

Seattle Police Department Manual

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16.090 - IN-CAR VIDEO SYSTEM

Effective Date: 03/01/2016

16.090-POL-1 Using the In-Car Video System

This policy applies to all sworn employees who operate In-Car Video (ICV) systems (including Patrol, Traffic, Gang Unit, Canine, SWAT, etc.).

1. All Employees Operating ICV-Equipped Vehicles Must Have Completed ICV Training

This includes officers, detectives, sergeants, and lieutenants who operate vehicles equipped with ICV systems.

2. All Employees Operating ICV Must be in Uniform and Wear a Portable Microphone

Exception: Field Training Officers in plainclothes need not wear a portable microphone.

See also RCW 9.73.090(1) (c)

3. Each Precinct Assigns Microphones to Squads and Places Chargers

Each precinct will assign microphones to squads and label them accordingly. Each squad will receive at least one microphone per officer and at least one spare. Sergeants may assign specific microphones from their allotment to individual employees.

Each precinct will position chargers in a way that allows sergeants to access their squad's microphones.

4. Sergeants Issue Portable Microphones at the Beginning of Shift

At the beginning of shift, each sergeant will issue microphones to the employees coming on duty. Sergeants will only issue a microphone that shows that it is fully charged with a green indicator light and has an antenna in good repair.

If the microphone is not charging fully after 6 hours, the sergeant will create a "HEAT" ticket with the IT section by:

- Sending an email to Dolt_Help@seattle.gov

OR

- Calling 206-386-4011

The sergeant will remove the battery and send it to the IT section for testing under the assigned "HEAT" ticket number via Department mail.

If the antenna on the microphone is broken, the sergeant will replace it with one that is in good repair. Each stationmaster will have a supply of replacement antennas.

5. Employees Will Log in and Perform a System Check

At the start of a shift, employees will log in to COBAN and check to ensure that the ICV system is working properly. Both employees in two-officer cars must log into COBAN and sync their microphones.

If at any point during the shift the system malfunctions, the employee will:

- Notify a supervisor, and
- Note on the MDC/CAD log

See 16.090-TSK-1 and TSK-2

6. Employees Will Record Police Activity

Employees will record the following police activity:

- Response to dispatched calls, starting before the employee arrives on the call and ending consistent with paragraph 8 below
- Terry stops
- Traffic stops
- On-View Infractions and Criminal Activity
- Arrests and seizures
- Searches and inventories of vehicles or persons
- Transports (excluding ride-alongs and passengers for meetings)
- Vehicle Eluding/Pursuits
- Questioning suspects or witnesses

If circumstances prevent recording with ICV at the beginning of an event, the employee shall begin recording as soon as practical.

Employees will activate the ICV to record the above, even if the event is out of view of the camera. As public and officer safety considerations permit, employees will make an effort to position the vehicle and camera to obtain useful recordings.

Unless there is reasonable suspicion to believe that criminal activity is occurring or will occur, employees shall not intentionally record:

- People who are lawfully exercising their freedom of speech, press, association, assembly, religion, or the right to petition the government for redress of grievances. (Protected activity which is unintentionally captured while recording an event as otherwise required by this policy is not a violation.)
- Places where a heightened expectation of privacy exists, such as restrooms, jails, or hospitals, unless for a direct law enforcement purpose.

7. Specialized Units May Request Exceptions

The department recognizes that units may perform specific tasks during their normal duties that make using the ICV impractical. Units may request exceptions to recording with ICV, for those specific tasks, from the Chief of Police. Any exceptions granted are valid for a term not to exceed one year and may be renewed annually at the discretion of the Chief of Police.

Units will request the exceptions by department memorandum outlining the specific tasks and justification. The Chief of Police and affected section commanders will maintain a file of approved exceptions. Section commanders may provide copies of the exceptions to the affected personnel under their command.

8. Once Recording Has Begun, Employees Shall Not Stop Recording Until the Event Has Concluded

Generally, an event has concluded when all of the following apply:

- The employee has completed his or her part of the active investigation;
- There is little possibility that the employee will have further contact with any person involved in the event; and
- The employee is leaving the area of the event.

If the employee is on a perimeter post at an extended major incident investigation (except where FIT has been notified), the on-scene supervisor may authorize recording to be stopped.

Where FIT has been notified, the FIT commander may authorize recordings to be stopped.

For transports to a King County jail facility, the event concludes just before the employee enters the sally port of the facility.

For transports to medical facilities, the event concludes when the employee reaches the transport destination, and the officer is exiting the vehicle.

For transports to other locations, the event concludes when the employee reaches the transport destination, and the subject has been taken into the destination.

9. Employees Notify Persons of Recording

Employees using ICV shall notify persons that they are being recorded as soon as practical, and the notification must be on the recording.

Employees shall repeat the notification, if practical, for additional people that become involved in the recording.

10. Employees Will Turn Off the AM/FM Vehicle Radio During ICV Recordings

If employees are operating a vehicle that does not have an AM/FM radio inhibitor installed, then when safe to do so, employees will turn off the AM/FM radio before the audio recording is set to begin.

