



Dillon County Sheriff's Office In-Car Video

I. PURPOSE

To establish Sheriff's Office policy and procedure regarding the use of video cameras in patrol vehicles.

II. POLICY

Video/audio recording has been demonstrated to be valuable in the prosecution of traffic and criminal offenses, in evaluation of officer performance, and in training. Officers will use video/audio recording equipment installed in Sheriff's Office vehicles in accordance with applicable laws and the procedures set forth in this general order. <41.3.8 a.>

III. DEFINITIONS

A. Recording: Something in which sound or images have been recorded and stored for later use to include video, digital and audio formats.

IV. PROCEDURE

A. Privacy

1. All audio/video recordings are the property of the Dillon County Sheriff's Office Sheriff's Office. Disclosure of the contents of audio/video to others will be made in accordance with the provisions of the South Carolina Freedom of Information Act (South Carolina Code of Laws, 1976, as amended, §30-4-30 & §30-4-40) and/or the approval of the Chief of Police. <41.3.8 c.>

B. Use <41.3.8 b.>

1. The Sheriff's Office has installed video camera systems in patrol vehicles as a part of its ongoing technology program. They will be used:

a. To document events, actions, conditions, and statements made during arrests and critical incidents to improve reporting, evidence collection, and court testimony; and

b. To improve the Sheriff's Office's ability to review probable cause determinations, evidence, officer performance, and for training purposes. <41.3.8 a.>

2. Video cameras will automatically be activated when the vehicle's emergency warning devices are in operation and will continue until the law enforcement action or encounter is completed.

3. Officers may use their video cameras to:

a. Record the reason for their current or planned enforcement action, such as DUI observations;

b. Record the actions of suspects during interviews, when undergoing sobriety performance tests, or when placed in custody;

c. Record the circumstances at crime and accident scenes or other events such as the collection and documentation of evidence or seizure of contraband; and

d. Record interactions with citizens of an investigative nature that do not involve the use of emergency warning devices.

4. In Car Video Camera equipment may be manually deactivated during non-enforcement activities and other instances such as:

- a. Protection of accident scenes from other vehicular traffic;
- b. Traffic direction;
- c. Protection of the anonymity of an informant or other confidential source;
- d. Administrative Conversations; and
- e. Conversations involving law enforcement sensitive information.

In the event the recording is stopped or suspended, the Officer will declare on the recording the reason for the suspension prior to deactivation. The reason will also be documented in the incident report.

5. In Car Video Camera equipment will not be used to record other County employees except during an investigation of a suspected violation of criminal, traffic, or local law. <41.3.8 b.>

C. Training <41.3.8 f.>

All Sworn Sheriff's Office personnel who are assigned in car video cameras will complete training to ensure the proper use and operation prior to issuance. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.

D. Officer Responsibilities

1. Video cameras installed in Sheriff's Office vehicles will be the responsibility of the officer assigned to the vehicle. The equipment will be maintained according to the manufacturer's recommendations. <41.3.8 e.>
2. Prior to each tour of duty, officers will determine whether their video cameras are working satisfactorily and will bring any deficiencies to the attention of their immediate supervisor as soon as practical. <41.3.8 e.>
3. Officers will attempt to ensure that the video camera is positioned and adjusted to record events and that it is not deactivated until the enforcement action is completed. <41.3.8 b.>
4. Officers will not share, erase, alter, or tamper with recordings.
5. Officers are prohibited from using In-Car Video Camera audio/video for personal use and from making personal copies or recordings. <41.3.8 b.>
6. No Sheriff's Office member will upload recorded data onto public and/or personal social media websites without the express permission of the Chief of Police or designee.
7. Officers will ensure that they have adequate data storage space to complete their tour of duty. The video recordings will remain in the video camera system until downloaded to the secure location as specified by the vendor. <41.3.8 d.>
8. Officers will ensure that all recordings are downloaded to the secure on-line evidence.com system. <41.3.8 d.> The recording will include the officers' name, the offense, the incident report number, the beginning date/time and ending date/time. In addition, Officers will include the offense, arrest, and recording date/time in an incident report when a video/audio recording is made.
9. When an arrest is made in which the in-car camera captured video evidence (Traffic stop, General Session cases or DUI), the recording will be uploaded into evidence.com and appropriately labeled in the secure on-line system. <41.3.8 d.>
10. Recordings transferred to a DVD should include the following:

