
ADMINISTRATIVE DIRECTIVE – 112.024
MOBILE DIGITAL VIDEO RECORDING EQUIPMENT

EFFECTIVE DATE: April 7, 2009
REVIEW DATE: June 10, 2013
AFFECTS: All Personnel

REVISION DATE: June 10, 2013

I. PURPOSE

To provide guidelines for the use, management, storage and retrieval of audio visual media recorded by the in-car video system.

II. POLICY

The use of an in-car video system can provide powerful evidence of criminal activity. The in-car camera has also proven to be a valuable tool for law enforcement practitioners by documenting their honesty, integrity, and professionalism. By virtue of their authority, law enforcement personnel are held to a higher degree of accountability by the community and must continuously strive to ensure that this contract is not violated. Therefore, by keeping this trust and maximizing the effectiveness of this valuable tool, the following procedures for in-car camera equipment use are set forth.

III. DEFINITIONS

- A. In-Car Camera System, Mobile Video Recorder (MVR), and Mobile Digital Video Recorder (MDVR) – are synonymous and defined as any recorded media that captures audio and visual signals.
- B. Personal Video Recorder (PVR) is defined as any device that can be worn on the body and capture recorded media in both audio and visual signals.
- C. Media Recordings – refers to any media that captures and records audio and visual signals. This includes: analog (VHS, SVHS, Hi 8 mm) or digital (wavelet, JPEG, MPEG) media.
- D. Legal Requirements – Texas Code of Criminal Procedure, Chapter 2, Article 2.132 requires that law enforcement agencies in Texas shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Texas Code of Criminal Procedure, Chapter 2, Article 2.132 (b) must include standards for reviewing video and audio documentation.
- E. Triggers – programmable inputs that result in automatic activation of in-car recording equipment. These may include, but are not limited to, lights, speed indicator (80 mph or greater), or manual activation of the audio recording transmitter.

IV. PROCEDURES

A. Program Objectives

The Plano Police Department has adopted the use of in-car video/audio recording systems in order to accomplish several objectives. These objectives include, but are not limited to:

- 1. The enhancement of officer safety;
- 2. The enhancement of officer reporting, evidence collection, and court testimony through audio/video documentation of events, actions, conditions and statements made during arrests and critical incidents;
- 3. The enhanced ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, and evidence for investigative purposes;
- 4. The protection from false claims of impropriety;
- 5. For officer evaluation and training; and

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6. To comply with relevant legal requirements.

B. General Statements – MDVR

1. The MDVR will automatically activate when a trigger event occurs:
 - a. the vehicle's emergency warning devices are in operation,
 - b. the microphone transmitter is activated,
 - c. the vehicle reaches a preset speed, or
 - d. in the event of a crash.
2. The MDVR is equipped with pre and post-event recording and will capture 15 seconds of media before and after one of the aforementioned triggers. Pre-event recording captures video only. After the 15 second of pre-event video is capture, both video and audio begin recording.
3. The MDVR will be activated before the stop to record the behavior of the person and the vehicle and will remain activated until the person is released to resume their journey. (Refer to A.D. 112.032)
4. The MDVR equipment may be manually deactivated during non-enforcement activities such as when protecting traffic crash scenes from other vehicular traffic, during parade escorts, etc.

Note: The MDVR equipment is to be on at all times while the emergency equipment is activated and the vehicle is moving. An audible message is transmitted to inform the officer that the system is operational. An audible message is transmitted to inform the officer that video recording has begun.

5. Police personnel shall not attempt to tamper or in any manner alter MDVR recording or MDVR equipment. These actions may result in disciplinary action up to and including termination.
6. Media will not be removed from the police vehicles for any purpose other than for approved police business. Police personnel may not make DVD recordings to review, nor may they obtain copies of a recording.

C. General Statements – PVR

1. The PVR will be activated before any enforcement stop to record the behavior of the person and the vehicle and will remain activated until the person is released to resume their journey. (Refer to A.D. 112.032)
2. The PVR equipment may be manually deactivated during non-enforcement activities such as when protecting traffic crash scenes from other vehicular traffic, during parade escorts, etc.
3. Police personnel shall not attempt to tamper or in any manner alter PVR recording or PVR equipment. These actions may result in disciplinary action up to and including termination.
4. Police personnel may not make DVD recordings to review, nor may they obtain copies of a recording. Note: This does not prohibit an officer requesting a DVD for evidentiary submittal.

