





IN-CAR RECORDING SYSTEM 5.13

5.13.1 PURPOSE

The purpose of this order is to provide procedural guidance for the in-car video system. The Wheaton Police Department has equipped marked and semi-marked patrol cars with a video and audio recording system to provide an objective account of patrol related activities.

5.13.2 POLICY

It is the policy of the Wheaton Police Department to use the squad car video system to record incidents with audio and video as permitted by law.

5.13.3 THE EAVESDROPPING EXEMPTION720 ILCS 5/14-3(h)

(h) Recordings made simultaneously with the use of an in-car video camera recording of an oral conversation between a uniformed peace officer, who has identified his or her office, and a person in the presence of the peace officer whenever (i) an officer assigned to a patrol vehicle is conducting an enforcement stop; or (ii) patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement. For purposes of this subsection (h), "enforcement stop" means an action by a law enforcement officer in relation to enforcement and investigation duties, including but not limited to traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to request for emergency assistance. A uniformed police officer may audio and video record utterances made by a person while in the presence of the officer and while an occupant of a police vehicle with department authorized recording equipment (720 ILCS 5/14-3h-5).

5.13.4 MANDATORY INCIDENT VIDEO AND AUDIO RECORDING

All uniformed officers, operating a patrol vehicle, who participate in an enforcement stop, shall record the incident.

This department order is not intended to describe every possible situation in which the in-car video system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

5.13.5 PROCEDURE

Training will be provided on the use of the video system.

Prior to going into service, each police officer assigned a vehicle with audio/video, will properly equip him/herself to record audio and video in the field. At the end of the shift, each officer



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will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. At the start of each shift, officers should test the squad car video system's operation in accordance with manufacturer specifications and department operating procedures and training.

- 1. Officers will log into the system with their name.
 - a. Officers will ensure the wireless microphone has been synchronized with the incar unit and is placed on their person in a position that will capture audio.
- 2. Officers will check the viewing image of the camera to insure it is positioned properly.
- Any malfunction, damage, or deviation in operating conditions of the recording equipment will be reported to the on-duty supervisor immediately. In the event of a malfunction, the officer shall immediately place the squad out of service and generate a Lucity service request, unless as otherwise authorized by the on-duty supervisor.

5.13.6 ACTIVATION

The squad car video system is designed to turn on whenever the unit's emergency lights are activated. The system remains on until it is turned off manually. When video is being recorded, the audio will also record. Power to the system will be maintained throughout the shift.

5.13.7 REQUIRED ACTIVATION

Officers shall use the in-car video system to record all traffic stops. Officers are required to carry the wireless microphone whenever video recording. In addition to traffic stops, officers are required to active the squad car video system during an "enforcement stop," as identified in 720 ILCS 5/14-3(h).

An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

Officers shall not cease audio and/or video recording until an incident is complete. For purposes of this order, the completion of an incident has occurred when all arrests have been made, arrestees have been transported, non-custody transports have been cleared and all witnesses and victims have been interviewed.

1. The audio and video recording may be manually stopped by an officer either at a crash scene or while directing traffic with emergency lights activated, and the scene has been







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stabilized to the point where there is no longer a possibility of an arrest, and/or having the camera on for an extended period would serve no evidentiary purpose. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

- 2. If the audio/video recording is stopped at other than a logical point, documentation is required to explain why the recording was stopped to the officer's immediate supervisor. Documentation shall be provided to the immediate supervisor in the form of a memorandum in the event of the audio/recording stopping due to an equipment failure.
- 3. Officers shall inform those who ask that video/audio recording equipment is in use.

Officers shall not erase or destroy recordings.

Video storage devices shall not be removed from the digital video recorder.

When recording during the hours of darkness, officers should avoid parking their vehicle too close to the subject vehicle so that the license plate will not become washed out by the reflections from their vehicles head lights.

Officers will consider vehicle positioning during traffic stops in order to fully frame the vehicle involved. However, at no time should the safety of the officer or the violator be sacrificed to capture video evidence.

5.13.8 DIGITAL VIDEO EVIDENCE

Recordings of incidents such as arrests, assaults, physical and/or verbal confrontations, pursuits or other incidents requiring review will be retained as evidence.

