

**OVERLAND PARK POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE**



**NUMBER:** 2160  
**TOPIC:** AUDIO & VIDEO RECORDINGS  
**EFFECTIVE DATE:** 02/03/2026  
**SUPERCEDES:** 02/28/2024

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- I. PURPOSE**
  - II. PROCEDURE**
    - A. MEMBER RESPONSIBILITIES
    - B. REQUIRED USE OF RECORDING EQUIPMENT
    - C. EXCEPTIONS TO REQUIRED RECORDINGS
    - D. PROHIBITED RECORDINGS AND ACTIONS
    - E. MEMBER ACCESS AND REVIEW OF RECORDINGS
    - F. DIGITAL MVR & BWC FILE MANAGEMENT
    - G. DIGITAL VIDEO FILES FOR INTERVIEWS
    - H. DIGITAL BWC USE DURING OUTSIDE EMPLOYMENT AND OVERTIME ASSIGNMENTS
    - I. REPORTING REQUIREMENTS
    - J. CONFIDENTIALITY AND RECORDING IN CERTAIN VENUES
    - K. SUPERVISOR RESPONSIBILITIES
    - L. USE OF AND REQUESTS FOR ALL VIDEO FILES
    - M. STORAGE AND DIGITAL SYSTEM ADMINISTRATION
    - N. DIGITAL AUDIO RECORDING, FILES, AND RULES

CALEA References: [41.3.8\(A\)\(B\)\(C\)\(D\)\(E\)\(F\)](#)

- I. PURPOSE**
  - A. The Department's policy is for Members to use department-approved mobile video recording (MVR), body-worn cameras (BWC), and digital recording equipment to create files that facilitate court prosecutions; refute baseless complaints against Members and OPPD; protect Members and OPPD from civil litigation; enhance OPPD transparency and accountability to the public; and serve as training aids for procedural, legal, and safety-related issues. These systems have proven to be an effective law enforcement tool that reinforces the public's perception of police professionalism, transparency, and preserves interactions between the public and Members.
  - B. MVR is installed in most patrol vehicles and all interview/booking areas. BWC equipment is assigned to each commissioned Member and certain professional staff. BWC equipment is intended to supplement the MVR equipment. Any required inspections or use of MVR or BWC equipment addressed in this policy includes all OPPD video cameras, recording units, microphones, and battery packs. [41.3.8\(A\)](#)

- C. All audio, images, and media associated with MVR, BWC, interview rooms, and booking areas are the property of OPPD and will not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the express consent of the Chief of Police or his/her designee. If release is required by law, the Chief of Police and the Public Safety Attorney will be consulted prior to the release of any such record.

## II. PROCEDURE

### A. MEMBER RESPONSIBILITIES

1. Inspection and general maintenance of the MVR and BWC will be the responsibility of the assigned Member. The equipment will be operated following this policy and department training. [41.3.8\(E\)](#)
2. To use an MVR or BWC following this policy, Members will ensure their readiness by conducting an operational inspection before each shift. Any problems preventing the use of any MVR or BWC during the shift will be immediately reported to an on-duty shift supervisor. Problems that cannot be remedied will be reported to the Technology Section Captain by creating an IT Help Desk Ticket. Any lost or damaged MVR or BWC will be immediately reported to the Member's supervisor and the Technology Section Captain. Damaged equipment will not be used in the field until repairs have been completed. If a Member's BWC is taken out of service, a supervisor will issue a temporary spare BWC for the Member to go in service with until a permanent replacement can be obtained.
3. Members utilizing the BWC are responsible for monitoring the battery power status to ensure their BWC has sufficient battery charge for the duration of their shift or assignment. BWCs will be worn on the outermost garment worn by Members. It will be secured to the uniform using the mount/clip supplied by OPPD and properly positioned to record activities clearly without being obstructed by clothing or uniform accessories.
4. Unless otherwise approved by a supervisor, Members working in a first responder assignment will always drive vehicles equipped with MVR equipment, if available, and wear their assigned BWC on their person during the duration of their shift in a powered-on state (non-recording), unless entering certain venues as outlined in Section J (Confidentiality and Recording in Certain Venues). After completing a successful login, Members will confirm that their MVR and BWC equipment is operating and assigned to them. Members utilizing MVR and BWC equipment will be trained in its use and will operate the system according to instructions provided in the system's manual of operations. [41.3.8\(F\)](#)
5. Members will not log off of the MVR system until they are in a Department parking lot and their shift is complete.

