

POLICE DEPARTMENT
BP 5.02, 5.03, 7.24

Title: ON-OFFICER VIDEO RECORDING SYSTEM

Procedure: 4.026

Date Issued: 25 March 2014

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Revised:

PURPOSE:

To establish a uniform method of operating the On-Officer Audio Video Recording System. The On-Officer Audio Video Recording System (O.O.V.) will also serve to document an objective audiovisual account of events as they occur from the perspective of the officer's person. The use of the O.O.V. is expected to result in greater transparency, more effective prosecution and improved protection against false allegations of excessive use of force, misconduct or racial profiling.

DEFINITIONS:

O.O.V. - On Officer Video/Audio recorder

Buffering mode – the camera is on, but on stand-by. It will not be recording sound. The operation LED on the controller will blink green. Buffering video duration is 30 seconds.

Event mode – the camera is on and recording audio and video. The operation LED on top of the controller will blink red. The system will beep twice every two minutes after the start of the event.

POLICY:

It is the policy of the Police Department to use the On-Officer Audio Video Recording System when conducting investigative and or enforcement activities. This policy is not intended to describe every possible situation in which the OOV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes its use would be appropriate and/or valuable to document an

incident. The OOV system shall be activated in any of the following situations:

All field contacts involving actual or potential criminal conduct to include:

1. Traffic stops to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops.
2. Priority responses
3. Vehicle pursuits
4. Suspicious vehicles
5. Arrests
6. Vehicle searches
7. Physical or verbal confrontations or use of force
8. Pedestrian checks
9. DWI/DUI investigations including field sobriety tests
10. Consensual encounters
11. Crimes in progress
12. Responding to an in-progress call
13. When giving the Miranda Warning
14. All requests for consent for search without a warrant, including searches of persons, buildings, or vehicles. Both audio and video recordings will be made of the request and consent when practical.

All self-initiated activity in which an officer would normally notify Dispatch.

Any calls for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:

1. Family violence calls
2. Disturbance of the peace calls
3. Offenses involving violence or weapons

Any other contact that becomes adversarial after the initial contact in a situation what would not otherwise require recording.

Any other circumstances where the officer believes that a recording of an incident would be appropriate.

The O.O.V. shall be worn at all times when the officer is on duty.

PROCEDURES:

Prior to going into service, each uniformed officers will be responsible for making sure that he/she is equipped with the departmental issued On-Officer Audio Video Recording System. Officers shall have the O.O.V. on their person in a location with the ability to safely activate the recorder prior to or during a contact. The O.O.V. shall be worn in a manner that causes the camera to face toward the front and capture events that occur in front of the officer. The camera must be mounted in the upper chest region only. Officers will place their O.O.V. devices in buffering mode when on routine patrol in order to capture any event they may witness. The O.O.V. may be manually deactivated during non-enforcement activities such as protecting an accident scene from other vehicular traffic or during personal time e.g., when an officer may need to eat or use the restroom.

Officers utilizing the O.O.V. shall be responsible for the following:

1. The officer assigned the O.O.V. will be responsible for ensuring the battery is fully charged daily and operating properly.

2. Immediately reporting equipment malfunctions to their supervisor.

3. Documenting the use of the O.O.V. on the police report and or citation.

4. Once a video has been recorded, officers will determine if the recording falls into one of the below categories. The categories are as follows:

- a. Evidence
- b. Citation

5. If a recording is likely to serve an evidentiary purpose, the incident number will be entered in the "ID" field and the category will be labeled as Evidence. Examples of videos that would be tagged with this category include patrol generated arrests, family violence calls where an offense took place, video statements taken in the field, etc.

6. If the recording involves a citation being issued, the citation number would be entered in the "ID" field and the category will be labeled as Citation.

7. Some recordings will need to be tagged with certain information so that they will be retained for longer than the default retention period of 90 days

8. Officers can choose to tag videos using AXOM Mobile or Evidence SYNC. Videos must be tagged prior to the camera being placed in the docking station for upload. If additional information needs to be added to the recorder after it has been uploaded, this may be done through Evidence.com.

9. Placing the O.O.V. in the Evidence Transfer Machine at the end of shift for charging and uploading.

Officers are prohibited from utilizing department O.O.V.'s for personal use. Employees shall not obtain, attempt to obtain, or convert video obtained by the O.O.V. for their personal use or for the use of an unauthorized person.

Employees shall not make personal copies or attempt to upload recordings to social networking sites. Officers shall not attempt to download or view O.O.V recordings from any outside device.

Officers are prohibited from using any recording device such as cellular phone, secondary video camera or audio recorder to record media from Evidence Sync.

No member of this department may surreptitiously record a conversation of any other member of this department without the expressed knowledge and consent of all parties. O.O.V's shall not be used in department locker rooms, restrooms, briefing rooms or any other place where there would be a reasonable expectation of privacy.

Review of On-Officer Video Files:

1. Recordings that contain material that would be useful for training can be used for that purpose with the permission of the Chief of Police.
2. Field training officers may use media captured on the O.O.V. to provide immediate training to recruits and to assist with the completion of the Daily Observation Report. This act must be approved by the on duty supervisor.
3. Supervisors will review the audio/video files of all O.O.V. equipment of all officers listed in any department report, or any officer who was present at any of the following incidents involving:
 - a. Injury to prisoners
 - b. Use of Force by a department member
 - c. Injury to officers
 - d. Vehicle pursuits
 - e. Police officer needs assistance radio call
 - f. Citizen complaints

- g. Anytime it is deemed appropriate to review audio/video recordings or as directed by a supervisor or command staff officer.

Supervisors may review O.O.V. recordings of officers for the purposes of evaluating performances and/or compliance with department policies and procedures.

Detectives may review O.O.V. files for investigative purposes.

Officers may view their own recordings to assist with preparing reports or statements, or when preparing for court testimony.

Court personnel through proper process or with the permission of the Chief of Police or his designee may review O.O.V. files.

All tapes, CD's or DVD's generated by the On-Officer Audio Video Recording System are and will remain property of the Waxahachie Police Department.

Officers can request in writing or e-mail that an accidental recording of a personal nature be deleted. The request will be reviewed by and Assistant Chief of Police of the Chief of Police. After review, the officer will be notified of the outcome of the request.

RETENTION OF O.O.V. FILES

A retention schedule is in place that will dictate how long recordings will be maintained on the Evidence.com website. Retentions are as follows:

1. Uncategorized Video – 90 days
2. Evidence – 180 days
3. Citation – 365 days

Recording that have been burned to a disk and attached to a case report will be retained according to the guidelines of the Texas Record Retention Schedules set out by the Texas State Library and Archives Commission Code PS4125-05b.