Removed from the deputy's person and left unattended while recording.

3. Used to record any court proceeding or administrative hearing; or
4. Utilized during part time employment

3.4 Notification

Except as required, a deputy is not required to advise a person he or she is recording their interaction unless the person specifically asks if they are being recorded, at which point the deputy shall inform the person they are being recorded.

3.5 Incident Identification and Reporting

- A. Each recording will be tagged by the deputy and shall be completed no later than twenty-four (24) hours of the deputy's shift.
 1. The deputy shall make a notation, comment, or statement on all reports, citations, CAD calls, if applicable, when a recording is made.
 2. The deputy shall document the existence of a body-worn camera recording in all applicable reports and this documentation will take place in the first line of the narrative or immediately thereafter.
 3. If a deputy does not make a complete recording as required or interrupts a recording, the deputy will document the circumstances of such action in the appropriate report.
- B. The use of a body-worn camera does not alleviate the responsibility for a deputy to complete a detailed report related to their involvement in an incident as required by written directives.
- C. A supervisor may have to tag a deputy's body-worn camera recording(s) if the deputy is unable to do so.

3.6 When a Body-Worn Camera Shall Be Activated

Each deputy shall activate his or her body-worn camera under the following circumstances:

- A. Any "Enforcement Action" as defined in this policy.
- B. Voluntary contact (only in a public place or a place where the public and the deputy have a right to be). If a voluntary contact is initiated in

a location where a person has a reasonable expectation of privacy, and one of the criteria listed in numbers 2-9 below do not apply, the deputy shall receive consent from the person prior to continuing to record the voluntary contact.

- C. Prior to any investigative detention, mental health detention, traffic or vehicle stop or custodial arrest.
- D. Prior to a use of force.
- E. Prior to initiating any code response.
- F. Prior to exiting the police vehicle on a code call.
- G. While involved in any vehicle or foot pursuit.
- H. When conducting a Standardized Field Sobriety Test (SFST) or Drug Recognition Expert (DRE) evaluation.
- I. While transporting, guarding, or coming into contact with any person who becomes uncooperative, agitated, combative, threatening or makes statements related to his or her arrest/protective custody.
- J. For documenting a dying declaration.
- K. Evictions.
- L. Child Pickups.
- M. 9111 Executions (Till Taps).
- N. Replevins.
- O. Protective Order Service.
- P. Dealing with hostile parties/defendants.
- Q. When directed by a supervisor.

3.7 When a Body-Worn Camera May be Activated

A deputy may activate his or her body-worn camera anytime the deputy deems it appropriate to record for official purposes, except as prohibited by this policy.

3.8 When Body-Worn Cameras Shall Not Be Activated or Shall Be Deactivated

A deputy shall not activate or shall deactivate his or her body-worn camera:

- A. In any situation where individuals have a reasonable expectation of privacy, such as their residence, a bathroom, or a locker room, unless required by this policy.
- B. In a healthcare facility, unless required by this policy.
- C. During an administrative investigation.
- D. When knowingly in the presence of an undercover officer or informant unless recording is requested by the undercover officer.
- E. During activities, conversations or meetings with law enforcement employees while not conducting an enforcement action, as defined in policy.
- F. When discussing operational or tactical strategies.
- G. During personal conversations, activities or meetings that are not law enforcement related.
- H. When securing a crime scene and none of the conditions in policy apply.
- I. At the conclusion of a call or incident.
- J. When directed by a supervisor.

3.9 Recording of Crime Victims and Other Sensitive Populations.

When interacting with a victim(s) or witness who refuses to cooperate if the BWC is recording:

- A. If practical and reasonable, record the victim or witness requesting the BWC be turned off while still in the record mode; then
- B. When practical and reasonable, stop the recording.

3.10 Requirements for Discretionary Deactivation/Non-Activation of BWC, Citizen's Request for Non-Recording.

If a citizen requests that a deputy de-activate a BWC during a contact, the deputy shall:

- A.** Narrate to the citizen that departmental policy requires the unit to be activated throughout the entire contact and that the unit will remain activated until the end of the contact or event.
 - 1.** The only authorized exception for de-activation is during incidents of expectation of privacy.
 - 2.** Deputies are prohibited from misleading the person making the de-activation request into believing that the BWC has been turned off when it is in fact operating.
- B.** The deputy shall record the request to de-activate the BWC.

3.11 Announcement Prior to Deactivation

Prior to deactivating a body-worn camera and when safe to do so, the deputy shall make a recorded announcement as to the reason the camera is being deactivated, such as:

- A.** Contact completed.
- B.** Incident concluded.
- C.** Ordered by supervisor to end recording.
- D.** Non-enforcement activity.

3.12 Uploading

Each deputy is responsible for preservation of recorded content on his or her assigned body-worn camera until uploaded.

- A.** The deputy will upload his or her body-worn camera recording(s) either immediately at the end of their shift or no later than within twenty-four (24) hours of the end of their shift, unless authorized by a supervisor.
- B.** The deputy will upload recordings when the camera is nearing its storage capacity.

- C. A deputy may be required to immediately go to headquarters and upload camera footage after an incident, as determined by a supervisor.