### B. REQUIRED USE OF RECORDING EQUIPMENT

1. Members who are on-scene and addressing investigatory strategies among themselves may mute the audio on their BWC during these discussions. Stopping the recording on the BWC is prohibited while Members are still on-scene.
2. Users have the discretion to use the "mute" feature on the body-worn camera so that on-scene conversations between personnel can occur while the camera continues to record the scene without audio. The use of this feature is intended for transparency while also

allowing personnel to have conversations about charging decisions, training performance, and other task-related issues.

3. Members will activate their available MVR and BWC to capture:
  - a) All calls for service and self-initiated enforcement activity involving contact with a member of the community in their entirety (unless specifically exempted by this policy). Deactivating the MVR or BWC during a call for service is prohibited unless specifically authorized by this policy.
  - b) All emergency driving, per SOP 2120 Emergency Driving, when vehicles are equipped with MVR equipment.
  - c) Members working on assignments within the school environment will follow the guidelines outlined in Section J (Confidentiality and Recording in Certain Venues).
  - d) Any arrestee transport during which the arrested person should be in view of a camera (per SOP 1230, Arrestee Transfers & Restraints). Supervisors may authorize a transport in a vehicle not equipped with an MVR system or rear-seat camera; however, the department Member will utilize their BWC during the entire duration of the transport.
  - e) Any courtesy transport, during which all available MVR and BWC devices will be utilized.
  - f) Any interviews, interrogations, or questions related to the identification of a subject through the use of lineups, including the instructions given to and received from the witness(s), and other investigative activities where use is practical.
  - g) Any booking room activities. [41.3.8\(B\)](#)
4. Members should be aware that the MVR and BWC technology includes a pre-event recording feature that allows video images to be temporarily stored on the device for a short period, even when the MVR or BWC is not actively recording. All MVR and BWC devices are configured to capture the preceding 30 seconds of video before an event recording, which will be included in the event recording. This 30-second video before an event recording does not capture any audio set by the department. Pre-event recording occurs on MVR and BWC equipment anytime it is powered on.
5. Obtaining a person's consent to the recording is not required. If asked, Members will explain the use of the BWC during situations involving non-arrests and non-investigative encounters.
6. Members will utilize recording equipment as follows:
  - a) Body-Worn Camera
  - b) Mobile Video Recorder
  - c) Digital pocket recorders will be utilized as needed
  - d) Audio Recording Applications on Department-issued cellular phones
7. Anytime a BWC is used independently and not in conjunction with an MVR system (for example, Motorcycle officers, bicycle officers, etc.), officers will immediately select the appropriate event category on the BWC for each video file upon stopping the recording.
8. Live Streaming, GPS, and Bi-Directional Communication
  - a) The use of real-time location data is available to all authorized users of the BWC system. The real-time data shall only be used for business or law enforcement purposes. Commissioned Supervisors, Communication Supervisors, and Real Time Information Center personnel have system permissions to view livestreams

from MVR and BWCs that are actively recording. The Department recognizes the importance of being able to livestream critical incidents to help with the response, deployment of personnel, or to monitor the incident for compliance.

- b) Live streaming does not diminish or eliminate the need for field response from supervisory personnel.
- c) The viewing of BWC live stream should only be done to monitor developing emergency situations, check a member's safety or welfare, to obtain information to assist in managing an event, or monitor the incident for compliance. Only authorized personnel may utilize the livestream. The authorized supervisor should attempt to notify the BWC user that they will be activating the feature if it is safe and practical to do so. The BWC user will have several indicators of a livestream. There is a distinctive beep, a purple light, vibration, and the screen display will change to "livestream".
- d) The BWC livestream feature may be used to enhance safety when not mounted to an authorized user's uniform. This may involve attaching the BWC to robots, poles, or other fixed or mobile objects.
- e) Authorized personnel shall consider battery life and the type of call before activating the livestream function on a BWC, since the operation can affect the device's battery life.
- f) All personnel should be aware that there is an audit log of activity related to MVR and BWC access.
- g) The BWC contains a Bi-Directional communication feature that can only be used during the livestream function. All communication is recorded. Members will be professional in nature when using bi-directional communication, and this feature will be limited to official business purposes only.
- h) Co-Responders or CIT Officers can utilize bi-directional communication with an on-duty supervisor's approval.
- i) Officers may request supervisory direction when the situation warrants via the BWC.
- j) Automatic Facial recognition will not be embedded into the BWC.

