

Stowe Police Department

General Order: 2.20	Related General Orders:
Mobile Video Recording	
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Vermont Statutes:	
Date Implemented: 04/22/2016	Date Revised:

I. PURPOSE:

1. The purpose of this policy is to provide the Stowe Police personnel with guidelines for the use, management, storage, and retrieval of audio-visual media recorded by in-car video systems.

II. POLICY:

1. The use of a Mobile Video Recording (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 protocols outlined herein so as to maximize the effectiveness and utility of the MVR and the integrity of evidence and related video documentation.

III. DEFINITIONS:

Recorded media: Refers to audio-video signals recorded on any of several storage devices, including analog tape (VHS, SVHS, Hi 8mm), digital tape (DV), or other portable digital storage devices (CD, DVD, hard drive, etc).

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

Degaussing: Electronic cleansing of analog recording media returns the media to its original state and when it is ready for the imprinting of new images.

IV. PROCEDURES:

1. Program Objectives

- A. The Stowe Police Department has adopted the use of MVRs to accomplish the following objectives:
- a. To enhance officer safety.
 - b. To accurately capture statements and events during the course of an incident.
 - c. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
 - d. To provide an impartial measurement for self-critique and field evaluation during recruitment and new officer training.
 - e. To capture visual and audio information for use in current and future investigations.

2. General Procedures

- A. It shall be the responsibility of this department to ensure that the audio-video recording equipment is properly installed according to the manufacturer's recommendations.
- B. MVR equipment shall automatically activate when emergency equipment (lights) or a wireless transmitter is operating. The system may also be activated manually by the officer.

3. Officers Responsibilities

- A. Inspection of MVR equipment installed in departmental vehicles shall be the responsibility of the officer assigned to the vehicle.
- B. MVR equipment shall be operated in accordance with the manufacturer's recommended guidelines and departmental training and policies.
- C. Prior to beginning each shift, the assigned officer shall perform an inspection to ensure that the MVR is operating properly.
- a. Remote Audio Transmitter functional:
 - Adequate power source
 - Connected to the recording equipment
 - Remote activation of system via transmitter

b. Camera Lens:

- Windshield and camera lens free of debris
- Camera facing intended direction

c. Recording mechanism capturing both audio and video information:

- System plays back both audio and video

D. Malfunctions, damage or theft of in-car camera equipment shall be reported a supervisor.

E. The supervisor shall determine if a malfunctioning or damaged unit shall be placed in service.

4. Recording

A. Traffic stops (to include, but not limited to traffic violations, stranded motorist assistance and all crime interdiction stops)

B. Priority / Emergency responses

C. Vehicle pursuits

D. Prisoner transports

E. Crimes in progress

F. Investigative or enforcement activity

- Arrests, Assaults
- Physical or verbal confrontations
- Citizen interactions
- Vehicle or suspect searches
- Driving Under the Influence

G. Any situation or incident that the officer, through training and experience, believes should be audibly and visually recorded.

5. When the MVR is activated, officers shall activate the audio portion so all events are properly documented.

6. Operational Protocols

- A. Officers may review the recordings when preparing written reports of events to help ensure accuracy and consistency of accounts.
- B. With the exception of police radios, officers should ensure that the volume from other electronic devices within the police vehicle does not interfere with MVR recordings.
- C. Officers shall not erase, alter, reuse, modify or tamper with MVR recordings.
- D. To prevent damage, original recordings shall not be viewed in any equipment other than the equipment issued or authorized.
- E. When the MVR is activated to document an event, it shall not be deactivated until the event has been concluded unless:
 - a. The incident or event is of such duration that the MVR may be deactivated to conserve recording times; and
 - b. The officer does not reasonably believe that deactivation will result in the loss of critical documentary information; and
 - c. The intention to stop the recording has been noted by the officer either verbally or in a written notation in the incident.
- F. If the MVR is not activated in incidents as indicated in this General Order, the officer will make a written notation in the incident. (Example: Video recorded, Officer forgot to activate audio, etc.)

7. Supervisors' Responsibilities

- A. Supervisors who are informed or otherwise become aware of malfunctioning equipment shall ensure that appropriate personnel are notified.
- B. Supervisory personnel shall ensure that officers equipped with MVR equipment utilize them in accordance with policy and procedures defined herein.
- C. Supervisors shall conduct periodic reviews of officer assigned media in order to periodically:
 - a. assess officer performance;
 - b. assure proper functioning of MVR equipment;
 - c. determine if MVR equipment is being operated properly; and
 - d. identify recordings that may be appropriate for training.

- D. Supervisors shall review recorded events of each officer under his or her supervision at least once every month and documented on *In-Car Camera Review Sheet*.
 - E. If upon review, the supervisor finds that corrective action is necessary regarding an officer's conduct, improper procedures, use compliance, etc., the supervisor shall take the necessary action. Any action taken by a supervisor shall be documented (training, supervisor counseling, additional review schedule). Any additional violations would be submitted to the Chief through the chain of command for further action.
 - F. In cases in which a review reveals a significant infraction of agency rules and regulations, the Chief of Police or his/her designee, after review of all information regarding the incident, shall determine the proper disciplinary action.
 - G. Recordings shall be subject to review by the Chief of Police or his/her designees.
8. Technicians Responsibilities (Technology Officer)
- A. MVR Technician is responsible for the overall MVR Program and Operation for the Department.
 - B. MVR technician shall be responsible for the ordering, issuance, retrieval, storage, cleansing (degaussing), and duplication of all recorded media.
 - C. MVR technician shall ensure that adequate recording media is on hand and available for issuance.
 - D. The MVR technician shall be responsible for collecting all completed media. Once the media is surrendered, the technician shall ensure it is placed in a secured location with authorized controlled access.
9. Media Duplication
- A. All recording media, recorded images and audio recordings are the property of this department. Dissemination outside of the agency, other than for legitimate law enforcement purpose, is strictly prohibited without authorization of the Chief of Police or his or her designee.
 - B. 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 departmental MVR technician.
 - C. When possible and practical, a copy of the original media shall be used for viewing by investigators, staff, training personnel, and the courts (unless otherwise directed by the courts) to preserve the original media.

D. At the conclusion of any court proceedings or case investigation all copies shall be submitted to the MVR technician for further storage.

10. Recorded media may only be degaussed/erased:

A. Pursuant to a court order; or

B. In accordance with established retention / storage guidelines.

11. Storage

A. All files (all sounds, images and associated media data) shall be securely downloaded to the server or stored on media in the data room.

B. All images and sounds recorded by the MVR are the exclusive property of the Stowe Police department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.

V. DISCIPLINE:

1. Any violation of this policy may be grounds for disciplinary action consistent with any applicable collective bargaining agreement, statute, Department policy or Town policy.

Issued by: _____

Donald Hull
Chief of Police