

Attachment #56

Aberdeen Police Department- PVRD Policy

Aberdeen Police Department

ON-OFFICER AUDIO AND VIDEO RECORDING

1. Purpose

The Department has purchased for officer use an on-officer audio/video recording system known as the Taser AXON (AXON). The Axon system will be used to document various events, and at the end of the user's shift the captured data will be preserved in a web-based digital storage facility, Evidence.com. Once captured, these recordings cannot be altered in any way and are protected with multiple layers of encryption. These policies and procedures apply to all officers using the AXON device.

2. DEFINITIONS

a. User's:

- 1) System Administrator – Evidence.com system administrator with full access to user rights who assigns and tracks equipment, controls passwords, is responsible for quality checks of video and sound quality, coordinates with unit Station Control Officer, and acts as liaison with Taser AXON representatives.
- 2) Station Control Officer – Administrative officer or station control officer who maintains the Evidence Transfer Manager, and oversees needed repairs or replacement equipment through Taser AXON representatives.
- 3) End User – AXON user with individual account access rights to Evidence.com.
- 4) Access User – Users with full access to information on Evidence.com, such as Command Staff personnel, but do not record any data.

3. AXON PRO

a. Equipment

- 1) Head Cam – Audio and color video/low light camera mounted on fitted head band, glasses, hats, helmets or any other Department approved method.
- 2) Communications Hub (COM HUB) – Connects the Head Cam to the AXON Tactical Computer (ATC). The COM HUB can be mounted on the shirt and consists of: a push-to-talk button; a single “EVENT” button used to initiate event recording; user controls for the ATC; and a “PRIVACY” button used to suspend all audio/video recording capabilities.
- 3) AXON Tactical Computer (ATC) – The ATC connects to the COM HUB and is mounted on the belt, in a holster, or in pockets of shirts. It is a computer with a 4.3 inch touch screen display. The ATC manages the video compression, labeling, storage, and is capable of playback. The rechargeable battery lasts for up to ten (10) hours. Once plugged into the docking station, the ATC will upload digitally encrypted data through the Evidence Transfer Manager to Evidence.com.
- 4) Evidence Transfer Manager (ETM) – The ETM is a docking station that simultaneously recharges the ATC and uploads all data captured from the officer’s point of view during his or her shift to Evidence.com. The ETM ensures that evidence handling is secured and is not altered.
- 5) Evidence.com – Online web-based digital media storage facility accessed at <https://aberdeenpdsd.evidence.com>. The virtual warehouse stores digitally encrypted data (photographs, audio and video recordings) in a highly environment accessible to personnel based upon unique security clearance levels.

b. Modes of Operation:

- 1) Normal (Buffering) Mode – The AXON PRO continuously loops video recording for up to 120 seconds (actual loop time for our Department to be established as 30 seconds). Records video only (no audio) while buffering. An audible message is heard by the user when the AXON is placed in buffering mode.
- 2) Event Mode AXON PRO– In the Event Mode the ATC saves the buffered video, and continues recording audio and video for up to eight (8) hours. To activate an Event, the Event button is pressed two times in succession. To end an event the Event button is pushed and held for 5 seconds. During the recording of an Event, actions can be marked by pressing the Event button once. This places a marker on the recording to note where the action is located on the recording and make a GPS entry as to where the action took place. An audible message is heard by the user when the AXON is placed in Event mode.
- 3) Privacy Mode AXON PRO– Activating the privacy button places the audio and video in a sleep mode. The audio and video are not recording in this mode. A green “P” light will be displayed on the COM HUB, alerting others to the Privacy Mode status. An audible message is heard by the user when the AXON is placed in Privacy mode.

4. AXON FLEX

a. Equipment

- 1) FLEX Head Camera – Audio and color video/ low light camera mounted on a fitted head band, glasses,

hats, helmets or any other Department approved method. It has a volume button for the volume of the tone it emits.

- 2) FLEX controller – Connects to the Head Cam. The Flex controller can be mounted on the shirt or belt and consists of a “EVENT” button used to initiate event recording by pushing it twice; pushing it once for about 3 seconds stops recording the event. It also has a button to check battery strength. A green light is fully charged, yellow is 20-40% charged and red is less than 20% charged.
- 3) Evidence Transfer Manager (ETM) – The ETM is a docking station that simultaneously recharges the controller unit and uploads all data captured from the officer’s camera with his point of view during his or her shift to Evidence.com. The ETM ensures that evidence handling is secured and is not altered.
- 4) Evidence.com – Online web-based digital media storage facility accessed at <https://aberdeenpdsd.evidence.com>. The virtual warehouse stores digitally encrypted data (photographs, audio and video recordings) in a highly secure environment accessible to personnel based upon unique security clearance levels.

b. Modes of Operation:

- 1) Normal (Buffering) Mode – The AXON FLEX continuously loops video recording for up to 120 seconds (actual loop time for our Department to be established as 30 seconds). Records video only (no audio) while buffering. An audible tone is heard by the user when the AXON FLEX is placed in buffering mode.
- 2) Event Mode – In the Event Mode the camera unit saves the buffered video, and continues recording audio and video for up to four (4) hours. To activate an Event, the Event button is pressed two times in succession. To end an event the Event button is pushed and held for 3 seconds. An audible tone is heard by the user when the AXON Flex is placed in Event mode.

