

FILED
CYNDA HORNING, CLERK
SPARKS JUSTICE COURT

JUN 10 2024

By 
DEPUTY CLERK

1 IN THE JUSTICE COURT OF SPARKS TOWNSHIP
2 COUNTY OF WASHOE, STATE OF NEVADA

4
5 IN THE ADMINISTRATIVE MATTER OF
6 THE USE OF BODY WORN CAMERAS AT
7 SPARKS JUSTICE COURT

ADMINISTRATIVE ORDER 2024-03

8 WHEREAS, pursuant to NRS 289.830, the Sparks Justice Court (SJC) has adopted a
9 Policy governing the use of portable event recording devices (Body Worn Cameras);

10 WHEREAS, the Policy on Body Worn Cameras No. 24-003 (attached hereto) includes
11 the provisions required under NRS 289.830; and


12 WHEREAS, the Chief Judge of the Sparks Justice Court has the authority pursuant to
13 NRS 4.157(c) to make administrative decisions pertaining to the business of the Court.

14 GOOD CAUSE BEING SHOWN,

15 IT IS HEREBY ORDERED that Policy on Body Worn Cameras shall become effective on
16 June 10, 2024.

17 IT IS SO ORDERED.

18 Dated this 10th day of June, 2024.

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21 _____
22 Chief Judge Kevin Higgins
23 Justice of the Peace
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SPARKS JUSTICE COURT POLICY ON BODY WORN CAMERAS

KEVIN HIGGINS
Chief Judge, Sparks Justice Court

Policy No. 24-003

CYNDA HORNING
Clerk of Court, Sparks Justice Court

Effective Date: June 10, 2024

I. PURPOSE AND SCOPE

Body Worn Cameras (BWCs) are an effective tool to preserve factual representations of interactions between bailiffs and the public. BWCs are effective in capturing video and audio evidence for use in criminal and internal investigations, enhance officer training, and ensure public trust.

Bailiffs are required to activate BWCs when responding to any security concern or incident that may result in an arrest or a use of force and when conducting a search. The use of a BWC does not alter or reduce the current documentation requirements of an incident.

All regularly uniformed bailiffs assigned to the Sparks Justice Court (SJC) will be required to wear their assigned BWC when made available by the department. Other uniformed bailiffs will wear a BWC as assigned or voluntarily depending on availability.

II. POLICY

The purpose of this policy is to establish guidelines for the use, management, storage, of video and audio data recorded by BWCs by the Bailiffs of the SJC.

III. DEFINITIONS

Buffering Mode - The BWC continuously loops a video recording for up to 30 seconds before the recording is started by the officer. While buffering, video only (no audio) is being recorded.

Categorizing - A method to mark and store a BWC recording for a specific purpose and period of time. Digital evidence, photographs, audio, and video recordings that are recorded using a BWC will be stored digitally to evidence.com

Evidence Transfer Manager (ETM) - Docking unit used to recharge and upload previously recorded audio and video (stored media) from the BWC. The ETM automatically transfers all stored media to evidence.com

www.evidence.com - An online, cloud-based digital media storage repository. All media is stored in a highly secure environment, accessible only by authorized personnel.

Labelling - Place the case number (as it appears in Odyssey) into the ID field, if no case number then place the citation number in the ID field, if no case number or citation number place the bailiff log number in the ID field. All videos must be categorized as well.

Approved June 10, 2024

Personal Event Recording Device or Body Worn Camera (BWC) - For the purpose of this policy, personal event recording device or body worn camera (BWC) have the meaning described in NRS 289.830.3(b): "Portable event recording device" means a device issued to a peace officer by a law enforcement agency to be worn on his or her body and which records both audio and visual events occurring during an encounter with a member of the public while performing his or her duties as a peace officer.

Uniformed Officer - A sworn bailiff wearing a Class A, B, or TDU uniform.

IV. GENERAL

Bailiffs shall complete the required initial training approved by the Bailiff Supervisor/SJC BWC Administrator prior to using a BWC.

The BWC will be worn on the uniform as instructed during initial BWC training. Bailiffs will not use privately owned BWC under any circumstances.

Bailiffs will check at the beginning of shift that the BWC has a fully charged battery and is functioning properly.

Bailiffs must notify a supervisor whenever there is a malfunction or damage to the BWC and document the malfunction/damage in an email submitted to the Bailiff supervisor.

The Bailiff Division will issue and account for all BWCs owned by Sparks Justice Court. Upon transfer to an assignment where a BWC is not worn, or separation from the department, bailiffs must return the BWC to the Bailiff Division.

V. ACTIVATION

This section applies to all BWC wearers.

Public and court personnel safety shall be the primary consideration when contacting citizens or other enforcement actions, not the ability to record an event.

Bailiffs will activate the BWC:

- a. As soon as a security concern has been reported or witnessed when it is safe and practical to do so;
- b. Prior to the use of force if it is safe and practical to do so;
- c. Prior to conducting any search of persons, structures, or vehicles if not already activated;
- d. Prior to and during the transport of arrestees; and
- e. During any other citizen contact or official duty circumstance at the officer's discretion, based on circumstances and reasonableness.

When there is an unintentional or inadvertent BWC recording that captures sensitive, personal information of a bailiff, the bailiff shall notify their supervisor who will place a restriction on the recording.

