7-06/010.00 Video and Audio Recording Procedures

The Sheriff's Department utilizes video cameras in the Custody Services Division to enhance safety and effectiveness for personnel in the performance of their duties, and to provide a reviewable electronic record of incidents.

Regardless of the method of recording, the use of video equipment at a Sheriff's Department custody facility by personnel shall be restricted to law enforcement functions, and is subject to all applicable laws, policies, and procedures.

Portable Video Cameras

Portable video cameras (e.g., camcorders, iPods, etc.) are handheld devices used to record incidents, interviews, crime scenes, and any other situation warranting an audio/visual accounting.

Personally owned video recording devices of any kind are not authorized and shall not be brought into the secured areas of any custody facility without prior approval from the watch commander.

Recording Incidents with a Portable Video Camera

Reasonable attempts shall be made to record significant incidents with a portable video camera including, but not limited to, the following:

- Major inmate disturbances
- Inmate extractions
- Recalcitrant inmates
- Application of medical restraints
- Application of the Wrap restraint, Total Appendage Restraint Procedure (TARP) or use of the Safety Chair
- Medical removals who pose a significant risk or have the potential to become violent
- Use of force by Department personnel
- Housing area or facility searches
- Any incident/event which may pose risk management and/or liability issues
- All Emergency Response Team (ERT) activations, except for training exercises

A designated video operator should respond to the incident and begin recording using the wide-angle field of view. **Unless no other option is available, supervisors should not assume the role of video operator**. The video operator shall state on the recording:

- Date
- Time
- Video operator's name, rank, and employee number
- Location
- Factual narration during the incident, (e.g., "watch commander is on scene," "Emergency Response Team is on scene," etc.)

- Name of civilians on scene (e.g., nurse or mental health clinician evaluating the inmate)
- Status of facility lock down, if applicable
- Any other necessary or significant details about the incident

Only factual information shall be narrated while recording on video.

In order to establish a timeline for the incident, the video recording should not be paused or stopped until the entire incident has concluded. If the incident becomes active after the recording was concluded, the recording shall be reinitiated immediately and all requirements of this policy shall be adhered to. If a battery, tape, or memory storage device change becomes necessary while recording an incident, the video operator shall re-introduce his/her name, rank, employee number, time, and state the reason for the interruption. The recording should include documentation of injuries, evidence, emergency medical treatment, and statements by all concerned parties.

In the case of emergency medical treatment, video recording should continue after medical staff arrives, throughout the course of medical treatment, and until the inmate is completely stable, no longer resisting, and the medical staff has completed treatment. Outside medical personnel rendering first aid while inside a custody facility, shall be recorded on video until they finish treating the inmate.

When documenting inmate injuries, all inmates at or near the incident should be interviewed on video individually. When documenting a large inmate disturbance, the incident commander should be recorded on video directing inmates with injuries to come forward.

When video recording injured inmates, custody personnel shall:

- State the inmate’s name, booking number, and housing location
- Ask the inmate to describe his/her injuries and how they occurred (a language translator should be used when necessary)
- Thoroughly record all injuries on video

Since the dynamics of an incident are constantly changing, the video operator should periodically pan around the entire area to show as much of the surroundings as possible, personnel present, and conversations between the inmate(s) and personnel. Whenever possible, only the on-scene supervisor should make the decision to stop recording an active incident.

Body Worn Cameras

For procedures concerning the body worn cameras, personnel shall refer to Custody Division Manual (CDM) section 3-06/055.15, “Body Worn Cameras,” and Manual of Policy and Procedures (MPP) sections 3-06/200.00, “Body Worn Cameras,” through section 3-06/200.75, “Public Release of Critical Incidents.”

Fixed Video Surveillance

Fixed video surveillance involves cameras permanently or temporarily mounted in designated locations that continuously record all activities in the cameras’ view.

The Sheriff’s Department’s primary objectives with fixed video surveillance are to:

- Record/document events as they occur
- Provide real-time intelligence for Department personnel
- Provide video evidence of actions by inmates and staff
- Produce a deterrent effect against inmate violence
- Provide for post-incident analysis

Radio Transmissions

All radio transmissions on the facility's main radio frequency are recorded, absent technical difficulties, via the Department's Voice Print Systems. Access to the Voice Print Systems will be restricted to supervisors. The Sheriff's Department's primary objectives with the Voice Print Systems are to:

- Record radio transmissions as they occur
- Provide audio evidence of actions by inmates and staff (if applicable)
- Provide for post-incident analysis

Retention of Recordings

Supervisors shall review all available video and radio transmission recordings as soon as reasonably possible following any inmate incident, force incident, or significant facility incident, **with the exception of incidents involving inmate deaths. Unit commanders or above shall be the only personnel authorized to review video recordings involving inmate deaths. Personnel shall not review video recordings involving inmate deaths without direct authorization from their unit commander.** If a supervisor determines a recording(s) may have evidentiary value or should be preserved by the Department for official use, the recording(s) shall be saved on the server and to a video medium (e.g., a compact disc [CD], digital video disc [DVD], or secure digital [SD] card). A copy of the video(s) and radio transmission(s) shall be retained in accordance with applicable laws and Department policies and procedures regarding handling of video and/or evidence.

