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# MONTHLY-RANDOMIZED BWC AUDITS BY SUPERVISORS

## 4350.1 PURPOSE

The primary purpose of monthly-randomized audits is to ensure the fulfillment of the purpose and objectives of the BWC program and to ensure compliance with the BWC policy.

Per Body Worn Camera Policy 435.10, "As directed by the Chief or the Chief's designee, the BWC program shall be audited at such times as directed to ensure the fulfillment of the purpose and objectives of the program. These audits will also ensure compliance with operational, retention, and security policies and procedures."

## 4350.2 TIMING PROCEDURE

At the direction of the Chief of Police or the Chief's designee, a monthly-randomized audit will be initiated by the Body Worn Coordinator on the 15th day of every month to identify the serial numbers of twenty (20) body worn cameras issued to department personnel, regardless of detail or assignment that will be audited.

The identified officers' names and a shift date will be provided to the respective Deputy Chief who will then assign a manager to conduct the audit. The audit should be conducted for the first shift of the second week of each selected members' schedule. The audit must be conducted within thirty (30) days of the date the audit was assigned. The Deputy Chief will input the name of the manager assigned to the audit on the BWC Audit Spreadsheet (See 435.0.5 Documentation.)

## 4350.3 AUDIT PROCEDURE

### 4350.3.1 FIRST LAYER OF AUDIT

Managers will be responsible for the following:

1. Audit the number of enforcement and investigative contacts to ensure consistency with the number of videos submitted/uploaded. Managers should ensure that the CAD integration feature is functioning properly when pairing the footage with the CAD information. If the manager is satisfied that the number of enforcement and investigative contracts match the number of videos submitted/uploaded, the audit will be deemed complete.

At this stage of the audit, the manager simply marks the Audit as COMPLETE on the SANTA ANA POLICE DEPARTMENT's BWC AUDIT Spreadsheet ("BWC Audit Spreadsheet"), (See 435.0.5 Documentation.)

### 4350.3.2 SECOND LAYER OF AUDIT

1. If the manager identifies a discrepancy between the number of enforcement and investigative contacts and the number of videos submitted/uploaded, they will follow-

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up with the officer in person to determine the reason(s) for any inconsistency. This should be done within ten (10) days of the observation of the discrepancy.

- A. If the manager is satisfied with the reason(s) provided, no further action is required.
  - B. Any questions or concerns regarding the employee's compliance with the BWC policy or procedure that becomes apparent as a result of a monthly-randomized audit will initially be treated and handled as a training issue. The manager may direct remedial training and/or counseling and may note such discrepancy in a Supervisory Log.
2. If the manager identifies a discrepancy between the number of enforcement and investigative contacts and the number of videos submitted/uploaded and is: (1) not satisfied with the reason(s) provided and/or (2) this is the second time a members' BWC has been audited and the results are inconsistent, the manager shall then review the BWC footage as set forth in 435.0.3.2.3.
  3. The manager will view the identified officer's BWC footage (from that specific date) in its entirety to ensure compliance with the BWC policy and procedure. In an effort to maintain the employee's confidentiality during the auditing process, the manager shall view the footage in private.
    - A. Examples of the inquires to be made during the audit include but are not limited to the following:
      - I. Was the BWC in buffer mode?
      - II. Was the BWC activated in conformance with the BWC policy?
      - III. If the recording was stopped, was it stopped in accordance with the BWC policy?
      - IV. Is the footage viewed consistent with the police report for the corresponding incident?
  4. If a policy/procedure violation and/or violation of law is observed/discovered during the viewing of the footage, the manager shall confer with the affected Bureau Commander to determine how to handle the alleged violation. Violations other than flagrant/serious or obvious violations of the law may be handled at the bureau level. In serious situations, the alleged violation shall be immediately communicated to the Chief of Police and referred to Professional Standards for an administrative investigation.
    - A. Any observed misconduct during the monthly-randomized audit, may serve as the basis for potential discipline. Employees shall not lose or give up their Fifth Amendment right against self-incrimination by providing BWC footage captured on their department issued BWC device.

### **4350.4 VIOLATIONS**

A second violation of the employee's compliance with BWC policy or procedure within one (1) year from the date of the first violation shall be forwarded to Professional Standards for an administrative investigation. A second violation may subject the employee to discipline. All policy violations shall be handled in accordance with Department Order 120.

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### **4350.5 DOCUMENTATION**

The BWC Audit Spreadsheet will be retained by the Body Worn Camera Coordinator and will be accessible as a shared file to all managers. Upon completing an audit, managers will input the following information into the Spreadsheet, as applicable:

1. The directing Bureau Commander's name
2. The date the manager received the requested audit
3. The date of the audit
4. If applicable, all dates the footage was reviewed (in its entirety)
5. The name of the audited officer, their badge number and the BWC serial number
6. Audit findings or any noted discrepancies (i.e., COMPLETED, FOOTAGE REVIEWED DUE TO INCONSISTENCY, VIOLATION OF POLICY #, etc.), and/or related action(s) if necessary (i.e., REFERRED TO PSU FOR ADMINISTRATIVE INVESTIGATION.)

Only the Chief of Police and/or his or her designee, the Body Worn Camera Coordinator, all managers, and the Legal Advisor shall have access to the BWC Audit Spreadsheet.

The BWC Audit Spreadsheet will be retained by the Body Worn Camera Coordinator in accordance with the City's retention schedule. The BWC Audit will not be considered a public record and is exempt from disclosure pursuant to Government Code sections 6254(c), 6254(k) and 6255 [contains confidential police officer personnel information].