 <p><b>YALE UNIVERSITY POLICE DEPARTMENT</b>  <b>STANDARD OPERATING PROCEDURE</b>  <i>Serving with Integrity, Trust, Commitment and Courage</i>  <i>Since 1894</i></p>	ORDER TYPE: NEED TO REFER	
	<b>667 ON OFFICER VIDEO</b>	
	EFFECTIVE DATE: 20 JUL 2014	REVIEW DATE: ANNUAL

**PURPOSE**

The purpose of this directive is to establish guidelines and limitations for the use and management of on-officer audio-video camera systems.

**POLICY**

The Department believes that on officer audio-video is an important and valuable tool for law enforcement. On-officer officer video is essentially audio-video documentation of a police officer's investigative and enforcement activities from the perspective of the officer's person. The use of on-officer video is expected to result in greater transparency, more effective prosecution, deterrence against false allegations of excessive use of force, misconduct or racial profiling.

Audio and video recordings of investigative or enforcement actions are evidence, and subject to rules of disclosure. It is in the best interest of justice that the Department regulates and controls all forms of evidence collection and storage.

Any distribution of a video or portion of a video shall only be done with the authorization of the Chief of Police or his/her designee. The playing or copying of any unauthorized video is prohibited. The Chief or his/her designee will supervise the use, storage, duplication and erasing of the material recorded by members of this department. Under no circumstances will any member of the Department, by any means, make a personal copy of a recorded event.

**DEFINITIONS**

Taser Axon Flex	An On-officer worn audio-video recording system primarily consisting of a camera and a controller/battery pack.
Evidence.com	Online web-based digital media storage facility accessed at <a href="http://www.evidence.com">www.evidence.com</a> . The virtual warehouse stores digitally encrypted data in a highly secure environment that is accessible to police personnel. Accessibility is limited based upon the level of security clearance assigned to the officer.
System Administrator	The System Administrator will be a Public Safety IT employee, Evidence.com administrator with full access to website overseen by a sworn supervisor assigned by the Chief of Police. Assigns and tracks equipment; controls passwords; conducts quality checks of uploaded data; coordinates data retention; provides copies of requested data to requesting officer.
End User	Taser Axon Flex user with individual account access to Evidence.com.
Evidence Transfer Manager (ETM)	A docking station that simultaneously recharges the controller/battery pack and uploads all data captured by the Taser Axon Flex. The ETM ensures that evidence handling is secured and that data is not altered.
Buffering Mode	The Taser Axon Flex continuously loops video recording for a 30 second period. No audio is recorded while buffering.
Event Mode	When placed in Event Mode, the Taser Axon Flex records audio and visual data. The previous 30 seconds of buffered video is also saved.

## **TRAINING**

Specific Training on the Taser Axon Flex supports proper use of the camera system. Only those officers who have completed a block of prescribed instruction are authorized to use the Taser Axon Flex on body recording system.

## **ISSUANCE**

Taser Axon Flex cameras may be issued to sworn personnel who choose to use them subject to the requirements of this directive.

## **EQUIPMENT**

The use of personally owned video-audio equipment while on duty is prohibited.

## **ADMINISTRATION**

- Prior to each shift, the officer shall inspect the Taser Axon Flex to ensure the system is fully charged and operational.
- Only fully operational systems shall be used.
- Users must report any problems with the system to their supervisor immediately. Supervisors must report any system problems to the System Administrator.
- Officers shall not attempt to make repairs to the Taser Axon Flex system.
- Users must immediately report malfunctions, damage, loss or theft of Taser Axon Flex equipment to a supervisor and must follow up with an interoffice memorandum submitted to their immediate supervisor explaining the circumstances of any damage, loss or theft of equipment.
- Supervisors must report damage, loss or theft of the Taser Axon Flex to the System Administrator without delay.
- Any officer who intentionally disables or damages any part of the Taser Axon Flex system or who fails to activate or deactivate the system required by this policy without justifiable reason, will be held accountable and subject to criminal and/or internal disciplinary action.

## **USE**

- The Taser Axon Flex body worn audio/visual recording system shall be operated in accordance with manufacturer's guidelines and Department training and policies.
- Department issued Taser Axon Flex systems are intended for official Departmental use only and are not to be used for frivolous or personal activities. Intentional misuse or abuse of the units will result in disciplinary action.
- If an officer chooses to use the Taser Axon Flex on any particular shift, it shall be worn at all times by the officer.
- All Officers shall activate the Taser Axon Flex in the Event Mode as soon as practical once it has been determined in the officer's use of sound judgment that an incident is to be recorded in accordance with this order. This includes, but not limited to:
  - Any consensual or non-consensual encounter while an officer is engaged in the execution of official police duties;
  - Any dispatched call where there is human contact;
  - Any encounter that is initiated by a private person (flag down);
  - Any investigative encounter to confirm or dispel a suspicion that the person may be involved in criminal activity. This includes but is not limited to, investigative detentions, vehicle stops, field contacts;

