

## Portable Audio/Video Recorders

### 421.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties (Minn. Stat. § 626.8473). Portable audio/video recording devices include all recording systems whether body-worn, weapon mounted camera, handheld or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any West Hennepin Public Safety facility, undercover operations, wiretaps or eavesdropping (concealed listening devices) unless captured by a portable recording system.

#### 421.1.1 DEFINITIONS

Definitions related to this policy include:

**Portable recording system** - A device worn by a member that is capable of both video and audio recording of the member's activities and interactions with others or collecting digital multimedia evidence as part of an investigation and as provided in Minn. Stat. § 13.825.

### 421.2 POLICY

The West Hennepin Public Safety may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

### 421.3 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time or while acting in an official capacity of this department, regardless of ownership of the device, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

### 421.4 OFFICER RESPONSIBILITIES

Prior to going into service, each uniformed member issued a portable recording device by West Hennepin Public Safety Department will be responsible for making sure, the recorder is in good working order (Minn. Stat. § 13.825). If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable (Minn. Stat. § 626.8473). Except weapon mounted cameras will be placed on an officer's duty weapon, placed in a holster or firearms storage device and not otherwise conspicuously placed or announced.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording

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in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable. Except weapon mounted cameras will be placed on an officer's duty weapons, placed in a holster or firearms storage device and not otherwise conspicuously placed or announced.

When using a portable recorder, the assigned member shall record his/her name, employee number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording (Minn. Stat. § 626.8473). Members should include the reason for deactivation.

#### **421.5 ACTIVATION OF THE AUDIO/VIDEO RECORDER**

This policy is not intended to describe every possible situation in which the recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The recorder should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview (FI) situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which a member would normally notify Hennepin County Sheriffs Office Dispatch
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording
- (e) A weapon mounted camera will be automatically activated for recordings upon the officer removing the weapon from a holster or a firearm storage device. Weapon mounted cameras are not intended to be used for situations a, b, c, or d., unless they involves a use of force incident involving the use of a firearm. The intended purpose of a weapon mounted camera is for use of force encounters or incidents where the officer's firearm is deployed from the officer's holster and involves the use of a firearm.

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

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At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

#### **421.5.1 CESSATION OF RECORDING**

Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident. Weapon mounted cameras will automatically terminate recording when the weapon is reholstered into a duty holster or firearms storage device. Officers will not intentionally leave their weapon out of the holster to continue recording an encounter when a reasonable officer would have placed his duty weapon back into his holster or locking device.

#### **421.5.2 SURREPTITIOUS RECORDINGS**

Minnesota law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (Minn. Stat. § 626A.02).

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Director of Public Safety or the authorized designee.

#### **421.5.3 EXPLOSIVE DEVICE**

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

### **421.6 IDENTIFICATION AND PRESERVATION OF RECORDINGS**

To assist with identifying and preserving data and recordings, members should download, tag or mark the recordings in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.

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- (f) Disclosure may compromise an under-cover officer or confidential informant.
- (g) The recording or portions of the recording may be protected under the Minnesota Data Practices Act.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

Weapon mounted camera data and recordings will be downloaded into a password protected secured server site at West Hennepin Public Safety. Downloads of data will be handled by the Director of public safety or the patrol sergeant. Patrol officers issued weapon mounted cameras will not be allowed to download their own data and will not be provided the password to access the recorded data. Patrol officer's shall notify the Director or Public Safety or patrol sergeant of any data to be marked as required by this section.

#### **421.7 REVIEW OF RECORDED MEDIA FILES**

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) By a supervisor as part of internal audits and reviews as required by Minn. Stat. § 626.8473.
- (b) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation.
- (c) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (d) By media personnel with permission of the Director of Public Safety or the authorized designee.
- (e) In compliance with the Minnesota Data Practices Act request, if permitted or required by the Act, including pursuant to Minn. Stat. § 13.82, Subd. 15, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that are clearly offensive to common sensibilities should not be publicly released unless disclosure is required by law or order of the court (Minn. Stat. § 13.82, Subd. 7; Minn. Stat. § 13.825, Subd. 2).

