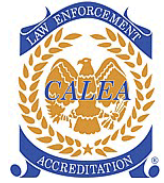




KNOXVILLE POLICE DEPARTMENT KNOXVILLE, TENNESSEE



General Order No. 2.16

Subject: Digital In-Car Recording Equipment	Effective Date: October 12, 1998	Revised Date: February 6, 2017
Title: Procedure for the Operation of the Digital In-Car Recording Equipment	Pages: 10	Distribution: All Members
Cross Reference: CALEA Standard 41.3.8	Chief of Police Approval:	

Purpose

This general order establishes a guideline to provide for proper use, care and maintenance of Knoxville Police Department in-car recording equipment and to outline its use for collecting and documenting evidence as well as to provide for security and uniform method of recording, storing and recycling audio/visual tapes.

This directive shall consist of the following numbered sections:

- I. Policy
- II. Identification and Storage of Audio/Video Recordings
- III. Ownership, Custody, Control and Display of Generated Recordings
- IV. Use of Recordings for Training Purposes
- V. Supervisor Review
- VI. Complaints Received/Video Review Policy
- VII. Inspection, Maintenance, and Report
- VIII. Demonstration of the Unit
- IX. Distribution of In-car Videos to Outside Agencies or Persons

I. Policy

A. General Use and Operations Guidelines

Vehicles equipped with in-car video recording equipment shall be in a record mode at all times when the vehicle is in operation or there is potential for contact with a person in the community, whether on-duty, off-duty, or during secondary employment. Traffic stops, vehicle flight responses, crash scenes and other events, situations, and circumstances including but not limited to armed encounters, hostage situations, barricaded suspects, suicide attempts, acts of physical violence and felonious activity shall be recorded at all times.

1. Officers will not cease recording an event, situation, or circumstance at the demand of a person in the community.
2. Officers shall inform those who ask that audio video recording equipment are in use.
3. Officers are to ensure that recording equipment is operating properly and in doing so they will ensure that:
 - a. The video recorder's position is adjusted where necessary to record events.
 - b. The audio video equipment is not deactivated until the recorded contact is completed.
 - c. Wireless microphone is activated at all times during contact with a person in the community to provide narration with the video recording.
4. Officers shall only use media storage as issued and approved by this agency, and shall not alter, erase, record over or reuse the issued media storage except in accordance with this policy.
5. Back up officers who arrive on the scene to assist another officer and who also has in-car video recording capabilities will continue to ensure their audio video equipment is operating properly and recording events in accordance with the requirements of this policy.
6. Officers shall activate audio recording equipment prior to affecting a traffic stop and should attempt to provide narration with the video recording prior to each stop. The intention of this narration

is to assist them in necessary written documentation and to assist the officer in supporting probable cause for the stop. Example: 10-25 a 1995 Chevrolet, color white, Tennessee tag #123ABC, occupied by, at location, doing violation of.

7. Officers shall turn on their audio and video equipment when they are out of their patrol unit on a call-for-service in the event audio is needed to substantiate or assist with documentation of their law enforcement duties, i.e., domestic disturbance, etc. It should be remembered that the purpose of the in-car video equipment is to monitor all contacts with a person in the community in all situations possible.
8. The recording unit may be stopped for certain circumstances:
 - a. To allow shift commander/supervisor to review and or change the media storage.
 - b. Extended out of service times when the video or audio is not needed, when officers are not subject to dispatcher calls or contact with a person in the community.
 - c. Duty assignments of an extended period at a location away from the vehicle's recording equipment.
 - d. In court.
 - e. The in-car video system (including audio) is not to be operational while officers are inside the Safety Building or other police department facilities at any time.
9. Officers will be trained in the operation of the system by qualified personnel before engaging in the use of the in-car video system. Qualified departmental personnel are those persons trained by the representatives of the in-car video vendor or those trained by qualified KPD personnel.
10. The system shall be checked by the officer for proper operation before the start of each shift. Any issue with the equipment shall be noted by the supervisor on the vehicle inspection form. Any malfunction or related problems shall be reported immediately to the supervisor and immediate contact made with Technical Services to have the unit repaired. The lid on the DVR shall remain closed at all times during operation to protect the unit and contents.

Supervisors and qualified technicians only will have the key.

