ELECTRONIC EQUIPMENT

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Purpose

The purpose of this policy is to provide guidelines for the use, management, storage, and retrieval of audio-visual media recorded by in-car video systems, Body Worn Cameras, cell phones, smart phones, tablets, computers, mobile data computers (MDC), pagers and radios (both in-car and hand-held)

Policy

The police department realizes the importance of providing as many technical advantages as possible to its employees. At the same time, it is also important to provide guidelines as to the proper use of this equipment. It is the policy of this department that the members follow all department procedures concerning such equipment. It is the policy of the department that all communications/computer equipment are tools for law enforcement and will be used accordingly. Information sent to and from any electronic communications equipment must be duty related. All state statues, NCIC/IDACS rules and regulations, and department procedures

will be adhered to when requesting information via the computer, radio, or phone in addition to the use and dissemination of the information obtained. The use of MVR system provides persuasive documentary evidence, helps against civil litigation, allegations of officer misconduct and provides a training aid. Officers assigned to use these devices shall adhere to the operational objectives and maximize the effectiveness and utility of the MVR. MVRs assists with officer-citizen contacts and officer safety while maintaining the integrity of evidence and related video documentation.

Definition

Body Worn Camera: Refers to any system that captures audio and video signals that the officer wears on the uniform or body.

Cell phone: Cellular telephone is a type of a hand-held mobile radiotelephone for use in an area divided into small sections (cells), each with its own short-range transmitter/receiver

Computers/ Smart Phones / Tablets: A device that accepts data, processes the data in accordance with a stored program, generates results, and usually consists of input, output, storage, arithmetic, logic, and control units.

In-car video system-Mobile Video Recorder (MVR): Refers to any system that captures audio and video signals capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder, and monitor.

Mobile Data Computers (MDC): Portable computers that in a vehicle are used with docking stations (desktop platforms that contain additional ports, card slots, and drive bays) allow full desktop capabilities while operating in vehicle or desktop.

Radios: A two-way radio is a radio that can both transmit and receive. A push-to-talk button is often present to activate the transmitter. Hand-held portable two-way radios are called walkie-talkies. Two-way radios are available in mobile and walkie-talkie.

SD Card: The memory device that store the audio and video in a Micro DV Camcorder.

Computers

1. Employees' Responsibility

    A. Employees will be given access to the public safety computer system at a level necessary to perform their duties as outlined in the Operations Manual. The Chief or Assistant Chief gives this authority.

B. All employees will be trained as required in the use of the departmental computer terminals and software programs by instructors assigned by the Chief, the Assistant Chief or their designee.

C. No employee will be allowed to use department computers, software, or systems without supervision until they have completed all required training and are authorized by the Chief or Assistant Chief to do so.

D. Each employee will have his own unique USERNAME and PASSWORD. The employee will protect the security of that USERNAME and PASSWORD and will not allow any other person have knowledge of or use that USERNAME and PASSWORD to gain access to any computer system owned or operated by the City of Evansville or the County of Vanderburgh, Indiana.

E. Password Requirements:

(1) Must be at least 8 characters in length, case specific, and a combination of letters and numbers.

(2) You password may not contain your e-mail name or any part of your full name.

(3) Your password will be required to be changed periodically.

F. No employee shall release any information obtained by the use of any public safety or law enforcement computer system unless release of such information is covered in the Operations Manual or approved by a supervisor.

G. No employee shall physically change the placement or hardware connections of any computer equipment with the exception of the City of Evansville IT Unit.

H. No employee shall change any terminal configuration, software or setup with the exception of the City of Evansville IT Unit.

I. No employee shall load or install electronically or magnetically unauthorized file sharing (P2P) software or data of any type into a storage device on any computer. Such items are, but not limited, to I-Tunes, Limeware, Napster, Kazza, Frostwire, Bearshare or any gaming software.

J. All computer programs and data files on all public safety computer systems, on line or archived on magnetic media or server, are the property of the City of Evansville and/or Vanderburgh County.

K. Any malfunction of the software, hardware, or computers shall be reported to the employee's supervisor immediately. The City of Evansville Computer help desk should be contacted and advised of the problem. No employee, other than those designated by

the Chief or Assistant Chief, will attempt to repair or reconfigure any computer hardware or software.

L. No employee will use, allow an unauthorized person to use, or attempt to use any computer, computer system or program software, bypass any computer system security, attempt the unauthorized entry, into the IDACS/NCIC external programs or files, attempt direct access to computer or system, or install software or data of any type on computers without proper training and/or authorization of the Chief or Assistant Chief.

