

Body Worn Camera & In-Car Video Systems

447.1 PURPOSE AND SCOPE

The Orange County Sheriff's Department recognizes that audio and video recording of contacts between Department Members and the public can provide an objective record of these events and a record of enforcement and investigative contacts. Also, a recording of an event or contact improves the Department's ability to evaluate and improve Department practices, tactics, strategy, officer training, safety practices, and community policing objectives.

The Department provides Body Worn Cameras (BWC) to its Members and outfits patrol vehicles with an integrated In-Car Video (ICV) system. The primary purpose and objective of the BWC and ICV Program is to collect evidence for use in criminal investigations, identify and apprehend offenders, and obtain, collect, and preserve evidence for use in criminal prosecutions.

In all circumstances where a Member is issued a BWC and assigned a vehicle with an ICV, the systems shall be paired and used together. This policy applies to BWC and ICV as applicable.

In addition, to the primary above-mentioned purpose the use of the BWC/ICV is intended to:

1. Accurately capture statements and interactions between Department Members and the public, including interviews with suspects, victims, and witnesses.
2. Promote accountability and enhance public trust.
3. Assist in the resolution of public complaints and administrative investigations.
4. Enhance officer safety by providing a record for possible future training needs and continuous improvement.
5. Enhance the Member's recollection for the accuracy of reports and court testimony.
6. Deter criminal activity and uncooperative behavior during police-public interactions.

BWC/ICV systems provide a limited view of an incident which may, in its totality, not give a complete view into an incident. While recordings obtained by the BWC/ICV system provide an objective record of events, it is understood those recordings do not necessarily reflect the view, experience or state of mind of the Member in each incident. Recordings have limitations and may depict events differently than the event is perceived or recalled by the involved Member. Also, the BWC/ICV system may capture information that may not have been heard and/or observed by the Member.

BWC/ICV recordings shall be considered alongside all other available evidence(e.g., witness statements, personnel interviews, forensic analysis, and documentary evidence)when evaluating the appropriateness of a Member's actions. Unless, the BWC/ICV recordings is the only evidence, it shall not be used as the sole source when vetting an incident for training, corrective measures, or policy violations.

Orange County Sheriff-Coroner Department

Orange County SD Policy Manual

Body Worn Camera & In-Car Video Systems

The Department shall not install, activate, or use any biometric surveillance system in connection with the use of or data collected by BWC/ICV. Biometric surveillance systems include any computer software or application that performs facial recognition or other biometric surveillance.

447.2 GENERAL GUIDELINES

447.2.1 NO MEMBER EXPECTATION OF PRIVACY

All BWC/ICV recordings are the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

447.2.2 CONFIDENTIAL NATURE OF BWC/ICV RECORDINGS

BWC/ICV use is limited to enforcement and investigative activities involving members of the public. The BWC/ICV recordings will capture video and audio evidence for use in criminal investigations, administrative reviews, and other proceedings protected by confidentiality and Department Policy 215 (Confidential Information). Members shall comply with all applicable laws and policies regarding confidential information. Unauthorized release of BWC/ICV recordings may compromise ongoing criminal and administrative investigations or violate privacy rights of those recorded.

447.2.3 VIEWING OF BWC/ICV RECORDINGS

It is the policy of the Department to extend to its Members the ability to review all available Department media when writing reports, preparing for courtroom testimony and prior to making voluntary statements, for further refer to policy 303-Department Media. The viewing of BWC/ICV recordings shall be done only by means of a Department owned and/or issued device. The viewing of BWC/ICV recordings by means of personally owned PCDs (Personal Communication Devices), to include all mobile phones, and other such wireless two-way communication and/or portable internet access devices, is prohibited.

The reviewing of BWC/ICV by Executive Command, Managers, and Supervisors for a specific business purpose such as commendations, training, an official investigation (such as a personnel complaint, administrative investigation or criminal investigation), a clear and reasonable concern of unprofessional conduct, and the review of critical incidents, is permitted. The exploratory searches or viewing without a specific reason of BWC/ICV recordings, is prohibited. For further, refer to policy 303-Department Media.

