

MOBILE AUDIO/VIDEO RECORDERS - IN-CAR VIDEO RECORDERS (MVR)

PREAMBLE:

The Omaha Police Department adopted the use of Mobile Video Recorder (MVR) systems to provide persuasive evidence and to help provide accountability and protection for OPD police officers. The purpose of this policy is to provide procedures for training, management, access, retention, handling, dissemination, storage, and retrieval of audio-video media recorded by Mobile Video Recorder (MVR) systems.

POLICY:

It is the policy of the Omaha Police Department (OPD) that police officers assigned in the use of Mobile Video Recorders (MVR) will adhere to OPD training, operational objectives, and protocols in order to maximize the effectiveness of the in-car camera system, and to make certain of the integrity of evidence and related video documentation.

DEFINITIONS:

Designated Employee: Individuals who have been trained and authorized by the Chief of Police (or their designee) to remove recording media and manually or automatically upload video and audio of pursuits and other high liability and serious incidents (i.e., officer-involved shootings, OPD vehicle crashes, serious crime scenes).

In-Car Camera System / Mobile Video Recorder (MVR): Synonymous terms referring to any system capable of being installed in a vehicle that captures audio and video signals and includes, at minimum, a camera, microphone, recorder, and monitor.

MVR Administrator: Employee assigned, as necessary, as the Department-wide MVR contact and who is responsible for coordinating and troubleshooting, as well as the overall management of MVR systems.

MVR Technician: Person trained in the operational use, troubleshooting, and repair of in-car camera systems or MVRs, duplicating methods, and storage and retrieval procedures; and who possesses a working knowledge of video and evidentiary procedures. Each precinct normally has an assigned "B" Shift lieutenant who will assume the role of MVR Technician; however, in some cases, the duty of MVR Technician may be delegated to another individual with particular skills or interests corresponding with MVR Technician responsibilities.

Recorded Media: Audio-video signals recorded as part of an overall recording system.

PROCEDURE:

I. Program Objectives

- A. MVRs will be used to accomplish the following objectives:
 1. Enhance officer safety.
 2. Accurately capture statements and events during the course of an incident for completion of reports.
 3. Improve officers' ability to document and review statements and actions for internal reporting requirements and courtroom presentation.
 4. Provide an impartial measure of self-critique for officers and field evaluation for training purposes.

5. Capture visual and audio information for use in criminal and administrative investigations.

II. Training

- A. All MVR users will successfully complete an OPD approved training course prior to being deployed with an MVR system in an operational setting.
- B. Original training documentation will be retained throughout any revision process and archived as necessary to be available for future reference.
- C. Officers and supervisors will receive training updates according to Departmental needs.
- D. Training will be documented per OPD policy and procedures.

III. Installation and Maintenance of MVR Equipment

- A. It will be the OPD's responsibility to make certain that all MVR equipment is properly installed according to the manufacturer's recommendations.
- B. Inspection and general maintenance of MVR equipment installed in vehicles will be the responsibility of the officer assigned to the vehicle.
- C. Assigned officers will operate MVR equipment in accordance with the manufacturer's recommended guidelines and OPD training and policies.
- D. Prior to beginning each shift, assigned officers will perform an inspection to make certain the MVR is performing in accordance with the manufacturer's recommendations.
 1. A pre-shift inspection guide has been provided to assist officers with the proper testing and setup of the MVR system. Officers will inspect the MVR as follows:
 - a. Remote Audio Transmitter:
 - (1) Functional and fully charged as indicated by the green light on the charger in the assembly.
 - (2) Synchronized with the recording equipment.
 - (3) Remote activation of the system via the transmitter is operational.
 - (4) Placed on the officer's person in a manner that does not obstruct the audio (i.e., approved belt holder).
 - b. Camera Lens:
 - (1) Windshield and camera lens are free of debris.
 - (2) Camera is facing the intended direction.
 - c. Officers will make certain the recording mechanism is capturing both audio and video information, including system playbacks of both audio and video tracks.
 2. The inspection will be documented on the MVR (See the OPD "[Vehicles – Maintenance of Police Vehicles](#)" policy).

