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			Distribution: All
Title: MOBILE VIDEO RECORDERS & BODY CAMERAS		Section: Organization	
Issued: 06/08/2010	Effective: 06/16/2010	Revised: 06/19/2013	
Rescinds: All Previous		Amends:	
CALEA References: 41.3.8(a)(b)(c)			
Review: Annual	Authority: Chief Michael A. Keller <i>MJK</i>		

## I. Purpose

The purpose of this General Order is to establish guidelines for the use, management, storage, and retrieval of audio-visual media recorded by In-car mobile video recorders (MVR) and officer worn body cameras (OWBC).

## II. Policy

The use of an MVR or OWBC provides persuasive documentary evidence and helps defend against civil litigation and allegations of officer misconduct. Officers assigned the use of these devices shall adhere to the operational objectives and protocols outlined herein so as to maximize the effectiveness and utility of the recording devices and the integrity of evidence and related video documentation.

## III. Definitions

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- A. In-car Mobile Video Recorder (MVR):** In-car video and audio recording system consisting of an external viewing camera assembly, an internal viewing camera assembly, recording mechanism, associated recording medium, body worn audio transmitter (microphone) and in-car microphone.
- B. Officer Worn Body Cameras (OWBC):** Portable audio and video cameras issued by the department and worn on the officer's uniform.
- C. Recording Media:** Audio-video signals recorded on any of several storage devices, including analog tape (VHS, SVHS, Hi 8mm), digital tape (DV), or other portable digital storage devices (CD, DVD, hard drive, etc.).
- D. MVR System Manager:** Personnel trained in the operational use and repair of MVRs, duplicating methods, storage and retrieval methods and procedures, and who possesses a working knowledge of video forensics and evidentiary procedures.

## IV. Regulations

- A. Officers operating vehicles equipped with a functioning MVR or issued an OWBC will use the recording devices to record audio and video of incidents as prescribed in this policy (B).
- B. Officers will perform system checks to ensure the recording device is functioning at the start of their shift and report any malfunctions immediately to a supervisor (B).

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- C. Supervisors who are made aware of a malfunctioning MVR will ensure the MVR System Manager is notified of the malfunction if the supervisor is unable to correct the problem, and assign the officer to a car with a functioning MVR if one is available (B).
- D. Digital recordings will not be altered, manipulated, deleted or destroyed unless specifically permitted within this General Order (D).

## **V. Procedures**

### **A. Program Objectives**

1. The agency has adopted the use of recording devices to accomplish the following objectives:
  - a. To enhance officer safety.
  - b. To accurately capture statements and events during the course of an incident.
  - c. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
  - d. To provide an impartial measurement for self-critique and field evaluation.
  - e. To capture visual and audio information for use in current and future investigations.

### **B. Inspection and Preparation**

1. Officers will inspect all equipment to ensure the MVR is performing correctly at the beginning of the officer's shift.
2. The inspection shall include:
  - a. Test of the system's overall function;
  - b. Test of the body worn audio transmitter to include the remote start of the MVR;
  - c. Test of the emergency light bar activation of the MVR; and
  - d. Playback of the test video to ensure the MVR is properly recording both audio and video and cameras are pointed in the correct direction.
3. The on-duty supervisor shall be notified if any portion of the MVR system is not operating properly prior to the patrol unit being placed into service. The on-duty supervisor, when possible, will reassign the officer to another patrol vehicle with an operating MVR.
4. The MVR will be set to automatically begin recording audio from the body worn audio transmitter and video from the external viewing camera when the overhead emergency light bar is activated or the remote start button is pressed on the body worn audio transmitter.

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5. Officers will inspect OWBCs to ensure they are operating correctly at the beginning of the officer's shift. If an OWBC is not operating correctly, the officer will notify a supervisor and a replacement, if available, will be provided. The MVR system manager will be notified of the malfunctioning device.

### **C. Use and Documentation of MVR**

1. The MVR will be used to record audio and video during the following events (41.3.8a):
  - a. All traffic stops;
  - b. All priority responses;
  - c. All vehicle pursuits;
  - d. All prisoner transports (internal viewing camera);
  - e. All responses to crimes in progress;
  - f. Any situation or event that the officer, through his/her training and experience believes should be recorded.
2. The audio or video of the MVR will not be turned off during any incident until such incident is determined complete, unless:
  - a. The incident or event is of such duration that the MVR may be deactivated to conserve recording times; and
  - b. The officer does not reasonably believe that deactivation will result in the loss of critical documentary information; and
  - c. The intention to stop the tape has been noted by the officer either verbally or in written notation.
3. With the exception of police radios, officers shall ensure the volume from other electronic devices within the police vehicle do not interfere with MVR recordings.
4. At the conclusion of incidents where the MVR was used and if the MVR is so equipped, officers should make the appropriate entries into the MVR data entry screen, including case or citation number, reason for contact, race and gender of person contacted, and a notation to either (K) keep or (X) delete the entry following the mandatory five month storage requirement.
5. Recordings of incidents involving arrests, assaults, physical or verbal confrontations, vehicle pursuits, vehicle searches where contraband is recovered, prisoner transports or other situations that are evidentiary in nature will be marked (K) keep.
6. Officers should note in their police reports and on citations that the MVR was used.
7. Officers should note on citations and reports if video or audio was not available, and the reason why.
8. Officers should review the MVR recordings when preparing written reports to help ensure accuracy.