447.2.4 PROHIBITED USE OF BWC/ICV RECORDINGS

Members shall not use BWC/ICV for personal use. Members shall not duplicate, copy, edit, alter, erase, or otherwise modify in any manner BWC/ICV recordings except as authorized by law and Department policy, for further refer to policy 802-Property and Evidence. The use of personally owned BWC/ICV recording devices, absent critical evidentiary issues, is prohibited.

Body Worn Camera & In-Car Video Systems

447.2.5 SURREPTITIOUS USE OF THE BWC/ICV

1. Penal Code 632 prohibits any individual from surreptitiously recording any conversation in which any party to the conversation has a reasonable belief that the conversation was private or confidential. Penal Code 633 provides a law enforcement exception to the normal prohibition against surreptitious recording of certain conversations. This includes the Sheriff, Undersheriff, Deputy Sheriffs, or any other person acting pursuant to the direction of one of these law enforcement officers. However, this exception does not ordinarily cover non-sworn personnel, unless the Member is acting at the direction of a Deputy Sheriff during a criminal investigation, with supervisor approval. Accordingly:
 - (a) Non-sworn personnel wearing a conspicuously mounted recording device, or using a recording device that is reasonably recognizable as a recording device, may record any member of the public without notice in a public setting where there is no objectively reasonable expectation of privacy, such as in the public area of a business or outside of a residence front door (i.e., while taking a traffic collision report).
 - (b) If non-sworn personnel have a citizen contact in a private area of a business or residence, the Member shall notify the other party that the conversation is about to be recorded, unless the Member is acting at the direction of a Deputy Sheriff to surreptitiously record the conversation, with supervisor approval. If the Member was acting at the direction of a Deputy Sheriff, this shall be documented in a Department Report (DR) or daily log.
2. Non-sworn personnel shall not record a person in a private or confidential setting if the person objects after notification and the objection shall be documented in their DR or daily log.
3. No Member of the Department may surreptitiously record/monitor a conversation of any other Member of this Department without the expressed knowledge and consent of all other parties. This prohibition does not apply to any criminal investigation involving a Department Member.

447.2.6 ACTIVATION OF LIVESTREAMING

The purpose of this technology is to promote situational awareness and officer safety. Remote live viewing, also known as livestreaming, is not intended to replace proper response by Members.

Livestreaming of BWC/ICV can only occur when the camera is actively recording. Livestreaming may only be accessed by an authorized user when there is a specific department business need that meets the activation criteria. Members should be informed via radio prior to remote viewing, but if that pre-notification is not practical or compromises officer safety, the member whose BWC/ICV was accessed must be notified as soon as practical following the event. When the BWC/ICV livestreaming feature is activated, the device will notify the member via a unique tone, and the LED light will turn purple. Additionally, the BWC will emit haptic feedback (vibration). The following shall be documented in the CAD: 1. Duration; 2. Specific reason for the activation (in addition to and beyond situational awareness); and 3. In instances when Members are not informed via radio

Body Worn Camera & In-Car Video Systems

prior to remote viewing, the reason that pre-notification did not occur. Livestreaming is restricted to the authorized users outlined below.

BWC/ICV systems provide a limited view of an incident which may, in its totality, not give a complete view into an incident. While recordings and livestreaming obtained by the BWC/ICV system provide an objective record of events, it is understood those recordings and livestreaming do not necessarily reflect the view, experience or state of mind of the Member in a given incident. Recordings and livestreaming does have limitations and may depict events differently than the event is perceived or recalled by the involved Member. Also, the BWC/ICV system may capture information that may not have been heard and/or observed by the Member.

447.2.7 AUTHORIZED LIVESTREAMING USERS

1. Real Time Operations Center personnel
2. Sworn members at the rank of sergeant and higher
3. The on-scene incident commander (regardless of rank)
4. ECB personnel at the rank of dispatch supervisor and higher

447.2.8 LIVESTREAMING ACTIVATION CRITERIA

Authorized users may activate the livestreaming feature when any of the following criteria are met:

1. Exigent circumstances when there is a direct threat to officer and/or public safety.
2. To enhance tactical operations and situational awareness during a significant incident, observation activity or call for service. The Member whose BWC/ICV was accessed must be notified prior to activation or after activation as soon as practical; and a specific reason for activation must be entered into the CAD.
3. Any situation in which a Member has not responded to the radio.
4. Members may request RTOC assistance to an incident, activity or call for service which will include livestreaming activation. Members may specifically request activation of BWC/ICV to the RTOC or authorized livestreaming users.
5. For training of authorized users of livestreaming, during tactical training scenarios (e.g., Laser Village, Active Shooter Training, IMT and RTOC personnel), and technical troubleshooting (requires approval from the rank of Lieutenant or higher.)