Mobile Data Computer

1. Officers will not use MDC's for personal issues, messages, non-law enforcement or non-duty-related communication.

2. One-Officer vs. Two-Officer Vehicles

   A. One-Officer unit with a MDC-equipped vehicle, the MDC will not be utilized while the vehicle is in motion

   B. Two-Officer unit with an MDC-equipped vehicle, the MDC may be utilized by the passenger officer while the vehicle is in motion.

      (1) The passenger officer must be approved to operate the MDC.

3. Information sent to and from MDC's must be duty related. All state statues, NCIC/IDACS rules and regulations, and department procedures will be adhered to when requesting information and dissemination of the information obtained using the MDC.

4. Officers will use their own passwords when logging into a MDC. The passwords assigned will not be given out under any circumstances. If an officer feels the integrity of their password has been compromised, they will notify the City of Evansville IT Unit and be assigned a new password.

5. The MDC will not replace voice traffic with Central Dispatch. Dispatch information will be sent to the vehicle via the MDC and by voice communication.

   A. In cases of sensitive or confidential type incidents, the Central Dispatch supervisor may override the voice traffic dispatch in favor of MDC dispatch only.

   B. The MDC may be used to change a unit's status with Central Dispatch but voice traffic must also be used.

   C. The MDC may be used to disposition calls for service, but calls for service must also be dispositioned with Central Dispatch using voice traffic.

Care of the MDC

1. The MDC will not be used as a desk, shelf, cup holder, or anything other than it's intended purpose.

2. No alterations will be made to the MDC or any of its components.

3. When an MDC-equipped vehicle is to be left unattended for an extended period, the MDC will be logged off the system and the power to the MDC will be switched off.

4. No one who has not been trained and approved by the City of Evansville IT Unit will be permitted to use the MDC.

5. Officers will advise the supervisor of any problems with the MDC.

    A. Supervisors will mark down the problems on the status board and make an IT Unit work request form out describing the problem in detail.

    B. If the MDC is assigned at shift change the supervisor will mark the problem in the MDC logbook and make an City of Evansville IT Unit work request form out describing the problem in detail.

Radios

Central Dispatch provides communications for the Evansville Police Department by having a specific fleet and sub-fleet assignments on an 800 MHz trunk radio system.

1. All radio communications to and from Central Dispatch will be in plain language. Speak clearly, avoid slang or abbreviations and avoid any language or terms that are ambiguous.

2. All radio communications, cell phone calls, voice and data are subject to being received by scanners. Keep all radio communication professional, clear, and as brief as possible.

3. Radio Channels

    A. *PD Disp* sub-fleet - will have general radio traffic between officers and dispatchers

    B. *INFO* sub-fleet – will be used to obtain information such as warrant checks, NCIC/IDACS inquiries or other types of information that would require a considerable amount of time.

    C. *P-C-C* sub-fleet – should be used for car to car traffic

    D. *MP* sub-fleet – these channels will be used for sector operations.

    E. *RTNE-CID* sub-fleet – will be used for criminal investigation traffic

F. *K-9, TAC MP,* sub-fleet – will be used for tactical situations and other radio traffic between officers of the same section or unit.

G. *TAC PD1 or TAC PD2* sub-fleet – will be used for tactical situations involving different departmental units.

H. *C-C-C* – will be considered "common" channels that all agency radios that use the 800 MHz systems can use. C-C-C will be used for routine radio communications with multiple agencies.

I. *C-TAC1, C-TAC2 or LE OPS* will be considered "common" channels that all agency radios that use the 800 MHz systems can use. These channels will be used for radio communications involving tactical situations involving multiple agencies

J. *DIS 1, DIS 2, or DIS 3* will be considered "common" channels that all agency radios that use the 800 MHz systems can use. These channels will be used for radio communications involving disaster situations involving multiple agencies.

4. Dialing another person's 4-digit radiological number for individual calls are not allowed.

5. Voice Encryption of radio traffic will only be used:

A. In cases involving narcotics or vice investigations

B. Other special operations where the safety of the officers is paramount.

C. Where immediate public knowledge of an investigation would be detrimental to the best interests of the citizens of the community.

D. Where it is necessary to temporarily protect the privacy of victims and witnesses.

E. The use of voice encryption will be under continual scrutiny and any complaints of non-essential use will be investigated. As a public service agency, the Evansville Police Department must maintain the necessary balance between an informed public, the safety of its officers, and the confidentiality when necessary for the protection of the interests of the citizens of the community.

