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Chapter 2 **Departmental Equipment**

POLICY AND PROCEDURE **MOBILE VIDEO/AUDIO RECORDING EQUIPMENT**

I. PURPOSE:

The purpose of this policy is to provide officers with guidelines and procedures to follow for the proper use, care, and maintenance of mobile video/audio recording equipment installed in Department vehicles.

Mobile video/audio recording (MVR) equipment has been demonstrated to be of value in accomplishing several law enforcement objectives, including:

1. Accurate documentation of events, actions, conditions and statements made during arrests and other critical incidents, so as to enhance officer reports, the collection of evidence and testimony in court; and
2. The enhancement of the Department's ability to evaluate practices currently in use. By reviewing recordings, and using them as training tools, the department can train officers in proper police procedures by demonstrating both acceptable and unacceptable practices.

II. POLICY:

It shall be the policy of the Newtown Department of Police Services that all sworn personnel follow the procedures as set forth below.

III. PROCEDURE:

A. Inspection, Maintenance, Repair, and Training:

1. Only those officers trained in the operation of the MVR system are permitted to use it.
2. Prior to taking the MVR equipped cruiser on patrol, the officer will inspect the MVR equipment to insure that it is in proper working order.
3. Any equipment failure or any deviation in the operating condition, appearance, or suitability for continued service of a particular piece of equipment shall be reported to the officer's supervisor immediately. The supervisor shall then notify the MVR coordinator as soon as possible and the MVR shall not be used until the proper repairs have been made.

4. MVR equipment in departmental vehicles shall not be moved from its original installed position. Officers shall not attempt any repairs or modifications to the MVR unit.
5. Repairs to MVR equipment shall be completed only by a qualified technician and performed in accordance with the manufacturers' recommendations.
6. The MVR coordinator shall be responsible for scheduling any repairs to the MVR units.

B. Operating Procedures:

1. **Pre-Flight Check:** Before commencing patrol, the officer will perform the following checks to verify that the MVR unit is ready for use:
 - a. The officer shall log onto the Arbitrator System through the mobile Data Terminal.
 - b. The officer shall ensure that the wireless microphone system is switched to the on position
 - c. Be sure that you are wearing the wireless transmitter and that it will not interfere with the use of your tactical equipment.
 - d. Check the camera position. Be sure that the camera is positioned and adjusted so as to pick up the area you would expect a stopped vehicle to be.
2. **When and How to Record:** MVR equipment will go into record mode in one of three ways:
 - a. You press the red "Talk" button on the wireless microphone: This is the preferred method as it ensures both a video and audio portion. It also does not alert a suspect by the use of the overhead emergency lights. Officers should provide narration of the incident along with the video recording.
 - b. You activate the overhead emergency lights.
 - c. You manually click the Record (REC) button on the laptop software interface or push the red "Rec" button on the back of the camera head.
3. Audio recordings shall be made whenever an incident or situation is being taped and shall not be turned off during any portion of the taping. The only exception to this would be the deactivation of the recorder and microphone to protect the anonymity of an informant, for officer safety reasons, or as otherwise specified in this policy.
4. Once the MVR system is recording the only way to stop it is to manually click the stop button on the laptop software interface or press and hold the red "Rec" button on the camera head for three seconds. Switching the record functions off will automatically switch off audio recordings from the wireless microphone as well.
5. After each recorded incident the officer shall classify the recording with the most accurate representation of the incident. The officer shall also tag the incident with their name and department employee number.
6. At the end of the shift the officer shall ensure that the wireless microphone is placed back into the charger holder inside the patrol vehicle.
7. As soon as practical, personnel shall ensure that the recordings from their shift are downloaded.

8. The following guidelines represent those incidents/situations during which video/audio recordings shall be made:
 - a. Traffic stops (felony or routine), criminal enforcement stops, assists to motorists or pedestrians, “Terry Stop” contacts in their entirety.
 - b. In-progress vehicle and criminal violations.
 - c. Vehicle pursuits.
 - d. Emergency responses (Lights and Siren response)
 - e. Physical arrests.
 - f. Transports (prisoners or civilians) Activate rear camera.
 - g. Field sobriety testing.
 - h. Motor vehicle accident scenes (Officer may turn off MVR once the scene has stabilized)
 - i. Confiscation of evidence or contraband.
 - j. The audio portion of a statement (provided all constitutional requirements have been met).
 - k. Any situation where an officer, by reason of training and experience determines that the incident should be documented on videotape including any private duty or overtime side duty jobs.
 - l. Any incident or event that the officer believes might be dangerous, unpredictable, or useful for department training purposes.
9. MVR equipment shall not be deactivated until the enforcement action undertaken is completed or the officer has resumed normal patrol.
10. Officers shall inform those who ask, that video and audio recording equipment is in use. Officers shall not cease recording an event, situation, or circumstance solely at the demand of anyone other than the officer’s supervisor or the officer himself/herself.
11. MVR equipment may be manually deactivated during non-enforcement activities such as when protecting an accident scene or when recording is no longer required.
12. Officers may review videotape recordings for report writing and other legitimate department purposes.
13. Officers will note in incident, arrest, and related reports when video/audio recordings were made during the incident in question.
14. Department MVR equipment will be used for legitimate law enforcement purposes only.

C. Handling of Video Recordings: General Guidelines:

1. Requests for hard copies of recordings shall be made in writing to the MVR Coordinator by the case supervisor of the incident or by the Chief of Police or designee. The request has included the reason for the request and a case number.
2. Hard copies of recordings shall be kept in the case file in the Records Department.
3. Officers shall not alter video/audio recordings nor attempt to copy over them. Recording segments produced on the department’s MVR system shall not be duplicated, altered, erased or reused in any manner inconsistent with this policy.
4. Recordings will not be released to any other person or agency in a manner inconsistent with current records management or property/evidence policies, nor without prior approval from the Chief of Police or their designee.