

Directive	In-Car Video Systems	400-4	1 of 4
Effective Date	September 1, 2009		



Wilkesboro Police Department

Electronic Written Directives Document

I. PURPOSE

It is the purpose of this policy to provide officers with the Wilkesboro Police Department guidelines for the use of in-car video/audio recording system, thus, creating a higher degree of professional standard in the protection of the officer and citizen a-like.

II. POLICY

- A. It shall be the Policy of the Wilkesboro Police Department to use In-Car Video Recording Systems only for legitimate law enforcement purposes in accordance with applicable law and departmental policy.
- B. Any portion of video/audio that records events surrounding a violation of the law (which includes a crime or offense prosecutable in the criminal courts in this State or in the United States or an Infraction) is considered a record of criminal investigation, as described in N.C.G.S. 132-1.4, and not a public record, as deemed in N.C.G.S. 132-1.
- C. Any portion of video/audio that is used to subject an employee to departmental disciplinary action is a part of that employee's personal file as defined as in N.C.G.S. 160A-168, and is open to inspection only as provided by that statute.

III. IN-CAR VIDEO OPERATORS

- A. Only those officers who have received instruction and demonstrated proficiency in the proper operation and use of In-Car Video Recording System shall be authorized to operate such system for enforcement purpose.
- B. The care and security of In-Car Video Recording System is the responsibility of the officer assigned to that vehicle and such system will be maintained and operated according to manufacturer's recommendations.

IV. IN-CAR VIDEO SYSTEM

- A. No In-Car Video Recording System (audio/video) shall be used in any Wilkesboro Police Department vehicle unless owned and installed at the direction of the Department.

Directive	In-Car Video Systems	400-4	2 of 4
Effective Date	September 1, 2009		

- B. In-Car Video Recording System will automatically be activated when the vehicle's emergency warning devices are in operation. Emergency response requires activation of all emergency systems, which will include In-Car Video Recording System. Pressing the record button or turning on the wireless microphone transmitter can also manually activate In-Car Video Recording System.

V. OPERATIONAL PROCEDURES

Officers operating departmental vehicles with In-Car Video Systems shall use the following procedure:

- A. Prior to the beginning a tour of duty, the officer shall determine if the In-Car Video System installed in their assigned vehicle is working properly, and shall promptly notify their supervisor if any malfunctions are found.
- B. Officers shall observe the following general procedures to ensure that the In-Car Video System will properly record traffic stops or other enforcement actions undertaken in the field:
1. Make sure that the video camera is properly positioned and adjusted at the correct viewing angle to visually record all events.
 2. The In-Car Video System shall not be deactivated until the vehicle stop or enforcement action is complete and will remain on during prisoner transport.
 3. The wireless microphone shall always be turned on in order to provide audio recording as well as video recording during the enforcement action or field activity.
 4. Officers shall ensure they have adequate storage capacity for digital files to complete their tour of duty.
 5. Officers will remove the DVR from the vehicle and download all digital recordings at the end of their weekly work cycle or if the DVR unit prompts the officer that memory is low and needs to be downloaded.
- C. In-Car Video Systems will automatically start recording when the vehicles emergency lights are activated. Officers will confirm automatic activation and verify that the wireless microphone is activated. The video system may be activated manually at any time by the officer by pressing the record button or by turning on the wireless microphone.

Directive	In-Car Video Systems	400-4	3 of 4
Effective Date	September 1, 2009		

- D. In-Car Video Systems including the wireless microphone will be activated during all traffic stops, pursuits, and field investigative actions, which includes dealing with suspects or violators. The officer will ensure that the wireless microphone remains activated at all times during citizen contact to provide narration with the video and the recording shall not be stopped, paused, or otherwise interfered with until the investigative action is complete.
- E. Every contact shall be recorded in its entirety until the stop is terminated and the officer or violator has left the scene.
- F. Under no circumstances will an officer be required to terminate a recording of an event except at the direction of a supervisor, at which time a report will be made explaining the reason for the termination of the recording.

VI. DIGITAL VIDEO FILE CONTROL AND MANAGEMENT

- A. The I.T. Administrator will be in charge of making copies and purging files on the system when directed by a Division Commander or higher.
- B. All video files will be kept on the system for 60 days before they can be purged from the system.
- C. All digital files generated by officers are the property of the Wilkesboro Police Department and will not be duplicated without the permission of a Division Commander or higher authority.
- D. Officers needing copies of video files for court or other legitimate purpose must fill out a Video Request Form and submit it up the chain of command. Once approved by a Division Commander or higher a copy of the video will be placed on a DVD and treated as evidence.
- E. When digital files become evidence, they will be treated as any other evidentiary items in accordance with Wilkesboro Police Department evidence procedures.

VII. SUPERVISOR RESPONSIBILITY

- A. Personnel who supervise officers assigned to utilize In-Car Video Systems are responsible for the following:
 - 1. Ensuring all officers follow established procedures specified in this Directive for the use and maintenance of their system, handling of digital video recordings.

Directive	In-Car Video Systems	400-4	4 of 4
Effective Date	September 1, 2009		

2. Monthly the Patrol Division Commander will review sample files from each officer assigned to a vehicle equipped with a video system to assess officer performance, determine whether systems are being fully and properly used, and to identify material that may be of value for training purposes.
3. The Division Commander will submit a monthly report to the Deputy Chief of Police showing that videos have been reviewed; the report will also provide a list of which files were reviewed.

VIII. REFERENCES

N.C.G.S. 132-1
N.C.G.S. 132-1.4
N.C.G.S. 160A-168
CALEA 41.3.8