

Columbus Police Division Directive	EFFECTIVE	NUMBER
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<b>Cruiser Video System (CVS)</b>		



## I. Introduction

The principal purpose of a **CVS** is to collect evidence *that* may be used to prosecute traffic and criminal offenses, assist with investigations, or help evaluate and train personnel. The Division's use of a recording system provides documentation of whether the situation was handled lawfully and professionally. Police interactions with individuals during enforcement activity may rapidly evolve, and recording these interactions is an excellent way to prove that Division personnel will be held accountable for their actions and provide transparency to the community.

## II. Definitions

### A. Classification

The category assigned to each video recording, chosen from the following three selections, after the camera has been deactivated.

Note: If personnel are unsure of which classification to choose, the video should be classified as evidence.

#### 1. Evidence

**A** recording which may be used *as evidence to document an incident* as it pertains to an enforcement action/*adversarial* encounter.

Examples of evidence: misdemeanor and felony investigations, arrests, use of force incidents, forced entries, and traffic and pedestrian stops. This is not an all-inclusive list.

#### 2. Non-evidence

**A** recording, whether accidental or intentional, which has no evidentiary or administrative value.

Examples of non-evidence: accidental/incidental recording, equipment checks, training, and CVS recordings triggered by the speed of the cruiser. This is not an all-inclusive list.

#### 3. Permanent

**A** recording to be kept indefinitely.

Examples of permanent: Any incident that select Division personnel (for example, a supervisor, a detective, CIRT, etc.) believe should be classified in a category that does not expire.

### III. Policy Statements

- A. Sworn personnel operating a CVS-equipped unit shall record all investigatory stops, traffic and pedestrian stops, suspected OVI stops, and when engaged in emergency vehicle operations from the beginning of the action.
  - 1. Recording of an event shall not be stopped until the enforcement action or incident has ended or as directed by a sworn Division supervisor.
- B. When the CVS unit is used while effecting an arrest, personnel shall check the CVS box on the Arrest Information, form U-10.100, and shall indicate the unit (50, R50, etc.) and officer(s) who recorded the incident in the narrative section.
- C. The driver, or probationary officer in an FTO unit, shall wear the body microphone in the CVS microphone pouch and shall turn on the body microphone when exiting the marked unit anytime the CVS is recording.

Note: When wearing a body-worn camera, the body microphone is not required to be worn.
- D. Sworn personnel shall add the letter "V" after the clearance code of a run if a CVS is used.
- E. Upon inquiry, sworn personnel shall inform citizens **that** the CVS is recording. Personnel are not required to cease recording at the request of any person unless ordered by a sworn Division supervisor.
- F. Sworn personnel shall complete the required training prior to operating the CVS.
- G. Sworn personnel may use the CVS to provide evidence, record an incident to document the actions and statements of suspects during interviews or while being placed into custody, or as a means to verify an action taken, such as the signing of a Consent to Search, form I-26.102, or Constitutional Rights, form I-20.109. Personnel may use the CVS to supplement, but not replace the use of, any required forms.
- H. Sworn personnel should not use the CVS to record routine patrol duties unless there is a reasonable belief the recording could benefit the Division.
- I. Sworn personnel are not required to use the CVS to record while working traffic control.
- J. Sworn personnel shall ensure the CVS backseat camera is activated anytime a person is placed in the rear of their marked unit.
- K. All recorded images and audio recordings made on the CVS are the property of the Division of Police. Division personnel shall not disseminate or duplicate these recordings outside of the Division unless approved by the Chief of Police, pursuant to the Ohio Public Records Act, or in accordance with a legally binding subpoena.
- L. Personnel shall not tamper with, erase, delete, alter, or destroy any original recorded section of video or audio.

