

Chief's Advisory Committee for Development of Body Worn Camera Policy

April 25, 2023, at 2:30 p.m.
Administrative Conference Room

Meeting Participants: Chief Buttice, Sergeant Bayne, Sandy García (via Zoom), Earl Gooding Jr., Captain Knudson (via Zoom), Noah Leavitt, Steve Moss

Absent: Robert Dixson, Mark Higgins, Kaneshia (Henderson) Johnson, Dick Morgan

Chief's Welcome

Body Worn Camera Program

The draft *Policy 421 Body Worn Camera* (dated March 31, 2023) and the compiled feedback on the draft BWC policy were both distributed. The city had 1032 views of the webpage, and received 34 responses from the feedback form, 4 responses submitted separately. Steve Moss added the City Council received one response that was also incorporated into the feedback we are reviewing today. Chief Buttice noted many of the comments were supportive of our utilizing BWC, rather than requests for changes in the draft policy. Noah Leavitt commented that the City did a good job of advertising the policy and requesting feedback on it.

Each section of the draft policy and the public comments were reviewed.

- Some typographical errors were pointed out in the comments and will be fixed.
- Lexipol will fix the formatting issues, such as the inconsistent font sizes.
- The committee discussed the impact of using “shall” compared to “will” in the policy. There were times one was more appropriate than the other. The group took into consideration whether a tighter policy rule could potentially create an unintended policy issue that outweighed any potential benefit.
- Regarding *Section 421.1 Purpose and Scope*, the committee recommended preparing a “message from the Chief” to explain that Chief Buttice has a goal to deploy BWC for non-law enforcement officers, such as the Animal Control Officer and Code Enforcement Officer, as funding allows. It was mentioned that we could also explain we could use this message to explain other policy related responses.
- Earl Gooding Jr. commented we want supervisors to have discretion in regards *Section 421.4 Patrol Officer BWC Assignment*.
- Essentially a “Conducted Energy Weapon” is a taser. The group recommended spelling out the acronym for CEW the first time it is used in *Section 421.7 When to Activate BWC*. Steve Moss also requested the City Attorney review the language in this section.
- *Section 421.8 When to Activate BWC-Prohibited Activation* was reviewed. Captain Bayne clarified a significant number of the accusations and lawsuits come from how law

enforcement acted and responded to public demonstrations. Recording these interactions is crucial.

- The group spent significant time reviewing *Section 421.11 Circumstances for Temporary Deactivation*. Chief Buttice stated we are not going to record tactical discussions among law enforcement personnel. His expectation is that WWPB officers will activate the BWC when at a public event and interacting with individuals from the public. We do not have to stop recording if a suspect asks us to, instead we are more likely to step back and reassess the situation. However, there are discretionary moments when recording a victim unnecessarily adds to their trauma.
- Steve Moss thought some of the public comments about *Section 421.12 Data Transfer/Download – General Statement* and *Section 421.13 Data Transfer/Download – When to Dock and Download* regarding public disclosure are covered in the Records policy. We need to keep these policies separate and, therefore, easier to update as the rules change. Chief Buttice agreed, and clarified Lexipol will let us know when updates are available, or the Revised Code of Washington (RCW) is changed. Law enforcement must follow the RCW.
- One of the public comments recommended that officers not be allowed to review BWC footage. Steve Moss knew officers worked twelve-hour shifts and there may be several calls for service before they can write up the report. Reviewing the footage could be helpful to accurately write up the report. Currently with all other video recording officers conduct during investigations, they are allowed to review, so there is no difference in that now because it's a body worn camera. Chief Buttice stated our goal is to document the most accurate details of what happened and to be completely transparent.
- We are under the state's RCW requirement for public records disclosure, therefore it's unnecessary to duplicate what is already in policy for the police department. If there is a legal update in the RCW's, that will be addressed in the PDR section. Should there be a critical incident and use of deadly force, The Special Investigations Unit (SIU) takes over. The SIU has control of the public records release for body camera footage.

The Next Steps

The next steps is to complete the following:

- 1) Modify the BWC policy with any integrations that fit.
- 2) The City Attorney will review the policy.
- 3) We will send the policy to the committee again with any noted changes. Chief Buttice will ask Ruben Hernandez to change the draft Spanish version to reflect the changes.
- 4) Goal to present the draft policy to the Walla Walla Police Guild Union by May 1, and begin the negotiation.
- 5) Additional goal to deploy the BWC's by June 1st.

Next Meeting

The next Chief's Advisory Meeting is scheduled for Tuesday, June 27 at 2:30pm.

The April 25, 2023, meeting adjourned at 4:00 p.m.

Submitted by Deborah Minter