

In-Car Video

422.1 PURPOSE AND SCOPE

The Plymouth Township Police Department has equipped designated law enforcement vehicles with in-car video recording systems to provide records of events and to assist officers in the performance of their duties. This policy provides guidance on the use of these systems (42 Pa.C.S. § 67A07).

Data captured by recording systems are considered CJI and shall be handled in accordance with CJIS Policy, CHRIA and Commonwealth Law Enforcement Assistance Network (CLEAN) regulations.

For procedures related to In-Car Video, see the Plymouth Township Police Department Procedures Manual: Storage and Retention of Digital Recordings.

422.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the In-Car Video system to transmit or store video or audio data in an active mode.

In-car camera system and In-Car Video system - Synonymous terms that refer to any system that captures audio and/or video signals, that is capable of installation in a vehicle, and that includes at a minimum, a camera, recorder and monitor. May also be referred to as ICC throughout the policy and related procedures.

Digital Evidence Administrator - Personnel certified or trained in the operational use of recording systems, duplicating methods and storage and retrieval methods and who have a working knowledge of video/audio forensics and evidentiary procedures.

Digital Evidence Custodian - Personnel responsible for the collection, storage, and release of audio/video evidence.

Digital Evidence Technician - Personnel certified or trained in the repair of audio/video systems.

Recorded media - Audio/video signals recorded or digitally stored on a storage device or portable media.

422.2 POLICY

It is the policy of the Plymouth Township Police Department to use In-Car Video recording technology to more effectively fulfill the mission of the Department and to ensure these systems are used securely and efficiently.

422.3 OFFICER RESPONSIBILITIES

Prior to going into service, each uniformed officer will properly equip him/herself to record audio and video in the field. All non-uniformed officers will comply with this policy in regards to video

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recording, if their vehicle is equipped with a recording device. Officers should synchronize their issued in-car and body-worn equipment before beginning each shift.

At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. In the event an officer works at a remote location and reports in only periodically, additional recording media may be issued. Only Plymouth Township Police Department identified and labeled media with tracking numbers is to be used.

At the start of each shift, officers should test the In-Car Video system's operation in accordance with manufacturer specifications and department operating procedures and training.

System documentation is accomplished by the officer logging in, which should be done at the beginning of each shift and logging out at the end of each shift. Data captured should be tagged with the appropriate category. If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

Officers shall not use other electronic devices or other means to intentionally interfere with the capability of the recording system.

422.4 ACTIVATION OF THE IN-CAR VIDEO

The In-Car Video system is designed to either turn on whenever the vehicle's emergency lights are activated or be manually activated (with no emergency lights or rear lights only). The system remains on until it is turned off manually.

422.4.1 REQUIRED ACTIVATION OF THE IN-CAR VIDEO

This policy is not intended to describe every possible situation in which the In-Car Video system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

Absent a legitimate exception, the In-Car Video system shall be activated in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct within video or audio range:
 - 1. Traffic stops (including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
 - 2. Priority responses
 - 3. Vehicle pursuits

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4. Suspicious vehicles
 5. Arrests
 6. Vehicle searches
 7. Physical or verbal confrontations or use of force
 8. Pedestrian checks
 9. Driving while under the influence (DUI) investigations, including field sobriety tests
 10. Consensual encounters
 11. Crimes in progress
 12. Responding to an in-progress call
- (b) All self-initiated activity in which an officer would normally notify Dispatch
 - (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect
 - (d) All prisoner and public service transports.
 - (e) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
 - (f) When responding in a support capacity. This is to obtain additional perspectives of the incident scene.
 - (g) Vehicle accident or property damage.

Activation of the In-Car Video system is not required when exchanging information with other officers, during breaks or lunch periods, or when not in service or not actively on patrol.

422.4.2 CESSATION OF RECORDING

Once activated, the In-Car Video system should remain on until the incident has concluded. For the purpose of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations with supervisor approval.

422.4.3 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning In-Car Video systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of Dispatch.

At reasonable intervals, supervisors should validate that:

- (a) Recording procedures are followed.

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- (b) Logs reflect the proper chain of custody, including:
 - 1. The tracking number of the In-Car Video system media.
 - 2. The date the media was issued.
 - 3. The name of the department member or the vehicle to which the media was issued.
 - 4. The date the media was submitted for retention.
 - 5. The name of the department member submitting the media.
 - 6. Holds for evidence indication and tagging as required.
- (c) The operation of In-Car Video systems by new members is assessed and reviewed periodically.

