

Viewu - Personal Recording Devices

447.1 PURPOSE AND SCOPE

The Campbell Police Department has equipped Officers with a Personal Recording Device (Viewu) recording system. The Viewu is designed to assist and compliment patrol officers in the performance of their duties. The Viewu is used to record certain activities by providing a visual and audio record. Video recordings are intended to provide an unbiased visual/audio record of the incident and to supplement the officer's report.

In addition, the Campbell Police Department issues other audio and/or video recording devices such as digital audio recorders that can be used when the Viewu equipment is either malfunctioning or impractical to use.

Officers shall comply with Policy Manual Section 450 - Use of Audio Recorders, which shall be reviewed in conjunction with this policy.

447.2 ACTIVATION OF THE VIEWU

The Officer issued a Viewu system shall attach the Viewu system to the front portion of his/her uniform shirt in an area that most closely captures the officers field of view.

The Viewu system is designed to activated by the officer simply turning on the switch, when the officer is properly wearing the Viewu system on his/her uniform shirt. The system remains on until turned off manually.

Once activated, the recording should not be intentionally terminated until the conclusion of the encounter unless tactical, safety or practical reasons dictate otherwise. Anytime the recording is terminated early, the reasons shall be documented in the subsequent police report. If no police report is filed for the recorded encounter, then the fact that the event was recorded and the reasons for the early termination of the recording shall be documented in the notes field for that recording once the video is downloaded.

447.3 USE OF THE VIEWU

A. The care of the issued recording equipment is the responsibility of the Officer assigned the equipment. They will be operated and maintained according to the manufacturer's instructions and recommendations.

B. At the beginning of each shift, Officers shall determine whether their recording equipment is working satisfactorily. If a problem is found at this, or any other time, the Officer shall arrange for repair or adjustment. The Officer shall also ensure that the recorder is equipped with sufficient memory and battery power to complete their tour of duty. If the system is malfunctioning, the officer shall immediately report to his/her supervisor that the Personal Recording Device is malfunctioning.

C. During their tour of duty, Officers shall:

1. Ensure that the personal recording device is properly worn and positioned to record events.

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2. Make every reasonable effort to record all enforcement contacts, such as arrests or citations (either via the Mobile Audio Video or VieVu). Recording such contacts shall be the rule and not the exception.
3. Make every reasonable effort to record non-enforcement contacts should they become confrontational, assaultive, or enforcement-oriented.
- D. It is recommended that Officers make audio/video records of pedestrian contacts, interviews, and other events when an audio/video record could have value as evidence, to limit liability, to resolve citizen complaints, or as a training tool.
- E. If a VieVu contains evidence, the VieVu data should be downloaded in a timely manner by properly trained and authorized personnel. Once downloaded the copied file shall be saved to a CD-R per electronic data storage protocol and returned to the officer to be placed in evidence.
- F. Officers shall note in arrest and other associated reports when video/audio records were made during the event in question.
- G. Any incident where a report is taken and a VieVu was activated, the VieVu serial number shall be noted on the face sheet of the report.
- H. Officers shall not tamper with, or in any other manner, alter the data stored on the VieVu.
- I. No stored image may be copied for unauthorized reasons. Copies may only be made for court, training, or other approved purposes following the procedures set forth for tape duplication.
- J. If the VieVu malfunctions or is inoperable, and the officer cannot utilize a VieVu during their shift, this shall be noted in all written reports so that there is a contemporaneous record.

447.4 REVIEW OF THE VIEVU

Recordings may be reviewed in any of the following situations:

~~By any officer viewing their individually assigned VieVu recordings~~

By a supervisor investigating a specific act of officer conduct

By a department detective after approval of a supervisor who is participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation

By department personnel who request to review their own recordings

By court personnel through proper process or with permission of the Chief of Police or his/her designee

By media personnel with permission of the Chief of Police or his/her designee

Recordings may be shown for the purposes of training value. If an involved officer objects to the showing of recording, his/her objection will be submitted to staff to determine if the training value outweighs the officer's objection for not showing the recording.

Employees desiring to view any VieVu recording, not their own, shall submit a request in writing to the Watch Commander.

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In no event shall any recording be used or shown for the purpose of ridicule or embarrassing any employee.

447.5 RETENTION OF DOWNLOADED VIEVU RECORDINGS

The VieVu personal recording device contains sufficient memory to store approximately 3 to 4 hours of video/audio footage. It shall be the officer's responsibility to regularly download video images from his/her Vievu onto the server to ensure the Vievu contains sufficient memory for duty use.

The officer shall be responsible for making duplicate copies of any video/audio footage for evidentiary purposes. All copies made for evidentiary purposes must be properly booked into evidence. The officer may not copy or transfer any video/audio images for any other purpose without permission from his/her Watch Commander.

In the event audio/video footage is made on a reportable offense and the officer has determined that the footage is not going to be logged into evidence, the officer shall note in his/her police report the Vievu serial number, date and time taken. This is to comply with Government Code 34090.6.

Per G.C. 34090.6 All routine video monitoring that are designed to record the regular and ongoing operations, shall be maintained in a secured data storage medium for a period of one year and then may be destroyed providing there is no pending litigation and written consent has been obtained by the Agency Head and City Attorney.

447.5.1 Request For Deletion Of Accidental Recordings

In the event of an activation of a VieVu where the resulting recording contains personal and/or private conversations of an officer unrelated to any ongoing criminal or internal affairs investigation, or otherwise has no valid official purpose, and which has no apparent evidentiary or investigatory value, an officer may request for the deletion of the accidentally recorded VieVu file by submitting a written request to the Administrative Sergeant. If the Chief of Police, or his or her designee, determines that the recording contains personal and/or private conversations of an officer unrelated to any ongoing criminal or internal affairs investigation, or otherwise has no valid official purpose, and which has no apparent evidentiary or investigatory value, it may be deleted after thirty days.