

## YOUTH SERVICES POLICY

<b>Title:</b> Body Cameras	<b>Type:</b> C. Field Operations <b>Sub Type:</b> 2. Security <b>Number:</b> C.2.30
	<b>Page 1 of 10</b>
<b>References:</b> US DOJ PREA Standard 115.315; La. R.S. 44:3, ACA Standards 4-JCF-2A-20 and 4-JCF-2A-21 (Performance-Based Standards For Juvenile Correctional Facilities); A.2.13 “Americans with Disabilities Act – (Employees, Applicants, Candidates, Visitors)”, A.7.1 “Safety Plan”, B.5.1 “Youth Code of Conduct – Secure Care”, B.8.8 “Americans with Disabilities Act (Youth)”, C.1.3 ‘Crimes Committed on the Grounds of Youth Services Facilities/Office Buildings and/or Properties”, C.2.3 “Searches of Youth”, C.2.4 “Searches of Employees”, C.2.5 “Searches of Visitors”, C.2.20 “Youth Transport – Secure Care Facilities”, C.2.22 “Contraband Control – Secure Care Facilities” and C.4.6 “Securing Physical Evidence/Crime Scene”	
<b>STATUS: Approved</b>	
<b>Approved By:</b> <i>William A. Sommers, Deputy Secretary</i>	<b>Date of Approval:</b> 10/18/2022

### I. **AUTHORITY:**

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

### II. **PURPOSE:**

To provide for enhanced transparency and accountability in interactions between employees and youth, OJJ provides body-worn cameras to all Juvenile Justice Specialists and to certain other staff members assigned to high-restriction facilities. The cameras record an entire shift, with certain exceptions listed in this procedure.

### III. **APPLICABILITY:**

All YS employees, including contract staff, interns, volunteers, students, visitors, vendors, WAEs and youth in YS custody or under YS supervision.

### IV. **DEFINITIONS:**

**Body-Worn Camera (BWC)** – A camera worn on an individual employee’s person that records and stores audio and video of an encounter or incident.

**BWC Systems Administrator** – A program administrator with full access to user rights, settings, user access and utilization parameters.

**Contraband** -- Any item(s) introduced or found on facility grounds, including any improperly possessed drugs (whether illegal or legal) and weapons that are expressly prohibited by applicable statutes and YS policies, identified as contraband items.

Contraband includes, but is not limited to, the following:

- A controlled dangerous substance defined by LSA-R.S. 40:961 et seq. or any controlled dangerous substances or devices as defined in LSA-R.S. 14:402.(D)(1);
- Weapons or other instrumentalities which could be used as a dangerous weapon or plans to manufacture such, or to aid an escape;
- Unauthorized explosives or combustibles;
- Alcoholic or other beverages producing an intoxicating effect;
- Aerosol products producing an intoxicating effect;
- Glass containers;
- Stolen property;
- Medication (no medication shall be brought onto the grounds of a secure care facility; refer to YS Policy No. C.2.4 for YS employee guidelines regarding medication);
- Unauthorized currency or coin (No money shall be allowed beyond the front entrance gate of the facility. Money may be accepted for a youth's by-line account by secure care staff at the front gate with an issued receipt pursuant to YS Policy Nos. C.2.5 and C.2.8; pursuant to YS Policy C.2.4, YS employees may have a maximum of \$20 on their person);
- Unauthorized articles of food, clothing or toiletries;
- Unauthorized telecommunications equipment, including, but not limited to, smartwatches, cellular phones or global positioning equipment (refer to Section V. for YS employees);
- Unauthorized tape recorders, cameras and camcorders (refer to Section V. for YS employees);
- Unauthorized electronics such as laptop computers, tablets or thumb drives (refer to Section V. for YS employees);
- Unauthorized movies, music videos, CDs, DVDs, cassette tapes, VHS tapes, or other devices containing recorded music, images, or other video; and
- Nude photographs/pornography/pornographic literature.

Pursuant to YS Policy No. C.2.22, smartwatches are considered contraband (refer to the "Smartwatch" definition). Any individual found in possession of a smartwatch inside of a secure facility will be subject to criminal charges.

**Contract Provider** – An outside entity or company, inclusive of all employees, that provides materials and services on a contract under the supervision of Youth Services.