D. Media Recording Operations – MDVR

Note: MDVR's are equipped with an interior microphone located in the passenger compartment of the vehicle.

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The following incidents will be both audibly and visually recorded:

1. All motor vehicle stops or investigative contacts (to include but not limited to all traffic violations, stranded motorist assistance, suspicious vehicles and all crime interdiction stops).
2. All priority responses requiring code 3 operations.
3. All vehicle pursuits.
4. All transports.
5. All crimes in progress.
6. Any situation or event that the employee, through his/her training and experience, believes should be audibly and visually recorded.

Note: MDVR recordings containing arrests, assaults, physical or verbal confrontations, vehicle pursuits, vehicle searches in which contraband is recovered, DWI or under the influence arrests, shall be treated as evidence and held for criminal prosecution.

E. Media Recording Operations – PVR

The following incidents will be both audibly and visually recorded:

1. All traffic or investigative stops (to include but not limited to all traffic violations, stranded motorist assistance, and all crime interdiction stops).
2. All priority responses requiring code 3 operations. (Attempting to capture these incidents must be weighed accordingly. Motor Officers must manually activate the device, thus removing a hand from the handlebars. Safety is paramount and officers should ensure they are in a position to activate the PVR.)
3. Any situation or event that the employee, through his/her training and experience, believes should be audibly and visually recorded.

Note: PVR recordings containing arrests, assaults, physical or verbal confrontations, vehicle pursuits, vehicle searches in which contraband is recovered, DWI or under the influence arrests, shall be treated as evidence and held for criminal prosecution.

F. Operating Procedures

1. Personnel Responsibilities

- a. MDVR or PVR equipment operation is the responsibility of the employee using the vehicle/device and will be operated / maintained according to manufacturer's recommendations.
- b. Prior to each shift, personnel will determine whether the MDVR or PVR equipment is working satisfactorily and will bring any problems noted at this or other times to the attention of a supervisor as soon as possible. The officer must ensure:
 - (1) the video camera is positioned and adjusted to record events;
 - (2) enough media storage is readily available for the employee's shift; and
 - (3) their assigned wireless transmitter is fully charged and synchronized to the vehicle's MDVR.
- c. Personnel shall ensure the wireless transmitter/PVR is activated at all times during a recorded event, and that the MDVR or PVR equipment is not deactivated until all

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enforcement actions have concluded and it is otherwise appropriate to terminate the recording.

Note: It is highly recommended that personnel use the external microphone to enhance audio quality.

- d. Personnel shall ensure the volume from other electronics devices within the police vehicle such as; AM/FM radios, scanners, CD players, etc., are turned off when the MDVR or PVR is activated (this does not apply to police radios).
 - e. Personnel are required to inform their supervisor of any digital video files that may have value to or aid in training or an internal affairs investigation.
 - f. Personnel are encouraged to review the recordings when preparing written documentation of events. Using the recording as a tool when completing written reports will ensure the accuracy and consistency of events.
2. Video Download
- a. If the MDVR or PVR was activated at any time during a tour of duty, the video will be downloaded by the end of the officer's shift.
 - b. Personnel will take their PVR to the designated downloading area and connect the PVR with the docking cable. Using VieVu software, personnel will ensure that all video has downloaded to the PVR server.
 - c. Personnel will drive police vehicles to a designated MDVR downloading area and connect the MDVR with the docking cable. Personnel will ensure that all video has downloaded to the MDVR server.
 - d. Depending on the location of the docking station, personnel will remove their vehicle from the docking area immediately after completion of the download process in order to allow other officers access to the download ports.
 - e. Personnel coming on duty who find video recordings from prior shifts remain on the MDVR should perform a download as soon as practical.
 - f. Any damage to the download equipment, including cables, will be reported to a patrol supervisor or watch commander immediately.
 - g. Watch commanders or patrol supervisors will notify the Technology Liaison Unit via email regarding any known issues or damage to download ports.
3. MDVR Video Files Submitted as Evidence
- If the video documents an incident that may be needed as evidence:
- a. Personnel will tag the incident as evidence using either the MDVR MDC interface or on the in-car LCD display. If an incident is needed for evidence after it has been downloaded, the officer who recorded the event, a supervisor, or the Property/Evidence Unit may mark the video as evidence using the DPView desktop application.
 - b. Personnel shall indicate in the incident all factors involved, i.e., arrest, fleet accident, pursuit form, use of force, DWI Investigation and any related reports, and the existence of the video evidence in their incident report. This information should include the date and time of the event, the vehicle number, officer name and badge number, and where the video was downloaded (800, 801, 802)