Under no circumstances shall personnel forward any image, video, or audio captured as a result of their employment to entities outside of the Department without unit commander approval. Refer to MPPsections 3-01/100.46, "Use of Communication Devices," 3-01/040.95, "Confidential Information," and 3-01/030.78, "Prohibition on Profiteering."

Video copied to CD, DVD, SD card, or other memory storage device should be properly labeled with the following:

- Inmate's name and booking number
- Uniform Report Number (URN), reference number, and/or Administrative Case Number

NOTE: SD cards are small and the label provided does not allow sufficient space to write all the required information as listed above. Write the retention, the reporting year, and the sequential of the URN on the front of the SD card label. The SD card shall be sealed inside of a small paper envelope and all of the above required information shall be written on the outside of the envelope.

Once it has been verified that video recorded on portable video cameras has been successfully preserved in accordance with this policy, all video on the camera shall be deleted (or blank storage media shall be placed

in the camera) prior to returning the video camera to its assigned location.

Incidents recorded on video not associated with an URN or reference number shall be held for a minimum of twelve (12) months. Fixed video surveillance cameras record continuously; contents not associated with an URN or reference number shall be retained in a Department maintained server for a minimum of twelve (12) months. Recorded radio transmissions not associated with an URN or reference number will be retained for a minimum of 25 months. Recordings associated with pending litigation shall be preserved until the pending litigation is resolved.

If there are no trained personnel on-duty to retrieve a recording, the supervisor shall notify the unit commander and the video manager and provide the following information:

- Request to save potentially recorded video footage onto a DVD or CD
- Date, time, URN/Administrative Case Number
- Description of the incident
- Description of what may have been recorded on the surveillance system
- Location of the incident and specific surveillance cameras which may have recorded the incident
- Approximate time the incident began and ended

The requesting supervisor shall follow up to ensure the requested surveillance recording is saved and retained in accordance with the requirement of this policy. Supervisors shall ensure documentation of all reportable incidents clearly indicates whether or not an incident was captured on video.

Entering Recordings into Evidence

Supervisors shall ensure all video recordings and photographic evidence associated with an Incident Report (SH-R-49) is entered in the Department's Property, Evidence, and Laboratory Information Management System (PRELIMS). When a case is submitted for prosecution, Custody Investigative Services (CIS) investigators shall include all video and photographic evidence provided by the originating facility with their filing package, unless privileged or otherwise precluded by law. This includes:

- Photographs or video recordings of suspects' injuries or areas of alleged injury
- Photographs or video recordings of any personnel injuries
- Audio or video recordings of watch commander and handling sergeant's suspect and witness interviews
- All audio, and/or video recordings, and/or radio transmissions (including all viewpoints of Closed Circuit Television [CCTV] or portable camera) of the incident

If there is no evidence booked into PRELIMS, the investigator shall contact the operations staff at the originating facility and request all evidence to be booked into PRELIMS.

Portable Video Equipment Inspection

Watch commanders shall ensure all video recording equipment is inspected once per shift. This requires the watch commander to ensure personnel who use video equipment inspect their devices at the beginning of each shift to confirm the following:

- Account for all video recording equipment

- All equipment is working properly
- Any necessary repairs are documented appropriately

Inspection of portable video equipment shall include:

- Ensure batteries for video recording equipment are charged
- The camera should be pre-set to record in a high-quality mode, and should be pre-set not to record the internal time and/or date, as that information can be erroneously programmed and therefore unreliable
- When applicable, there should be a blank memory storage device in the video camera and at least two additional blank memory storage devices available at the beginning of each shift
- The portable video equipment inspection shall be documented in the electronic Uniform Daily Activity Log (e-UDAL)

Fixed Video Equipment Inspection

Inspection of fixed video equipment shall include:

- The watch commander or their designee shall confirm all surveillance cameras are properly functioning and recording at the beginning of each shift by logging into the system and retrieving a sample recording from the previous shift
- At the beginning of each shift, the watch commander or their designee shall ensure real-time footage accurately reflects the correct date and time of day
- The watch commander or their designee shall notify the designated video manager of any malfunctions, submit necessary work orders through proper channels (e.g., the online Helpdesk, etc.), and document all actions taken in the Watch Commander's Log, including who was notified and the requested corrective action
- The designated video manager shall ensure all high-definition cameras are recording at no less than ten (10) frames per second, with picture resolution no less than 720p, unless otherwise directed in writing by the respective Custody Services Division chief
- The fixed video equipment inspection shall be documented in the facility Watch Commander's Log

In the event the unit commander determines the fixed video surveillance equipment is in need of modifications, and in accordance with Prison Rape Elimination Act (PREA) Standards for Prison and Jails section 115.118, "Upgrades to Facilities and Technologies," and CDM section 3-06/030.00, "Facility Modifications," the unit commander, or their designee, shall consult with the Department's PREA coordinator to ensure such modifications can enhance the Department's ability to protect inmates from sexual abuse. The Department's PREA coordinator shall also be consulted when there is a substantial expansion or modifications of an existing facility or when the Department acquires a new facility.

NOTE: Data Systems Bureau (DSB) is the designated video manager for fixed video equipment within Custody Services Division facilities and is responsible for the maintenance and repair of related software and equipment, and for establishing protocols governing the security and remote monitoring of server rooms at each facility. The rooms shall remain locked and shall not be accessed by unit personnel, except in case of emergency, or at the direction of DSB.