



TEXAS A&M UNIVERSITY POLICE DEPARTMENT
POLICY MANUAL – CHAPTER 48

MOBILE VIDEO/BODY CAMERA/AUDIO RECORDING

REVISION DATE: 12/02/2014

Mobile video/audio recording (MV/AR) equipment has proven to be a valuable law enforcement tool. The Department has adopted the use of in-car and body-worn video/audio recording systems in order to accomplish several objectives including, but not limited to, accurate documentation of events and statements made during arrests, accidents, and other incidents to enhance officer reports; collection of evidence and testimony in court; and the enhancement of this agency's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, and evidence for investigative purposes as well as for officer evaluation and training. The purpose of this policy is to provide officers with guidelines for the use of MV/AR equipment.

POLICY:

It is the policy of this department to utilize mobile and body-worn video and audio recording equipment in such a manner as to enhance the effective and efficient delivery of police services, and to serve as an asset to the prosecution of criminal cases.

PROCEDURES:

1. Operations for Mobile Video/Audio Recording
 - a. Prior to issuing MV/AR equipment, supervisors shall ensure that the affected officers in their command are appropriately trained in the use and operation of MV/AR equipment and that they are familiar with this policy.
 - b. Officers shall diligently follow the procedures set forth herein.
 - c. Officers shall be responsible for the operation and care of the assigned MV/AR equipment.
 - d. Prior to each shift, officers shall determine that MV/AR equipment is working satisfactorily. The time and date displayed on the MV/AR shall also be checked and corrected if necessary. The officer's immediate supervisor will be notified, as soon as possible, if any problems are detected.
 - e. Officers shall only use video equipment issued or authorized by the department.
 - f. Officers shall ensure proper alignment, focusing and positioning of MV/AR equipment to provide quality documentation.
 - g. MV/AR equipment will be installed to automatically activate when the unit's emergency warning lights are activated. Every traffic contact shall be recorded until the stop is terminated. Under no circumstances will an officer be required to terminate recording an event except at the direction of a supervisor. **(41.3.8a)**
 - h. At the scene of extended incidents (other than traffic contacts), the officer has discretion in terminating mobile video recording when there is no other evidentiary value to be obtained. Examples of these type events include but are not limited to: Traffic Accidents while waiting for clean up or a motorist assist or abandoned vehicle while waiting for a wrecker.
 - i. Officers shall not erase or in any manner alter MV/AR recordings. **(41.3.8b)**
2. Body-worn Camera /Audio Recording Devices
 - a. Implementation and care of equipment
 - (1) The Chief of Police or designees may authorize police officers to be equipped with department issued body camera video systems.
 - (2) All sworn personnel will be equipped with a Department authorized body camera video system.
 - (3) Sworn personnel are required to wear the body worn camera when in uniform and when in contact with the public. The camera shall be worn on the chest.
 - (4) The proper care of the body camera video equipment is the responsibility of the employee issued the unit.



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- (5) Sworn personnel shall ensure that the body camera video system is properly charged and functioning properly.
 - (6) Employees shall operate the equipment according to departmental training.
 - (7) Employees shall not dismantle or tamper with the body camera video equipment.
- b. **Operating the Body Camera Video System (41.3.8a)**
- (1) **Use of the Body Camera Required:**
Body camera video recording shall be initiated during all official law enforcement contacts. Examples of “official law enforcement contacts” include, but are not limited to:
 - (a) Calls for Service where a suspect is either:
 - [1] Present,
 - [2] Being actively pursued, or
 - [3] Could reappear while officers are present
 - (b) Arrests
 - (c) Searches
 - (d) Interrogations
 - (e) Interviews with suspicious persons/suspects
 - (f) Foot/Bike Pursuits
 - (g) Traffic stops (*officer may use In-Car recording system, body camera recording system, or both)
 - (h) Traffic accidents
 - (i) Crime scene investigations
 - (j) Encounters with the public that become adversarial after the initial contact.
 - (2) **Discretionary Use of Body Cameras:**
The initial contact with some citizens or the general public require employees to balance privacy concerns, evidentiary value, and the awareness of Open Records Statutes. Consent should be obtained prior to recording conversations with victims, witnesses, and general citizens. If consent is given, it should be documented in the recording.
 - (a) Initial interviews with crime victims or witnesses. Generally, formal statements will be obtained during the follow-up investigation. In cases where no follow-up is anticipated, consent to be recorded should be obtained.
 - (b) Generally, citizens that voluntarily contact employees should not be recorded as it may inhibit intelligence gathering and community relations.
 - (3) **Prohibited Recordings:**
 - (a) Recordings of Department personnel shall not be made during routine, non-enforcement related activities unless the recording is authorized for training purposes or has been authorized by the Chief.
 - (b) Conversations with Informants
 - (c) Recordings in places where there is a reasonable expectation of privacy (bathrooms, locker rooms, etc.)
 - (d) Recordings of conversations with Department personnel that involve tactics or strategy.
 - (e) Casual or non-evidentiary recordings of citizens.
 - (4) Employees will activate the body camera equipment as they are able to and as required by this policy. Exceptions include circumstances when activating the camera would be unsafe, impossible, or impractical.



