

Slayton Police Department

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Recorded Media/In-Car Camera Policy

A. Purpose

The purpose of this policy is to provide the Slayton Police Department with guidelines for the use, management, access, retention, handling of evidence, degaussing, storage and retrieval of audio-visual media recorded by in-car video systems.

B. Definitions

- a. **Recorded Media-** Means audio-video signals recorded on any of several storage devices, including, but not limited to, analog tape (VHS, SVHS, hi 8mm), digital tape(DV), or other portable digital storage devices (CD, DVD, hard drive, flash card, etc.)
- b. **In-Car Camera System and Mobile Video Recorder (MVR)-** these are synonymous terms and refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder, and monitor.
- c. **Supervisor-** Licensed peace officers appointed with responsibility to serve as a supervisor.
- d. **MVR Technician-** Personnel, licensed or civilian, that are trained in the operational use and repair of MVR's, duplicating methods, storage and retrieval methods and procedures, and who possess a working knowledge of video forensics and evidentiary procedures.
- e. **Degaussing-** Electronic cleansing by overwriting, erasing, and/or destruction of electronic storage media of analog and digital recording media that returns the media to its original state so it is ready for the imprinting of new images.
- f. **Activate-** Any process with causes the MVR system to transmit or store video or audio data.
- g. **Law Enforcement Operator (LEO)-** Primarily, a licensed peace officer, but on occasion may be a non sworn representative of the agency, who would be authorized and assigned to operate MVR equipped vehicles to the extent consistency with Minnesota Statute 169.98
- h. **MGDPA-** The Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13.

C. Policy

The use of the MVR system provides documentation of law enforcement interaction with the public by providing evidence for the judicial system, internal review, or review by the public through formal request by agency specific method. The primary function of the MVR is for officer safety and not to initiate disciplinary action against the officer, but the data collected on the MVR may be used as evidence relating to a complaint of misconduct made against an LEO by any person present at the scene of the incident when such complaint could result in additional training, counseling or disciplinary action in accordance with agency policy.

D. Procedures

a. Operational Objectives

The Slayton Police Department has adopted the use of MVRs to accomplish the following objectives

- i. To enhance officer safety
- ii. To accurately document statements and events during the course of an incident
- iii. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
- iv. To provide an impartial measurement for self-critique and field evaluation during recruitment and new officer training
- v. To preserve visual and audio information for use in current and future investigations
- vi. To enhance the public trust by preserving objective factual representations of officer-citizen interactions in the form of video and audio recordings made via an in-car camera systems, and
- vii. To identify training needs

b. General Procedures

It is the responsibility of the Slayton Police Department to ensure that the audio-video recording equipment is properly installed according to the manufacturer's recommendations.

- i. MVR equipment shall automatically activate when emergency equipment (lights, sirens) is operating or an LEO can start recording when they are outside their vehicle via wireless transmitter. The system may also be activated manually from the control panel affixed to the interior of the vehicle.
- ii. Placement and operation of system components within the vehicle shall be based on officer safety requirements and manufacturers recommendations.
- iii. All staff shall successfully complete an approved course of instructions prior to being deployed with MVR systems in operational settings.
- iv. The Slayton Police Department will establish and maintain a method for the public to view recorded events to the extent that such data is classified as public under the MGDPA
- v. The Slayton Police Department will ensure officers, investigators, and prosecutors have access to the recorded events according to agency specific method for making the recordings accessible within the criminal justice system.

- vi. The MVR System shall be configured to minimally record for 30 seconds, prior to the event. An agency has the discretion to increase the pre-event record time.
- vii. The MVR System may not be configured to record audio data occurring prior to activation

c. Officer's Responsibilities

Inspection and general maintenance of MVR equipment installed in agency vehicles shall be the responsibility of the LEO assigned to the vehicle.

