

**East Lansing Police Department
Policy & Procedure**

Subject: Mobile Video Recorder	ELPD Policy #: 300-22
Effective Date: March 1, 2022 Revised Date:	Distribution: Departmental
MACP Accreditation Standard : Mobile Video Recorders	MACP Standard: 3.5.5

I. PURPOSE

The purpose of this policy is to set forth guidelines for the use, management and storage of audio-visual media recording system, which is responsible for patrol vehicle video and body worn camera (BWC) videos. The purpose of this system is to allow for greater transparency in police interactions with the public, assist in enhancing public safety, provide greater opportunities for evidence capture, assist in the prosecution of criminal cases and reduce complaints against employee investigations by providing impartial, recorded evidence.

II. POLICY

East Lansing police personnel shall activate and utilize their recording equipment in accordance with the guidelines set forth in this policy.

This policy shall not govern the use of undercover recording devices.

III. PROCEDURE

A. Issuance and Training

1. BWC equipment will be issued to all sworn officers and PACE officers.
2. Officers are responsible to ensure that their issued BWC and assigned fleet system is in good working order, powered on and fully operational at the beginning of their shift. The power to the BWC and Fleet system shall remain on for the entire shift.
3. Damaged or inoperative recording equipment shall immediately be reported to the officer's immediate supervisor.
4. Police personnel assigned a recording device must complete an agency approved and/or provided training program to ensure proper use and operations of both the BWC and Fleet device. Additional training may be required to ensure the continued

effective use and operation of the equipment. Records will be kept in accordance with departmental guidelines.

B. Recording Guidelines (3.5.5A)

1. Officers shall activate the recording system during each citizen encounter while performing their official duties. These duties may include, but are not limited to the following instances:
 - a. Calls for Service
 - b. Traffic Stop
 - c. Law Enforcement Action
 - i. Terry stops
 - ii. Investigatory efforts
 - iii. Arrests and/or seizures
 - iv. Searches
 - v. Suspect, witness interviews
2. Recording of contacts with citizens in an informal or casual manner should be avoided if an official duty does not exist.
3. In locations where a reasonable expectation of privacy exists, such as a residence, individuals may decline to be recorded.
4. Officers may comply to turn off the BWC but shall decline to stop recording if the recording is being made pursuant to an arrest or search of the residence/individuals or the officer reasonably believes the circumstances warrant leaving the camera on.
5. The recording system shall remain on during the entire incident once it is activated. If an officer fails to activate the recording system, fails to record the entire contact, or interrupts the recording; the officer shall document why a recording was not made, was interrupted, or terminated. This can be done on the officer's daily, in an official police report, or to a supervisor directly.
6. The BWC device shall be positioned in a place that is able to record a fair and accurate representation of what the officer is seeing. The

body worn camera shall be mounted on the officers' outermost garment, near the center line of the body just below the sternum.

7. All recording equipment shall be set with a pre-event record, which will capture video for 90 seconds prior to the system being activated or triggered. No audio will be captured during this 90 second window.
8. The recording equipment can be triggered by the following:
 - a. Manual activation of the Fleet or BWC device by the user.
 - b. Operation of a patrol vehicle at a speed of 80 miles per hour or greater.
 - c. When the overhead emergency lights are activated on the patrol vehicle.
 - d. Airbag deployment within the patrol vehicle.
 - e. Being within the proximity of another active video recorder.

C. Recording System Restrictions

1. Officers shall not remove or tamper with the Fleet equipment located in the patrol vehicle.
2. The recording system shall be used only in conjunction with official law enforcement duties. The system shall not be used to record:
 - a. Communications with other police personnel without the permission of the Chief of Police or designee.
 - 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.

D. System Guidelines

1. Officers shall be responsible for obtaining their BWC at the beginning of their shift and logging into the Fleet software.

2. Officers shall be responsible for properly categorizing all video that they have recorded. These categories reflect the nature of the incident and determine the retention period of recorded evidence.
3. All media recorded which is associated with a Police Report shall be properly labeled with its associated case number.
4. The officer will document the system recording within the property section of their official report.
5. In accordance with the training provided, all BWC shall be docked by the officer at the end of each shift or when the BWC unit has reached its storage capacity. This will ensure proper downloading of recordings.
6. When an officer or supervisor is directly involved in a serious incident that was recorded, a supervisor shall be responsible categorizing and labeling media as prescribed above. Examples of a serious incident can include, but are not limited to, an officer involved shooting, or other incidents involving serious injury to employees or other civilians.
7. Recordings will be categorized, and a report generated, if force is used outside that of a normal arrest or a department incident report is required by the ELPD, Response to Resistance P&P 12-10. (3.5.5B)
8. The recording system equipment, all data, images, video, or any other data produced by the equipment is the sole property of ELPD.
9. Officers shall not edit, alter, erase, duplicate, share or otherwise distribute in any manner recording system media without prior written authorization and approval of the Chief or designee.
10. If an officer is involved in an officer-involved shooting or other serious use of force, the department may limit or restrict the officer's access or opportunity to view the video file.
11. When unusual or exceptional incidents are recorded and perceived to be of value as a training aid, a copy of the recording may be made with approval of the Chief or their designee.
12. Recordings will be retained in accordance with state law. (3.5.5D)

E. Supervisory Responsibilities

1. Supervisory personnel shall ensure that officers equipped with BWC devices utilize them in accordance with policy and procedure defined herein. (3.5.5C)

F. Storage and Retention

1. All files shall be securely downloaded periodically and no later than at the end of each shift. Each file shall contain information related to the date, time, and assigned officer. Each file will also be categorized to the file content and identify which officer is assigned the BWC.
2. All files should be securely stored in accordance with state records retention laws and no longer that useful for purposes of training or for use in an investigation or prosecution. Files shall be stored on the BWC server for at least 90 days. (3.5.5E)

G. Miscellaneous

1. The recording system media shall be reviewed monthly on a random date as determined by the Police Oversight Commission. The purpose of these reviews is to spot check officer performance or compliance with department policy and procedure, training guidelines, and to build a data base for quality control purposes. Sergeants will complete the random reviews within 30 days while ensuring the BWC are being used properly and in accordance with this policy. Patrol Lieutenants will document monthly compliance.
2. The recordings may also be reviewed for specific incidents related to department investigations, court cases, FTO training, etc. The recordings may also be used for training purposes. If a policy and procedure or training guideline violation is observed, the appropriate corrective action may be taken.

IV. CANCELLATIONS

None

Authorized By:



Kim Johnson, Chief of Police