



ORONO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES

Protect with Vigilance & Serve with Compassion and Excellence

Subject:	Patrol Vehicle Audio / Video Recording	Policy #	O-19
Effective Date:	February 16, 2023	Review Cycle:	2 Years
Distribution:	All Sworn Personnel	# of pages:	4
MLEAP:	7.34.A, B, C, D, E, F, G		
	<i>Rescinds All Previous Policies Related To This Current Policy</i>		
Issuing Authority:	Chief of Police Daniel Merrill		

I. POLICY

It is the policy of the Orono Police Department to equip the patrol vehicles with audio/video recording equipment, which is used to create audio and/or video recordings for evidentiary purposes and as a source of information to assist with civil, criminal, or administrative proceedings.

II. PURPOSE

MLEAP 7.34.A

The purpose of this general order is to establish the Orono Police Department guidelines regarding patrol vehicle audio/video recording equipment and recordings.

III. DEFINITIONS

Digital recording media: A recording media used with digital recording equipment; typically, USB, CD-R or DVD.

Patrol vehicle: A Orono Police Department vehicle used to routinely patrol the highways and roads of the town of Orono.

Recording: A digital audio and/or video record of sounds and/or images.

Recording media: The medium (Server, USB, DVD, or CD-R) on which the recording is stored.

Recording equipment: The equipment that may be used to create digital audio and/or video recording.

IV. ADMINISTRATION

The Orono Police Department has adopted the use of Patrol Vehicle Audio / Video recording technology to accomplish several objectives. The primary goals are as follows; **MLEAP 7.34.C**

1. Accurate documentation of specified police-public contacts, arrests, and critical incidents.
2. Enhanced accuracy of official reports and testimony in court.
3. Enhanced capabilities for assessment of probable cause for arrest or search, officer and suspect interaction, evidence for investigative and prosecutorial purposes, and provide additional information for officer evaluation and training.
4. The Patrol Vehicle Audio / Video recording may also be helpful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
5. Preservation of evidence for use in state and federal prosecutions of criminal cases.

V. PROCEDURE

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This policy is not intended to describe every possible situation in which the patrol vehicle audio/video system may be used. However, as provided in *paragraph A* below, there are situations in which the system must be used.

MLEAP 7.34.B

- A. The activation of the patrol vehicle audio/video system is mandatory in any of the following situations:
 - 1. Vehicular pursuit.
 - 2. Suspicious vehicles.
 - 3. Arrests and transports.
 - 4. Pedestrian Check.
 - 5. OUI investigations.
 - 6. Custodial and non-custodial interviews.
 - 7. Responding to an in-progress call.
 - 8. All traffic enforcement.
 - 9. Domestic violence calls.
 - 10. Disorderly Conduct calls.
 - 11. Offenses involving violence or a weapon.
 - 12. All encounters that become confrontational.
- B. In addition to the situations in which use of the system is mandatory, officers may activate the system any time they believe it to be appropriate or valuable to document an incident.
 - 1. In some circumstances, it is not possible to capture images of an incident due to conditions or the location of the camera. In these circumstances, the audio portion may be valuable evidence and is subject to the activation requirements as the patrol vehicle audio/video system.
 - 2. Any other circumstance in which an officer believes that a recording of an incident is appropriate.

VI. INSPECTION, MAINTENANCE, AND REPAIR OF RECORDING EQUIPMENT

MLEAP 7.34.E

- A. **Inspection and Maintenance**-An officer whose patrol vehicle is equipped with recording equipment shall inspect the equipment at the commencement of every shift and report any malfunctions or problems with the equipment to the Shift Supervisor, Captain, or Chief.
- B. **Repair** - An officer who determines that their recording equipment is in need of servicing or repair shall notify the Shift Supervisor, Captain, or Chief as soon as possible.

VII. GENERAL OPERATION

Recording equipment shall be used in accordance with the following standards.

- A. Inquiries regarding the use of recording equipment - An officer using recording equipment shall inform a person that such equipment is in use if asked.
- B. Digital recording equipment and recording media.
 - 1. An officer whose patrol vehicle is equipped with digital recording equipment shall be appropriately trained in the use of such equipment.
 - 2. An officer shall not alter agency established default vendor settings of his or her patrol vehicle's digital equipment.
 - a. Default settings are determined by the Chief of Police or designee and are programmed by the camera administrator.

MLEAP 7.34.F

- b. Altering such default setting is grounds for disciplinary action, up to and including termination.
- 3. An officer shall report deficiencies of any aspect of his or her patrol vehicle's digital recording equipment directly to the Shift Supervisor, Captain, or Chief.
- 4. A patrol vehicle's digital recording equipment must be installed so that it begins recording images when the patrol vehicle's lights are activated.
- 5. An officer may review his or her own video on the digital recording device during their current shift.
- 6. Officer's patrol vehicle's digital recordings will automatically upload to the server upon arrival at the Orono Police Department.
- 7. Proper removal of the USB is imperative. Steps must be followed to ensure the data on the USB is not corrupted. The USB will be removed by Orono Police Administration only.
- 8. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the video file.
- 9. An officer shall save the video (after the event to be captured has ceased) using the on-screen commands that best fit the circumstance.
- 10. To prevent recording interruptions and loss of data, the officers will go to the Orono Police Department for video upload when the drive capacity meter is yellow.

VIII. STORAGE AND COPIES OF VIDEOS

- A. An officer shall request copies of any video needed for evidence in cases through the Captain or designee. An officer shall make a written notification in his/her report that the audio/video exists. **MLEAP 7.34.C**
- B. The video shall not be deleted for any reason without the direction of the Chief of Police or designee. Unauthorized deletion of video is grounds for disciplinary action, up to and including termination.

IX. RESTRICTIONS

Recordings shall be used only in conjunction with official law enforcement duties. The recording shall not generally be used to record; **MLEAP 7.34.B**

- A. Communications with other police personnel without the permission of the Chief of Police.
- B. Encounters with undercover officers or confidential informants.
- C. When on break or otherwise engaged in personal activities.
- D. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.
- E. Unusual or exceptional events/incidents related to law enforcement activities that generate the interest of many. However, members of the department shall not afford individuals, outside of the parameters of law enforcement, the opportunity to review a segment of video prior to the related incident being adjudicated in court and not without authorization by the Chief of Police. This practice, if allowed, may constitute pre-trial publicity and inhibit regular court proceedings.
- F. No video shall be used in such a manner that will embarrass individuals on the tape or in any way discredit this department.

X. SUPERVISORY RESPONSIBILITIES

MLEAP 7.34.G

- A. Supervisory personnel shall ensure that cruiser videos are in working order and officers follow all applicable policies and procedures for use of the devices.
- B. Recordings shall be reviewed and documented by supervisors and/or command staff.
 - 1. When a Use of Force as defined under the policy has occurred.

2. Complaints made by the public against a member of the Orono Police Department.
3. Calls for service while an officer is undergoing field training to order to assess their performance.

XI. RETENTION OF VIDEO

MLEAP 7.34.D

- A. All videos are retained indefinitely in cloud storage.