

ALBEMARLE POLICE DEPARTMENT

GENERAL ORDER

SUBJECT : Mobile Video / Data Equipment

NUMBER : 0453

DATE EFFECTIVE : 06-19-2013

RESCINDS : 07-19-2006

APPROVED : _____
Chief of Police

REVIEW DATE : Annually

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INTRODUCTION

The purpose of this directive is to provide guidelines to assist personnel in their duties pertaining to the use of In-Car Video / Audio Recording Devices, Officer Point of View Cameras, and Mobile Data Terminals.

This Department has several vehicles that are equipped with In-Car Video / Audio Recording Devices. The Department also has several Officer Point of View cameras which are worn by the officer. These have proven to be extremely helpful by recording evidence of traffic stops, motor vehicle pursuits, crime scenes, accident scenes, and other areas where a video image would be helpful. This Department also has several vehicles that are equipped with a Mobile Data Terminal, which allows the officer to have direct access to driving records, vehicle registration, wanted person information, and other information obtained through the Division of Criminal Information (DCI). This policy is implemented to enhance the Electronic Communication Policy for the City of Albemarle and is not in any way designed to diminish the effectiveness of the City Policy.

PROCEDURE

A. In – Car Video / Audio Recorder

1. Situations for Use – The device will be turned on automatically whenever an officer activates the vehicle's blue lights. Officers should be aware of other instances where the device may have to be manually activated.

a. Patrol Officers shall use the In-Car Video to record the following:

1. All Traffic Stops
2. Anytime an officer is responding to a call using blue lights and/ or siren.
3. All Vehicle Pursuits

In addition a recording of other incidents may be of benefit to the officer or department. The officer shall use discretion considering officer safety, civilian safety, and evidence protection when deciding to use the video equipment. An officer may activate the equipment for the following:

- a. Crime Scenes where a video recording may be helpful
- b. Large Crowd Disturbances or unusual occurrences

- c. Any other incident where the officer determines it may be necessary to utilize Video / Audio equipment in which evidence may be obtained.

2. Video Security and Access

In-Car Media will be automatically transferred to a server located in the Albemarle Police Department when the vehicle is near an access point. This server is password controlled. This media will be stored on the server for 30 days. If part of the media has evidentiary value a supervisor will contact an evidence custodian who will burn the media to a DVD and place it into evidence.

B. Officer Point Of View Cameras

1. General Provisions

- a. The Officer Point of View (POV) Camera is an “on-the-body” video and audio recording system assigned to an officer as an additional means of documenting specific incidents in the field. The camera may be mounted on the collar, epaulet, on glasses, or another location approved by the Chief. In order to maximize the utility and benefit of this specialized equipment, officers will follow the procedures set forth in this policy as outlined below:
- b. Officer POV Cameras shall be used only for legitimate law enforcement purpose in accordance with applicable law and Department policy.
- c. On-duty personnel shall not record the personal conversations of or between other Department members without that individual’s knowledge and consent.
- d. Any portion of a recorded image that records events surrounding a violation of the law (which includes a crime or offense prosecutable in the criminal courts in this State or in the United States or an infraction) is considered a record of a criminal investigation, as described in N.C.G.S. 132-1.4, and not a public record, as deemed in N.C.G.S. 132-1.
- e. Any portion of a recorded image that may be used to subject an employee to Departmental disciplinary action is a part of that employee’s personnel file as defined in N.C.G.S. 160A-168, and is open to inspection only as provided by that statute unless otherwise required to be disclosed as evidence in a criminal proceeding.

2. Guidelines for Use

- a. Officers shall ensure prior to the start of each shift that sufficient media storage is available to complete their tour of duty.
- b. Activation is required for all enforcement actions and should be activated for potentially hostile situations or in other situations as deemed necessary.
- c. Recording shall not be done in situations where a person has a reasonable expectation of privacy such as in restrooms, locker rooms, etc.
- d. Recording of interactions with confidential informants is not authorized.
- e. Recording of another officer without the officer’s knowledge is prohibited.

- f. Using the camera for the recording of an Administrative Investigation without prior approval of the Chief of Police is prohibited.
- g. Officers shall not stop recording an incident until the incident or enforcement action has concluded.
- h. Officers are encouraged to inform their supervisors of any type of recorded sequences that may be of value for training purposes.
- i. Any officer who intentionally disables or damages any part of the POV Camera system or who fails to activate or deactivate the system required by this policy without a justifiable reason, will be held accountable and subject to criminal and/or internal disciplinary action.
- j. Officers shall notify their supervisor if the camera is found to be functioning improperly. The supervisor will ensure the camera is inspected by a certified TASER instructor prior to continued use.

