

FLORENCE POLICE DEPARTMENT GENERAL ORDER

Subject: AUDIO/VIDEO RECORDING EQUIPMENT & BODY-WORN CAMERAS	Procedure: General Order 19.3.8 CALEA 41.3.8	Total Pages: 14
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I. POLICY

It is the policy of the Florence Police Department to utilize technology to enhance police services. In-car audio/video recordings and body-worn cameras can be important evidence in any type of case, and it is the policy of the Department to maintain the integrity of its contents.

II. PURPOSE

This written order establishes guidelines for the proper use, care, and maintenance of the Florence Police Department's in-car recording equipment and body-worn cameras, and to outline its use for collecting and documenting evidence; as well as to provide for security and a uniform method of recording, storing, and recycling audio/video DVD's and or body-worn camera captured data.

III. SCOPE

This written order is applicable to all sworn personnel.

IV. RESPONSIBILITY

All personnel will be held responsible for compliance with the guidelines outlined in this directive.

V. ADOPTION

The Florence Police Department adopts and will adhere to the City of Florence Information Technology Policy Manual.

VI. GENERAL PROVISIONS

A. GENERAL USE AND OPERATION GUIDELINES

Florence Police Department vehicles equipped with in-car

audio/video recording equipment shall be in a POWER ON mode at all times when the vehicle is in operation or there is potential for citizen contact, whether on-duty, off-duty, or during secondary employment. When an officer is equipped with a body-worn camera, the camera shall be in a POWER ON mode at all times when the officer has a potential encounter with a citizen, whether on-duty, off-duty, or during secondary employment. Officers are to properly assign themselves to the device they are using. Officers shall use in-car audio/video recorders and/or body-worn cameras, when equipped, when involved in the following situations:

1. During a vehicle stop, whether traffic related or other circumstances.
2. When transporting a subject in a police vehicle, whether under arrest or not, or at any time a citizen is in the rear compartment of the police vehicle, the officer **WILL** activate the rear camera or rear camera view if the audio/video system is equipped as such.
3. At any time when the vehicle's emergency equipment is activated while responding to a call.
4. Any time the officer comes into official contact with a citizen regarding a law enforcement issue.

VII. PROCEDURES

- A. Officers will not cease recording an event, situation, or circumstance solely at the demand of anyone other than the officer or his/her supervisor. This applies to crime victims and other possible sensitive situations.
- B. Officers shall inform those who ask that the audio/video recorders and/or body-worn cameras are activated.
- C. Officers are to ensure that audio/video and/or body-worn cameras are operating properly and in doing so, they will also ensure the following:
 1. The audio/video recorder and body-worn camera will be worn in one of the following locations: Uniform epaulet, ball/service cap, stocking hat, buttoned placket, head band or uniform collar. The audio/video recorder and body-worn camera's position may be adjusted where necessary to record events.
 2. The audio/video recorders and body-worn cameras are **not deactivated** until the recorded contact is complete.
 3. Wireless microphone is activated at all times during the citizen's contact to provide narration with the video recording.