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#### **421.8 COORDINATOR**

The Director of Public Safety or the authorized designee should designate a coordinator responsible for (Minn. Stat. § 626.8473; Minn. Stat. § 13.825):

- (a) Establishing procedures for the security, storage, and maintenance of data and recordings.
  - 1. The coordinator should work with the Custodian of Records and the member assigned to coordinate the use, access, and release of protected information to ensure that procedures comply with requirements of the Minnesota Government Data Practices Act (MGDPA) and other applicable laws (Minn. Stat. § 13.01 et seq.) (see the Protected Information and the Records Maintenance and Release policies).
  - 2. The coordinator should work with the Custodian of Records to identify recordings that must be retained for a specific time frame under Minnesota law (e.g., firearm discharges, certain use of force incidents, formal complaints).
- (b) Establishing procedures for accessing data and recordings.
  - 1. These procedures should include the process to obtain written authorization for access to non-public data by WHPS members and members of other governmental entities and agencies.
- (c) Establishing procedures for logging or auditing access.
- (d) Establishing procedures for transferring, downloading, tagging, or marking events.
- (e) Establishing an inventory of portable recorders including:
  - 1. Total number of devices owned or maintained by the West Hennepin Public Safety.
  - 2. Daily record of the total number deployed and used by members and, if applicable, the precinct or district in which the devices were used.
  - 3. Total amount of recorded audio and video data collected by the devices and maintained by the West Hennepin Public Safety.
- (f) Preparing the biennial audit required by Minn. Stat. § 13.825, Subd. 9.
- (g) Notifying the Bureau of Criminal Apprehension (BCA) in a timely manner when new equipment is obtained by the West Hennepin Public Safety that expands the type or scope of surveillance capabilities of the department's portable recorders.
- (h) Ensuring that this Portable Audio/Video Recorders Policy is posted on the Department website.

#### **421.9 PROHIBITED USE OF AUDIO/VIDEO RECORDERS**

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned

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recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Sergeant. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

#### **421.10 RETENTION OF RECORDINGS**

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.

If an individual captured in a recording submits a written request, the recording shall be retained for an additional time period. The coordinator should be responsible for notifying the individual prior to destruction of the recording (Minn. Stat. § 13.825).

Members shall not alter, erase, or destroy any recordings before the end of the applicable records retention period (Minn. Stat. § 626.8473).

##### **421.10.1 RELEASE OF AUDIO/VIDEO RECORDINGS**

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

##### **421.10.2 ACCESS TO RECORDINGS**

Except as provided by Minn. Stat. § 13.825, Subd. 2, audio/video recordings are considered private or nonpublic data.

Any person captured in a recording may have access to the recording. If the individual requests a copy of the recording and does not have the consent of other non-law enforcement individuals captured on the recording, the identity of those individuals must be blurred or obscured sufficiently to render the subject unidentifiable prior to release. The identity of on-duty peace officers may not be obscured unless their identity is protected under Minn. Stat. § 13.82, Subd. 17.

#### **421.11 ACCOUNTABILITY**

Any member who accesses or releases recordings without authorization may be subject to discipline (see the Standards of Conduct and the Protected Information policies) (Minn. Stat. § 626.8473).

## Mobile Video Recorders

### 419.1 PURPOSE AND SCOPE

The West Hennepin Public Safety has equipped marked patrol cars with Mobile Video Recording (MVR) systems to provide records of events and assist officers in the performance of their duties. The purpose of this policy is to provide department members with guidelines for the use, management, access, storage, retrieval and retention of audio-visual media recorded by the MVR system.

#### 419.1.1 DEFINITIONS

Definitions related to this policy include:

**Activate** - Any process that causes the MVR system to transmit or store video or audio data in an active mode.

**Mobile Video Recorder (MVR)** Any system that captures audio- video signals that is capable of installation in a vehicle and that includes at minimum, a camera, microphone and recorder..

**Law Enforcement Operator (LEO)** - Primarily a licensed peace officer but on occasion may be a non-licensed representative of the Department who is authorized and assigned to operate MVR-equipped vehicles to the extent consistent with Minn. Stat. § 169.98.

**MGDPA** - The Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13.

**MVR technician** - Personnel certified or trained in the operational use and repair of MVRs, duplicating methods, storage and retrieval methods and procedures, and who possess a working knowledge of video forensics and evidentiary procedures.

**MVR Administrator** - A member of West Hennepin Public Safety who assigns, tracks, and maintains MVR equipment, oversees needed repairs, or replacement equipment through the vendor, controls users rights and access, and acts as a liaison with the vendor.

**Recorded media** - Audio-video signals recorded or digitally stored on a storage device or portable media.

### 419.2 POLICY

It is the goal of the West Hennepin Public Safety to use mobile video recorder (MVR) technology to more effectively fulfill the department's mission and to ensure these systems are used securely and efficiently.

