

## 215. IN-CAR VIDEO SYSTEM



### RICHFIELD POLICE DEPARTMENT POLICY

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Authority: Chief Jay Henthorne

*NOTE: This policy is for internal use only and does not enlarge an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.*

### I. PURPOSE

The purpose of this Policy is to provide general guidelines and procedures for the proper use of the in-car video system and to establish procedures for operation and control of evidence obtained.

### II. POLICY

It is the Department policy to use in-car video equipment to provide accurate documentation of events, actions, conditions, and statements made during law enforcement contacts.

### III. PROCEDURE

#### OBJECTIVE

The objective of in-car video system and data obtained is to:

- 1) Enhance officer safety.
- 2) To accurately capture statements and events during the course of an incident.
- 3) To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
- 4) To provide an impartial measurement for self-critique and field evaluation during recruitment and new officer training.
- 5) To capture visual and audio information for use in current and future investigations.

#### OPERATIONAL

All Richfield squads are equipped with an in-car video system.

The set up and maintenance of the in-car video system with date, time and vehicle identification will be performed only by those authorized and responsible for the operation of the equipment.

The proper care of in-car video equipment installed in squad cars is the responsibility of the officer operating that vehicle. Officers shall operate the in-car video equipment according to training.

Officers **shall not** remove, dismantle or tamper with in-car video equipment.

Officers **shall not** operate squads with non-functioning in-car video system without the approval of the on-duty sergeant.

At the beginning of each shift, the officer **shall** ensure the in-car video system is functioning correctly by completing the following procedures:

- 1) Officers shall log themselves into the in-car video system in their squad at the beginning of their shift and make sure correct date and time are on the monitor.
- 2) Officers shall wear the wireless microphone during their entire shift and verify synchronization with the wireless microphone to the in-car video system in their car.
- 3) Officers should activate the recording for a brief time during their squad check and activate playback and review the video on the monitor to make sure visual and audio is working correctly.

- 4) Officers **shall** inspect the equipment at the beginning of each shift and promptly report any deviation in the operating condition or appearance to a supervisor.

Supervisors will ensure that the in-car video equipment is used in accordance with this Policy. They will assist operators to become proficient in the operation of the equipment.

Operators will familiarize themselves with the equipment and practice to become proficient in all aspects of equipment operation.

#### **ACTIVATION OF THE IN-CAR VIDEO SYSTEM**

The in-car video equipment may be activated by any of the following:

- 1) The remote control/wireless microphone.
- 2) The in-car video system control console.
- 3) The in-car video system has been installed in such a manner as to automatically begin recording when:
  - a) Police vehicle's emergency lights or siren are activated.
  - b) Police squad reaches preset speed.
  - c) Police squad's exterior is impacted in case of accident.

The primary purpose for using audio/visual recorders is to obtain evidence; therefore, Officers will activate the in-car video system to record the following:

- 1) All traffic stops, pursuits, or emergency vehicle operations
- 2) The handling of other incidents which, in the judgment of the Officer, may result in criminal charges, complaints against the Officer or other personnel, civil liability, may have other value to law enforcement, for training purposes, or any other time deemed necessary by the operator or a supervisor.
- 3) Officers have the discretion and are encouraged to manually begin recording as circumstance may warrant.
- 4) Officers are encouraged to activate the in-car video system for all public contacts.
- 5) Officers are encouraged to activate the in-car video system when transporting prisoners under the following conditions:
  - a) Prisoner is argumentative or combative.
  - b) Prisoner assaults an officer prior to transport.
  - c) Prisoner is injured or claims to be injured.
  - d) Prisoner is attempting to injure himself.

**Once the in-car video system is activated and recording begins, Officers shall record the incident until the incident has been concluded.**

Officers are not required to discontinue recording an event, situation or circumstance for anyone except at a supervisor's direction.

If asked, Officers shall inform individuals that audio/video recording equipment is being used.

Recording may be stopped during traffic control situations, such as directing traffic at emergency scenes, (when the police vehicle's emergency lighting is in operation, officers cannot stop recording).

Prior to stopping the recording, the Officer shall make a notation on the audio/video tape stating the reason for stopping the recording.

The wireless microphone may be manually muted when conferring with other Officers to eliminate the possibility of Officers' strategy being monitored.

Officers should consider manually activating the in-car video system prior to activating the emergency lighting in order to record the driving performance of a motorist that may provide reasonable suspicion for a traffic stop or probable cause for an arrest (DWI, Reckless/Careless Driving, etc.).

Officers are encouraged to provide narration with the video recording prior to each traffic stop. The intent of the narration is to assist the Officer in necessary written documentation and to assist in supporting the reason for the stop.

Officers should note in their reports and/or citations if an audio/video file was recorded during the incident.

Officers shall not erase or reuse recorded video files unless in accordance with this Policy. Officers may playback the video while they stay logged into the system and the video has not yet been uploaded to the server. The in-car video system prevents the recording over of previously recorded events that have not been uploaded.

### **DATA MANAGEMENT**

Video files generated by officers will be assigned a description immediately once recording has been stopped. Assigned data recorded on the In-Car Video System will be retained per applicable state statute(s) and retention schedule(s). Data that is not active or inactive criminal investigative data will be maintained for 90 days and in accordance with MSS 13.82 Subd. 3.

Officers shall complete the *In-Car Video – Arrest Notification* form and return the completed form to the Patrol Section Lieutenant. This will ensure that all video files associated with the physical arrest of an individual will be burned to a separate DVD disk and stored with the original police report and retained according to retention guidelines. All categorizations listed above have the ability to be modified to meet the needs of the Department.

In-car audio/video recording shall be safeguarded similar to other forms of evidence.

In-car video recordings generated are the exclusive property of the Richfield Police Department and shall be governed by the policy and law regarding government data.

Requests for duplication of recorded audio/video files from Police Department employees must be made to a member of the Command Staff. This request shall be 72 hours prior to any legal proceedings.


Audio/video files duplicates will be provided to the prosecution or judiciary free of charge.

Requests for duplication of audio/visual files from public or private concerns shall be provided in accordance with the Data Practices Policy.

Employees shall not release or allow the viewing of an audio/visual file to any person outside the Richfield Police Department without the authorization of the Police Chief or his designee or when mandated by law, other than exceptions noted above.

Supervisors can review recordings with the subject of the recordings to resolve officer involved complaints.

By Order Of:

  
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Chief of Police

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