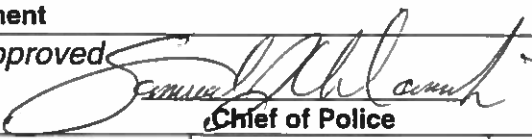


**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

<i>Effective Date</i> September 2, 2015		<i>Amended Date</i> December 12, 2017		<i>Directive</i> 7.21.1	
<i>Subject</i> Digital Mobile Video/Audio Recording Equipment					
<i>Reference</i>			<i>Approved</i>  Chief of Police		
<i>Distribution</i> All Personnel City Manager City Attorney		<i>TPCA Best Practices Recognition Program Reference</i> 2.01		<i>Review Date</i> December 12, 2017	
				<i>Pages</i> 8	

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this policy is to provide members of the department with guidelines for the use, management, storage, and retrieval of audio-visual media recorded by in-car video systems.

SECTION 2 POLICY

The use of an in-car video system can provide powerful evidence of criminal activity. The in-car camera has also proven to be a valuable tool for law enforcement practitioners by documenting their honesty, integrity, and professionalism. The department's policy is for officers to use DMVR equipment to create video/audio files which facilitate court prosecutions; which refute baseless complaints against officers and the department; which comply with State law regarding racial profiling; and which serve as training aids for procedural, legal and safety-related issues.

SECTION 3 DEFINITIONS

- A. **DMVR:** means Digital Mobile Video Recorder and applies to all elements of mobile video/audio recording systems. Wherever the operation of the DMVR is referenced, such operation includes both the video and audio capabilities of this equipment (wireless body microphone, interior microphone, and video equipment).
- B. **Continuous Recording:** The vehicle DMVR system is always on and recording, except when the vehicle has been turned off for more than a preset amount of time (example: 60 minutes). However, the recording is not saved unless a trigger event occurs.
- C. **Trigger Event:** An event that causes the vehicle DMVR to begin saving video/audio recordings. Events include activation of the following: emergency lights/siren, vehicle speed exceeds preset threshold setting, and manual activation of the DMVR system. The recording ends when the officer presses the stop button.
- D. **Pre-event Recording:** The vehicle DMVR system will retain the video recording made prior to a trigger event, up to sixty (60) seconds, depending on system settings. Audio is not recorded until the trigger event occurs.

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- E. **Post-event Recording:** Once a trigger event has ended, the vehicle DMVR system will continue to save a recording, up to sixty (60) seconds, depending on system settings.
- F. **Wireless Upload:** When the police vehicle is within range of the wireless access point the recordings stored on the vehicle DMVR are automatically transferred over a wireless connection to the division DMVR server.
- G. **Tag:** Term used in the DMVR system for a video/audio segment that has been marked to be retained for longer than the default retention period.
- H. **Agency Administrator:** Person assigned by the Chief of Police to administer the DMVR system for the department.
- I. **Case Chain of Custody Report:** Report provided from the DMVR system to document all events that are associated with the case.
- J. **Video Classification:** When an officer ceases a recording at the end of an event, the video file must be classified. The classification of a file determines the retention period and/or archival process for the file.
- K. **Motor Vehicle Stop:** An occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

SECTION 4 PROCEDURES

A. INITIAL DMVR CHECK

1. At the start of their shift or after changing vehicles, officers will only drive patrol vehicles equipped with operating DMVR equipment, unless otherwise approved by a supervisor.
2. Upon preparing to go in service, start their vehicles and complete a DMVR login as follows:
 - a. ensure DMVR Equipment automatically powers up, which usually occurs about thirty (30) seconds after the vehicle is started;
 - b. insert their personally-issued, pre-programmed USB Drive into the DMVR USB port which loads the personal data-file for automatic attachment to all subsequently recorded video files;
 - c. press the TRACE button (T-button);
 - d. complete the login menu and press the RECORD button to enable the login;
 - e. ensure their name and car number appears on the display screen; and
 - f. remove the USB drive and store it in a safe place

**LANCASTER POLICE DEPARTMENT
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3. If the officer's USB drive is unavailable, the officer will notify the on-duty supervisor. The on-duty supervisor then is responsible for manually tagging the officer's name to each video file in the system.
4. While the DMVR is in the on position, place the wireless microphone into the in-car docking station and wait for synchronization to complete.
5. After completing a successful login, officers will confirm their DMVR equipment is operating properly by taking the following steps:
 - a. activate the wireless microphone transmitter and/or the vehicle's emergency lights, either of which should automatically create a new video file;
 - b. conduct an audio test during the required vehicle inspection; this can be done by turning up the volume on the display screen and then speaking into the wireless microphone
6. Promptly provide a verbal report to the on-duty supervisor if any DMVR equipment malfunctions or maintenance issues are identified and complete and turn in a Vehicle Maintenance Form to the on-duty supervisor.
7. A supervisor who receives a verbal report or Vehicle Maintenance Form about a DMVR equipment malfunction or maintenance issue shall forward it to the DMVR Agency Administrator no later than the end of the supervisor's tour of duty.