- E. Malfunctions, damage, or theft of MVR equipment will be immediately reported by the officer who identifies the problem to an immediate supervisor prior to placing the unit in-service.
 - 1. After notifying their supervisor, officers will immediately complete the following forms:
 - a. Police Equipment – Accountability Form ([OPD Form 24](#)).
 - b. Incident Report (OPD Form 189).
 - 2. Any supervisor who is notified of malfunctioning/damaged MVR equipment will report the information on the shared Camera Status Log spreadsheet, located on the “P” drive.
 - a. Supervisors may view and/or update the status of all MVR equipment at any time using the Camera Status Log spreadsheet, thereby reducing the likelihood of duplicate reports.
 - 3. The supervisor will then notify the MVR Administrator of the malfunctioning/damaged MVR equipment via email.
- F. “No Uploading Video Alerts.”
 - 1. Email notifications, known as “No Uploading Video Alerts,” will be automatically generated and sent to designated recipients when the MVR is not uploading video to the server.
 - a. The MVR Administrator will maintain a distribution list of designated recipients for these notifications.
 - b. Recipients will be responsible for verifying that each MVR is operational and will coordinate with the MVR Administrator to resolve any potential issues.

IV. MVR Operational Guidelines

- A. Operation of the MVR (both audio and video) is mandatory in vehicles equipped with operable cameras in the following situations:
 - 1. Traffic stops and roadside citizen contacts (i.e., traffic violations, stranded motorist assistance, crash scenes, all criminal interdiction stops, etc.).
 - 2. Expedited level responses (i.e., help an officer, shooting, cutting, personal injury accident/crash, etc.).
 - 3. Vehicle pursuits.
 - 4. Person(s) placed into any police vehicle. This includes all persons placed into the vehicle for safety purposes, field interviews, transportation, or any other situation.

NOTE: Officers shall immediately activate the interior camera and microphone when any person is placed into a police vehicle.
- B. Officers will record any situation or incident they believe, through training and experience, should be audibly and visually recorded.
- C. When feasible, officers will inform subjects they are being audio and video recorded via MVR.
- D. Activation of MVR Equipment.

1. Automatic activation of MVR equipment will occur in the following circumstances:
 - a. Vehicle emergency lights have been activated in positions #2 and #3.
 - (1) Officers will not attempt to expedite, clear intersections, or initiate traffic stops with emergency lights in position #1.
 - b. Vehicle operating speed reaches or exceeds 80 MPH.
 - (1) When the MVR is triggered by speed, officers will not turn off the recording until they reach the destination, are cancelled over the radio, or have received permission from a command officer.
 - c. Vehicle collides with an object at a force sufficient to activate installed MVR sensors.
 - (1) Officers will not deactivate the recording until a command officer or accident investigator reaches the scene.
 2. Manual activation of MVR equipment.
 - a. Officers located outside the vehicle may activate MVR equipment using the wireless transmitter.
 - (1) This may be done to record a field interview, document suspicious circumstances, or to document any incident as appropriate.
 - b. Officers may also activate the MVR equipment manually from the camera software loaded on the Mobile Data Computer or from the control buttons on the rear of the front camera.
- E. The MVR system will be configured to capture 30 seconds of video data from the buffer prior to automatic or manual activation. It will not be configured to record audio during that 30-second period.
- F. When the MVR is activated, officers will make certain the audio portion is also activated so that all events are properly documented.
1. With the exception of the police radio, officers will make certain the volume from other electronic devices within the police vehicle does not interfere with MVR recordings.
 2. Officers are encouraged to narrate events using audio recording to provide the best documentation for pretrial and courtroom presentation.

NOTE: If an officer deactivates the MVR for any reason, the officer shall narrate their reason for deactivating the MVR prior to turning it off.
 3. When operating a two-officer vehicle, driver/contact officers shall wear the audio transmitter on their person in a manner that will capture audio of any officer-civilian interactions.

