

- a. Missions flight conducted.
- b. Training flights conducted.
- c. Liaison flights conducted.
- d. Deployment request declinations (all flight types).

6.10 Body-Worn Cameras

6.10.1 Body-Worn Cameras – Generally

All postal inspectors will be issued and are authorized to use assigned body-worn cameras (BWCs) pursuant to this BWC Policy. Task force officers (TFO) are governed by this policy when acting as a TFO under a Memorandum of Understanding with the USPIS.

The BWC policy is effective immediately and applies to each postal inspector and/or TFO upon issuance of the BWC equipment to the individual postal inspector and/or TFO.

6.10.2 Body-Worn Cameras Program Roles and Responsibilities

The inspector in charge, Cyber and Investigative Technology Group, or their designee, will assign a program manager (body-worn cameras (BWC) program manager) to oversee the Inspection Service BWC Program.

The BWC program manager shall oversee the following:

- a. **Body-Worn Cameras Project Coordinator:** Responsible for the development and administration of the Inspection Service's BWC Program, including camera systems management, technical liaison, and policy development.
- b. **Technical System Administrator:** Responsible for the administration, management, and oversight of the Electronic Information System used for the management, storage, and retention of BWCs data.
- c. **System Administrator(s):** As defined in Handbook AS-805, *Information Security*.
- d. **Division User Administrator(s):** Perform functions to support use of the Electronic Information System by personnel in their assigned division. Has an Elevated Privilege User Account (individual) with a moderate level of system access, authority, and control.
- e. **Body-Worn Cameras Training Administrator:** Responsible for development and implementation of the Inspection Service's BWC Training Program.
- f. **Body-Worn Cameras Division Trainers:** Train division inspectors and support personnel on the use of BWCs.

6.10.3 Authorized Body-Worn Cameras Equipment and Placement

a. Definitions

1. **Body-Worn Camera (BWC):** BWC systems consist of a camera, microphone, battery, and onboard storage. They are designed to be worn on the body. The BWC must capture video and audio data. Upon activation, the BWC must automatically record date and time. The BWC must have a minimum 30-second pre-event recording mode.
2. **Point-of-view camera (POV):** POVs are accessory cameras used in conjunction with a BWC to enhance the first-person point of view of recordings.

b. Body-Worn Cameras Issuance as Accountable Property

All postal inspectors will be issued a BWC as accountable property.

Postal inspectors are required to use the BWC assigned to them. The use of a BWC assigned to someone else is prohibited without authorization from a supervisor or the BWC Program Manager. The temporary authorization of an alternate, government-issued BWC is limited to circumstances where the issued BWC is inoperable, and the postal inspector has an immediate need for BWC use.

c. Body-Worn Cameras Inspection and Testing

Postal inspectors and task force officers (TFOs) are required to check that their assigned BWC is charged and conduct a functions test to ensure the BWC is operational prior to the start of pre-planned operations.

Postal inspectors and TFOs are responsible for securing, storing, and maintaining assigned BWC equipment. Postal inspectors and TFOs shall notify their supervisor of equipment defects or malfunctions as soon as practicable so the BWC may be repaired, and a replacement unit may be issued if necessary.

d. Placement of Body-Worn Cameras

Postal inspectors and task force officers (TFOs) must wear their BWC to allow for an unobstructed field of view in a manner which maximizes the camera's ability to capture first-person video footage of the postal inspector's activities. The BWC should be worn facing forward, on the chest, below the clavicle, and no lower than the bottom of the sternum. Accessory cameras, such as point-of-view (POV) devices, may be worn in addition to the BWC, provided they capture the same or similar first-person POV.

6.10.4 Body-Worn Cameras Activation

Postal inspectors and task force officers (TFOs) must wear and activate their Body-Worn Cameras (BWCs) for the purpose of recording their actions during:

- a. A pre-planned attempt to serve an arrest warrant or other planned arrest, including the apprehension of fugitives sought on state and local warrants within the United States and its territories.
- b. The execution of a search or seizure warrant or order except for

the execution of search warrants or orders for records or data (in electronic format or otherwise) for which the execution of the warrant or order does not involve the entry of a physical location.

- c. Other missions as authorized by the chief postal inspector or their designee.

When the postal inspector or TFO is wearing a BWC pursuant to this section, they must, when tactically safe to do so, record their actions if the postal inspector or TFO encounters an individual who is uncooperative, violent, assaultive, or discussing criminal conduct that in the postal inspector or TFO's judgment, consistent with their training and experience, could lead to the use of physical or deadly force or be relevant to the investigation.

Postal inspectors and TFOs are required to reactivate BWCs when the deactivation reason has changed, and BWC activation is required by this section.

