



# LOUDON POLICE DEPARTMENT LOUDON, TN



## Chapter 10

Subject: Mobile Video Recording Equipment & Public Access	Effective Date: 02/27/2006	Revised Date: 02/21/2020
Title: Mobile Video Recording Equipment & Public Access	Pages: 9	Distribution: All officers
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The purpose of this directive is to Provide the City of Loudon Police Department with guidelines for the use, management, storage, and retrieval of audio-visual media recorded by in car video systems. The Loudon Police Department is required by Tennessee law to make its videotapes, as maintained of patrol procedures, accessible to the public upon request. The Loudon Police Department establishes the following rules and regulations for access to the public on a reasonable basis.

This directive shall consist of the following sections:

- I. Definitions
- II. Policy
- III. Procedures

I. Definitions

- a. Recorded Media: Refers to audio-video Signals recorded on any of several storage devices, including analog tape (VHS, SVHS, Hi 8mm), digital tape (DV), or other portable digital storage devices (CD, DVD, hard-drive, etc.).
- b. In-Car Camera System and Mobile Video Recorder (MVR): These are synonymous terms and refer to any system that captures audio and video signals capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.
- c. Degaussing: Electronic cleansing of analog recording media returns the media to its original state and when it is ready for the imprinting of new images.

II. Policy

The use of an MVR system provides persuasive documentary evidence and help stuff in against civil litigation allegations of officer misconduct. Officers assigned the use of those devices shall adhere to the operational objectives and protocols outlined herein so as to maximize the effectiveness and utility of the MVR and the integrity of evidence and related video documentation.

III. Procedures

- a. The agency has adopted the use of MVR's to accomplish the following objectives:
  - i. To enhance officer safety.
  - ii. To accurately capture statements and events during the course of an incident.
  - iii. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparations/presentations.
  - iv. To capture visual an audio information for use in current and future investigations
- b. It shall be the responsibility of this Department to ensure that the audio video recording equipment is properly installed according to the manufacturer's recommendations.
  - i. MVR equipment shall automatically activate when emergency equipment (lights) or a wireless transmitter is operating. The system may also be activated manually from the control panel affixed to the interior of the vehicle.

- ii. Placement and operation of system components within the vehicle shall be based on officer safety requirements.
- c. Officers responsibilities
  - i. Inspection in general maintenance of MVR equipment installed in departmental vehicles shall be the responsibility of the officer assigned to the vehicle.
    - 1. MVR equipment shall be operated in accordance with the manufacturers recommended guidelines and departmental training and policies.
    - 2. Prior to beginning each shift, the assigned officer shall perform an inspection to ensure that the MVR is performing in accordance with the manufacturer's recommendations covering the following matters:
      - a. Remote audio transmitter functional:
        - i. Adequate power source
        - ii. Connected to the recording equipment
        - iii. Remote activation of system via transmitter
      - b. Camera lens:
        - i. Windshield and camera lens free of debris
        - ii. Camera facing intended direction
      - c. Recording mechanism capturing both audio and video information:
        - i. System plays back both audio and video tracks
  - ii. Malfunctions, damage or theft of in car camera equipment shall be reported to the immediate supervisor prior to placing the unit into service.
    - 1. A subsequent written report shall include information on the suspected calls or causes of equipment failure, as available, and any recommendations for corrective action.
    - 2. The supervisor shall determine if the unit shall be placed in service. If the vehicle is placed in service without an operating MVR notation shall be made in officers individual daily activity log.

- iii. In the event a patrol officer is assigned a patrol unit UN equipped with MVRA notation shall be made in the individual officer's daily activity log prior to his or her shift
- d. Mandatory recordation
  - i. Traffic stops (to include, but not limited to traffic violations, stranded motorist assistance and all crime interdiction stops) Vehicle equipment prior to beginning pursuit.
  - ii. Priority responses
  - iii. Vehicle pursuits
  - iv. Prisoner transports
  - v. Crimes in progress
  - vi. Field interviews
  - vii. Checking suspicious persons or vehicles
  - viii. Any situation or incident that the officer, through training in experience, believes should be audibly in visually recorded.
  - ix. When the MVR is activated, officers shall ensure that the audio portion is also activated so all events are properly documented. Officers are encouraged to narrate events using the audio recording, so as to provide the best documentation for pretrial in courtroom presentation.
- e. Operational protocols
  - i. To prevent bleed over Andorra noise from other MVR's in systems using low band transmitters (analog), Only the primary officer initiating the contact shall activate his or her recorder.
  - ii. Officers using the 900Mhz digital transmitters that are individually synchronized to their individual MVRV shall activate both audio and video recordings when responding in a support capacity in order to obtain additional perspectives of the incident scene.
  - iii. Officer shall review the recordings when preparing written reports of event to help ensure accuracy and consistency of accounts.
  - iv. With the exception of police radios, officers shall ensure that the volume from other electronic devices within the police vehicle do not interfere with the MVR recordings