- M. Division personnel shall classify all CVS recordings consistent with Division training **and policy**. Personnel shall not intentionally classify a video inappropriately or knowingly take actions to prevent a recording from being viewed or downloaded.
- N. CVS audio/video recordings shall be maintained by PoliceNET and the Department of Technology (**DOT**) pursuant to the City of Columbus approved Records Retention Schedule.
- O. Division personnel needing to hold a CVS recording longer than the required Records Retention Schedule shall reclassify the recording as permanent within the CVS.
1. When the recording no longer needs to be maintained, reclassify it appropriately.
- P. Supervisory and investigative review of CVS recordings
1. Supervisors wishing to request a copy of a CVS recording shall complete and forward an Internal Video/Audio Request, form S-35.104.
  2. All CVS recordings are subject to review by a police supervisor or investigator at any time while the recording is in the CVS in the marked unit.
  3. Supervisors and the involved chain of command wishing to review a CVS recording shall conduct the review on a Division computer.
    - a. Supervisors shall login to the secured CVS server with their Division-issued password.
    - b. After being uploaded to the secured server, Division supervisors will have access to all cruiser videos unless access has been archived due to an investigative purpose.
  4. Supervisors shall document the review of CVS recordings related to incidents under investigation **on the Incident Video Review, form U-10.197. Supervisors** shall **address** the relevant portion(s) of the recording **within the administrative investigation** to be reviewed by the chain of command **as necessary**.
- Q. Supervisors using CVS recordings for an investigative purpose shall review or reclassify the recordings, as appropriate, **and** in accordance with established law, Division policy, and applicable **CBA**.
- R.** Public Records Unit personnel shall process all CVS requests for police personnel, court personnel, subpoenas, discovery, or preservation of evidence and all requests made pursuant to the Ohio Public Records Act.
- Note: In the event a CVS recording cannot be located, Public Records Unit personnel **shall** contact PoliceNET for further investigation.
- S.** Sworn personnel may be ordered by a sworn Division supervisor or Critical Incident Response Team personnel to return to headquarters to immediately download video/evidence.

- T. Sworn personnel shall report malfunctioning CVS equipment as soon as practical, but prior to the end of the shift, to their immediate on-duty supervisor.
- U. Sworn supervisors who are informed or otherwise become aware of malfunctioning CVS equipment shall ensure the equipment is taken for authorized repair as soon as practical and as follows:
  - 1. Communications Shop for repairs to the camera, docking station, Digital Video Recorder, microphone, or connections.
  - 2. PoliceNET Unit/DOT for memory card or video/network problems with the CVS.

#### IV. Procedures

##### A. CVS

- 1. Prior to marking in-service, sworn personnel using a CVS:
  - a. Login with the username, area/zone, shift, and unit number using the provided drop-down menu.
  - b. Ensure the body microphone is synchronized.
- 2. Keep the CVS powered-up during the tour.
- 3. Upon completion of a CVS recording, stop the recording, classify it appropriately, and place only the incident number in the "Case File Number" field.
- 4. Logoff at the end of the tour and return the body microphone to the appropriate charging cradle.
- 5. Upload video as often as practical.
- 6. In exigent circumstances, supervisors shall contact PoliceNET personnel to remove the memory card from a CVS if the video cannot be uploaded by the normal uploading process.

Note: In certain circumstances, DOT may add additional memory cards until a time when the video can be uploaded.

##### B. Supervisors Conducting Random Reviews

- 1. **Review** randomly selected CVS recordings on a regular basis. The incidents should be no more than 30 days old.
- 2. Forward completed Cruiser Video System (CVS)/**Body-Worn Camera (BWC)** Supervisory Review, form **U-10.193**, to the bureau commander when there are areas of concern, for example, **user** error(s) or observations of misconduct, etc.

##### C. Bureau Commander

- 1. Forward **the** Cruiser Video System (CVS)/**Body-Worn Camera (BWC)** Supervisory Review form with **user** error(s) through the chain of command to the immediate supervisor of the officer(s) who made the recording.
- 2. If potential misconduct is discovered within the recording, determine the appropriate course of action.

D. Immediate Supervisor

1. Ensure sworn personnel who created the CVS recording correct the error.
2. If directed by the chain of command, complete an administrative investigation and send a copy **of the Cruiser Video System (CVS)/ Body-Worn Camera (BWC) Supervisory Review form** to the Patrol Administration Section.

E. Patrol Administration Section

1. File completed Cruiser Video System (CVS)/**Body-Worn Camera (BWC)** Supervisory Review forms.
2. Track results annually to determine compliance/training needs.