3. Actions Requiring Mandatory Recording

- a. Pursuits - All pursuits or chases involving persons attempting to elude an officer will be recorded. As soon as possible after the pursuit is ended, the immediate supervisor will be notified and the video will be uploaded by the officer to the designated computer server. The video will be reviewed by the Chief of Police or designate as soon as possible.
- b. Accident Scenes - Whenever possible, officers will activate their portable uniform camera and begin filming when arriving at the scene of an accident, while interviewing witnesses, or interviewing persons involved in the accident. A note will be made in the accident report narrative that supplemental video of the scene is on file. This procedure should not be interpreted to mean that the portable uniform camera replaces the taking of still photographs of the accident scene with other Department issued camera equipment.
- c. Enforcement Contacts - All contacts with the public involving law enforcement action will be recorded. A note will be made in the narrative of the report that video was obtained at the scene with the portable uniform camera and is on file.
- d. Domestic/Civil Disputes - Domestic or civil disputes in which adversarial parties are present at the scene will be recorded. A note will be made in the narrative of the report that video was obtained at the scene with the portable uniform camera and is on file.
- e. Emergency Response - When an officer responds to any call for service requiring the utilization of emergency lights and siren, activation of the portable uniform camera is required.
- f. Distraught, Disorderly, Argumentative, Emotionally Disturbed Persons, or Angry Persons/Arrestees - When encountering these types of people, the camera should be activated as soon as the tactical situation allows it to be safely accomplished. Every effort should be made to obtain accurate video and audio evidence.

- g. All contacts and activities other than those noted as mandatory are considered optional and may be recorded at the discretion of the individual officer. However, all personnel are expected to use good judgment. When in doubt regarding any situation the officer should opt to record.
- h. Officers shall note on the Incident report if a POV media file is available of the incident.

4. POV Camera Media Management and Control

- a. Events being recorded on the POV Camera shall be downloaded on a docking station that automatically downloads all recorded events for storage into the evidence location.
- b. Officers will not erase, alter, or tamper with POV Camera recording media
- c. Each camera is individually identified by an assigned account number which is entered in to Evidence.Com
- d. A download of recorded events shall at a minimum, be done at least once during an officer's consecutive days working.
- e. Officer downloads are password protected, security authorization protected and tracking access to each download is done by a digital footprint.
- f. All POV Camera recorded media shall be considered evidence and shall be handled in accordance with established policy regarding property and evidence. GO 0429
- g. All POV Camera recorded media will be retained as evidence until the potential for evidentiary value no longer exists. If after 90 days it is determined that it has no evidentiary value the media may be purged.

5. Supervisory Responsibility

Supervisors with officers assigned a POV Camera will be responsible for:

- a. Ensuring all officers follow established procedures for the use and maintenance of POV Camera, the handling of POV Camera recorded media, and the completion of POV Camera downloads.
- b. Ensuring that repairs and replacement of damaged or nonfunctional POV Camera is properly performed and is reported to the Assistant Chief.

C. Mobile Data Terminals

The purpose of the Mobile Data Computer is to enhance an officer's ability to obtain necessary information in a timely manner, reduce radio traffic, provide dispatch information, and increase officer safety. The use of this device must be in support of Law Enforcement and associated information exchange with DCI, NLETs, or NCIC.

- 1. The use of these units will be governed by guidelines established by the Division of Criminal Information (DCI) and the Albemarle Police Department.

2. Only those officers trained and certified by DCI on a Mobile Data Terminal may operate these computers. Each officer will have his own password to maximize the security of the MDT's.
3. Officers may make inquiries to drivers records, vehicle registration, wanted / missing persons, and other types of inquiries as outlined in the DCI User Agreement. Officers shall not check DCI information except for official Department business.
4. Officers may use the terminal to send relevant messages to other officer's terminals or to Communications in order to reduce radio traffic.
5. When not in use, the Mobile Data Computer shall be turned off and secured in the vehicle. When officers are to be away from work for an extended period (i.e. more than 3 days) the computer shall be removed from the vehicle and secured in the Community Office.
6. No software may be loaded, removed, or copied from the computer without the permission of the Department's Network Administrator.
7. Any damage to the terminal or operating problems should be immediately reported to the shift supervisor.
8. The computer is for official use and shall not be used for the employee's personal use or amusement. The playing of games is not permitted.
9. The Mobile Data Computer, when complete with records software will be used by officers to complete incident reports which will then be downloaded into the main records management system.
10. An officer shall not use the Mobile Data Terminal while the vehicle is in motion, unless he is a passenger in the vehicle.

RESCINDS: 07-19-2006, 11-01-2000