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- c. Personnel shall set the 'Marked as Evidence' flag and enter the activity number in the Collision Report field; and
 - d. Personnel, per current reporting procedures, will complete an evidence sheet with their incident report. The evidence sheet will indicate the existence of video evidence related to the incident and employees will make appropriate notations in the report.
 - e. Personnel shall also submit an e-mail request, addressed to dvrevidence@plano.gov, which includes their name, badge number, incident number, date & time of incident, and the primary event classification (DWI, Traffic Stop, etc.).
4. PVR Video Files Submitted as Evidence
- If the video documents an incident that may be needed as evidence:
- a. If an incident is needed for evidence after it has been downloaded, the officer who recorded the event or traffic a supervisor may mark the video as evidence using the VieVu desktop application.
 - b. Personnel shall indicate in the comments field all factors involved, i.e., arrest, fleet accident, pursuit form, use of force, DWI Investigation and any related reports, and the existence of the video evidence in their incident report. This information should include the date and time of the event, the vehicle number, officer name and badge number.
 - c. Personnel shall set the "Never Delete This Video" flag and enter the activity number in the comments field; and
 - d. Personnel, per current reporting procedures, will complete an evidence sheet with their incident report. The evidence sheet will indicate the existence of video evidence related to the incident and employees will make appropriate notations in the report.
 - e. Prior to submitting an evidence sheet, personnel will request a traffic supervisor to burn a DVD for evidentiary purposes. The DVD will be submitted into evidence following current evidentiary submission protocols.
5. Non-Evidentiary Video Files
- Note: Recordings not scheduled for court proceedings or departmental use shall be maintained for a minimum 90 day period by the department.
- If the employee does not believe the contents of a recording will be needed for evidence:
- a. They shall indicate in any case notes regarding the incident, arrest, internal affairs, or related reports when video/audio recordings were made during the incident in question.
 - b. Personnel are encouraged to inform their supervisor of any videotaped sequences that may be of value for training or internal affairs investigation purposes.
 - c. MDVR or PVR files related to an internal investigation will not be released without approval from the Professional Standards Unit.
 - d. Any MDVR video files that are not evidentiary and may be needed beyond 90 days should be marked as evidence and information regarding its retention will be listed in Review Notes on the desktop application. The video will be stored on the evidence server until such time as the video is no longer needed. Non-evidentiary video no longer needed for retention may only be purged by Property/Evidence personnel after formal request through a supervisor has been made per this directive.

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- e. Any PVR video files which are not evidentiary that may be needed beyond 90 days should have the 'Never Delete This Video' flag set and information regarding its retention will be listed in Comment Notes on the VieVu desktop application. The video will be stored on the VieVu server until the video is no longer needed. Non-evidentiary video no longer needed for retention may only be purged after formal request through a supervisor has been made and approved per this directive.
6. Technology Liaison Officer Responsibilities
- a. The Technology Liaison Officers will ensure that all patrol personnel are trained in the appropriate use and maintenance of MDVR equipment prior to an officer's assignment to an MDVR equipped patrol vehicle.
 - b. The Technology Liaison Officers shall coordinate with vendors, the Quartermaster Unit, the Technology Services Department, and City Fleet Services personnel as needed to ensure that all MDVR equipment is kept properly maintained and in good working condition.
 - (1) If immediately available, the Technology Liaison Officers may resolve minor issues that do not involve complex troubleshooting or replacement of system components absent formal documentation through the standardized work order process.
 - (2) For all other repair requests, a work order shall be completed by the employee and submitted to a supervisor, who will then review the request and forward, as deemed appropriate, to the Quartermaster Unit.
 - (3) Upon request of a work order from the Quartermaster Unit, a Technology Liaison Officer will ensure the necessary repairs are fully completed and the vehicle, if downed for service, is immediately returned to available status. The completed work order shall then be returned to the Quartermaster Unit with documentation of the corrective actions taken included.
 - c. If recorded media related to a critical incident is required for immediate review and the vehicle has become inoperable or cannot otherwise be driven to 800 for upload, the Watch Commander shall notify a Technology Liaison Officer. He or she shall then respond as soon as practicable to retrieve the recording and upload it to the server at 800.
 - d. The digital video management software currently in place allows for viewing of videos by all authorized police personnel via the city computer network; therefore, transfer of non-evidentiary recordings will be limited only to those that have been properly approved for public release. The Technology Liaison Officers shall copy such recordings to DVD or other media only upon request by the Chief of Police or his designee, the Professional Standards Unit Sergeant, or the Public Information Officer. All other transfers of recorded media should be handled by the Property / Evidence Unit.
7. Training Coordinator Responsibilities
- The Training Coordinator is responsible for assisting the Technology Liaison Officers with the coordination of MDVR training (locations, schedules, equipment needs, etc.).
8. Supervisory Responsibilities for MDVR
- a. It shall be the responsibility of every administrative supervisor, or a designated supervisor, having personnel assigned MDVR equipment randomly review five video and audio documentations during each calendar quarter for each officer. The purpose of