### 419.3 MOBILE VIDEO RECORDER OBJECTIVES

West Hennepin Public Safety Department has adopted the use of the MVR's to accomplish the following objectives:

- (a) To enhance officer safety
- (b) To document statements and events during the course of an incident

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- (c) To enhance the Officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation
- (d) To preserve audio and visual information for use in current and future investigations
- (e) To provide a tool for self-critique and field evaluation during Officer training
- (f) To enhance the public trust by preserving factual representation and interactions between Officers and citizens in the form of audio/video recordings
- (g) To assist with the defense of civil actions against law enforcement officers and West Hennepin Public Safety Department
- (h) To assist with training and evaluation of Officers

#### **419.4 OFFICER RESPONSIBILITIES**

Officers who are in a squad equipped with an MVR will activate the MVR consistent with this policy. Prior to going into service each officer will ensure that all assigned MVR equipment is working properly. If the MVR is not working properly officers should change squads with a working MVR and notify the shift supervisor. Each officer should have adequate recording media for the entire duty assignment.

At the start of each shift, officers will confirm the MVR system operation in accordance with manufacturer specifications and department operating procedures and training.

System documentation is accomplished by the officer recording his/her name and the current date/time accuracy. If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

During their shift, officers will follow the established policies and procedures for documenting, classifying and retaining any recorded media.

Damage to, loss or theft of MVR equipment shall immediately be reported to the shift supervisor or command staff.

#### **419.5 ACTIVATION OF THE MVR**

The MVR system may be activated manually or automatically whenever the squad's emergency lights are activated or when the vehicle speed reaches 90 mph. Other automatic triggers to event recording may be activated at the discretion of the Police Administration.

##### **419.5.1 REQUIRED ACTIVATION OF THE MVR**

This policy is not intended to describe every possible situation in which the MVR 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 its use would be appropriate and/or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However the audio portion can be valuable evidence and is subject to the same activation requirements as the MVR.



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At no time is an Officer expected to compromise Officer safety in order to activate an MVR; however, the MVR system should be activated in the following situations as soon as practicable:

- (a) All field contacts involving actual or potential criminal conduct within video or audio range:
  - 1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
  - 2. Emergency vehicle responses
  - 3. Vehicle pursuits
  - 4. Suspicious vehicles
  - 5. Arrests
  - 6. Vehicle searches
  - 7. Physical or verbal confrontations or use of force
  - 8. Use of Force
  - 9. Prisoner or Non-custody transports
  - 10. Subject Stops of Pedestrian
  - 11. DWI investigations including field sobriety tests
  - 12. Taking a statement from a witness or suspect
  - 13. Crimes in progress or responding to an in-progress call
  - 14. When ordered by a supervisor
  - 15. Medical incidents attended to by members of the Department
  - 16. Any situation or incident that the Officer, through training and experience, believes should be audibly and/or visually recorded
- (b) All self-initiated activity in which an officer would normally notify Hennepin County Sheriffs Office Dispatch
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
- (d) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

Officers are required to notify those being recorded by the MVR whenever asked by the subject being recorded.

Department members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the department member that such privacy may outweigh any legitimate law enforcement interest in the recording.

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#### 419.5.2 CESSATION OF RECORDING

- (a) Once activated the MVR system should remain on continuously until the officer's direct participation in the incident is complete or the situation no longer fits the activation. For purposes of this section conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed.
- (b) Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.
- (c) Recording may be temporarily ceased to exchange information with other Officers. In such instances officers may actively record video and mute the audio portion of the MVR.
- (d) Cessation of the MVR may also occur at the direction of a supervisor
- (e) Department members will cease recording of any body worn devices when entering the Hennepin County Jail

#### 419.5.3 WHEN ACTIVATION IS NOT REQUIRED

Activation of the MVR system is not required:

- (a) When exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.
- (b) No member of this department may surreptitiously use City equipment to record a conversation of any other member of this department except with a court order or when lawfully authorized by the Director of Public Safety or the authorized designee for the purpose of conducting a criminal or administrative investigation.
- (c) During encounters with undercover Officers or informants
- (d) In any location where a reasonable expectation of privacy exists, such as a restroom, locker room or break room
- (e) When not in service or actively on patrol

#### 419.5.4 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MVR systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of Hennepin County Sheriffs Office Dispatch.

Supervisors should ensure Officers are using their MVR equipment per policy

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, peace officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MVR technician or crime scene investigator properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media. Copies may be distributed to investigators as appropriate to the investigation.