447.2.9 GPS FUNCTIONALITY

Each BWC/ICV includes GPS capabilities, which allow the Member's location to be visible at all times. The following personnel are authorized to utilize the real time GPS function:

1. Real Time Operations Center personnel
2. Supervisors and Managers
3. Dispatch personnel

Body Worn Camera & In-Car Video Systems

447.2.10 LIVESTREAMING AUDIT

The Records Division (Media Analysis Bureau) will create a monthly report of livestreaming activations which will be sent to the Administrative Sergeant of the bureau responsible for the Member who accessed the livestreaming function. The Administrative Sergeant will perform monthly audits to ensure compliance with this policy including user authorization, activation criteria, and CAD documentation. The Lieutenant/Captain of the Member who accessed the livestreaming will finalize the audit to ensure compliance with policy and send it to the Division Commander for retention. The audit documents will be maintained in the division where the livestreaming occurred and preserved in accordance with the County retention schedule.

447.2.11 AUTOMATED RECORDING ACTIVATIONS

The BWC system employs Bluetooth technology that allows signals to be sent from specific department devices to the BWC that results in automatic BWC activation. This capability is designed to promote officer safety and enable the member to maintain situational awareness. Devices capable of interacting with the BWC include the patrol unit lights and siren control system, and the ICV patrol unit signal activation button.

Activation of the BWC occurs automatically under the following circumstances:

1. When a Member activates the emergency lights and siren of the patrol unit (Code 3 response)
2. When a Member depresses the patrol unit activation button
3. When a Member is within Bluetooth range of approximately 100 feet of an activated Axon Signal

447.3 MEMBER RESPONSIBILITIES

447.3.1 TRAINING

All Members who are authorized to use BWC/ICV equipment must complete mandatory training provided by the Department to familiarize themselves with the system before the Member deploys with the equipment.

447.3.2 BWC PLACEMENT

BWC equipment generally consists of a body-mounted camera with a built-in microphone and separate viewing device. The BWC camera is to be worn by uniformed personnel, utilizing an approved mount, in a forward-facing position; and above the midline torso to maximize the recording field of view. Other acceptable mounting positions include forward facing on a helmet if equipped with the proper BWC and mount. Non-uniformed personnel issued a BWC, may wear the camera on the belt or above, in a forward-facing position as an alternative to an audio-recording device for interviews or for use during deployment in the field. When recording interviews, Members may place the BWC in a position that would better capture the interview, (e.g., a table-top).

Body Worn Camera & In-Car Video Systems

447.3.3 INSPECTION AND TESTING OF EQUIPMENT

Prior to going in service, each Member shall be responsible for ensuring they are equipped with a Department issued BWC and their vehicle (if applicable) is equipped with an ICV system. The Member shall test the operability of both the BWC and the ICV by visually inspecting its condition, powering it on, and ensuring all prior recordings are downloaded. In the event, a BWC has not fully downloaded the prior recordings, the Member will request a different BWC for the shift.

447.3.4 DAMAGED, MALFUNCTIONING, OR INOPERABLE EQUIPMENT

If the BWC or ICV equipment is damaged, malfunctioning, or is inoperable prior to going into service, the Member shall verbally notify their supervisor, and the BWC Coordinator via email including information regarding any pending recordings for upload and obtain a properly functioning replacement BWC/ICV.

If the BWC/ICV equipment becomes damaged, malfunctions, or inoperable while deployed in the field, the Member shall notify their immediate supervisor as soon as practicable. The supervisor shall determine whether or not to continue utilizing the Member in the field or temporarily remove them so the Member can resolve the issue. The Member shall document this action in the Patrol Daily Activity Report and appropriate Incident or Crime Report (if applicable).

447.4 PROCEDURES FOR THE USE OF THE BWC/ICV AND ITS RECORDINGS

447.4.1 PRE-EVENT BUFFER RECORDING

When the BWC/ICV is activated, the system will automatically retain 60 seconds of video recording prior to activation. This will allow traffic violations, suspicious activity and other unusual happenings to be captured. The BWC/ICV does not record any audio during this 60 second period.