B. DMVR USE

1. DMVR activation of audio and video recording occurs:
 - a. automatically when the patrol vehicle's emergency lights or siren is activated;
 - b. when the patrol vehicle exceeds a preset speed;
 - c. manually upon activation of:
 - i. the wireless microphone; or
 - ii. the record button on the front panel of the video display or on the DMVR unit
2. When the DMVR is activated to record a new video file, the DMVR unit automatically captures thirty (30) seconds of pre-recorded video however; no audio signal is captured during this thirty (30) second period.
3. When a vehicle's ignition is turned off:
 - a. If the DMVR equipment is in record mode, it will continue to record until it is manually turned off.
 - b. If the DMVR equipment is NOT positioned in a record mode:

**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

Effective Date September 2, 2015	Amended Date December 12, 2017	Directive 7.21.1
Subject Digital Mobile Video/Audio Recording Equipment		

- i. The DMVR will remain functional for sixty (60) minutes.
 - ii. During such time, the DMVR can be activated using the wireless microphone from a range of about one thousand (1,000) feet.
 - iii. Upon activation the DMVR will record audio signals from the wireless microphone and any video signals in the camera's view.
4. When parked at an access point, a vehicle's DMVR equipment will continue to upload video files for up to sixty (60) minutes after the vehicle is turned off.
5. When recording DMVR video, officers:
- a. will ensure their wireless microphone is working properly, so critical audio evidence always accompanies all video recordings;
 - b. will ensure the cameras are properly focused and correctly positioned;
 - c. should be aware video quality is enhanced during low-light events:
 - i. when only low-beam lights are used; and
 - ii. when use of high beams, wigwags and the spotlight is minimized
 - d. must ensure non-police related electronic devices within the police vehicle (music radios, CD players, etc.) are turned off when the in-car audio system is activated. This does not apply to police radios. Other noise such as wind or road noise from an open window should also be limited if possible.

C. MANDATED DMVR OPERATION (12-12-17)

1. Unless the delivery of emergency police services would be prevented, an officer's personal safety would be jeopardized, or police strategy is being discussed, officers will ensure DMVR equipment is always fully activated either manually or automatically:
- a. on all motor vehicle and pedestrian stops;
 - b. on every dispatched or citizen contact self-initiated call for service, prior to making citizen contact;
 - c. during any prisoner or courtesy transport;
 - d. during any interviews, interrogations and other investigative activities where use is practical; and
 - e. any time the officer or supervisor believes the use of the equipment would be beneficial

**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

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<i>Subject</i> Digital Mobile Video/Audio Recording Equipment		

2. Officers should note in offense, arrest and related reports when video/audio recordings were made and if a request for download onto a DVD request was made.
3. Officers must carefully consider when to cease recording an event and be prepared to justify the action in the event that an incident occurs while DMVR equipment is not recording.
4. The intentional stopping of recording during incidents where the use of the DMVR equipment is required by this order may be cause for disciplinary action. Obstructing, shielding, or any act of interfering with the DMVR equipment is not permitted.
5. Officers will not cease recording of an event, situation, or other circumstances solely at the demand of anyone other than a supervisor. Officers will inform those who ask that video/audio recording equipment are in use.
6. DMVR video files will only be prematurely terminated when:
 - a. there is a reasonable and articulable belief no critical documentation will be lost; and
 - b. intent to terminate the video recording is narrated in advance

D. DMVR FILE MANAGMENT

1. Officers should effectively manage their DMVR unit's video files by routinely completing wireless file uploads throughout their shift, so:
 - a. sufficient file space is ensured, so the DMVR equipment's recording capacity is never exceeded; and
 - b. the number of officers waiting to complete end-of-shift uploads is minimized
2. The only location for wireless uploads is in the back parking lot of the police department under the patrol vehicle's carport. Officers who come to the station for any reason (paperwork, call for service, etc.) will always park in this area so the DMVR will conduct a wireless uploaded.
3. If the wireless upload system malfunctions or the DMVR fails to upload properly, notify a supervisor immediately so the System Administrator can be notified and the supervisor can conduct a manual upload of the DMVR video files.
4. Officers shall not attempt to enter the locked portion of the DMVR or remove the memory card.

