



Okaloosa County Sheriff's Office
General Order: 23.06
Subject: Mobile Video Recorder (Body Worn Cameras)

Effective: 11/26/2014

This General Order consists of the following sections:

- A. Purpose**
- B. Policy**
- C. Discussion**
- D. Definitions**
- E. Procedure**

A. Purpose

The purpose of this General Order (GO) is to establish guidelines for the use and management of the Mobile Video Recording System, also known as body-worn cameras.

B. Policy

It will be the policy of the Okaloosa County Sheriff's Office to utilize the Body-Worn Camera (BWC) to document law enforcement interaction with the public with video and audio recordings. Through the use of mobile recording systems, this agency will better protect the rights of citizens and deputies while balancing privacy interests.

C. Discussion

With the growing number of citizen protests over police use of force and general police encounters the agency selected a body camera to be worn by deputies during their tour of duty. The footage from the body cameras has been used to clear deputies during complaints, collect evidence during investigations and has given the public a sense of better agency accountability. As a result the use of body cameras has become more widespread throughout law enforcement. The use of the Mobile Video Recorder (MVR) system provides documentation of law enforcement interaction with the public by providing recorded evidence of actions, conditions and statements that could be used for the prosecution, internal review, or by the public through formal request. The primary functions of the mobile audio/video recording system are for deputy safety and to accurately document statements and events during the course of an incident or other citizen encounter. The data collected may also be used to determine the accuracy of a complaint made against a member of this agency.

D. Definitions

1. Axon Flex Controller - The controller enables an operator to begin recording an event and then stop recording and turn the unit on and off. The controller features LEDs to indicate the operating mode and battery capacity and is mounted on the belt, in a holster, or shirt pocket. A fully charged Flex controller battery should provide enough power for approximately 12 hours of normal operation. Recharging a battery after a 12-hour use can take up to 6 hours.
2. Body Worn Camera (BWC) - Is the audio and color video camera mounted on a fitted head, helmet, or shirt collar mount. Cameras may be mounted on low rider head mount, hat, shirt collar or helmet mount. In order to best capture that which is observed by an operator using a BWC, the camera should be located as close to the eyes as possible.
3. Event Mode - In "event" mode the Mobile Video Recorder saves the buffered video and continues recording audio and video for up to 12 hours based on the video setting, life of the battery or being deactivated.
4. Normal (Buffering) Mode - In the "normal" mode the MVR is configured by the factory to record for

30 seconds prior to an event. Audio is not recorded during buffering.

5. EVIDENCE.com - The online web-based digital media storage facility accessed at okaloosasheriff.evidence.com. The virtual warehouse stores digitally-encrypted data (photographs, audio and video recordings) in a highly secure environment. The digital recordings are accessible to authorized personnel based upon permissions and will maintain an audit of user activity.
6. EVIDENCE.com Dock - Is a docking station that simultaneously recharges the Axon Flex controller and uploads all data captured from the Mobile Video Recorder Operator's point of view during the operator's shift to EVIDENCE.com.
7. Mobile Video Recorder (MVR) - Any system that captures audio and video signal that is capable of installation in a vehicle, individually worn by deputies, or attached to agency canines, and includes, at a minimum, a camera and recorder.
8. Mobile Video Recorder Operator - An authorized member of the agency who is a trained operator and assigned to operate the MVR equipment.
9. Mobile Video System Administrator - A member of the agency's Information Technology Unit and serves as the EVIDENCE.com system administrator with full access to user rights who assigns and tracks equipment and controls EVIDENCE.com accounts and passwords. The Mobile Video System Administrator is responsible for overall maintenance, management, and retention and also serves as a liaison to associated vendors.
10. Video Recording - The electronic recording of visual images with or without audio recordings.
11. Axon Mobile - A mobile application (app) which pairs with the AXON Flex camera in order to enable advanced workflows and provide in-field viewing of recorded videos. This application allows the user to view a live stream from the camera for field of view adjustment, view a list of all the videos currently stored on the device and review those videos.
12. Evidence Mobile - A mobile app which allows users to capture and upload photos, videos, and audio immediately in the field from an iOS device. Offers easy and intuitive evidence capture, meta data editing, and GPS tagging. Users can also upload evidence directly to an EVIDENCE.com account.
13. Evidence Sync - A computer software application which allows users to communicate with Taser conducted electrical weapons and cameras. Users with permission can view and download firing logs, view and download videos, change device settings, and update device firmware. Also automatically sets the clock of the connected device.

