

Mobile Audio/Video

413.1 PURPOSE AND SCOPE

The Carbondale Police Department has equipped marked patrol cars with Video systems (MVS) to provide records of events and assist uniformed officers in the performance of their duties by providing a visual and/or audio record of patrol-related activities when permitted by law (720 ILCS 5/14-3(h)). This policy provides guidance on the use of these systems.

413.2 POLICY

It is the policy of the Carbondale Police Department to use mobile audio and video technology to more effectively fulfill the department's mission and to ensure these systems are used securely and efficiently. Neither the Department nor its agents will utilize equipment in a way that would be illegal under Illinois or United States law regulating the use of audio or video overhear or recording devices.

413.3 OFFICER RESPONSIBILITIES

- (a) When the marked vehicle is being used for purposes other than the patrol function (i.e.: parades, transportation to and from training or other events, transporting for maintenance, etc.)
- (b) When the equipment is present, but not in operating condition.
- (c) When an exception has been granted by the shift supervisor.
- (d) When officers not actively assigned to patrol functions are utilizing the marked vehicle to respond to assist at emergency calls in progress or other exigent situations and may not have time to log into the system.

413.4 EQUIPMENT

Officers shall use the following procedures when utilizing MVS equipment:

- (a) MVS equipment installed in police cars is the responsibility of the officer assigned as driver of that vehicle. The equipment consists of a front camera and rear camera (to capture rear passenger area), as well as audio microphones for each camera.
- (b) At the beginning of their tour of duty, the officer shall determine whether their MVS equipment is functioning properly and bring any problems to the attention of their shift supervisor and complete a vehicle inspection form. The form should be forwarded to their supervisor for repair. Note specific error messages or symptoms that will help track the problem.
- (c) The video portion of MVS equipment will automatically activate when the emergency lights of the police vehicle are turned on. The MVS may also be manually activated using the wireless microphone or the record button on screen.
- (d) The MVS system will also activate upon impact if the marked vehicle is involved in a crash, utilizing a sensor designed to monitor G force. The sensor could also be triggered by hard

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acceleration or hard braking. The system has built in an ability to capture 60 seconds of "pre-event", meaning the system will capture and save video recorded 60 seconds prior to activation. The "pre-event" recording will include video but not audio recording. The MVS system is GPS based, and will record the speed of the marked vehicle while the system is activated.

- (e) Once activated, the MVS shall not be deactivated until the incident being recorded is completed. The officer may deactivate the MVS as follows:
 - 1. The front camera may be deactivated once an individual has been taken into custody and safely secured in the transporting vehicle, leaving the rear camera activated.
 - 2. While at an accident scene or directing traffic, when the scene has stabilized to the point where an arrest is deemed unlikely.
 - 3. When continued operation of the MVS for an extended period of time would serve no useful purpose.
- (f) If an officer deactivates the audio or video of the MVS before enforcement activity in an incident has ended, the officer shall write a memorandum to the Operations Commander via chain of command explaining why this was done. A memorandum is not required if audio recording is stopped because it is not allowed by statute.
- (g) Officers shall wear wireless body microphones, including the lapel microphone, when using the MVS equipment. The microphone wire should be hidden as well as possible on the officer's person so as to not be a safety hazard. The microphone shall be worn in the on position so that when the system begins to record the microphone will be immediately activated.

413.5 DIGITAL VIDEO CONTROL

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

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When an event is recorded and the digital video is retained as evidence, the video shall be bookmarked utilizing the case number of the incident and shall be classified as evidence. The video can be bookmarked from in the car after the event or at the station utilizing a computer workstation linked to the video system by network. Classification of the event shall be done at the station.

- (a) An entry shall be made on the DUI Report Form if evidence is DUI related, indicating the video was bookmarked to alert the Evidence Technician and Crime Scene Specialist to the video. An inter-departmental request shall also be completed requesting the Crime Scene Specialist to record the video to DVD, indicating the case# and vehicle#(s) involved in the incident.
- (b) Officers shall indicate in their report if the event was recorded by the MVS and if the video was bookmarked and classified.

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- (c) Digital video will be held on the Department's storage server for 30 days unless bookmarked and classified as evidence by an officer. The digital video system will automatically purge video after the 30 day hold expires.
- (d) No person is authorized to erase, record over or alter any digital video prior to the 30 day hold or to save digital video from the system to an external flash drive or other memory device.
- (e) Events recorded on an MVS may be reviewed by officers as necessary.
- (f) Duplication of MVS digital video shall be made only with permission of the Chief of Police or designee. A memorandum from the officer requesting the copy must be sent via the chain of command to the Chief of Police describing why it is needed. A duplication fee may be appropriate in some instances. This fee will be determined by the Chief of Police or designee.

413.6 MOBILE VIDEO SYSTEM USES

Officers may utilize an MVS to accomplish several objectives, including:

- (a) Recording the driving and behavior of traffic violators prior to or after activating emergency equipment.
- (b) Recording a suspect's behavior and performance in DUR traffic stops and field sobriety tests conducted by officers.
- (c) Accurate documentation of critical incidents, events, actions, conditions, and statements made during enforcement activities, identified in 413.6.1 of this policy.
- (d) Assisting officers in writing reports or the collection of evidence and testimony in court.
- (e) Enhancing this agency'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.
- (f) Promoting officer safety by encouraging suspect cooperation after advising them their actions are being recorded by an MVS.

413.6.1 USE OF AUDIO RECORDING.

Illinois law allows videotaping in situations where audio eavesdropping or recording of oral conversations would be illegal. The following are exceptions to this law:

- (a) Recordings made simultaneously with the use of an in-car video camera recording of an oral conversation between a uniformed peace officer, who has identified his or her office, and a person in the presence of the peace officer whenever an officer assigned a patrol vehicle is conducting an enforcement stop; or patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement. For the purposes of this subsection, "enforcement stop" means an action by a law enforcement officer in relation to enforcement and investigation duties, including but not limited to, traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance. Illinois Vehicle Code (720 ILCS 5/14-3-h).

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1. While speaking to a suspect during an enforcement activity advising the suspect that their conversation is being recorded is not required and is left to the officer's discretion.
 2. If an individual is told that they are being recorded by MVS and they object, it is not necessary for the officer to stop audio or videotaping.
- (b) Officers may use an MVS to record conversations not related to enforcement investigations after receiving permission from those persons. Verbal acknowledgment by the person(s) being recorded on an MVS recording should suffice in most cases.

413.7 ADMINISTRATION

Digital video recorded by an MVS and held by the Department may be used for various purposes:

- (a) Officers who make video recordings of incidents which are of value as a training aid to the Department should notify the Investigations Supervisor. If the digital video is being held in evidence, copies for training purposes will be delayed until a disposition in the case has been made.
- (b) Any supervisor may periodically review digital video recorded by an MVS to ensure the equipment is operating correctly and that procedures are being followed.
- (c) Officers requesting copies of MVS digital video for other law enforcement purposes should send a request via the chain of command to the Chief of Police.
- (d) Officers shall not release or allow the viewing of an MVS digital video by anyone outside the Department without authorization from the Chief of Police or designee.

413.8 ISSUING AUTHORITY

Effective: October 19, 2016

Revised:

By Authority of: Jeff Grubbs, Chief of Police