447.4.2 REQUIRED ACTIVATION OF THE BWC/ICV

This policy is not intended to include every possible situation where the BWC/ICV may be used, as there are many situations where its use is appropriate. A Member may activate the system any time the Member believes it would be appropriate and valuable to document an investigation, incident, or contact.

In general, BWC/ICV activation shall begin prior to arriving at a call or initiating enforcement action and shall terminate once the Member has cleared their self from the call or the contact and/or the incident has concluded.

Consistent with this policy, Members may lawfully record in any location where the Member has the legal right to be present. Members will not turn off the BWC/ICV if a citizen requests it, unless there is an exception (see section 447.4.3 for exceptions). However, when practical to do so, Members may inform individuals they are recording, particularly when the advisement may gain compliance, cooperation, or assist in an investigation.

EXAMPLES OF WHEN MEMBERS ISSUED BWC/ICV ARE REQUIRED TO ACTIVATE BWC/ICV:

Orange County Sheriff-Coroner Department

Orange County SD Policy Manual

Body Worn Camera & In-Car Video Systems

1. All calls for service. This shall include all Members who arrive to a call for service whether or not they were assigned to the call.
2. Detentions and arrests, (e.g., vehicle stops, bicycle stops, pedestrian stops, etc.)
3. DUI observations and field balance and coordination tests.
4. Officer-initiated consensual encounters.
5. Searches, subject to the exemptions in Section 447.4.8.
6. Witness and victim interviews (except as described in Section 447.3.2).
7. Arrestee/Prisoner transportation.
8. Crowd management and control, for further refer to Section 447.4.7.
9. Any contact with members of the public that may become adversarial or confrontational.

447.4.3 EXCEPTIONS TO REQUIRED ACTIVATION OF THE BWC/ICV

Circumstances when a BWC/ICV may not be used include, but are not limited to:

1. If a Member is unable to activate the BWC/ICV prior to initiating enforcement or investigative activities due to officer safety, public safety, or any other critical circumstance.
2. In the Member's judgment, a recording would interfere with their ability to conduct an investigation or may be inappropriate, due to the victim or witness's sensitive circumstances e.g., nudity, a victim of sexual assault. Members must also consider Policy 317 (Victim Confidentiality) with the use of a BWC/ICV.
3. In the Member's judgment, recording would risk the safety of a confidential informant, citizen informant, undercover officer, or investigative technique (as authorized by California Evidence Code sections 1040, 1041, and 1042).
4. For officer safety, when Members are handling, reviewing, or discussing an operational plan, conducting undercover surveillance, discussing, developing, planning or engaging in police/investigative tactics or strategies during a pending investigation, or pre and post incident de-briefs.
5. While the Member is on break or otherwise engaged in personal activities or in a location where there is a reasonable expectation of privacy, e.g., restrooms, locker rooms, or during briefings, meetings, or roll calls.
6. In patient-care areas of a medical facility, hospital, sexual assault treatment center, or other healthcare facility where persons are receiving treatment, except when escorting an arrestee, anticipating an enforcement action related to a crime in progress, a criminal investigation, or an encounter with an uncooperative person in these areas.
7. Inside public restrooms, dressing rooms, or locker rooms, unless responding to an emergency, crime in progress, or other circumstance which takes precedence over elevated privacy concerns.
8. When a Member reasonably believes there is no legitimate law enforcement purpose.

Body Worn Camera & In-Car Video Systems

Members should always remain mindful to protect personal, confidential, or sensitive information from being recorded during BWC usage.

447.4.4 CESSATION OF RECORDING

Once the BWC/ICV is activated, it shall remain on and shall not be turned off until the Member has cleared from the call or the contact or the incident has concluded. In any instance in which cessation of the recording prior to the conclusion of the contact or incident occurs, the reason for the termination of the recording shall be documented. Prior to any deactivation of the BWC/ICV, Members shall verbally note the date, time, and reason for the deactivation on the recording itself.

In the event of an extended incident, such as traffic control or an accident scene, Members may deactivate the BWC/ICV to conserve recording time. In such cases, the Member shall orally document the reason on the BWC/ICV prior to deactivation.

