

GENERAL ORDER, OPERATIONS, NUMBER 11

APRIL 3, 2001

WATERLOO POLICE DEPARTMENT

A. SUBJECT:

In-Car Mobile Recording Equipment

B. PURPOSE:

The purpose of this policy is to provide officers with guidelines for the use of in-car mobile video and audio recording equipment.

C. POLICY:

In-car mobile video/audio recording (MVR) equipment has been demonstrated to be of value in the prosecution of traffic violations and related offenses, in evaluation of officer performance as well as in training. In order to maximize the utility of this equipment in these and related areas, officers shall follow the procedures for MVR equipment usage as set forth in this policy.

D. PROCEDURE:

1. Program Objectives: This agency has adopted the use of in-car video/audio recording systems in order to accomplish several objectives, including:
 - a. Accurate documentation of events, actions, conditions and statements made during arrests and critical incidents, so as to enhance officer reports, collection of evidence and testimony in court; and
 - b. The enhancement of this agency's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, and evidence for investigative purposes, as well as for officer evaluation and training.
2. Operating Procedures: Officers shall adhere to the following procedures when utilizing MVR equipment.
 - a. MVR equipment installed in vehicles is the responsibility of the officer assigned to that vehicle and will be maintained according to manufacturer's recommendations.
 - b. Prior to each shift, officers shall determine whether their MVR equipment is working and **will wear and activate at all times** the microphone assigned to that unit. Each officer will determine whether their MVR equipment is working

satisfactorily and shall bring any problems at this or other times to the attention of their immediate supervisor as soon as possible.

- c. MVR equipment will automatically activate when the vehicle's emergency warning devices are in operation. The equipment **may be manually deactivated only during non-enforcement activities** such as when protecting accident scenes from other vehicular traffic.
- d. Where possible, officers should ensure that equipment is operating in order to record traffic stops or other enforcement actions. In so doing, they will ensure that:
 - 1. The video recorder is positioned and adjusted to record events;
 - 2. The MVR is not deactivated until the enforcement action is completed, and
 - 3. Their wireless microphone is activated in order to provide narration with the video recording to document the reason for their current or planned enforcement action.
- e. Where possible, officers shall also use their MVR equipment to record:
 - 1. The actions of suspects during interviews, when undergoing sobriety checks or when placed in custody if the recording would prove useful in judicial proceedings.
 - 2. The circumstances at crime and accident scenes or other events such as the confiscation and documentation of evidence or contraband.
- f. Officers shall not erase, or in any manner alter MVR tapes.
- g. Officers shall ensure that they are equipped with an adequate supply of videotapes to complete their tour of duty.
- h. All completed tapes shall be properly labeled and identified prior to being submitted with related documentation at the end of the officers' tour of duty.
- i. Officers are encouraged to inform their supervisor of any videotaped sequences that may be of value for training purposes.

- j. Officers will note in incident, arrest and related reports when video/audio recordings were made during the incident in question.
- k. Officers shall only use videotapes as issued and approved by this agency.

3. Tape Control and Management

- a. MVR tapes containing information that may be of value for case prosecution or in any criminal or civil adversarial proceeding shall be safe-guarded as other forms of evidence. As such, these videotapes will
 - 1. be subject to the same security restrictions and chain of evidence safeguards as detailed in this agency's evidence control policy;
 - 2. not be released to another criminal justice agency for trial or other reasons without having a duplicate copy made and returned to safe storage; and
 - 3. will not be released to other than bona fide criminal justice agencies without prior approval of the Chief of Police and/or designated representative.
 - 4. Each officer will be responsible for tapes used by them, tapes will be maintained for no less than 30 days.
 - 5. Tapes and erasing machine will be located within the police department in a designated location.
 - 6. A supply of MVR tapes will be maintained by the Waterloo Police Department and are the property of the City of Waterloo--Police Department.
 - 7. Nothing other than City of Waterloo MVR tapes will be used at any time, nor can any MVR tapes taken for viewing/re-recording/editing outside of the working confines of the Waterloo Police Department. (MVR TAPES ARE THE PROPERTY OF THE CITY OF WATERLOO AND MAY ONLY BE USED IN MVR EQUIPMENT POLICE CARS OR IN THE WATERLOO POLICE DEPARTMENT)
- b. Tapes not scheduled for court proceedings or other adversarial or departmental uses shall be maintained for 30 days. All tapes shall be maintained in the departments MVR tape storage area that allows efficient identification and retrieval.
- c. No videotapes shall be reissued for operational use unless

completely erased by designated personnel in this agency.

4. Supervisory responsibilities will be at the watch level by watch supervisory personnel who manage officers equipped with MVR equipment and shall ensure that:
 - a. All officers follow established procedures for the use and maintenance of MVR equipment, handling of video/audio recordings and the completion of MVR documentation;
 - b. MVR tapes may be randomly reviewed to assist in periodic assessment of officer performance, determine whether MVR equipment is being fully and properly used and to identify material that may be appropriate for training;
 - c. Repairs and replacement of damaged or non-functional MVR equipment is performed; and
 - d. All City of Waterloo MVR equipment will be turned in at the end of each shift (officers may purchase, at their own cost, extra MVR equipment but it must be City approved).

By Order of:

Thomas J. Jennings
Chief of Police