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Supervisors may activate the MVR system remotely to monitor a developing situation such as a chase, riot or an event that may threaten public safety, officer safety or both, when the purpose is to obtain tactical information to assist in managing the event.

#### **419.6 REVIEW OF MVR RECORDINGS**

All recording media, recorded images and audio recordings are the property of the agency and subject to the provisions of the MGDPA. Dissemination outside of the agency is strictly prohibited except to the extent permitted or required under the MGDPA, Peace Officer Disciplinary Procedures Act or other applicable 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 MVR technician or forensic media staff. 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.

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 MVR systems
- (e) By department investigators, after approval of a supervisor, who are 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 the data for any purpose relating to his/her employment
- (h) By court personnel through proper process or with permission of the Director of Public Safety or the authorized designee
- (i) By the media through proper process or with an MGDPA request (Minn. Stat. § 13.01 et seq.)
- (j) To assess possible training value
- (k) Recordings may be shown for staff or public safety 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

Employees desiring to view any previously uploaded or archived MVR recording should submit a request in writing to the Shift Sergeant. Approved requests should be forwarded to the MVR technician for processing.

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

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#### **419.7 DOCUMENTING MVR USE**

Officers who reasonably believe that an MVR recording is likely to contain evidence relevant to a criminal offense, potential claim against an Officer or against West Hennepin Public Safety Department should indicate this in a written report. Officers should ensure relevant recordings are preserved.

A video statement is not a replacement for a written statement or audio tape recorded statement.

If a citation is issued, the Officer shall make a notation on the written report indicating the incident was captured on the MVR.

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#### **419.8 RETENTION OF MVR DATA**

Once submitted for storage all recording media will be classified on the Arbitrator system. The classification of data collected by the MVR system will need to be determined on a case-by-case basis upon application and interpretation of the MGDPA. It is the responsibility of the individual department member to accurately classify/tag their MVR data. All video media that is not booked in as evidence will be retained for a minimum of 90 days and disposed of in compliance with the established records retention schedule listed below:

##### **419.8.1 COPIES OF RECORDED MEDIA**

Evidentiary copies of digital recordings will be accessed and copied for official law enforcement purposes only. Access rights may be given to the Hennepin County Attorney, West Hennepin Public Safety City Attorney, or other prosecutorial agencies associated with any future prosecution arising from an incident where a MVR was utilized.

MVR data may be shared with other law enforcement agencies only for legitimate law enforcement purposes that are documented at the time of the disclosure.

Officers shall ensure relevant recordings are preserved. Officers and MVR administrators may prevent automatic deletion or extend retention by changing the data classification of the media any time prior to the automatic deletion date.

se other than for initial review by a supervisor. Upon proper request a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Director of Public Safety or the authorized designee. In the event an original recording is released to a court a copy shall be made and placed in storage until the original is returned.

##### **419.8.2 MVR RECORDINGS AS EVIDENCE**

Officers who reasonably believe that an MVR recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer or against the West Hennepin Public Safety should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

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#### **419.9 SYSTEM OPERATIONAL STANDARDS**

- (a) MVR system vehicle installations should be based on officer safety requirements and vehicle and device manufacturer recommendations.
- (b) The MVR system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MVR system may not be configured to record audio data occurring prior to activation.
- (d)
- (e) Officers using digital transmitters that are individually synchronized to their individual MVR shall activate both audio and video recordings when responding in a support capacity in order to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios or other emergency equipment other electronic devices should not be used within the law enforcement vehicle in order to intentionally interfere with the capability of the MVR system to record audio data.
- (g) Officers shall not erase, alter, reuse, modify or tamper with MVR recordings. Only a supervisor, MVR technician or other approved designee may erase and reissue previously recorded recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MVR technician.

#### **419.10 MVR TECHNICIAN RESPONSIBILITIES**

The MVR technician is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected the MVR technician:
  - 1. Ensures it is stored in a secured location with authorized controlled access.
  - 2. Makes appropriate entries in the chain of custody log.
- (c) Erasing of media:
  - 1. Pursuant to a court order.
  - 2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.
- (d) Assigning all media an identification number prior to issuance to the field.
  - 1. Maintaining a record of issued media.
- (e) Ensuring that an adequate supply of recording media is available.
- (f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.

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#### **419.11 TRAINING**

Users of the MVR systems and supervisors shall successfully complete an approved course of instruction prior to being deployed with MVR systems in operational settings.