

SIOUX CITY POLICE DEPARTMENT POLICY DIRECTIVE

SUBJECT: BODY WORN CAMERA (BWC)/ MOBILE AUDIO/VIDEO
RECORDER (MAVR) SYSTEM OPERATIONS

NUMBER: 5.04 **EFFECTIVE:** 10/16/2020

APPROVED BY: Rex M. Mueller,
Chief of Police **REVISION:**

6TH EDITION C.A.L.E.A. STANDARDS: 41.3.8

5.04 Authority, Responsibility, and the Use of Discretion – Policy Statement

It shall be the policy of the Sioux City Police Department that officers will utilize both the Mobile Audio Video Recorder, (MAVR) installed in marked vehicles, along with their assigned Body Worn Camera (BWC) when such use is appropriate to their assignment or necessary for the proper performance of their official duties and where the recordings are required by this policy. All personnel assigned to the Uniformed Bureau will have a BWC issued to them. All vehicles assigned to the Uniform Bureau will have an operational MAVR system installed. Non-Uniform Officers will have a BWC assigned and/or access as indicated in specific sections of this policy. This policy does not govern the use of surreptitious recording devices used in undercover/covert operations.

The Uniformed Services Bureau Commander will have overall responsibility for the Mobile Audio Video Recorder and Body Worn Camera Programs. The Telecommunications Unit (TCU) will have day to day responsibilities for operations and maintenance of both programs.

5.04.01 Video/Audio Recordings-General Statement

The SCPD utilizes a Mobile Audio Video Recorder system (MAVR) as well as Body Worn Camera systems (BWC) to accomplish several objectives. The primary objectives are as follows:

- These systems allow for audio and/or video documentation of police-public contacts, arrests, and critical incidents.
- They serve to enhance the accuracy of officer reports and testimony in court.
- They may be used to document crime and accident scenes or other events to include the confiscation/seizure and documentation of evidence or contraband.
- They provide an enhanced ability to review probable cause for arrest, officer/citizen/suspect interactions, evidence for investigative, and prosecutorial purposes.
- These systems may provide additional information for officer evaluation and training.

- The presence of audio/video recording devices tends to moderate excessive behavior in many situations.

5.04.02 Body Worn Camera and Mobile Audio Video Recorders – General Rules

- BWCs and MAVRs do not serve as a replacement to any of the reporting systems currently in place. Incidents still require all appropriate paperwork and forms.
- Recordings from either system are considered evidence and shall be treated as such.
- Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute MAVR and/or BWC recordings, in any manner, not otherwise covered in policy.
- All digital media from the MAVR and/or BWC, evidence or non-evidence, will be stored in dedicated off-site servers. Officers and Sergeants will have access to view videos; the Property Clerk, Property Supervisor, Lieutenants, Captains, and the Chief will have access to view and copy videos. Officers and Sergeants assigned to the Investigative Services Bureau will have access to copy videos as determined by the bureau commander.
- Recordings which contain material deemed beneficial for training purposes may, with the approval of the Chief of Police, be utilized for such training. Officers are encouraged to recommend recordings for this purpose if they feel it may be of value.
- Officers will be allowed to view their own video prior to filing an official report or making any statements, if necessary.
- If an officer is suspected of wrongdoing, the Chief or his designee may limit or restrict access to the video file.
- If an officer is involved in a deadly or potentially deadly use of force, the Chief or his designee may limit or restrict viewing the video file.
- Civilians will not be allowed to review the recordings at the scene of an incident.
- Files will be securely stored in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation, prosecution or litigation.
- All removable storage media will be locked; access will be limited to the TCU and Command Staff.
- Police personnel shall only use Body Worn Cameras (BWCs) issued by this department.
- Personal use of the Body Worn Camera (BWC) equipment on or off duty is prohibited. Extra-Duty employment is covered elsewhere in this policy.
- MAVR and BWC files may be used to investigate allegations of misconduct.

5.04.03 Uniform Bureau MAVR and BWC Operation-Use Required

Prior to beginning a shift, the officer will ensure the BWC is functioning correctly by recording a test video. In most cases the officer will be using a vehicle with MAVR installed. Syncing the camera to the car prior to the test will make classification easier. A successful test will have been completed if the camera states the recording has stopped. These will be classified as Test Videos. The vehicle MAVR will also be checked for proper function and operation prior to beginning a shift with a test video. A BWC failure will be reported to the member's supervisor immediately and a spare camera will be assigned before beginning a tour of duty. Vehicles with inoperable cameras will not be used until properly reported and corrected.

Officers working an extended shift or double shift are encouraged to utilize the in-car breakaway charger to ensure sufficient charge in the BWC. Absent a sufficiently charged BWC, officers will obtain a temporary camera from the Watch Commander or their designee, prior to continuing their shift. In situations where BWC system becomes inoperative during the shift, for any reason, the officer will obtain a temporary camera from the Watch Commander or their designee, prior to continuing their shift.

