



MULTNOMAH COUNTY
SHERIFF'S OFFICE
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1250.00 – Review of Video Captured by Agency-Controlled Video Recording Devices

Refer:

- ORS 133.741 Law enforcement agency policies and procedures regarding video and audio recordings
- MCSO Agency Policy 605.00 Use of Force
- MCSO LE Division Operational Procedure 9.5 Body-Worn Cameras
- NWAA Reference: 2.5.4, 3.1.1, 3.1.2

Definitions:

- Video Recording Devices – Any agency-controlled device that captures video images and/or sound including, but not limited to, stationary facility recording devices and body worn cameras.
- Video Recordings – The media, both images and audio, recorded in any format by a video recording device.

Policy:

1. This policy clarifies when members of the Multnomah County Sheriff's Office (MCSO) may view video recordings captured by agency-controlled video recording devices. Additional MCSO policy and division procedure will clarify retention and recording requirements.
2. MCSO recognizes that video recordings, from a video recording device, cannot provide a complete account of any event; nor, do video images capture an entire scene, environmental conditions, surrounding circumstances or all safety concerns that members must constantly assess and take into account when deciding on a given course of action.
3. The ability to review video images does not deemphasize the importance of thorough and accurate written documentation of an incident.
4. Persons reviewing video images must be cautious before reaching conclusions about what the recordings show.
5. MCSO shall abide by all expectations and prohibitions set forth in ORS 133.741.

Procedure:

1. Member review of video recordings:
 - 1.1. Members may review video recordings, as a resource, when preparing written reports or when preparing for courtroom testimony.
 - 1.2. Members may review video recordings for the purpose of training.
 - 1.3. Members may review video recordings for the purpose of conducting a criminal or Prison Rape Elimination Act (PREA) investigation.
 - 1.4. If a member is giving a statement about a critical incident, involving the use of deadly force, or if the member is the subject of an Internal Affairs Unit (IAU) administrative investigation, the member shall have the option and a reasonable opportunity to view video recordings related to that incident before giving a statement.
 - 1.4.1. The member may do so in the presence of their legal and/or union representation.
 - 1.4.2. Viewing will occur in a secure and private location as determined by the Agency.
 - 1.4.3. These video records may only be viewed by those authorized in order to assist in an investigation or as authorized by the Agency.
 - 1.5. Supervisors may review video recordings:
 - 1.5.1. In incidents involving use of force and/or pursuits.
 - 1.5.2. When evaluating a specific complaint to determine if a supervisory inquiry, IAU administrative or criminal investigation is appropriate.
 - 1.5.3. To identify videos to recommend for training purposes.
 - 1.5.4. Supervisors shall not review video recordings for the sole purpose of discovering Agency policy violations, except as permitted within this policy.
 - 1.6. Members assigned to the IAU may view video recordings as a tool in the fact-finding procedure in furtherance of the unit's official responsibilities.
 - 1.7. Members assigned as Disciplinary Hearings Officers and Grievance Coordinators may view video recordings as a tool in the furtherance of their official responsibilities.
 - 1.8. Other members may be specifically authorized by MCSO to perform technical functions related to obtaining and preserving video segments in furtherance of MCSO objectives identified in this policy.

History:

- Originating Policy Effective: 01/26/2024 (Comprehensive Review)
- Next Review Date: 01/26/2026 (Internal Review)
- Review By: Executive Office