

3/579.13 DIGITAL IN-CAR VIDEO SYSTEM (DICVS) USE AND DEPLOYMENT.

RECORDING LAW ENFORCEMENT ACTIVITIES.

Required Activation of the Digital In-Car Video System. Officers shall activate the DICVS during the initiation of the following activities:

- All vehicle stops;
- All Code 3 responses and pursuits;
- All suspect transports;
- All pedestrian stops (when practicable); and,
- Any other occasion when, in the officer's judgment, it would be beneficial to do so. This may include, but is not limited to, stops and detentions, crimes in progress when recording is reasonably feasible, Mobile Field Force situations, or any situation, condition, or event presenting the potential for injury, loss of life, damage to property, or any potential risk-management issue.

Exception: Exigent circumstances may preclude officers from activating the DICVS. Each exception will be evaluated on a case-by-case basis.

Deactivation of the Digital In-Car Video System. Once the DICVS is activated, the front camera shall remain activated until the entire incident or field contact has stabilized or the contact has ended. The rear camera shall remain activated until the suspect (rear passenger) has exited the vehicle.

Note: The Digital In-Car Video System can only be deactivated from the inside of the vehicle.

REVIEW OF MATERIAL RECORDED BY THE DIGITAL IN-CAR VIDEO SYSTEM. The recorded video file can be viewed on the Mobile Data Computer. Once the video file is transferred to the Area's station, it can also be viewed on the Department's Local Area Network.

Note: Officers shall not alter, delete, or download any video footage recorded by the DICVS.

Documentation. When preparing crime and/or arrest reports, the reporting employees shall, when practicable, review any incident captured on video to refresh their recollection.

Situations Involving the Use of Force. Prior to being interviewed regarding a use of force (UOF), officers should, when practicable, review video footage captured during the incident and/or other relevant footage.

In accordance with Department Manual Section 3/794.37, employees involved in a Categorical Use of Force (CUOF) shall be separated and monitored in order to maintain the independence of their recollection of the incident. To support this standard, employees involved in a known CUOF shall review video footage captured during the incident and/or other relevant footage prior to being interviewed. During the review of the video footage, the employee shall be accompanied by his/her employee representative, or the assigned investigator, should the employee elect not to have a representative present during the interview.

The separating and monitoring of the involved employees shall be maintained during the review of the video footage (i.e., the review shall never occur jointly among the involved employees).

In accordance with Department Manual Section 4/245.02, officers are required to provide a Public Safety Statement (PSS) subsequent to their involvement in officer-involved-shootings. The timely urgency associated with the PSS will, in most cases, preclude an officer the opportunity to review related captured video footage prior to providing the PSS.

The Department supervisor obtaining the PSS shall comply with the Office of the Chief of Police Notice, titled *Obtaining a Public Safety Statement Following an Officer-Involved Shooting Incident*, dated February 15, 2007.

MISUSE OR ABUSE OF DIGITAL IN-CAR VIDEO SYSTEM

RECORDINGS. All data and imagery captured by the DICVS are the sole property of the Los Angeles Police Department. Employees are reminded that any misuse or abuse of DICVS audio and/or video recordings may result in disciplinary action. Department Manual Section 3/405 outlines the Department's policy regarding confidential files, documents, records and reports. The unauthorized use of recordings in the custody of Department personnel is prohibited and could subject the employee to disciplinary action and/or criminal prosecution.

OFFICER'S RESPONSIBILITY. Involved Department employees will have access to review the recorded video files on the DICVS via the Department's Local Area Network (LAN). Not all court appearances or Department administrative hearings will require a physical copy of the recorded video file.

Note: For the purposes of Department administrative hearings, board members are encouraged to review the recorded video file on the Department's LAN.

Department employees requiring a copy of a DICVS recorded video file for court purposes or Department administrative hearings shall inform a Department supervisor within the concerned officer's command.

Upon completion of the court appearance or Department administrative hearing, the requesting employee shall ensure that one of the following dispositions occurs with the DICVS disc:

- Return the recorded video disc to the Area/division and destroy the disc in the presence of a supervisor;
- Provide an Automated Property Inventory Management System court receipt or a Property Receipt, Form 10.03.00, to a sworn supervisor if it is accepted into evidence by the court; or,
- Provide the name and contact phone number of the City Attorney, District Attorney, or Hearing Officer requesting to retain the recorded video disc in their case package to a supervisor.

In each case, the supervisor shall log the appropriate disposition on the Digital In-Car Video Evidence Control Log, which shall be maintained in the analyzed evidence locker at the concerned Area. Department employees are reminded that copies of the DICVS recorded video disc(s) **shall** be for official Department use only. Employees **shall not** retain a copy of the disc for their case file without the expressed permission of the commanding officer of the entity that is assigned the investigative responsibility for the incident. Employees may be subject to disciplinary action for the unauthorized duplication or retention of the discs.

Note: Access to video recordings by an officer who is the subject of an administrative investigation shall be handled in accordance with existing laws and Department policy, including Department Manual Section 3/579.13, titled *Digital In-Car Video System (DICVS) Use and Deployment*.

SUPERVISOR'S RESPONSIBILITY. It shall be the responsibility of the supervisor to determine the justification for the employee's request. Supervisors can access DICVS recorded video file(s) by logging into the LAN and clicking on the COBAN link to process the request.

EVIDENCE AND PROPERTY MANAGEMENT DIVISION'S RESPONSIBILITY. The Evidence and Property Management Division (EPMD) Courier Unit will be responsible for generating a Digital In-Car Video Evidence

Control Log for each Area or division which has initiated a DICVS recorded video file request and delivering the recorded video file to the appropriate Area/division.

WATCH COMMANDER'S RESPONSIBILITY. The watch commander at the requesting Area/division or their designee of a supervisory rank shall acknowledge receipt of the DICVS recorded video disc(s) from the PD courier by signing the Digital In-Car Video Evidence Control Log.

When time constraints do not allow for the normal ordering process and a required DICVS recorded file is needed before the next scheduled courier delivery, the requesting Department employee shall ensure that the DICVS recorded file is retrieved from PD's Central Property Section's evidence counter. In such cases, the approving supervisor shall follow the same procedures to request the disc through the COBAN link on the Department's LAN.

Additionally, a telephonic request shall be made to PD's Central Property Section's watch commander to advise of the need to expedite the request.

Note: Department supervisors from non-geographic bureaus and divisions shall ensure that the DICVS recorded file is retrieved from PD's Central Property Section's evidence counter after completing the established procedures.

AREA PROPERTY DISPOSITION COORDINATOR'S RESPONSIBILITY. The Area Property Disposition Coordinator shall monitor the DICVS recorded video disc(s) and the Digital In-Car Video Evidence Control Log, located in the analyzed evidence locker, to ensure the timely and proper disposition of the videos.