Officers will not for any reason beyond, "Officer Needs Assistance" or with direct verbal approval of a supervisor, report for duty or "go on the street" without both camera systems functioning properly. In the case where a supervisor gives permission, the involved supervisor will prepare and submit an official memo outlining the circumstances, to the appropriate Watch Commander.

5.04.04 BWC- Activation and Use

Officers shall activate the Body Worn Camera (BWC) on **all** calls for service involving citizen contacts. The BWC will be activated prior to the contact or in the case of an unexpected contact, as soon as practical thereafter. The BWC does not need to be activated to capture casual conversations, not related to a call for service. Example; casual conversation while purchasing an item at a convenience store.

In locations where individuals have a reasonable expectation of privacy, they may decline to be recorded. These requests will not generally be honored except in the most extreme circumstances. Officers that stop a recording must state on camera, why the recording is being stopped, prior to the stoppage. In a situation where an enforcement action is being or will be taken, the camera will be left in the record mode, regardless of a citizen request. A specific exception shall be in the case of juveniles in a state of undress. Whenever this occurs the officer may cover the camera with their hand to avoid capturing video.

If an interruption of the recording occurs, or the recording is stopped by the officer intentionally, the officer shall document the reason for the interruption or termination on camera. Some of the limited examples when it may be permissible to turn off the BWC include; Juvenile Sexual Assault Victims or Confidential Informants that are currently active. When doing so the officer will state, on camera, their intent to stop the recording and the reason.

The BWC itself has a mute function. The mute function may be used when deemed appropriate by the officer. An example of such is; prolonged incidents where conversation between officers, unrelated to the incident, may be captured. The feature may not be used when directly involved with enforcement actions or citizen contacts.

If an officer fails to activate the Body Worn Camera (BWC), as required by this policy, the officer shall document the reason(s) with a Blue Team entry.

Body Worn Camera (BWC) equipment is the responsibility of individual officers and shall be used with reasonable care to ensure its proper function. Equipment malfunctions shall be brought to the attention of the officer's supervisor immediately, so that a replacement unit can be provided.

5.04.05 Non-Uniformed Body Worn Camera-Use Required

All officers assigned to the Investigative Services Bureau, with the exception of those assigned to a task force, will have a BWC assigned to them. When an officer leaves the building with a camera, they will ensure the camera is working correctly by recording a test video. Upon completion, the officer will appropriately categorize the video in accordance with 5.04.13 using the Getac Program. Docks are provided for charging and downloading in the office space. Incidents of importance should be uploaded as soon as practical after the incident.

SROs will be issued a charging unit for their BWC; however, the camera must be brought to the station to be uploaded. For SROs, uploading of video will occur on no less than a weekly basis.

5.04.06 Extra-Duty Use

The use of the members assigned BWC will be required when engaged in extra-duty employment. Officers will be required to activate the BWC only when taking an enforcement action.

5.04.07 General Investigations

Many of the interactions that investigators have with victims, witnesses and suspects are currently being recorded by other means. The BWC is not meant to replace the interview rooms or phone recordings. However, investigators going into the field to conduct interviews or to take enforcement actions shall wear a BWC.

5.04.08 Special Investigations Unit

BWC will be used when conducting enforcement activities such as interviews of suspects, custodial arrests, executing search warrants, and conducting compliance checks for alcohol and tobacco. Operations that involve undercover officers, confidential or paid informants are not subject to this directive.

5.04.09 School Resource Officer

SROs will be assigned a BWC. These cameras will be used when SROs are requested to act with an argumentative or disputative student, one who is threatening and/or physically harming themselves or others, and/or is committing a crime that may result in an enforcement action. SROs will also use the BWC to record incidents involving adults who are creating a disturbance whether argumentative or physical and/or committing a crime at an assigned school. SROs will not randomly record the movements or day to day activities of staff and/or students at the school. SROs will not record investigations and/or interactions that allege violation of school district policies only.

5.04.10 MAVR

Mobile Audio Video Recorder systems are installed in all marked patrol units. Officers assigned to patrol will ensure the MAVR equipment is operational and functioning correctly. Vehicles

with inoperable equipment will be reported to a supervisor and repaired. Vehicles with inoperable MAVR system will not be utilized until repaired.

MAVR equipment installed in vehicles is the responsibility of the officer(s) assigned to that vehicle and will be operated according to the manufacturer's recommendations. For consistent operation, the function settings will be the same in all vehicles. Officers assigned to the vehicle are not authorized to change the menu settings.

