

# Germantown Police Department

## Policies and Procedures

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**Number:** 11-14  
**Effective Date:** September 9, 2004  
**Subject:** Mobile Video and Audio Recording Equipment  
**Previous Revisions:** January 1, 2003

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### **I. PURPOSE**

The purpose of this policy is to provide officers with guidelines for the use of mobile video and audio recording equipment.

### **II. POLICY**

It is the policy of the Germantown Police Department to utilize mobile video recording (MVR) equipment to aid in the prosecution of traffic violations and related offenses, to aid in the evaluation of officer performance, as well as to aid in training. In order to maximize the use of this equipment in these and related areas, officers shall follow the procedures for MVR equipment use as set forth in this policy.

### **III. PROCEDURE**

#### **A. Program Objectives**

The Germantown Police Department has adopted the use of in-car video/audio recording systems in order to accomplish several objectives, including:

1. Accurate documentation of events, actions, conditions and statements made during arrests and critical incidents, so as to enhance officer reports, collection of evidence and testimony in court; and
2. The enhancement of the Germantown Police Department's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, and evidence for investigative purposes, as well as for officer evaluation and training.

#### **B. Operating Procedures**

Officers shall adhere to the following procedures when utilizing MVR equipment:

1. MVR equipment installed in vehicles is the responsibility of the officer assigned to that vehicle and will be maintained according to manufacturer's recommendations.
2. Prior to each shift, officers shall determine whether their MVR equipment is working satisfactorily and shall bring any problems at this or other times to the attention of their immediate supervisor as soon as possible.
3. MVR equipment will automatically activate when the vehicle's emergency warning devices are in operation and the officer is in enforcement status. All equipment must remain in operation throughout the entire enforcement action, including the duration of all traffic stops. The equipment may only be manually deactivated during non-enforcement activities, such as when protecting accident or crime scenes from vehicular traffic, when waiting for a wrecker, or during other non-enforcement actions when such recording would be of no evidentiary value.
  - a. Whenever equipment is manually deactivated, officers shall properly document the reason for this action on the officer's daily log sheet.
4. Officers will ensure that equipment is operating in order to record traffic stops or other enforcement actions. In so doing, they will ensure that:
  - a. The video recorder is positioned and adjusted to record events;
  - b. The MVR, including the audio, is not deactivated until the enforcement action is complete; and
  - c. Their wireless microphone is activated in order to provide narration with the video recording to explain the reason for their current or planned enforcement action.
5. Where possible, officers shall also use their MVR equipment to record:
  - a. The actions of suspects during interviews, when undergoing sobriety checks or when placed in custody if the recording would prove useful in later judicial proceedings; and
  - b. The circumstances at crime scenes and accident scenes or other events such as the confiscation and documentation of evidence or contraband.
6. Officers shall not erase, reuse or in any manner alter MVR storage media, whether videotape, DVD, or other storage media.

7. Officers shall ensure that they are equipped with an adequate supply of storage media to complete their tour of duty.
8. All completed items of storage media shall be properly labeled and identified prior to being submitted into evidence or into the Property Room.
9. Officers are encouraged to inform their supervisor of any recorded sequences that may be of value for training purposes.
10. Officers will indicate in their offense report, arrest report, and any other related reports when video/audio recordings were made during the incident in question.
11. Officers shall only use storage media issued and approved by the Germantown Police Department.
12. Officers will only record the conversations of other police personnel when such conversations are related to an incident. Officers will not surreptitiously record the conversations of other officers using MVR equipment or other recording devices.
13. The wireless microphone transmitter will be placed on the duty belt, on the officer's epaulet, or in the officer's shirt pocket. If the officer places the transmitter in his/her shirt pocket, the use of an external microphone is mandatory. Any microphone cord will be concealed inside the uniform shirt with the microphone attached to the uniform shirt near the neck, no more than eight (8) inches from the officer's mouth.

C. Storage Media Control and Management

1. MVR storage media containing information that may be of value for case prosecution or in any criminal or civil adversarial proceeding shall be safeguarded as other forms of evidence. As such, the storage media will:
  - a. Be subject to the same security restrictions and chain of evidence safeguards as detailed in the Germantown Police Department's evidence control policy.
  - b. Not be released to another criminal justice agency for trial or other reasons without having a duplicate copy made and returned to safe storage; and
  - c. Will not be released to other than bona fide criminal justice agencies without prior approval of the Chief of Police.

2. Storage media not scheduled for court proceedings or other adversarial or department uses shall be maintained for a minimum period of 90 days. All storage media shall be maintained in a manner that allows for efficient identification and retrieval.
3. No storage media shall be reissued for operational use unless completely erased by designated personnel in this agency.

D. Supervisory Responsibilities

Supervisory personnel who manage officers equipped with MVR equipment shall ensure that:

1. All officers follow established procedures for the use and maintenance of MVR equipment, handling of video/audio recordings and the completion of MVR documentation;
2. On at least a bimonthly basis, they randomly review storage media and recordings to assist in periodic assessment of officer performance, determine whether MVR equipment is being fully and properly used and to identify material that may be appropriate for training;
3. Repairs and replacement of damaged or non-functional MVR equipment is performed; and
4. All statistical reporting requirements are being completed as required to ensure adequate program evaluation.

**IV. REVIEW PROCESS**

An annual review of this policy will be conducted to determine if it should be revised, canceled or continued in its present form.

This order shall remain in effect until revoked or superseded by competent authority.