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these reviews is:

- (1) to ensure compliance with law and department policy, Administrative Directive 112.032 IV C;
 - (2) to periodically assess officer performance;
 - (3) to ensure the MDVR equipment is functioning properly;
 - (4) to determine if MDVR equipment is being operated properly; and
 - (5) to identify material that may be appropriate for training.
- b. Supervisors having personnel newly assigned to MDVR equipment will conduct a review of the recorded media bi-weekly to ensure the equipment is being operated consistent with departmental policy. Once the supervisor has determined that the officer is in compliance with departmental use of the MDVR equipment, the supervisor may then conduct quarterly reviews.
 - c. Minor infractions (not criminal in nature) discovered during the routine review of recorded material should be viewed as training opportunities and not as routine disciplinary actions. Should the behavior or action become habitual after being informally addressed, the appropriate disciplinary or corrective action shall be taken.
 - d. When an incident arises that requires the immediate retrieval of the recorded media (serious crime scene, departmental shooting, fleet accident, or incident that might be of significant public interest), a supervisor shall ensure the recorded media is uploaded at 800 and submitted as evidence or surrendered to the authorized investigative personnel. Once this task has been accomplished, the Watch Commander shall be immediately notified and the appropriate notations made in any related reports.
 - e. Supervisors will periodically monitor MDVR storage in vehicles to ensure that media is being downloaded in a timely manner. Failure to use and download the media in a timely manner may be indicative of unreported problems with the MDVR equipment or equipment not being used in accordance with departmental policy.
 - f. Supervisors observing recordings that may require further review should tag those recordings in question to ensure retention.
9. Supervisor Responsibilities for PVR
- a. The Motor Supervisor will act as the administrative user on the VieVu system and ensure that all motor officers are trained in the appropriate use and maintenance of PVR equipment prior to an officer's assignment to a PVR.
 - b. The Motor Supervisor, or his designee, will train officers in the operation and upload procedures for the PVR.
 - c. The Motor Supervisor shall coordinate with vendors, the Quartermaster Unit, and the PD Technology Liaison as needed to ensure that all PVR equipment is kept properly maintained and in good working condition.
 - (1) the Motor Supervisor may resolve minor issues that do not involve complex troubleshooting or replacement of system components absent formal documentation through the standardized work order process. Otherwise the vendor will be notified and any item that cannot be rectified via the internet/phone, will be shipped back to the vendor.

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- d. The digital video management software currently in place allows for viewing of videos by only those who operate PVR's and the system administrators.
 - e. System administrators only include the traffic supervisors and traffic commander.
 - f. The supervisor of the officer using the PVR will be responsible for the review of his/her officer's recordings. This can be accomplished by contacting the Motor Supervisor.
 - g. Only system administrators can burn DVD's. System administrators shall copy non-evidentiary recordings to DVD or other media only upon request by the Chief of Police or his designee, the Professional Standards Unit Sergeant, or the Public Information Officer.
10. Traffic Supervisory Responsibilities for PVR
- a. It shall be the responsibility of the Motor Supervisor, or a designated traffic supervisor, having personnel assigned PVR equipment to conduct periodic reviews of the video and audio documentation. The purpose of these reviews is:
 - (1) to ensure compliance with law department policy, Administrative Directive 112.032 IV C;
 - (2) to periodically assess officer performance;
 - (3) to ensure the PVR equipment is functioning properly;
 - (4) to determine if PVR equipment is being operated properly; and
 - (5) to identify material that may be appropriate for training.
 - b. Traffic supervisors having personnel newly assigned to PVR equipment will conduct a review of the recorded media bi-weekly to ensure the equipment is being operated consistent with departmental policy. Once the supervisor has determined that the officer is in compliance with departmental use of the PVR equipment, the supervisor may then conduct quarterly reviews.
 - c. Minor infractions (not criminal in nature) discovered during the routine review of recorded material should be viewed as training opportunities and not as routine disciplinary actions. Should the behavior or action become habitual after being informally addressed, the appropriate disciplinary or corrective action shall be taken.
 - d. When an incident arises that requires the immediate retrieval of the recorded media (serious crime scene, departmental shooting, fleet accident, or incident that might be of significant public interest), a traffic supervisor shall ensure the recorded media is uploaded and submitted as evidence or surrendered to the authorized investigative personnel. Once this task has been accomplished, the Watch Commander shall be immediately notified and the appropriate notations made in any related reports.
 - e. Traffic Supervisors will periodically monitor PVR storage in the VieVu server to ensure that media is being downloaded in a timely manner. Failure to use and download the media in a timely manner may be indicative of unreported problems with the PVR equipment or equipment not being used in accordance with departmental policy.
 - f. Traffic Supervisors observing recordings that may require further review should tag those recordings in question to ensure retention.