E. Procedure

1. Approved Use

a. The Mobile Video Recorder (MVR) operator should activate his/her unit to record at the onset of each citizen encounter, all calls for service, and any enforcement action. Additionally, tactical activities such as building searches, searches for suspects, pursuits, and building alarms shall be recorded. The following specific incidents shall be recorded:

- I. Traffic stops.
- II. Vehicle and Foot Pursuits.
- III. Vehicle searches.
- IV. Use of force situations.

V. Advising an individual of their Miranda warnings.

VI. All instances of subject resistance and citizen interference shall be recorded

b. The Mobile Video Recorder (MVR) may also be used for any legitimate law enforcement activity such as:

I. Citizen contacts.

II. To document statements made by subjects, victims, and witnesses.

III. During interrogations and interviews.

IV. During investigations of criminal acts.

V. Administrative investigations/interviews by supervision.

c. An MVR operator who is lawfully present in an area protected by the Fourth Amendment shall activate the MVR when there is reasonable suspicion that a crime is being committed, has been committed, or is about to be committed, or that evidence of a crime is present.

I. As a reminder, entry into a Fourth Amendment protected area requires probable cause and a warrant, consent, or warrant exception.

2. Prohibited MVR Use and Actions

a. Unless conducting official law enforcement business that requires the MVR operator to use the system, the MVR shall not:

I. Be used to record personal activity.

II. Be intentionally activated to record conversations of fellow employees without their knowledge during routine, non-enforcement related activities.

III. Be used to intentionally or willingly record undercover deputies.

b. Unless the MVR is being used as part of a legitimate call the MVR will not be activated in places where a reasonable expectation of privacy exists, such as but not limited to:

I. Locker rooms.

II. Dressing rooms or restrooms.

c. MVR Operators shall not make copies of any recordings for their personal use and are prohibited from using a recording device (such as a phone camera or secondary recording device) to record media captured from the Mobile Video Recorder system.

d. MVR operators will not use any other electronic devices or other means in order to intentionally interfere with the capability of the Mobile Video Recorder.

e. MVR operators shall not erase, alter, reuse, modify or tamper with any recording. Only the authorized system administrators may erase any previously recorded digital recording.

f. MVR operators shall not disseminate publicly or post MVR footage to any social media site without prior written approval from the Sheriff or designee.

g. Unless in response to an official inquiry or investigation MVR Operators will not allow citizens to review the recordings.

i. Personnel assigned a MVR shall use only those MVR's issued and approved by the agency. The wearing and use of personally owned video recorders is not authorized.

3. MVR Access and Training

a. MVR operators shall receive documented training prior to being deployed with MVR in an operational setting. Proof of training shall be forwarded to the Training Section for inclusion in the member's training file.

b. The agency will ensure MVR operators have "view only" access to the recorded events to be used only for legitimate law enforcement purposes or other articulable reasons.

4. Axon Flex MVR Modes of Operation

a. The MVR has two operation modes:

I. Normal (Buffering) Mode: In the "normal" mode the MVR is configured by the factory to record for 30 seconds prior to an event. Audio is not recorded during buffering.

II. Event Mode: The "event" mode saves the buffered video and continues recording audio and video for the life of the battery.

