


Department of Public Safety
Police Division
Operations Policies and Procedures

<u>Title</u> In-Car Video Recording System	<u>SOP Number</u> 9.1.701
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In-Car Video Recording System

I. PURPOSE

The University of Cincinnati Police Division (UCPD) deploys an “**In-Car Video Recording System**” (**IVRS**) in an effort to fulfill its commitment to professionalism, accountability, and transparency. The IVRS is a video and audio recording system assigned to each patrol vehicle while in use for police activity. The IVRS is meant to supplement the police officer’s visual perspective of an incident, thus allowing the police officer a greater opportunity to capture details otherwise missed during times his/her attention might be focused elsewhere.

The IVRS recording system captures unbiased video and audio recordings of interactions with the public and general patrol operations. The IVRS system provides an accurate account and review of an incident and may be used to corroborate subsequent trial preparation practices, procedures, and evidence collection.

II. Policy

The IVRS shall be used for legitimate law enforcement purposes only; as described by statute and departmental policy. All data shall be captured, maintained, stored, viewed, and disclosed following the prescribed policy.

III. Definitions

Accidental Video Recording: When a video recording is initiated inadvertently and has no evidentiary value.

Categorized Incident: Video footage that is automatically assigned a title/category by the Computer Aided dispatch (CAD) system. Such titles include Court, Domestic Dispute, and Traffic Stops.

Incidental Video Recording: When a video recording is initiated by a BWC system signal for an uninvolved police officer and has no evidentiary value.

Mandatory Review Video: UCPD video of incidents that must be reviewed by the approving or investigating supervisor. These incidents include all Arrests, Citations, Uses of Force, Vehicle Pursuits, Vehicle Accidents, all off campus Traffic Stops and Pedestrian Stops.

Non-Mandatory Review Video: UCPD video that is not automatically subject to supervisor review as described above, but may be randomly selected for review and include any uncategorized incidents.

Serious Misconduct: Conduct that could result in suspension or dismissal to include but is not limited to, criminal conduct, sexual harassment or sexual misconduct, excessive or unnecessary use of force or brutality, corruption, improper searches and seizures, discrimination, racial profiling, or biased policing.

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Uncategorized Incident: Video footage that is not automatically assigned a title/category by the Computer Aided dispatch (CAD) integration system due to a lapse in time of video activation.

IV. Procedures

A. GENERAL INFORMATION

DEPARTMENT-ISSUED IN-CAR VIDEO RECORDING SYSTEM

1. All patrol officers will be trained in the use of IVRS. IVRS equipment will be used following IVRS training and this procedure.
2. All police officers will utilize the IVRS while on duty in a marked patrol vehicle.
3. Police officers will not use any personally owned recording equipment or devices while on duty without approval from the Chief of Police.
 - a. Data images, video, and metadata captured, recorded, or otherwise produced by the IVRS is the sole property of the UCPD.
 - b. Requests for IVRS images of footage shall be made through a Public Records request.
4. Police officers who discover an operational defect with the IVRS will attempt to correct the problem according to the training provided (I.E. reseating cables, cycling the power, etc.).
 - a. If the IVRS is found to have a physical defect or malfunction, the police officer will immediately notify their supervisor, remove the device from service, and complete a BWC/Dash Cam Request for Service form describing the events leading up to failure.
 - b. The supervisor will issue the police officer a spare IVRS and document the issuance in the equipment log.
5. Police officers shall not:
 - a. Bypass or attempt to override the IVRS equipment, including the audio function.
 - b. Erase, alter, or delete any recording produced by the IVRS.
6. Police officers shall notify their supervisor as soon as practical if either an accidental or incidental video recording is created. Once notified the supervisor shall review the video and categorize it as either Accidental or Incidental Recording in the system before the end of their shift.

B. WHEN DEPARTMENT-ISSUED IN-CAR VIDEO RECORDING SYSTEM USE IS REQUIRED

1. This section is not intended to describe every possible situation where the system shall be used. In general, the IVRS shall be used to record activities where law enforcement action is about to occur, occurring, or has occurred, or where other circumstances could result in a police officer/citizen contact.
 - a. In some circumstances, it may not be possible to capture images of an incident due to the position of the IVRS.
 - b. In all instances, the audio portion can be valuable evidence and therefore, purposely muting the audio where IVRS activation is required is prohibited.
 - c. The IVRS will automatically activate when the vehicle emergency lights are activated.

