

SPRINGFIELD POLICE DEPARTMENT

Standard Operating Guideline

Effective Date: 04/04/2017	Supersedes Policy Dated: 10/06/2015	Rescinds:	SOG Number:
Accreditation Index: 41.3.8			413.4
Part Title: Operations		Chapter Title: Evidence	
Chief of Police:			

Mobile Video Systems

I Policy

The use of in-car video systems involves continuous recording of events as they occur. As such, these systems offer visual and audio evidence of events which may become the subject of criminal or administrative action. It is the policy of the Springfield Police Department to maintain effective chain of custody and evidence control consistent with court admissibility standards to protect the quality of information recorded.

II Definitions ¹

MVS – Mobile Video Systems applies to all elements of mobile video/audio recording systems regardless of transfer method for the recorded event. Wherever the operation of the MVS is referenced, such operation includes both the video and audio capabilities of this equipment (wireless body microphone, interior microphone, and video equipment).

Recording – An authentic, unaltered, official copy of an event captured by an MVS system subsequently transferred by mechanical or electrical means to a medium for transporting or storing the recorded event.

III Procedure ²

1 SYSTEM ADMINISTRATION

1.1 Installation and Maintenance (CALEA 41.3.8(e))

1 Definitions revised, capitalization change for consistency, per Policy Change Order 17-028.

2 Entire Procedures section reorganized, per Policy Change Order 17-028.

SOG 413.4

Mobile Video Systems

Effective Date: 04/04/2017

- 1.1.1 The Fleet and Equipment Supervisor or designee shall be responsible for MVS hardware equipment installation, routine maintenance, inspections and cleaning as recommended by the manufacturer, and repairs as necessary for operation.
- 1.1.2 Information Systems Network Technicians will be responsible for MVS software installation, routine maintenance, and upgrades recommended by the manufacturer.
- 1.1.3 The local factory representative is responsible for non-routine maintenance.
- 1.2 Training (CALEA 41.3.8(f))
 - 1.2.1 Field Training Officers are responsible for ensuring probationary officers receive training on the MVS prior to use. The FTO shall document this training on the Probationary Officer Skills Checklist (SPD Form #01-OP-0360) and ensure the checklist is filed in the officer's field training records.
 - 1.2.2 Newly-promoted sergeants will receive supervisor-specific training on the MVS during their mentoring period. This training shall be documented on the critical task checklist in the Sergeant Mentoring Guide.³
- 1.3 Digital File Management (CALEA 41.3.8(d))
 - 1.3.1 Personnel shall not alter MVS recordings.
 - 1.3.2 MVS recordings shall be uploaded to a designated server for storage.
 - 1.3.3 Recordings can be accessed through a desktop application on any network computer terminal, subject to user profiles which restrict viewing, copying, and deleting files in the system.
 - 1.3.3(a) Any viewing, copying, or deletion of MVS recordings shall be done in accordance with the provisions of this policy.
 - 1.3.4 The Investigative Services Specialist Supervisor or designee shall be responsible for the overall maintenance of MVS digital files stored on the server.
- 2 MVS OPERATION
 - 2.1 The MVS shall be operated in accordance with training and the operator's manual instructions.
 - 2.2 As part of an officer's pre-shift vehicle inventory, the MVS shall be checked for operational readiness. (CALEA 41.3.8(e))
 - 2.3 Officers shall log on to the MVS at the beginning of their shift.

³ Section 1.2.2 added, per Policy Change Order 17-028.

SOG 413.4

Mobile Video Systems

Effective Date: 04/04/2017

- 2.11 Obstructing, shielding, or any act meant to interfere with the MVS equipment is not permitted.
 - 2.12 When the MVS is operating, officers shall not use the in-car AM/FM radio or other non-department-issued radio equipment as the noise may distort the MVS audio recording.
 - 2.13 Officers shall inform those who ask that the MVS equipment is in use.
 - 2.14 Officers shall not manually deactivate the MVS when in contact with a suspect or during an incident. The intentional stopping of recording when the use of MVS equipment is required may be cause for disciplinary action. (CALEA 41.3.8(b))
 - 2.15 Officers shall properly classify each MVS recording.
 - 2.16 Officers can upload MVS recordings at any wireless access point. Recordings will automatically upload whenever an equipped vehicle is at one of these locations. (CALEA 41.3.8(d))
 - 2.17 If an officer becomes aware that the MVS is not functioning properly, they shall do the following: ⁴
 - 2.17.1 Notify their immediate supervisor;
 - 2.17.2 Note the malfunction on their Daily Vehicle Maintenance and Equipment Inspection form (SPD Form # 02-OP-0466);
 - 2.17.3 Send an e-mail message detailing the problem to the Information Systems Help Desk and the appropriate Quartermaster.
- 3 REVIEW OF MVS RECORDINGS (CALEA 41.3.8(c))
- 3.1 Officers may review their own recordings and are encouraged to do so prior to completing any related reports.
 - 3.2 Supervisors and commanders may review MVS recordings of their subordinates at any time.
 - 3.2.1 Supervisors are encouraged to use MVS recordings to assist in preparation for performance appraisals and for training purposes.
 - 3.3 Supervisors of an officer who has utilized the MVS at any time during their annual evaluation period shall review two randomly selected MVS recordings from the officer for that period. The review shall be documented on an Annual Summons Audit / MVS Review form (SPD Form #13-AD-0635). (CALEA 41.3.8(g)) ⁵
 - 3.4 Supervisors or commanders may request additional MVS recording audits by IIAU personnel to determine training needs and policy compliance.