11. The supervisor will check to ensure that media storage has been installed and replaced when necessary. The recording unit will remain on record for all patrol activities during the shift. The media storage shall not be removed from the recording unit without the approval of the supervisor. The media storage shall be removed by the supervisor to conduct a manual upload if needed. The supervisor will assure that the media storage is properly uploaded to the server.
12. Where more than one officer occupies a vehicle equipped with in-car recording equipment, the microphone is to be worn by the vehicle operator and he or she shall be considered the primary officer. The audio shall be turned on whenever the vehicle operator is making a contact with a person in the community.
13. Failure to activate the in-car recording equipment as outlined in this general order or the abuse and misuse of the in-car recording equipment shall be deemed dereliction of duty. Violation shall be subject to disciplinary action.
14. While operating a vehicle with a violent or aggressive detainee in the car, the camera will be placed toward the detainee in the back seat in order to get a video record of the detainees' actions while riding in the vehicle. If the vehicle is equipped with an in-car microphone, that will also be engaged during the detainee transport.

II. Identification and Storage of Audio/Video Recordings

- A. Audio video clips, backup data storage and supply procedures will be the responsibility of the Technical Services Unit and will follow the below procedures.
 1. Issue sufficient media storage to supervisors in the field. These will be stored by the supervisor.
 2. Audio video clips will be stored in an online status until purged and archived onto digital media. Those archives will be stored and maintained by the Technical Services Unit for a period of 36 months.
 3. Videos will be retained in accordance with the records retention

ordinances of the City of Knoxville. No video identified as evidence, whether for a civil or criminal proceeding, shall be destroyed without verification by the district attorney or Law Department that any case involving the video has been terminated.

III. Ownership, Custody, Control and Display of Generated Recordings

- A. It is the policy of the Knoxville Police Department that all recordings generated on departmental equipment are the property of the Knoxville Police Department.
- B. Use of Recording
 - 1. Periodically video cameras mounted in departmental vehicles record events which may prove useful as training aids. Therefore, when video cameras record unusual, exceptional or felony incidents (excluding where the video is used for evidence unless the case is concluded) and the incidents recorded are perceived to be of value as a training aid, this may be done so by permission of the Chief of Police or designee.
 - 2. Recordings used as evidence shall be retained by the Knoxville Police Department and placed in the Technical Services storage area until adjudication. Display of evidentiary recording contents during this time shall be limited to Knoxville Police Department employees and those specifically designated by the prosecutor.
 - 3. Unusual or exceptional incidents related to law enforcement activities generate the interests of many. However, officers shall not afford persons outside the perimeters of law enforcement the opportunity to review a segment of any video without prior authorization of the Chief of Police or his designee.

IV. Use of Recordings for Training Purposes

Training: When unusual, exceptional or felony incidents are recorded and are perceived to be of value as a training aid, the following procedure will be followed:

- A. If the video is determined to be of training value, the supervisor will notify the District Lieutenant and/or Captain for review.
- B. Upon approval, a copy of the video will be forwarded to the Director of Training or designee for review as a training aid.

- C. The video files will be maintained by the Technical Services Unit.
- D. Only videos on closed cases may be used.

V. Supervisory Review

- A. The officer's immediate supervisor shall review two recordings per officer per month from the in-car recording system and document the review.
- B. Documentation of the review shall be noted on the Monthly Video Review log located on the Department's L:// drive in the Video Review Folder.
- C. The Division Commander or designee shall review the Monthly Video Review form to ensure compliance with this order and any policy violations have been addressed.
- D. Videos may be periodically reviewed by the officer's immediate supervisor to assist with evaluations.
- E. Videos may be periodically reviewed by the F.T.O. Coordinator to assist with daily and weekly evaluations and to allow for follow-up remedial training.

VI. Complaints Received/Video Review Policy

Whenever a complaint alleging misconduct involving an officer assigned an in-car audio/video recording device is made, the following procedures shall be followed:

- A. When the complaint is received:
 - 1. The supervisor, Division Commander or I.A.U. shall review the video of the contact in question as soon as possible of receipt of the complaint to determine if there was any misconduct as alleged in the complaint.
 - 2. If no misconduct is determined, the supervisor, Division Commander or I.A.U. shall contact the complainant, and advise them an audio/video recording was made of the contact and no misconduct was observed by the reviewer.
 - 3. The supervisor, Division Commander or I.A.U. investigator shall then offer to let the complaining party review that portion of the

video which contains only the contact in question.