3.13 Process/Location for Proper Video Storage

- A. Footage will be stored on a secure server or in a cloud location specific to the selected vendor.
- B. Footage will be stored in accordance with the policy, Records Administration.

3.14 Access and Viewing of Body-Worn Camera Recordings

All access, viewing and activity related to body-worn camera recordings are logged and subject to audit at any time. Access and viewing of body-worn camera recordings shall only be by personnel, as authorized by this procedure.

3.15 Deputy Review of Body-Worn Camera Recordings

- A. A deputy will be allowed to review his or her body-worn camera recordings or the portion of another deputy's recording where that deputy is captured:
 - 1. To assist with an investigation and completion of reports.
 - 2. Before making any statement or being interviewed when the deputy is the subject of an investigation. If the deputy is the subject of a criminal investigation, which is outside the scope of his or her duties, the Sheriff may restrict his or her ability to review any body-worn camera recordings. If the deputy is the subject of an administrative investigation, he or she may have legal counsel present during the review. If the deputy is the subject of a criminal investigation, he or she may have legal counsel present. If requested by the deputy, employee representative or legal counsel the review of the recording shall be conducted privately so that the event may be discussed.
 - 3. Prior to testifying in court.
- B. The deputy will complete a "review of body-worn camera recording form" (attached) on the purpose(s) for reviewing, downloading and/or editing of recordings.

3.16 Requests for Redaction or Deletion

- A. A deputy may request to redact or delete recordings (i.e., personal recordings unrelated to any law enforcement action) by submitting a Request for Redaction or Deletion of Body-Worn Camera Recording form (attached).
1. This form will be submitted directly to the deputy's watch commander, to be forwarded to the division commander.
 2. If the watch commander is unavailable, the form will be submitted directly to the deputy's division commander.
 3. The division commander will review the recording and the request to authorize or deny the redaction or deletion.
 4. The division commander will include an explanation for his or her decision and will immediately send the form electronically to the body-worn camera administrator. (Rev. 02, 04/09/2018)
 5. The deputy will be notified of the decision.
- B. The body-worn camera administrator will review the request as soon as practical and may consult with the District Attorney's Office prior to acting on requests that involve redaction. All requests shall be stored electronically by the body-worn camera administrator.
- C. An original recording that may have evidentiary value will be maintained by the body-worn camera administrator. If a redaction is made, a copy of the original recording will be made and only the copy will be redacted. The original and the copy will be maintained by the body-worn camera administrator.
- D. An original recording that has no evidentiary value may be deleted as provided above. However, prior to deletion of any non-evidentiary recording the body-worn camera administrator shall consult with the District Attorney's Office. When a recommendation from the District Attorney's Office differs from the recommendation of the body-worn camera administrator regarding deletion, the information will be forwarded to the Sheriff or designee, for resolution.

3.17 Watch Commander Responsibilities and Review Requirements

- A. The watch commander shall ensure that each deputy in his or her command who is assigned a body-worn camera uses the camera throughout each shift and in accordance with this procedure. To ensure compliance, the watch commander shall:

1. Review one randomly selected video from each deputy in his or her command, monthly.
 2. Evaluate the actions of each deputy captured in the video.
 3. Complete a Blue Team Inspection entry for each video reviewed. Multiple employees and incidents can be documented on a single Blue Team Inspection incident. The Review of Body Worn Camera form shall be utilized when documenting the review of multiple employees in a single Blue Team Inspection Incident.
 4. Note any violation of this or any other Tulsa County Sheriff's Office policy or procedure; and
 5. Take corrective action utilizing progressive discipline system, when necessary.
- B.** If the watch commander discovers a violation of state or federal law or a major policy violation the watch commander should notify the division commander and forward the report to Internal Affairs.

3.18 Parameters for Watch Commander Review

- A.** The parameters used to randomly select the recordings for review are as follows:
1. Uploaded in the previous month.
 2. Recordings that are listed below will be excluded from random selection by the system:
 - a. Recordings less than 60 seconds in length pending review by a supervisor.
 - b. Administrative: Pursuits.
 - c. Administrative: Use of Force (No Injury/Minor Injury with or without Hospitalization).
 - d. Administrative: Collisions Involving Departmental Vehicles (No Injury/Minor Injury with or without Hospitalization).
 - e. Administrative: Formal Complaints/Internal Investigations (Non-Criminal).

- f. Administrative: Criminal Investigation of a Department Employee Not Involving a Death.
 - g. Administrative: Use of Force (Death or Serious Bodily Injury).
 - h. Administrative: Collisions Involving Department Vehicles (Death or Serious Bodily Injury).
 - i. Administrative: Criminal Investigation of Department Personnel Involving a Death.
- B.** Recordings that are listed as administrative will be reviewed by Internal Affairs for use in investigations or the Sheriff's Office Review Board, pursuant to TCSO Policy 5-06.