⁴ Section 2.17 revised, MVS malfunction notification procedure updated, per Policy Change Order 17-028.

⁵ Section 3.3 added, per Policy Change Order 17-028.

SOG 413.4

Mobile Video Systems

Effective Date: 04/04/2017

- 3.5 Supervisors, commanders, and IIAU personnel may select random vehicle stops from CAD and verify corresponding video of those events.
 - 3.6 Supervisors, commanders, and IIAU personnel shall review MVS recordings, as necessary, in connection with complaint investigations, the routine review of pursuits and resistance control situations, or as otherwise directed by a Bureau Commander or the Chief of Police. ⁶
 - 3.7 MVS recordings related to criminal events may be viewed by employees as needed for the purpose of investigation and prosecution. ⁷
- 4 RELEASE OF RECORDINGS (CALEA 41.3.8(c))
- 4.1 No employee shall release a recording to or allow a recording to be copied, viewed, or heard by any person outside the Springfield Police Department without the specific authorization of the Chief of Police or designee. ⁸
 - 4.1.1 Any such release or use of a recording presenting an incident under active prosecution shall also require specific, written authorization by the prosecuting attorney with jurisdiction for the case. (CALEA 41.3.8(c))
 - 4.1.2 Any officer presenting such a recording without proper authorization may assume legal liability for violation of privacy statutes resulting in criminal or civil action.
 - 4.2 Dissemination of recordings shall be according to applicable state law and city ordinance. (RSMo. 610.021 & 610.100, City Ordinance 2-2.)
 - 4.3 Recordings provided for prosecution or released pursuant to a court order shall not be altered or censored in any way.
 - 4.4 Investigative Services Specialist personnel at Police Headquarters shall be responsible for duplicating MVS media.
 - 4.4.1 All copies of recordings shall be documented and tracked using the RMS task workflow. This record should include authorization, purpose, and recipient information.
 - 4.5 Applicable fees shall be collected for copies of recordings with the money being transferred to the City of Springfield Finance Department per SOG 104.2 – Fiscal Management.
 - 4.6 Release of recordings for purposes of training must be specifically approved by the Chief of Police.

5 EVIDENCE MANAGEMENT ⁹

⁶ Section 3.6 added, per Policy Change Order 17-028.

⁷ Section 3.7 added, per Policy Change Order 17-028.

⁸ Section 4.1 revised, release authorization clarified, per Policy Change Order 17-028.

⁹ Section 5 revised, evidence management procedures updated, per Policy Change Order 17-028.

SOG 413.4

Mobile Video Systems

Effective Date: 04/04/2017

- 5.1 When an MVS recording relates to a criminal offense, the officer shall: (CALEA 41.3.8(c))
 - 5.1.1 Properly classify the event in the MVS (Traffic Stop, DWI, Drugs, or Other Criminal);
 - 5.1.2 Assign a case number to the criminal event and enter the case number and any comments into the notes section for that recording;
 - 5.1.3 Document the existence of the recording in their RMS report.
 - 5.1.3(a) The digital recording shall be listed in the property tab to ensure proper tracking and evidence management.
 - 5.2 Unless for purposes of prosecution, recorded evidence shall only be released at the direction of the Chief of Police or designee.
 - 5.3 Requests for video needed for criminal court proceedings shall be submitted through the pertinent prosecutor's office and tracked via an RMS task workflow. (CALEA 41.3.8(c))
 - 5.3.1 Investigative Services Specialist personnel are responsible for completing these tasks.
 - 5.3.2 Task documentation shall include sufficient information to serve as a chain of custody record for the evidence.
 - 5.4 The Investigative Services Specialist Supervisor will be responsible for purging video from the system upon receipt of a disposition from court and/or release from an investigator. Evidence related to unassigned cases will be handled according to the following guidelines. (CALEA 41.3.8(d))
 - 5.4.1 Evidence on unassigned misdemeanor cases can be purged after 13 months.
 - 5.4.2 Evidence on unassigned felony cases can be purged after the expiration of the statute of limitation.
 - 5.4.3 Evidence on all unassigned Class A felony cases will be retained permanently.
- 6 REPORTING/DOCUMENTATION
- 6.1 When an incident is captured on video by the MVS, officers shall document in their RMS report that a video of the incident is available.
 - 6.2 Recordings may be reviewed prior to writing RMS reports.
- 7 DIGITAL STORAGE (CALEA 41.3.8(d))¹⁰
- 7.1 Retention periods for digital recordings are set up according to their classification. Recordings will be automatically purged from the server at the conclusion of their respective retention period.

¹⁰ Section 7 revised, digital storage procedures updated, per Policy Change Order 17-028.

SOG 413.4

Mobile Video Systems

Effective Date: 04/04/2017

- 7.1.1 No Event and Other Non-Criminal event recordings will be stored for 45 days.
- 7.1.2 Unclassified recordings will be stored for 180 days.
- 7.1.3 Traffic Stop and Drug recordings will be stored for a period of 5 years.
- 7.1.4 DWI and Other Criminal event recordings will be stored for a period of 7 years.
- 7.2 The Investigative Services Specialist Supervisor can reclassify recordings as necessary for criminal or administrative purposes to be retained indefinitely.
- 7.3 The ISS Supervisor will conduct a weekly review of recordings on the server with upcoming purge dates to determine if any need to have their retention period extended.
- 7.4 The ISS Supervisor will manually purge criminal event recordings as necessary according to the guidelines set forth in section 5.4 of this policy.

IV Attachments