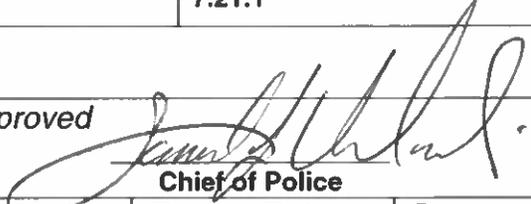


**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

<i>Effective Date</i> September 2, 2015		<i>Amended Date</i> July 5, 2022		<i>Directive</i> 7.21.1	
<i>Subject</i> Digital Mobile Video/Audio Recording Equipment					
<i>Reference</i>			<i>Approved</i>  Chief of Police		
<i>Distribution</i> All Personnel City Manager City Attorney		<i>TPCA Best Practices Recognition Program Reference</i>		<i>Review Date</i> June 26, 2022	
				<i>Pages</i> 8	

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this policy is to provide members of the department with guidelines for the use, management, storage, and retrieval of audio-visual media recorded by in-car video systems.

SECTION 2 POLICY

The use of an in-car video system can provide powerful evidence of criminal activity. The in-car camera has also proven to be a valuable tool for law enforcement practitioners by documenting their honesty, integrity, and professionalism. The department's policy is for officers to use DMVR equipment to create video/audio files which facilitate court prosecutions; which refute baseless complaints against officers and the department; which comply with State law regarding racial profiling; and which serve as training aids for procedural, legal and safety-related issues.

SECTION 3 DEFINITIONS

- A. **DMVR:** means Digital Mobile Video Recorder and applies to all elements of mobile video/audio recording systems. Wherever the operation of the DMVR is referenced, such operation includes both the video and audio capabilities of this equipment (wireless body microphone, interior microphone, and video equipment).
- B. **Continuous Recording:** The vehicle DMVR system is always on and recording, except when the vehicle has been turned off for more than a preset amount of time (example: 60 minutes). However, the recording is not uploaded unless a trigger event occurs. The video is saved on a loop to the DVR. The video will remain until recorded over unless a trigger event occurs. Once a trigger event occurs that video is protected and then uploaded to the cloud.
- C. **Trigger Event:** An event that causes the vehicle DMVR to begin saving video/audio recordings. Events include activation of the following: emergency lights/siren, vehicle speed exceeds preset threshold setting, and manual activation of the DMVR system. The recording ends when the officer presses the Stop button.

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- D. **Pre-event Recording:** The vehicle DMVR system will retain the video recording made prior to a trigger event, up to **ten (10) minutes**, depending on system settings. Audio is not recorded until the trigger event occurs.
- E. **Post-event Recording:** Once a trigger event has ended, the vehicle DMVR system will continue to save a recording, up to **ten (10) minutes** depending on system settings.
- F. **Wireless Upload:** When the police vehicle is within range of the wireless access point the recordings stored on the vehicle DMVR are automatically transferred over a wireless connection to the division DMVR server.
- G. **Tag:** Term used in the DMVR system for a video/audio segment that has been marked to be retained for longer than the default retention period.
- H. **Agency Administrator:** Person assigned by the Chief of Police to administer the DMVR system for the department.
- I. **Case Chain of Custody Report:** Report provided from the DMVR system to document all events that are associated with the case.
- J. **Video Classification:** When an officer ceases a recording at the end of an event, the video file must be classified. The classification of a file determines the retention period and/or archival process for the file.
- K. **Motor Vehicle Stop:** An occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

SECTION 4 PROCEDURES

A. INITIAL DMVR CHECK

1. At the start of their shift or after changing vehicles, officers will only drive patrol vehicles equipped with operating DMVR equipment, unless otherwise approved by a supervisor.
2. Upon preparing to go in service, officers will start their vehicles, and complete a DMVR login as explained in their training.
3. While the DMVR is in the on position, place the V300 body camera into the in-car docking station and wait for synchronization to complete.
4. After completing a successful login, officers will confirm their DMVR equipment is operating properly by taking the following steps:
 - a. activate the V300 body camera and/or the vehicle's emergency lights, either of which should automatically create a new video file;

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b. conduct an audio test during the required vehicle inspection; this can be done by turning up the volume on the display screen and replaying the in car video from their vehicle check.

5. Promptly provide a verbal report to the on-duty supervisor if any DMVR equipment malfunctions or maintenance issues are identified.

