Mobile Audio/Video

446.1 PURPOSE AND SCOPE

The Crystal Lake Police Department has equipped marked patrol cars with Mobile Audio and Video (MAV) recording systems to provide records of events and assist uniformed officers in the performance of their duties by providing a visual and/or audio record of patrol-related activities when permitted by law (720 ILCS 5/14-3(h)). This policy provides guidance on the use of these systems.

446.1.1 DEFINITIONS

Definitions related to this policy include:

Activate: Any process that causes the MAV system to transmit or store video or audio in an active mode

In-car video and Mobile Audio Video (MAV) : Synonymous terms that refer to any system that captures audio and video signals, that is capable of installation in a police vehicle, and that includes, but is not limited toat minimum, a camera, microphone, recorder, and monitor.

Officer: Sworn Police Officer

CSO: Community Service Officer

Server– Computer that will store and manage the MAV's data

Recorded media - Audio-video signals recorded or digitally stored on a storage device or portable media.

446.2 POLICY

Audio video recording (MAV) equipment has proven to be a valuable law enforcement tool for enhancing officer safety and in the prosecution of traffic violations and related criminal offenses. The MAV is also useful for evaluation of officer tactics, performance evaluation and for training purposes. Information collected through MAV technology can also be critical in the investigations of complaints against employees. In order to maximize the utility and benefit of this specialized equipment, the department has established guidelines for its use. MAV equipment shall be used only for legitimate law enforcement purposes in accordance with applicable law and department guidelines.

446.3 PROCEDURE

USE OF MOBILE VIDEO RECORDER (MAV)

A.The Chief of Police or their designee may equip any department vehicle with a mobile audio video recording system.

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B. Training

(a) All officers will be trained in the proper operation of the MAV prior to utilizing the system. This training will take place during the PTO program

(b) Training shall include the classification of videos to be retained for a specific purpose.

(c) Supervisors will receive MAV training that, at a minimum, will include how to search for, access, and conduct data review. This training will take place during the supervisor's initial supervisory training upon promotion or assignment to a supervisory position.

C. Any employee assigned to a MAV equipped police vehicle will log on to the system at the beginning of each shift. Officers will check the following operational features of the camera system after logging on:

(a) The camera is functioning properly when emergency lights are activated.

(b) The camera is properly aligned and focused.

(c) The microphone is synced to the MAV unit and shall be worn by the officer so as not to compromise officer safety.

(d) Insure the time/date feature is accurate.

(e) Insure that the unit is powered at all times during the shift.

(f) If any malfunctions are observed the supervisor will be notified. If the system is malfunctioning, the vehicle shall be taken out of service unless a supervisor requests the vehicle remain in service. A vehicle maintenance request will also be completed.

446.4 ACTIVATION OF THE MAV

The MAV system is always on, but will start to record an event in greater detail and remain recording when one of the triggers is activated either automatically or manually.One minute of video prior to the system activation will also be recorded upon system activation along with a minute after de-activation. Automatic MAV System activation is accomplished by turning on the emergency lights, when the police vehicle speed reaches a speed of 65 MPH without emergency lights activated, or when the vehicle's crash sensors are activated. Manual activation is accomplished by turning on the recorder at the control panel or turning on the wireless microphone.
*At no time should the audio portion be activated by a Community Service Officer (CSO).

446.4.1 MANDATORY ACTIVATION OF MAV

Generally, officers will be utilizing the squad car emergency lights during enforcement stops, pursuits and high priority responses, and the activation of the squad emergency lights in any position will trigger an automatic MAV system activation and record the event. The following events shall be mandated activations of the MAV system for those officers operating a squad car so equipped:

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(a) During enforcement stops, defined as an action by a law enforcement officer in relation to enforcement and investigative duties. Officers will use the system to record the stop with sound.

(b) All vehicle pursuits.

(c) All high priority responses. The system may be deactivated upon arrival on the scene

(d) Most transports involving a civilian. Exceptions include authorized City employees, volunteers, and ride-alongs.

Officers may use their discretion to record any other event, without sound, when allowed by law and in conjunction with their official duties. Examples would include the recording of vehicle license plates near the scene of a reported crime and the recording of suspicious activity in a public way.