**Cross-Gender** – Supervision circumstance involving an OJJ employee and a youth who are not the same gender.

**Digital Data** – Files including photographs, audio recordings, and video footage captured by a BWC and stored in an accessible digital format.

**Digital Evidence** – Data in digital form that has been identified, tagged, and stored as evidence on permanent media.

**Reasonable Suspicion** -- Suspicion supported by information (facts, tips and circumstances) which leads an employee of ordinary caution to believe that a youth is under the influence of an illegal substance and/or that the youth is hiding contraband or drugs. In determining reasonable suspicion an employee must consider the nature and reliability of the information in addition to facts contributing to or mitigating against it. If reasonable suspicion is based on information provided by another person the employee must also consider the degree of corroboration of the information.

**Secure Care Facility** – "a living environment characterized by a range of moderate to high security level facilities that include construction, fixtures and staff supervision designed to restrict the movements and activities of the residents, and to control, on a 24-hour basis, the ability of the residents to enter and leave the premises, and which are intended for the treatment and rehabilitation of children who have been adjudicated delinquent." [La. Ch. Code Article 116(24.2).]

The secure care centers operated by YS are as follows:

- Acadiana Center for Youth (ACY)
- Acadiana Center for Youth @ St. Martinville (ACY-SM)
- Bridge City Center for Youth (BCCY)
- Bridge City Center for Youth @ West Feliciana (BCCY-WF)
- Swanson Center for Youth (SCY)
- Swanson Center for Youth @ Columbia (SCYC)

**Unit Head** – For the purpose of this policy, Unit Head refers to the Deputy Secretary, Youth Facilities Director – Statewide and Facility Directors.

## V. POLICY:

It is the Deputy Secretary's policy that written procedures and guidelines exist to ensure the proper use of body-worn cameras in OJJ secure care facilities. The body camera will be used as a tool to assist employees in interactions with youth, provide transparency in employee operations, accurately document events as they occur and assist in the collection and preservation of evidence.

**VI. GENERAL GUIDELINES**

- A. Footage from body-worn camera systems is the property of OJJ and is to be accessed only by authorized staff members and employees for the purposes outlined below.
- B. Only OJJ-issued body-worn cameras may be used for carrying out the purposes of this policy. The use of any other personal video recorders is prohibited.
- C. An employee must use the body-worn camera that is individually assigned to that employee unless the facility shift supervisor arranges for a temporary replacement. An employee may not use a body-worn camera assigned to another staff member.
- D. An employee must wear the body-worn camera using a mounting device provided by OJJ. The body-worn camera must be facing the same direction as the employee's line of sight and be mounted on:
  - 1. The upper chest of the shirt or jacket; or
  - 2. The belt line, only with prior approval from the facility director.
- E. All employees required to wear a body-worn camera must complete training on this policy and the proper use and operation of body-worn cameras:
  - 1. Before operating a body-worn camera; and
  - 2. Annually thereafter.

**VII. CHECK-OUT, ACTIVATION/DEACTIVATION, REPLACEMENT AND CHECK-IN**

- A. Check-Out Process:
  - 1. At the beginning of a shift, an employee obtains a mount and the assigned body-worn camera from the designated location in a secure care facility and verifies that the body-worn camera is working properly. A designated employee documents the body-worn camera assignment on the secure facility daily log and body camera log [Attachment C.2.30 (d) Body Cam Log].
  - 2. In the Body Camera Log [Attachment C.2.30 (d)], a designated employee shall note the serial # of the camera being checked out, the property tag #, the date the camera was checked out and the time the camera was checked out and the name and title of the employee the camera was assigned to.
  - 3. Upon activation of the body-worn camera, the employee states the employee's name and assignment for the shift.

**B. Deactivation and Reactivation During the Shift:**

1. Immediately before deactivating the assigned body-worn camera during a shift, the employee states:
  - i. The employee's name and assignment for the shift;
  - ii. The location; and
  - iii. The reason for the deactivation; and
2. Ensures the faces of all youth who will be supervised while the body-worn camera is deactivated are captured on video. This step is not required if the employee is assigned to the infirmary.
3. The employee reactivates the body-worn camera immediately following the event causing deactivation and states the employee's:
  - i. Name;
  - ii. Assignment for the shift; and
  - iii. Location.