### C. EXCEPTIONS TO REQUIRED RECORDING

1. Members will only deactivate their MVR or BWC when placed on a related assignment that has no investigative purpose, such as a scene security post, traffic post, etc. Recording may cease if a department Member is simply waiting for the arrival of a tow truck, taxi, family member, or other similar non-confrontational, non-evidentiary situation.
2. Members working in undercover assignments or plain clothes assignments will adhere to the conditions of this policy anytime they intend to identify themselves as a police officer, execution of a search warrant, or attempt to effect an arrest. Majors may authorize a deviation from the requirement of utilizing a BWC based on specific assignments. These deviations will be submitted for Deputy Chief approval and will include the date the exception was requested, the reason for the exception, and the expiration of the exception. Majors will be required to review any approved exceptions annually.
3. Members assigned to Federal Task Force assignments will follow this policy unless they are part of an operation being directed by the respective federal agency under which they are credentialed. In those situations, they will adhere to that specific agency's BWC policy and utilize BWC devices provided by their respective federal agency. If a BWC is unavailable, the Member will wear their OPPD-issued BWC.

#### D. PROHIBITED RECORDING AND ACTIONS

1. The MVR and BWC will not be used to record communication with other police personnel during non-enforcement-related activities without their knowledge. The BWC will be worn during the duration of their shift for any Department Member working in a uniform in a first responder-type assignment unless entering certain venues as outlined in Section J (Confidentiality and Recording in Certain Venues). The Department recognizes privacy concerns; however, the equipment must be readily available to activate at any given moment when a police response is warranted.
2. Members will not make copies, screen recordings, screen-captures, or any other form of recording or photos for their personal use or sharing. Members are prohibited from allowing anyone else to use another recording device to record media captured from the MVR and/or BWC. Members are not permitted to use personally owned or non-department-issued recording devices or non-department-approved applications to record official duties.
3. Intentional misuse or abuse of the MVR and/or BWC will result in disciplinary action.

#### E. MEMBER ACCESS AND REVIEW OF VIDEO RECORDINGS

1. Members may access and view their in-car video. MVR and BWC video files will automatically upload upon stopping a recording, and a cellular connection or a WiFi connection is established when doing so is necessary in the field to protect Member safety or to assist with an ongoing law enforcement investigation. BWCs can also be uploaded through a transfer station at each station if not connected to a secured WiFi network or MVR system.
2. Any critical video files (those videos involving a complaint, response to resistance, vehicle pursuit, arrest, or otherwise requested by a supervisor) will need to be uploaded to the video management software system before the end of the Member's shift.
3. After video files are uploaded, Members may view their video files from the MVR, BWC, interview, or booking room video systems on a city-owned computer upon proper entry of their user ID and password. Access to video recordings will be limited to official business purposes only.
4. Supervisors, Field Training Officers, and Detectives will have viewing rights for all video files when there is a legitimate and authorized purpose. Supervisors and personnel in the Office of Professional Standards (OPS) will also have authorization to restrict internal access or update any video file's previously assigned priority level.
5. Members will not have the ability to edit or erase any MVR or BWC recording. Requests for deletion of a recording (e.g., accidental, personal recording) must be submitted in writing and approved by the Chief of Police or designee in accordance with state record retention laws. All requests and final decisions will be kept on file.
6. If there is a disciplinary matter or hearing involving an officer, the officer will be allowed to review the MVR or BWC of the incident in question.

