

MEMORANDUM OF AGREEMENT
BETWEEN THE VILLAGE OF ORLAND PARK AND
THE METROPOLITAN ALLIANCE OF POLICE, CHAPTER #159

This Memorandum of Agreement ("MOA") is hereby made and entered into by and between the Metropolitan Alliance of Police Chapter #159 (hereinafter the "Union"), and the Village of Orland Park (hereinafter the "Employer" or "Village").

WHEREAS, the Village is committed to the implementation of a policy for a body worn camera pilot program; and

WHEREAS, body worn cameras are an effective law enforcement tool that can reduce violent confrontations and complaints against officers. Body worn cameras provide additional documentation of police-public encounters and may be an important tool for collecting evidence and maintaining public trust; and

WHEREAS, the Union and the Village have agreed to discuss matters related to the appropriate utilization of body worn cameras; and

WHEREAS, a successful pilot program may result in the expansion of the use of body worn cameras by all sworn officers.

NOW, THEREFORE, the Village and the Union do hereby agree as follows:

1. The Chief of Police, in consultation with the Union's Executive Board, will initiate a pilot program to test the use of body worn cameras in the Target Response Unit (TRU") and to draft policies and procedures to govern the use of the cameras as standard issue equipment.

2. The goal is to identify the specific objectives behind the program, as well as, the anticipated benefits, costs, uses, and privacy impact of body worn cameras.

3. The parties acknowledge body worn cameras shall be introduced incrementally, starting with the pilot program, and shall include the solicitation of feedback from designated officers including but not limited those assigned to the Traffic Unit.

4. The parties acknowledge both the implementation of the pilot program and the expanded policy or policies will address the terms and conditions set forth in the points below; and, further, these terms and conditions shall not only be part of this MOA but shall also be part of any General Order/Policy enacted in the future by the department.

- Pre-event recording will be limited to no more than two (2) minutes of video. Pre-event audio recording will not occur.

- Body worn cameras shall not be remotely activated without extraordinary/exigent circumstances. Should the body worn camera be activated remotely, the officer shall be notified by audio and/or visuals means.
- Body worn camera footage may be used in performance reviews but is not intended to replace the review of officer performance in the field.
- If body worn camera footage exists, discipline will not be dispensed solely on the basis of the body worn camera footage, but rather upon consideration of all relevant evidence collected during the Internal Affairs investigation, including video footage.
- Public access to body worn camera footage shall be governed by Illinois law.
- Officers shall be allowed to review the recordings from their body worn cameras at reasonable times with the approval of their supervisor. To help ensure accuracy and consistency, officers are encouraged to review recording prior to preparing reports. If the officer is giving a formal statement about the use of force or if the officer is the subject of a disciplinary investigation, the officer shall (1) have the option of reviewing the recordings in the presence of the officer's attorney or labor representative; and (2) have the right to review recordings from other body-worn cameras capturing the officer's image or voice during the underlying incident.
- The use of body-worn cameras will comply with the requirements of the Illinois Law Enforcement Officer-Worn Body Camera Act, 50 ILCS 706/1 et seq.
- Body-worn cameras shall not be used to record:
 - a. Communications with other police personnel where no non-departmental personnel are present.
 - b. The officer is interacting with a confidential informant used by the law enforcement agency.
 - c. The victim of a crime requests the camera be turned off, and unless impractical or impossible, that request is made on the recording.
 - d. A witness of a crime or a community member who wishes to report a crime requests the camera be turned off, and unless impractical or impossible, that request is made on the recording.
 - e. When an officer is on break or is otherwise engaged in personal activities.
 - f. In any location where individuals have a reasonable expectation of privacy, such as a restroom, locker room, or break room.
 - g. While officers are engaged in conversations with individuals with whom the officer is in a privileged relationship (e.g. spouse, attorney, labor

representative, minister, etc.) Note: A privileged conversation does not include a conversation with another officer or supervisor while still actively engaged in a call for service, investigation, or enforcement encounter.

- When a body worn camera is powered on, it is passively recording video; similar to the squad car cameras in use by the department, as of the date of this agreement. Both audio and video are recorded only when the body worn camera is switched to active record mode.

5. In the event of a breach of this MOA by either Party, that issue may be raised pursuant to the grievance process contained in the Parties' Collective Bargaining Agreement.

6. This MOA constitutes a bargained-for status quo for purposes of bargaining a successor CBA.

7. This MOA may be executed in multiple duplicate counterparts, and each such execution shall be deemed to be an original.

8. By signing below, the Union and Village represent the person executing this document have the authority to do so and lawful authority to bind the Parties to this Agreement.

This Memorandum of Agreement will take effect upon the signature of the Union and the Village.

George Kouyuma
Village of Orland Park

Date: 10-19-20

K. L. S.
Metropolitan Alliance of Police

Date: 10/14/20

R. D. #101
Metropolitan Alliance of Police
Chapter #159

Date: 10-19-20