

ALAMEDA COUNTY SHERIFF'S OFFICE GENERAL ORDER	NUMBER: 8.17
	RELATED ORDERS: General Orders 1.20, 8.16 CALEA Standard 41.3.8, 82.1.3, 82.1.6 & 83.2.2
	ISSUE DATE: December 14, 2012
	REVISION DATE: <i>May 19, 2015</i>
CHAPTER: Auxiliary and Technical Services	SUBJECT: Personal Video Recording Equipment

- I. **PURPOSE:** The purpose of this policy is to establish guidelines for the use and management of audio-visual media.
- II. **POLICY:** The use of a Personal Video Recording (PVR) system provides a method to document law enforcement activity through the audio and video recording of *staff* involved incidents as they are occurring. The primary purpose of a mobile PVR system is for Officer safety and to document statements and events during the course of an incident. These recorders are intended to assist *staff* in the performance of their duties by providing an audio and/or video record of a contact.
- III. **PROCEDURE:**
 - A. Training: *Staff* shall not use digital audio/video recording devices unless they have successfully completed training in the proper use of such equipment.
 1. Training provisions will include classroom discussion, field application and a supervisory evaluation. The training will consist of a review of the proper function and use of the recording devices, recommended times to employ the system, and Agency policy and procedures as they pertain to the system.
 2. A written record of the training provided will be completed by the trainer who will forward it to the RTC where it will be maintained in the *member's* training file.
 - B. Once issued, each *staff member* will be responsible for the appropriate care and operation of the PVR. The Agency will provide all maintenance, batteries, belt holders, and any other accessories necessary for the standard operation of the PVR.
 1. Broken or malfunctioning recorders and accessories are to be reported to the on duty supervisor as soon as possible.
 2. *Staff* shall complete and submit a memorandum to the Watch Commander detailing the type of problem(s). The Watch Commander will ensure a replacement recorder is issued by the PVR system administrator.
 - C. *Staff* shall make every effort to record all enforcement contacts, such as arrests or citations. *Staff* shall make every effort to record non enforcement contacts should they become confrontational, assaultive, or enforcement orientated.

- D. It is recommended that **Staff** record pedestrian contacts, interviews, and other events when the recording has value as evidence, to limit liability, to resolve citizen complaints, or as a training tool.
- E. Alameda County Sheriff's Office General Order 8.16, prohibits surreptitiously recording any member of this Agency. Recording Agency personnel requires expressed knowledge and consent of all parties.
- F. If a recording contains evidence, the data shall be downloaded in a timely manner by properly trained personnel. Once downloaded, the saved file shall be saved on a CD-R/DVD per electronic data storage protocol and placed in evidence.
- G. **Staff** shall note in arrest and other associated reports when recorded records were made during the event. Any incident in which a report was taken and the recorder was activated requires that the video recorder's serial number be noted in the report.
- H. Copies of stored data may be only made for court, training, or other purposes approved by the Sheriff or his designee.
- I. Recordings may be viewed in any of the following situations:
1. By a **Staff member** viewing recording from his/her assigned recorder.
 2. By a supervisor investigating a specific act of **Staff** conduct.
 3. By Agency personnel who request to review their own recordings.
 4. By officers of the court with the permission of the Sheriff or his designee.
 5. Recordings may be shown for purposes of training value. If an involved **staff member** objects to the showing of the recording, his/her objection will be submitted to the Division Commander to determine if the training value outweighs the **staff member**'s objection to having the video shown.
 6. In no event shall any recording be used or shown for the purpose of ridicule or embarrassing any employee or member of the community.
- J. The recording **staff** member is responsible for making duplicate copies of any video/audio footage for evidentiary purposes. All copies made for evidentiary purposes shall be properly booked into evidence. **staff** will not copy or transfer any recorded images for any other purpose without the permission of his/her Watch Commander.
- K. In the event audio/video footage is made on a reportable event and the **staff member** has determined that the footage is not going to be logged into evidence, the **staff member** shall note in the police report the video recorder's serial number, date and time taken.

- L. In the event of an accidental activation of the PVR and the resulting recording is of no investigative or evidentiary value, the *staff member* may request that the PVR electronic file be deleted by submitting a written request with sufficient information to locate the PVR file to the Captain of the duty station or designee who shall review the file, endorse the request, and forward to the System Administrator.
- M. Per the recommendation of County Counsel, all video recordings shall be maintained in a secured data storage medium for a period of three years and then may be destroyed, providing there is no pending litigation. Exceptions to this purge criteria shall be recordings associated with civil or criminal cases that have yet to be adjudicated, and sustained internal affairs investigations. Per the Government Code the purge of data files will be performed after written consent has been obtained from the Board of Supervisors. A Board Letter requesting permission will be authored by the custodian of video files, the Administrative Lieutenant at the Eden Township Substation.
- N. Each division shall conform to this policy for the storage, retrieval, and destruction of recordings maintained in a secure storage device. Each division will retain the recordings in accordance with state law and purge recordings in compliance with the same.
- O. Per the recommendation of the Alameda County District Attorney, and General Order 1.02, Critical Incident Involving Fatality or Great Bodily Injury; In the event of a Deputy Involved Shooting, once the Deputy is determined to be the victim of a crime, the personal video footage will be made available to the Deputy and his/her representative without sound prior to any statement being made.

Deputies should be mindful that video recordings have limitations and may depict events differently than the events recalled by an Involved Deputy.

1. Video has a limited field of view and may not capture events normally seen by the human eye.
2. The camera's frame rate may limit the ability to capture movements normally seen by the human eye.
3. Lighting in the video may be different than seen by the human eye.
4. Video is two-dimensional and may not capture depth, distance, or positional orientation as well as the human eye.
5. Remember, the video evidence is intended to assist the deputy's memory and ensure the deputy's initial statement explains their state of mind at the time of the incident.