- a. Postal inspector and TFO discretion: Postal inspectors and TFOs wearing a BWC can use their discretion to record an incident or interaction if the postal inspector or TFO believes activation for any law enforcement contact, not covered by this policy, would be beneficial and would not be contrary to law or policy.
- b. BWC Prohibited Activation: Postal inspectors and TFOs must not activate a BWC under the following circumstances, absent a nexus to an investigation, law enforcement activity, or a citizen request for assistance:
 - 1. Recording First Amendment-related activities, such as protests or other speech activities.
 - 2. Systemic, indiscriminate tracking of individuals, wide-scale monitoring, or unauthorized surveillance.
 - 3. Recording for any personal use.
 - 4. Within 500 feet of a suspicious package or bomb threat.
 - 5. Interactions with known undercover personnel or activity, confidential informants, or sources.
 - 6. During any court proceedings, unless taking law enforcement action.
 - 7. To capture any legally privileged communications (e.g., attorney/client, doctor/patient).
 - 8. Surreptitious recordings, including:
 - i. Recording while the BWC is not attended by postal inspectors or TFOs, except under circumstances where a citizen would not normally have a reasonable expectation of privacy, such as in the backseat of a law enforcement vehicle.

- ii. Recordings of routine and normal business interactions and conversations with employees at office and field work locations, etc.
- 9. Law enforcement operational briefings, tactical planning, private conversations, and administrative activities among agency personnel.
- 10. In locations where individuals have a reasonable expectation of privacy (e.g., a residence, break rooms, locker rooms, restrooms), unless the recording is being made pursuant to an arrest or in a search of the location or the individuals.
- 11. Solely for conducting or supporting a personnel investigation, disciplinary action, or employee performance assessment.
- 12. During any medical or psychological treatments, consults, or evaluations with patients and/or medical personnel.
- 13. To record a particular individual or group of individuals based solely on their race, color, religion, national origin, sex, age, disability, sexual orientation, marital status, parental status, gender identity or expression, or political affiliation.

6.10.5 Body-Worn Cameras Deactivation Criteria

Postal inspectors and task force officers (TFOs) must deactivate Body-Worn Cameras (BWCs) when:

- a. The scene is secured, or the law enforcement purpose has ended. For purposes of this policy, the term “secured” means that the scene is safe and under law enforcement control.
- b. The postal inspector or TFO leaves the scene and anticipates taking no further action.
- c. When a prohibited recording circumstance is encountered as referenced in *ISM* Section 6.10.4(e) above.
- d. A mandatory recording circumstance no longer exists, or the postal inspector or TFO has determined that:
 - 1. A heightened expectation of privacy exists, and deactivation is required to preserve the dignity and privacy of the involved individual(s).
 - 2. An accidental activation has occurred.
 - 3. A victim, witness, or informant wishes to make a statement or share information, but requests the camera be turned off.
- e. Inside a health care facility or ambulance:
 - 1. Postal inspectors and TFOs must be aware of patients’ rights to privacy within an ambulance, medical facility, or hospital setting.

2. Postal inspectors and TFOs must try to avoid recording individual(s) other than the person of interest/suspect.
3. Postal inspectors and TFOs must try to avoid recording document(s) containing patient information.
4. If postal inspectors or TFOs are inside a healthcare facility or setting with a person of interest/suspect, and the individual becomes violent or assaultive, or if a potential use of force situation arises, the postal inspector or TFO will activate the BWC as soon as reasonably practicable.

Postal inspectors and TFOs must audibly record the reason(s) for BWC deactivation. Postal inspectors or TFOs must also document the reason for deactivating the BWC in related written reports.

6.10.6 Body-Worn Cameras Recordings

Collection and management of data, images, video, or metadata during the deployment of Body-Worn Cameras (BWCs) will adhere to procedures set forth herein and the *ISM Property and Evidence* chapter. Task force officers (TFOs) shall also reference *ISM* Section 6.10.11, Use of BWCs by task force officers.

- a. **Uploading** - Postal inspectors shall upload BWC recordings as soon as practicable after the recording takes place. Absent compelling reason, the upload of BWC recordings must be within 96 hours of the action warranting recording.
- b. **Editing** - Postal inspectors shall not delete, edit, alter, erase, duplicate, copy, share, display, tamper with, or otherwise distribute in any manner BWC recordings, other than as described in this policy.
- c. **Reproducing/Copies** - Inspection Service personnel may create a copy of BWC data for purposes of redacting or sanitizing such data for privacy or confidentiality purposes for further disclosure to appropriate parties. The original BWC data must be maintained.
- d. **Reporting and Documentation Requirements** - Postal inspectors and TFOs must properly document all use of BWCs, to include instances of failure and inoperability, in Inspection Service reports and Case Management.

If a postal inspector or TFO is required to activate BWC equipment pursuant to *ISM* Section 6.10.4, Body-Worn Cameras Activation, the postal inspector or TFO must state in the narrative of any related IS Form 75, *Report of Activity*, if BWC footage exists.