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2. Police officers shall activate the IVRS when responding to the following scenes:
 - a. On arrival at the scene of any dispatched or self-initiated call where the IVRS would be beneficial in addition to the BWC, officers shall activate the IVRS. Examples include:
 - 1) Any detention or arrest of an individual(s), or when such action is likely to occur in range of the vehicle; or
 - 2) Interacting with a detained or arrested person in range of the vehicle; or
 - 3) Confronting disorderly or hostile subjects in range of the vehicle; or
 - 4) Searching for or collecting evidence in range of the vehicle; or
 - 5) Traffic stops, from the initiation to the completion of the enforcement action; or
 - 6) OVI investigations, including field sobriety tests; or
 - 7) Warrant service in range of the vehicle; or
 - 8) Investigatory or reasonable suspicion detentions in range of the vehicle; or
 - 9) Any contact that becomes adversarial in an incident that would not otherwise require recording. In those situations, it may be impractical or unreasonable for police officers to activate their IVRS before taking police action. In that case, police officers will activate their IVRS as soon as practical to record the remainder of the incident; or
 - 10) When approached by any person wishing to complain about services provided by or employees of the Department of Public Safety in range of the vehicle; or
 - 11) As directed by a supervisor
3. The IVRS activation range is generally a thirty-foot radius around the vehicle.
4. In addition to the required situations, police officers shall activate the system anytime they believe its use would be appropriate and/or valuable to document an incident.
5. There may be instances in which a police officer is required to take immediate action to an event that occurs directly in front of them which may not allow time to activate their IVRS. In these circumstances, the police officer shall activate their IVRS as soon as practical.
6. Failure to activate the IVRS as required by this policy will be reviewed and will result in corrective action up to and including coaching, counseling, reprimand, suspension, or termination.

C. UPLOADING VIDEO, STORAGE, and CHARGING

1. All video/recordings captured during the shift(s) are automatically uploaded via Wi-Fi. In the absence of the ability to automatically upload (no Wi-Fi available), the Inspections Lieutenant will manually upload all videos.

D. DEACTIVATION OF THE IN-CAR VIDEO RECORDING SYSTEM IS AUTHORIZED WHEN

1. The incident has concluded.

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- a. For purposes of this section, the conclusion of an incident has occurred when:
 - 1) An arrested suspect has been processed and released from custody
 - 2) All witnesses and victims have been interviewed
 - 3) No further law enforcement action is likely to occur (e.g. after an encounter has concluded and the subject is sent on their way)
2. After arrival on the scene of a dispatched or self-initiated call, a police officer is permitted to deactivate the IVRS ONLY if the incident is out of the range of the IVRS AND the BWC has been activated.

E. WHEN DEPARTMENT-ISSUED IN-CAR VIDEO RECORDING SYSTEM USE IS NOT REQUIRED

1. Activation of the IVRS is not required during routine patrol.
2. While the police officer is engaged in non-enforcement activity; such as meal breaks or routine conversation with the general public.

F. IN-CAR VIDEO RECORDINGS AS EVIDENCE

1. In all Critical Use of Force incidents, once the scene is secure, the OIC will direct a supervisor to secure the involved police officer(s)' IVRS. The supervisor will document the date, time, location, and from which police officer(s) the IVRS video was obtained.
2. Recordings will be manually erased only by the system administrator following Ohio Public Records Law (149.43), University records retention schedule, and approval by the Chief of Police, unless preserved for:
 - a. Court proceedings and any subsequent appeal processes
 - b. An ongoing criminal or internal investigation

G. SUPERVISORY REVIEW OF IN-CAR VIDEO RECORDING SYSTEM RECORDINGS

1. Supervisors shall ensure that if there are multiple police officers at an incident, all videos are categorized consistently and correctly.
 - a. Videos/recordings will be reviewed to ensure they comply with Division policies and procedures.
 - b. Supervisors will utilize the following process to access videos:
 - 1) Open Windows Explorer – Address bar – evidence.com
 - 2) Enter your email address and click “GO”
 - 3) Select “uofcincinnatiipd.evidence.com”
 - 4) Enter USERNAME and PASSWORD
 - 5) Select “SIGN IN”
 - 6) Select “EVIDENCE” in the toolbar
 - 7) Enter the police officer’s last name in the “OWNER” section – A drop-down box with users will appear. Select the correct user name and then select “SEARCH”.
 - 8) Select the video to review from the list and double-click to activate the video.
 - 9) Press the play button and review the video.