4. Documentation that the officer's audio/video recorder and body-worn camera operations have been checked on a weekly vehicle inspection form.
- D. Shift supervisors are responsible for maintaining an adequate supply of DVDs (for recording systems which require DVDs as a means of recording and storage of data) to complete the tour of duty of the officers who are assigned to their shift.
 - E. Officers shall only use DVDs (for recording systems which require DVDs as a means of recording and storage of data) as issued and approved by the Florence Police Department, and shall not alter, erase, record over or re-use the issued DVD except in accordance with this policy.
 - F. Back-up officers who arrive on the scene to assist another officer and who also have in-car audio/video recording and/or body-worn cameras will continue to ensure their audio/video recorders and/or body-worn cameras are operating properly and are recording events in accordance with the requirements of this policy.
 - G. Officers shall turn on their audio/video recorders and/or body-worn cameras when they are out of their patrol vehicles on a call-for-service.
 - H. The audio/video recorders and/or body-worn cameras may be stopped for the following circumstances:
 1. To allow the officer and/or supervisor to review and/or change the DVD (for recording systems which require DVDs as a means of recording and storage of data);
 2. Duty assignments of an extended period of time at a location away from the officer's patrol vehicle;
 3. When an officer is out of service for an extended period of time or when an officer is not subject to dispatched calls-for-service or citizen contact, officers may POWER OFF their audio/video recorders and/or body-worn cameras.
 - I. Officers will be trained in the proper operation of the in-car audio/video recorders and body-worn cameras by qualified personnel before engaging in the use of the in-car audio/video recorders and body-worn cameras. Qualified departmental personnel are those persons trained by the representatives of the in-car audio/video and body-worn camera vendor or those trained by qualified Florence Police Department personnel.
 - J. The in-car audio/video and body-worn camera recording system shall be inspected by the officer for proper operation before each shift and the

condition shall be noted by the officer on the vehicle inspection form at the start of each work week. The lid on the box containing the DVD (for recording systems which require DVDs as a means of recording and storage of data) shall remain closed and locked at all times during operation to protect the unit and contents. Any malfunction or related problems shall be reported immediately to the supervisor and the in-car audio/video and/or body-worn camera recording system shall be written up and left for the Administration and Technical Services Division for repair at the conclusion of the shift.

- K. The officer's supervisor may at any time conduct an inspection of the in-car audio/video and or body-worn camera recording system to ensure proper operation and functionality of the system. This may be done by one of three ways:
1. The supervisor may have the officer remove the DVD (for recording systems which require DVDs as a means of recording and storage of data) from the in-car audio/video recording system and bring it to the supervisor at the police department for an audio/video review that will be documented on an Audio/Video Review Form; or
 2. The supervisor may inspect the in-car audio/video recording system inside of the officer's assigned patrol unit by physically inspecting the system.
 3. The supervisor may inspect the body-worn camera system by having the officer come to the police department and connect the camera to the docking station, which is located in the Roll Call room, for the purpose of uploading its contents to the server. Once the contents are uploaded, the supervisor can review the video from the server by utilizing the L3 server address/website.
- L. Monthly, each Lieutenant or his designee will conduct a Mobile Video Review (MVR) of his/her personnel whose patrol vehicles are equipped with in-car audio/video and/or body-worn camera recording equipment to ensure all equipment is in acceptable working order. The MVR will consist of a review of three (3) events from the in-car audio/video recording system, if the patrol vehicle was equipped accordingly. The MVR will also consist of a review of three (3) events from the officer's body-worn camera system, if the officer was equipped accordingly. The MVR will be complete on an Audio/Video Review Form and a copy submitted to the Patrol Operations Commander.
- M. In Use of Force cases where any force or action requires an After Action Report to be completed, the Reviewing Supervisor will conduct a Video Review of all video(s), including in-car audio/videos and/or body-worn camera videos, related to the case. The Reviewing Supervisor will document the video review(s) on the After Action Report, in accordance with General Order 1.3.6.

- N. Where more than one officer occupies a vehicle (two-man unit) equipped with in-car audio/video recorders and/or body-worn cameras (i.e. FTO's, Special Assignments, etc.), the microphone and/or body-worn camera is to be worn by the vehicle operator and he/she shall be considered the primary officer. The audio microphone and/or body-worn camera shall be turned on whenever the vehicle operator or partner is making a citizen contact.
- O. When using a loaner vehicle or fleet vehicle that is equipped with in-car audio/video recording equipment, a new DVD (for recording systems which require DVDs as a means of recording and storage of data) must be used in order to identify the correct officer utilizing the vehicle at that particular date and time. If the loaner vehicle is not equipped with in-car audio/video recording equipment, the officer shall utilize his/her body-worn camera in accordance with this General Order.
- P. While operating a vehicle with a violent or aggressive detainee in the car, the officer **WILL** activate the rear camera or rear camera view if the in-car audio/video system is equipped as such, in order to get a video record of the detainees' actions while riding in the vehicle. If the vehicle is equipped with an in-car microphone, the audio will be engaged during the detainee transport. Further, if the officer is equipped with a body-worn camera, the body-worn camera will also be engaged during the detainee transport.
- Q. Failure to activate the in-car audio/video and or body-worn camera as outlined in this general order or the abuse and misuse of the in-car audio/video and/or body-worn camera recording equipment shall be deemed as willful neglect of duty. Violation shall be subject to **immediate** disciplinary action.