BWCs will be used only in conjunction with official duties. BWCs shall not be used to record:

- a. Periods of unassigned time such as breaks or lunch periods, or when not in service;
- b. Any personal conversation of or between other court employees without the recorded employee's knowledge;
- c. Non-work-related personal activity and will not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms, or restrooms;
- d. Major crime investigative briefings;
- e. Encounters with undercover deputies or confidential informants;
- f. Any administrative meetings, workgroups, professional development conversation, counseling, discipline, or bargaining union contractual matters;
- g. General activity of the public.

VI. DEACTIVATION

This section applies to all BWC wearers.

Bailiffs should evaluate each situation and, when appropriate, deactivate the BWC. The decision to deactivate a BWC should be stated prior to deactivation.

Bailiffs will continue to record for a short period after the event to demonstrate clearly to a subsequent viewer that the incident has concluded, and the officer has resumed other duties or activities.

Bailiffs will deactivate the BWC under the following circumstances:

- a. Upon arrival at any detention facility and just prior to entering the Sally Port area;
- b. To protect the privacy of citizens in accordance with NRS 289.830; and
- c. During court proceedings without prior consent of the presiding judge.

NOTE: The device must be powered off.

VII. DOCUMENTATION

This section applies to all BWC wearers of any rank.

Bailiffs:

- a. Will document the existence of a BWC recording in all field interviews, investigative reports, and arrest documents;
- b. Will write "Body Camera Recording Available" on the first line of all report narratives;
- c. Will upload all recordings to Evidence.com during a shift;
- d. Will not substitute "refer to video" or other similar language in place of a detailed and thorough report; and
- e. Should avoid using exact quotes but should represent statements in their reports as a summary of what is contained in the BWC recording.

VIII. CATEGORIZATION OF BWC RECORDINGS AND RETENTION SCHEDULE

All BWC recordings will be retained for the period set by the Nevada Supreme Court Minimum Records Retention Schedules and applicable Nevada Revised Statutes.

IX. RECORDED DATA ACCESS AND REVIEW

All access and activity on evidence.com are logged and subject to audit. Access to evidence.com and the data stored in the system is permitted on a right-to-know, need-to-know basis. Recordings may only be viewed according to the provisions of this policy or as designated by the Administrator. Recorded data shall not be routinely or randomly viewed for the sole purpose of enforcing policy violations.

Bailiffs will not allow citizens to review BWC recording in the field.

All release of BWC video shall comply with Sparks Justice Court Public Access to Court Records Policy 2024-01 and/or Sparks Justice Court Public Access to Administrative Records Policy 2024-02. In any situation where BWCs record content that otherwise should not be shared or have any other law enforcement sensitivities or privacy concerns, which could include recordings or undercover personnel, confidential sources, sensitive investigative techniques or equipment, minors, injured or incapacitated individuals, or sensitive locations such as restrooms, locker rooms, or medical facilities, the Administrator, in consultation with the Court's assigned District Attorney or his or her designee, may use redaction software to blur images or portions of images, or minimize audio content, when making copies of BWC recordings for disclosure.

X. BAILIFF ACCESS

Bailiffs have access to their own recordings, and recordings shared by other bailiffs via www.evidence.com.

Bailiffs will share their recordings with other members upon request to further an investigation or for other official purposes.

Bailiffs may view their own BWC recordings for the following purposes:

- a. Report writing or preparation of other official documents;
- b. Court preparation;
- c. Review of prosecution evidence;
- d. Review of victim/witness/suspect statements;
- e. Crime scene observations;
- f. Statement of charges preparation; and/or
- g. Clarifying observations at the scene of an incident.

XI. SUPERVISOR ACCESS, COPYING, PROHIBITED USES OF DIGITAL EVIDENCE

Supervisors have access to their own recordings, and other bailiff's recordings within their command.

Supervisors may access recordings for the following purposes in addition to those listed in Bailiff Access:

- a. Complaint investigation and resolution;
- b. Administrative investigations; and/or
- c. To further collaborative operational needs.

Any and all images, video, and/or audio generated by any BWC are the sole property of the Sparks Justice Court.

Unauthorized use, duplication, and/or distribution of BWC recording files are prohibited. Employees shall not download, copy, or record BWC recordings from evidence.com onto any computer, device, drive, CD/DVD, or any other format without the express written consent of the Administrator or their designee. Any authorized person granted access to a recording by the Administrator or their designee will be provided a link to evidence.com.

Employees will not remove, dismantle, or tamper with any hardware/software component or part of the BWC. Employees will not attempt to erase or alter, in any manner, BWC recording files.

Evidence.com shall only be accessed from SJC authorized computers. Access to evidence.com from a home, personal, or non-departmental mobile device is prohibited. EXCEPTION: Administrative users of evidence.com may access data from a computer or device outside the department for the purpose of completing administrative tasks, such as locking or unlocking users, etc.

Employees shall not publish or display BWC recordings to the internet or social media sites

XII. COMPLIANCE AND DISCIPLINE

Supervisors shall ensure use of BWCs are in accordance with this Policy.

Any employee failing to comply with this policy will be subject to disciplinary actions, up to and including termination.