5. POLICY

a. Recording:

- 1) The AXON PRO and FLEX device will be utilized by all patrol officers to record the following types of events: traffic stops; all types of pursuits; vehicle searches; vehicle inventories; any confrontational or violent calls; all domestic use of force situations; interviews of subjects, victims, and witnesses; committals; advising an individual of their Miranda rights; any alcohol call, or other legitimate law enforcement contacts. This applies to all officers at the scene.
- 2) Any other event to be recorded will be left to the discretion of the employee, but it is highly encouraged that the AXON device be utilized when in doubt.
- 3) Officers working security at events shall also wear an AXON device if available and its use does not deprive on duty officers working a shift from utilizing one.

b. Prohibited Recording:

- 1) The AXON PRO and FLEX shall not be used to record personal activity.
- 2) The AXON PRO and FELX will not be activated in places where a reasonable expectation of privacy exists, such as dressing rooms or restrooms.
- 3) The AXON PRO and FLEX will not be intentionally activated to record conversations of fellow employees without their knowledge during routine, non-enforcement related activities.
- 4) Employees shall not record confidential informants or undercover officers.

6. PROCEDURES:

a. Training:

- 1) Before being authorized to use the AXON participants must attend a mandatory 2 hour training

session to familiarize themselves with the AXON system.

b. Operator Procedures:

- 1) Prior to going into service patrol officers will ensure they are wearing an authorized uniform, clearly identifying the user as a police officer with the Aberdeen Police Department.
- 2) Officers will test the equipment to ensure it is operating properly. If problems are encountered with any component of the system, the AXON will not be used. The employee will immediately notify a supervisor, and the malfunction will be documented. The Station Control Officer will be provided with a copy of the documentation, so that he or she can seek repair or replacement of the equipment at the earliest opportunity.
- 3) Officers will have the AXON on their person ready to use at the beginning of their shift.
- 4) Officers will wear the AXON head cam in the proper location on their head while on routine patrol. The AXON head cam may be removed from its recording position while the officers are on their breaks at the department or home.
- 5) Officers will place their AXON device in buffering mode when on routine patrol in order to capture any event they may witness.
- 6) When en route to calls the AXON device should be activated prior to the officer's arrival when possible.
- 7) Once the AXON device is activated it should be left on until the event is cleared by the officer.
- 8) When an officer obtains a video statement the fact the statement was recorded will be listed in the

Offense/Incident Report. A video statement is an additional supplement to the report and not a replacement for a written statement or photos. If no AXON recording was made the officer shall explain why in a supplement to the report.

- 9) When the AXON device is used in any investigation or during a traffic stop, this fact will be documented on any citation and/or report prepared regarding the contact.
- 10) During a shift officers may review portions of a recording to verify information or the accuracy of a report. This can be done directly from the ATC worn by the officer or by an I Phone or Android Phone if the officer is using the AXON FLEX.
- 11) Officers will not allow citizens in general to review the recordings. Reviews of recordings by other professional personnel involved in the incident are allowed.
- 12) The release of information requested through a public records request will be subject to the same statutory exemptions from disclosure as all Departmental records.
- 13) Officers will not make copies of any recording for their personal use, and are prohibited from using any recording device (such as a telephone camera, secondary video camera or audio recorder) to record media from Evidence.com or the ATC unit.
- 14) Officer can request in writing or email that an accidental recording of any personal nature to be deleted. The request will be reviewed by an administration panel to decide the outcome of the request.
- 15) Officers will immediately report any loss of, or damage to, any part of the AXON equipment.
- 16) The intergraded radio system on the Com Hub is optional for officer use.
- 17) Officers should label all events recorded with the appropriate identifier. This is a call number,

incident number, category or any other label so the event is able to be more easily retrieved from evidence.com.

7. Impounding Procedure:

- a. At the end of their shift officers shall place the AXON PRO ATC into any open slot on the ETM (docking station). This will allow the data to be transferred from the ATC through the ETM to Evidence.com. The data is considered impounded at this point and the ATC is cleared of existing data.
- b. The ATC cannot be removed from the ETM until the data has been uploaded, and the battery has been fully recharged.
- c. At the end of their shift officers shall place the AXON FLEX controller and camera into any open slot on the ETM (docking station). This will allow the data to be transferred from the camera through the ETM to Evidence.com. The data is considered impounded at this point and the camera is cleared of existing data.

8. Evidenc.com:

- a. Using a computer, enter <https://aberdeenpdsd.evidence.com> in the browser.
- b. Enter assigned user name and password (for access problems contact the System Administrator).
- c. Evidentiary copies of digital media can be copied from Evidence.com by authorized staff.
- d. Temporary access rights can be granted to the Brown County State Attorney's Office and the Aberdeen City Attorney.
- e. Icons utilized on Evidence.com shall be a department badge, department patch or a photo of the officer in their departmental uniform.

9. Security of Media:

- a. All digital media collected using the AXON is considered a record of the Aberdeen Police Department. Accessing, copying or releasing any media for other than official law enforcement purposes is strictly prohibited, except as required by law.

10. Department Review:

- a. The audio/video recordings can be routinely or randomly reviewed to monitor officer performance. A supervisor can conduct a performance review when there is an articulable reason to conduct the review, and the review has the approval of the division commander.
- b. The performance review is not intended to limit or restrict the Department's review of audio/video recordings as part of an official Department investigation, including matters referred to the Professional Standards Bureau, personnel complaints, early intervention inquiries, civil claims, or other administrative investigations.