



## **General Order 41.4 - Patrol**

**PURPOSE:** Provide deputies with guidelines for the use of MVR equipment and policies for tape control and management.

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ISSUED BY : Sheriff Jeffrey T. Easter

REVIEWED BY: Standard Review Committee

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### **41.4.1 MOBILE VIDEO RECORDING (MVR) EQUIPMENT**

- A. **(R)** The Sedgwick County Sheriff's Office has adopted the use of in-car video/audio recording systems and body cameras in order to accomplish several objectives, including, but not limited to:
1. Accurate documentation of events and statements made during arrests, accidents, and other incidents, so as to enhance deputy's reports, collection of evidence, and testimony in court; and

2. Enhancement of this agency's ability to review probable cause for arrest, arrest procedures, deputy and suspect interaction and evidence for investigative purposes, as well as for deputy evaluation and training.
- B. **(R)** Prior to issuing digital recording equipment, the Patrol Division commander shall ensure that the deputies under his/her command are appropriately trained in the use and operation of MVR equipment and that they are familiar with this policy.
  - C. Deputies shall diligently follow the procedures set forth herein.
  - D. Unless provided by the vendor, installation shall be performed only by personnel designated by the sheriff.

#### **41.4.2 MVR AND BODY CAMERA OPERATING PROCEDURES**

- A. **(R)** Deputies shall be responsible for the operation, care, and maintenance of the assigned digital recording equipment. Maintenance shall be performed according to manufacturer's recommendations.
- B. **(R)** Prior to each watch, deputies shall determine the MVR and/or body camera equipment is working satisfactorily. The deputy's immediate supervisor will be notified as soon as possible if any problems are detected.
- C. Deputies shall only use video equipment and digital recording media authorized by the division commander.
- D. **(R)** Deputies shall ensure proper alignment, focusing, and positioning of MVR and body camera equipment to provide quality documentation.
- E. MVR equipment will be installed in vehicles to activate automatically when the unit's emergency warning lights are activated. The MVR shall remain activated (recording audio and video) during every emergency run and/or pursuit. Every traffic stop, car stop, service rendered, investigation of suspicious activity (to include unoccupied vehicles), and contacts with citizens on foot shall be recorded until the contact is completed.
- F. The rear facing camera and in car audio will be utilized when transporting a person who has been taken into custody.
- G. **(R)** Deputies shall not erase or in any manner alter MVR or body camera recordings.
- H. **(R)** An adequate amount of storage space will be maintained to ensure MVR or body camera equipment can be utilized until a tour of duty is complete.
- I. Audio packs should be fully charged at the beginning of each shift. .
- J. **(R)** The MVR digital recording media should be kept in the recorder for the deputy's tour of duty unless circumstances dictate the need to remove it sooner .
- K. Tracking information regarding the stop or incident shall be logged by the deputy to aid in identifying the incident.
  1. Deputies should verify their individual recording identifiers match the camera being utilized at the beginning of each shift and modify if necessary. The

recording identifiers for the MVR should include the deputy's last name, identification number and vehicle number.

2. **(R)** The recording identifiers for body cameras will be set prior to being issued to the deputy. They will include the deputy's name and identification number.
3. Metadata should be entered by the deputy prior to the end of shift. Metadata can include but is not limited to incident case number, case classification, names of individuals involved, information of vehicles involved and location of the incident
4. **(R)** Deputies shall immediately assign the recorded incident a classification immediately. The following is the classification list assignments:
  - a. Classification List
    - I. Criminal, Felony
    - II. Criminal, Misdemeanor
    - III. Traffic, Felony
    - IV. DUI
    - V. Traffic, Misdemeanor
    - VI. Traffic, Citation
    - VII. Traffic Warning, Citizen Contact
    - VIII. Unusual Circumstance
    - IX. Non Incident
    - X. Open
  - b. Classifications will be assigned at the highest applicable category
5. Retention times will be based on applicable statutes of limitations and records management statutes that are in place at the time the recording was made.
6. If the applicable statute of limitation makes an exception to the common time restraints (ex. Homicide, sexually violent offenses, etc.) the detective will obtain a copy of the digital recording for the case file prior to the video being deleted.
- L. **(R)** Deputies shall note in his/her investigation reports if MVR equipment and/or a body camera was utilized.
- L. Deputies should log the incident as a "Recorded Incident" on the front of the incident Kansas Standard Offense Report and/or the back of the yellow copy of a citation.
- M. **(R)** A key lock intended to restrict access to the MVR digital recording media will be utilized at all times. All patrol division watch lieutenants and watch sergeants shall have access to the digital recording media.
- N. **(R)** In the event of a critical incident (e.g., when a deputy is disabled), the digital recording may be played back on the monitor in the patrol unit or on the body camera viewer by a deputy on the scene to obtain critical information.
- O. **(R)** Deputies assigned to wear body cameras shall activate the recording function any time an in-car camera would normally be activated in accordance with 41.4.2(E).