## F. DIGITAL MVR & BWC FILE MANAGEMENT

1. Members will monitor their MVR and BWC storage capacity throughout their shift and complete file uploads if necessary. If the MVR or BWC wireless system malfunctions or fails to upload properly, contact IT or the Technology Section Captain to assist in recovering the video files.
2. To ensure video files are available for public purposes, court hearings, and various OPPD review purposes, Members will attach appropriate classification levels to all video files using the following:
  - a) Equipment check: Videos are stored for 30 days and will not be archived.
  - b) Routine Contact: Videos are stored for 90 days and will not be archived.
  - c) Traffic Citation: Videos will be stored for 2 years. Videos will be purged 2 years from the date of the initial recording.
  - d) Municipal Court Transport: Videos will be stored for 365 days. Videos will be purged 1 year from the date of the initial recording.
  - e) Arrest/Evidence/DUI/Complaints/Pursuits/Use of force, and interviews: Videos will be stored indefinitely.
  - f) Unknown: Videos that are not assigned an appropriate classification will result in an unknown classification. Unknown videos are stored indefinitely unless manually updated within the video management software system to an appropriate classification. [41.3.8\(D\)](#)

## G. DIGITAL VIDEO FILES FOR INTERVIEWS

1. Digital video recorders are installed at the Sanders Justice Center Booking, Myron Scafe Booking, CID Interview rooms, Sanders Justice Center Station Offices, Myron Scafe Station Offices, and the Overland Park Oak Park Mall Office Interview rooms. (See the manual for instructions on how to use the equipment.) All interviews recorded on digital media will be assigned the appropriate retention level. Members will utilize their BWC in Booking areas to supplement fixed camera coverage.
2. Members are required to utilize available video and audio equipment for all arrest-related activities conducted in the Booking areas. Members will also utilize their BWC in the Booking rooms to record activity involving an arrested person. Members will assign an appropriate classification to all resulting video files.

## H. DIGITAL BWC USE DURING OFF-DUTY EMPLOYMENT & OVERTIME ASSIGNMENTS

1. All Members assigned a BWC who are in uniform and engaged in law enforcement-related activity, including overtime and off-duty employment, are required to wear and utilize their BWC. The BWC shall remain in a powered-on state and will be worn on the Member's person during the duration of the Member's shift or assignment unless otherwise exempted by this policy.
2. Department-issued BWCs are intended for official Departmental use only and are not to be used for frivolous or personal activities.

## I. REPORTING REQUIREMENTS

1. Members will note in written reports when the MVR and BWC video is utilized. The Department recognizes that video images cannot always show the full story, nor do video images capture an entire scene. The Department also recognizes that the MVR and/or BWC video does not mirror the perspective of the department Member at the time of an incident, nor does the video include other factors known to or perceived by the department Member that could impact their judgment and decision-making, such as events beyond the scope of the camera or the difference between human vision and the camera's video recording abilities. Therefore, the use of mobile video and body-worn cameras does not reduce the requirement to provide thorough written documentation of an incident.
2. When preparing reports, Department employees may review recordings as a resource to refresh recollection. However, employees shall not retain personal copies or recordings and must still complete comprehensive written narratives.

## J. CONFIDENTIALITY AND RECORDING IN CERTAIN VENUES

1. Recording conversations with fellow employees without their knowledge is prohibited.
2. MVR and BWC equipment will not intentionally be used to record encounters with undercover officers or confidential informants.
3. Public/media requests for MVR and BWC data (images, sounds, and metadata) must be specifically authorized by the Chief of Police or designee. Videos are audited to ensure only authorized users are accessing the data for legitimate and authorized purposes. Audit logs are readily available upon request to show who accessed any video in question.
4. BWCs will be utilized to record interactions with individuals in hospitals, mental health treatment facilities, or other clinical settings. Members will be cognizant of protecting patient privacy and should avoid recording conversations between staff and other patients.
5. To respect the dignity of others, and unless articulable, exigent circumstances exist, Members will use discretion and good judgment and will try to avoid recording videos of persons when sensitive areas of their bodies are exposed.
6. The BWCs will not be used in areas where a reasonable expectation of privacy exists. These include areas such as locker rooms, dressing rooms, restrooms, or during strip or body cavity searches, unless circumstances dictate the need to record.
7. Members working as School Resource Officers perform duties in a working environment that is unique within law enforcement. SROs will use BWCs with special restrictions balancing student privacy and transparency. SROs are expected to continuously build trusting relationships with students and staff and are often required to have impromptu interventions with students to de-escalate arguments and/or conflicts. As such, SROs will use BWC equipment with the following special regulations.
8. The BWC will be activated in any of the following situations while working in the school environment:
  - a) When summoned by any individual to respond to an incident, it is likely that law enforcement action will occur when you arrive.

