

COLCHESTER POLICE DEPARTMENT

SUBJECT: Mobile Video/Audio Recording Equipment (MVR)

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POLICY: CPD marked patrol units shall be equipped with Mobile Video & Audio Recording Equipment (MVRs). All members using MVR equipment shall be appropriately trained in use and operation, and be familiar with this policy. All video/audio media are the property of the Colchester Police Department. No media shall be copied, disseminated or reused without authorization from an immediate supervisor. Any requests for copies of recordings not court related must be approved by the Chief of Police or designee.

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I. PROCEDURES

- A. Members assigned to patrol vehicles equipped with MVR equipment shall ensure that all required pre-operational checks are performed in accordance with the manufacturer's recommendations.
- B. Members using MVR equipment shall record the following situations/scenes whenever possible:
 - 1) Motor vehicle and criminal enforcement stops
 - 2) Police pursuits
 - 3) In progress motor vehicle or criminal statute violations
 - 4) Traffic collisions involving department vehicles, and/or collisions resulting in injury or death.
 - 5) Any situations where the member, because of experience or training, determines that the incident shall be documented
 - 6) All searches
 - 7) Once documentation is no longer necessary or if in the opinion of the officer there is a privacy concern, video recording may be terminated.
- C. MVR Media Storage
 - 1) The Colchester Police Department shall maintain an MVR media storage system in a secure location.

- 2) No personnel shall alter, delete, tamper with or remove MVR media from either the police vehicle or the storage area except in accordance with this policy.
- 3) Each media shall be labeled with the police vehicle (EQ) number and the start and end dates of the contents.
 - a.) All footage from police vehicle media that is part of a serious crime investigation (felony) should be duplicated onto a separate piece of media and entered into evidence for longer term storage, consistent with the statute of limitations for the particular crime.
 - b.) Any footage that depicts a potential blood borne pathogen exposure or toxic substance exposure must be preserved for 30 years from termination of employment of each of the people involved in the incident. If an officer believes that an incident involving exposure to blood borne pathogens or toxic substances has occurred, s/he must notify the Support Services LT via the chain of command so that the media can be properly preserved.
- 4) Media Retention – all media, with the exception of those noted above, shall be retained for six years. After the retention period has expired media may be destroyed at the direction of the Support Services LT.
- 5) Duplication of media
 - a) A duplication fee may be assessed as provided for in Title 20 VSA, 1815. If the defendant in a Driving Under the Influence (DUI) case requests a copy of a recording of the stop and subsequent processing, the defendant shall, upon written request, and advance payment of a \$45.00 fee, be provided with a copy of the incident as recorded. No fee shall be charged to a defendant whom the court has determined is unable to pay. The Department will provide blank media for duplication of the DUI defendant's request.
 - b) In cases other than DUI, recordings will only be duplicated on appropriate blank media provided by the authorized person(s) making the request.
 - c) The duplicate media will contain only scenes from a specifically requested incident.
 - d) The duplicate media shall be labeled with a Colchester Police label containing the date of the duplicate and a statement prohibiting further duplication or distribution of the media without the express written consent of the Chief of Police or designee.

II. OPERATION

A. Responsibilities of Operators

- 1) Members shall be responsible for operation, care and maintenance of assigned MVR equipment. Maintenance shall be performed in accordance with manufacturer's recommendations.
- 2) Prior to each shift, members shall determine that MVR equipment is working satisfactorily and complete standard pre-operational system check. The completion of the pre-operational check shall be recorded by the member on the video at the start of the shift, and as necessary during the course of the shift (i.e. if maintenance is required completion of such maintenance shall be noted).
- 3) A shift supervisor will be notified, as soon as possible, if any problems are discovered with operation of the MVR equipment. Additionally, the officer shall complete an equipment repair request and notify via email the department member(s) responsible for maintaining the MVR equipment.
- 4) Members shall only use video equipment and media issued or authorized by the Department.
- 5) The audio microphone will be activated during all video recordings.
- 6) The use of MVR equipment shall be noted in the appropriate incident report. Officers are authorized to review MVR media while preparing reports and court paperwork.

B. Responsibilities of Supervisors

- 1) Supervisors shall ensure that officers who utilize MVR equipment comply with established policies, procedures and guidelines.
- 2) Supervisors may randomly review media produced by officers for the purpose of ensuring compliance with established policies, and to identify material that would be appropriate for training.
- 3) Media may also be reviewed for the purpose of resolving citizen complaints, preparing court paperwork or reports and for any other purpose authorized by the Chief of Police.
- 4) The Chief of Police, or designee, shall be responsible for the maintenance of the media file.

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