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| PORTAGE DEPARTMENT OF PUBLIC SAFETY POLICY AND PROCEDURE | | ORDER NO. 200-16 | |
| SUBJECT: In-Car and Body-Worn Recordings | | | |
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I. PURPOSE

This agency has adopted the use of in-car video/audio and body-worn camera recording systems to:

- A. Accurately document events, actions, conditions and statements made during citizen contacts to enhance officer safety and reporting, the collection of evidence, and testimony in court.
- B. Enhance the department's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, evidence for investigative and prosecutorial purposes, and to provide additional information for officer evaluation and training.
- C. Protect the officer from future allegations of improper tactics, procedures or behavior, and to avoid future liability.
- D. Recordings may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

II. POLICY

It is the policy of the Portage Department of Public Safety that officers will activate in-car and body-worn recording systems as outlined within this policy and procedure during the performance of official duties and where the recordings are consistent with policy and procedure and the law.

While stationary surveillance cameras generally cover only public spaces, body-worn cameras give officers the ability to record inside private homes and to film sensitive situations that might emerge during calls for service. A citizen of the United States has no greater expectation of privacy than within the confines of their home. An officer may record inside a home as long as they have the legal right to be there. Officers entering a home in response to a call for service, pursuant to a valid search warrant, or with consent of the resident, can record what they find inside. Officers always have a duty to protect the privacy of citizens.

III. DEFINITIONS

- A. Body-Worn Camera (BWC) – A portable camera system designed to be worn by police officers to capture digital multimedia evidence.
- B. Digital Multimedia Evidence (DME) - All digital recordings, to include, but not limited to, audio, video, photographs and their associated metadata.
- C. Metadata - Any digital identifiers that are captured as part of the actual recording, such as date and time, map coordinates, labeling, etc.

IV. PROCEDURES

- A. Officers will adhere to the following procedures and training (see attached instructions) when utilizing recording equipment.
 - 1. Recording equipment installed in vehicles and BWC equipment are the responsibility of the officer assigned to that equipment and will be maintained according to manufacturer's recommendations.
 - 2. Recording equipment is issued primarily to uniformed personnel. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.
 - 3. Prior to each shift, officers will determine whether their equipment is working.
 - a. If it is determined that the equipment is not functioning properly, the officer will notify his/her supervisor, complete the appropriate repair slips, and be assigned other equipment.

- b. Only as the last resort will a patrol officer use a vehicle that does not have fully functional recording equipment.
4. The recording system must be recording during any citizen contact when the officer is carrying out official duties.
5. Police personnel will not use personally-owned recording equipment while on duty.
6. Officers will wear body-worn cameras above the midline of their torso and in a position designed to produce an effective recording.
7. All data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.
8. Officers should ensure that:
 - a. Equipment is positioned and adjusted to record events whenever possible.
 - b. Wireless microphones are activated in order to provide narration with the video recording to explain the reasons for the current or planned enforcement action.
9. Officers have no obligation to stop recording in response to a citizen's request if the recording is pursuant to investigation, arrest, lawful search, or the circumstances clearly dictate that continued recording is necessary. However, officers should evaluate the situation and, if appropriate, honor the citizen's request.
10. Monologuing (continuous speech describing events) is encouraged.
11. Officers who stop recording an incident will:
 - a. Articulate verbally on camera their reasons, e.g., unsafe, impossible or impractical.
 - b. Articulate in their written report their reasons for stopping or not recording public contacts.
12. Officers will not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner department recordings without prior written authorization and approval of the Public Safety Director or designee.

13. If an officer fails to activate the recording equipment, fails to record the entire contact, or interrupts the recording, the officer will document why a recording was not made, was interrupted, or was terminated. Documentation can be made by incident note, case report, or on the recording.
14. In the event that equipment is damaged or lost, upon discovery, the officer will immediately notify a supervisor.
15. All video recordings will be properly tagged in the recording software interface.
16. Civilians will not be allowed to review the recordings at the scene.

B. Supervisory Responsibilities

1. Ensure that all officers follow established procedures and training for the use and maintenance of all recording equipment, handling of video/audio recordings, and the completion of any documentation.
2. Randomly review video files and recordings to assist in periodic assessment of officer performance, to determine whether equipment is being fully and properly used, and to identify material that may be appropriate for training. Documented reviews of both mobile video and BWC captured data will occur at least once every six months per officer. The documented review will be recorded in Guardian Tracking software and reported to the Senior Deputy Police Chief-Operations through the chain of command.
3. Ensure damaged or non-functional equipment is reported for repairs.
4. Units needing repairs will be removed as soon as is practical and replaced.