6. 800MHz Telephone System

A. All telephone calls on the 800MHz system will be limited to official department business. Personal calls will be those of an emergency nature.

B. All phone calls can be monitored by anyone with an 800MHz scanner.

C. Advise Central Dispatch that you will be out of service on a phone call. When you are

finished with your call, return to PD DISP and advise Central Dispatch you are available.

(1) Do not call Directory Assistance or Central Dispatch to find a phone number. Central Dispatch will attempt to find the number if not listed in the phone directory.

(2) Do not call for an ambulance or wrecker by phone. Advise Central Dispatch to call them to the scene. If you need information from an ambulance or wrecker service you may call them.

Cell Phones / Smart Phones / Tablets

1. Cell phones / Smart Phones / Tablets issued by the Evansville Police Department will be for official police use. The public and media can monitored Cell Phone usage.

2. Each officer assigned with a cell phone will be allotted specified minutes per month for phone usage. This policy can be deviated from in an event of an emergency where the supervisor can justify the reason for the deviation.

3. Call forwarding, text messaging and any other usage that results in additional charges are not permitted.

   A. If there is an emergency occasion in which a roaming call was made, notify the Fiscal Control Sergeant of the date, number of calls and location called from as soon as possible.

4. The assigned officer that exceeds the allotted time per month may be required to pay for such overages.

5. Officers assigned a cell phone will sign the Cellular Telephone Receipt and Agreement form. Violation of these procedures may result in the loss of the cell phone privilege or disciplinary action.

Mobile Vehicle Recorder (MVR)

MVR equipment will be used for official law enforcement purposes only.

1. Operation

   A. MVR equipment is the responsibility of the officer assigned to that vehicle and will be maintained and operated according to the manufacturer's specification.

   B. Prior to each shift, the officer shall determine if the equipment is working properly including the correct date and time. If there is any indication the equipment is not working to factory specifications, the immediate supervisor will be notified.

C. The officer will ensure that:

(1) The equipment is properly positioned to record events.

(2) The equipment is not deactivated until the enforcement action is completed.

(3) At the beginning of each shift, the officer will ensure there is a SD Card in the MVR and that all settings are properly set to record events.

2. The officer will record:

A. Critical incidents

B. All traffic enforcement actions

C. Interviews of any suspect

D. Sobriety field checks

E. Placing a suspect into custody

F. Driver and passenger contacts

G. All pursuits and emergency responses

H. Any other situation deemed necessary by the officer

3. The MVR equipment should be activated when the emergency lights are turned on. The officer should make certain that the device is recording.

4. The wireless microphone is activated at all times when the recorder is in operation. The mic should be positioned to allow the best audio.

A. The mic should **not** be worn under several layers of clothing, attached to the Sam Brown belt, or in a pocket.

B. Check the mic battery indicator for possible replacement of battery.

5. If the officer chooses to turn off any portion of the MVR equipment, he should state briefly on the recording that it will be shut off and why.

6. That uploads are done according to training. A training manual provided to each officer and supervisor.

7. The upload of data is done prior to the normal two days off for the officer. The Officer may

upload recordings if they choose to or the IT Unit will upload cameras that are left in the IT Unit drop box located in roll call.

Control and Management

1. The box housing the recording equipment will remain locked at all times the vehicle is in operation. This applies to on-duty and off-duty operation of vehicle.

2. When the SD Card is full, the officer will promptly replace the SD Card with a new one.

3. Until a SD Card has been filled, or until a portion of the SD Card has been identified as evidentiary, the SD Card should remain in the MVR equipment during an officer's shift.

Location and Care of Equipment

1. The video camera is permanently mounted in the windshield area of the police vehicle. It is mounted with the lens facing forward or to the front of the vehicle. While the camera can be tilted, or panned in other directions for specific purposes, it will not be removed from the mounting devices used during installation.

2. The actual recording device is located in the rear view mirror of the police vehicle. The security code will be assigned to the officer responsible for the take-home unit.

3. The supervisor will document the problem in the form of a repair request to the departments IT Unit Supervisor.

4. No alterations will be made to the MVR or any of its components.

Body Worn Camera

Body Worn Camera equipment will be used for official law enforcement purposes only.

1. Operation

   A. Body Worn Camera equipment is the responsibility of the officer assigned to that equipment and will be maintained and operated according to the manufacturer's specification.

   B. Prior to each shift, the officer shall determine if the equipment is working properly including the correct date and time. If there is any indication the equipment is not working to factory specifications, the immediate supervisor will be notified.

   C. The officer will ensure that:

      (1) The equipment is properly positioned to record events.

