

Portable Video Management System

August 2015

DGO I-15.1/RWM S-01



General Order I-15.1 (Excerpts)



- All members shall review the entire GO I-15.1 for full policy details.
- The use of the PDRD provides documentary evidence for criminal investigations, civil litigation, and allegations of officer misconduct.
- Officers shall utilize this device in accordance with the provisions of DGO I-15.1.

Required Activation



Members shall activate their PDRD prior to initiating the following circumstances:

Required Activation



1. Citizen contacts to confirm or dispel a suspicion that the citizen may be involved, as a suspect, in criminal activity;
2. Detentions and Arrests;
3. Assessment or evaluation for a psychiatric detention (5150 W&I);
4. Involved personnel, as defined by DGO J-4, PURSUIT DRIVING, during a vehicle pursuit;
5. Serving a search or arrest warrant;

Required Activation



6. Conducting any of the following searches of a person and/or property:

- Incident to arrest;
- Cursory;
- Probable Cause;
- Probation/Parole;
- Consent; or
- Inventory

Required Activation



7. Transporting any detained or arrested citizen (excluding prisoner wagon transports); or
8. Upon the order of a higher ranking member.

Crowd Control Operations



During crowd control, protest, or mass arrest incidents, members shall use their PDRD consistent with this policy, and when directed by the Incident Commander. The Incident Commander shall document his/her orders in an appropriate report (e.g. Operations Plan or After Action Report) and provide the orders to all personnel.

Activation Not Required



- Members taking a report when the information available to them indicates the suspect is not on the scene;
- During a preliminary investigation with a child abuse victim or a victim of a sexual assault;

Activation Not Required



- Members meeting with any Confidential Informant, as defined in DGO O-4, INFORMANTS; or
- Members on a guard assignment at a Police, Medical, Psychiatric, Jail or Detention facility. Members shall assess the circumstances (e.g., suspect's demeanor/ actions, spontaneous statements, etc.) of each guard assignment, on a continuing basis, to determine whether to discretionarily activate or de-activate their PDRD.

Deactivation



Members shall not de-activate their PDRD, when it was activated as required by this policy, until one of the following occurs:

- Their involvement in the citizen contact, arrest or detention has concluded or becomes a hospital guard;
- They receive an order from a higher ranking member;

Deactivation



- They are discussing administrative, tactical or law enforcement sensitive information away from the citizen;
- They are at a location where they are not likely to have interaction or a chance encounter with the suspect (e.g. outer perimeter post, traffic control post, etc.);
- The searches requiring activation have concluded and the member believes they will have no further interaction with the person;

Deactivation



- They reasonably believe the recording at a hospital may compromise patient confidentiality;
- A pursuit has been terminated and the member performs the required actions, as specified in DGO J-4, or notifies Communications they are in-service;

Deactivation



- They are interviewing an informant for the purpose of gathering intelligence. At the conclusion of the interview, the PDRD shall be re-activated until no longer required by policy; or
- They are meeting with an undercover officer. At the conclusion of the meeting, the PDRD shall be re-activated until no longer required by policy.

Statement Taking



Personnel are authorized to use the PDRD to record statements in lieu of taking a written statement. PDRDs, however, shall not be used to record statements from child abuse or sexual assault victims.

Statement Taking



- Personnel shall advise or obtain consent from victims or witnesses when taking a PDRD recorded statement.
- PDRD statements shall be recorded as an individual separate file, barring exigent circumstances. Therefore, during a required activation, where none of the de-activation criteria have been met, members may temporarily de-activate their PDRD to record individual separate statements. a separate individual file.

Statement Taking



Personnel shall follow the steps below when de-activating their PDRD for statement taking:

1. Prepare to immediately take the statement;
2. De-activated the PDRD then immediately re-activate the PDRD and begin taking the statement.
3. Upon completion of the statement, de-activate the PDRD then immediately re-activate the PDRD, if continued recording is required.

Members shall repeat these steps when de-activating/activating their PDRD to take multiple statements.

Statement Taking



Personnel whose PDRD is not already activated shall activate it before and deactivate it after each statement is taken to create a separate individual file.

Refer to Report Writing Manual (RWM) S-01, STATEMENTS.

Statement Taking



With each recorded statement, members are required to write a supplemental report summarizing the details of statement.

PDRD Use Documentation



Personnel are required to document all activations of their PDRD, except for test or accidental recordings.

Documentation shall be provided in at least one of the following reports, as appropriate:

- Crime Report;
- Consolidated Arrest Report, electronic or paper, or Juvenile Record;
- Field Interview;
- CAD notes; or
- Use of Force Report

Viewing PDRD Video Files



Level 1 Use of Force, Level 1 Pursuit or In-Custody Death

In the event of a Level 1 use of force, Level 1 pursuit or an in-custody death, all PDRD recordings shall be uploaded to the server as soon as practical.

- An involved or witness member's PDRD shall be taken from them and secured by a supervisor, commander or appropriate investigator, as necessary. The recordings shall be uploaded by personnel designated by the CID investigator.

Viewing PDRD Video Files



- After the recordings are uploaded, the CID investigator or designee shall turn the PDRD in to property until the CID and IAD Commander determine it may be released back to the member. The CID investigator shall ensure the chain of custody is documented in their report.
- All personnel uploading secured PDRDs shall document that fact in their report and the “Comment” field of each video file they uploaded.
- Personnel uploading secured PDRD video files shall not view the files unless authorized by the CID investigator.

Viewing PDRD Video Files



- No personnel involved in or a witness to the incident may view any audio/video recordings prior to being interviewed by the appropriate investigative unit and receiving command approval.
- Once a member's report(s) has been submitted and approved and the member has been interviewed by the appropriate investigator, the investigator will show the member his/her audio/video. This will occur prior to the conclusion of the interview process.

