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## Squad Car Video

### 419.1 PURPOSE AND SCOPE

The Urbana Police Department has equipped marked patrol cars with Mobile Audio and Video (MAV) recording systems to provide records of events and assist uniformed officers in the performance of their duties by providing a visual and/or audio record of patrol-related activities when permitted by law (720 ILCS 5/14-3(h)). This policy provides guidance on the use of these systems.

### 419.2 OFFICER RESPONSIBILITIES

Prior to going into service, each officer will ensure that the MAV equipment is working properly. If officers determine that the MAV equipment is not working properly, they shall bring any problems to the attention of the shift supervisor as soon as possible.

Also prior to going into service, each officer will conduct a test of the MAV equipment. The test will include the testing of:

- (a) Automatic recording initiates when emergency lights are activated. This registers on the system with a "L".
- (b) Brake sensor registers on the system when the brake is applied. This registers on the system with a "B".
- (c) The officer's mic is connected and registers on the system. This registers on the system with a "C".
- (d) The siren sensor registers on the sensor when the siren is turned on. This registers on the systems with a "S".
- (e) The officer's mic registers on the system when the record button on the mic is depressed. This registers on the systems with an "A".
- (f) The officer's mic registers on the system when the mute button on the mic is depressed. This registers on the system with a "M".
- (g) Activation of the backseat microphone and camera.

#### 419.2.1 SUPERVISOR RESPONSIBILITIES

Supervisors are responsible to ensure that officers are using all of the MAV equipment regularly. Supervisors are further required to review a sample of traffic stops made by each of their subordinate officers each month.

#### 419.2.2 EAVESDROPPING CONSIDERATIONS

Other than during enforcement stops, the recording of audio may violate state statute unless consent is granted. Therefore, at the onset of police/citizen contacts not categorized as enforcement stops, officers are encouraged to utilize the camera and audio mic and inform the person(s) that the contact is being recorded. For purposes of this policy, enforcement stops mean

# Urbana Police Department

## Policy Manual

### *Squad Car Video*

---

an action by a law enforcement officer in relation to enforcement and investigation duties, including but not limited to traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance.

#### 419.2.3 DOCUMENTATION OF FAILURE TO RECORD USING MAV EQUIPMENT

If an incident occurs that would normally have been recorded but was not due to an equipment malfunction, that fact should be noted in the officers documentation on that incident.

#### 419.2.4 MAV EQUIPMENT SYSTEM SIGN-ON AND VIDEORECORDING CLASSIFICATION

Officers shall utilize a sign-in and password to access the system and identify their recordings. Officers shall appropriately classify all video recorded. Officers are encouraged to classify the videos while in the squad car to more quickly identify what recordings belong to them.

#### 419.2.5 CITIZEN INQUIRIES ABOUT MAV EQUIPMENT AUDIO RECORDING

Officers will inform citizens who inquire that a video/audio recording is being made. The officer should attempt to explain that the recording is to protect both the interests of the officer and the citizen. They are not required to terminate recording upon demand of the citizen if in compliance with this policy and/or statutes.

### **419.3 OFFICER RESPONSIBILITIES**

The MAV system is designed to turn on whenever the unit emergency lights are activated, but may also be activated manually. The system remains on until turned off manually. The audio portion may be activated manually by each officer and is not independent of the video.

#### 419.3.1 VIDEORECORDING OF PERSONS IN THE BACKSEAT OF SQUAD CARS

Officers shall video and audio record all persons seated in the backseat of a squad car.

#### 419.3.2 VIDEORECORDING OF DUI INVESTIGATIONS

Shift supervisors and officers should endeavor to videorecord DUI driving behavior, field sobriety, and arrest. Shift supervisors are responsible to ensure that this is the practice among his/her subordinates.

#### 419.3.3 ADJUSTMENT OF MAV EQUIPMENT TO CAPTURE EVENT

Reasonable efforts will be made to adjust the MAV equipment to capture the event. Officers shall wear the MAV equipment mic on their person and ensure that the power is turned on when the camera is recording. Officers shall ensure that the frequency of their MAV equipment mic is synced with the MAV equipment system in the squad in which the officer is assigned.

### **419.4 ACTIVATION OF THE MAV**

Recordings may be reviewed so long as they are not being viewed or shown in an attempt to ridicule or embarrass any employee.

# Urbana Police Department

## Policy Manual

### *Squad Car Video*

---

#### 419.4.1 REQUIRED ACTIVATION OF MAV

This policy is not intended to describe every possible situation in which the MAV 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.