- b) Any activity where it is previously known that you will make a custodial arrest
  - c) When any interaction with a juvenile evolves into a call for service, official investigation, or enforcement action.
  - d) Any activity where it is known that your questioning or investigation will be used later in criminal charges.
  - e) When feasible, an SRO will activate the BWC when the contact becomes adversarial or the subject exhibits unusual behaviors.
9. Nothing in this policy undermines the fact that, in many instances, SROs are suddenly forced to take law enforcement action and have no opportunity to activate the BWC.

## K. SUPERVISOR RESPONSIBILITIES

1. Supervisors must ensure that Members use recording equipment according to policy guidelines.
2. Supervisors aware of critical videos (complaints, pursuits, arrests, or supervisor requests) will ensure upload before the end of the shift. If the wireless upload or other locations are malfunctioning, the field supervisor will complete an IT Help Desk request and contact the Technology Section Captain.
3. Supervisors will complete reviews of videos that are intended to formally examine and evaluate internal policies, procedures, and operations related to the MVR and BWC usage from each Member assigned to them. These reviews are a proactive approach to identifying any gaps and correcting them while maintaining good practices within the MVR and BWC program.
4. Supervisors will review the recordings of all Members involved in the following incidents:
  - a) Injury to a Member
  - b) Claim of injury or damage from a member of the community due to OPPD actions
  - c) Injury to a community member from OPPD actions
  - d) Response to Resistance
  - e) When any Member unholsters a weapon
  - f) Vehicle Pursuits
  - g) Fail to Yield incidents
  - h) Vehicle crashes involving a city-owned vehicle
  - i) When any Member of the Department intentionally or unintentionally discharges a firearm while on duty, unless the Member is euthanizing an animal per SOP 2020, Animal Control
  - j) Complaints or inquiries from a member of the community
5. Supervisors will initiate the recovery of pre-event videos during any incident where evidence or information about an investigation is not originally captured during activation, if there is a reasonable expectation that a video from the MVR and/or BWC may provide a clarifying video. Supervisors needing assistance with the recovery of a pre-event video will investigate the circumstances of why the MVR and/or BWC did not activate as intended and forward those findings to the Technology Section Captain for review. Supervisors will take progressive disciplinary action against Members who repeatedly fail to activate their MVR and/or BWC as trained by the department and in compliance with this policy.

6. At least three (3) MVR and/or BWC recordings will be reviewed by supervisors for each Member they supervise quarterly. These three MVR and/or BWC videos will be in addition to any mandated video reviews listed above. [41.3.8 \(F\)](#)
7. Supervisors are responsible for updating video categories correctly. When a recording is categorized incorrectly or listed as unknown, the Member's supervisor will ensure the correct category is applied within 14 days from the date of the recording unless otherwise approved by a Police Captain or higher-ranking supervisor.
8. During response to resistance reviews or vehicle pursuits, it is critical that supervisors verify that all related videos to the incident have the correct category assigned to each video. Failure to update videos could have significant consequences, as they are unrecoverable if purged from the system.
9. Requests to restrict access to certain videos will be directed to the Chief of Police or designee. These videos would include any time a report is going to be restricted, accidental capturing of privacy environments during a call for service, significant disciplinary action, pending litigation, significant response to resistance events, or other events as directed by the Law Department or Command Staff.

#### L. USE OF & REQUESTS FOR ALL VIDEO FILES

1. Non-law enforcement personnel will not be allowed to review MVR or BWC at the scene.
2. In addition to any disclosure authorized by K.S.A. 45-215 et seq., a person described below may make a request in accordance with procedures adopted under K.S.A. 45-220, and amendments thereto, to listen to an audio recording or to view a video recording made by a body camera or a vehicle camera. OPPD shall allow the person to listen to the requested audio recording or to view the requested video recording as expeditiously as possible, but not more than 20 days after making the request.
3. Any of the following may make a request under K.S.A. 45-254(b)
  - a) A person who is a subject of the recording,
  - b) Any parent or legal guardian of a person under 18 years of age who is a subject of the recording,
  - c) An heir at law, when a decedent is a subject of the recording
  - d) An attorney for a person described in this subsection.
4. Any such request will be discussed with the Public Safety Attorney and coordinated through the OPPD Records Department.
5. Members, City Prosecutor's Office personnel, and JOCO District Attorney personnel may request any video files for which they have a legitimate business interest. (See the manual for instructions on how to request a video.) [41.3.8\(C\)](#)
6. It is the goal of this Department to support and promote openness of government by publicly releasing BWC footage regarding officer-involved critical incidents (i.e., officer-involved shootings), while protecting the sensitivity and privacy rights of those individuals involved. In any such event, the Chief of Police or designee, the District Attorney's Office, City Management, and the Public Safety Attorney will reach a consensus regarding the public release. The existence of an ongoing investigation into misconduct shall not be used as the

sole determining factor to not publicly release body-worn camera footage, as doing so would create a blanket exception to releasing footage; thereby undermining the transparency and accountability functions. In these cases, the totality of the circumstances and applicable legal and policy considerations should be considered.