After a critical incident, the Incident Commander shall determine when the incident has concluded. After conferring with the Department Commander, the Incident Commander shall ensure BWC/ICV of involved personnel are deactivated.

Some incidents may produce extenuating circumstances, where parts of a critical incident have concluded, and other parts would be considered still active. During these incidents, on-scene Supervisors are authorized to advise specific Members to deactivate their BWC/ICV, depending on the Member's involvement in the incident. In such cases, the on-scene Supervisor shall orally document the reason on the specific Member's BWC/ICV prior to deactivation.

Members shall cease recording whenever necessary to ensure conversations are not recorded between a person in custody and the person's attorney, religious advisor, or licensed physician, unless there is explicit consent from all parties (Penal Code sections 636 and 851.5(b)(1)).

447.4.5 SLEEP MODE FUNCTION

Members may use the "Sleep Mode" function to temporarily disable recording and buffering. Use of this function shall be limited to the exceptions listed in 2 through 6 of 447.4.3 Exceptions to Required Activation of the BWC/ICV.

447.4.6 INABILITY TO ACTIVATE THE BWC/ICV PRIOR TO INITIATING ENFORCEMENT OR INVESTIGATIVE ACTIVITY

If a Member is unable to activate the BWC/ICV prior to initiating enforcement or investigative activities due to officer safety, public safety, or any other critical circumstance, the Member shall activate the device as soon as it is safe and practicable to do so.

Members shall also document in a written report or Daily Activity Report reasons why the Member failed to or was unable to activate the BWC/ICV, if a malfunction occurred, if the recording was terminated, or interrupted for any reason. Those reasons should be thoroughly narrated in the details of the documentation.

A Member who believed they activated the BWC/ICV, when in fact the BWC/ICV was not activated, shall not be subject to discipline if the belief was objectively reasonable.

Body Worn Camera & In-Car Video Systems

If a written report results from an incident, the Member shall document in the report the existence of their BWC recording using the "Body Worn Camera Used" drop-down box specified in the FBR report template. Members shall also document in their report whether or not they reviewed their BWC/ICV recording prior to writing their report. This shall be documented in the Member's Daily Activity Report if an Incident or Crime Report was not taken.

BWC/ICV recordings are not a replacement for written reports, Daily Activity Reports, or CAD updates.

447.4.7 CROWD CONTROL SCENARIOS

When there is a reason to believe a planned event has the potential for unlawful activity, Incident Commanders should make the determination whether visual recording with BWCs is appropriate and should indicate it in the Event Action Plan.

During demonstrations, Members should operate cameras in buffering/stand-by mode. If Members witness crimes occurring among the demonstrators, and/or believe an arrest is likely, they should begin recording in Event mode or if they have been directed to do so by a supervisor or the Incident Commander.

447.4.8 EXPLOSIVE DEVICES

Many portable recorders, including BWC/ICV and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

447.4.9 NON-UNIFORMED PERSONNEL BWC

Managers or Members working administrative, non-uniformed or plain-clothes assignments issued a BWC, may wear the camera on the belt or above, in a forward-facing position as an alternative to an audio-recording device for interviews or for use during deployment in the field, unless they are wearing body armor or an exterior tactical vest, in which case the camera shall be mounted the same as uniformed personnel. All non-uniformed personnel who are engaging in pre-planned enforcement activities such as serving a search or arrest warrant, or conducting/participating in parole/probation searches, shall utilize a BWC, unless the use of the BWC unreasonably compromises the identity of undercover Members, jeopardizes tactics, or the Member is assigned to an outside Multi-Agency Task Force. Members not wearing a BWC during a search/arrest warrants and parole/probation searches must have prior approval from a manager at the rank of Lieutenant or higher.