VIII. IDENTIFICATION AND STORAGE OF RECORDED DVDS

- A. Each DVD (for recording systems which require DVDs as a means of recording and storage of data) will be labeled with the vehicle number, officer name, and badge number written on the DVD.
- B. DVD's marked for evidence shall be processed as such in accordance with the procedure for evidence and controlled by the Evidence Custodian.
- C. DVD storage procedures will be the responsibility of the Evidence Custodian. Supplies of DVD's will be the responsibility of the Administrative and Technical Services Division.
- D. DVD's logged in as evidence will be retained indefinitely.
- E. Recordings from body-worn cameras that are submitted into evidence will follow the same procedure as the aforementioned.

IX. OWNERSHIP, CUSTODY, CONTROL AND DISPLAY OF GENERATED RECORDINGS

- A. It is the policy of the Florence Police Department that all recordings generated on departmental equipment are the property of the Florence Police Department. This department shall comply with all federal and state laws while exercising discretion and a duty to balance a citizen's privacy with the public's rights of access.
- B. Use of Recordings:
1. Periodically, in-car audio/video and/or body-worn camera recording equipment mounted in departmental vehicles or equipped by the officer, in instance of body cameras, record events which may prove useful as training aids. Therefore, when in-car audio/video or body-worn camera recorders capture unusual, exceptional, or criminal incidents (excluding where the tape is used for evidence unless the case is concluded) and the incidents captured are to be perceived to be of value as a training aid, this may be done so by permission of the Chief of Police or his/her designee.
 2. Recordings used as evidence shall be retained by the Florence Police Department and placed in the evidence storage vault until adjudication. In the case of body-worn camera recordings, the recordings will be maintained on the L3 server until adjudication. Display of evidentiary recording contents during this time shall be limited to Florence Police Department employees and those specifically designated by the prosecutor.
 3. Unusual or exceptional incidents related to law enforcement activities generate the interests of many. However, officers shall not afford individuals outside the perimeters of law enforcement the opportunity to review a segment of any tape without prior authorization of the Chief of Police or his/her designee.
- C. **USE OF RECORDINGS FOR TRAINING PURPOSES AND SUPERVISORY REVIEW**

Training: When unusual, exceptional, or criminal incidents are recorded and are perceived to be of value as a training aid, the following procedure will be followed:

1. If the DVD (for recording systems which require DVDs as a means of recording and storage of data), or in the case of body-worn camera recordings, are determined to be of training value, the officer will notify his/her immediate supervisor for review.
2. Upon approval, a copy of the DVD (for recording systems which require DVDs as a means of recording and storage of data) or body-worn camera recording will be forwarded to the

- Training Coordinator or designee for review and reproducing as a training aid.
3. Only DVD's (for recording systems which require DVDs as a means of recording and storage of data) or body-worn camera recordings on cases closed may be used unless authorization is granted by the District Attorney, Municipal Prosecutor, or the Chief of Police or his/her designee.
 4. DVD's (for recording systems which require DVDs as a means of recording and storage of data) or body-worn camera recordings may be periodically reviewed by the officer's immediate supervisor to assist with evaluations.
 5. DVD's (for recording systems which require DVDs as a means of recording and storage of data) or body-worn camera recordings may be periodically reviewed by a Field Training Officer, (F.T.O.), and/or the F.T.O. Coordinator to assist with daily and weekly evaluations, and to allow for follow-up remedial training.
 6. All in-car audio/video recordings and body-worn camera recordings are subject to supervisory review for events including, but not limited to use of force incidents, complaints, critical incidents, and/or any other contact between an officer and citizen. The supervisor will conduct a review of the data and complete a mobile video recorder, (MVR), review form. The MVR Form will be forwarded to the Patrol Operations Commander upon completion, on a monthly basis.