**C. Replacing a Body-Worn Camera due to Malfunction:**

1. If an employee discovers at any time that the assigned body-worn camera is not working properly, the employee must immediately notify the facility shift supervisor.
2. The facility shift supervisor or designee assigns a replacement body-worn camera.
3. If assigned to a dorm, the employee should note in the logbook that the camera malfunctioned, as well as the number of the replacement body-worn camera.

**D. Check-In Process:**

1. Immediately before turning in the body-worn camera at the end of a shift, the employee states the following:
  - i. The employee's name and assignment for the shift; and
  - ii. That the employee is returning the body-worn camera at the end of the employee's shift.
2. The designated employee records the return of the body-worn camera on the log [Attachment C.2.30 (d)] noting the date the camera was returned and the time the camera was returned.
3. If an event requiring deactivation is inadvertently recorded, the employee notifies the receiving employee when turning in the assigned body-worn camera. The receiving employee notifies the facility director in writing of the inadvertent recording.

**VIII. PROPER USE OF BODY-WORN CAMERAS**

- A. A body-worn camera must be activated upon being issued at the beginning of the shift, including when transporting a youth off campus, unless an event listed in VIII.B below requires the body-worn camera to be deactivated. The body-worn camera must be reactivated immediately upon the conclusion of any event listed in VIII.B below.
  
- B. A body-worn camera must be deactivated when the employee:
  - 1. Is in the restroom;
  - 2. Takes an approved work break and no youth are in the immediate vicinity;
  - 3. Is in any room being used for health care encounters, such as the infirmary, the medical room at intake, a doctor's office, or a hospital room;
  - 4. Supervises an alcohol or other substance use treatment group;
  - 5. Arrives with a youth at an off-campus location that prohibits recording;
  - 6. Is not supervising any youth and is instructed to deactivate the camera by an investigator from OJJ;
  - 7. Is not supervising any youth and is discussing personnel matters with a supervisor or human resources staff (e.g., performance issues, discipline, evaluation, need for medical leave, or similar matters of a sensitive nature);
  - 8. Attends a staff meeting or training session without youth present; and
  - 9. Returns the camera for charging and uploading.
  
- C. A body-worn camera must be detached from its mount and placed with the camera facing the floor during any search in which the youth is likely to be in a state of undress.
  
- D. An employee may be subject to disciplinary action if the employee fails to:
  - 1. Activate a body-worn camera when required; or
  - 2. Follow the proper procedures for activation and deactivation.
  
- E. If it is safe to do so, the employee must activate the body-worn camera if a youth becomes aggressive even when the event would not otherwise be recorded (e.g., supervising in the infirmary). In such cases, the employee is not required to recite the reactivation script outlined below.

F. Prohibited uses of the body-worn camera system include:

1. Making or distributing copies of body-worn camera footage without authorization;
2. Using a personal device to record the playback of body-worn camera footage; and
3. Taking a body-worn camera off premises while not on duty.

G. Use of a body-worn camera does not take the place of a staff's duty to complete all other required paperwork and job functions.

**IX. INVENTORY MANAGEMENT, DATA RETENTION, COPYING BODY-WORN CAMERA FOOTAGE AND ACCESS TO DATA**

A. Local Inventory Management:

1. The facility director designates a BWC Systems Administrator to oversee the body-worn camera program.
2. The body-worn camera administrator:
  - i. Numbers each body-worn camera with a unique number;
  - ii. Maintains a record of body-worn camera numbers and to whom each camera is assigned;
3. Reassigns body-worn cameras as necessary; and
4. Reports any broken or malfunctioning body-worn camera equipment to the Information Technology Department.

B. Storage:

The superintendent establishes the location(s) for storing the body-worn camera docking stations and mounts, which must be a secure location inaccessible to youth.

C. Data Retention:

1. Body-worn camera system files are automatically deleted after 90 days unless a file is individually assigned within the body-worn camera system to a category with a longer retention period.
2. If a file or a portion of a file is copied and exported for the purposes listed in IX.D.1 below, the exported file becomes part of a different record series and has the retention period associated with that record series.

