

UPPER MERION TOWNSHIP POLICE DEPARTMENT
POLICY AND PROCEDURE

No. 710

Supercedes: NA

Effective: June 3, 2019

Page: NA Section: NA

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MOBILE VIDEO RECORDING EQUIPMENT

I PURPOSE:

The purpose of this policy is to provide officers with guidelines for the use of Mobile Video Recording systems, including In-Car Cameras (ICC) and Body Worn Cameras (BWC).

II. POLICY:

Mobile video recording systems (MVR's) have been demonstrated to be of value in officer protection, the prosecution of serious traffic violations and criminal offenses, in evaluation of officer performance, as well as in training. In order to achieve maximum benefit from this equipment in these and related areas, officers shall follow the procedures for mobile video recording (MVR) equipment use as set forth in this policy. A violation of this policy may subject the violator to appropriate disciplinary action.

III, PROCEDURES:

A. TRAINING:

All officers must successfully complete training in the following areas prior to using the MVR equipment:

1. Mobile Video Recording Equipment (MVR) Policy and Procedure #710.
2. Operation and Maintenance of both ICC and BWC equipment.
3. Officer must demonstrate competency in the use and operation of both ICC and BWC equipment.
4. Maintenance and storage of digitally recorded evidence.

B. IN CAR CAMERA (ICC) OPERATING PROCEDURE: Officers shall adhere to the following procedures when utilizing MVR equipment:

1. ICC equipment installed in vehicles, which is capable of video recording only, is the responsibility of the officer assigned to that vehicle and will be maintained according to manufacturer's recommendations.
2. Prior to each shift, officers assigned to ICC equipped vehicles will complete the following:
 - a. Determine whether their ICC equipment is working properly and bring any problems at this or other times to the immediate attention of a supervisor.
 - b. If the ICC equipment is not functioning, the officer will immediately notify the shift supervisor and report the problem by email to PD MDT issues. Officers will also notify the Communications Center to place a note on the daily patrol log.
 - c. Ensure that the ICC system is powered on, and that they are logged on, and that the camera lens is positioned for maximum coverage of the desired viewing area.
3. ICC use is mandatory for all properly trained officers assigned to ICC equipped vehicles in the following circumstances:
 - a. Vehicle stops
 - b. Pedestrian stops
 - c. During all emergency responses
 - d. During all vehicle pursuits
4. A recording will automatically be activated any time the vehicle's emergency warning devices are in operation.
5. A recording may be stopped during the performance of non-enforcement activities, which are defined as, but not limited to:
 - a. Traffic direction
 - b. Disabled vehicles
 - c. Accident scene protection
 - d. Crime scene protection
 - e. At the direction of a supervisor
6. Intentional, covert recording of events or individuals except in the performance of official duties is prohibited.
7. Any powering off deactivation of ICC equipment, other than at the end of a shift or when placing the vehicle out of service, must be documented by

placing a note on the officer's daily activity report explaining the reason for the deactivation.

8. Officers will ensure that the ICC equipment is in operating order during all traffic stops or other enforcement actions. In so doing they will ensure that:
 - a. The digital recorder is positioned and adjusted to record the event.
 - b. All three cameras are selected and activated during the event.
9. Officers shall not erase, reuse, or in any manner alter, any storage device containing digitally recorded information.
10. Officers shall notify their immediate supervisor of any digitally recorded sequences that contain evidence or information requiring additional investigation, that are valuable for training purposes, or that may be relevant to potential allegations of civil or criminal misconduct.
11. Officers shall document in the pertinent written report the availability of digitally recorded evidence.

C. BODY WORN CAMERA (BWC) OPERATING PROCEDURE:

1. BWC equipment, which is capable of video and audio recording, is the responsibility of the officer assigned to that BWC and will be maintained according to manufacturer's recommendations.
2. Prior to each shift, shift supervisors will assign a BWC to each patrol officer via the WatchGuard Evidence Kiosk. This includes assigning BWC to patrol officers working the 1100-2300 and 1500-0300 shifts. The assigned BWC will be noted on the Sergeant's daily report as well as the officer's daily activity log.
3. Once the BWC is assigned to a patrol officer, they will then complete the following:
 - a. Determine whether their BWC equipment is working properly and bring any problems at this or other times to the immediate attention of a supervisor.
 - b. The shift supervisor will also be responsible for notifying the Auxiliary Services Lieutenant of the problem affecting the BWC.
 - c. Ensure that the BWC system is powered on, they are logged on, and that the camera is positioned for maximum coverage of the desired viewing area.
4. Patrol Officers issued a BWC will use them in the following circumstances:
 - a. Vehicle stops
 - b. Pedestrian stops