- Execution of arrest or search warrants; and
  - Any other community contact in the officer's discretion.
- Officers who fail to activate their Axon Flex in required situations as outlined above may be subject to discipline. Failure to activate the Axon Flex as required will be a factor examined when determining final resolution of citizen complaints.
- It is generally recognized that words and/or actions performed in the presence of a police officer have no expectation of privacy. If asked, the officer will inform the person they are being recorded and document it in their report of the incident.
- Once the Taser Axon Flex Event mode has been activated it shall remain on until the incident has reached a conclusion or the officer leaves the scene.
  - Once the situation stabilizes, if it is necessary to discuss issues or concerns with another officer or supervisor in private, the Axon Flex system may be temporarily muted or placed in Privacy Mode.
  - Recording shall continue for the transportation of prisoners, persons of interest or witnesses in an incident where a recording has been made.
  - Any cessation of recording will be noted and explained within the report.
  - As soon as the private conversation is completed, the Taser Axon Flex system shall be returned to Event Mode.
- In situations where two or more officers respond to a scene, or in tactical situations, one of the responding officers may be directed by a supervisor or the primary investigating officer, to establish a position to provide a panoramic view of the response and incident resolution.
- In any incident, investigation, or traffic stop that results in an Offense Report, summons, infraction ticket, or other Department document being generated and the Axon Flex body worn audio-visual recording system was used, the officer shall note its use on the appropriate document.
- Whenever an officer records an incident or any portion of an incident, which the officer reasonably believes will likely lead to a citizen complaint, the officer shall immediately bring it to the attention of their supervisor.
- When an incident arises that requires the immediate retrieval of a digital recording, (serious crime scenes, officer involved shootings, department involved motor vehicle accidents), a supervisor shall respond to the scene to secure the laser Axon Flex system and maintain chain of custody.
- The recording of confidential informants and undercover officers must be authorized by a supervisor.
- Officers shall not allow citizens to review the recordings unless authorized by a supervisor.
- For report writing purposes officers may review their own video recording.
- In incidents involving an officer's use of force (defined in Use of Force Order) from resisted handcuffing to Officer involved shootings, officers shall review their audio and video recording of the incident with a supervisor prior to the officer completing his/her incident report. Any discrepancies or additional information determined by the review of the video will be documented and explained by the Supervisor in his/her evaluation of the incident.
- Officers will only use department issued equipment to review video recordings.
- Officers shall not make copies of any recording for their personal use and are prohibited from using a recording device (such as a camera phone or secondary video camera) to record media from Evidence.com or any device utilized to view recorded data directly from the Axon Flex.

#### **PROHIBITED RECORDINGS**

- Officers will avoid recordings of intimate body parts of others, whenever possible.

- Officers should avoid recording events occurring in healthcare facilities, locker or dressing rooms, restrooms or other places where there is a reasonable expectation of privacy unless in conjunction with a criminal investigation or response.
- Officers will not record conversations with or of fellow employees without their knowledge in non-law enforcement related situations.
- Officers will not record non-work related personal activities.

#### **DELETION OF UNINTENTIONAL RECORDINGS**

In the event of an unintentional activation of the Axon system during non-enforcement or non-investigative activities, (IE: restroom or meal break, other areas where reasonable expectation of privacy exists) officers may request recording deletion. A memorandum detailing the circumstances of the unintentional recording will be forwarded via the chain of command to the Chief of Police or designee. If approved, the actual deletion requires two-party authorization. One of those parties will be the Chief or designee; the other will be an agency Axon/Evidence.com Administrator. The video can be deleted after the time period specified in the State Library retention schedule (currently 60 days).

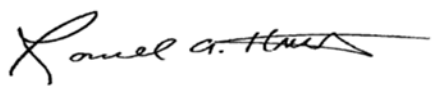
#### **DATA UPLOADED/MEDIA STORAGE/RETENTION**

- The Taser Axon Flex shall be placed in the ETM docking station at the end of shift for re-charging and uploading captured data to Evidence.com. The Taser Axon Flex shall not be removed from the ETM docking station until all data has been uploaded and the battery has been fully re-charged.
- Uploaded data shall be maintained at Evidence.com for a minimum of one year.
- Data that has evidentiary value in criminal or civil cases and/or citizen complaints against officers shall be retained in accordance with existing evidentiary procedures.
- Requests for copies of any data from Evidence.com shall be made in accordance with existing records procedures.

#### **AGENCY REVIEW OF RECORDED DATA**

- Recording shall not be randomly reviewed to monitor officer performance but may be reviewed to determine compliance with recording procedures.
- Supervisors may review a specific incident recording for the purpose of training, critique, early intervention inquires or for investigative purposes.
- The Chief of Police or designee may review specific incidents recorded by the Taser Axon Flex on body audio-visual recording system when participating in an official departmental investigation of agency personnel.
- Under no circumstances shall any recordings be used or shown for the purpose of bringing ridicule or embarrassment upon any person or the Department.
- The release of recording to any person shall be made in accordance with Department Policy and Procedures, and pursuant to requirements as established by operation to applicable law, including but not limited to, Freedom of Information Act ("F.O.I.A.").

PER ORDER OF



CHIEF RONNELL A. HIGGINS