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- 10) The last step in completing the review is the “NOTES” section located at the bottom of the screen. Scroll down and click in the “Notes” section and add your notes. The NOTES section must be completed by a supervisor to complete the video review.
- c. The approving or investigating supervisor shall review the associated IVRS video/recordings for the following incidents (Mandatory Review Video):
 - 1) Arrests
 - 2) Citations
 - 3) Uses of Force
 - 4) Vehicle Pursuits
 - 5) Vehicle Accidents
 - 6) Traffic Stops
 - 7) Off-campus Pedestrian Stops
- d. Weekly, each patrol Lieutenant will review 1 random non-mandatory IVRS or BWC video/recording for at least one police officer assigned to their shift.
- e. Weekly, each patrol Sergeant will review 3 random non-mandatory IVRS or BWC videos/recordings for police officers assigned to their shift.
- f. Weekly reviews will be conducted in a manner that ensures each police officer assigned to the shift has at least one video reviewed each month.
- g. All IVRS and BWC videos/recordings reviewed will be placed into either the ‘Supervisor Reviewed – Action Taken’ or the ‘Supervisor Reviewed – No Action Taken’ categories on evidence.com. The supervisor who completes the review will indicate whether the review was “mandatory” or “non-mandatory” (random) in Evidence.com.
- h. Appropriate corrective action must be taken immediately to address any concerns raised during the review. The level of action taken will depend on the concern: actions inconsistent with policy that arise as a result of the supervisory review.
 - 1) Minor policy violations and/or training issues: Counsel the police officer and document concerns and discussion in Guardian Tracking.
 - 2) Serious misconduct: Immediately notify his/her supervisor and document the finding on a [Complaint Form-15\(A\)](#).
 - 3) Any Complaint Form will then be investigated following UCPD policy 4.2.100 Internal Investigations and Complaints.
- i. Members of the Support Services Bureau will review the following specified videos/recordings, at a minimum;
 - 1) Arrests
 - 2) Uses of Force
 - 3) Citizen Complaints
 - 4) Vehicle Pursuits

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- j. Monthly, a member of the Standards and Strategic Development Bureau will conduct an audit of the IVRS video logs to ensure supervisory reviews are being conducted following this policy. The results of the audit will be submitted to the Police Chief through the chain of command.
3. Officers may view BWC footage at UCPD utilizing vendor-approved software and equipment or on any computer with internet capability. The viewing of BWC footage is for official use only.
To ensure the IVRS is working.
 - a. When an officer is involved in a Critical Use of Force, their BWC will be subject to the process outlined in UCPD Policy 7.2.100 Use of Force regarding Critical Use of Force Investigations.
 - 1) A review of the BWC footage will be made according to the Critical Use of Force investigative process and at the discretion of the Director of Public Safety or their designee.
4. Recordings will not be used or shown with the intent to ridicule or embarrass any employee.
5. Employees shall not (attempt to) obtain or convert, for their personal use or the unauthorized use of another person, any information obtained by an IVRS.
6. Employees shall not make personal copies of recordings or attempt to upload recordings to social networking sites (e.g., Snapchat, YikYak, YouTube, Facebook, etc.).
7. All BWC or IVRS videos that are requested as part of a public record request will be viewed by the Support Services Bureau, the Inspections Lieutenant, or the Patrol Captain or designee for police quality before it is released to the Records Section to be redacted and sent out for the request.
 - a. After review, public records requests for video releases must be submitted through the normal Division records request process.
 - b. After review, video recordings may be released to the Prosecutor through the normal evidentiary process.

H. IN-CAR VIDEO RECORDING SYSTEM CATEGORIZING PROCESS

1. The Computer-Aided Dispatch (CAD) system will generate a predetermined title for the video. In the **absence** of a CAD-generated title, the system administrator is responsible for the incident disposition will title the video.
 - a. The responsible supervisor shall also title any other police officer whose IVRS captured the incident with the same verbiage.

I. Approved Format

1. Reviewed by (your title and name), followed by **one** of the following three options:
 - a. "No Action Taken"
 - b. "Informal Action Taken" (include what action was taken, for example, "Coaching")

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- c. "Formal Action Taken" (include what action was taken, ex. IA, Guardian Tracking)
2. Select "Post Note" to complete your entry.

J. Command Staff Audit Review

1. The following will be the procedure the Command Staff will use to generate an audit report to ensure supervisors are reviewing police officer's videos:
 - a. Select "ADMIN" from the toolbar
 - b. Select "All Users"
 - c. Select the "USER NAME" to go to the "VIEW AUDIT TRAIL" page
 - d. Select the "VIEW AUDIT TRAIL"
 - e. Enter the Date Range and select File Type "PDF" then select "SUBMIT"

References

UCPD Policy 4.2.100 Internal Investigations and Complaints
UCPD Policy 9.1.700 Body Worn Camera Digital Recording System (BWC)