

Anytown Police Department

POLICY STATEMENT/STANDARD OPERATING PROCEDURES FOR DIGITAL IN-CAR VIDEO SYSTEMS

I. Policy Statement:

The use of a Mobile Video Recorder (MVR) system provides persuasive documentary evidence and helps defend against civil litigation and allegations of officer misconduct. Officers assigned the use of these devices shall adhere to the operational objectives and procedures outlined herein so as to maximize the effectiveness and utility for the MVR and the integrity of evidence and related video documentation.

II. Definitions

A. **Recorded media** – refers to audio/video signals recorded on any of several storage devices including hard drives, analog tape, digital tape, digital video disks (DVD), memory cards, or other portable digital devices.

B. **In-car Video System or Mobile Video Recorder (MVR)** – These are synonymous terms and refer to any system that captures audio and/or video signals capable of installation in a vehicle, and that includes at a minimum, a camera, microphone, recorder, and monitor.

C. **Formatting** – Cleansing of digitally recorded media that returns the media to its original state and when needed for the imprinting of new images.

III. Purpose:

To provide officers with the necessary procedures for the MVR's use, as well as the management, storage, and retrieval of audio/video media recorded by in-car video.

IV. Procedures:

1. Objectives – The department has adopted the use of MVR's to accomplish the following objectives:

- 1.1 To enhance officer safety.
- 1.2 To accurately capture statements and events during the course of an incident.
- 1.3 To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation and presentation.
- 1.4 To provide an impartial measurement for self-critique and evaluation during field training
- 1.5 To capture visual and audio evidence/information for use in current and future investigations.

2. Officer's Responsibilities

- 2.1 **The officer shall activate the MVR (audio and video) for all incidents involving citizen contact of any type.**
- 2.2 When the MVR is activated, officers **shall** carry and activate the appropriate audio transmitter to ensure that all events are properly documented. Officers are encouraged to narrate events using the audio recording, so as to provide the best documentation for pretrial and courtroom presentation.
- 2.3 When the MVR is activated to document an event, it **shall not** be deactivated until the event has been concluded unless:
 - 2.3.1 If a situation occurs where stopping the MVR is warranted, the intention to stop either audio and/or video recording **shall** be noted by the officer verbally, visually, or in written notation.
 - 2.3.2 Every intentional or unintentional deactivation of the MVR on traffic stops **shall** be reported to a supervisor and documented.
- 2.4 When necessary to ensure accuracy and consistency of accounts for written reports officers should contact a supervisor and request to review recordings from the MVR.
- 2.5 With the exception of police radios, officers **shall** ensure that the volume from other electronic devices within the police vehicle does not interfere with MVR recordings.
- 2.6 Officers **shall not** erase, alter, reuse, modify or tamper with any MVR recording or storage device. Only authorized supervisors may erase and reissue previously recorded devices and may only do so pursuant to the provisions of this policy.
- 2.7 Officers **shall not** release, or cause to be released, to any entity, public or private, any MVR recording without the express permission of an authorized supervisor.
- 2.8 At the beginning of each shift the officer **shall** conduct an inspection of his/her assigned patrol car to include emergency equipment, brakes, tail lights, turn signals, damage to vehicle, tires and the MVR system. In addition the officer **shall** and a search of the interior of the vehicle for weapons or other contraband that may have been left from a prior shift. The officer **shall** initiate a recording of such inspection and at its conclusion assign the event ID of "Vehicle Inspection" to the vehicle/equipment inspection.

3. Recording Traffic Stops or any Other Citizen Contacts

- 3.1 When practical, an Officer should initiate a MVR recording of an event either by use of the audio transmitter or manual start button on the MVR immediately upon observing the probable cause (PC) to initiate the traffic stop or other citizen contact or upon receiving a radio call to respond to a call for service. When investigating a traffic stop or other event the officer should articulate the reason and/or PC for the contact, description of vehicles and suspects and any other information that may be useful prior to initiating the actual contact with the individuals involved.
- 3.2 Upon completion of the traffic stop, call for service, citizen contact the officer **shall** end the MVR recording and **shall** assign the appropriate Event ID to the event.