**D. Copying Body-Worn Camera Footage:**

1. Footage from the body-worn camera system may be copied or exported only for the following purposes:
  - i. Criminal and administrative investigations;
  - ii. Use of force review;
  - iii. Critical incident review;
  - iv. Training examples;
  - v. Due process hearings for youth;
  - vi. Employee or youth grievances;
  - vii. Employee discipline;
  - viii. Public information requests;
  - ix. Legal claim or litigation;
  - x. Audit; and
  - xi. Any other purpose with prior approval of the Deputy Secretary, Assistant Secretary, Chief of Operations, Director of Investigations, Youth Facilities Director - Statewide or General Counsel.
2. Only the following staff members may authorize body-worn camera footage to be copied or exported:
  - i. Deputy Secretary;
  - ii. Assistant Secretary;
  - iii. Chief of Operations;
  - iv. Director of Investigations;
  - v. Youth Facilities Director – Statewide; or
  - vi. General Counsel.
3. Copying body-worn camera footage to portable media (e.g., DVD) is prohibited unless prior approval is granted by the Deputy Secretary, Assistant Secretary, Chief of Operations, Director of Investigations, Youth Facilities Director - Statewide, or General Counsel.

**E. Access to Data:**

1. All data from the body-worn camera system is the property of OJJ.
2. To request any level of access to the body-worn camera system, the employee's supervisor submits a Request form, and includes any additional approvals as required by the form.
3. Requests for access to the body-worn camera system are routed to the Youth Facilities Director - Statewide for approval.



4. Footage from the body-worn camera system may be used during coaching sessions with staff. However, an employee may not use footage for this purpose if the employee has reason to believe the incident is currently under investigation or is the subject of litigation.

**F. Release of BWC Recordings**

1. The public release/disclosure of BWC recordings will be handled on a case by case basis through the OJJ General Counsel in consultation with the youth's counsel and District Attorney's Office in accordance with the provisions of the Louisiana Public Records Law 44:3 and/or a valid court order from a court of competent jurisdiction.
4. All Public Records Requests for BWC media shall require the completion of a Public Records Request form available at OJJ's website at [Home - Office of Juvenile Justice \(la.gov\)](#). All completed Public Records Requests will be sent to the OJJ General Counsel's Office for review of reasonable disclosure and specificity. Requests determined to be reasonable and appropriate will be returned to the Department with release information. Reasonable fees may be charged to the requesting party.

**X. AUDIT AND OVERSIGHT:**

- A. The facility director ensures that body-worn cameras are being issued and used as required.
- B. The facility director or designee ensures that appropriate training is provided to:
  1. All employees who are authorized to wear body-worn cameras; and
  2. All local staff who are authorized to copy, export, or categorize body-worn camera data.
- C. The Youth Facilities Director - Statewide:
  1. Randomly spot-checks body-worn camera usage and recordings; and
  2. Notes these checks and the findings in a site-visit report.
- D. The Shift Supervisor:
  1. Conducts random spot checks during each shift to ensure that employees who are required to wear a body-worn camera are doing so and that the camera is functioning properly; and
  2. Documents the random spot checks and any issues on the BWC Systems Administrator.

**XI. STAFF DEVELOPMENT:**

- A. All new secure care facility employees shall receive on the job training on this policy within 90 days of hire, and annually thereafter.
- B. Documented training shall be entered into Louisiana Employees Online (LEO) and/or the "Training Records Entry Completed" (TREC) database at the unit level.
- C. All operators/supervisors shall be trained prior to operating the body cameras. This training shall be documented and maintained by the unit safety officer as new body cameras training.

**Previous Regulation/Policy Number:** N/A

**Previous Effective Date:** N/A

**Attachments/References:** C.2.30 (a) Axon Body 3 User Manual (confidential) October 2022  
C.2.30 (b) Axon Body 3 – View XL Standalone Guide (confidential) October 2022  
C.2.30 (c) AB3 Function Guide (confidential) October 2022  
C.2.30 (d) Body Cam Log Template October 2022

(Facility Name)

Axon 3 Body Cam Log

	Serial #	Property Tag #	Date Out	Time Out	Officer Assigned	Title	Date In	Time In
1								
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