


In-Car Video

422.1 POLICY HEADER

Original Effective Date:	Revised Date:
September 1, 2021	January 4, 2023
<p>Authorization:</p>  <p>Jason Haberman Chief of Police</p>	

422.2 PURPOSE AND SCOPE

The Mt. Lebanon Police Department has equipped law enforcement vehicles with in-car video recording systems to provide records of events and to assist officers in the performance of their duties. This policy provides guidance on the use of these systems (42 Pa.C.S. § 67A07).

422.2.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the In-Car Video system to transmit or store video or audio data in an active mode.

In-car camera system and In-Car Video system - Synonymous terms that refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at a minimum, a camera, microphone, recorder and monitor.

In-Car Video technician - Personnel certified or trained in the operational use of In-Car Video systems, duplicating methods and storage and retrieval.

Recorded media - Audio/video signals recorded or digitally stored on a storage device or portable media.

422.3 POLICY

It is the policy of the Mt. Lebanon Police Department to use In-Car Video recording technology to more effectively fulfill the mission of the Department, and to ensure these systems are used securely and efficiently.

A violation of this policy subjects the violator to discipline (see the Personnel Complaints Policy for additional guidance).

In-Car Video

422.4 OFFICER RESPONSIBILITIES

Prior to going into service, each officer will properly equip themselves to record audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. In the event an officer works at a remote location and reports in only periodically, additional recording media may be issued. Only Mt. Lebanon Police Department identified and labeled media with tracking numbers is to be used.

At the start of each shift, officers should sign in and test the In-Car Video system's operation in accordance with manufacturer specifications and department operating procedures and training.

If the system is malfunctioning, the officer shall take the vehicle out of service unless a Watch Commander requests the vehicle remain in service. Officers assigned to video equipped cars shall use the In-Car Video system.

422.5 ACTIVATION OF THE IN-CAR VIDEO

The In-Car Video system is designed to turn on whenever the vehicle's emergency lights are activated. The system remains on until it is turned off manually. When audio is being recorded, the video will also record.

422.5.1 REQUIRED ACTIVATION OF THE IN-CAR VIDEO

This policy is not intended to describe every possible situation in which the In-Car Video system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the In-Car Video. The In-Car Video system should be activated in any of the following situations:

- (a) All dispatched or self-initiated calls for service that involve enforcement and investigative contacts including stops and field interview situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which an officer would normally notify the Dispatch Center
- (d) Searches of a person or property
- (e) All transports of prisoners and citizens
- (f) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

Activation of the In-Car Video system is not required when exchanging information with other officers, during breaks or lunch periods, or when not in service or not actively on patrol.

In-Car Video

422.5.2 CESSATION OF RECORDING

Once activated, the In-Car Video system should remain on until the incident has concluded. For the purpose of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

422.5.3 SURREPTITIOUS RECORDING

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee.

422.5.4 WATCH COMMANDER RESPONSIBILITIES

Watch Commanders should determine if vehicles with non-functioning In-Car Video systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made.

When an incident arises that requires the retention of the recorded media the media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Watch Commanders may only activate the In-Car Video system remotely to monitor a developing situation, such as a chase, riot or an event that may threaten public safety, officer safety or both, when the purpose is to obtain tactical information to assist in managing the event. Watch Commanders shall not remotely activate the In-Car Video system for the purpose of monitoring the conversations or actions of an officer.

422.6 REVIEW OF IN-CAR VIDEO RECORDINGS

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the Department is strictly prohibited, except to the extent permitted or required by law.

Supervisors shall review the following recordings:

- (a) Recordings of any officer injury
- (b) Recordings of any injury to any subject
- (c) Recordings of any use of force incident
- (d) Recordings of any vehicle pursuit and actions taken following the pursuit
- (e) Recording of any citizen complaint
- (f) In accordance with the Bias-Based Policing Policy

Supervisors may review audio/video related to a specific incident or call for service in response to an allegation of a rule or policy violation.

Mt. Lebanon Police Department

Policy Manual

In-Car Video

In situations where there is a need to review Portable Audio/Video recordings not covered by this policy, the Chief of Police or Deputy Chief of Police must approve the request, and the United Police Society and the affected officer will be notified of the review. Each situation will be evaluated on a case by case basis. This review will be subject to counseling and training only.

Recorded files may also be reviewed:

- (a) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case
- (b) By media personnel with permission of the Chief of Police or the authorized designee
- (c) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy

All recordings should be reviewed by the Open-Records Officer prior to public release (refer to the Records Maintenance and Release Policy).

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any member.

422.6.1 FACIAL RECOGNITION SOFTWARE

The Watch Commander or designee shall establish procedures for the use of any facial recognition software or other programs, operated through the Pennsylvania Justice Network (JNET), in the review of in-car audio/video recordings (42 Pa.C.S. § 67A07).

Operators of JNET Facial Recognition System (JFRS) shall have JNET training.

422.7 DOCUMENTING IN-CAR VIDEO USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report.

422.8 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all evidentiary recording media will be tagged and stored. All recording media that is not tagged as evidence will be retained for a minimum of 100 days and disposed of in accordance with the established records retention schedule.

422.8.1 COPIES OF ORIGINAL RECORDING MEDIA

Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee.

422.8.2 IN-CAR VIDEO RECORDINGS AS EVIDENCE

Officers who reasonably believe that an In-Car Video recording is likely to contain evidence relevant to a criminal offense or to a potential claim against the officer or against the Mt. Lebanon

Mt. Lebanon Police Department

Policy Manual

In-Car Video

Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

422.9 SYSTEM OPERATIONAL STANDARDS

- (a) In-Car Video system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
 - 1. Recording devices should comply with equipment standards established by the Pennsylvania State Police (18 Pa.C.S. § 5706).
- (b) The In-Car Video system should be configured to minimally record for 30 seconds prior to an event.
- (c) The In-Car Video system may not be configured to record audio data occurring prior to activation.
- (d) With the exception of law enforcement radios, cellular phones or other emergency equipment, other electronic devices should not be used inside In-Car Video equipped law enforcement vehicles, while the system is activated, to minimize the possibility of causing electronic or noise interference with the In-Car Video system.
- (e) Officers shall not erase, alter, reuse, modify or tamper with In-Car Video recording systems.

422.10 IN-CAR VIDEO TECHNICIAN RESPONSIBILITIES

The In-Car Video technician is responsible for:

- (a) Storing, erasing and duplicating of all recorded media.
- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the In-Car Video technician:
 - (a) Ensures it is stored in a secure location with authorized controlled access.
 - (b) Makes the appropriate entries in the evidence tracking software..
- (c) Erasing of media:
 - (a) Pursuant to a court order.
 - (b) In accordance with the established records retention schedule, including reissuing all other media deemed to be of no evidentiary value.
- (d) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the established records retention schedule.
 - 1. Storage should comply with Pennsylvania State Police standards (18 Pa.C.S. § 5706).

422.11 TRAINING

All members who are authorized to use the In-Car Video system shall successfully complete an approved course of instruction prior to its use (18 Pa.C.S. § 5704; 18 Pa.C.S. § 5724).