- P. (R) Deputies shall record metadata and classify incidents captured by body cameras in the same way as in-car recordings are handled.

#### **41.4.3 DIGITAL RECORDING CONTROL AND MANAGEMENT**

- A. (R) Some recorded information may be open to public inspection pursuant to Kansas Open Record Act. Care must be used to separate restricted criminal investigation material or files from other (non-restricted) material.
- B. (R) Digital recordings containing information that may be of evidentiary value or used in civil adversarial proceedings shall be safeguarded and a chain of custody maintained as with other evidential items. Recordings shall be stored on a secure server with restricted access.
- C. The copies of the digital recordings may be released to the prosecuting attorney's office for the actual trial or for review prior to trial or to the County Counselor's Office copies of the original digital recordings will be released through the Patrol Divisions administrative deputy or the Investigation Division's Forensic Investigations Unit.
- D. Recordings, or copies thereof, shall not be released to the news media or the public without the approval of the sheriff or his designee.
- E. (R) Obsolete VHS Tapes and Digital Recordings that have exceeded their retention times, not of evidentiary value, not scheduled for court proceedings, or are of no other adversarial or agency use, shall be destroyed. The fact that a MVR and/or body camera was utilized in the course of duty shall be included on the following forms/reports:
1. Daily Activity Sheet -- Placed on the first entry line (e.g., MVR utilized);
  2. Comments section of a traffic citation;
  3. K.S.O.R., page one (1), top left corner;
  4. Driver's report, driver report number one (1), top left corner; and
  5. Evidence section of Dictaphone reports.
- F. Reviewing or copying of any digital recording is automatically logged by the digital recording software as to the date, time, and who reviewed or copied the recordings.

#### **41.4.4 DUPLICATION OF DIGITAL RECORDINGS**

- A. Duplication of digital recordings or portions thereof for court or investigative purposes shall adhere to guidelines set forth in [general order 42.3](#).
- B. All other requests for duplicate recordings shall be referred to the Patrol Division commander.

#### **41.4.5. USE OF RECORDINGS FOR TRAINING PURPOSES**

- A. (R) Video cameras mounted in patrol units or on deputies periodically record events that may prove useful as training aids.
- B. When these cameras record unusual or exceptional incidents and the recording is perceived to be of value as a training aid, the following procedure shall apply:

1. **(R)** The deputy responsible for generating the digital recording shall arrange to review the recording with his/her immediate supervisor.
2. If the MVR recording is determined to be of value for training purposes, the watch supervisor shall:
  - a. **(R)** Notify the division commander of intentions to submit the recording for training purposes.
  - b. Verify that the recording segment has been adjudicated.
  - c. **(R)** Properly package the recording and send it to the training academy commander.
3. **(R)** Other copying, reproduction, or viewing of any recording or portion thereof generated by digital recording equipment without authorization of the sheriff or his/her designee is prohibited.

#### **41.4.6 SUPERVISORY RESPONSIBILITIES**

- A. **(R)** Affected supervisors shall ensure that deputies who utilize digital recording equipment adhere to established procedures, guidelines, and policies.
- B. **(R)** Watch supervisors shall conduct quarterly inspections of the digital recording equipment to evaluate its suitability for its intended use. If defects are discovered, an equipment service request will be completed and forwarded through proper channels along with the defective equipment.
- C. **(R)** The watch supervisor shall arrange for necessary repairs of digital recording equipment, if needed.
- D. **(R)** At their discretion, supervisors may review digital recordings. Nothing contained in this section shall be construed as prohibiting a supervisor from addressing with a deputy apparent policy violations, procedural deficiencies with regard to arrest, investigation, interpersonal communications, or other deputy safety issues that are discovered during review of a digital recording.