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9. Prior to the end of an officer's shift, the officer is responsible for notifying a supervisor when a copy of an incident that has been captured by the MVR is needed for evidentiary purposes.

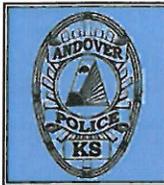
Rev. 06192013 **D. Use and Operation of OWBC**

1. The use of the OWBC may be used at the officer's discretion, but should be considered for use to supplement the MVR; during the execution of arrest and search warrants; when inside residences or businesses; and in any situation or event that the officer, through his/her training and experience believes should be recorded;
2. The audio or video of the OWBC will not be turned off during any incident until such incident is determined complete, unless:
  - d. The incident or event is of such duration that the MVR may be deactivated to conserve recording times; and
  - e. The officer does not reasonably believe that deactivation will result in the loss of critical documentary information; and
  - f. The intention to stop the tape has been noted by the officer either verbally or in written notation.
3. Prior to the end of the officer's shift, officers will download the data from the OWBC into the video management system, and make the appropriate entries into the data entry screen, including case or citation number, and a notation to either keep or delete the entry following the mandatory five month storage requirement.
4. Recordings of incidents involving arrests, assaults, physical or verbal confrontations, vehicle pursuits, vehicle searches where contraband is recovered, prisoner transports or other situations that are evidentiary in nature will be marked "keep".
5. Officers should note in their police reports and on citations that the OWBC was used.
6. Officers should review the OWBC recordings when preparing written reports to help ensure accuracy.
7. Prior to the end of an officer's shift, the officer is responsible for notifying a supervisor when a copy of an incident that has been captured by the OWBC is needed for evidentiary purposes.

**E. Data Storage and Retrieval**

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1. Watch Commanders, or the Operations Division Commander in the absence of Watch Commanders, are responsible for ensuring the transferring of the recordings from the MVR to the Video Management System and the prevention of recording media from becoming full. In order to fulfill these responsibilities, supervisors will download their officer's videos to the Video Management



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System and burn evidentiary videos to disk prior to going on days off, or when an officer informs the supervisor that the recording media is full.

2. Upon receiving evidentiary recordings from a supervisor, officers will, after viewing the recording for written report preparation, submit the evidentiary recording into evidence in accordance with department guidelines. The evidentiary recording will be maintained in evidence for a duration consistent with department guidelines regarding evidence (41.3.8c).
3. Officers are responsible for immediately notifying the on-duty supervisor when recording time remaining is less than one hour. The on-duty supervisor should immediately replace the recording media or assign the officer to a different patrol car.
4. Officers are responsible for downloading their OWBC recordings into the video management system.
5. The Operations Division Commander will designate a patrol supervisor as the MVR System Manager, which includes oversight of the OWBC video management system.
6. The MVR System Manager will be trained on the use and maintenance of the MVR and Video Management Systems.
7. The MVR System Manager will be responsible for long term storage and retrieval of MVR and OWBC recordings and maintenance of the recording equipment (41.3.8c).
8. The MVR System Manager will also:
  - a. Maintain a recordings database using the Video Management Systems (41.3.8c);
  - b. Burn evidentiary back-up recordings to disk for long term storage when the Video Management Systems' storage is nearing capacity and room has to be made for future recordings. Back-up disks will be kept indefinitely (41.3.8c);
  - c. Maintain non-evidentiary recordings for a period of five months prior to their removal from the databases (41.3.8c);
  - d. Ensure officers and supervisors are trained in the use of the MVR and OWBC;
  - e. Ensure supervisors are trained in the use of the MVR Video Management System, and ensure officers are trained in the use of the OWBC Video Management System;
  - f. Be responsible for any additional task found to be necessary but not covered in this General Order.

**F. Data Security and Integrity**

1. To ensure data security and integrity, only department supervisors will have access to the MVR storage media and Video Management System via a physical key or software password issued by the MVR System Manager (41.3.8b).



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2. Only authorized department employees will have access to the OWBC storage media and Video Management System via a software password issued by the MVR System Manager.
3. The MVR System Manager and the Operations Division Commander will be the only employees with delete or edit capabilities (41.3.8b).
4. To prevent damage, original recordings shall not be viewed in any equipment other than the equipment issued or authorized by the MVR System Manager.
5. Non-supervisory employees are not permitted to make copies of MVR or OWBC recordings for themselves or anyone else, including other law enforcement officers.
6. Duplication of MVR or OWBC recordings is only authorized in response to a court subpoena or at the request of a prosecuting attorney.
7. Duplication of MVR or OWBC recordings in response to an Open Records Request must be approved by the Chief of Police.
8. Any duplication or dissemination of any MVR or OWBC recording not previously listed is strictly prohibited without prior authorization from a Division Commander or the Chief of Police.
9. All MVR and OWBC recordings are the property of the Andover Police Department.

#### **G. Quality Control**

1. Supervisors are responsible for periodically reviewing MVR and OWBC recordings for the purpose of:
  - a. Ensuring satisfactory officer performance;
  - b. Ensuring the equipment is functioning properly;
  - c. Ensuring the equipment is being used properly;
  - d. Identifying material that may be appropriate for training.
2. Minor infractions discovered during the review of MVR or OWBC recordings should be viewed as training opportunities and not as a venue for routine disciplinary actions. Should the behavior or action become habitual after being informally addressed, the appropriate disciplinary or corrective action shall be taken.
3. Incidents discovered during the review of MVR or OWBC recordings involving serious misconduct or criminal behavior involving an officer will be handled consistent with the General Orders of this department.