3.19 Internal Affairs (IA) Responsibility and Review Requirements

- A.** To ensure compliance and effectively carryout their responsibilities, IA shall review recordings under the following circumstances only:
1. When investigating allegations of misconduct concerning a specific incident involving any deputy.
 2. When a recording has been identified for departmental training or instructional purposes.
 3. When periodic review is a condition of a reprimand.
 4. When conducting a use of force or a pursuit follow-up investigation.
 5. Any investigation where an internal affairs case number has been assigned and body-worn camera footage is part of the investigation.
- B.** When internal affairs are conducting an administrative investigation they will research the body-worn camera system for any relevant recording. Each relevant recording will be re-categorized to the appropriate administrative retention category unless a higher retention category is already applied.
- C.** A captain or above may review a body-worn camera recording for operational purposes.

3.20 Investigator Responsibilities

An investigator shall review any body-worn camera recordings related to and in furtherance of his or her assigned investigation(s). When appropriate, the investigator will request a copy of the recording for their case file from the body-worn camera administrator.

3.21 Officer Involvement in Incidents Resulting in Death or Serious Injury

When a deputy is involved in an incident that results in death or serious injury, the involved deputy(s) and witnessing deputy(s) body-worn camera(s) will be turned over to the watch commander on the scene. That Watch commander shall take possession of the camera(s) and secure the camera(s). The recordings will not be downloaded or viewed unless approved by the watch commander. The watch commander will turn the camera(s) over to appropriate investigative personnel. The investigator shall review the recorded contents of all body-worn cameras related to the incident.

Investigations personnel will be responsible for the body-worn camera and uploading the recorded content of the camera.

3.22 Other Parties Requiring Access to Body-Worn Camera Recordings

Body-worn camera recordings may contain evidence in criminal and/or civil proceedings. Appropriate prosecutors and their staff will have access to body-worn camera recordings for official purposes.

3.23 Administrator Responsibilities

The body-worn camera administrator is responsible for:

- A.** Defining security settings.
- B.** Creating custom roles and permissions.
- C.** Adding users.
- D.** Reassigning devices.
- E.** Creating categories.
- F.** Configuring other administrative features.
- G.** Tracking and inventorying of all body-worn cameras.

- H. Maintaining all body-worn cameras and system components.
- I. Repairing and replacing body-worn cameras and system components and/or sending them to the manufacturer for repair or replacement.
- J. Ensuring deputies are properly trained on body-worn camera use.
- K. Providing audit information.
- L. Maintaining recordings in accordance with the policy, Records Administration.
- M. Processing requests for redaction or deletion and maintaining records of these requests.
- N. Providing recordings pursuant to Open Records requests.
- O. Processing subpoenas and court orders for recordings.
- P. Processing requests for review from authorized personnel.

3.24 Part Time Employment

- A. A deputy shall not use a body-worn camera during part time employment.
- B. Deputies working secondary employment (employment compensated by the County, such as DUI shifts) will use body-worn cameras during their shift.

3.25 Disciplinary Action

Violation of any section of this procedure may result in disciplinary action.

3.26 Open Records Requests

- A. The Tulsa County Sheriff's Office through the body-worn camera administrator will provide copies of recordings from body-worn cameras in accordance with federal and state law.
- B. If an open record copy of an original recording is released, the retention period for the original recording will be in accordance with policy.

- C. When an open records request is made for a deputy's body-worn camera recording, the body-worn camera administrator will send the recording deputy an e-mail, through the county e-mail system, notifying the deputy of the request. If the deputy chooses to review the open records recording, it is the deputy's responsibility to log into the system and review the open records recording, and he or she may review a copy of the open records request form as well.
- D. All Open records request shall be reviewed by the public information office's director; The director will review and authorize the release of the requested footage.

3.27 Subpoenas and Court Orders

The Tulsa County Sheriff's Office through the body-worn camera administrator will respond to subpoenas and court orders for all recordings from body-worn cameras in accordance with federal and state law. The body-worn camera administrator will consult with the District Attorney's Office as needed.

3.28 Body Worn Camera Recordings Used for Training

- A. If the department desires to utilize a body-worn camera recording for training purposes, the involved deputy(s) shall be notified that the recording may be used for training purposes. After a meeting with the involved deputy and his or her supervisor, the Sheriff or designee, shall review the recommendation and determine how best to utilize the body-worn camera recording considering the identity of the deputy(s) involved, sensitivity of the incident and the benefit of utilizing the recording versus other means to accomplish the training objective.
- B. If a supervisor desires to utilize a body-worn camera recording for training purposes, the training, viewing, and/or distribution of that video shall be limited to his or her own unit. The training shall take into consideration the identity of the deputy(s) involved, sensitivity of the incident and the benefit of utilizing the recording versus other means to accomplish the training objective. The supervisor will be limited to body-worn camera video from his or her own personnel and/or unit unless express permission has been granted by the Sheriff or his designee.

3.29 Corrective Action/Discipline for Failure to Activate a Body-Worn Camera

If a deputy fails to activate a body-worn camera in accordance with the requirements of this procedure, the corrective actions and /or discipline will follow the progressive discipline policy when necessary.

3.30 Location Where Body-Worn Camera to Be Worn

The body-worn camera must be properly attached to the front of the shirt, in a forward-facing manner, in an area generally between the belt line and chin. When placing the body-worn camera deputies should be aware that the view from the camera will not be blocked if the deputy must draw his weapon or Taser. The camera should be placed above the deputy's point of aim if possible.