D. INSPECTION, MAINTENANCE, AND REPAIR

1. Care and maintenance of all in-car audio/video and/or body-worn camera recording equipment shall be in compliance with the manufacturer's recommendations.
2. In-car audio/video and/or body-worn camera recording equipment should be treated as a sensitive piece of electronic equipment. As with any piece of electronic equipment, fluids, dirt, or foreign material will affect the function of the equipment. It shall be the responsibility of the officer who is assigned to the patrol unit and those equipped with body-worn cameras to insure that the in-car audio/video and body-worn camera recording equipment is free from any material which may cause damage to the equipment.
3. Any malfunction or related problems shall be reported immediately to the supervisor and the in-car audio/video and/or body-worn camera recording system shall be written up and left for repair at the conclusion of the shift.
4. Equipment failure shall be reported to dispatch via MDC or police radio in order to document the failure and to ensure that a record exists of the inability to utilize the in-car audio/video and/or body-worn camera recording equipment.
5. Officers shall not attempt to remove any audio/video

equipment from the police vehicle. Officers shall not attempt to make any repairs or modifications to the in-car audio/video and/or body-worn camera recording equipment.

6. All maintenance and repair of the in-car audio/video and/or body-worn camera recording equipment shall be made in accordance to the manufacturer's recommendations by a trained technician as designated by the manufacturer and by the Chief of Police or his designee.

E. DEMONSTRATION OF THE UNIT

1. The unit will be first demonstrated by the in-car audio/video and/or body-worn camera vendor representative or Administrative and Technical Services Division personnel to all field supervisors.
2. Shift Sergeants and/or Lieutenants will be responsible for ensuring that all officers under their command have been properly trained in the operation of the in-car audio/video and/or body-worn camera recording equipment.
3. No officer will be allowed to operate or demonstrate equipment prior to his/her receiving proper training with the equipment.
4. In-car audio/video and/or body-worn camera recording equipment may be demonstrated to affected prosecutors, judges, and other persons affected by its use. Every effort shall be made to insure that this demonstration is positive and thorough.

F. DISTRIBUTION OF AUDIO OR VIDEO MEDIA TO OUTSIDE AGENCIES OR PERSONS

1. It is the policy of the Florence Police Department that recordings generated on department owned equipment, or personally owned equipment authorized for official use, are the property of the Florence Police Department. Copying or reproduction of any audio or video media generated by the Florence Police Department, or the removal of any audio or video media outside the Florence Police Department, without written authorization of the Chief of Police, or designee, is **prohibited**.
2. The Florence Police Department shall comply with all federal and state laws while exercising discretion and a duty to balance a citizen's privacy with the public's rights of access. See State Code of Alabama Section 36-21-3.1
3. FOIA requests and/or subjects depicted or parent/legal guardians thereof may be allowed to view recordings through a formal request forwarded to the office of the Chief of Police. The recording in question will be reviewed for restricted content and may be redacted if authorized by the Chief of Police, or his designee. If no circumstances exist to restrict the viewing, then the viewing will be allowed. A viewing opportunity will be

- arranged and coordinated through the office of the Chief of Police within a reasonable period of time following said authorization.
4. All requests for copies of recorded media from persons or agencies outside of the Florence Police Department shall be directed, in writing, to the Chief of Police, or designee. Requests for copies of recorded media by attorneys shall be made via court subpoena.
 5. Recorded media provided to persons or agencies outside the Florence Police Department, will be duplicated on new DVDs provided by the Florence Police Department.
 6. Video files shall not be altered unless it is done under the direction of the Command Staff for purposes of redaction for Freedom of Information requests (FOIA) or court mandated editing.
 7. A reasonable fee may be charged for the reproduction of recorded media.
 8. Only that portion of recorded media containing a specific contact in question shall be reproduced.

