

Police Department Policy and Procedure Manual

Chapter 4 — Operations

Section Number: 4-14-2
Section Title: Mobile Audio/Visual Recording Equipment
Most Recent Update: 12/01/15

I. Policy

- A. It is the policy of the Clive Police Department to provide in car audio/visual recording equipment for selected patrol units and personally worn audio/visual recording equipment for uniformed officers to record citizen and suspect contacts, as well as protect the police department from civil liability. The Patrol Division Commander will determine which vehicles and officers will be assigned the audio/visual recording equipment. Only approved equipment will be utilized.

II. Purpose

- A. The primary purpose of the mobile audio/visual recording equipment is the collection of evidence to be used in the prosecution of persons who violate the law. Other purposes may include, but are not limited to:
 - 1. Review by officers for report or trial preparation;
 - 2. Training;
 - 3. Resolutions of complaints against officers of this department;
 - 4. Other legitimate law enforcement purposes of the Clive Police Department as determined by the Chief of Police, Patrol Division Commander or their designees.

III. Definitions

A. Evidentiary

- 1. Recordings shall be designated as evidentiary if they contain audio or visual recording of any interaction in which a report was written, an investigation was opened, a charge was filed, or in which the officer was engaged in any confrontation or use of force. Further, officers should use their discretion to designate a recording as evidentiary if

there are circumstances which suggest that destruction of the recording might be considered as the destruction of evidence of a crime, a citizen complaint or a citizen complaint about any officer's conduct.

B. Non-Evidentiary

1. Recordings shall be designated as non-evidentiary if they do not fit the description set out above and there is no reasonable cause to believe the recording will have any evidentiary value with regard to a crime, a citizen complaint of a crime, or a citizen complaint about any officer's conduct.

IV. Procedures

A. In Car System Operation:

1. All officers assigned to the Patrol Division will be trained in the use of the in car audio/visual recording equipment, hereafter referred to as the "in car system"
2. The in car system will be installed so that whenever the emergency equipment (red/blue lights, siren) in the patrol car is activated, or the patrol car reaches a predetermined speed, the system will be activated.
3. The in car system may be activated manually by pushing the record button on the video system monitor or by activation of the officer's body transmitter
 - a. On traffic stops it is recommended that the system be activated prior to engaging the emergency equipment so that all radio transmissions are recorded
 - b. Use of the manual activation device may be used to record suspect vehicle operation: i.e., OWI or traffic violation to show probable cause
 - c. A combination rear seat video camera/microphone is available to monitor and record actions and conversations of suspects, prisoners, or citizens being interviewed or otherwise detained in the back seat of a patrol car. The rear seat microphone is automatically activated when the unit is recording
 - d. Images recorded onto the system are recorded onto a hard drive which is placed into the trunk of the patrol car. Recordings are then transferred to a mainframe automatically, which is housed at the Clive Police Department
4. Officers will ensure that the in car system is utilized on all traffic stops, pursuits, emergency runs and on any calls where citizen contact is likely to occur
5. Any in-custody interrogation that takes place outside the police station (i.e., in the field), shall be recorded in its entirety utilizing the system

6. Officers are not required to inform the public of the use of the in car system, but will disclose its use upon inquiry
7. Officers will check the equipment for proper operation prior to the beginning of each shift and will report any equipment problems to the on duty supervisor immediately
8. Officers will ensure that their body transmitters are synced to the system in the car they are operating. Officers will also ensure that they are logged onto the system, under their particular Personal Identification Number (PIN) to the system in the car to ensure proper electronic storage of any video recorded
9. Officers will not circumvent the use of, or tamper with, the in car system or recordings for any reason.

B. Personally Worn System Operation

1. All officers assigned to the Patrol Division will be trained in the use of the personally worn audio/visual recording equipment, hereafter referred to as the “personally worn system”
2. The personally worn system will be worn on the outside of the uniform in a manner to optimize the field of view of the camera
3. The personally worn system is activated by engaging the record switch on the personally worn camera
4. Images recorded onto the system are recorded onto a flash drive which is inside the personally worn camera. Recordings are then transferred to a storage medium, which is housed at the Clive Police Department
5. Officers are encouraged to use the system during citizen contacts where recordings may be useful
6. Suspect interviews that take place in the field shall be recorded in their entirety utilizing the personally worn system
7. Officers are not required to inform the public of the use of the system, but will disclose its use upon inquiry
8. Officers will check the equipment for proper operation prior to the beginning of each shift and will report any equipment problems to the on duty supervisor immediately
9. Officers will not circumvent the use of, or tamper with, the in car personally worn system or recordings for any reason.

C. Electronic storage and Evidentiary Procedures

1. All recordings generated on the mobile audio/visual recording equipment are the property of the Clive Police Department
2. All images recorded by the in car system, are automatically downloaded into a storage mainframe which is located at the Clive Police Department. As a patrol car enters into the parking lot, the video stored on the hard drive, in the trunk of the patrol car, will automatically transfer to the mainframe for storage under the Officers PIN number
3. All images recorded by the personally worn system are to be downloaded by the officer at the end of their shift into a storage mainframe which is located at the Clive Police Department
4. Officers shall be required to mark all audio/video captured on any audio/visual recording equipment with a preliminary designation of **Evidentiary** or **Non-Evidentiary**.
5. Individual officers will be able to review any video they have recorded under their PIN. The Chief of Police, Patrol Division Commander, Watch Commanders and Chief's designee's will have the ability to log onto the system for review of any video recorded and stored to the system
6. A supply of blank, recordable, compact discs will be maintained at the main terminal for the re-recording and distribution of any video
7. All requests for copies of recorded incidents must be made in writing to the Patrol Division Commander.

V. Custody of Recordings

- A. All original recordings will remain in the custody of the Clive Police Department. Portions of the recordings needed for press releases, training, and other purposes as directed by the Chief of Police or his designee, will be duplicated
 1. Upon approval of the request, the portion of the recording containing the incident may be duplicated and released to the requesting person or agency
 2. A reasonable fee may be charged to cover the cost of duplication
- B. Retention
 1. Each agency shall maintain and retain all recordings designated **Evidentiary** for a minimum period of 180 days from the date of recording.

2. Recordings designated as **Non-Evidentiary** shall be retained for a minimum period of 60 days from the date of the recording.
 3. Retention periods may be extended beyond the preliminary designation by the Chief of Police or his designee.
 4. Recordings shall be retained through the conclusion of any criminal investigation, criminal prosecution or pending appeal.
 5. Recordings associated with a pending investigation shall be maintained indefinitely.
 6. Recordings associated with a case which an active arrest warrant shall be maintained indefinitely.
- C. Officers shall reference recorded incidents on the incident report, arrest report, or citation when applicable
- D. The on duty supervisor will take custody of any recorded use of force incident and pursuits that do not result in death or serious injury. These recordings will be forwarded to the Patrol Division Commander for review
- E. The Chief of Police or his designee will be present and witness the changing of any hard drive data that contains a recording of the death or serious injury of any person resulting from the actions or inactions of a Clive Police Officer. The recordings will be secured as evidence and placed into evidence lockup
- F. All recordings generated by these systems are the exclusive property of the Clive Police Department and may not be copied, duplicated or otherwise obtained for the personal use or collection of any employee without specific approval of the Chief of Police or his/her designee.
- G. If space on the server becomes limited, the Chief or his designee may elect to purge non-evidentiary recordings before the 60 day retention period has elapsed.

VI. Review

- A. All electronically recorded images recorded on Police Department equipment are subject to random unannounced review by supervisory staff for training purposes and to ensure compliance with this policy.

Michael G. Venema
Chief of Police