

BLOOMINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

MOBILE VIDEO RECORDERS

Reviewed by: Lt. Aaron Veerman	Effective Date: July 15, 2021
Authorized by: Chief Jamal A. Simington	Revision Date: March 7, 2024

PURPOSE

The purpose of this SOP is to establish guidelines for the operation and use of Mobile Video Recording (MVR) equipment in police vehicles.

OPERATING PROCEDURE

Each shift's officers are responsible for inspecting MVR equipment prior to taking any MVR equipped police vehicle absent exigent circumstances. In these cases, the equipment will be inspected as soon as practicable. This inspection shall include a system check to determine whether the MVR equipment is functioning properly. Any problems shall be brought to the attention of the officer's immediate supervisor as soon as possible. The supervisor will determine if the officer may use a vehicle with any inoperable MVR equipment. If any problems are located, an e-mail describing the issue should be sent to the "PD DL Police MDT" and/or "PD DL Police BWC" e-mail address(es) immediately.

The system check will consist of the following to ensure the equipment is functioning properly:

1. Power on the MDT and ensure it successfully logs into the network.
2. Verify the AXON Fleet App is running and the officer can log in.
3. While in the AXON Fleet App, the officer must ensure the dash camera, rear seat camera, officer's body worn camera (BWC), and any additional cameras are connected.
4. Activate the squad car's emergency lights and verify the dash camera and the officer's BWC activate.
5. Go to the AXON Fleet App and verify all cameras can be activated and deactivated within the app.
6. Once the cameras have been activated and deactivated, verify the completed recordings are present in the Axon Fleet App and that they display the correct date and time.
7. Verify the storage capacity listed in the AXON Fleet app is not below eight hours.

Officers shall adhere to the following procedures when using MVR equipped vehicles:

1. When an officer is assigned to drive a MVR equipped vehicle, that equipment will be used.
2. Officers will ensure that the MVR is in operating order to record enforcement stops and that all squad car cameras are positioned and adjusted to record events.
3. The MVR, dash camera, and the officer's BWC (if equipped) will automatically activate during triggering events such as when the vehicle's emergency lights are engaged, crash sensors are activated, or the GPS speed of the vehicle reaches 75 M.P.H.. The cameras can also be activated manually. Once activated, the MVR and any activated camera will not be deactivated until the conclusion of the enforcement activity unless approved by a supervisor.
4. Officers are encouraged to inform their supervisor of any video recorded sequences which may generate a citizen's complaint.
5. Officers should inform their supervisor of any recorded sequence that may be of value for department training or review.

AUTHORITY TO RECORD ENFORCEMENT STOPS

Section 720 ILCS 5/14 outlines eavesdropping law in the State of Illinois. Exceptions to the Eavesdropping law are outlined in 720 ILCS 5/14-3. Specifically, 720 ILCS 5/14-3(h) provides an exemption for:

(h) Recordings made simultaneously with the use of an in-car video camera recording of an oral conversation between a uniformed peace officer, who has identified his or her office, and a person in the presence of the peace officer whenever (i) an officer assigned a patrol vehicle is conducting an enforcement stop; or (ii) patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

For the purposes of this subsection (h), "enforcement stop" means an action by a law enforcement officer in relation to enforcement and investigation duties, including but not limited to, traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance;

(h-5) Recordings of utterances made by a person while in the presence of a uniformed peace officer and while an occupant of a police vehicle including, but not limited to, (i) recordings made simultaneously with the use of an in-car video camera and (ii) recordings made in the presence of the peace officer utilizing video or audio systems, or both, authorized by the law enforcement agency;

EXPLANATION

This means that, for violations of the Illinois Vehicle Code, audio recordings may only be made of enforcement stops after a police officer has identified himself. However, our in-car video cameras are activated with the vehicles' emergency lights. It is our position and that of the McLean County State's Attorney that upon activating the red and blue emergency lights of the police vehicle, the officer has sufficiently identified his or her office as required by ILCS 5/14-3 (h), and

that the immediate and simultaneous audio recording of the enforcement stop is therefore authorized by ILCS 5/14-3 (h).

RECORDING CONTROL AND MANAGEMENT

The Assistant Chief of Operations or his designee shall be responsible for mobile video recordings (MVR). Video recordings will be maintained in accordance with the Illinois State Records Act, 5 ILCS 160 and SOP 3.05, Managing of Digital Exhibits in Evidence.com.

SUPERVISOR RESPONSIBILITIES

Supervisory personnel who manage officers assigned to use MVR equipment are responsible for the following:

1. Ensuring officers follow established procedures for the use and maintenance of the MVR equipment.
2. Ensuring that requests for repairs of damaged or nonfunctional MVR equipment are properly documented; and
3. Conducting a monthly review of camera recordings to assess officer performance, whether MVR equipment is being fully and properly used, and to identify recordings that may be of value for training purposes.