Once a MAVR system begins recording, the officer will not stop the recording until the incident has concluded. If a stoppage must occur, the officer will narrate the reason for the stoppage of the MAVR system into the recording.

Digital MAVR is always on but will automatically begin recording and remain recording when one of the "triggers" is activated. The digital MAVR system has a built-in buffer. Therefore, a designated amount of time prior to the trigger being activated and after the trigger has been deactivated will be recorded. Triggers for MAVR activation are:

- a) Overhead Lightbar Activation
- b) 76 MPH
- c) Vehicle Accident
- d) Manual Record Button
- e) Body Camera Activation

Officers will use the MAVR system while transporting arrested subjects to jail. This will allow the recording of any audio comments or admissions made by the arrested subjects by the in-car microphone.

5.04.11 Restrictions on using the MAVR / BWC

The Body Worn Camera and/or MAVR shall not be used to record:

- Unofficial or private communications with other police personnel without the permission of the Chief of Police.
- Sexual Assault victims under 14 YOA per Iowa Code 915.36.
- Confidential Informants
- It shall not be activated when the officer is on break or otherwise engaged in personal activities or when the officer is in a location where there is reasonable expectation of privacy, such as restroom or locker room.
- It shall not be used for purposes that are counter to or inconsistent with the Sioux City Police Departments mission and core values or in ways that are contrary to federal, state and local law.

The BWC has the ability to be powered down completely. When doing so the cameras pre-event recording is no longer functional. Officers are not allowed to power down the camera.

Violations of this section constitute a Class Three Violation.

5.04.12 Digital File Control and Management

The digital MAVR system is set up to automatically upload video to an off-site server at designated “hot spots” located in the police department parking lot. At the end of the shift, the uploading will automatically begin. TCU will be notified if a vehicle hard drive is not uploading sufficiently and has limited storage, prior to using the vehicle.

The BWCs upload stored information to an off-site server through a docking station. There are docking stations in the Radio Room for officer’s use. BWCs will be placed into the docking station at the completion of each shift for battery maintenance and uploading. The same assigned BWC is to be retrieved by the officer at the start of the next work shift.

All data, images, video, and metadata captured, recorded, or otherwise produced by the above equipment are the sole property of the Sioux City Police Department. Use of recorded video will be in conformance with SCPD policies [6.05](#) and [10.14](#)

5.04.13 Video Classification

When a video recording has ended in either the MAVR or the BWC systems, the officer will categorize the incident using the pre-assigned category types available. All videos must be classified with **all of the category types that apply to the incident.** This includes secondary classifications such as a response to resistance that occurred during the originating incident.

Depending on the classification category, the system may provide additional forms with mandatory fields. An example would be a video classified as a traffic stop. After the classification, a second page will appear requiring a vehicle license plate be entered before the video is closed. All mandatory fields will be completed for each video.

Officers using BWCs that are not synced to the MAVR will use the Kiosk Dock in the Radio Room for classification of videos.

5.04.14 Video Retention

Video recordings will be retained in the server under one of these categories for the listed duration:

| | |
|------------------------------|------------|
| TEST VIDEOS | 7 DAYS |
| CALLS FOR SERVICE/NON-ARREST | 6 MONTHS |
| OWI | INDEFINITE |
| ARREST | INDEFINITE |
| ACCIDENT-CITY VEHICLE | INDEFINITE |
| ACCIDENT | 1 YEAR |
| TRAFFIC STOP | 1 YEAR |
| FIELD INTERVIEW | 1 YEAR |
| INTERVIEWS-INVESTIGATIVE | INDEFINITE |
| PURSUIT | 2 YEARS |

| | |
|-------------------------|------------|
| SELF-INITIATED ACTIVITY | 1 YEAR |
| RESPONSE TO RESISTANCE | INDEFINITE |
| CITIZENS COMPLAINT | INDEFINITE |

5.04.15 Evidentiary Videos

Videos to be used as evidence will be maintained on the servers under the original classifications. The City and County Attorney’s office will access the original videos through the GETAC system. Working copies of videos, maintained during the investigation, will be entered into the property system when no longer needed. Any additional requests for video will be made through the Property Clerk and returned to property, to be entered under the case number, when no longer needed.

5.04.16 Supervisory Responsibilities

Supervisory personnel shall ensure that officers equipped with BWC or MAVR devices utilize them in accordance with policy and procedures defined herein.

Supervisors shall periodically review a sampling of recordings to ensure that the equipment is operating properly, that officers are using the devices appropriately and in accordance with policy, and to identify any areas in which additional training or guidance is required.

5.04.17 Release of BWC and MAVR Recordings

All requests for the release of recordings, other than evidentiary, shall be directed to the Chief of Police or their designee. The Records Section Supervisor will have primary responsibility for answering subpoenas and Open Records Requests on a day-to day-basis.