

## City of Johns Creek Police Department

<i>Subject:</i> Audio Visual and Digital Recording		<i>Number:</i> 02-15
<i>Reference:</i> See also Evidence Procedures; HB 976		<i>Amends:</i>
<i>Effective:</i> 09/08 01/13 03/16 07/16 09/16 05/18 12/19	<i>Review Date:</i> Annually	<i># of Pages:</i> 3

### **PURPOSE:**

Establish procedures for the routine use of mobile audio/video recording equipment in patrol vehicles. The Department recognizes the importance of investigating all complaints filed against the individual officers and the need to document criminal activity. Therefore, the department will utilize audio/video recording equipment to document evidence and to protect our officers from malicious complaints of misconduct and to ensure the documenting of criminal activity.

### **POLICY: (02-15)**

Officers who have audio/video recording equipment in their vehicles shall record events, situations and circumstances in order to document criminal activity. Examples of activities which will be recorded include routine traffic stops, traffic stops which are believed to involve individuals operating motor vehicles under the influence of alcohol and/or drugs, pursuits, accident scenes when practical, armed encounters, acts of physical violence, felonious conduct, felony traffic stops, whenever lights and/or sirens are activated and other crime scenes. Audio/Visual recordings may be used to provide evidence in court, and as a training tool.

### **PROCEDURES:**

#### **Installation of Audio/Visual Equipment (02-15-01)**

The vendor will install most audio/video equipment. If the equipment is to be installed by someone other than the vendor, the Fleet Manager or Video Systems Coordinator will be responsible for the proper installation.

#### **Maintenance and Inspection of Audio/Visual Equipment (02-15-02)**

Officers assigned to vehicles containing audio/video recording equipment will be responsible for inspecting the equipment for deviations in operating condition, appearance and suitability for its intended use. Any problems encountered will be reported immediately to the officer's

supervisor and a Sysaid Request will be submitted. Officers should also accomplish the following prior to using any audio/visual equipment:

1. Inspect the vehicle windshield to ensure it is clean and free of streaks and the dashboard is free of debris;
2. Verify the alignment of the camera for optimum viewing/recording.

### **Training of Personnel (02-15-03)**

All enforcement personnel will receive training on the use of audio/visual equipment during the FTO program. All newly promoted personnel will receive training on the administrative use of recordings. Additional training may be required at periodic intervals to ensure the continued effective use and operation of equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in Department policy and equipment.

### **General Use of Audio/Visual Equipment (02-15-04)**

Officers will inform those who ask that audio/video recording equipment is in use. It is not required for officers to inform the public they are using the equipment. Officers will *never* stop the use of audio/video recording equipment solely at the request of a violator or participant in a public safety incident. If an officer fails to record the entire contact, or interrupts the recording, the officer shall document the reason in the associated report.

Officers shall note in the report, the date and time when video recordings were made; however, audio/video recordings shall not be a replacement for written reports.

### **Classification and Retention Schedule (02-15-05)**

The audio/ visual recording equipment utilized by the agency is completely digital. Video data that has been recorded and the classification verified by the assigned officer will be off loaded through an approved method and stored on the evidence.com platform.

1. Video classifications will be assigned automatically based off of the CAD event documented by dispatch. It will be the responsibility of the assigned officer to verify the correct classifications are assigned to each video. This may require officers to contact dispatch and request the CAD classification to be updated (i.e. - a dispatched Alarm Call must be updated to a Burglary classification).
2. Records retention periods are assigned to videos based on the specific classification. If an incident occurs which carries more than one classification/ category (i.e. - a Robbery incident involving a Use of Force and a Pursuit), the officer shall ensure the video is classified under all applicable categories, so that the video will be stored for the required amount of time.
3. Officers will be required to classify and store BWC recordings as outlined in this policy. All video files shall be securely stored in compliance with the State of Georgia Records Retention Schedules. If a video is re-classified to a different category, the video will be retained based on the new category and the original date of the recording.

## **Storage and Access to Recordings (02-15-06)**

1. The Audio/Video equipment and all data, images, sounds, video, and metadata captured, recorded, or otherwise produced by the equipment shall be the exclusive property of the Johns Creek Police Department.
2. Video data that has been recorded and the classification verified by the assigned officer will be off loaded through an approved method and stored on the evidence.com platform. Each officer is required to download all data before the end of each work rotation. If unusual circumstances prevent an officer from being able to download data before the end of his/ her work rotation, the officer will notify their supervisor in writing, and complete the download as soon as possible.
3. Officers are allowed to review video footage of an incident in which they were involved, prior to preparing a report or making a statement about the incident.
4. If an officer is suspected of wrongdoing in an incident or involved in an officer-involved shooting or other type III use of force, the Department reserves the right to limit or restrict an officer from viewing the audio/video file.
5. Once the video is transferred to the evidence.com platform, that data can be accessed from departmental computers for criminal investigations or administrative use. The security settings will not allow previously recorded video to be overwritten or erased.
6. Audio/Video recordings may be used as training aids for other officers or to refute a possible complaint. The recordings may also be used for internal investigations or other purposes. The Chief of Police, his/her designee, and the officer's supervisor and/or other authorized personnel will have access to review such recordings.
7. Quarterly, supervisors will conduct random reviews of at least three videos per officer, in order to ensure BWC equipment is being used in accordance with policy and procedures, assess officer performance, and to identify videos that may be appropriate for training.

## **Release of Recordings (02-15-07)**

Requests for duplication of audio/video recordings will be handled as follows:

1. Recordings that contain evidence of a crime will be handled as any other evidence and will remain in the evidence/property section of the department.
2. Open records requests made pursuant to Georgia law, and media requests of video shall be handled as follows:
  - a. Recordings that contain evidence of a crime will be handled as any other evidence and will remain in the evidence/property section of the department.

- b. Requests for copies of recorded events will be forwarded to the Records Unit for approval. Upon approval, the request will then be forwarded to the Evidence Custodian.
- c. He/she will be responsible for duplicating the specific incident from the evidence.com platform onto a DVD and logging it in the evidence release log.
- d. The Evidence Custodian will forward the DVD to the Records Unit for Release. The cost to release the DVD will be in accordance with the current GA Law and HB 976.
- e. Officers desiring a copy of a recording may contact the evidence custodian for a DVD of the recording. Officers or any employee will not release copies in their possession to any individual outside the Department.
- f. Any requests coming into the Department from non-governmental sources shall comply with current open records laws.
- g. All video recordings shall be documented and retained in accordance with HB 976.

**Personal Equipment and Personal Use of Equipment (02-15-08)**

- 1. The policies and procedures listed above apply to any employee using personal audio visual equipment to record any on-duty events or authorized assignments.
- 2. No officer shall utilize the Department's audio/visual recorder equipment or the recorded events for their own personal use. All recordings may be subject to Open Records and in accordance to HB 976.
- 3. Privately owned recording devices shall not be used without the authorization Chief of Police, his or her designee. Personal recording devices shall not be used in conjunction with any recording equipment which is owned by the Johns Creek Police Department.
- 4. Recordings of any conversation with departmental and or city personnel is prohibited without specific authorization from the Chief of Police. The Office of Professional Standards is the only exception to this policy, during the course of conducting Internal Affairs Investigations.