6. A supervisor who receives a verbal report about a DMVR equipment malfunction or maintenance issue shall forward it to the DMVR Agency Administrator no later than the end of the supervisor's tour of duty.

B. DMVR USE

1. DMVR activation of audio and video recording occurs:

a. automatically when the patrol vehicle's emergency lights or siren is activated;

b. when the patrol vehicle exceeds a preset speed;

c. when the crash detection module exceeds a preset G force;

d. manually upon activation of:

i. the V300 body camera; or

ii. the record button on the front panel of the video display or on the DMVR unit

2. When the DMVR is activated to record a new video file, the DMVR unit automatically captures thirty (30) seconds of pre-recorded video however; no audio signal is captured during this thirty (30) second period.

3. When a vehicle's ignition is turned off:

a. If the DMVR equipment is in record mode, it will continue to record until it is manually turned off.

b. If the DMVR equipment is NOT positioned in a record mode:

i. The DMVR will remain functional for sixty (60) minutes if the DMVR is not uploading video files. If uploading video files, the DMVR will remain functional for ninety (90) minutes.

ii. During such time, the DMVR can be activated using the V300 body camera from a range of about seventy-five (75) feet.

4. When parked at an access point, a vehicle's DMVR equipment will continue to upload video files for up to ninety (90) minutes after the vehicle is turned off.

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5. When recording DMVR video, officers:
- a. will ensure the cameras are properly focused and correctly positioned;
 - b. should be aware video quality is enhanced during low-light events:
 - i. when only low-beam lights are used; and
 - ii. when use of high beams, wigwags and the spotlight is minimized
 - c. must ensure non-police related electronic devices within the police vehicle (music radios, CD players, etc.) are turned off when the in-car audio system is activated. This does not apply to police radios. Other noise such as wind or road noise from an open window should also be limited if possible.

C. MANDATED DMVR OPERATION

1. Unless the delivery of emergency police services would be prevented, an officer's personal safety would be jeopardized, or police strategy is being discussed, officers will ensure DMVR equipment is always fully activated either manually or automatically:
 - a. on all motor vehicle stops;
 - b. on every call for service, whether dispatched or self-initiated, prior to making citizen contact;
 - c. on all pedestrian stops;
 - d. during any prisoner or courtesy transport;
 - e. during any interviews, interrogations and other investigative activities where use is practical; and
 - f. any time the officer or supervisor believes the use of the equipment would be beneficial
2. Officers should note in offense, arrest and related reports when video/audio recordings were made and if a request for download onto a DVD request was made.
3. Officers must carefully consider when to cease recording an event and be prepared to justify the action in the event that an incident occurs while DMVR equipment is not recording.
4. The intentional stopping of recording during incidents where the use of the DMVR equipment is required by this order may be cause for disciplinary action. Obstructing, shielding, or any act of interfering with the DMVR equipment is not permitted.
5. Officers will not cease recording of an event, situation, or other circumstances solely at the demand of anyone other than a supervisor. Officers will inform those who ask that video/audio recording equipment are in use.

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6. DMVR video files will only be prematurely terminated when:
 - a. there is a reasonable and articulable belief no critical documentation will be lost; and
 - b. intent to terminate the video recording is narrated in advance

D. DMVR FILE MANAGMENT

1. Officers should effectively manage their DMVR unit's video files by routinely completing wireless file uploads throughout their shift, so:
 - a. sufficient file space is ensured, so the DMVR equipment's recording capacity is never exceeded; and
 - b. the number of officers waiting to complete end-of-shift uploads is minimized
2. The only location for wireless uploads is in the back parking lot of the police department, within range of the upload antenna. Officers can determine when they are in range by the indicator and upload symbols on the DMVR display. Officers who come to the station for any reason (paperwork, call for service, etc.) will always park in this area so the DMVR will conduct a wireless upload. The patrol vehicle does not need to be left running during this time.
3. If the wireless upload system malfunctions or the DMVR fails to upload properly, notify a supervisor immediately so the System Administrator can be notified and the supervisor can conduct a manual upload of the DMVR video files.
4. Officers shall not attempt to enter the locked portion of the DMVR or remove the USB.

