422.1 PURPOSE AND SCOPE

The Georgetown Police Department has equipped marked patrol cars and motorcycles with fixed in-car camera recording systems. The Georgetown Police Department has equipped sworn officers with personal video recorder recording systems and digital audio recording systems. These systems are provided to record events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

422.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the mobile audio video device to transmit or store video or audio data in an active mode.

Mobile Audio Video (MAV) device - Any equipment, permanently mounted and/or portable, used by a police officer to record the actions of a violator and/or the officer. MAV can be in the form of an in-car video (ICV) recording system, a body worn personal video recorder (PVR) recording system or a digital audio recording (DAR) system.

422.2 POLICY

It is the policy of the Georgetown Police Department to use mobile audio and video technology to more effectively fulfill the department's mission and to ensure these systems are used securely and efficiently.

422.2.1 PROPERTY AND EVIDENCE CONTROL TECHNICIAN RESPONSIBILITIES

The Property and Evidence Control Technician is responsible for the proper storage, chain of custody and submission for prosecution of evidentiary MAV media.

422.3 OFFICER RESPONSIBILITIES
Prior to going into service, each officer will properly equip him/herself to record audio and video. Officers are only authorized to use Department issued MAV devices. At the end of each shift, each officer will follow the established procedures for providing to the Department any recordings, media, and any other related equipment. Each officer should have adequate recording media for the entire duty assignment.

At the start of each shift, officers should test all of their assigned MAV devices in accordance with manufacturer specifications and department operating procedures and training. Officers should ensure that all MAV devices are fully charged.

In-car camera system documentation is accomplished by the officer recording their name, badge number, and the current date and time at the start of each shift. If the system is malfunctioning, the officer shall take the vehicle out of service for repair and operate a vehicle with a functioning in-car camera system, unless a supervisor has authorized it to remain in service. Officers are responsible for properly logging into each in-car camera system that they operate.

The DAR should be used by uniformed officers only when their assigned PVR is malfunctioning. It is not required to be used when a PVR is operational and activated. Plainclothes personnel should use their best discretion in deciding between the use of a PVR and DAR. Although, the PVR is preferable, it is understood that there may be situations where the PVR is not practical.

PVR devices should be positioned on the body in such a manner that they provide the best field of view and suffer the least likelihood of being obscured by objects or the wearer.

422.4 ACTIVATION OF THE MAV

In-car camera systems, video and audio, are designed to be activated either manually, when the emergency lights are activated, when a crash sensor is tripped, or when the GPS records a pre-determined speed threshold. The in-car camera system has thirty seconds of video only pre-recorded by default. The in-car camera system is deactivated manually and the audio can be deactivated independent of the video. The PVR system activation and deactivation is manually operated. The video and audio are connected. The DAR system is audio only and is manually activated and deactivated.

422.4.1 REQUIRED ACTIVATION OF MAV
This policy is not intended to describe every possible situation in which MAV devices may be used, although there are many situations where its use is appropriate. An officer may activate MAV devices any time the officer believes its use would be appropriate and/or valuable to document an incident, unless otherwise addressed in this policy.

The in-car camera system and PVR or DAR should be activated in any of the following situations:

1) Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance investigative stops, and all crime interdiction stops)
2) Priority responses
3) Vehicle pursuits
4) Suspicious vehicles
5) Arrests
6) Vehicle searches
7) Interviews/Interrogations of suspects
8) Physical or verbal confrontations or use of force
9) Pedestrian checks
10) DWI/DUI investigations including field sobriety tests
11) Consensual encounters
12) Crimes in progress
13) Crash investigations
14) Responding to an in-progress call
15) All self-initiated activity in which an officer would normally notify Communications
16) Any call for service involving a crime where the recording may aid in the apprehension and/or prosecution of a suspect:
   a) Family violence calls
   b) Disturbance of peace calls
   c) Offenses involving violence or weapons
17) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording
18) Any other circumstance where the officer believes that a recording of an incident would be appropriate

If the ICV is active while responding to a call, it is not necessary to also have the PVR active while in the vehicle. The PVR can be activated upon exiting the vehicle.

When the in-car camera system is activated, a vehicle's AM/FM radio, MP3 player, iPod, etc. should be turned off.
422.4.2 CESSATION OF RECORDING

Once activated, MAV devices should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported from the arrest scene, and all witnesses and victims have been interviewed. If an arrestee is in a vehicle with an ICV that is actively recording, there is no need for that officer to continue recording on their PVR during transport.

Recording may cease if there is no risk of imminent actions such as the following:

1) Violent subjects or an incident requiring a use or potential use of force
2) Matters of evidentiary value which can include physical evidence or statement evidence
3) A need to protect the officer from accusations of wrongdoing.

Recording may cease when those items have been documented or are no longer an issue or potential issue.

