

# MISSOULA POLICE DEPARTMENT POLICY MANUAL



<i>Subject:</i> <b>MOBILE VIDEO EQUIPMENT</b>		
<i>Effective Date:</i> <b>4/20/2014</b>	<i>Original Date:</i> <b>01/01/2008</b>	<i>Next Review:</i> <b>4/20/2017</b>
<i>Chapter</i> <b>9</b>	<i>Policy #</i> <b>9.60</b>	<i>Distribution:</i>
<i>References:</i>		

## I. Purpose

The purpose of this policy is to establish guidelines for the use of the in-car Audio/visual data capture systems, as well as personally worn audio/video recording systems and the handling of subsequent data.

## II. Policy

It is the policy of the Missoula Police Department to use in-car data, or personally worn capture systems to provide accurate documentation of events, actions, conditions, and statements made during law enforcement activities. Mobile video enhances our ability to review probable cause for arrest, arrest procedures, suspect/officer interaction, provides valuable officer training and establishes an impartial witness to officer/citizen contacts. The use of the mobile data capture system shall be in accordance with applicable statutory and case law.

## III. Definitions

*DV:* Digital Video

*DVR:* Digital video recorder

*Body worn camera:* A video camera designed to be worn by an officer at all times, while on duty, such as a Cop Vu camera or similar system

*In car camera:* A video camera system installed in a police department owned vehicle. The current system used by the Missoula Police Department is the L3 video system.

## IV. Procedures

### A. Implementation and Care of Data Capture Equipment

The Chief of Police or his designee shall authorize MPD vehicles to be equipped with in-car audio/video data capture systems. Currently the MPD records in car video digitally using the L3 Video system. The DV in-car system shall consist of a forward facing camera, rear seat camera, DVR, monitor, remote microphone, and a charge/sync dock for the remote microphone

1. The proper care of in-car data capture equipment installed in an MPD vehicle is the responsibility of the employee operating that vehicle, including:
  - a. Employees shall operate the equipment according to MPD training, policy and standard operational procedures.
  - b. Employees shall not remove, dismantle or tamper with in-car audio/video data capture equipment or software.
  - c. Officers may operate vehicles with non-functioning in-car data capture systems only if no other vehicle is reasonably available.
2. Damaged in car video equipment will be reported to the Communications Shop on a Vehicle Maintenance Report form. A supervisor will also be informed of the damage.

## **B. Operation of in-car Data Capture Systems**

In-car video recording is automatically initiated when a vehicle's emergency lights are activated, manually activated or activated by crash sensor. Recorded video data includes events 60 seconds prior to activation of the emergency lights or any other initiating event. Employees shall not deactivate any feature of the recording system.

1. In-car data capture equipment shall be activated, when reasonably possible to do so, to record the following:
  - a. All emergency vehicle operations.
  - b. All traffic stops.
  - c. All vehicle pursuits, (i.e. primary and secondary responding officers).
  - d. Arrests
  - e. DUI investigations, including SFST's when practical.
  - f. All transports any arrestee or citizen for police related activities. This does not apply to people approved for to participate in the Citizen Ride Along program.
2. In addition to the required recordings listed above, employees are encouraged to use the in-car video capture system to record the following incidents:
  - a. Consensual contacts
  - b. Suspicious persons or vehicles.
  - c. When responding to an in progress call, when the officer may reasonably know the recording may aid in the apprehension and/or prosecution of the suspect.
  - d. Any adversarial contact, once the officer realizes the contact has become adversarial.
  - e. Any large disturbance, riot, protests, house parties / keggers, etc.

- f. Any incident in which the audio recording capability may provide additional information even though the incident may be out of the video recording range of the camera.
    - g. Any other instances when the officer feels a recording of the incident would be beneficial.
3. Employees shall use the in-car data capture system to accurately capture events by:
  - a. Leaving the transmitter/microphone power switch in the "On" position while on-duty so that the transmitter/microphone can automatically record audio whenever the in-car video system is recording.
  - b. Officers using the system shall wear at all times the transmitter/microphone in a position so that it can adequately record audio with the built-in microphone or by wearing the external microphone with the transmitter to adequately record audio.
  - c. Reasonably positioning the camera to record events. (i.e.: DUI standardized field sobriety tests, etc.).
4. Employees using the DV system are required to mark incident with the appropriate code at the conclusion of the event:
  - Unclassified
  - Traffic stop-citation
  - Traffic stop-warning
  - Code three/Traffic control
  - Criminal or Interview
  - DUI or pursuit
  - Fatal or LE crash
  - Misc
  - Admin Civil (claim)
5. Once initiated, video and audio recording shall not be terminated until the event is complete with the following exceptions:
  - a. Under supervisors direction.
  - b. Employees may stop recording if there is no need to collect further data. (ex. Directing traffic, parades or escorts)
6. The DV system may only be used to record events that are of concern to the Missoula Police Department.

## **C. Operation of body worn camera systems**

1. Officers utilizing any personally worn digital video/audio recording device, department issued or personally owned, will use, when reasonably possible, the recording device to document:
  - a. Any large disturbances, riots, protests, house parties / keggers, etc.
  - b. Any incidents in which the recording capability may provide additional information that may be out of view of the in car system.
2. When equipped, officers are encouraged to use personally worn video systems to document:
  - a. All vehicle searches
  - b. Citizen contacts and personal contact during traffic stops.
3. If reasonable to do so, officers will record their approach to crime scenes and any scene they feel could benefit from being recorded. If practical, the camera will be activated to record infractions, i.e., the justification for traffic stops or stop and frisk contacts. An officer should not deactivate a recording during a citizen contact.

## **D. Data Transfer and Documentation**

1. Employees shall document within their official reports, and/or notice to appear citations that in-car data recordings were made during their law enforcement activities.
  - a. The recording officer shall identify in their report and on the evidence screen the time, date, location, recording officer and a car number the recording was made in.
2. An officer utilizing any personally worn video system is responsible for identifying, marking, and uploading any video which is considered evidence.
  - a. Any personally owned recording devices that are to be used on duty must record in a format that can be downloaded onto a department computer or burned to a CD/DVD
  - b. Any recording that is downloaded or burned to CD/DVD must be recorded as, or logged in as evidence.
  - c. Employees shall document within their official reports, and notice to appear citations that in-car and/or body worn recordings were made during their law enforcement activities

3. Once a recording, photograph or data, which was recorded on a personally owned device, has been downloaded or burned to CD/DVD the officer must delete the recording before using the device for personal use.
4. An officer may not save any recordings, pictures or data recorded in the course of their duties, on their personally owned devices such as phones, cameras, video recorders, computers, electronic storage systems or any other similar items or any personally owned storage account.
5. An officer may not distribute any recordings, pictures or data recorded in the course of their duties, using their personally owned devices except to save them as evidence or to distribute them as required for criminal justice reasons.

**E. Supervisory Responsibilities**

1. Supervisory personnel who manage employees using patrol vehicles equipped with in-car audio/visual data capture systems shall ensure that:
  - a. Employees follow established procedures for the use and operations of in-car audio/video data capture systems, handling of audio/video recordings, and the completion of data transfer and documentation.
  - c. Random review of officers' performance may be conducted by supervisors utilizing recorded information from the DV.