E. VIDEO FILE RETENTION

1. All video files will be archived on the cloud for a minimum of one hundred eighty (180) days.
2. When an officer stops a recording, the officer will assign the appropriate disposition category to the video file. The video categories are as followed:
 - a. Evidentiary: this will be used for any video that may be considered as evidence for an offense. Examples: Officer taking any offense report. Officer conducts a traffic stop resulting in an offense (possession, UCW, evading, etc.).
 - b. Non-Evidentiary: this will be used on all events in which the video could not be used as evidence for an offense. Examples: Residential alarm which is determined to be a false alarm. Call for service in which it is determined no offense occurred. Traffic accidents in which no offense occurred.
 - c. Traffic Stop: this will be used for any traffic stop initiated in which the video is not considered evidence of a county level charge. Examples: Traffic stop cleared with citations issued. Traffic stop resulting in a warrant arrest. Traffic stop cleared with a verbal warning.

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d. Test: this will be used when a test of the DMVR is conducted.

3. Officers may access and view their video files:

- a. through the vehicle's DMVR display screen until the video file is uploaded to the department's server; and
- b. through department computers upon proper entry of a user's name and password after the video file is uploaded to the department's server

F. DMVR LOGOUT

1. At the end of their tour of duty, officers in shared or pool vehicles will log out of the DMVR. Officers driving assigned vehicles, may remained logged into the DMVR while the vehicle is assigned to them.

G. RESTRICTED USE OF VIDEO FILES

1. All video files recorded by the DMVR system are the property of the department.
2. Unless otherwise authorized by the Chief of Police, access to video files is restricted to:
 - a. use for official law enforcement and business purposes; and
 - b. subject to release as authorized by the Texas Public Information Act, except where the subject recording is a part of a law enforcement investigation
3. DMVR video files may be released in response to a valid court order, subpoena, the District Attorney's Office, or upon approval by the Chief of Police.
4. DMVR video files may be released to the public and to the media upon the specific approval of the Chief of Police where such release will assist the interest of justice.
5. Any other use or dissemination by any person or for any non-official law enforcement or non-business purposes is strictly prohibited.
6. All public requests for DMVR video files will be submitted through the City of Lancaster release of information process.
7. Anytime a video is needed for evidence purposes, the officer will complete and submit a Request for Patrol Unit Digital Video Form to the on-duty supervisor. A supervisor who receives a request will go into the DMVR system, tag the videos requested, create and complete a new case and burn a copy of all requested videos onto a DVD. The supervisor will then drop the DVD into the property room and add it to the property section under the appropriate offense/incident number of the department's Records Management System.

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H. REVIEW GUIDELINES

1. Random Reviews

- a. Supervisors shall conduct reviews of the DMVR video files recorded by officers under their direct supervision to:
 - i. assess performance and safety practices;
 - ii. ensure compliance with departmental policy;
 - iii. ensure proper use of DMVR Equipment; and
 - iv. identify appropriate training video
- b. Supervisors shall review DMVR video files randomly each month, ensuring that each officer is reviewed at least twice during the calendar year. The Shift Commander shall be responsible for ensuring the video reviews are conducted and documented. A report containing the dates each officer was reviewed and the supervisor that conducted each review shall be prepared and submitted to the Operation Division Assistant Chief of Police, who shall maintain a log of the reviews.

2. Required Reviews

- a. Supervisors shall conduct a review whenever:
 - i. an officer is involved in a pursuit;
 - ii. an officer is involved in a use of force incident that was recorded by the DMVR system;
 - iii. a complaint is lodged against an officer; or
 - iv. a supervisor articulates a reason to suspect an officer is involved in activity contrary to the mandates of the General Orders

I. RECORD AFTER THE FACT

1. Video recorded onto the video loop, which is not part of a trigger vent, is not uploaded to the cloud. The video is however stored on the DMVR until the loop is closed, and the video is recorded over.
2. Using the record after the fact feature, the System Administrator can create a video to be uploaded from the video loop. This video will have no audio such as the pre-event recording.

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3. Record after the fact will only be used whenever:
 - a. it is believed there may be evidence to an offense that can be recovered;

J. SYSTEM ADMINISTRATION

1. The DMVR System Administrator will be responsible for the following:
 - a. the department's liaison with the DMVR system provider;
 - b. troubleshooting hardware and software problems;
 - c. contacting IT to create and delete user accounts; and
 - d. coordinate permissions and accesses
2. The DMVR System Administrator will assign the level of access to all users. The level of access assignments will be as followed:
 - a. Police - assigned to patrol officers.
 - b. Supervisor - assigned to supervisors, detectives, and records personnel.
 - c. Administrator - assigned to command staff and employees designated by the Chief of Police

K. SCOPE OF RESPONSIBILITY

1. All members of the department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.