5. MVR Operational Protocols

a. Inspection and general maintenance of MVR equipment shall be the responsibility of the MVR operator assigned to the equipment. MVR equipment shall be operated in accordance with manufacturer's recommended guidelines and in compliance with agency training and policies. Prior to beginning each shift the assigned MVR operator shall perform an inspection to ensure that the MVR is performing in accordance with the manufacture's recommendations.

b. Malfunctions or other operational problems, damage, loss, or theft of the MVR equipment must be immediately reported to the MVR operator's supervisor and the Information Technology Unit shall be notified immediately through generation of a Computer Help Desk request.

I. Damaged, lost, or stolen equipment shall be documented in accordance with [General Order 22.06](#) A copy of the report shall be forwarded to the MVR administrator.

c. Once the MVR is activated to the event mode it should remain in the event mode until the incident investigation has reached a conclusion or the MVR operator has cleared from the scene.

d. The MVR operator will document the use of the MVR in all offense reports.

e. MVR operators should review incident recordings when preparing written reports to help ensure the accuracy and consistency of the incident documentation. This can be done by using an agency computer that has sync software installed, through EVIDENCE.com, or via a smart phone with Axon Mobile app.

f. When an incident arises that requires the immediate retrieval of the digital recording (i.e. investigations pertaining to use of force, in-custody deaths, or any other potential criminal investigation of a deputy) supervisors will take possession of the MVR operators system and upload all video regarding the incident to EVIDENCE.com.

g. When available the MVR shall be worn and utilized by the assigned employee every time the employee is performing any law enforcement duties to include their normal working schedule, any outside details, Secondary Employment (in uniform), overtime assignments and assignments directed by a supervisor except when the unit is docked and the member is on their way home and becomes involved in a qualifying incident.

h. It is incumbent on supervisors to ensure MVR operators utilize MVRs according to policy guidelines. Supervisors shall ensure their respective personnel are utilizing their assigned MVR Recording System according to policy by conducting periodic, but no less than monthly, checks of videos uploaded to EVIDENCE.com. If the recorder is not utilized the supervisor will investigate the circumstances.

I. Supervisors shall ensure MVR operators are documenting their MVR recordings in all reports.

6. Victim/Witness Interview and Documentation

a. MVR operators may utilize the MVR to obtain statements, confessions, utterances, etc.

b. When an MVR operator obtains a video statement the fact the statement was recorded will be listed in the offense report.

c. When an MVR statement is obtained the MVR operator must have the person identified on the video. This can be done by having the person:

I. Display a government issued identification.

II. State their lawful name and date of birth prior to the interview.

III. In the case of a juvenile victim, the victim's parent/guardian can provide this information, if necessary.

d. All MVR operators will attempt to have the interviewee swear or affirm their statement is true and correct.

e. The Mobile Video Recorder may also be utilized to record initial interviews with sexual battery victims (adult and juvenile). However, if the victim asks the MVR to be shut off the deputy should submit to the request. In either case the footage shall be:

I. Submitted to EVIDENCE.com which documents the person's request.

II. Circumstances of the interview (or refusal of taped interview) should be fully documented in the report.

7. Axon Flex MVR Issuing and Docking Procedures

a. At the end of the MVR operators work week or when the device is full the MVR system will be placed into a docking station slot on the EVIDENCE.com Dock located in all district/division offices and most substations.

I. MVR Operators may also use their agency issued MCTs to upload their devices using the Taser Sync software.

b. Placing the MVR in the docking station will automatically upload recordings from the Axon camera and transfer the data to EVIDENCE.com. The data is considered impounded at this point and the system is cleared of existing data.

c. The MVR system should not be removed from the EVIDENCE.com Dock until the status lights on both the AXON Flex Controller and the AXON Flex Camera are green. This indicates all the data has been uploaded and the battery has been fully recharged.

d. At no time should any member other than the deputy issued the MVR touch, handle, or otherwise tamper with the MVR. The only exceptions to this are members of:

- I. Information Technology Unit.
- II. Issued Deputy's supervisor or command staff.
- III. System Administrator or designee.
- IV. Office of Professional Standards Captain/Inspectors.