For circumstances where use of the BWC was required, postal inspectors and TFOs are required to document the reason why a recording (a) was not made, (b) was interrupted, and/or (c) was terminated.

6.10.7 Body-Worn Cameras Data Retention

- a. **Body-Worn Cameras Data as Evidence:** Recorded media with evidentiary value must be retained until no longer needed.
- b. **Body-Worn Camera Data as Routine/Non-evidentiary Recorded Media:** Recorded media determined to have no evidentiary value will be maintained for a period of six (6) months.
- c. **Body-Worn Camera Data as Training Material:** Any recorded media linked to U.S. Postal Inspection Service training events that is potentially valuable for future use may be retained for agency purposes as training material upon approval of such use by the inspector in charge of the

Career Development Unit in coordination with chief counsel, or designee. Any media used as training material will redact the faces and alter the voices of recorded participants. Examples of training events include but are not limited to:

1. In-service scenarios.
2. Post Basic Training (PBT).
3. Closed incidents which serve as examples for future training concepts.

Recorded media determined to have training value may be retained until no longer needed.

Identifying information such as agency reference numbers may be added into the ID field to assist in correlating records to other Inspection Service or cooperating agency systems.

Tags may be used and applied to describe the type of incident (e.g., arrest, traffic stop, public assist, agency assist, injury accident). Personally identifiable information (PII) must not be used or applied with tags.

A description of the footage may be added into the Description field to assist in identifying what is contained in the footage.

Notes may be added into the Notes field for any purpose deemed useful by the postal inspector or reviewer.

6.10.8 Review of Body-Worn Cameras Recordings by Postal Inspectors and Task Force Officers

- a. **Accessibility for Review:** Body-Worn Camera (BWC) data shall only be accessed, downloaded, shared, and disclosed by authorized personnel for authorized purposes. Common authorized purposes where authorized personnel may review BWC data include, but are not limited to, the following instances:
 1. To complete investigations and prepare related investigative reports.
 2. To support discovery obligations in connection with criminal prosecutions.
 3. To assist in testimony before a grand jury and any court-related proceeding, or as otherwise needed in connection with civil, criminal, or administrative proceedings.
 4. For training purposes (with personally identifiable information [PII] redacted or sufficiently sanitized).
 5. To evaluate claims of misconduct or other policy violations, including violations of civil rights and civil liberties.
 6. To conduct authorized compliance activities, including audits and oversight reviews.
 7. In preparation for administrative investigations/interviews.
- b. **Chief Counsel Review of Use of Force Incidents:** Chief counsel, or their designee, must review BWC recordings following all use of force incidents, excluding handcuffing of compliant individuals, to determine whether the incident is a critical or non-critical incident.
 1. **Critical Incidents:** Following a critical incident, including but not limited to an officer-involved shooting (OIS), use of intermediate weapons, or other use of force resulting in death or serious bodily injury, postal inspectors and task force officers (TFOs) are

prohibited from reviewing BWC recordings absent approval from chief counsel, or designee, in consultation with the assigned prosecution official.

2. Non-Critical Incidents: Following non-critical incidents, postal inspectors and TFOs may have access to their own recordings and recordings shared by other postal inspectors for official use and may use recordings for the following purposes:

- i. Report writing or official preparation.
- ii. Court presentation.
- iii. Review of prosecution evidence.
- iv. Review victim/witness statements.
- v. Crime scene observations.
- vi. Drafting of charging documents.
- vii. Clarifying on-scene observations.

Postal inspectors and TFOs shall state in their reports whether BWC recorded data was viewed prior to completing the report. Unless otherwise prohibited by policy, postal inspectors and TFOs may review all available BWC recorded data that is relevant to a law enforcement encounter prior to writing initial reports regarding the encounter.

c. Required Review of Body-Worn Cameras Data by Supervisors: A supervisor must review BWC footage from incidents involving:

1. Officer-involved shooting.
2. Serious bodily injury or death.
3. Death(s) in custody.
4. Use of force by postal inspectors or TFOs.
5. A reported use of force where postal inspectors or TFOs were present, even if postal inspectors or TFOs were not directly involved in the use of force.
6. Allegations of professional misconduct by postal inspectors or TFOs.
7. A reported incident that could result in a complaint being filed.
8. Any time postal inspectors or TFOs are involved in an incident which requires hospitalization including but not limited to (a) in-custody deaths, (b) crashes, and/or (c) vehicle pursuit.
9. Any time postal inspectors or TFOs are involved in an incident which results in a fatality.

In any of the circumstances listed in subpart 1-9 above, the supervisor must:

10. Take physical custody of the BWC and download/upload the BWC footage to Evidence.com as soon as reasonably practicable, and in accordance with *ISM* Section 8.2.8.7, Digital Evidence Saved Evidence.com.

