

Mobile Audio Video

306.1 PURPOSE AND SCOPE

The Washington County Sheriff's Office has equipped each marked patrol car with an in-car video/audio system. This system is designed to assist and complement patrol deputies in the performance of their duties. The system is used to record certain activities by providing a visual and/or audio record. Recordings are intended to provide an unbiased record of the incident and to supplement the deputy's report.

306.1.1 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/audio system - Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

In-car video technician - Personnel trained in the operational use and repair of in-car video systems, duplicating methods, storage and retrieval methods and procedures.

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

L-3 Case - Identifies and groups video/audio recordings which relate to a law incident to maintain, organize and export video/audio recordings.

Protected Content -

- A complainant, victim or witness has requested non-disclosure.
- A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- Disclosure may be an unreasonable violation of someone's privacy, including an accidental recording of Office members.
- Medical or mental health information is contained.
- Disclosure may compromise an under-cover officer or confidential informant.
- Recorded content contains sound or images from a residence as outlined in Utah Code 63G-2-302.

306.2 POLICY

It is the policy of the Washington County Sheriff's Office to use mobile audio and video technology to more effectively fulfill the office's mission and to ensure these systems are used securely and efficiently.

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306.3 DEPUTY RESPONSIBILITIES

Prior to going into service, each deputy will properly equip him/herself to record audio and video in the field. At the end of the shift, each deputy will follow the established procedures for providing to the Office any recordings or used media and any other related equipment. Each deputy should have adequate recording media for the entire duty assignment.

At the start of each shift, deputies should test the mobile video/audio system's operation in accordance with manufacturer specifications and office operating procedures and training. If the system is malfunctioning, the deputy and supervisor should take appropriate steps to ensure the equipment is replaced or repaired in a timely manner.

306.3.1 REQUIRED ACTIVATION OF IN-CAR VIDEO

This policy is not intended to describe every possible situation where the system may be used, however, there are many situations where the use of the in-car video system is appropriate. The activation of the in-car video is required in all field contacts and in all calls for service. In addition to the required situations, a deputy may activate the system any time he/she believes its use would be appropriate and/or valuable to document an incident. In some circumstances it is not possible to capture images of the incident due to conditions or location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the in-car video.

Once the in-car video is activated, it shall remain on and shall not be turned off until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported, and all witnesses and/or victims have been interviewed. Recording may cease if a deputy is simply waiting for a tow truck or a family member to arrive or other similar situations. Audio recording may be turned off temporarily to converse with another deputy on scene. Audio recording may not be turned off while speaking to a suspect, witness, or other non-law enforcement personnel on scene.

306.3.2 WHEN ACTIVATION IS NOT REQUIRED

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

Absent legal cause or lawful order, no member of the WCSO may surreptitiously record any other member of the WCSO without the expressed knowledge and consent of all parties.

306.4 ACTIVATION OF THE IN-CAR VIDEO SYSTEM

The in-car video system is designed to turn on whenever the unit's emergency lights are activated or manually by the deputy. The system remains on until it is turned off manually. The audio portion is independently controlled and should be activated manually by the deputy whenever appropriate. When audio is being recorded, the video will also record.

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306.5 MANAGING RECORDINGS ON L-3 DIGITAL EVIDENCE SERVER

The L-3 Digital Evidence Server (DES) will purge any recordings which are not assigned to a L-3 Case or which meet the criteria described in the Retention of Audio/Video Records section of this policy. The following video/audio recordings may have significant evidentiary value and should be retained and assigned to an L-3 case:

- All responses to criminal activity;
- All interactions with aggitated or hostile individuals;
- Any other recording deemed significant, at the deputy's discretion.

The deputy responsible for the case should make a request to a supervisor or an L-3 system administrator to add the recordings of other involved deputies to the L-3 case. The sergeant or supervisor reviewing the law incident should ensure an L-3 case was created.

In the event of an accidental activation of the camera where the resulting recording is of no investigative or evidentiary value and contains personal privacy content, the recording deputy may request that the audio/video file be deleted . The deputy will submit a request for deletion via email, with sufficient information to locate the camera file, to their direct supervisor.

The email will be forwarded through the deputy's chain of command to a lieutenant. The receiving lieutenant shall review the file and approve or deny the request. Prior to deleting an accidental activation, the lieutenant will ensure the file is not associated with a police contact or CAD event.

The recording deputy may request to be present during the review. No files associated with an official police contact, CAD event, or any pending litigation or complaint is eligible for deletion.

306.6 RETENTION OF AUDIO/VIDEO RECORDS

In compliance with the Utah State retention schedule, all records will be maintained for a period of no less than 120 days. In order to ensure audio/video evidence is maintained and available for ongoing investigations, the assigned case officer should take the necessary steps to retain the recordings. Recordings are retained by the DES by completing one or more of the following steps:

- Create an L-3 case using the DES and attaching all related videos.
- Select one of the following categories when stopping the recording:
 - Arrest
 - Incident
 - Citation

Videos categorized as No Citation, Other, Officer Report (OR) or Personal Privacy will be purged from the server after 120 days if they are not attached to an L-3 Case.

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306.7 REVIEW OF IN-CAR VIDEO

All recording media, recorded images and audio recordings are the property of the office. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the office in-car video technician. When reasonably possible, a copy of the original media should be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations:

- (a) For use when preparing reports or statements;
- (b) By a supervisor investigating a specific act of deputy conduct or for quality assurance;
- (c) By a supervisor to assess deputy performance;
- (d) To assess proper functioning of in-car video systems;
- (e) By a office investigator, after approval of a supervisor, who is participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation;
- (f) By office personnel who request to review recordings;
- (g) By a deputy who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment;
- (h) By court personnel through proper process or with permission of the Sheriff or the authorized designee;
- (i) By the media through proper process or with permission of the Sheriff or the authorized designee;
- (j) To assess possible training value;
- (k) Recordings may be shown for training purposes. If an involved deputy objects to showing a recording, his/her objection will be submitted to his/her supervisor to determine if the training value outweighs the deputy's objection;
- (l) For other reasons as specified with the permission of the Sheriff.

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