447.4.10 ACCIDENTAL ACTIVATION OF THE BWC/ICV

An immediate supervisor should be notified as soon as possible following incidents of erroneous, accidental or inadvertent recordings of personal events and/or conversations with no evidentiary/business purpose. These events shall be categorized as accidental by the Member. If the Member requests the accidental recording be redacted or deleted, the Assistant Sheriff of the Professional Services Command shall review the recording and make a determination as to whether the

Orange County Sheriff-Coroner Department

Orange County SD Policy Manual

Body Worn Camera & In-Car Video Systems

recording was accidental. The Member and the Sheriff's designated Custodian of Record shall be notified of the possible outcomes of that request including:

1. If the Assistant Sheriff determines the recording was accidental, with no evidentiary/business purpose, the recording shall be redacted within 30 business days from the date of the Assistant Sheriff's determination. The redacted recording will be saved as a copy; the original recording will be unaltered and retained. After a minimum of 60 days, both the original recording and the redacted copy may be deleted (CPC 832.18) unless deletion of the recording would violate the law. If deletion would not violate the law, both the redacted and original recording shall be deleted by the department within 90 days. The Member shall be notified of the Assistant Sheriff's determination. A recording determined to be accidental by the Assistant Sheriff, with no evidentiary/business purpose, shall not be shared with anyone absent a court order.
2. If the Assistant Sheriff determines the recording was accidental, but a portion is of evidentiary/business purpose, the portion of the recording containing the personal event or conversation shall be redacted within 30 days from the date of the Assistant Sheriff's determination, unless redaction of the recording would violate the law. The redacted recording will be saved as a copy; the original recording will be unaltered and retained in accord with record retention requirements. The Member shall be notified of the Assistant Sheriff's determination. The portion of the recording determined to be accidental by the Assistant Sheriff, with no evidentiary/business purpose, shall not be shared with anyone absent a court order.

If the Assistant Sheriff determines the recording was not accidental, and/or shall not be deleted or redacted, the Member may appeal that determination to the Undersheriff.

447.5 DOCUMENTATION AND STORAGE

447.5.1 LABELING RECORDINGS

Following any BWC and/or ICV recording or official recorded event (see section 447.4.2), Members shall assign the recording the appropriate I.D., and category. All recordings, including accidental recordings, equipment check recordings and recordings with no identifying number (e.g. DR, incident, or cite), require minimally to be categorized and the term "NO ID" shall be used in the ID field.

To comply with Discovery, Retention and Evidence procedures, all BWC and ICV recordings shall be labeled within 5 days from the creation of a recording. Supervisors may grant approval for an extension when the Member is prevented from working for an extended period of time due to approved or other excused absences, illness, or on Workers' Compensation.

447.5.2 UPLOADING OF RECORDINGS

At the end of each shift, the Member shall dock their BWC device at an approved location to upload the recorded files, unless otherwise approved by a supervisor. The supervisor shall document the reason(s) for granting the Member an extension to upload the recordings and the time period for the extension. Patrol operations and K-9 units shall document the approval within the Sergeant's

Body Worn Camera & In-Car Video Systems

Daily Log. All other supervisors who grant an extension shall document the approval in writing to his or her Captain. Any extension granted may not exceed four working days for the Member. The Member should park their patrol vehicle in an area that enables the wireless downloading of ICV recorded files whenever feasible.

447.5.3 EVIDENCE PRESERVATION

Members are required to ensure that BWC/ICV recordings of evidentiary value are properly categorized in order to ensure the recording is retained for the necessary retention period.

447.5.4 BWC STORAGE MEDIA AS EVIDENCE

In exceptional circumstances, the BWC itself may be booked into evidence prior to any uploading of media storage. Exceptional circumstances may include a major or significant incident at the direction of a Sergeant or above; or in the event the data cannot be uploaded due to a mechanical or technological malfunction. If the BWC is booked into evidence, established booking procedures shall be followed and referenced in the report.

447.6 ADMINISTRATION AND RECORD KEEPING

447.6.1 BWC/ICV CUSTODIAN OF RECORDS

The Director of the Records Division or their designee shall be the Custodian of Records.

447.6.2 RECORD KEEPING REQUIREMENTS

See Department Policy 303.5 for Department Media record keeping requirements.

447.6.3 BWC/ICV PROGRAM COORDINATOR - MEDIA ANALYSIS BUREAU

The Department shall designate BWC and ICV Program Coordinators in the Media Analysis Bureau to have program oversight including, but not limited to:

1. Documenting system malfunctions and equipment failures related to BWC and ICV.
2. Conducts training to all users.
3. Ensuring media files are only released in accordance with Department Policy and applicable laws.
4. May assist with the coordinating issuance of devices.
5. Providing Department management recommendations on policy development and equipment integrity.
6. Conducts audits of BWC/ICV program compliance.