- c. When the officer feels that a situation is turning argumentative
 - d. During all emergency responses
 - e. During all vehicle and foot pursuits
 - f. During field interviews or while conducting DUI testing
 - g. During the course of an arrest
 - h. While assisting in the service of a search warrant.
5. A recording will automatically be activated any time the vehicle's emergency warning devices and ICC are in operation.
6. A recording may be stopped during the performance of non-enforcement activities, which are defined as, but not limited to:
 - a. Traffic direction
 - b. Disabled vehicles
 - c. Accident scene protection
 - d. Crime scene protection
 - e. To protect the privacy of individuals who may be unclothed
 - f. During a critical incident with a supervisor's permission
 - g. When the situation moves into a confidential nature
 - h. If directed by a supervisor
 - i. Prior to engaging in any disciplinary conversations or hearings
7. Intentional, covert recording of events or individuals except in the performance of official duties is prohibited.
8. Any powering off of the WC equipment, other than at the end of a shift or when clearing an incident, must be documented by placing a note on the officer's daily activity log or in their incident report, explaining the reason for the deactivation.
9. Officers will ensure that the BWC equipment is in operating order during the specified incidents outlined in section C (4). In so doing, they will ensure that:
 - a. The BWC is positioned and adjusted to record the event.
 - b. The incident is properly tagged at the conclusion of the interaction.
10. Officers shall not erase, reuse, or in any manner alter, any storage device containing digitally recorded information.
11. Officers shall notify their immediate supervisor of any digitally recorded sequences that, to their knowledge, contains evidence or information requiring additional investigation, that are valuable for training purposes, or that may be relevant to potential allegations of civil or criminal misconduct.
12. Officers shall document in the pertinent written report the availability of digitally recorded evidence.

13. At the conclusion of the officer's shift, they will return the BWC to the WatchGuard transfer station in the roll call room for charging and uploading of all stored media to the secured server.

D. PROHIBITED RECORDINGS

- 1) Body-Worn Cameras shall not be used or activated to:
 - a) Record non-work related personal activities or conversation,
 - b) In places where officers have a reasonable expectation of privacy (i.e., locker rooms, dressing rooms or restrooms)
 - c) To record conversations with confidential informants and undercover officers
 - d) During any strip searches
 - e) When discussing operational strategies, tactics, or during the course of any internal investigation process.

E. HARD DRIVE/STORAGE CONTROL AND MANAGEMENT:

1. The MVR recording unit will be kept secure at all times. The Auxiliary Services Lieutenant and the IT Division will control access to the MVR units. They will also control access to the digital recordings that are automatically uploaded, to the Watch Guard Systems Evidence Library.
2. MVR hard drives and uploaded recordings containing information that may be of value for criminal prosecutions or civil proceedings will be downloaded to a DVD by the Auxiliary Services Lieutenant or the Evidence Technician and shall be safeguarded as other forms of evidence. As such, these DVD's will:
 - a. Be subject to the same security restrictions and chain of evidence safeguards as detailed in Policy #600, EVIDENCE AND PROPERTY CONTROL.
 - b. The evidence technician will maintain custody of all MVR DVD's placed into evidence.
 - c. MVR DVD's may be released to outside criminal justice agencies only upon written request and after the approval of a command officer. Duplicate copies of requested DVD's will be completed and returned to evidence prior to the release of any DVD. A court subpoena will be required before the release of any MVR DVD for non-criminal proceedings.
3. All DVD's shall be maintained in a manner that allows efficient identification and retrieval.

4. No hard drive, or any other method of stored digitally recorded information, may be altered, removed, or otherwise used in any manner that is not consistent with this policy.
5. Video recordings of no evidentiary value will automatically be deleted from the Watch Guard Evidence Library in accordance with a retention schedule established by the Department.

F. SUPERVISORY RESPONSIBILITIES:

1. Supervisory personnel shall ensure that:
 - a. All officers follow established procedures for the use and maintenance of MVR equipment, handling of digital recordings, and the completion of MVR documentation.
 - b. The need for repairs and replacement of non-functional MVR equipment is properly reported.
 - c. Members of the Command staff will review digital recordings to confirm that they are accurately tagged per department policy.
 - d. Officers are able to review their own MVR footage after an incident to assist with proper report documentation, except if this viewing would be in conflict with the District Attorney's policy on Officer Involved Shooting Investigations.
 - e. A command officer is notified of any serious violations of this policy.

G. RECORDING VIOLATIONS

1. In all cases involving failure to record or prohibited recordings, the potential policy violation will be investigated on a case by case basis, taking into account the totality of the circumstances faced by the officer at the time of the infraction.

APPROVED: _____

DATE: _____

Chief Thomas M. Nolan

APPROVED: _____

DATE: _____

Captain Jeremy Johnson

TO BE REVIEWED: ANNUALLY

DISTRIBUTION: All Police Officers; Township Manager; and File