

AIRWAY HEIGHTS POLICE DEPARTMENT

ORIGINATION	TITLE	CHAPTER NO.
Chief of Police	Personal Cameras	51
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51 PERSONAL CAMERAS

The following policy shall apply whenever an officer is using a personal video system. The personal camera program is of value to the department, its officers, and the citizens in the community. The program has improved the quality of service, protected the integrity of honest people, and improved department operations.

51.1 RESPONSIBILITIES

- A. Each officer is responsible for the proper care and maintenance of the video equipment issued to them.
- B. Each officer shall read and adhere to **RCW 9.73** in its entirety, with particular attention to **RCW 9.73.090(1)(c)**.
- C. Each officer is responsible to read the operator's manual and become familiar with operating and maintenance procedures.
- D. At the beginning of each shift the officer shall ensure that the video system equipment is working properly. The officer shall activate the camera, walk in front of the camera, test the audio, and play it back to verify proper operation of the equipment. The date, time and tape counter shall be operational. If there are problems with the equipment, it shall not be used until corrected. The problem shall be documented and a supervisor notified immediately.
- E. If the video system stops functioning during a contact, the officer shall document the reason for deactivation in his unit history and in any associated citation or report.
- F. The personal camera shall be positioned and adjusted to properly record traffic stops, contacts, or any suspicious activity or persons. The personal camera shall be documented on the officer's unit history.

51.2 TRAFFIC STOPS

- A. Officers shall use the personal camera to document all traffic stops, pursuits, and when approaching scenes of a criminal nature; it may be used to document the approach to collision scenes.
- B. Officers shall start recording as soon as they believe they may be making a traffic stop. The recording shall continue until the incident has been cleared. If possible, the camera shall be activated to record traffic violations.
- C. Officers may supplement the video recording with an audio description of the event and describe any external factors that may not have been recorded (e.g., prior observations, road conditions).
- D. Upon initial contact, the officer shall inform all persons present that their words and actions are being recorded, both audibly and visually. This warning shall be repeated to any new arrivals during the contact. This warning shall be included in the recording. The recording shall not be turned off during operation of the camera.

51.3 CITIZEN CONTACTS

- A. Officers shall record every contact with the public when enforcement action or a complaint is likely. It is the audio portion that is most likely to substantiate a complaint or exonerate the officer's actions.
- B. Upon initial contact, the officer shall inform all persons present that their words and actions are being recorded, both audibly and visually. This warning shall be repeated to any new arrivals during the contact. This warning shall be included in the recording. The recording shall not be turned off during operation of the camera.

51.4 DOWNLOADING THE PERSONAL CAMERA

- A. If an officer believes a contact could result in a complaint or there could be a tort claim against the department, the officer shall complete a written memo and submit a memo to the Sergeant.
- B. Recordings that are likely to have evidentiary value, such as DUI arrests, shall be downloaded and copied and tamper-resistant evidence tape shall be placed so that it cannot be removed without breaking the evidence tape. The recordings shall be retained until the case is adjudicated. The officer shall complete a property sheet as in other cases.
- C. Officers shall not make copies for personal use. If an incident can be used as a training aid, or has media value, the officer shall advise the Sergeant who shall present the information to the Chief of Police for approval for release.
- D. Each download shall be sequentially numbered, beginning with the prefix "AHPD". A download number shall be used once and not recycled.
- E. All recordings shall be maintained as records for a minimum for four months. If the recording has evidentiary value, the recording shall be held until the case has been adjudicated.
- F. At the end of the holding period, the downloads shall be erased/destroyed and a note made in the recording log. There must be a record of the disposition of each sequentially numbered download for auditing purposes.

51.5 DISCOVERY

- A. The defendant or representing attorney of record may be allowed to view the incident in question during business hours by appointment. The viewing of the recording shall be done at the police station with a supervisor present. The prosecutor's office may also choose to handle this viewing.
- B. Copies of downloads requested for discovery shall be made available for the prosecutor's office and for the prosecutor to forward to the defendant/attorney, unless other arrangements have been made with the prosecutor.
- C. A supervisor shall be responsible to ensure copying is completed and release of any tape or record.
- D. A supervisor shall request the prosecutor's office return the original tape with a note advising the case has been adjudicated when the case is complete.
- E. A supervisor shall make note of any copying or release of any recordings in the log as well as the appropriate incident report or citation number.

51.6 PUBLIC DISCLOSURE

- A. Any request for disclosure of recordings shall follow **RCW 9.73.090**, which states: "No sound or video recording made under this subsection **(1) (c)** may be duplicated and made available to the public by a law enforcement agency subject to this section until final disposition of any criminal or civil litigation which arises from the incident or incidents which were recorded. Such sound recordings shall not be divulged or used by any law enforcement agency for any commercial purpose" (e.g., media, television requests).
- B. Any requests for copies of recordings shall be in writing or on the Request for Public Records form. The incident time, date, and case or citation number should be included in the request. If releasable, only the portion of the recording related to the request shall be duplicated by a supervisor. The actual cost of the copying shall be the responsibility of the requester and will be paid at the time of delivery, in accordance with public disclosure procedures and the City's fee setting resolution.