X. L3 VIDEO SYSTEM PROCEDURES

- A. Officers shall "log in" to the video system at the beginning of each tour, and "log out" at the end of each tour. To be "logged in" means that recordings are tagged with that officer's name. If an officer is not "logged in," recordings will either tag themselves as "no name" or with the previously "logged in" officers name.
- B. All recordings will be categorized upon completion of the recording session with one of the following five categories:
 1. Warning/No Citation
 2. Citation/Report
 - Search
 - Arrest
 - Other/Signal 30

All data related to these categories are stored indefinitely which meets and exceeds the rules determined by the Alabama Department of Archives.

- C. Officers shall ensure that their recorded in-car audio/video is uploaded to the video server in a timely manner by parking their vehicle in an area of the Police Department parking lot that has the appropriate data connectivity to the server as indicated on the screen of the L3 system. If an officer is equipped with a body-worn camera, the recorded audio/video should be uploaded to the video server in a timely manner by placing the body camera on the docking station located in the Roll Call room to upload all contents of the body-worn camera. When checking out a body-worn camera the officer's name is linked to that camera and is logged in

the L3 server. Officers are to log into the L3 camera in the vehicle before operating it. This links the audio/video to the officer on the L3 server.

- D. Officers needing copies of in-car audio/video and/or body-worn camera recordings shall submit a written request to the L3 System Administrator **no later than** two (2) weeks prior to the date with which the recording(s) are needed.
- E. L3 system archives and backups will be produced and maintained per the requirements set forth by the Alabama Department of Archives.

XI. AUDIO/VIDEO RECORDING DEVICES (OTHER THAN IN-CAR DEVICES)

A. DEFINITION:

- 1. Audio/Video Recording Device - refers to any device with the capability to record audio or video media, including digital and/or analog formats and body cameras. Examples include, but are not limited to:
 - Clip on style video cameras (mini-digital recording devices);
 - Body Cameras
 - Cell phones;
 - Cassette recorders; and/or
 - Cameras, whether still or video.
- 2. Officers on or off-duty, who gain access to any audio or video media of any scene (i.e. crime scene, wreck scene, etc.) on the basis of their status as an officer, will be deemed to be acting in an official capacity.

B. CONDITIONS FOR USE:

- 1. **Required Use:** Officers and Sergeants working Patrol who's in-car Audio/Video recording system is inoperable, or those whose vehicle is not equipped with an in-car Audio/Video system, will, if available, wear a mini digital recording device or body-worn camera. Additionally, in unusual situations, officers may be required by a supervisor to wear a mini digital recording device or body-worn camera.
- 2. **Voluntary Use:** Officers, by their own choosing, may voluntarily decide to wear a mini digital recording device or body-worn camera, if available. A mini digital recording device or body-worn camera, if available, is strongly encouraged to be worn by Lieutenants and others who will have regular contact with citizens.

C. PROCEDURES FOR USE OF AUDIO/VIDEO RECORDING DEVICES OTHER THAN IN-CAR UNITS: Whether required or voluntary, all audio/video recording devices will be used according to the following procedures:

