

Chattanooga Police Department - Policy Manual

OPS-22 IN-CAR VIDEO/AUDIO RECORDING SYSTEM

Amends/Supersedes: OPS-22 (05/23/12)

Reviewed: Annually/May

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CALEA 41.3.8 (5th Ed.)

PURPOSE

The purpose of this manual order is to establish policy and procedure for the deployment, utilization, inspection and maintenance of the In-Car Video/Audio Recording System (ICVARS). Further, to establish policy and procedure for the distribution, maintenance, collection and storage of the ICVARS tape cassettes.

“A primary mandate of any Police Force is the lawful collection, maintenance and utilization of evidence. Current electronic surveillance technology provides law enforcement authorities the ability to collect audio and visual evidence in a fairly routine manner. Along with the ‘technical ability’ there is the responsibility to lawfully and efficiently manage the use of the technology. Managing not only encompasses the technical aspects of the device being utilized, but the secure and methodical control of the evidence obtained as a result of its usage.”

I. GENERAL USE AND OPERATION

A. Before being allowed to utilize ICVARS equipment, (i) the officer must complete a course of instruction from CPD Training Staff that will cover the technical operation of the equipment and current CPD policy pertaining to the equipment and, (ii) the officer must exhibit, to the satisfaction of the training staff, competency with the equipment and complete understanding of the CPD policy governing the use of the equipment.

B. While on-duty and utilizing an ICVARS equipped vehicle, the officer shall at all times maintain the equipment in a record/standby mode so long as that vehicle is in operation or there is the potential for citizen contact. (Must be on and logged in at all times with last name and badge number)

C. The officer may at his/her discretion record any activities or events that the officer deems necessary for the completion of the law enforcement mission. However, **there are certain events and activities that the officer SHALL record as follows:** when handling or seizing money, drugs or property from a subject; **all** traffic stops, **arrests, prisoner transports,** pursuits, any emergency driving, field interviews, fights, disorders, riots/unruly crowds/protests, crimes in progress whether the officer is the primary officer involved or is the backup unit during any of the aforementioned activities or events. The only acceptable exceptions to this requirement will be the technical limitations of the ICVARS equipment or the presence of an imminent and aggravated physical threat or hazard wherein the safety of the officer might be jeopardized by taking time to activate the recording system. Failure to activate the equipment as required above shall be documented in writing with a detailed explanation for the failure to record. **Failure to record when required by this manual order shall be subject to review by the chain-of-command and to possible disciplinary action.** As used in this paragraph, “emergency driving” means operation of a vehicle with blue lights and/or siren in operation. **[41.3.8a]**

D. The officer will be responsible for inspecting the unit at the beginning of each shift and to ensure that the equipment is operating properly. The initial inspection shall include a brief video/audio recording of the officer speaking clearly and normally, providing the current date and time of the inspection. The condition of the equipment must be noted on the officer’s Daily Activity Log. If the officer detects that the equipment is not working properly at any time, the officer shall immediately notify his/her Sergeant by e-mail and copy Techreq, the equipment will be noted as “Off-Line” until proper repairs or maintenance can be conducted to bring the unit back “On-Line.” If the remote audio transmitter, receiver and antenna unit (body microphone) OR any part of the actual in-car system does not function, the entire system shall be deemed as “Off-Line” and shall not be utilized until the entire unit (ICVARS) is functioning properly. ALL maintenance will be performed in accordance with equipment manufacturer guidelines and only by authorized technicians.

E. The officer shall make sure that sufficiently charged batteries of the appropriate type are in the remote audio transmitter, receiver and antenna unit at all times. It will be the responsibility of each sector/zone to maintain an adequate supply of properly functioning batteries in each zone sergeants’ office. The shift sergeants will issue fully charged or new batteries to officers in their command who utilize ICVARS equipped vehicles. The

issuing sergeant will note the issuance of the batteries in a log including the date and time of issuance and the signature of the receiving officer.

F. ICVARS equipment shall be inspected by the shift sergeant during routine inspection of vehicles and other issued equipment as set forth within the Chattanooga Police Department Policy Manual pertaining to INSPECTIONS. Furthermore, the equipment is subject to random inspection by a supervisor at any time.

G. Copying of a recording may be allowed for dissemination by the Public Information Officer, criminal or civil court proceedings, internal investigations or training purposes. A written “copy and distribution” request shall be filed by the requesting officer, agent, sector/section head, or any lawfully authorized entity. That request shall be routed to and through the chain-of-command of the Property Unit. That request shall include the need for copying, the number of copies to be made and the distribution list of said copies.

H. Unless otherwise authorized in writing by the Chief of Police, all in-car digital cameras and all related hardware and software shall be installed in a uniform manner, consistent with vehicle and equipment limitations. Due to limited emergency lighting applications for “slick top” vehicles, camera installation and activation may be modified to meet the particular needs of those vehicles. No officer may authorize or request any modification to such installation, hardware, software, or operating system settings except through the officer’s chain-of-command.

I. Officers SHALL tag all recorded video with one of the provided classifications; DUI, Arrest, traffic citation, traffic warning, shooting, disorder, suspicious person, drug arrest, complaint, vehicle pursuit, IA, and Permanent. When available, officers SHALL add complaint numbers and or citation numbers in the notes field.

II. STORAGE, RETENTION AND SECURITY [41.3.8 b,c]

A. If at any time the ICVARS equipment records an incident/event/occurrence, which is deemed as a major case by the officer, an investigator or a supervisor, that tape cassette shall immediately be handled as any other piece of evidence pertaining to that particular investigative case file. Examples: death investigations whether homicide or accidental, vehicle crashes wherein police pursuit was involved, shootings, any other felony crimes in-progress or any other incident/event/occurrence so deemed by the officer, investigator or a supervisor.

B. Once a recording is made, the recording shall not be edited, recorded over or altered in any way except as outlined within this policy. Any unauthorized and intentional altering of cassette recordings may result in administrative and/or criminal sanctions.

C. Prior to the disposal of any tape retained for court or investigative purposes, the officer shall contact the District Attorney’s Office and/or the City Attorney’s Office to determine the status of any case in which the tape has evidentiary value. The officer shall obtain written documentation from the District Attorney and/or City Attorney which shall state that the tape is no longer needed and that it is permissible to destroy or reissue the tape. This documentation shall be maintained for a period of three (3) years.

III. DIGITAL VIDEO ACCESS, STORAGE, RETENTION AND SECURITY [41.3.8 b,c]


A. Officers issued digital in-car video systems shall ensure that the units are operational and employed consistent with the forgoing policy and that all the cited example incidents are recorded.

B. Once a recording is made the digital media shall be downloaded at a designated download station within the time limitations of the equipment. Downloading should be accomplished on a daily basis, but shall be done not less frequently than weekly.

C. Digital media shall be maintained on a central server(s) for eighteen (18) months.

D. Requests by officers for CD duplicates for court purposes shall be made within thirty (30) days of the date of the incident recorded. Requests for digital video from attorneys and citizens shall be subject to the same regulations governing the release of Department records in ADM-34 – Department Records, I. Administration, B. General Release of Records.

E. The Crime Scene Unit shall perform duplication and disposal of digital media.

A handwritten signature in cursive script, appearing to read "Fred Fletcher", is written over a horizontal line.

Fred Fletcher
Chief of Police
Chattanooga Police Department