- i. MVR equipment shall be operated in accordance with the manufacturer's recommended guidelines and agency training and policies.
- ii. Prior to beginning each shift, the assigned LEO shall perform an inspection to ensure that the MVR is performing in accordance with the manufacturer's recommendation's covering the following matters:
 - Remote audio transmitter is functional and has an adequate power source
 - Connected to the recording equipment
 - The transmitter can remotely activate the system
 - The view of all cameras shall be free of obstructions
 - All camera lenses shall be operational
 - Camera facing intended direction
 - Recording mechanism capturing both audio and video information
 - System plays back both audio and video tracks

Malfunctions, damage or theft of in-car camera equipment shall be reported to the immediate supervisor prior to placing the unit into service

- 1. An agency specific report shall be completed documenting the suspected cause(s) of equipment failure or any recommendations for corrective actions. The supervisor shall determine if the vehicle shall be placed in service without an operating MVR and the emergency communications center shall be so informed.

d. Mandatory MVR Recording

To the extent practical without compromising officer safety, the MVR system shall be activated and/or operated under the following circumstances and conditions:

- a. Traffic stops(to include, but not limited to traffic violations, stranded motorist assistance and all crime interdiction stops)
- b. Priority responses
- c. Vehicle pursuits
- d. Arrests
- e. Vehicle searches
- f. Physical or verbal confrontations, or use of force
- g. Prisoner transports
- h. Crimes in progress
- i. Any situation where a non prisoner is in the vehicle and being transported; e.g., a child, an elderly person, someone having a medical event.
- j. Any situation or incident that the officer, through training and experience, believes should be audibly and visually recorded
- k. Law enforcement operators are encouraged to narrate events using the audio recording, so as to provide the best documentation for pretrial and courtroom presentation

- l. When the MVR is activated, law enforcement officers shall ensure that the audio portion is also activated so all events are properly documented
- m. And others at agency discretion

e. Operational Protocols

- i. To prevent bleed over and/or noise from other MVRs in systems using low band transmitters (analog), only the primary LEO initiating the contact shall activate his or her audio recorder.
- ii. Law enforcement operators using digital transmitters that are individually synchronized to their individual MVR shall activate both audio and video recordings when responding in a support capacity in order to obtain additional perspectives of the incident scene.
- iii. Law enforcement operators may have access to review the recordings when preparing written reports or statements of events to help ensure accuracy and consistency of accounts.
- iv. With the exception of law enforcement radios or other emergency equipment, law enforcement operators shall not use other electronic devices within the law enforcement vehicle in order to intentionally interfere with the capability of the MVR System to record audio data.
- v. Law enforcement operators shall not erase, alter, reuse, modify or tamper with MVR recordings. Only a supervisor, MVR technician, or agency approved designee may erase and reissued previously recorded recordings and may only do so pursuant to the provisions of this policy.
- vi. To prevent damage, original recordings shall not be viewed in any equipment other than the equipment issued or authorized by the MVR technician
- vii. MVR recordings shall be considered evidence, designated by the LEO for the appropriate retention and be submitted to the agency approved designee to ensure that the recording is retained in accordance with the agency's policy.
- viii. Any other activities when in the LEO's judgment it would be beneficial to do so.
- ix. When the MVR is activated to document an event, it shall not be deactivated until the event has been concluded unless:
 - The incident or event is of such duration that the MVR may be deactivated to conserve recording times.
 - The LEO does not reasonably believe that deactivation will result in the loss of critical documentary information.
 - The intention to stop the tape has been noted by the LEO either verbally or in written notation.
- x. The recording media shall be replaced at the completion of an incident when the recording time remaining is less than 1 hour, for long playing media lasting 6-8 hours, or 30 minutes for Hi8 analog or digital media with recording time of 5 hours or less.

f. Supervisor's Responsibilities

- i. Supervisors shall issue unrecorded media and when reasonably possible prior to issuance, shall assign and affix an identification number to the exterior of the media.
 - The numbered media is then recorded in the MVR chain of the