3.31 Annual Program Review

The Sheriff or his designee will be responsible for ensuring an annual review of the body-worn camera program.

4.0 Attachments

Request for Redaction or Deletion of Body-Worn Camera Recording Attachment A

Body Camera Review Form

Attachment B



SHERIFF VIC REGALADO

UNDERSHERIFF GEORGE W. BROWN

TULSA COUNTY SHERIFF'S OFFICE

303 W. 1ST ST. TULSA OK 74103

REQUEST FOR REDACTION OR DELETION OF BODY-WORN CAMERA RECORDING

Date of Request: _____ Case Number (if Applicable): _____

Requesting Officer: _____ Designator: _____ Employee #: _____ Division: _____

Recording Officer: _____ Designator: _____ Employee #: _____ Division: _____

Date and Time of Recording to be Redacted or Deleted: _____ to _____
(Date and Time) (Date and Time)

Description (Recording or Portion of Recording to be Redacted/Deleted): _____

Reason for the Request: _____

Signature: _____
(Requesting Deputy)

Approve Deny

Reason: _____

Signature: _____ Designator: _____ Date: _____
(Unit Captain)

Approve Deny

Reason: _____

Signature: _____ Designator: _____ Date: _____
(Division Major)

Date Received: _____ Date Redacted or Deleted: _____

Signature: _____
(Body-Worn Camera Administrator)

Attachment A (Policy 6-05)

Attachment B



SHERIFF VIC REGALADO

UNDERSHERIFF GEORGE W. BROWN

TULSA COUNTY SHERIFF'S OFFICE
303 W. 1st ST. TULSA OK 74103

Body Camera Review Form

Date of Review: _____ **Division:** _____ **Supervisor:** _____

	Deputy	Designator	Empl #	Date	Time	Type of call	Incident #
1							-
2							-
3							-
4							-
5							-
6							-
7							-
8							-
9							-
10							-
11							-
12							-
13							-
14							-
15							-



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2.7 Enforcement Action

Interactions between Tulsa County deputies and citizens involving any of the following events:

(1) Use of force, (2) Emergency vehicle response, (3) Pursuits of any kind, (4) Any stop for a traffic violation, (5) Pedestrian checks and vehicle checks, (6) DUI investigations, including sobriety checkpoints and advisement of the Oklahoma Implied Consent Law, (7) Any arrest and issuance of citation or written warning (8) Detentions of any length and custodial transports, (9) Personal searches as defined in existing policies and procedures, vehicle searches and seizure of evidence, (10) Domestic violence investigations, (11) Advisement of Miranda rights by a deputy and statements by a subject after waiving Miranda rights, and (12) Arrest warrant service and search warrant service

2.8 Standby Mode

When the BWC is powered on but is not actively saving a recording longer than 60 seconds.

2.9 Failure to Activate

When a deputy does not activate the BWC as required by this procedure.

2.10 Function Test

The process of verifying the body-worn camera is operating properly. This includes a visual inspection for any obvious damage, ensuring the LCD screen is properly displaying camera information, recording a short video, uploading the video, and reviewing the video to verify the camera is recording properly.

2.11 Healthcare Facility

Any public or private authority, corporation, or business where healthcare services are provided. Examples may include, but are not limited to, a hospital, emergency room, ambulance, health clinic, doctor's office, nursing home, pharmacy, dental office, drug or alcohol treatment facility or mental health facility.

2.12 Individually Identifiable Health Information

Any personal medical information whether oral or recorded in any form or medium, including demographic information collected from an individual that is created or received by a healthcare provider, health plan, employer or healthcare clearing house and relates to the past, present or future physical or mental health or condition of an individual, the provision of healthcare to an individual or the past, present or future payment for the provision of healthcare to an individual and identifies the individual or there is a reasonable basis to believe that the information can be used to identify the individual.

2.13 Informant

As defined in Tulsa County Sheriff's Office Policy and Procedure 12-08.3, to include an unnamed source.

2.14 Monthly Review

On a monthly basis the Watch Commander will query the recording database for one randomly selected body-worn camera recording for each deputy under the Watch Commander's command. While conducting this review, the Watch Commander shall evaluate the actions of all deputies captured in the recording for compliance with all written directives. For each recording reviewed, the Watch Commander shall complete an entry on Blue

Team under the incident type "inspection". Multiple reviews may be completed under one inspection incident. Upon completion, the incident will be forwarded to Internal Affairs via Blue Team. The Body Camera Review form (Attachment B) may be utilized when submitting one Blue Team incident involving multiple employees. The completed form will be uploaded to the Blue Team Incident as an attachment by the reviewing supervisor prior to submission.

2.15 Official Purposes

Actions commensurate with the duties and responsibilities of a Sheriff's employee while adhering to the written directives of the Sheriff's Office. Other parties such as prosecuting attorneys and/or their staff will have access to body-worn camera recordings to carry out their official duties.

2.16 Operational Purposes

Review of an incident where a specific deputy's performance is not the basis for the review.

2.17 Tag

The process of labeling a recording with all required metadata (identification parameters).

2.18 Undercover Deputy

A deputy requiring anonymity based upon current law enforcement assignment where identifying the deputy could jeopardize his or her safety and/or an on-going investigation.