Personnel will be given the opportunity to provide additional information to supplement their statement and may be asked additional questions by the investigators.

Requesting Review of Audio/Video Recordings



Subject or witness personnel wanting to view any of the audio/video recordings related to the incident shall make a request to do so, in writing or via email, to the CID or IAD Commander, as appropriate.

Investigatory Review



Personnel assigned to CID or other investigatory units are authorized to view any PDRD video file associated to their active investigations, unless otherwise prohibited by policy.

Investigators conducting criminal or internal investigations shall:

Investigatory Review



- Advise the Project Administrator or a System Administrator to restrict public disclosure of the PDRD file in criminal or internal investigations, as necessary.
- Review the file to determine whether the PDRD file is of evidentiary value and process it in accordance with established protocols.
- Investigators shall notify the System Administrator to remove the access restriction when the criminal/internal investigation is closed.

Supervisory/Command Review



Supervisors and commanders are authorized to review their own PDRD video files, all video files of their subordinates and, as necessary to complete required duties, any associated video files of non-subordinate members, unless otherwise prohibited by policy.

Supervisory/Command Review



- In addition to other required video recording reviews, all supervisors shall conduct a random review of at least one PDRD recording for each of their subordinates on a monthly basis. The selected recordings shall be viewed in their entirety and shall have a minimum length of ten (10) minutes.
- When a supervisor is approving or investigating a UOF or vehicle pursuit they shall review the PDRD recordings of all members who are a witness to or involved in the use of force.

Supervisory/Command Review



- Supervisors review of subordinate PDRD recordings shall include an assessment of:
 - Officer performance and training needs;
 - Policy compliance; and
 - Consistency between written reports and video files indicate a pattern of misconduct may address the Class II misconduct through non-disciplinary corrective action. Supervisors shall, at a minimum, document any Class II violation of this policy in the officer's SNF.

Supervisory/Command Review



- When a member does not activate or de-activate their PDRD as required, supervisors and commanders shall determine if the delayed or non-activation was reasonable, based upon the circumstances.
- If the supervisor determines that the delay or non-activation was reasonable, they shall document their justification in the UOF report or, if no UOF report is generated, in the officer's SNF. The supervisor's commander shall be advised and his/her name noted in the SNF.
- Supervisors, commanders, and managers who discover Class II misconduct during the review of PDRD video, that does not indicate a pattern of misconduct, may address the Class II misconduct through non-disciplinary corrective action. Supervisors shall, at a minimum, document any Class II violation of this policy in the officer's SNF.

Member Review



Members are authorized to review their own PDRD recordings to properly identify the data files, refresh their memory regarding an incident or any other work related purpose, unless otherwise prohibited by policy.

Video File Documentation and Chain of Custody



Members shall enter in VERIPATROL the RD # associated with each video file. If no RD # is created for the video, the full CAD incident number shall be entered. Members shall add this data to the file by using the “Add Details” button in the VERIPATROL software program:

- Category column- Select the appropriate category from the drop down menu; and
- Case # column- Enter the report number if one exists, or if none exists, the full 15 digit incident number (i.e. LOP141002001196); or
- If a PDRD video file was created and does not have an associated RD or incident number, the member shall enter “NONE” in the comment column.

Video File Documentation and Chain of Custody



This task should be completed by logging into VERIPATOL Mobile in the patrol vehicle where viewing and annotation can be completed daily throughout the member's shift.

- Members are authorized to view their video in order to properly identify the data file unless otherwise prohibited by policy.
- Entering the information shall be completed daily. Should conditions exist that prohibit completion during the member's shift, it shall be completed minimally by the end of the member's next regularly scheduled work day.
- During incidents that require a large scale activation of the Department's members, (i.e. protest, natural disaster, etc.), the incident commander may approve delayed information entry, except in cases that require an investigative callout.

Viewing a PDRD Video File



Authorized personnel viewing any video file shall document the reason for access in the “Comments” field of each video file viewed. The entry shall be made either prior to viewing the video or immediately after viewing the video.

Copying a PDRD Video File for Court



Personnel authorized to make copies of PDRD video files shall document the reason for making the copy and the name of the person receiving the copy in the “Comments” field of each video file copied. If applicable, the name entry shall also include the person’s rank and serial number.

The entry shall be made either prior to copying the video file or immediately upon completion.

The person receiving the copy shall maintain the copy in a secure location until it is needed for court or custody is transferred to another person. Additionally, they shall document, as soon as practical, the name and/or position of the person receiving the copy in the “Comments” field of each video file.

Copying a PDRD Video File for Court



The documentation of the chain of custody and responsibility to secure the copy shall transfer to the person receiving the copy until:

- The copy is received by non-Department personnel (e.g. District Attorney, City Attorney, Court Clerk, etc.);
- The copy is admitted in to evidence; or
- The copy is returned to a system administrator for destruction.

System Administrators receiving a video file copy for destruction shall ensure the copy is destroyed and make an entry in the “Comments” field of the video file that the copy was destroyed.

CID or other investigative personnel taking a case to the District Attorney for charging are responsible for obtaining copies of all applicable PDRD files for presentation to the DA.

Replacement Procedures



- Personnel shall report any recognized problems with the PDRD as well as a lost, stolen or damaged PDRD to their immediate supervisor as soon as practical. Upon notification, the supervisor shall facilitate the replacement of the PDRD as soon as practical.
- Supervisors shall document a lost, stolen or damaged PDRD as specified in DGO N-5, LOST, STOLEN, DAMAGED CITY PROPERTY, unless the PDRD stops functioning properly for no apparent reason and the supervisor does not observe any sign of damage.

End of Presentation