

	POLICY & PROCEDURE	SERIES # 214	PAGE 1 OF 5
	SUBJECT		EFFECTIVE DATE
	<b>MOBILE &amp; BODY WORN RECORDERS</b>		2/6/14
			APPROVED
DISTRIBUTION ALL MANUALS	AMENDS/SUPERSEDES/CANCELS	VLEPSC STANDARDS OPR.01.11 a-c	

I. PURPOSE:

It is the purpose of this policy to provide officers with guidelines for the use of mobile and body worn recording equipment.

II. POLICY:

Mobile video/audio recording (MVR) equipment and body worn (VID-MIC) have demonstrated value in collecting visual and audible evidence to expedite the prosecution and adjudication of criminal cases, as well as to promote officer safety, provide corroboration of the officer's testimony, and to be an eyewitness to the events as they occur. In order to maximize the utility of this equipment in these related areas, officers shall follow the procedures for the MVR and VID-MIC equipment set forth in this policy.

III. PROCEDURES:

A. Equipment:

1. MVR equipment installed in vehicles is the responsibility of the officer assigned to that vehicle and will be maintained according to manufacturer's recommendations.
2. VID-MIC cameras shall be issued to individual officers and be the responsibility of the officer to maintain.
3. Equipment shall be inspected prior to the beginning of the officer's tour of duty and any deficiencies shall be reported to a supervisor immediately.
4. VID-MIC cameras should be worn in the manner suggested by the manufacturer, which is center of the torso. This should be done to produce the best possible image.
5. No modifications or operational adjustments shall be made except by technicians or other authorized personnel.
6. MVR wireless microphones should be worn on the duty belt in a

comfortable and convenient location. Transmitter frequencies are matched to those of their receivers and may not be interchanged.

7. MVR systems must be manually powered on and off by the operator.

#### IV. OPERATING PROCEDURES (MVR):

##### A. Recorder (MVR):

1. The recorder may be activated in one of three ways:
  - a. Manually, by pressing the "Record" button,
  - b. Automatically, by activating the vehicle emergency lights
  - c. Remotely, by activating the wireless microphone
2. Regardless of how the recorder is activated, it can only be deactivated manually by depressing the "STOP" button.

##### B. Vaults:

1. All vaults and hard drive access doors shall be locked at all times. Fan intakes on the vaults shall be kept clear of debris and other obstructions.

##### C. Data Identifiers:

1. Data identifying information will include:
  - a. Date and time
  - b. Badge number
  - c. Name of officer
  - d. Department name or initials

#### V. OPERATING PROCEDURES (VID-MIC):

##### A. Recorder (VID-MIC):

1. The recorder is designed to be both a video/audio recorder and radio microphone.
2. The camera unit is activated by depressing the button on the center of the front of the microphone.
3. The camera will record until either manually stopped or the hard drive is full.

4. The VID-MIC unit may also be used as a “still” camera. That function may be activated by depressing the button on the top of the unit.

VI. GUIDELINES FOR RECORDING:

A. Events to be recorded include:

1. Emergency responses
2. Pursuits
3. Traffic stops
4. Observation of potential DUI offenders prior to stop, performance of field sobriety testing, and transport if arrested.
5. Prisoner transport (MVR only)
6. Vehicle searches and inventories
7. Any contact with the public in the performance of duty
8. Any other incident where the officer feels the presence of video/audio evidence may be beneficial. (OPR.01.11a)

B. Recording Procedures:

1. Once recording has begun it should be continued until its completion, if for any reason the recording is discontinued it shall be documented in the report narrative.
2. Officers are not required to discontinue videotaping at the request of anyone other than a supervisor.
3. Officers will inform any person that they are being recorded if they so ask.
4. Officers will indicate in their incident and other related reports that video and/or audio was used.
5. Anytime the recorder is on while outside the patrol vehicle, the microphone shall also be on. The officer should remember to narrate events occurring not in the view of the camera.
6. MVR and VID-MIC equipment shall not be used for personal business.

7. Officers should remember that recordings are of physical/verbal actions to include employees.

## VII. DATA STORAGE AND RETRIEVAL

### A. Retrieval and storage of recorded events:

1. Events captured by either the MVR or VID-MIC systems shall be downloaded by the Administrative Captain once the unit's storage has become full or when otherwise necessary. Access to recorded data shall be under the control of the Administrative Captain.  
(OPR.01.11b)
2. Recorded information from the hard drive that is of evidentiary value is evidence and will be retained for a minimum of three (3) years or until the case is resolved or the evidence is released, whichever is longer, and must be handled as such. For this reason the chain-of-custody must be kept as short as possible and documented by all who handle the tapes.  
(OPR.01.11c)
3. Recorded information that is not considered evidence will be destroyed after thirty (30) days.  
(OPR.01.11c)
4. Recorded data that is considered evidence shall be transferred to a DVD or CD and placed in the evidence room in accordance with department policy.
5. All original recorded media shall be stored on a separate hard drive under the control of the Administrative Captain.

### B. Owner and Custody of Recorded Media

1. All recorded media shall be the property of the Tappahannock Police Department.
2. Recorded data shall not be released to another agency or entity without prior approval of the Chief or his/her designee.
3. Recorded media may be released to the Commonwealth Attorney upon their request.
4. All recorded events that are released shall be documented in the "Release

of Recorded/Digital Media” log maintained by the Administrative Captain.

C. Viewing of Recorded Media

1. The Administrative Captain shall arrange for viewing of digital media as requested and authorized by the Chief of Police, officers, the Commonwealth Attorney, defense attorneys, defendants, or as such ordered by the court. Such viewing should take place at the police department at a reasonable time unless other arrangements have been made and agreed upon by all parties.
2. Officers may be given a copy of their recorded event for the purposes of critiquing, report completion and case preparation. Officers shall not at any time release, recreate, or redistribute any video or audio recording without approval of the Chief or his/her designee.
3. Supervisors may (and should) periodically view recorded media to:
  - a. Determine if department policies, procedures, and rules are being followed.
  - b. Ensure officer safety is not being compromised.
  - c. Evaluate operational methods and make changes when necessary.
  - d. Investigate allegations of misconduct by citizens, other officers or supervisors.
  - e. Evaluate the performance of an officer for the purpose of correcting improper or inefficient actions.