11. Property Unit Personnel

Property Unit Personnel are responsible for the following:

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a. Video File Control and Management

(1) Evidence

MDVR Recordings containing information that may be valuable for case prosecution or civil proceedings shall be safeguarded as other forms of evidence. These video recordings:

- (a) Will be subject to the same security restrictions and chain of evidence safeguards as detailed in the evidence control policy;
- (b) Will not be released to another criminal justice agency for trial or other reasons without having a duplicate copy made and returned to the property unit for safe storage; and
- (c) Will not be released to other than bona fide criminal justice agencies without prior approval of the legal advisor.

(2) Non-Evidentiary Recordings

- (a) Recordings not scheduled for court proceedings or departmental uses shall be maintained for a minimum 90-day period by Property Unit personnel.
- (b) If it is determined a recording needs to be maintained longer than the 90-day minimum, the Property Supervisor must be notified in writing of the estimated length the recording should be maintained. The Property Supervisor must be notified of any additional time extensions needed.
- (c) In the event a recording is needed for supervisory review, the officer's supervisor, a Watch Commander, the Professional Standards Supervisor, Division Commander, the Assistant Chief, the Administrative Manager, or the Chief may immediately request the recording be downloaded from the officer's vehicle; or if the recording has been downloaded, supervisory personnel with the proper rights may access the recording from the appropriate MDVR server.

(3) Digital Video Media Processing

- (a) The video file may be recorded onto a digital media such as a CD-R or DVD disk as a result of a request by subpoena from the court of record, or request by the lead investigator for release to other agencies such as DEA, FBI, etc. Workstations in Property will be equipped with the necessary computer hardware to replicate media.
- (b) The media will be marked as follows:
 - 1. Plano PD;
 - 2. Evidence Video;
 - 3. Recovered/Seizure Date;
 - 4. Activity Number;
 - 5. Bar Code.
- (c) A Property/Evidence form must be completed.
- (d) The media evidence shall be documented on a supplement to any related police reports.

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12. Open Records Requests

MDVR recordings will be considered subject to open records requests as any other police department documents.

- a. Requests are to be directed to the Department's Legal Advisor.
- b. The Legal Advisor will be responsible for determining to what extent the contents of the recording are to be released.

G. Suggestions For Improved Video Recording Quality

1. Enhance the audio quality by using the external microphone provided with the digital transmitter.
2. When it is determined a violator will be stopped, consider turning the microphone transmitter on and begin narrating details before activating overhead lights. This will allow for articulation of the facts prior to and during the stop. This "talk" function will also allow the activation of the MDVR while out of the car, capturing information during a call or when out of camera view.
3. Park at least 2 car-lengths back from the violator. This enables the camera to see more of the suspect's car; the officer, and the suspects involved. The MDVR has a license plate feature that enables the camera to zoom into the rear license plate and then returns to normal view.
4. (*Prefacing this with NEVER sacrifice personal safety) – During low level light conditions, after the stop, reduce the front emergency lights and use only the rear emergency lights. Use low beams and the spotlight aimed near the roof line of the violator. This reduces flashback and glare for a better visual recording, **BUT ONLY IF IT IS SAFE TO DO SO.**
5. During an arrest, especially one with an unreasonable prisoner, read the suspect their rights and advise the suspect they are being recorded both audibly and visually.
6. Officers should consider disabling the playback of microphone 1 & 2 on the MDC at the beginning of their shift. This will not disable the microphones, but will eliminate the feedback on the recording, which will improve the quality of the audio recording.