2.19 Voluntary Contact

A consensual encounter by a deputy with a person for official purposes. A voluntary contact can be initiated by a deputy in a place where the public and the deputy have a lawful right to be or in a place where a person has a reasonable expectation of privacy, such as a person's home. Consent by the person can be expressed or implied and must be freely and voluntarily given and be free of coercion. "Free of coercion" means a reasonable person would believe they are free to leave or not respond to the deputy's questions and deny the deputy's request. Consent can be revoked by the person at any point during a voluntary contact.

3.0 Procedures

The following procedures govern the use and management of body-worn camera systems. These procedures do not apply to undercover investigations and/or court-ordered or court-authorized electronic surveillance.

3.1 Use of Department Issued Body-Worn Cameras

- A.** Each deputy must be trained in the operation of the body-worn camera system and the applicable written directives prior to use.
1. Only department issued body-worn camera systems shall be used.
 2. Each deputy assigned a body-worn camera is required to use it during his or her shift and shall operate the assigned body-worn camera in accordance with written directives.
 3. Each deputy will power on their assigned camera to standby mode at the beginning of their shift (when they go 10-8). The camera is to remain on and in standby mode throughout the shift unless activated for enforcement action.
 4. If the deputy does not have a permanently assigned camera, or they upload from headquarters, the deputy will retrieve the camera as soon as possible at the beginning of the shift.
 5. If a priority call or other circumstance prevents a deputy from checking out a camera, the deputy shall return to headquarters after completing that incident or call and check a camera out for the remainder of the shift.
 6. All department issued body-worn cameras, associated equipment and recordings are the property of the Tulsa County Sheriff's Office.
 7. If a body-work camera is present during an enforcement action as defined in this policy, it will be noted in an official report or on a citation, if issued.
- B.** Body-worn cameras contain configuration settings that are applied by the body-worn camera administrator and settings that are configurable by the deputy. The deputy will not intentionally change or modify any of the body worn camera administrator's configuration settings.

3.2 Maintenance and Care

Each deputy is responsible for all body-worn camera equipment assigned to him or her.

- A. Prior to each shift, the deputy shall ensure the assigned body-worn camera is operating properly by performing a function test.
- B. A deputy may perform a function test at any other time he/she believes it is necessary.
- C. If at any time the deputy discovers the body-worn camera is damaged or malfunctioning, the deputy shall notify his or her supervisor as soon as practical. If the supervisor cannot resolve the issue, the supervisor will notify the body-worn camera administrator by email and the deputy will submit a damage/malfunction memo.
- D. If the body-worn camera is physically damaged, the deputy will also complete an incident report in SOMS titled Damage to County Equipment.
- E. If a camera is damaged or malfunctioning, it shall not be used and will be returned to the body-worn camera administrator.

3.3 Prohibited Use of Body-Worn Cameras

- A. Body-worn cameras and/or body-worn camera recordings shall not be:
 - 1. Used for personal gain or activities.
 - 2. Copied, deleted, altered, uploaded, reviewed, or released in any manner, except as authorized by written directives.
 - 3. Viewed by citizens without proper consent; or
 - 4. Made during part time employment.
- B. Body-worn cameras shall not be:
 - 1. Used to record department employees, except as provided for by this procedure.
 - 2. Removed from the deputy's person and left unattended while recording.

3. Used to record any court proceeding or administrative hearing; or
4. Utilized during part time employment

3.4 Notification

Except as required, a deputy is not required to advise a person he or she is recording their interaction unless the person specifically asks if they are being recorded, at which point the deputy shall inform the person they are being recorded.

3.5 Incident Identification and Reporting

- A. Each recording will be tagged by the deputy and shall be completed no later than twenty-four (24) hours of the deputy's shift.
 1. The deputy shall make a notation, comment, or statement on all reports, citations, CAD calls, if applicable, when a recording is made.
 2. The deputy shall document the existence of a body-worn camera recording in all applicable reports and this documentation will take place in the first line of the narrative or immediately thereafter.
 3. If a deputy does not make a complete recording as required or interrupts a recording, the deputy will document the circumstances of such action in the appropriate report.
- B. The use of a body-worn camera does not alleviate the responsibility for a deputy to complete a detailed report related to their involvement in an incident as required by written directives.
- C. A supervisor may have to tag a deputy's body-worn camera recording(s) if the deputy is unable to do so.

3.6 When a Body-Worn Camera Shall Be Activated

Each deputy shall activate his or her body-worn camera under the following circumstances:

- A. Any "Enforcement Action" as defined in this policy.
- B. Voluntary contact (only in a public place or a place where the public and the deputy have a right to be). If a voluntary contact is initiated in

a location where a person has a reasonable expectation of privacy, and one of the criteria listed in numbers 2-9 below do not apply, the deputy shall receive consent from the person prior to continuing to record the voluntary contact.