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- (5) Employees shall make every reasonable effort to use the body camera video system to accurately capture events by reasonably positioning the unit so that it can adequately record video and audio.
 - (6) Employees shall document in the report that a recording was made with the body camera.
 - (7) Employees shall document in the report their reasoning for not recording activity required by policy.
 - (8) Recordings shall continue until the conclusion of the incident/encounter, there is no evidentiary value in collecting further information, the employee has left the scene, or a supervisor has authorized the recording to cease.
- c. **Data transfer and documentation (41.3.8c)**
- (1) Employees are responsible for ensuring the transfer of data recordings prior to the end of their shift.
 - (a) In specific situations, the supervisor will take physical custody of the camera at the scene and transfer the recordings.
 - (b) The situations include:
 - i. Officer involved shootings
 - ii. In custody deaths
 - iii. Incidents involving the Officer that resulted in a person's bodily injury or death.
 - (2) Videos loaded into the Coban system shall have the case number entered by the employee uploading the video.
 - (3) If the data transfer process requires the employee to be on overtime, the employee shall contact a supervisor.
 - (4) Supervisory personnel who manage employees using body camera video systems shall ensure that:
 - (a) Employees shall follow established procedures for the use and operation of body camera data capture systems, handling of video/audio recordings, and the completion of data transfer and documentation.
 - (b) All videos are uploaded prior to the end of the tour of their shift. No videos are to be left on a body camera video system at the completion of an officer's shift
 - (c) Repairs and replacement of damaged or nonfunctional body camera video equipment are reported using proper department procedures.
3. **Digital recording control and storage (41.3.8b, 41.3.8c)**
- a. **Control**
 - (1) MV/BC/AR digital recordings are subject to open records.
 - (a) Public requests for video require an open records request. See Chapter 21 Records.
 - (b) Law Enforcement requests for videos shall be made to the Assistant Chief of Support Services or his designee.
 - (2) Digital Recordings shall not be released to another criminal justice agency without having a duplicate copy made in accordance with this policy.
 - (3) MV/BC/AR digital recordings containing information that may be of evidentiary value or used in civil adversary proceedings shall be retained in the COBAN system and are not subject to automatic deletion after 90 days.
 - (4) Officers are authorized to review only video personally submitted.
 - (5) Officers who wish to review additional video related to an incident they were involved in will make the request through their supervisor.



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- (6) Investigative personnel assigned to the Criminal Investigation Division have rights to review all evidentiary recordings.
- (7) Supervisors and Administrators have access to review all video that has been submitted, but have no ability to alter in any way.
- b. Storage
 - (1) Case Number Videos
 - (a) Digital recordings of obvious evidentiary value or associated with a case number shall be stored in the COBAN system.
 - (b) Digital recordings associated with a criminal offense shall be handled as evidence and are not subject to the 90-day period.
 - (c) The Evidence Technician shall maintain a digital recording inventory log. Digital recordings shall be maintained in a manner that allows for efficient identification and retrieval.
 - (2) Non-Case Number Videos
 - (a) Body Camera video not associated with a case number shall be stored on the network drive designated for video storage in the Officer's radio number file.
 - (b) Officers shall not delete video from the network video storage files.
 - (c) Digital recordings not associated with a case number or marked as Evidence, scheduled for court proceedings or other adversary or agency uses shall be maintained for a minimum period of 90 days, from the date of the recording. At the end of 90 days, recordings not appropriately identified as having evidentiary value shall be removed from the system.
- 4. Duplication of recordings
 - a. All recording duplication will be done by the Evidence Technician.
 - b. A duplication fee equal to the expense incurred in duplicating the recording may be assessed.
 - c. Duplicated recordings are furnished to the requesting entities for the express use of the requester and further duplication or distribution without the express written consent of the Chief or his designee is prohibited.
- 5. Supervisory responsibilities
 - a. Affected supervisors shall ensure officers utilizing MV/BC/AR equipment adhere to established procedures, guidelines and policies.
 - b. Nothing contained in this section shall be construed as prohibiting a supervisor from addressing apparent policy violations; deficiencies with regard to arrest, investigation, or interpersonal communications; or officer safety issues that are discovered during review of an MV/BC/AR recording.