If the radio was not turned off before the start of the recording, employees will turn off the radio as soon as feasible after the start of the recording.

The radio must remain off during the entire recording of the incident, including the transport of any person.

11. Employees Document the Existence of Video or Reason for Lack of Video

Employees will document the existence of video, lack of video, or delay of the start of video in a call update and any related GO report, Street Check, Notice of Infraction, Criminal Citation, or Traffic Contact Report (TCR).

Employees who are not logged to a call or event but capture video of the event will log to the call and

note that the event was recorded in a call update.

If this policy requires that an event be recorded, and there is no recording or there was a delay in recording, employees must explain in writing why it was not recorded or why the start of the recording was delayed.

12. Employees Will Enter Data for Recorded Events

Employees will assign the appropriate event type for all recordings and enter any related GO or event number(s) in the proper format. (YYYY-#####)

13. Employees Upload Recorded Video Before Going Out of Service

If the upload is not completed before the end of shift, employees will notify a supervisor.

14. Employees Deposit Portable Microphones at the End of Shift

Each precinct will create a portable microphone collection point. At the end of shift, employees will deposit their microphones at the collection point for recharging.

At least once during each shift, assigned personnel will take the microphones from the collection point and place them in the appropriate chargers. Each watch lieutenant will decide who will perform this task.

16.090-POL-2 Reviewing In-Car Video

This policy applies to all employees—non-sworn and sworn—who review in-car video (ICV).

1. Recorded Video May Be Viewed For Appropriate Purposes Only

Video recorded by an ICV system may be viewed for the following purposes:

- Complaint
- Criminal investigation
- Officer-involved collision, including Collision Review Board investigations
- Vehicle Pursuit investigation or review
- Force Review Board
- Public Disclosure Request
- Use of Force review or investigation
- Performance appraisal
- As part of the Early Intervention System (EIS)
- Training purposes, with the permission of the involved employees.
- Audit and Quality Control/Troubleshooting

If requested, the department will grant SPOG access to the video log.

2. Minor Misconduct Discovered During ICV Review Will Not Result in Discipline

If, in the course of viewing ICV, minor acts of misconduct unrelated to the original reason for viewing the video are discovered, they will not result in discipline or a sustained finding. However, such acts may result in a training referral or career counseling and may be included in an employee's performance evaluation.

In the context of ICV review, minor acts of misconduct will be handled either through mediation or the named officer's chain of command for appropriate follow up. In the context of ICV review, examples of minor misconduct include but are not limited to uniform violations, rudeness, and profanity.

Exception: Profanity and slurs that disparage a protected class under city, state, or federal law are not considered minor misconduct.

3. Users Note the Purpose for Viewing Video

Any person viewing an ICV recording shall note the reason in the "Notes" field (Located Under the "Data Entry" Icon) in the COBAN viewer application.

The system automatically logs the identity of the user who accesses a particular video and the date and time of access. The user must still manually enter the purpose for viewing the video.

4. Recorded Video Shall Not Be Used for Training Purposes For Other Employees Without Permission of the Involved Employee

5. Employees Shall Not Make Copies of Recorded Video Without Written Authorization from a Captain

16.090-TSK-1 Operating the In-Car Video System

When operating a vehicle equipped with an in-car video (ICV) system, an **employee**:

1. **Checks** the system at the beginning of shift to ensure it is functioning properly by:

- **Synchronizing** the portable microphone of the primary and secondary officer (if applicable) with the system
- **Making** a test recording with sound while standing in view of the camera
- **Verifying** the audio and video are captured
- **Selecting** the System Check event type

2. If the system malfunctions, **troubleshoots** using steps included in the initial training such as system reboot, re-synching of the portable microphone(s), and "check out" of the hard drive.

3. If the initial troubleshooting does not fix the problem, **contacts** the IT Section and follows their instructions.

4. If the problem is resolved, **makes** an entry in the MDC log of the malfunction and steps taken to resolve it.

5. If the problem is not resolved, **notifies** supervisor of the malfunction. (See 16.090-TSK-2) and

- a. **Moves** to a vehicle with a functioning ICV system, if one is available. If not,

- b. With a supervisor's permission, **uses** a vehicle without a functioning ICV system and notes on the MDC/CAD log that the ICV system is not functioning and the name of the screening supervisor.
6. **Records** activity during the shift as specified by 16.090-POL-1.
7. **Documents** that an event was recorded or reason for the lack of a recording if one should have been made per policy.
8. **Selects** event type for the video and enters event number into COBAN, as specified by 16.090-POL-1.
9. **Uploads** video prior to going out of service.
 - a. **Notifies** supervisor if upload not completed.

16.090-TSK-2 Supervisor Responding to a Malfunction of the In-Car Video System

After receiving a report that an in-car video (ICV) system has malfunctioned, a **supervisor**:

1. **Arranges** for the affected employee(s) to switch to a vehicle with a functioning ICV system, if one is available.
 - a. If there are no vehicles with a functioning ICV system, **approves** the use of a vehicle without a functioning ICV system.
2. **Flags** the vehicle with the malfunctioning ICV system as "out-of-service".
3. **Requests** repair of the malfunctioning system by SPD ITS.

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