

# Coeur d'Alene Police Department

## Policy Manual

### *Digital Multimedia Equipment*

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Any other recording will be uploaded no later than the day before the member is going on scheduled days off, vacation, training or any other time off from his normal work week schedule.

#### **446.5 BODY WORN VIDEO CAMERAS**

##### **446.5.1 BODY WORN VIDEO CAMERAS**

Body worn video cameras may be issued to sworn members. At the beginning of each shift, members who are issued a body worn video camera will check the camera to make sure it is properly working. If the camera is malfunctioning and the problem can not be immediately remedied, the member shall notify his supervisor and the Information Technology (I.T.) Sergeant as soon as practical.

If the camera malfunctions at any time during the member's shift, the member shall notify his supervisor and the I.T. Sergeant as soon as practical.

A body worn video camera that is inoperable shall not continue to be worn by the member during their shift. It shall be maintained by the member until contacted by the I.T. Sergeant, or until otherwise notified.

##### **446.5.2 WEARING OF BODY WORN VIDEO CAMERAS**

Members who are issued body worn video cameras and assigned to the Uniformed Patrol Division shall wear and use the camera while on duty in accordance with any other provisions of this policy. The only exceptions to not wearing the camera when on duty is if the camera has malfunctioned or upon approval of the Watch Commander.

The camera shall be worn in a manner and position as authorized by the Operations Division Commander. Generally, the camera will be worn on the front torso of the member, along the button/zipper line of the uniform shirt or jacket. If the camera is wireless, there are times it may be beneficial for the member to remove the camera from their body and use it in a hand-held manner or place it in a stationary location to get the best field of view of what needs to be recorded.

##### **446.5.3 OPERATION OF BODY WORN VIDEO CAMERAS**

Due to ever changing technology and vendors, body worn video cameras may periodically change and therefore the operation of various body worn video cameras may differ. Members shall familiarize themselves with the proper operation of any camera issued to them.

##### **446.5.4 REQUIRED ACTIVATION OF BODY WORN VIDEO CAMERAS**

This policy is not intended to describe every possible situation where the body worn video camera may be used, however, there are many situations where the use of the camera is appropriate. In addition to any required situations, members may activate the camera anytime it is believed its use would be appropriate and/or valuable to document an incident.

It is understood that in some circumstances it is not possible to capture video images of the incident due to certain conditions or how the camera is positioned on the member's body in relation to what should be recorded; however, the audio portion of the camera should still be able to capture data that may be useful. The member shall note in any related incident report why the actual incident was not video recorded.

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Additionally, it is recognized that members are expected to make split second decisions during rapidly changing circumstances. In the event a member is not able to activate the camera, the member shall document in the related incident report the reasons why the camera was not activated.

At no time should a member jeopardize his safety in order to activate a body worn video camera if timing and circumstances dictate otherwise.

The activation of the body worn video camera shall be used in any of the following situations: *(It is understood that members may also be operating a vehicle with a mobile video system, but the mobile video system may not be able to capture important video recordings if the violator or incident ends up out of field of view, i.e. a traffic stop that result in a foot pursuit, therefore the body worn video camera may be able to capture additional video recordings).*

- (a) All field contacts involving actual or potential criminal conduct within audio or video range of the camera, which includes but is not necessarily limited to:
  - 1. Traffic stops.
  - 2. Vehicle pursuits.
  - 3. Foot pursuits.
  - 4. Building searches.
  - 5. Investigations inside a business or residence.
  - 6. Interviews with suspects and/or victims.
  - 7. Suspicious person or vehicles.
  - 8. Arrests.
  - 9. DUI investigations, including field sobriety evaluations when practical.
  - 10. Consensual contacts.
  - 11. Immediate arrival at an in-progress call where the video recording may aid in the apprehension and/or prosecution of a suspect.
  - 12. Any other contact that becomes adversarial after the initial contact.
  - 13. Any other circumstances where the member believes that a recording of an incident would be beneficial.
  
- (b) Once the camera is activated, it shall remain on until the incident has concluded. For the purposes of this section, conclusion of an incident has occurred when, and if applicable:
  - 1. All arrests on scene have been made.
  - 2. All interviews on scene have been completed.
  - 3. All arrestees have been transported to the jail, police department or other designated location.
  - 4. The member no longer has contact with suspect, victim or witness on scene.
    - (a) Recordings may also cease if the member is:
      - 1. Simply waiting for something or someone, such as a tow truck or family member, or during similar situations in which continued activation of the system would not be reasonable.

#### **446.5.5 REVIEW OF BODY WORN VIDEO CAMERA RECORDINGS**

Recordings may be reviewed by members in any of the following situations:

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- (a) By a Supervisor:
  - 1. Investigating a citizen complaint against a member.
  - 2. Conducting an administrative investigation.
  - 3. Conducting an audit.
  - 4. Approving a related report.
  - 5. Gathering information that may be useful for any presentation or report for the Department, City Administration, Mayor and Council, or other approved person or group upon authorization of the Chief of Police or his designee.
- (b) By a Detective who is participating in an official investigation and such review is needed in furtherance of the investigation.
- (c) By members who need to review their own recordings in order to write a police report of prepare for court.
- (d) By any technical personnel, upon authorization of a Division Commander, for the purpose of trouble shooting equipment malfunctions.
- (e) Upon authorization of the Chief of Police or his designee, recordings that may serve a valuable purpose in a training environment may be used when the recording is no longer needed as evidence in a criminal or civil proceeding.
- (f) At no time shall any recording be used or shown for the sole purpose of curiosity, entertainment or personal use.

#### **446.5.6 DOCUMENTING BODY WORN VIDEO CAMERA USE**

Any incident that was recorded with a body worn video camera shall be documented in the member's related report. If the camera malfunctioned during the time of the incident, the member shall document that fact as well in the report.

#### **446.5.7 BODY WORN VIDEO CAMERA STORAGE AND INTEGRITY**

Video and/or audio data recorded via a body worn video camera will be uploaded into VIPER.

If the recording is related to an arrest, or an active investigation that may require follow-up investigation as soon as possible, the recording shall be uploaded prior to the member going off duty.

Any other recording will be uploaded no later than the day before the member is going on scheduled days off, vacation, training or any other time off from his normal work week schedule.

#### **446.6 DIGITAL AUDIO RECORDERS**

##### **446.6.1 DIGITAL AUDIO RECORDERS**

Digital audio recorders are issued to all full-time sworn members.

**Uniformed Members:** Members assigned to the Uniformed Patrol Division shall carry their issued digital audio recorders on their person during their shift and it shall be used in accordance with this policy. At the beginning of each shift, uniformed members will check their recorder to make sure it is properly working. If the recorder is malfunctioning at the beginning of the shift and the problem can not be immediately remedied, the member shall immediately notify his supervisor. The member shall also notify the Equipment Specialist