C. Recording equipment will only be used in conjunction with official law enforcement duties. They will not generally be used to record:

1. Communications with other police personnel without the permission of the Public Safety Director or designee.
2. Encounters with undercover officers or confidential informants.
3. When on break or otherwise engaged in personal activities.
4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

5. When engaged in conversations with individuals with whom the officer is in a privileged relationship, e.g., spouse, attorney, peers, chaplain, etc.
6. When an officer would be recording a patient during a medical or psychological evaluation by a clinician or similar professional or during treatment. This does not prohibit the recording of medical events as a direct response for calls for service, e.g., overdoses, accidents, etc.
7. Activity in a prison, jail, or holding facility.
8. Communications made in a psychiatric facility.

D. Handling of Digital Multimedia Evidence (DME)

1. All recordings will be securely downloaded no later than the end of the officer's shift. Each file will contain information related to the date, camera identifier and assigned officer.
2. Recordings may be shown for training purposes upon completion of a criminal case with permission from the Public Safety Director.
3. Officers will be provided with written notice if recordings intended for use for training purposes were either made by them or captured their image or voice as a courtesy.
4. All recordings are the sole property of the department.

E. School Resource Officer (SRO) Responsibilities

1. While on school grounds, SROs are restricted to activating recording equipment when investigating criminal activity or when assisting school personnel with matters that may result in school disciplinary action.
2. SROs will not activate recording equipment during meetings between students and school personnel that are of an administrative nature.

DIGITAL VIDEO RECORDING (DVR) START SHIFT PROCEDURE

1. Get fully charged MIC from station.
 - Green light = fully charged (4 hours).
 - Turn MIC on – bottom of MIC.
2. Put MIC in car base to sync.
 - Serial number should face the passenger side of the vehicle.
 - Will flash green.
 - Sync takes approximately 6 seconds.
3. Remove MIC from base.
 - Wait 3 seconds; light will turn blue.
 - MIC is ready.
4. Restart the laptop to ensure that all programs are reset.
 - If on, do restart.
 - If off, turn on, sign on if asked, and then restart.
 - If Arbitrator does not connect for any reason, restart the computer.
5. LOGIN screen for the Arbitrator should be up.
 - If not, launch Arbitrator S1 and touch LOGIN screen.
 - Input OFFICER 1 information: First name/Last name/Employee number.
 - Verify source (two or three digit car number) and area (Portage).
6. Touch APPLY.
 - Important – Officer Information will not take if you do not touch APPLY.
7. Touch LIVE
8. Touch ADV CAMERA
 - Camera LED On (Day) / Off (Night) – optional
 - AUDIO TEST 1 – hold down-confirm feedback/body MIC working.
 - AUDIO TEST 2 – hold down-confirm feedback/in-car MIC working.
9. Touch INFO – Touch OFFICER.
 - Confirm officer information is correct.
 - If not, go back to LOGIN screen, correct and apply.
10. Touch STATUS
 - Storage capacity is 32 hours.
 - If it shows less than 16 hours, notify supervisor.
11. Test vehicle – lights, siren, brake lights, etc.
 - Camera will turn on.
 - Touch STOP to turn off recording function.
 - Bookmark Screen will appear.
 - Use pull-down menu, click on Test, if available, or non-event.
 - Touch BOOKMARK (black screen) at bottom to lock in.

12. Unit is ready.

INFORMATIONAL:

- There is no longer a continuous one-frame-per-second record feature.
- There is a 30-second pre-record feature and no post-record for video.
- There is no pre-record and post-record audio.
- The rear door trigger has been disabled.
- The AM/FM radio interrupt relay will be installed on all marked vehicles.
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- RF issues are being addressed. Any documentation of incidental interference will aid in correcting the causes.

WARNING:

- Swiveling the laptop too far left or right can dislodge the yellow network cable from the dock, underneath the laptop. This will disconnect the Arbitrator.

DVR END SHIFT PROCEDURE

1. Pull into UPPER LEVEL LOT/SALLY PORT or CAR PORT.
 - Wireless transfer of video will begin automatically.
2. Turn off car.
3. Do NOT turn off computer.
Do NOT close the camera application.
4. Touch Arbitrator LOGIN
 - Delete your user name and employee number.
 - Touch APPLY
5. Leave computer screen up with the camera application on the log-in screen.
6. Turn MIC off (at bottom).
7. Place MIC in charger at station.
 - It will take approximately four hours to fully charge.
 - A fully charged MIC has a 12-hour life.

REMINDER:

- Place the MIC in the charger in the proper manner.
- The word Arbitrator – face up.
- The MIC serial number – face down.