- v. Officers shall not erase, alter, reuse, modify or tamper with MVR recordings. Only the Department evidence custodian may erase and reissue previously recorded recordings and may only do so pursuant to the provisions of this policy.
  - vi. To prevent damage, original recording shall not be viewed in any equipment other than the equipment issued or authorized by the evidence custodian.
  - vii. NVR recordings shall be marked as containing evidence and submitted to the evidence custodian to be held and or duplicated for criminal prosecution when they record any of the following:
    - 1. Arrests
    - 2. Assaults
    - 3. Physical or verbal confrontations
    - 4. Vehicle pursuits
    - 5. Vehicle searches in which contraband is recovered
    - 6. Driving while intoxicated or under the influence arrests
    - 7. All prisoner transports
  - viii. When the MVR is activated to document an event, it shall not be deactivated until the event has been concluded unless:
    - 1. The incident or event is of such duration that the MVR may be deactivated to conserve recording times; And
    - 2. The officer does not reasonably believe that deactivation will result in the loss of critical documentary information; And
    - 3. The intention to stop the tape has been noted by the officer either verbally or in a written notation.
    - 4. Also, it shall be permissible to discuss procedures with other officers while the audio is the activated, however audio shall be reactivated prior to addressing suspects or individuals. Verbal notice shall be given by the primary officer prior to deactivation, and then immediately following re activation.
  - ix. The recording media shall be replaced when the recording time remaining is less than one hour, for long playing media lasting 6 to 8 hours.
- f. Supervisor responsibilities

- i. Supervisor shout issued unrecorded media in when possible prior to issuance, shall assign an affix an identification number to the exterior of the media.
  1. The numbered media is then recorded in the chain of custody log.
  2. Should the media be a computer hard drive, a computer-generated file number shall be generated internally.
- ii. The chain of custody log shall include, but need not be limited to:
  1. Tracking number of media
  2. Date issued
  3. Officer or vehicle issued
  4. Date submitted
  5. Officer submitting the media
  6. Hold for evidence identification
- iii. When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, Departmental shooting, departmental accidents), A shift Sergeant shall respond to the scene and remove the recorded media.
  1. The shift Sergeant shall then place immediate into evidence and ensure the appropriate notation is made in the chain of custody log.
- iv. The shift sergeants shall periodically review the chain of custody log to ensure the issued media is surrendered in a timely manner. The shift sergeants are responsible for determining causes for such problems (e.g., unreported problems with the MVR equipment or equipment not being used in accordance with Departmental policy).
- v. Supervisors who are informed or otherwise become aware of malfunctioning equipment shall ensure the authorized personnel make repairs in a timely manner.
- vi. Shift sergeants shall conduct periodic reviews of officer assigned media in order to periodically:
  1. Assess officer performance;
  2. Assure proper functioning of MVR equipment;

3. Determine if MVR equipment is being operated properly; And
  4. Identify recordings that may be appropriate for training.
- vii. Shift sergeants shall conduct BI weekly reviews of personnel who are newly assigned M VR equipment in order to ensure compliance with Department of policy. Shift Sergeant shall therefore conduct quarterly reviews.
  - viii. Minor infractions (not criminal in nature) discovered during the routine review of recorded material should be viewed as training opportunities and not as routine disciplinary actions. Should the behavior or action become habitual after being informally addressed, the appropriate disciplinary or corrective action shall be taken.
  - ix. Shift Sergeant shall ensure that adequate recording media is on hand in available for issuance.
- g. Evidence custodians responsibilities
- i. A designated officer or other employee (MVR technician) shall be responsible for the recording, issuance, retrieval comet storage, cleansing, and duplication of all recorded media.
  - ii. The evidence custodian shall be responsible for collecting all completed media. Once the media is surrendered, the evidence shall:
    1. Ensure it is placed in a secure location with authorized control access; And
    2. Make appropriate entries in the chain of custody log.
  - iii. Recorded media may only be erased:
    1. pursuant to a court order; Or
    2. in accordance with established retention guidelines.
  - iv. For the purpose of accountability, all media will be assigned an identification number prior to issuance in the field. The evidence custodian will maintain a record database of evidence media.
  - v. The evidence custodian shall coordinate with the Departmental quartermaster to ensure that an adequate supply of recordable media is available.
  - vi. The evidence custodian shall be responsible for the following:

1. Long term storage of media deemed to be of evidentiary value consistent with the department's evidence storage protocol and retention schedule.
  2. The cleansing and reissuance of all other media deemed to be of no evidentiary value consistent with the department's documentation retention requirements.
- h. Media duplication and public access
- i. All recording media, recorded images and audio recordings are the property of the city of Loudon Police Department. Dissemination outside of the agency to the public is permitted upon request and the completion of the following:
    1. The request must be made in writing.
    2. The request must designate the date (month/date/year) and approximate time.
    3. The request must be accompanied by a blank tape or disc depending on the type of media to be transferred.
    4. Request at any time, shall include payment of \$50 payment per access fee.
    5. Access shall be made only between the hours of 7:30 AM and 4:00 PM on any normal city business day, excluding weekends and Holidays.
    6. There will be a minimum of 48 hours duration prior to availability
    7. In the event that the recorded media is involved in any ongoing investigation by the city of Loudon Police Department or other law enforcement agency, duplicates may be withheld for a period of time to be determined by the prosecuting attorney.
  - ii. To prevent damage to, alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted to any device not approved by the Department TLE evidence custodian.
  - iii. When possible and practical, a copy of the original media shall be used for viewing by investigators, court staff, training personnel, and the courts (unless otherwise directed by the courts) to preserve the original media in pristine condition.

#### IV. Training

all officers shall successfully complete this Department approved course of instruction prior to being deployed with MVR systems in operational settings. Officer shall be giving updated training if and/or when the agencies mobile video recording equipment and videotape access changes.