EXCEPTION: If the driver/contact officer is using a Body Worn Camera (BWC), the passenger/backup officer shall wear the MVR audio transmitter. If both officers are using a BWC, the MVR audio transmitter does not have to be carried by either officer.

4. Temporary muting of the remote microphone may occur, but only after the intention to mute the microphone has been indicated verbally by the officer.
- G. Officers using digital transmitters individually synchronized to their MVR will activate both audio and video recording when responding in a support capacity to any situation outlined in Subsection IV, A above. This will ensure additional perspectives of the scene are documented.
- H. Officers wearing a functional Body Worn Camera (BWC) are not required to wear an MVR audio mic.
- I. The MVR will NOT be deactivated during an event/incident, unless:
 1. The incident or event is of such duration that the MVR is deactivated to conserve recording time.
 2. The officer does not reasonably believe that deactivation will result in loss of critical documentary information.
 3. A supervisor directs an officer to stop recording.
 4. In the event of a pursuit or vehicle fled/non-pursuit, the MVR will not be deactivated until the vehicle returns to the assembly or a supervisor directs the deactivation.
- J. If the MVR is deactivated during an event/incident officers shall narrate the reason for doing so prior to deactivating the MVR.
- K. Officers may be asked by Command or Prosecution to copy MVR recorded media to a DVD. Officers will label videos per OPD policy, including the RB number or citation number, so the recorded evidence is properly retained and will book into Evidence and Property Unit (EPU) in accordance with OPD policies and procedures.
- L. When the recording time remaining is less than one (1) hour, the recording media will be allowed to upload automatically or the media may be replaced by Designated Employees.

V. Supervisor and Designated Employee Responsibilities

- A. When a serious incident arises (serious crime scenes, officer-involved shootings, employee-involved crashes, etc.) that requires retrieval of the recorded media, the following procedures will be adhered to:
 1. A field supervisor will respond to the scene and order the affected vehicle(s) to be driven to the respective precinct for automatic upload of the MVR video when feasible.
 2. If crime scene processing is still underway and prohibits moving the vehicle(s), the Designated Employee will remove the secure digital (SD) media from the affected vehicle(s) and transport the recorded media to the precinct for manual upload to the back-end server.
 3. The Designated Employee will verify that all recordings have been transferred from the SD media to the server, whether the transfer was made via automatic upload or through a manual process.
 4. The Designated Employee will classify the video as "LOCKED."
 5. The Designated Employee will ensure proper retention is set on the digitally stored videos.

6. The Designated Employee will make certain that the SD media is returned to the proper vehicle and inserted into the MVR.
- B. Supervisors are responsible for conducting reviews of officer-assigned media in order to:
 1. Assess officer performance.
 2. Assure proper functioning of MVR equipment.
 3. Determine if MVR equipment is being operated properly.
 4. Identify recordings that may be appropriate for training.
 - C. Supervisors are responsible for reviewing the MVR Recorded Media of each officer assigned to their command at least once every six (6) months.
 1. At a minimum, supervisors shall review the MVR Recorded Media related to at least one incident per shift change for each officer assigned to their command.
 2. Supervisors will document the review on an OPD MVR/BWC Recorded Media Audit Form ([OPD Form 111](#)) and file the completed form in PowerDMS ([Electronic Filing Instructions](#)).