- a. The date, time, case number, and suspect name will be indicated on the DVD.
- b. The arresting officer will place one (1) copy of the In-Car video recording in Evidence.
- c. In-car video evidence collected for General Sessions or DUI's will be turned in before the end of duty, except when there are exigent circumstances. </41.3.8 d.>

11. Officers are encouraged to inform their supervisor of any recorded sequences that may be of value for training purposes. <41.3.8 c.>

E. Supervisor Responsibilities

1. Supervisors whose subordinates have patrol vehicles with video cameras will be responsible for inspecting and maintaining the in car video camera and ensuring that it is operational during monthly inspections. <41.3.8 e.>
2. Supervisors will be responsible for ensuring that repair and/or replacement of damaged or nonfunctional video cameras is completed. <41.3.8 e.>
3. Supervisors will ensure that the officers in their unit are fully trained in and follow established procedures for the use and maintenance of video cameras and the completion of documentation of use. <41.3.8 f.>
4. Supervisors will randomly review recordings from a minimum of 10% of the total number of assigned shift personnel for each shift (with a total of at least two recordings) monthly. Audits are designed to assist in the periodic assessment of officer performance, determine whether video cameras are being fully and properly used, and to identify material that may be appropriate for training. <41.3.8 g.>
5. Supervisors will review any recordings involving events that result in a citizen complaint. <41.3.8 g.>

F. Use of Recordings, Video Control and Management <41.3.8 c.>

1. All access to In Car Video Camera recordings (images, sounds, and metadata) will be specifically authorized by the Chief of Police or designee. Access will be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
2. Recorded video data will be submitted to the Patrol Team Supervisor upon completion except as provided in ¶D.9 & 10 above.
3. Recordings may be created and used for court or training purposes. An officer required to produce a recording in court will request it the day of the court appearance. The officer will return the recording to the Evidence Custodian(s) or Patrol Supervisor at the end of the court session if not retained by the court. If the Evidence Custodian(s) or Patrol Supervisor is not available, the officer may sign it back to the temporary evidence locker and deposit it there.
4. Recordings will not be distributed to anyone outside the Sheriff's Office without permission by the Chief of Police.
5. Following each vehicle pursuit, video recordings from all units involved in the pursuit will be provided to the Patrol Division Captain using Blue Team for review. <41.3.8 g.> All recordings will be labeled as outlined above. A second copy will be placed in the General Session case folder.
6. Nothing in this general order prohibits a supervisor from taking custody of recordings after pursuits, shootings, complaints, or other incidents, which may require a supervisory or internal affairs investigation.
7. In addition to the random auditing process above, the Professional Standards Division will review audio and video recordings at least quarterly on a minimum of 5% of all sworn personnel to ensure adherence to established federal and state laws and Sheriff's Office policy.

G. Review of Recordings Involving Complaints

Complaining citizens may review that portion of a recording pertaining to an event resulting in a citizen complaint

against an officer.

1. Upon being informed of the complaint, the officer's supervisor will review the recording to determine if any apparent violation(s) of Sheriff's Office policies or procedures has occurred.
2. If the supervisor determines that a violation(s) may have occurred, the supervisor will proceed to initiate an investigation of the event. If the supervisor determines that no such violation(s) occurred, (s)he will document on the Blue Team Report of his/her actions. In addition, the supervisor will retain the recording for a 90-day period. If the complainant does not agree with the supervisor's determination that violation(s) did not occur, the complaining citizen may appeal the determination to the Professional Standards Supervisor as outlined in General Order Chapter 52, Section #1.01 (Internal Affairs). </41.3.8 c.>

H. Storage and Retention

1. Officers will download all in-car video camera recordings at the end of their tour of duty to be stored on the secure online evidence.com system.
2. Uploaded recordings that are non-investigative, non-arrest, and are not part of any internal investigation, prosecution or no longer useful for purposes of training will be retained no less than four (4) years and will be removed based upon the vendor's recommendations and the state records retention schedule.
3. It will be the assigned case officer's responsibility to ensure that all recordings which constitute evidence, or are required to be included in the case file, are downloaded and stored within the Sheriff's Office's designated on-line secure video storage system. All recordings will be retained for a minimum of four (4) years.
4. Digital files associated with an investigation will be purged in conjunction with other evidence associated with that case.

BY ORDER OF:

Douglas Pernel, Sheriff

<CALEA Standards: 41.1.8 a. thru g.>