

## III-535 MOBILE VIDEO RECORDERS

### Definitions

Audio recording: The electronic recording of sounds, conversation, or other spoken words.

AXON Flex Camera: A digital video recorder which may be worn in various mounting configurations on an officer's uniform.

AXON Flex Controller: Enables control of the AXON flex camera through simple commands to place the camera in the various operational modes.

Department Axon Armorers: Officers with authority to:

- Maintain/assign Department user groups In Evidence.com;
- Make officer/camera assignments via Sync within Evidence.com;
- Conduct appropriate training for AXON Flex user groups within the Department;
- Address network and hardware issues with the City IMS team; and
- Interface with TASER on hardware performance issues.

Event Mode: The mode of operation in which the AXON Flex Camera captures the buffered video and is recording video images with an audio component.

Evidence.com: An on-line web-based media storage facility which stores digitally encrypted data such as photographs and video recordings and which is accessible to authorized personnel based upon a security clearance and which maintains an audit trail of user activity.

Evidence Transfer Manager (ETM): A docking station which simultaneously recharges the AXON Flex Controller and uploads all data captured on the AXON Flex Camera to Evidence.com.

Normal (Buffering) Mode: The mode of operation in which the AXON Flex Camera continuously loops video without an audio component for 30 seconds.

Privacy Mode: The mode of operation in which the AXON Flex Camera is not recording at all.

Sync system: A computer program which allows officers to view but not alter video recordings captured by the AXON Flex Camera on the MDT screen. The program also allows officers to attach meta-data such as a video title and the incident case number to the video file.

Video recording: The electronic recording of visual images either with or without an audio component.

### Mobile Video Recordings

The AXON Flex Camera will be utilized to record legitimate law enforcement contacts to include, but not limited to, the following types of events: traffic stops; pursuits; vehicle searches; confrontational citizen contacts; use of force situations; statements made by subjects, victims and witnesses; advising an individual of their Miranda rights; during interrogations.

## **Prohibited Mobile Video Recordings**

The AXON Flex Camera shall not be used to record non-work related personal activity and will not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms or restrooms. The AXON Flex Camera will not be intentionally activated to record the conversations of fellow employees without their knowledge during routine, non-enforcement related activities.

Additionally, video recording of individuals who are picketing or engaged in a protest or First Amendment protected speech will be avoided unless an obvious violation of criminal law is occurring or if the officer interacts with a participant or third party to the event.

Officers will not record undercover officers or confidential informants.

## **Mobile Video Operating Procedures**

Only those officers who have completed approved training will be allowed to operate the AXON Flex system.

Officers will inspect the AXON Flex system for any physical damage and to ensure the device is in working order at the beginning of their shift. Any problems will be immediately reported to their supervisor.

Officers who have been issued the AXON Flex system shall wear it at all times the officer may become involved in an enforcement situation. Officers wearing a camera shall activate the AXON Flex system whenever they interact with the public with the exceptions noted above.

If the AXON Flex system is in use during an enforcement situation and it becomes necessary to discuss issues or concerns with another officer or supervisor in private the AXON may be placed in Privacy Mode. The intention to stop the recording will be noted by the officer verbally on the AXON and as soon as the private conversation has ended the AXON will be returned to Event Mode.

In the event of a critical incident requiring the immediate retrieval of a digital recording a supervisor shall respond to the scene to secure the AXON Flex system and maintain chain of custody. The detectives that will be investigating the case shall coordinate the download minimizing the chain of custody.

Officers will document in their written reports whether or not the AXON system was used to record an incident and will attach the appropriate case number to the video either by accessing the video on Evidence.com or through the MDT via the Sync system.

While it is understood that the use of the AXON Flex Camera will capture scenes of evidentiary value, these video recordings will not be used in lieu of Crime Lab personnel for photo or video-graphic incident documentation.

Supervisors may view recordings in the field in order to mitigate citizen complaints.

Officers will immediately report the loss of or damage to any part of the Axon equipment to their supervisor, the Department Quartermaster, and the Department Armorers. If immediately available a replacement camera will be used. The officer will complete a G.O. report. Supervisors will forward associated reports and notifications to their chain of command.

## Media Storage

At the end of their shift officers will place the Axon Flex Camera and Axon Flex Controller into the Evidence Transfer Manager (AKA docking station) for charging and uploading of media.

In addition to attaching a case number to recorded media as required above, Officers must select a video category to allow for proper retention of the video. Recorded media captured by the AXON Flex Camera will be retained according to the Department's retention schedule:

- Arrests - Until adjudication or final disposition.
- Contacts and Detentions - 1 Year
- Critical Incidents (Non Arrest) - 2 Years
- Evidence - Until adjudication or final disposition
- Pursuits (Non Arrest) - 1 Year
- Traffic Stops - 1 Year
- Training - 1 Year
- Use of Force - 1 Year
- Miscellaneous -1 Year

AXON Flex footage of stops where no arrest or citations were made shall be kept for 1 year.

The Axon Flex Camera should not be removed from the ETM until the data has been uploaded.

The media captured via the AXON Flex Camera will only be uploaded to Evidence.com and will only be used for official purposes. Officers will not make copies of any audio or video recordings for personal use and are prohibited from using a recording device such as a telephone camera or secondary video camera to record media from Evidence.com or the MDT if video is viewed through the sync system.

## Review of AXON Media

Officers should use captured media to assist with investigations and in the completion of reports.

Officers involved in any significant use of force incident or accident-causing injuries will be permitted to review their own AXON Flex Camera video or audio recordings.

All other access to Axon media will be governed by Salt Lake City Police Department Policy **IV-320 RECORDS (Guidelines for Accessing Official Records)**.

## Release of AXON Media to Third Parties

The release of media captured by the AXON Flex Camera to defense counsel in pending criminal proceedings will be processed like any other discovery request. Detectives/Investigators will be assigned to the Investigator user group in Evidence.com. Detectives/Investigators shall provide discovery access to prosecutorial agencies as requested. Department Armorers shall assist Detectives/Investigators, when needed, in facilitating these requests.

Requests for AXON Flex Camera video from the news media and other third parties must be made in writing and will be routed to the Records Unit Government Records Access and Management Act (GRAMA) Coordinator. Once granted, the GRAMA coordinator will notify the Department Axon Armorers to facilitate access for the person/entity making the request.