446.4.2 WHEN ACTIVATION IS NOT REQUIRED

Activation of the MAV system is not required during breaks, lunch periods, when not in service or actively on patrol.

No employee of this department may surreptitiously record a conversation of any other employee of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

446.4.3 CESSATION OF RECORDING

The officer will ensure that the MAV system, including the audio portion when allowed, remains activated throughout the entire event until the event's conclusion. For purposes of this Policy, an incident shall be considered complete when a reasonable and prudent person would consider that the audio/video recording has reached a logical point where it should be stopped.

446.5 REVIEW OF MAV RECORDINGS

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

Recordings may be reviewed in any of the following situations:

(a) For use when preparing reports or statements

(b) By a supervisor investigating a specific act of officer conduct

(c) By a department investigator who is participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation

(d) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to their employment

(e) By court personnel through proper process or with permission of the Chief of Police or the authorized designee

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(f) By the media through proper process or with permission of the Chief of Police or the authorized designee

(g) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, their objection will be submitted to the the training coordinator to determine if the training value outweighs the officer's objection

(h) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, their objection will be submitted to the staff to determine if the training value outweighs the officer's objection

Supervisors shall perform at least two random reviews of recordings on a monthly basis to assist in:

(a) Periodic assessment of an officer's performance

(b) To assess proper functioning of MAV systems

(c) To assess possible training value

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any employee.

446.6 CLASSIFICATION OF RECORDINGS

Officers shall provide a “label”, or classification, for each recorded event with one of the two preset classifications:

(a) Custodial Arrest- all mobile recordings captured by the arresting officer or by any assisting unit.

(b) Non Arrest- all mobile recordings not related to any arrest.

In addition, officers must include a case number in the appropriate mandatory field. Use the same format as Field Based Reporting (FBR) for the case number.

446.7 RECORDING MEDIA STORAGE AND INTEGRITY

The MAV is set up to automatically upload video to a server in the police department when the squad pulls into the back parking lot of the police department. If the upload is interrupted, it will continue from the point of interruption when the squad pulls into the back parking lot.

The MAV recording system is equipped with a solid-state drive (SSD) that stores persistent data on solid-state flash memory. This is a failsafe recording capability that records video only to the hard drive any time the system is powered on. There is a very limited time frame for retrieving this video dependent upon the available storage space on the hard drive before it is overwritten with new video. Failsafe video can be retrieved by the property control officer or any officer with the rank of Sergeant or above. If a Sergeant retrieves video from the SSD card, a command notification shall be made.

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All video from the MAV will be stored in a video server within the police department. The only employees who will have access to view video from the server will be the Chief of Police, Deputy Chiefs of Police, Commanders, Sergeants, the Evidence/Property Officer, the back-up Evidence/ Property Officer, and the Officer who recorded the video. Videos may be viewed for training and evaluation purposes.

Mobile video recordings not impounded as evidence will be retained on the server for a minimum of ninety (90) days. Recordings made part of an arrest or deemed evidence in any criminal, civil, or administrative proceedings will be preserved for a period time as mandated by current laws governing record retention.

When an incident arises that requires the immediate retrieval of the recorded media (e.g.,serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and retrieve the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

All recording media will be labeled and stored in a designated location. All recording media that is not booked as evidence will be retained for a minimum of 90 days and disposed of in compliance with the established records retention schedules (720 ILCS 5/14-3(h-15).

446.7.1 REAL-TIME REMOTE ACCESS AND VIEWING OF MAV

If the MAV system has the capability, supervisors may activate and/or view the MAV system on any squad so equipped remotely to monitor in real-time a developing situation, such as a chase, riot or an event that may threaten public safety, officer safety or both, when the purpose is to obtain tactical information to assist in managing the event. The supervisor should make a reasonable attempt to notify the operator(s) of the activated and/or viewed MAV equipped squad car(s) as soon as possible if such an activation and/or viewing were to occur. Absent any other lawful circumstance, supervisors are prohibited from monitoring in real-time the conversations or actions of any officer by use of the MAV system.

446.8 ANNUAL PROGRAM REVIEW

The Deputy Chief of Administration, or their designee, should complete an annual administrative review of the MAV program and provide it to the Chief of Police for review.

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