8. MVR Footage Identification

a. Once the video footage has been uploaded into the EVIDENCE.com application the MVR operator shall review and categorize every video event.

b. Identification (ID) for the footage should be the Offense or CAD report number (i.e.: OCSO14OFF12345 or OCSO14CAD12345), if the recorded event is related to a CAD event or an offense number was generated.

- I. Test or accidental videos shall be labeled as such.

c. Title will reflect a brief description of the item, such as, "Interview of Suspect Smith" or "Search of Suspect Smith's vehicle".

- I. Each title description should begin with a verb.

d. Once uploaded to EVIDENCE.com all footage shall be properly marked and identified by the end of the member's next shift. Members shall use one of the following methods to assign the meta data:

- I. Use the Axon Mobile app before upload.
- II. Use the sync software before upload.
- III. Use EVIDENCE.com after the upload.

9. MVR Media Accessing and Security

a. Evidentiary copies of digital recordings will be accessed and copied or downloaded from EVIDENCE.com by:

- I. Agency approved users, including authorized members of the State Attorney's Office.
- II. Use of agency approved equipment.

b. Access and copies shall be made for official purposes only.

c. The original evidentiary upload copies shall not be altered, shortened, changed, edited or in any way modified from its originally submitted format to ensure authenticity. However,

authorized users may redact as necessary to conform to FSS Chapters 119/112, or other agency needs.

d. All digital media collected using the MVR is considered a record of the Okaloosa County Sheriff's Office and subject to FSS Chapters 119 and/or 112.

e. The release of requested evidentiary digital media through a public records request will be subject to the same statutory exemptions in FSS Chapters 119 and/or 112.

I. All public information requests for recordings declared non-evidentiary shall be reviewed by the Staff Attorney and/or the Office of Professional Standards prior to release.

f. It is the responsibility of the authorized users to keep their passwords and usernames confidential. Do not give this information to anyone unless ordered to do so by a supervisor who is conducting an investigation.

g. Accessing, copying or releasing any recordings for other than official law enforcement purposes is strictly prohibited, except as required by law.

10. Agency Review of MVR Media

a. Agency personnel may review their own digital recordings for report writing and/or training purposes.

b. Review of specific incidents contained on digital recordings may be conducted by a supervisor who is assigned by the Sheriff or designee and participating in an official agency investigation of:

I. A personnel complaint.

II. Administrative inquiry.

III. Criminal investigation.

IV. Other review as approved by the Sheriff, Undersheriff or designee.

c. A supervisor or Training Unit staff may review a specific incident contained on digital media for the purpose of:

I. Training.

II. Critique.

III. Early intervention inquiries.

IV. Administrative inquiry.

V. Other legitimate purpose.

d. Authorized training staff may also digitally copy any incident on EVIDENCE.com for training purposes with authorization from the Sheriff or designee.

e. In no event shall any digital recording be used or shown for the purpose of ridicule or embarrassment. This includes submission of any portion of video recordings to a media organization unless authorized by the Sheriff or designee.

f. To provide an impartial measurement for self-critique and field evaluation during deputy training.

11. MVR Use by Unassigned Member Prohibited

a. Each MVR is assigned and configured for use by the individually assigned member. Therefore, no member shall use a MVR not assigned to them.

b. Only the System Administrator or designee can assign a MVR to a member.

12. MVR Recording Retention

a. At a minimum, all recordings from the Axon Flex body cameras (MVR) shall be retained in accordance with state retention laws, statute of limitations, and Standard Operating Procedure 35.22. The only exception to this shall be recordings pertaining to cases not filed with the State Attorney's Office. In these cases, especially with unknown suspects, evidence will be held as follows:

I. Capital or life felonies - Indefinitely.

II. Kidnapping (if unsolved) - Indefinitely.

III. Missing persons (if unsolved) indefinitely.

Approved: *Larry Ashley* /S/
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