When an incident arises that requires the immediate securing of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved traffic accidents), a supervisor shall respond to the scene and ensure that the recorded media is secured, downloaded, classified with the appropriate retention schedule and a case linking all related recordings is created. The media shall be treated as evidence and handled in accordance with current evidence procedures for recorded media.

Review of recordings by supervisors will not be done solely for the purpose of searching for minor disciplinary violations. A minor disciplinary violation includes any unsatisfactory conduct that is handled with counseling, oral or written reprimand.

422.5 REVIEW OF IN-CAR VIDEO RECORDINGS

All recording media and digital recordings are the property of the Department. Dissemination outside of the Department is strictly prohibited, except to the extent permitted or required by law and consistent with this policy.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied or viewed on any device not approved by the Digital Evidence Administrator.

Recordings may be reviewed in any of the following situations:

- (a) By officers for use when preparing reports, statements, court preparation and training
- (b) By a supervisor investigating a specific act of officer conduct
- (c) By a supervisor to assess officer performance
- (d) To assess proper functioning of In-Car Video systems and compliance with this policy
- (e) By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
- (f) By court personnel through proper process or with the permission of the Chief of Police or the authorized designee

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- (g) To assess possible training value
- (h) For training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the command staff to determine if the training value outweighs the officer's objection.
- (i) As may be directed by the Chief of Police or the authorized designee

Members desiring to view any In-Car Video recording, other than their own, should submit a request in writing to the Digital Evidence Administrator. Approved requests should be forwarded to the Digital Evidence Custodian for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any member.

422.5.1 FACIAL RECOGNITION SOFTWARE

The Digital Evidence Administrator shall establish procedures for the use of any facial recognition software or other programs in the review of in-car audio/video recordings (42 Pa.C.S. § 67A07).

422.6 DOCUMENTING IN-CAR VIDEO USE

If any incident is not recorded with the video system, the officer shall document in the report the reason why the incident was not recorded.

422.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All digital recordings will be retained for 60 days unless needed for prosecution, courts, litigation, appeals, complaints or other operational needs. Recordings that need to be secured beyond the minimum retention period should be tagged appropriately by the case officer. The Digital Evidence Custodian should ensure recordings are properly tagged. The Digital Evidence Custodian shall destroy all recordings in compliance with CJIS Policy. The Digital Evidence Administrator will supervise the storage and destruction of all recordings. Digital recordings that need to be retained beyond the retention schedule may be copied and logged as evidence with Lieutenant approval.

422.7.1 COPIES OF ORIGINAL RECORDING MEDIA

Upon proper request, a copy of the original recording media will be made for use as authorized in this policy. Such copies must have Lieutenant approval and will be logged as evidence.

422.7.2 IN-CAR VIDEO RECORDINGS AS EVIDENCE

Officers who reasonably believe that an In-Car Video recording is likely to contain evidence relevant to a criminal offense, a complaint or to a potential claim against the officer or against the Plymouth Township Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

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422.8 SYSTEM OPERATIONAL STANDARDS

- (a) In-Car Video system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- (b) Recording devices shall comply with equipment standards established by the Pennsylvania State Police (18 Pa.C.S. § 5706).
- (c) The In-Car Video system should be configured to minimally record for 30 seconds prior to an event.
- (d) The In-Car Video system's audio function has been disabled by the system administrator.
- (e) Officers shall not erase, alter, reuse, modify or tamper with In-Car Video recordings. Only the Chief of Police or other authorized designee may erase and reissue previous recordings (e.g. expungements) and may only do so pursuant to the provisions of this policy.

422.9 IN-CAR VIDEO ADMINISTRATOR RESPONSIBILITIES

The Digital Evidence Administrator is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the Digital Evidence Technician:
 - 1. Ensures it is stored in a secure location with authorized controlled access.
 - 2. Makes the appropriate entries in the chain of custody log.
- (c) Erasing of media:
 - 1. Pursuant to a court order.
 - 2. In accordance with the established records retention schedule, including reissuing all other media deemed to be of no evidentiary value.
 - 3. Alerting the Digital Evidence Custodian of digital recordings that shall be copied prior to the expiration of retention.
- (d) Assigning all media an identification number prior to issuance to the field and maintaining a record of issued media.
- (e) Ensuring that an adequate supply of recording media is available.
- (f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the established records retention schedule.
 - 1. Storage shall comply with Pennsylvania State Police standards (18 Pa.C.S. § 5706).

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- (g) Ensure users are assigned the appropriate level of access.
- (h) Establishing the proper policy and procedures for the use of facial recognition software.

422.10 TRAINING

All members who are authorized to use the In-Car Video system shall successfully complete an approved course of instruction prior to its use (18 Pa.C.S. § 5704; 18 Pa.C.S. § 5724).