- C. Prior to any investigative detention, mental health detention, traffic or vehicle stop or custodial arrest.
- D. Prior to a use of force.
- E. Prior to initiating any code response.
- F. Prior to exiting the police vehicle on a code call.
- G. While involved in any vehicle or foot pursuit.
- H. When conducting a Standardized Field Sobriety Test (SFST) or Drug Recognition Expert (DRE) evaluation.
- I. While transporting, guarding, or coming into contact with any person who becomes uncooperative, agitated, combative, threatening or makes statements related to his or her arrest/protective custody.
- J. For documenting a dying declaration.
- K. Evictions.
- L. Child Pickups.
- M. 9111 Executions (Till Taps).
- N. Replevins.
- O. Protective Order Service.
- P. Dealing with hostile parties/defendants.
- Q. When directed by a supervisor.

3.7 When a Body-Worn Camera May be Activated

A deputy may activate his or her body-worn camera anytime the deputy deems it appropriate to record for official purposes, except as prohibited by this policy.

3.8 When Body-Worn Cameras Shall Not Be Activated or Shall Be Deactivated

A deputy shall not activate or shall deactivate his or her body-worn camera:

- A. In any situation where individuals have a reasonable expectation of privacy, such as their residence, a bathroom, or a locker room, unless required by this policy.
- B. In a healthcare facility, unless required by this policy.
- C. During an administrative investigation.
- D. When knowingly in the presence of an undercover officer or informant unless recording is requested by the undercover officer.
- E. During activities, conversations or meetings with law enforcement employees while not conducting an enforcement action, as defined in policy.
- F. When discussing operational or tactical strategies.
- G. During personal conversations, activities or meetings that are not law enforcement related.
- H. When securing a crime scene and none of the conditions in policy apply.
- I. At the conclusion of a call or incident.
- J. When directed by a supervisor.

3.9 Recording of Crime Victims and Other Sensitive Populations.

When interacting with a victim(s) or witness who refuses to cooperate if the BWC is recording:

- A. If practical and reasonable, record the victim or witness requesting the BWC be turned off while still in the record mode; then
- B. When practical and reasonable, stop the recording.

3.10 Requirements for Discretionary Deactivation/Non-Activation of BWC, Citizen's Request for Non-Recording.

If a citizen requests that a deputy de-activate a BWC during a contact, the deputy shall:

- A.** Narrate to the citizen that departmental policy requires the unit to be activated throughout the entire contact and that the unit will remain activated until the end of the contact or event.
 - 1.** The only authorized exception for de-activation is during incidents of expectation of privacy.
 - 2.** Deputies are prohibited from misleading the person making the de-activation request into believing that the BWC has been turned off when it is in fact operating.
- B.** The deputy shall record the request to de-activate the BWC.

3.11 Announcement Prior to Deactivation

Prior to deactivating a body-worn camera and when safe to do so, the deputy shall make a recorded announcement as to the reason the camera is being deactivated, such as:

- A.** Contact completed.
- B.** Incident concluded.
- C.** Ordered by supervisor to end recording.
- D.** Non-enforcement activity.

3.12 Uploading

Each deputy is responsible for preservation of recorded content on his or her assigned body-worn camera until uploaded.

- A.** The deputy will upload his or her body-worn camera recording(s) either immediately at the end of their shift or no later than within twenty-four (24) hours of the end of their shift, unless authorized by a supervisor.
- B.** The deputy will upload recordings when the camera is nearing its storage capacity.

- C. A deputy may be required to immediately go to headquarters and upload camera footage after an incident, as determined by a supervisor.

3.13 Process/Location for Proper Video Storage

- A. Footage will be stored on a secure server or in a cloud location specific to the selected vendor.
- B. Footage will be stored in accordance with the policy, Records Administration.

3.14 Access and Viewing of Body-Worn Camera Recordings

All access, viewing and activity related to body-worn camera recordings are logged and subject to audit at any time. Access and viewing of body-worn camera recordings shall only be by personnel, as authorized by this procedure.

3.15 Deputy Review of Body-Worn Camera Recordings

- A. A deputy will be allowed to review his or her body-worn camera recordings or the portion of another deputy's recording where that deputy is captured:
 - 1. To assist with an investigation and completion of reports.
 - 2. Before making any statement or being interviewed when the deputy is the subject of an investigation. If the deputy is the subject of a criminal investigation, which is outside the scope of his or her duties, the Sheriff may restrict his or her ability to review any body-worn camera recordings. If the deputy is the subject of an administrative investigation, he or she may have legal counsel present during the review. If the deputy is the subject of a criminal investigation, he or she may have legal counsel present. If requested by the deputy, employee representative or legal counsel the review of the recording shall be conducted privately so that the event may be discussed.
 - 3. Prior to testifying in court.
- B. The deputy will complete a "review of body-worn camera recording form" (attached) on the purpose(s) for reviewing, downloading and/or editing of recordings.