422.4.3 WHEN ACTIVATION IS NOT REQUIRED

No member of this department may surreptitiously record (audio and/or video), either with a department issued or personally owned device, a conversation of any other member of this department unless authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

422.4.4 SUPERVISOR RESPONSIBILITIES

Supervisors should assign officers with non-functioning in-car camera systems temporarily to vehicle with functioning systems. As part of the monthly inspection process or on a spot check basis, supervisors should validate that:

1) beginning-of-shift recording procedures are followed,
2) in-car camera recordings and PVR recordings are randomly reviewed to ensure professionalism and compliance with policy,
3) proper chain of custody and case management procedures are followed,
4) the operation of MVA systems by probationary employees who have passed the Field Training Program is assessed and reviewed no less than biweekly.
When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and coordinate with appropriate personnel to retrieve the media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Supervisors may activate any MAV device, if capable, remotely to monitor a developing situation, such as a chase, riot or an event that may threaten 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 MAV system for the purpose of monitoring the conversations or actions of an officer.

422.5 REVIEW OF MAV RECORDINGS

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

Recordings may be reviewed in any of the following situations:

1) For use when preparing reports or statements
2) By a supervisor investigating a specific act of officer conduct
3) By a supervisor to assess officer performance
4) To assess proper functioning of MAV systems
5) By a department investigator who is participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
6) By department personnel who request to review recordings.
7) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment
8) By court personnel through proper process or with permission of the Chief of Police or the authorized designee
9) By the media through proper process or with permission of the Chief of Police or the authorized designee or in compliance with a Public Records Act request
10) To assess possible training value
11) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, staff will determine if the training value outweighs the officer’s objection.
12) By a supervisor during periodic reviews for compliance with racial profiling laws (Tex. Code of Crim. Pro. art. 2.132(d))
Employees desiring to view any archived MAV recording should submit a request in writing to the Property and Evidence Control Technician who will process all approved requests. The Information Technology Lieutenant should be copied on all requests.

In no event shall any recording be used or shown for the purpose of intentionally ridiculing or embarrassing any employee. Employees shall not obtain, attempt to obtain, or convert for their personal use or for the unauthorized use of another person, any information from Department video files or the confidential files of any other agency.

422.6 DOCUMENTING MAV USE

If any incident is recorded with a MAV device, the existence of that recording shall be documented in the officer's report.

422.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area or server. All recording media that is not booked as evidence will be retained as required by the established records retention schedule.

1) In-car camera system
   a) At the conclusion of each event recording, each file shall be classified with the most appropriate tag from the available on-screen menu.
   b) Media files are off-loaded wirelessly and automatically via a wireless access point directly to the L3 server.
   c) For files requiring attachment to a case, the primary officer is responsible for creating that case in the L3 system and attaching all required media (in-car camera system, PVR, and DAR) from all involved officers in the incident.
   d) In-car camera system files, whether attached to a case or not, are retained indefinitely.
2) PVR
   a) Media files are off-loaded manually via USB cable according to the manufacturer instructions directly to the L3 system.
   b) Files shall be off-loaded at the end of shift or several times during a shift if necessary to ensure that there is always ample storage space available on the device, unless a delay is approved by a supervisor.
c) For files requiring attachment to a case, the primary officer is responsible for creating that case in the L3 system and attaching all required media (in-car camera system, PVR, and DAR) from all involved officers in the incident.
d) PVR system files, whether attached to a case or not, are retained indefinitely.

3) DAR

a) Media files are off-loaded manually directly to a networked computer according to the manufacturer instructions.
b) Media files that are not evidentiary in nature will be saved into the folder located on the L drive labeled "Pocket Recorder Audio Files". Within that folder, each officer has their own folder labeled with their name. Each officer shall be responsible for off-loading their audio files at the end of each shift unless a delay is approved by a supervisor. All daily recordings will be consolidated into a single folder, named by the month within that officer's folder. For example, the date subfolder should be labeled April and recordings made in April of 2013 should be stored in the April sub-folder. The individual files will be labeled with the date and time. For example, a file made on 04/25/2013 at 14:58 hours should be renamed 04252013 1458.
c) For files requiring attachment to a case, the primary officer is responsible for creating that case in the L3 system and attaching all the required media (in-car camera system, PVR, and DAR) from all involved officers in the incident.
d) DAR files that are evidentiary in nature and have been attached to a case in the L3 system are retained indefinitely.
e) DAR files that are not evidentiary in nature and are not attached to a case in the L3 system are automatically purged off the L drive after 180 days.

422.8 MAV TECHNICIAN RESPONSIBILITIES

The Property and Evidence Control Technician and Information Technology staff are responsible for:

1) retrieving, storing, and duplicating all recorded media,
2) ensuring all media is stored in a secure location with authorized controlled access,
3) maintaining appropriate entries in the chain of custody log,
4) erasing of media pursuant to a court order or in accordance with established records retention policies,
5) managing the long-term storage of media.

422.9 TRAINING
All members who are issued MAV devices shall be trained in their proper use and the proper disposition of media files prior to use.