- a. The review should be made during regular daytime office hours.
 - b. No copies shall be released without written authorization from the Chief of Police and a remittance fee is paid.
4. If misconduct is determined, the reviewer shall ensure a copy of the video containing the contact in question shall be forwarded to Internal Affairs in compliance with policy and procedures.
- a. The Internal Affairs Commander may request the supervisor or Division Commander to review the recorded contact in question to determine disposition of the complaint.
 - b. If the video included the recording of an event that needs to be saved, the officer, supervisor, or I.A.U. shall submit a "Request to Hold An In-Car Video Clip" form (See Appendix A) to the Technical Services Unit.
5. Complaints received in writing shall be forwarded to Internal Affairs as per policy.

VII. Inspection, Maintenance, and Repair

- A. Care and maintenance of all in-car recording equipment shall be in compliance with the manufacturer's recommendations.
- B. Audio/video equipment should be treated as a sensitive piece of electronic equipment. As with any piece of electronic equipment, fluids, dirt or foreign material will affect the function of the equipment. It shall be the responsibility of the officer who is assigned in-car recording equipment to ensure that the area around the unit is free of any material, which may cause damage.
- C. At the beginning of each officer's shift, the officer will inspect the in-car recording unit to ensure that the equipment is working properly.
- D. Officers shall make daily inspections of all audio/video equipment. Supervisors shall make note on the Vehicle Inspection form of any issues found with the audio/video equipment.
- E. Equipment failure shall be reported to the officer's supervisor immediately.

The supervisor shall make arrangements with Technical Services for the in-car recording unit to be repaired.

- F. Equipment failure shall also be reported to E-911 dispatch via police radio in order to document the failure and to ensure that a record exists of the inability to utilize the in-car recording equipment.
- G. Officers shall not attempt to remove any recording equipment from the police vehicle. Officers shall not attempt to make any repairs or modifications to the in-car recording unit.
- H. All maintenance and repair of in-car recording equipment shall be made in accordance to the manufacturer's recommendations by a trained audio/video equipment technician as designated by the manufacturer and by the Chief of Police or his designee.

VIII. Demonstration of the Unit

- A. The unit will be first demonstrated by the recording equipment vendor representative or Technical Services personnel to all field supervisors.
- B. Supervisors (field sergeants) will be responsible for ensuring all officers under their command have been properly trained in the operation of the recording equipment.
- C. No officer will be allowed to operate or demonstrate equipment prior to receiving training with the equipment.
- D. The supervisor will schedule exhibits and/or displays, as needed, to demonstrate equipment to interested parties upon request and at a time and place convenient to the interested parties.
- E. Recording equipment may be demonstrated to prosecutors, judges and other persons affected by its use. Every effort shall be made to ensure that this demonstration is positive and thorough.

IX. Distribution of In-car videos to Outside Agencies or Persons

- A. It is the policy of the Knoxville Police Department that recordings generated on department owned equipment are the property of the Knoxville Police Department. Copying or the reproduction of any recording or segment of any recording generated by the Knoxville Police Department, or the removal of any recording outside the Knoxville Police Department, without the written authorization of the Chief of Police, or

designee, is prohibited.

- B. The requesting party shall fill out an In-car Video Request form for copies of any in-car recording.
- C. All requests for copies of recorded in-car recordings from persons or agencies outside of the Knoxville Police Department shall be directed, in writing, to the Chief of Police or designee. Requests for copies of in-car recordings by attorneys shall be made through the Knoxville Police Departments' Technical Services Unit and a copy of the reproduction will be forwarded to the Knox County Attorney General's Office. Requests for in-car recordings on civil cases against members of the Knoxville Police Department shall be made through the Technical Services Unit. These requests will be given approval for release by the City of Knoxville Law Department.
- D. In-car recordings, provided to persons or agencies outside the Knoxville Police Department, will be duplicated by the Knoxville Police Department.
- E. A reasonable fee will be charged for the reproduction of an in-car recording.
- F. Only that portion of an in-car recording containing a specific contact in question shall be reproduced.
- G. When any recording, or any portion of a recording, is to be reproduced for use by an outside person or agency, the officer who generated the recording shall be given a copy of the requested reproduction.

REQUEST TO HOLD AN IN-CAR VIDEO CLIP

DATE OF INCIDENT _____ TIME OF INCIDENT _____

VEHICLE NUMBER _____

OFFICER(S) NAME _____

DEFENDANT(S) NAME _____ CASE NUMBER: _____

HOLD FOR EVIDENCE _____ HOLD FOR INCIDENT: _____

CHARGE AND REMARKS

HOLDING OFFICER SIGNATURE

AUDIO/VIDEO DETAIL SIGNATURE

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