3.16 Requests for Redaction or Deletion

- A.** A deputy may request to redact or delete recordings (i.e., personal recordings unrelated to any law enforcement action) by submitting a Request for Redaction or Deletion of Body-Worn Camera Recording form (attached).
1. This form will be submitted directly to the deputy's watch commander, to be forwarded to the division commander.
 2. If the watch commander is unavailable, the form will be submitted directly to the deputy's division commander.
 3. The division commander will review the recording and the request to authorize or deny the redaction or deletion.
 4. The division commander will include an explanation for his or her decision and will immediately send the form electronically to the body-worn camera administrator. (Rev. 02, 04/09/2018)
 5. The deputy will be notified of the decision.
- B.** The body-worn camera administrator will review the request as soon as practical and may consult with the District Attorney's Office prior to acting on requests that involve redaction. All requests shall be stored electronically by the body-worn camera administrator.
- C.** An original recording that may have evidentiary value will be maintained by the body-worn camera administrator. If a redaction is made, a copy of the original recording will be made and only the copy will be redacted. The original and the copy will be maintained by the body-worn camera administrator.
- D.** An original recording that has no evidentiary value may be deleted as provided above. However, prior to deletion of any non-evidentiary recording the body-worn camera administrator shall consult with the District Attorney's Office. When a recommendation from the District Attorney's Office differs from the recommendation of the body-worn camera administrator regarding deletion, the information will be forwarded to the Sheriff or designee, for resolution.

3.17 Watch Commander Responsibilities and Review Requirements

- A.** The watch commander shall ensure that each deputy in his or her command who is assigned a body-worn camera uses the camera throughout each shift and in accordance with this procedure. To ensure compliance, the watch commander shall:

1. Review one randomly selected video from each deputy in his or her command, monthly.
 2. Evaluate the actions of each deputy captured in the video.
 3. Complete a Blue Team Inspection entry for each video reviewed. Multiple employees and incidents can be documented on a single Blue Team Inspection incident. The Review of Body Worn Camera form shall be utilized when documenting the review of multiple employees in a single Blue Team Inspection Incident.
 4. Note any violation of this or any other Tulsa County Sheriff's Office policy or procedure; and
 5. Take corrective action utilizing progressive discipline system, when necessary.
- B.** If the watch commander discovers a violation of state or federal law or a major policy violation the watch commander should notify the division commander and forward the report to Internal Affairs.

3.18 Parameters for Watch Commander Review

- A.** The parameters used to randomly select the recordings for review are as follows:
1. Uploaded in the previous month.
 2. Recordings that are listed below will be excluded from random selection by the system:
 - a. Recordings less than 60 seconds in length pending review by a supervisor.
 - b. Administrative: Pursuits.
 - c. Administrative: Use of Force (No Injury/Minor Injury with or without Hospitalization).
 - d. Administrative: Collisions Involving Departmental Vehicles (No Injury/Minor Injury with or without Hospitalization).
 - e. Administrative: Formal Complaints/Internal Investigations (Non-Criminal).

- f. Administrative: Criminal Investigation of a Department Employee Not Involving a Death.
 - g. Administrative: Use of Force (Death or Serious Bodily Injury).
 - h. Administrative: Collisions Involving Department Vehicles (Death or Serious Bodily Injury).
 - i. Administrative: Criminal Investigation of Department Personnel Involving a Death.
- B. Recordings that are listed as administrative will be reviewed by Internal Affairs for use in investigations or the Sheriff's Office Review Board, pursuant to TCSO Policy 5-06.

3.19 Internal Affairs (IA) Responsibility and Review Requirements

- A. To ensure compliance and effectively carryout their responsibilities, IA shall review recordings under the following circumstances only:
1. When investigating allegations of misconduct concerning a specific incident involving any deputy.
 2. When a recording has been identified for departmental training or instructional purposes.
 3. When periodic review is a condition of a reprimand.
 4. When conducting a use of force or a pursuit follow-up investigation.
 5. Any investigation where an internal affairs case number has been assigned and body-worn camera footage is part of the investigation.
- B. When internal affairs are conducting an administrative investigation they will research the body-worn camera system for any relevant recording. Each relevant recording will be re-categorized to the appropriate administrative retention category unless a higher retention category is already applied.
- C. A captain or above may review a body-worn camera recording for operational purposes.

3.20 Investigator Responsibilities

An investigator shall review any body-worn camera recordings related to and in furtherance of his or her assigned investigation(s). When appropriate, the investigator will request a copy of the recording for their case file from the body-worn camera administrator.

3.21 Officer Involvement in Incidents Resulting in Death or Serious Injury

When a deputy is involved in an incident that results in death or serious injury, the involved deputy(s) and witnessing deputy(s) body-worn camera(s) will be turned over to the watch commander on the scene. That Watch commander shall take possession of the camera(s) and secure the camera(s). The recordings will not be downloaded or viewed unless approved by the watch commander. The watch commander will turn the camera(s) over to appropriate investigative personnel. The investigator shall review the recorded contents of all body-worn cameras related to the incident.

Investigations personnel will be responsible for the body-worn camera and uploading the recorded content of the camera.

3.22 Other Parties Requiring Access to Body-Worn Camera Recordings

Body-worn camera recordings may contain evidence in criminal and/or civil proceedings. Appropriate prosecutors and their staff will have access to body-worn camera recordings for official purposes.

3.23 Administrator Responsibilities

The body-worn camera administrator is responsible for:

- A.** Defining security settings.
- B.** Creating custom roles and permissions.
- C.** Adding users.
- D.** Reassigning devices.
- E.** Creating categories.
- F.** Configuring other administrative features.
- G.** Tracking and inventorying of all body-worn cameras.

