

	STANDARD OPERATING PROCEDURE <small>State Form 39870(R/S-06)</small>	Reference Number INV-004
	Subject Use of Audio/Video Equipment	
	Special Instructions Replaces INV-002 dated January 15, 2015	Effective Date June 1, 2021

I. PURPOSE

Establish guidelines for utilization of audio/video recording equipment by Department personnel.

II. POLICY

Department audio/video recording equipment shall be used for recording events that are of interest to the Department. After being used, recordings shall be maintained, as outlined in this procedure. Department employees are prohibited from making unauthorized recordings and from distributing any authorized or unauthorized recording of Department activities without the authorization of the Superintendent.

III. PROCEDURE

A. All duty related audio/video recordings made by Department employees shall immediately become property of the Department and, if applicable, will be subject to the Department’s procedures. This SOP does not apply to recordings made from a mobile in-car video camera installed in a Department commission. For in-car video guidelines refer to ENF-010.

B. Department employees shall not use audio/video recording equipment in any manner that would be in violation of Regulation 7 Discipline, section 7-3, subsection 14.

C. All recording of interrogations for felony custodial arrests shall follow the guidelines established in INV-001.

D Employees shall take into consideration the following factors when considering the use of any recording equipment:

1. Time and place to be used;
2. Subject matter to be recorded; and
3. Whether or not such recording is legal.

E. Audio/video-recording equipment may be utilized, whenever practicable, in the areas of:

1. Surveillance;
2. Aerial photography;
3. Training; and/or
4. Recording of;
 - a. Statements,
 - b. Interviews,
 - c. Crime scenes,

- d. Confessions, and
- e. Investigative conversations.

F. Department employees wishing to utilize audio/video recording equipment for public relations should contact the Headquarters Public Information Office.

G. The use of audio/video recording equipment will not eliminate the need for black and white or color photography at any event that would normally be filmed using conventional camera equipment. Videotape recording will serve as an additional means of documentation.

H. Department employees wishing to utilize audio/video recording equipment for investigative purposes shall request the use of such equipment, through the Special Investigations Command Cybercrimes and Investigative Technologies Section, Technical Services Unit.

I. All such equipment used during a criminal investigation shall be operated in a manner consistent with Department policies on the use and maintenance of Department issued equipment, as well as any legal requirements for the use of such equipment.

J. In cases involving prosecution, audio/video recordings shall be disposed of only at the direction of the prosecuting attorney having jurisdiction of the case. If the recordings are to be used as evidence, they shall be treated as such and stored with the district property officer.

1. All recordings being maintained as evidence shall be kept in an evidence envelope.

2. All recordings originating during an internal investigation shall be maintained in accordance with procedures established by the Internal Investigation Section.

3. All recordings made as a result of monitoring a wire intercept shall be maintained according to law and any relevant court order.

K. In cases where there is not prosecution and the recording is pertinent to the investigation, it shall be retained at the district for as long as the case report is retained. Recordings shall be transcribed only when necessary.

L. In cases where the recording is part of the officer's notes and is of no evidentiary value, the officer shall make the determination as to whether the recording is to be erased or retained and for what period of time.

M. In all other cases, the district/division commander shall be responsible for determining the value of the recording and whether or not it should be duplicated, retained, or erased.

N. The use of Department issued Law Enforcement Recording Devices shall not intentionally be used for the sole purpose of recording another employee unless the other employee is aware. Other recordings devices shall not be used to record other Department employees unless all Department employees being recorded are aware the recording is being made or unless authorized by the Superintendent and otherwise lawful.

O. This procedure is to be used in conjunction with all relevant Department regulations, rules, policies, and procedures.