446.1 PURPOSE AND SCOPE (41.3.8 a)

The Columbia Police Department has equipped marked patrol cars with Mobile Audio Video (MAV) recording systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

446.2 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video or audio data.

In-car camera system and Mobile Audio Video (MAV) system - Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

MAV technician - Personnel certified or trained in the operational use and repair of MAVs, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

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

446.3 POLICY (41.3.8 a)

It is the policy of this Department that officers shall activate the MAV when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

446.4 OFFICER RESPONSIBILITIES (41.3.8 d) (41.3.8 e)

Prior to going into service, each officer will properly equip himself/herself to record audio and video in the field. This includes the Body Worn Camera (mandatory as covered in policy 447) and may include the body microphone of the Mobile Audio Video (MAV) system also referred to as the “in car camera system” if the officer's vehicle is so equipped. The following procedure applies to the MAV system located in Patrol vehicles:

a. At the start of each shift, officers shall log into the MAV system using their unique credentials and following the procedure for the particular system installed in their assigned vehicle. This ensures that any recordings made will be properly associated to the officer making the recording.
b. The officer shall test the MAV system to ensure it is operating properly. If the system is malfunctioning, the officer shall complete a vehicle defect sheet according to policy 706 and notify his/her supervisor. The supervisor will determine if the vehicle should be taken out of service.

c. If the officer is using a department issued body worn camera, he/she is not required to wear the body microphone for the MAV. However, if the body worn camera malfunction during the shift, and the officer is aware of the malfunction, the officer shall equip himself/herself with the MAV body microphone as soon as practicable if the vehicle is so equipped, or obtain a spare body worn camera.

d. Recordings needed for evidentiary purposes shall be properly saved and tagged for retention.

e. Each officer shall log out of the system at the end of their shift.

446.4.1 ACTIVATION OF THE MAV (41.3.8 b)

a. OFFICER NOT EQUIPPED WITH BODY WORN CAMERA

1. Officers not equipped with a body worn camera shall wear the MAV body microphone (if the patrol vehicle is so equipped) and activate the MAV (audio and video) to record all contacts with citizens in the performance of official duties consistent with the provisions in Policy 447 and Body Worn Cameras.

2. Officers shall activate the MAV during any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording.

3. Officers shall activate the MAV during any other circumstance where the officer believes that a recording of an incident would be appropriate.

4. An officer shall document any time he/she fails to activate the MAV, fails to record the entire contact, or interrupts the recording. If an offense report is taken, the officer shall document in the report why a recording was not made, was interrupted, or was terminated. If the contact is such that it does not require an offense report, documentation should be made in the CAD notes before clearing the call.

b. OFFICER EQUIPPED WITH BODY WORN CAMERA

1. Officers equipped with body worn cameras, when practicable, should activate the patrol car MAV in addition to the activation of the body worn camera.

2. Prior to leaving the patrol vehicle on a call for service, officers should make efforts to position their patrol vehicle strategically, as the MAV may be utilized to document activity at a scene not always visible by the body worn camera.

c. Activation of the MAV system is not required when exchanging information with other officers or supervisors, during breaks, lunch periods, when not in service or actively on patrol.
No member of this department may surreptitiously record a conversation of any other employee of the city 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.

### 446.4.2 CESSATION OF RECORDING (41.3.8 b)

Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed.

### 446.4.3 SUPERVISOR RESPONSIBILITIES (41.3.8 e) (41.3.8 g)

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made.

On reasonable intervals, supervisors should document random reviews of MAV recordings to validate that:

- a. Beginning and end-of-shift recording tests are conducted.
- b. Logs reflect the proper chain of custody, including:
  1. The law enforcement operator is properly logged into the system.
  2. Holds for evidence indication and tagging as required.

When an incident arises that requires the immediate retrieval of the recording (e.g., serious crime scenes, officer-involved shootings, department-involved accidents), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MAV technician or crime scene investigator properly retrieves the recording. The recording may need to be treated as evidence and should be handled in accordance with current evidence procedures for digital media.

### 446.5 REVIEW OF MAV RECORDINGS (41.3.8 e)

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

When reasonably possible, a copy of the original recording shall be used for viewing (unless otherwise directed by the courts) to preserve the original digital file.

Recordings may be reviewed in any of the following situations:

- a. For use when preparing reports or statements;
- b. If an officer is suspected of misconduct, involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the video file;
- c. By a supervisor investigating a specific act of officer conduct;
- d. By a supervisor to assess officer performance;
- e. To assess proper functioning of MAV systems;
f. By an investigator who is participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation;
g. By department personnel who request to review recordings;
h. An officer who is captured on or referenced in the video or audio data reviews and uses such data for any purpose relating to his/her employment;
i. By court personnel through proper process or with permission of the Chief of Police or the authorized designee;
j. By the media through proper process or with permission of the Chief of Police or the authorized designee;
k. By an involved individual filing a complainant, depending on the status of the case, through proper process and scheduling through the Internal Affairs Unit.
l. To assess possible training value;
m. Recordings may be shown for training purposes with permission from the Chief of Police.

Employees desiring to view any previously uploaded or archived MAV recording should submit a request in writing to the Watch Commander. Approved requests should be forwarded to the MAV technician for processing.

446.6 DOCUMENTING MAV USE

If any incident is recorded with the video or audio system, the existence of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation indicating that the incident was recorded.

446.7 RECORDING STORAGE AND INTEGRITY (41.3.8 d)

All recordings will be stored as per the digital evidence policy and procedure. All recording media that is not booked as evidence will be retained in compliance with the records retention schedule.

446.7.1 COPIES OF RECORDINGS

Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

446.7.2 MAV RECORDINGS AS EVIDENCE (41.3.8 c)

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer, or against the Columbia Police Department should indicate this in an appropriate report. Officers should also ensure relevant recordings are preserved.

446.8 MAV TECHNICIAN RESPONSIBILITIES

The MAV technicians are responsible for:

a. Verification of downloaded media. Once collected, the MAV technician:

1. Ensures it is stored in a secured location with authorized controlled access.
2. Makes the appropriate entries in the chain of custody log.

b. Erasing of media:

   1. Pursuant to a court order.
   2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.

Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.

446.9 TRAINING (41.3.8 f)

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.