11. Identify, categorize, retain and restrict access to the BWC data.

All recorded media deemed evidence will be collected, processed, stored, controlled, and disposed of in accordance with the *ISM Property and Evidence* chapter.

Law enforcement managers/supervisors and/or the BWC program managers are prohibited from reviewing footage solely for the purpose of evaluating a postal inspector or TFO's performance during an operation or for conducting performance appraisals. This prohibition does not apply where the supervisor receives or is advised of an allegation or complaint related to the operation itself.

6.10.9 Public Release of Body-Worn Cameras Data

Body-Worn Camera (BWC) data is subject to disclosure under the Freedom of Information Act (FOIA) and is also subject to the redaction requirements of the Privacy Act. Any request for BWC data by private parties must be referred to the Inspection Service's Freedom of Information Act (FOIA) Unit.

a. Freedom of Information and Privacy Act Requests

The FOIA Unit will be responsible for ensuring that any required redactions are made prior to the release of BWC files. The FOIA Unit will provide requestors with appropriate cost estimates associated with fulfilling requests for BWC video files.

b. Expedited Public Release of BWC Data

1. The Inspection Service will publicly release all requested BWC recording(s) that depict an incident resulting in serious bodily injury or death to individuals in custody.
2. The FOIA Unit will expeditiously review the data referenced in subpart a above and approve it for public release as soon as practicable, subject to ensuring any data is redacted to protect the privacy rights of the persons depicted in the data, or other individuals' privacy implicated from such data, or to protect ongoing law enforcement operations.
3. Office of Counsel will consult with the U.S. Attorney's Office in the responsible federal district prior to the expedited release of the data with any necessary redactions.

c. Proactive Public Release

The Inspection Service may publicly release BWC recording(s) depicting the Inspection Service in a favorable light with the approval of the BWC program manager in consultation with chief counsel or designee, such as supporting a natural disaster relief effort, performing rescues, etc.

d. Sensitive Investigative/Operational Techniques or Active/Ongoing Investigations

The FOIA Unit will expeditiously review the data referenced in subpart a above and approve it for public release as soon as practicable, subject to ensuring any data is redacted to:

1. Protect the privacy rights of the persons depicted in the data, or other individuals' privacy implicated from such data.
2. Protect ongoing law enforcement unmanned aerial surveillance/technology and tactical communication methods.
3. Protect the identities of confidential informants, or active/ongoing investigations.

If there is a need to release this recording, the Office of Counsel (OOC) will review the footage for necessary

redactions from the recording as law enforcement sensitive and law enforcement privileged information and/or as otherwise permitted pursuant to federal law.

6.10.10 Use of Body-Worn Cameras by Task Force Officers

Task force officers (TFOs) must comply with U.S. Postal Inspection Service Body-Worn camera (BWC) requirements and Department of Justice guidelines, *Use of Body-Worn Cameras by Federally Deputized Task Force Officers*. When participating in an Inspection Service investigation or joint investigation pursuant to a TFO Memorandum of Understanding (MOU) with the Inspection Service, the TFOs must:

- a. Comply with Inspection Service BWC policy by either wearing their home agencies' BWC equipment during Inspection Service enforcement actions or electing to utilize Inspection Service-issued BWC equipment.
- b. Comply with the processes and procedures outlined in this policy, including those covering authorized use, activation, and deactivation of BWCs. This applies equally to the use of home agencies' BWC equipment and the Inspection Service-issued BWC equipment.
- c. Download BWC recordings and provide the Inspection Service with copies of recordings promptly after the conclusion of the operation if the TFO is wearing their home agencies' BWC equipment. BWC recordings obtained from TFOs are to be considered duplicates, with their home agencies retaining the originals.
- d. Comply with the terms and conditions of the MOU executed by the TFO's home agency relative to establishment of the TFO's authority.

TFO BWC recordings are controlled by, and the property of, the Inspection Service and will be retained and managed by the Inspection Service. The Inspection Service is responsible for considering requests to release TFO BWC recordings.

6.10.11 Use of Body-Worn Cameras by Postal Inspectors Acting Under Authority as Task Force Officers

When postal inspectors are participating in a task force operation or joint investigation pursuant to a Memorandum of Understanding (MOU) with a sponsoring agency and the U.S. Postal Inspection Service, the postal inspector must, unless otherwise agreed to in the MOU:

- a. Comply with Inspection Service Body-Worn Camera (BWC) policy.
- b. Wear Inspection Service-issued BWC equipment.
- c. Comply with the processes and procedures outlined in this policy, including those covering authorized use, activation, and deactivation of BWCs.
- d. Download BWC recordings and provide the sponsoring agency a duplicate of recordings promptly after the conclusion of the operation if the postal inspector is wearing Inspection Service BWC equipment.
- e. Maintain all original BWC recordings pursuant to Inspection Service policy.