In some circumstances it is not possible to capture images of the incident, due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated as soon as practicable in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct, within video or audio range:
  - 1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
  - 2. Emergency responses
  - 3. Vehicle pursuits
  - 4. Suspicious vehicles
  - 5. Arrests
  - 6. Vehicle searches
  - 7. Physical or verbal confrontations or use of force
  - 8. Pedestrian stops
  - 9. DUI investigations including field sobriety tests
  - 10. Crimes in progress
  - 11. Responding to an in-progress call
  - 12. Disturbance of peace calls
  - 13. Offenses involving violence or weapons
- (b) All self-initiated activity in which an officer would normally notify METCAD
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
- (d) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

#### 419.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees

# Urbana Police Department

## Policy Manual

### *Squad Car Video*

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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. The only exception to this is when a squad car is used to travel for administrative purposes, such as attending training, and the speed trigger has been activated.

#### 419.4.3 WHEN ACTIVATION IS NOT REQUIRED

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

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

#### **419.5 DOCUMENTING MAV USE**

All video recordings will be transferred to the digital videorecording archive via wireless connection. That digital videorecording archive will be kept securely in the evidence area and only physically accessible to those with normal access to the evidence area. All MAV recordings will be retained for a minimum of 90 days after which time they may be erased, destroyed or recycled unless they are deemed evidence in any criminal, civil or administrative proceeding, in which case the recordings will only be destroyed in accordance with current retention laws (720 ILCS 5/14-3(h-15)).

##### 419.5.1 COPIES OF VIDEO RECORDINGS

A copy of original video recordings may only be released in response to a valid court order or upon approval by the Chief of Police or his/her designee.

##### 419.5.2 MAV RECORDINGS AS EVIDENCE

As all videorecordings are transferred to the digital videorecording archive, videorecordings that are evidence should be classified as such. Officers shall identify videorecordings in their reports also. If the videorecording is associated with an incident that has a case number, the officers shall complete a paper evidence tag under the corresponding case number. The officer shall use the "video name" (The 10 character file name [i.e. 104919I.av]) Once complete, the tag is to be dropped in the evidence office evidence drop slot.

##### 419.5.3 REQUESTS FOR COPIES OF RECORDINGS

Requests for copies of recordings shall be in writing (electronic mail) and sent to the evidence custodian. Officers shall not make copies of recordings for personal use without authorization. Recordings using either camcorders or MAV equipment are considered department property.

#### **419.6 RECORDING MEDIA STORAGE AND INTEGRITY**

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of 90 days and disposed of in compliance with the established records retention schedules (720 ILCS 5/14-3(h-15)).

# Urbana Police Department

## Policy Manual

### *Squad Car Video*

---

#### 419.6.1 MAV RECORDINGS AS EVIDENCE

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

#### **419.7 CAMCORDER REQUIREMENTS**

Officers should consider supplementing MAV equipment recordings with camcorder recordings on significant accident scenes and other appropriate citizen contacts, if a camcorder is available. Once a recording is initiated it should not be terminated until the contact has been terminated. Officers shall not intentionally tamper, erase or alter any recording or any tape unless it involves reusing a tape that has been held for a period of time and put back in use by the evidence custodian. Officers shall always configure the camera so that the date and time are displayed on the recording.

#### **419.8 SYSTEM OPERATIONAL STANDARDS**

- (a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- (b) The MAV system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MAV system may not be configured to record audio data occurring prior to activation.
- (d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating officer's transmitter, should be activated at a scene to minimize interference or noise from other MAV transmitters.
- (e) Officers using digital transmitters that are synchronized to their individual MAV shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system.
- (g) Officers shall not erase, alter, reuse, modify or tamper with MAV recordings. Only a supervisor, MAV technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MAV technician.

#### **419.9 MAV TECHNICIAN RESPONSIBILITIES**

The MAV technician is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
- (b) Verification of wireless downloaded media. Once collected, the MAV technician:

# Urbana Police Department

## Policy Manual

### *Squad Car Video*

---

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 established records retention policies, including reissuing all other media deemed to be of no evidentiary value.
- (d) Ensuring that an adequate supply of recording media is available.
- (e) 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 records retention schedule.

#### **419.10 TRAINING**

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use. This will be conducted by field training officers for new officers.

#### **419.11 SUPERVISOR RESPONSIBILITIES**

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

At reasonable intervals, supervisors should validate that:

- a. Beginning and end-of-shift recording procedures are followed.
- b. The operation of MAV systems by new employees is assessed and reviewed no less than biweekly.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MAV technician or crime scene investigator properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.