- 3.7 Officers **shall** notify a supervisor when the MVR has captured a felony arrest, chase, DWI arrest, any event requested as evidence, when the likelihood of a citizen complaint is indicated or any other significant event that would require supervisory notification.
- 3.8 **All prisoner transports shall be recorded with both audio and video.**
 - 2.8.1 To record prisoner transports, the officer **shall** manually turn on the rear-facing camera and interior microphone.
- 3.9 When outside of the camera view (i.e. inside a home for a disturbance) the officer has shall activate the audio portion of the MVR to record data suitable for evidentiary support of criminal violations and/or documentation of unusual events committed in his/her presence.
- 3.10 Daily inspection and general maintenance of MVR equipment installed in police units.
- 3.11 To operate MVR equipment in accordance with manufacturer's guidelines, departmental policy and training.
- 3.12 To immediately report any malfunctions, damage or theft of MVR equipment to the appropriate supervisor.

4. Supervisor's Responsibility

- 4.1 Upon downloading the recording to the system, the supervisor **shall** flag the entry as evidence to ensure that it will not be inadvertently deleted after the 180 day purging of unnecessary video (see Section 5.1)
- 4.2 Supervisors **shall** conduct periodic reviews to:
 - 4.2.1 Ensure the MVR equipment is being used in accordance to policy and procedures.
 - 4.2.2 To report and correct any officer discrepancies in the use of MVR equipment.
 - 4.2.3 To make recommendations for revisions to the policy and/or procedures, officer training or equipment needed for MVR usage.
 - 4.2.4 To inspect for equipment damage, loss or misuse, and to report and investigate the cause.
 - 4.2.5 To assess officer performance.
 - 4.2.6 Such periodic review **shall** occur as often as possible, at minimum, bi-weekly. The supervisor will check the reviewed by box on the Video Manger to confirm that reviews are being conducted.
- 4.3 Infractions, other than criminal conduct, discovered during a routine review of recorded material should be viewed as training opportunities and not as a catalyst to initiating disciplinary action, unless such conduct is so egregious that disciplinary action is clearly required. Should behaviors or actions of a more minor nature become habitual after being formally addressed, appropriate disciplinary or corrective action **shall** be documented against the appropriate personnel?

5. Media Duplication

- 5.1 All recorded media, recorded images and audio/video recordings are the property of this department. Dissemination outside of the agency is strictly prohibited without specific written authorization from the Chief of Police or his/her designee.

- 5.2 Requests made under the State of Georgia open records law for copies of recorded media **shall** be made through the Chief's office.
 - 4.2.1 Only those incidents specifically requested **shall** be duplicated.
- 5.3 To prevent damage to, or the alteration of, the original recorded media; it **shall not** be copied, viewed or otherwise inserted into any non-approved device.
- 5.4 When possible and practical, a second copy of the original recorded media stored in evidence **shall** be used for viewing by investigators, staff, prosecutors, training personnel and the courts (unless otherwise directed by the courts) to preserve the original media in pristine condition for court.
- 5.5 At the conclusion of court proceedings or as otherwise authorized by the prosecutor's office for which the media was required, all copies **shall** be submitted back to the evidence clerk for filing.

6. Media Storage

- 6.1 Recorded data from MVR's **shall** be retained for a minimum period of one hundred and eighty (180) days.
 - 6.1.1 After one hundred and eighty days, if the data is not needed for training, disciplinary reviews, linked to a citizen complaint, as evidence in a pending case, or other investigative purpose the data may be destroyed or erased to ensure ample storage of future MVR data within the computer system.
- 6.2 Recorded data needed as evidence for court will be saved to a portable media device and submitted to the court in compliance with accepted protocols.
 - 6.2.1 Recorded data prepared for the court or for any other purpose **shall** be retained indefinitely in the evidence room until such time that a court order permits the destruction of the recording or at the direction of the Chief of Police or his/her designee.
 - 6.2.2 Once the portable media device is submitted into evidence the data file may be erased from the computer hard drive to ensure ample storage of future MVR data.