

**Audits of Body Worn Camera Footage
Pursuant to City Code 2.10.200
March 2024**

SUMMARY

This memorandum constitutes a random audit, pursuant to City Code 2.10.200.E, of body worn camera recordings for the month of March 2024. The ordinance requires that any findings of material non-compliance with state law, City Code and Police Department policy to be referred to the Chief of Police, the Mayor, the Council Chair, the Mayor's Chief of Staff, and the City Attorney.

The system used by the Department, at the time this audit was conducted, cannot randomly generate a body worn camera recording based on a particular timeframe. Because of that limitation, a random number generator was used to identify 5 case numbers (out of 4,851 case numbers) from the month. If a case number had multiple recordings for that case number, a recording was randomly selected for review.

Of the five matters that were reviewed, the audit found that officers appeared to materially comply with City Code, State law, and Department policies.

BODY WORN CAMERA REVIEWS

Case No. 1

Summary

Officer arrives at ER of hospital to meet with a sexual assault victim. The victim is in a hospital bed and has a nurse attending to her. It appears that the hospital has called the responding officer. The victim states she is at the hospital to be checked out after suffering the sexual assault. Her mannerisms and rushed communication give the appearance that she is clearly traumatized.

The victim explains that even though the sexual contact was non-consensual, she is reluctant to press charges. The nurse chimes in to state that the victim told the nurse that the victim told her assailant "no" which the victim affirms. The officer tells her that if she doesn't want to speak about it now, that she can talk about it later. The officer is friendly and empathetic with the victim. The officer advises her that a police report will be created to document the matter and provides her with a case number. The officer informs her that this will flag the matter for detectives. The officer provides her with the case information and leaves her with the hospital's medical staff and concludes the call.

Findings

The officer appeared to comply with State and City Codes and Police Department policy. This is a matter that requires empathy for what the victim just suffered, and the officer established that the Department is willing to help and took enough information to allow detectives to follow up with the victim.

Case No. 2

Summary

Officers arrive at a retail store on a complaint about a retail theft. Officers meet with the manager of the store and indicate that on their way to the store, they were searching for the suspect but did not find him. Officers take the report from the store manager and conclude the call.

Findings

The officers appeared to comply with State and City Codes and Police Department policy.

Case No. 3

Summary

Officers respond to a home and outside of the home, they encounter the father of a woman who father says is trying to leave her boyfriend, but the boyfriend is threatening to break her items if she leaves. Father explains that his ex-wife has picked up the children that live in the home and taken them to the ex-wife's home.

Officers knock on the door of the home, but nobody answers. Officers walk back to the father and he is speaking to his daughter on the phone. The father tells his daughter to answer the door when officers return to the home. Officers return to the home and the daughter/woman answers the door with a child in her arms. There do not appear to be any visible physical injuries on the woman or the child.

The woman says that she is simply having a disagreement with her boyfriend, that she is working on moving out, that things are okay, and she doesn't want any trouble. Officer tells her that they are willing to conduct a standby assist while she grabs her things. The woman says that there are a lot of bigger items and she couldn't move any of them until the next day. Boyfriend comes to the door.

Officers confirm that there is a domestic relationship between woman and boyfriend (they have four children). Because there is a domestic relationship between the woman and her boyfriend, officers explain that they have to ask certain questions.

Boyfriend states that they "are all good," that there are no issues, that they had disagreements on how best to handle things in light of their children, and that nothing physical has occurred. For a brief moment, the boyfriend heads outside into the yard to grab a dog who has just run out of the house, and the officer, outside the presence of the boyfriend, asks the daughter if anything physical occurred. The daughter says that nothing physical occurred.

The boyfriend returns with the dog. The officers try to separate the daughter from the boyfriend by encouraging her to come outside to talk to them on her own. The daughter initially moves to come outside and speak to officers, but then steps back inside the house. The boyfriend keeps saying that they're "all good" and refuses to provide his name to the officers. The daughter says that she's choosing to not talk with officers and the boyfriend closes the door on the officers. The officers conclude the call.

Finding

The officers appeared to comply with State and City Codes and Police Department policy. Officers were faced with a difficult situation where they are encountering an allegation of domestic violence (a threat by the boyfriend to break the woman's property if she leaves), but there is no additional information that would give probable cause to make an arrest.

Case No. 4***Summary***

Officers arrive at the rear of a business on a no trespassing call. The officers encounter an individual who appears to be setting up a space next to the business's no trespassing sign. One officer asks him if he saw the sign and the person indicates that he cannot read. Drug paraphernalia is observed in his possession. They run a warrants check and confirm that he does not have any warrants. Officers seize his paraphernalia, but do not issue him a citation. They advise the person of shelter locations and tell him that he must leave the business's property. The call concludes.

Finding

The officers appeared to comply with State and City Codes and Police Department policy.

Case No. 5***Summary***

An officer meets two people in the parking lot of a restaurant on a hit and run call. The vehicle had its front bumper and grill nearly torn off. The victims ask if the officer can pull security footage from the restaurant and the officer speaks to restaurant staff about it. Restaurant staff inform him that the cameras facing the parking lot do not work. The officer takes information from the owner of the vehicle and provides her with a case number. The officer also speaks to restaurant staff to verify that the vehicle can remain overnight on the lot. The call concludes.

Findings

The officer appeared to comply with State and City Codes and Police Department policy.

CONCLUSION

Of the five matters that were reviewed, the audit found that officers appeared to materially comply with City Code, State law, and Department policies.