7. A recording will not be publicly released until the subject of the recording, their parent, or legal guardian, heir(s) at law if the subject is deceased, has been afforded the opportunity to review any such recording within 72 hours of the recorded event.
8. In the event of a request for any video files pertaining to a case that has been submitted or may be submitted to the JoCo District Attorney's Office for criminal charges, that office will be consulted prior to any release.
9. The Department may release critical incident footage after consultation with the District Attorney and City Legal, balancing privacy and transparency.

#### M. STORAGE & DIGITAL SYSTEM ADMINISTRATION

1. It will be the responsibility of the Records and Property Section Commander to ensure:
  - a) Creation of video cases shared with the District Attorney's Office, Municipal Court, and outside legal defense attorneys.
  - b) Deletion of the video cases shared with the District Attorney's Office and Municipal Court after an official notification from the appropriate court advising that the evidence related to the case is no longer needed.
2. The Records Unit supervisor will assign Records Unit personnel to ensure:
  - a) Dissemination of video files and media returned by Members and the OP Municipal court is properly tracked and logged.
  - b) At least once each quarter, audit the sign-out list to identify or attempt to identify unreturned video copies and create reports for supervisory follow-up.
  - c) Archived video files are appropriately maintained.
3. Files will be securely stored following state records laws and no longer than is useful for training or prosecution.

#### N. DIGITAL AUDIO RECORDING, FILES, AND RECORDER RULES

1. Members will use their OPPD-issued digital audio recorders during contacts, which could reasonably result in a witness statement, a suspect interview, and confession, an arrest, or a community member's complaint if their BWC is not functioning properly and they have no other recording device available.
2. When practicable, interpreter-assisted or Language Line interviews should be recorded in their entirety by using a speaker phone, phone jack, or available BWC video. Barring an emergency or a reasonable belief that doing so will compromise an interview, information gained by Members should also include the recording of the date and time the recording starts and concludes.
3. Members should record all interviews and confessions in their entirety, as well as the start time when a break is initiated, the reason for the break, and the time the break ended. If a

malfunctioning recorder cannot be corrected by common troubleshooting, Members should contact a dispatcher and request another Member with a properly functioning recorder. If a recorder malfunction is not discovered until after an incident has concluded, Members will notify a supervisor and document the malfunction in the resulting police report or call notes.

4. Members will download the evidentiary recorded audio files they collect according to police-related incidents when a recording is directly associated with a case. These downloaded files will be stored through the Records Management System and associated with the appropriate case number. After completing downloads, Members will attach appropriate identifiers to the resulting audio file. Members will confirm their audio files have been downloaded completely and are properly stored in the appropriate location. No property voucher is required when Members transfer audio files to the server. After audio files have been properly stored, the original recording can be erased, and the recorder may be returned to service.
5. Audio files can be accessed via the RMS system. This access method also includes users in the Johnson County District Attorney's Office and the City Prosecutor's Office.
6. When a recording is not directly associated with a case, but only relates to a specific event number, such as a traffic stop, FIF, or community member contact, the recording will be handled as follows:
  - a) Members will store digital audio files on their department's F: drive for a minimum of 90 days. Members are responsible for deleting audio files over 90 days to avoid excessive digital storage.
  - b) Digital audio files will be organized and labeled in a manner that they can be located upon request.
  - c) Audio files needed for any other purpose should be burned to a DVD and submitted to property.
7. All audio files recorded by Members acting in an official capacity are OPPD property and will only be copied or disseminated for official police purposes. Unless approved by a supervisor, Members will not copy, release, or disseminate audio files, except to the OP Prosecutor or the JO CO DA. All other audio-file disseminations will be completed by the OPPD Records Unit in compliance with established CHRI procedures and the release of police reports.

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