Officers will manually classify the video, according to the video system specifications, whenever a recording is to be saved for evidence. The primary officer will be responsible for documenting in the case report narrative the existence of any video evidence.

To ensure proper tracking and timely destruction, the officer shall classify the incident under one of the following event categories in the pull-down section:

- a) Traffic
- b) DUI Arrest
- c) Pursuit



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- d) Critical Incident
- e) Traffic Control / Motorist Assist
- f) Other Arrest
- g) Other / Test
- h) Interview

All captured audio and video of an incident shall be classified under the same classification.

Recordings marked as evidence will be tracked by the Property Control Officer. The Property Control Officer will upon request provide DVD copies of incidents for use in court proceedings. The Property Control Officer will monitor the case disposition and arrange for disposal of the evidence at the direction of the State's Attorney's Office. Once the order for disposal is authorized, the digital video evidence will be removed from property control, become part of the report, and maintained with the hard copy of the police report.

All recording media that is not booked as evidence will be retained for a minimum of 90 days and disposed of in compliance with the established records retention schedules (720 ILCS 5/14-3(h-15)).

Notwithstanding the 90 day retention period (720 ILCS 5/14-3(h-15)), if the Department receives funds under the Illinois Law Enforcement Camera Grant Act, video records must be stored for no less than two years (50 ILCS 707/15).

All recordings generated by the in-car video system remain the property of the Wheaton Police Department. Videos will not be released except in compliance with an order from the court or in accordance with the Freedom of Information Act. Recordings shall not be duplicated or shared for personal use. Officers shall not retain or maintain recordings on any devices not owned or maintained by the City of Wheaton.

5.13.9 USE OF VIDEOS FOR TRAINING/REVIEW

All recording media, recorded images and audio recordings are the property of the Department.

Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law. To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed, or otherwise inserted into any device not approved by the department. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.







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Recordings may be reviewed in any of the following situations:

- a) For use when preparing reports or statements
- b) By a supervisor investigating a specific act of officer conduct
- c) By a supervisor to assess officer performance
- d) To assess proper functioning of the system
- e) By a department member who is participating in an official investigation, such as a personnel complaint, administrative inquiry, or a criminal investigation
- f) By department personnel who request to review recordings
- g) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment
- h) By court personnel through proper process or with permission of the Chief of Police or the authorized designee
- i) By the media through proper process or with permission of the Chief of Police or the authorized designee
- j) To assess possible training value
- k) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the staff to determine if the training value outweighs the officer's objection
- I) FTO's will use the in-car video system to record a probationary officer's performance on traffic stops. FTO's may review these recordings as part of the training process.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any employee.



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Camera Selection

Press CAMERAS, control to review or change the state of the cameras connected to 4RE





Bookmarks

Press BOOKMARK to flag an important moment while a recording is in progress.





Manually Start Recording **Press RECORD**



Stop Recording

Press STOP



Covert Mode

Press and hold POWER (I) for three seconds. To soil Covert Mode, press STOP, (instinting Covert mode will start a



Categorize Event Tags

When you stop a recording, select an event category. Note: Only available BEFORE uploading to server.

Options may include:

Resolution: Choose Standard or HD video resolution.

Server Retention: Time the video will remain on the server.

Background Video: can be added to the recorded event when tagging your event (if configured to allow). You have the option to import background or not. If you do not need it, save storage space and do not import.



To edit event tags, press MENU, REVIEW, BY EVENT and select the event. Then press DETAILS and EDIT.

VIDEO UPLOAD



DO NOT remove the USB drive until following the steps below. Improperly removing the USB drive may corrupt the data.

No special process is required to insert USB into drive.

USB Upload

- To remove the USB:

 1. Press STOP for three seconds.

 2. Do you wish to safely remove the USB? Press YES.

Import video into Evidence Library software and return USB to DVR.

Wireless Upload

Wireless upload is automatic when in range of the station's wireless access point.

If the patrol car drives away, wireless uploading pauses until back in range—no video will be lost.

Wireless radio is connected to the network.

M. System is processing video files. 19 System is uploading recorded events to the server 6







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