E. VIDEO FILE RETENTION

1. All video files will be archived on the server for ninety (90) days and will be archived to a back-up disc.
2. When an officer stops a recording, the officer will assign the appropriate disposition category to the video file. The video categories are as followed:

**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

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<i>Subject</i> Digital Mobile Video/Audio Recording Equipment		

- a. Citation: this will be used on all events where a citation was issued and no arrest was made.
- b. Arrest: this will be used on all events, other than DWI, that result in an arrest being made on a subject, if a citation was issued and an arrest was made this disposition will be used.
- c. DWI: this will be used on all events that result in a DWI arrest or case filed at-large; if an arrest is made for DWI then this disposition will be used over arrest.
- d. Vehicle Check: this will be used on all vehicle inspections conducted.
- e. No Citation: this will be used on all dispositions if it does not fall into any of the other above dispositions and/or on a motor vehicle or pedestrian stop does not result in a citation being issued.

3. Officers may access and view their video files:

- a. through the vehicle's DMVR display screen until the video file is uploaded to the department's server; and
- b. through department computers upon proper entry of a user's name and password after the video file is uploaded to the department's server

F. DMVR LOGOUT

1. When completing use of any DMVR equipment, Officers will conduct a logout as follows:
 - a. press the TRACE button (T-button) to access the logout menu;
 - b. when the logout menu appears, move the cursor to OK;
 - c. press the RECORD button to enable the logout;
 - d. ensure the video display changes to no name, and the DMVR returns to the default mode; and
 - e. remove the USB drive from the DMVR unit

G. RESTRICTED USE OF VIDEO FILES

1. All video files recorded by the DMVR system are the property of the department.
2. Unless otherwise authorized by the Chief of Police, access to video files is restricted to:
 - a. use for official law enforcement and business purposes; and
 - b. subject to release as authorized by the Texas Public Information Act, except where the subject recording is a part of a law enforcement investigation

**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

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<i>Subject</i> Digital Mobile Video/Audio Recording Equipment		

3. DMVR video files may be released in response to a valid court order, subpoena, the District Attorney's Office, or upon approval by the Chief of Police.
4. DMVR video files may be released to the public and to the media upon the specific approval of the Chief of Police where such release will assist the interest of justice.
5. Any other use or dissemination by any person or for any non-official law enforcement or non-business purposes is strictly prohibited.
6. All public requests for DMVR video files will be submitted through the City of Lancaster release of information process.
7. Anytime a video is needed for evidence purposes, the officer will complete and submit a video request form to the on-duty supervisor with the case paperwork if a case is completed. If a case is not completed the video request form will be forwarded to the Criminal Investigation Division Supervisor along with an explanation of why it is needed.

H. USB DRIVE USE AND LOSS

1. When using DMVR equipment, officers shall never knowingly use another officer's USB drive or data file information.
2. All USB drive replacement requests should be submitted through the City of Lancaster website, www.lancaster-tx.com under the Report a Concern – Police Quartermaster Request section. (12-12-17)
3. USB drives will be replaced by the department, if it becomes defective or is damaged during the normal course of duty. USB drives lost or damaged due to the officer's negligence will be replaced at the officer's expense.

I. REVIEW GUIDELINES

1. Supervisory Random Reviews (TPCA 2.01) (12-12-17)
 - a. A supervisory review will be conducted on every officer quarterly. The review will consist of at least three (3) random videos being reviewed per officer.
 - b. Supervisors conducting the random quarterly supervisory review of officer's videos are not required to watch each incident of a shift; however, they should be reviewing the footage in a manner intended to gain an understanding of that officer's performance and adherence to policy and law.
 - c. Any supervisor who conducts a supervisory random review is responsible for documenting the review. A report containing the officer's name, badge number, date and time of video reviewed and the date reviewed must be submitted to the Operation Division Assistant Chief of Police, who shall maintain a log of the reviews.

**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

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<i>Subject</i> Digital Mobile Video/Audio Recording Equipment		

2. Required Reviews

- a. Supervisors shall conduct a review whenever:
 - i. an officer is involved in a pursuit;
 - ii. an officer is involved in a use of force incident that was recorded by the DMVR system;
 - iii. a complaint is lodged against an officer; or
 - iv. a supervisor articulates a reason to suspect an officer is involved in activity contrary to the mandates of the General Orders

J. SYSTEM ADMINISTRATION

- 1. The DMVR System Administrator will be responsible for the following:
 - a. the department's liaison with the DMVR system provider;
 - b. troubleshooting hardware and software problems;
 - c. creating and deleting user accounts; and
 - d. coordinate permissions and accesses
- 2. The DMVR System Administrator will assign the level of access to all users. The level of access assignments will be as followed:
 - a. Patrol Officer - assigned at Officer level
 - b. Supervisor and Investigator - assigned at Supervisor 1 level
 - c. Chief of Police, Operation Division Assistant Chief of Police and Division Commander - assigned at Supervisor 2 level.
 - d. System Administrator and Support Services Division Assistant Chief - assigned at Administrator level.

K. SCOPE OF RESPONSIBILITY

- 1. All members of the department shall know and comply with all aspects of this directive.
- 2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.