(2) The equipment is activated prior to arrival on runs or taking enforcement action and not deactivated until the enforcement action is completed.

(3) All settings are properly set to record events.

(4) The battery is fully charged.

(5) That uploads are done according to training. A training manual provided to each officer and supervisor.

(6) The upload of data is done prior to the normal two days off for the officer. The Officer may upload recordings if they choose to or the IT Unit will upload cameras that are left in the IT Unit drop box located in roll call.

D. The supervisor will ensure that the officers are uploading the camera data, that periodic audits and views of the data are conducted.

2. Requirements

A. The officer will record any self-initiated, dispatched, or officer assist type activity in an on duty capacity, that involves interaction with a citizen.

B. Body camera video will be made available to the Prosecutor's Office upon request. Upon such request two copies of the video will be provided to them in CD format. (Not DVD) [**One will remain with the Prosecutor. The Prosecutor will turn one over to the defense].** The person responsible for providing the video is as follows:

1. In both felony and misdemeanor cases – if an investigator is assigned to the case, he/she will be responsible for providing the video to the prosecutor. To assist the Prosecutor's Office in determining whether or not to request video, the assigned investigator will include a supplement in the case file that lists which officers have video pertaining to the case. An investigator may provide video to the Prosecutor's Office, even if the video has not yet been requested. If the investigator chooses to provide the video on their own initiative, all videos pertaining to case must be provided. (I.E., the investigator cannot opt to send only certain videos).

2. If no case file has been sent to the prosecutor (such as probable cause arrests where no investigator is assigned), body camera video will be provided by the arresting officer. This is done only upon request from the Prosecutor's Office. When the Prosecutor's Office makes the request, the video should be copied on the officer's next working shift in order to allow the attorneys time to review the video prior to trial. Dayshift supervisors will assist 3rd shift in getting the CDs to the Prosecutor's Office.

3. Prosecutor's Office Staff will send an e-mail to the three Patrol Lieutenants when video is needed from an officer. The Lieutenant will be responsible for ensuring the officer gets the video copied and sent to the Prosecutor. [Note: the Lieutenant does not have to personally copy the video, but will be responsible to make sure the officer completes this task]. If a Patrol Lieutenant is not working, it will be the responsibility of another Patrol Lieutenant to make sure this gets done.

4. The officer completing a case report should list all assisting officers on all runs (via the "assist button.")

5. If no video exists, the officer must explain why in the officer narrative.

6. No overtime will be authorized for burning a video for court. A supervisor's approval needs to be obtained if overtime is necessary for some valid reason.

C. Officers are not required to wear the body camera in an off duty capacity.

D. It is understood that there may be times that an officer will have private conversations about personal matters with fellow officers or the public, therefore, this policy will be put into place to protect their private conversations:

1. If an officer realizes he/she has forgotten to turn off his/her camera after a run and the officer records a private conversation, that does not pertain to the run, they can contact the Internal Affairs Investigator to review the video. If the Internal Affairs Investigator thinks the recorded material is pertinent to the run, the video will be left intact. If the Internal Affairs Investigator finds the video is not relevant to the run, the portion of the video that does not pertain to the run will be deleted and the Internal Affairs Investigator will prepare a supplement explaining the deleted video was not part of the run.

2. Officers will not have to worry about their private conversations being used against them by their superiors. Therefore, any video that is deleted will not be discussed by the Internal Affairs Investigator with any other employees of the department, up to and including the Chief of Police.

Training

A. All officers will receive training on camera equipment prior to use. This training will include, but not limited to, the use of:

1. Body Worn Camera / Body Mic
2. Controls / Charging / Battery replacement
3. Activation of the unit
4. Audio / Video evidentiary procedures

B. Trained officers will receive a copy of the directions on the use of the camera system.

C. No one who has not been trained and approved by the training unit will be permitted to use the In-Car or body worn camera.

Personal Recording Devices

A. Officers that use their personal recording audio/image devices to record any police related incident or action; those recordings and/or images shall become the sole property of the Evansville Police Department and the City of Evansville.

B. No unauthorized copying or releasing of any portion of a personal recording audio/image is permitted without the approval of the Chief or Assistant Chief. Any personal recording released or maintained may result in disciplinary action. If any personal cell phone, smart phone, tablet, digital voice recorders, camera or other device is used to record any police related incident, the IT sergeant shall be contacted to down load the information in a secure place for evidentiary purposes. If the memory card of the device cannot be downloaded, then the memory card will be entered into evidence and the officer will be responsible for the replacement of the memory card.