VI. Recording, Duplication, Dissemination, and Review

- A. All recording media, recorded images, and audio recordings are the property of the OPD. Dissemination outside the agency is strictly prohibited without specific written authorization of the Chief of Police or designee.
- B. Officers will not erase, alter, reuse, modify, or tamper with MVR recordings.
- C. Officers will not record, download, or otherwise transfer MVR recordings onto any type of personal recording devices, including, but not limited to, personal cellular phones, video recorders, tablets, etc.
- D. To prevent damage to, or alteration of, original recorded media, such media will not be copied, viewed, or otherwise inserted into any equipment or device not approved by the MVR Administrator.
- E. Officers may review their own recordings when preparing written reports of events to help make certain of the accuracy and consistency of accounts.
- F. The recording officer(s) is required to appropriately classify all MVR recordings within the system and include the RB number or citation number per OPD training.
 1. Officers may create bookmarks and add notes in the video interface. This allows for ease when searching.
- G. When possible and practical, a copy of the original media will be used when being viewed by investigators, staff, training, employees and the courts (unless otherwise directed by the courts) to preserve the original media.
- H. At the conclusion of trial proceedings, or as otherwise authorized by the prosecutor's office for which the media was required, all copies will be handled as directed by current evidence handling procedures and/or returned to the EPU.

VII. Video Access, Classification, and Retention

- A. Access to video.
 - 1. Officers can view their own videos, with the exception of those classified as “LOCKED.”
 - 2. Detectives and Accident Investigators can view all videos labelled as “Evidence,” with the exception of those classified as “LOCKED.”
 - 3. Command can view all videos, with the exception of those classified as “LOCKED.”
- B. Officers will label videos and include RB number or citation number when it contains recorded evidence.
- C. The retention period for media stored on MVR servers is as follows:
 - 1. Uncategorized video will be retained for (4) four calendar years.
 - 2. Non-Evidence video will be retained for (4) four calendar years.
 - 3. Traffic-Infraction Evidence video will be retained for (4) four calendar years.
 - 4. Misdemeanor Evidence video will be retained for (4) four calendar years.
 - 5. Felony Evidence video will be retained for (4) four calendar years.
 - 6. “LOCKED” video will be archived and retained indefinitely.
 - a. The classification “LOCKED” will be used to classify serious incidents such as officer-involved shootings, OPD vehicle crashes, or any event that it is deemed necessary.
 - (1) Recordings classified as “LOCKED” are restricted to specific employees only.

VIII. Deletion of Video and MVR System Administrator Responsibilities

- A. Deletion of video from the system.
 - 1. Upon the expiration of its classification-based storage time, the media will be automatically removed from storage unless a request is made to the MVR Administrator stating that it is needed for specific legal proceedings.
 - 2. Video for legal proceedings
 - a. City and County Prosecutors will send over a list monthly with RB numbers and citation numbers in which the associated video evidence can be deleted from the system.
 - b. The appropriate CIB Unit will review the list.
 - c. Videos will be set for 30-day deletion in the video system by the Unit responsible for video retention.
- B. The MVR Administrator will be responsible for the following:

1. Maintaining tracking of the media.
 - a. All media has an identification number that is registered with the recorder when placed into use.
 2. Long-term storage of media of evidentiary value consistent with the OPD's evidence storage protocols and retention schedule (archived server data).
 3. The erasure and reissuance of all digital media of no evidentiary value consistent with OPD document retention requirements.
 4. Deletion of recorded media stored on MVR servers pursuant to a court order.
- C. The MVR System Administrator will complete an annual statistical evaluation and administrative review of OPD's MVR usage.
1. The review will detail how frequently recorded media was used, identify any MVR financial impact issues/concerns, suggested training needs or updates, quantity of MVR Recorded Media, etc.
 2. The annual statistical evaluation and administrative review will be submitted to the Chief of Police, via the MVR Administrator's chain of command.

REFERENCES:

I. Previous OPD Orders

- A. Previous General Orders: #105-95, 17-98, 15-99, 8-03, 8-03 Supplement #1, 22-12, 11-13, 4-16, 24-16, 79-16, 49-18, 1-19, 1-19 Supplement #1, 68-22, 54-23, and 43-25.

II. Accreditation Standards

- A. Relevant CALEA Accreditation Standards: 41.2.2, 41.3.8, and 41.3.10.

III. Other

- A. PPM Monthly Updates: #02-2016, 08-2016, and 04-2021.