- custody log.
- If the media is a computer hard drive, a computer generated file number shall be generated internally
- ii. The chain of custody log shall include, but need not be limited to:
 - Tracking number of media
 - Date issued
 - Officer of vehicle issued
 - Date submitted
 - Law enforcement operator submitting the media
 - Hold for evidence identification
 - In the event an officer works at a remote location and reports in only periodically, multiple recording media may be issued
- iii. The supervisor shall periodically review the chain of custody log to ensure that issued media is surrendered in a timely manner. The supervisor is responsible for determining causes for such problems. (e.g., unreported problems with the MVR equipment or equipment not being used in accordance with agency policy.)
- iv. Supervisors who are informed or otherwise become aware of malfunctioning equipment shall ensure that authorized personnel make repairs in a timely manner.
- v. Supervisors shall conduct periodic reviews of officer assigned media in order to periodically:
 - Assess officer performance
 - Assure proper functioning of MVR equipment
 - Determine if MVR equipment is being operated properly
 - Identify recordings that may be appropriate for training
- vi. Supervisors shall conduct bi-weekly reviews of personnel who are newly assigned MVR equipment in order to ensure compliance with agency policy. These reviews shall continue until such time as the supervisor believes new operator is competent. Supervisors shall thereafter conduct agency designated reviews.
- vii. Ensure recordings that have been tagged for extended retention are tagged properly.
- viii. Supervisors may activate the MVR system remotely to monitor a developing situation such as a chase, riot, or other event threatening public safety, officer safety, or both when the purpose is to obtain tactical information to assist in managing the event. Supervisors shall not remotely activate the MVR system for the purpose of surveillance regarding the conversations or actions of an officer.

g. Technician's Responsibilities

- i. The MVR technician is responsible for the ordering, issuance, retrieval, storage, degaussing, and duplication of all recorded media
- ii. The MVR technician shall be responsible for collecting all completed media or for oversight and verification of wireless downloaded media.
- iii. Once the media is surrendered, the technician shall:
 - Ensure it is stored in a secured location with authorized controlled access; and
 - Make appropriate entries in the chain of custody log
- iv. Recorded media may only be degaussed:

- In accordance with established retention policies
- v. For the purpose of accountability, all media will be assigned an identification number prior to issuance to the field. The MVR technician will maintain a record database of issued media.
- vi. The MVR technician shall coordinate with field supervisors to ensure that an adequate supply of recorded media is available.
- vii. The MVR technician shall be responsible for the following:
 - Long-term storage of media deemed to be of evidentiary value consistent with the agency's evidence storage protocols and retention schedule
 - The degaussing and re-issuance of all other media deemed to be of no evidentiary value consistent with the agency's document retention requirements.

h. Media Access

- i. All recording media, recorded images and audio recordings are the property of the Slayton Police Department and are subject to the provisions of the MGDPA. Dissemination outside of the agency is strictly prohibited except to the extent permitted under the MGDPA, Peace Officer Disciplinary Procedures Act or other applicable law and without written authorization of the agency's chief executive or his or her designee.
- ii. To prevent damage to, or alteration of, the original recorded media; it shall not be copied, viewed or otherwise inserted into any device not approved by the agency MVR technician or forensic media staff.
- iii. When possible, a copy of the original media shall be used for viewing by the investigators, staff, training personnel, and the courts (unless otherwise directed by the courts) to preserve the original media in pristine condition.
- iv. At the conclusion of the trial proceedings or as otherwise authorized by the prosecutor's office for which the media was required, all copies shall be submitted to the MVR technician for further storage.
- v. An officer who is captured on or referenced in the video or audio data may review such data and use the data for any purpose relating to his/her employment.

i. Handling of Evidence

- i. The MVR equipment will be used in the prosecution of those who violate the law, and to provide objective information concerning police/citizen contacts.
- ii. Recordings containing data which must be retained in anticipation of pending civil action or are collected as part of an active investigation for the commencement or defense of a pending civil action against the state shall continue to be in the control of the agency, in conjunction with the Attorney General's Officer.
- iii. When a recording contains evidence for a case which is being investigated by another agency shall be provided a duplicate copy of the recording with the approval of the Chief Law Enforcement Officer.