

PURPOSE: This Department has adopted the use of video/audio recording systems in order to accomplish several objectives, including:

- A. Accurate documentation of events, actions, conditions and statements made during arrests and critical incidents, so as to enhance officer reports, collection of evidence and testimony in court; and
- B. The enhancement of this Department's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, evidence for investigative purposes, the investigation of citizen complaints, as well as for officer evaluation and training.

POLICY: Mobile video/audio recording (MVAR) equipment has been demonstrated to be of value in the prosecution of traffic violations and related offenses, in evaluation of officer performance, the investigation of citizen complaints, as well as for training. Officers are required to use MVAR equipment during traffic stops, pursuits, and during prisoner transports as directed by this policy, when MVAR equipment is available and properly functioning. In order to maximize the utility of this equipment, officers shall follow the procedures for MVAR equipment use as set forth in this policy.

PROCEDURES:

I. OPERATING PROCEDURES

Officers shall adhere to the following procedures when utilizing MVAR equipment.

- A. MVAR equipment installed in vehicles is the responsibility of the officers assigned to that vehicle and will be properly maintained.
- B. Prior to each shift, officers shall determine whether their MVAR equipment is working satisfactorily and shall bring any problems to the attention of their immediate supervisor as soon as possible.
- C. MVAR equipment will be set to automatically activate when the vehicle's emergency warning devices are in operation and functioning properly. The equipment may be manually deactivated during non-enforcement activities such as directing traffic, parade detail, funeral escorts, and other similar activity.
- D. Officers should routinely check to ensure that MVAR equipment is operating in order to record traffic stops or other enforcement actions as required by this policy. In doing so, they will ensure that:
 - 1. The MVAR is positioned and adjusted to record events whenever safe to do so.
 - 2. The MVAR is not deactivated until the enforcement action is completed.
 - 3. The officer's wireless body microphone is activated in order to provide narration with the video recording to explain the reason for the current or planned enforcement action.
- E. Officers are required to use MVAR equipment during:
 - 1. Traffic Stops: The MVAR will be used to record the entire duration of all traffic stops. Officers will activate the MVAR when following a vehicle they intend to stop. The MVAR will be deactivated only after the traffic stop has ended and the violator has left the scene.
 - 2. Pursuits: The MVAR will be used to record the entire duration of the pursuit. The MVAR will remain activated until the pursuit is terminated and any enforcement action is completed. Reasonable efforts will be made to record all officer and suspect interactions in its entirety. Officers will continue to operate their MVAR equipment if they continue

- following the suspect vehicle.
3. Prisoner Transports: The MVAR equipment will be used during the entire duration of the transport of any prisoner who:
 - a. Is argumentative and/or combative;
 - b. Has been involved in a use of force;
 - c. Is injured or claims to be injured;
 - d. Is of the opposite sex of the transporting officer; or
 - e. Is a juvenile.
 - F. Officers are encouraged to use their MVAR equipment during other notable events, situations, or circumstances.
 - G. Officers are encouraged to inform their supervisor of any video/audio recorded sequences that may be of value for training purposes.

II. PROHIBITED ACTIONS

- A. Officers shall not erase or alter, in any manner, the recordings.
- B. Officers shall not introduce any unauthorized hardware, software, or any other files onto the MVAR system.
- C. Officers shall not manipulate or alter the current software installed on the Jacksonville Police Department owned MVAR system.

III. STORAGE AND MANAGEMENT

- A. MVAR storage devices containing information that may be of value for case prosecution or in any criminal or civil adversarial proceeding shall be safeguarded as other forms of evidence. As such, these video/audio recordings will:
 1. Be subject to the same security restrictions and chain of evidence safeguards as any other evidence.
 2. Not be released to another criminal justice agency for trial or other reasons without having a duplicate copy made and returned to safe storage.
 3. Not be released to other than bona fide criminal justice agencies without prior approval of the Chief of Police or his designee.
 4. Only be released to the general public in compliance with legal requirements of the Freedom of Information Act of Arkansas.

IV. DIGITAL VIDEO PROCEDURES

- A. When an officer returns to the Police Department at the end of shift or at any time during the shift, the digital recording from the vehicles equipped with such a system, will be set to automatically download.
- B. Upon completion of the download, the digital recording will remain on the server for forty five (45) days unless an unforeseen malfunction, such as equipment or software failure, occurs.
- C. If a digital recording is needed for evidence to present in court, the officer shall request a copy to be made on a media storage device.
 1. This shall be done via chain of command to the Patrol Division Commander or his designee as soon as practical in advance of the court date.
 2. Officers should refrain from requesting copies of a digital recording for minor traffic violations, and should instead consider request for such major violations as DWI/DUI, pursuits, and failure to yield to an emergency vehicle, etc.
 3. Officer's requests are dependent upon the approval of the Patrol Division Commander or his designee.

- D. The Patrol Division Commander, or his designee, will then copy the digital recording from the server to a media storage device for use in court.
- E. In the event an officer's assigned vehicle MVAR system becomes inoperable the desired action is to deadline that vehicle until it can be repaired. However, if no such vehicle is available, the supervisor may use their issued body worn camera and continue to utilize that vehicle until it can be sent for repair or a vehicle with a working MVAR system becomes available. Refer to Policy 10-24: Body Worn Digital Recording Equipment.



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