- H. Maintaining all body-worn cameras and system components.
- I. Repairing and replacing body-worn cameras and system components and/or sending them to the manufacturer for repair or replacement.
- J. Ensuring deputies are properly trained on body-worn camera use.
- K. Providing audit information.
- L. Maintaining recordings in accordance with the policy, Records Administration.
- M. Processing requests for redaction or deletion and maintaining records of these requests.
- N. Providing recordings pursuant to Open Records requests.
- O. Processing subpoenas and court orders for recordings.
- P. Processing requests for review from authorized personnel.

3.24 Part Time Employment

- A. A deputy shall not use a body-worn camera during part time employment.
- B. Deputies working secondary employment (employment compensated by the County, such as DUI shifts) will use body-worn cameras during their shift.

3.25 Disciplinary Action

Violation of any section of this procedure may result in disciplinary action.

3.26 Open Records Requests

- A. The Tulsa County Sheriff's Office through the body-worn camera administrator will provide copies of recordings from body-worn cameras in accordance with federal and state law.
- B. If an open record copy of an original recording is released, the retention period for the original recording will be in accordance with policy.

- C. When an open records request is made for a deputy's body-worn camera recording, the body-worn camera administrator will send the recording deputy an e-mail, through the county e-mail system, notifying the deputy of the request. If the deputy chooses to review the open records recording, it is the deputy's responsibility to log into the system and review the open records recording, and he or she may review a copy of the open records request form as well.
- D. All Open records request shall be reviewed by the public information office's director; The director will review and authorize the release of the requested footage.

3.27 Subpoenas and Court Orders

The Tulsa County Sheriff's Office through the body-worn camera administrator will respond to subpoenas and court orders for all recordings from body-worn cameras in accordance with federal and state law. The body-worn camera administrator will consult with the District Attorney's Office as needed.

3.28 Body Worn Camera Recordings Used for Training

- A. If the department desires to utilize a body-worn camera recording for training purposes, the involved deputy(s) shall be notified that the recording may be used for training purposes. After a meeting with the involved deputy and his or her supervisor, the Sheriff or designee, shall review the recommendation and determine how best to utilize the body-worn camera recording considering the identity of the deputy(s) involved, sensitivity of the incident and the benefit of utilizing the recording versus other means to accomplish the training objective.
- B. If a supervisor desires to utilize a body-worn camera recording for training purposes, the training, viewing, and/or distribution of that video shall be limited to his or her own unit. The training shall take into consideration the identity of the deputy(s) involved, sensitivity of the incident and the benefit of utilizing the recording versus other means to accomplish the training objective. The supervisor will be limited to body-worn camera video from his or her own personnel and/or unit unless express permission has been granted by the Sheriff or his designee.

3.29 Corrective Action/Discipline for Failure to Activate a Body-Worn Camera

If a deputy fails to activate a body-worn camera in accordance with the requirements of this procedure, the corrective actions and /or discipline will follow the progressive discipline policy when necessary.

3.30 Location Where Body-Worn Camera to Be Worn

The body-worn camera must be properly attached to the front of the shirt, in a forward-facing manner, in an area generally between the belt line and chin. When placing the body-worn camera deputies should be aware that the view from the camera will not be blocked if the deputy must draw his weapon or Taser. The camera should be placed above the deputy's point of aim if possible.

3.31 Annual Program Review

The Sheriff or his designee will be responsible for ensuring an annual review of the body-worn camera program.

4.0 Attachments

Request for Redaction or Deletion of Body-Worn Camera Recording Attachment A

Body Camera Review Form

Attachment B



SHERIFF VIC REGALADO

UNDERSHERIFF GEORGE W. BROWN

TULSA COUNTY SHERIFF'S OFFICE
303 W. 1ST ST. TULSA OK 74103

REQUEST FOR REDACTION OR DELETION OF
BODY-WORN CAMERA RECORDING

Date of Request: _____ Case Number (if Applicable): _____

Requesting Officer: _____ Designator: _____ Employee #: _____ Division: _____

Recording Officer: _____ Designator: _____ Employee #: _____ Division: _____

Date and Time of Recording to be Redacted or Deleted: _____ to _____
(Date and Time) (Date and Time)

Description (Recording or Portion of Recording to be Redacted/Deleted): _____

Reason for the Request: _____

Signature: _____
(Requesting Deputy)

Approve Deny

Reason: _____

Signature: _____ Designator: _____ Date: _____
(Unit Captain)

Approve Deny

Reason: _____

Signature: _____ Designator: _____ Date: _____
(Division Major)

Date Received: _____ Date Redacted or Deleted: _____

Signature: _____
(Body-Worn Camera Administrator)

Attachment A (Policy 6-05)

Attachment B



TULSA COUNTY SHERIFF'S OFFICE
 303 W. 1st ST. TULSA OK 74103

Body Camera Review Form

Date of Review: _____ Division: _____ Supervisor: _____

	Deputy	Designator	Empl #	Date	Time	Type of call	Incident #
1							-
2							-
3							-
4							-
5							-
6							-
7							-
8							-
9							-
10							-
11							-
12							-
13							-
14							-
15							-