1. When to activate: Officers shall use audio/video and/or body-worn camera recorders when involved in the following situations:
 - a. During a vehicle stop, whether traffic related or other circumstances.
 - b. When transporting a subject in a police vehicle, whether under arrest or not, or at any time a citizen is in the rear compartment of the police vehicle, the officer **WILL** activate the audio/video and/or body-worn camera recorder;
 - c. At any time when the vehicle's emergency equipment is activated while responding to a call; and/or
 - d. At any time, the officer comes into official contact with a citizen regarding a law enforcement issue.
 - e. SWAT/Tactical Team: body-worn cameras must be utilized on high-risk warrant service by SWAT/Tactical Team members who are assigned a body-worn camera when making initial entry into a structure. The body-worn camera must be activated before the initial contact with a suspect(s). The body-worn camera may be deactivated once the structure has been declared safe and secure.
2. Equipment:
 - a. Departmentally owned recording devices:
 - All departmentally owned audio/video and/or body camera recording devices will be maintained at the police desk, Roll Call room, or Fastenal machine depending upon the equipment's assignment.
 - Patrol Lieutenants, or his/her designee, will have access and will check the devices out as needed.
 - The memory will be cleared and the device turned in to the police desk before the employee goes off duty.
 - b. Personally owned recording devices:
 - Officers will only use recording devices that have been approved for use by the Patrol Operations Commander.

- Use of a personally owned recording device will be noted on a memo and included in the officer's PIP file indicating departmental approval of the recording device. **All personally owned devices, used for police purposes, are subject to all departmental regulations.**
- No unauthorized recording devices are permissible.

3. Officer Responsibility:

- a. Prior to beginning a shift, officers wearing a recording device will ensure its readiness by conducting an operational inspection, including verifying the device functions properly and that it shows the correct date and time.
- b. Any problems preventing the proper use of the unit during the shift will be reported to the immediate supervisor.
 - If the unit is departmentally owned, the device will be written up for repair and removed from service until functioning properly.
 - If the unit is personally owned, the officer will ensure the unit is repaired before putting the unit back into service. The officer's immediate supervisor must verify it is functioning properly prior to allowing the unit back into service.

4. Supervisor Responsibility:

- a. Supervisors will ensure officers utilize the recording devices according to policy.
- b. Supervisors will conduct random reviews of the recorders, both departmentally and personally owned, just like in-car MVR reports.

5. Video Purge:

All data related to these categories are stored indefinitely which meets and exceeds the rules determined by the Alabama Department of Archives.

6. Prohibitions:

- a. No officer/employee will attempt to delete or remove any video file from a disc or recording device. No file will be erased or deleted prior to being downloaded to the server.

- b. When the devices' memory is full, or at the end of the officer's shift, the files will be saved to the network in the following location under the shift or division they are working.
 - c. All recording media, images, video, and/or audio generated by department personnel during official duty, whether by departmentally or personally owned devices, is the property of the Florence Police Department and will not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the expressed written consent of the Chief of Police.
7. Downloading content to the server:
- a. When the devices' memory is full, or at the end of the officer's shift, the files will be saved to the network server in a folder for each respective shift.
 - b. To the extent the device allows, the officer will flag or bookmark any video related to a criminal or traffic case.

XII. POLICY AND PROGRAM EVALUATION

- A. At the end of each calendar year, the Command Staff will conduct a written evaluation to analyze the effectiveness of hardware, software and retention applications used to support the In-Car Audio/Video and Body-Worn Camera Policy. The evaluation will also include:
 - 1. A recommendation on any policy issues and issues related to FOIA, (Freedom of Information Act).
 - 2. An evaluation of the program's effectiveness with regard to officer compliance with policy.
 - 3. Fiscal considerations of continuing or making modifications to the audio and video policy.
- B. The Command Staff will also complete a year-end review and analysis of whether or not the In-car Audio/Video and Body-Worn Camera Policy has positively or negatively impacted the Internal Affairs Process. The review should also include:
 - 1. An analysis of any impact In-car Audio/Video and Body-Worn Camera Policy is having on police use of force, suspect resistance, officer and suspect injuries, and use of less-lethal weapon systems.
 - 2. An assessment of the In-car Audio/Video and Body-Worn

Camera Policy as it applies to General Order 1.3.1, Use of Force.

- C. The Patrol Operations Commander will provide a written evaluation on how In-car Audio/Video and Body-Worn Camera Policy has impacted the prosecution of criminal and traffic-related cases. The evaluation will also include feedback from officers and supervisors.