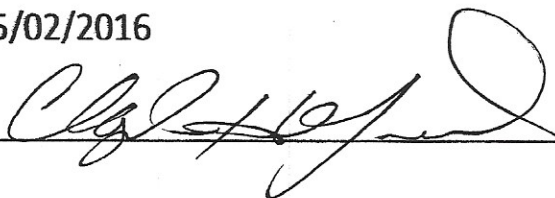


# Choctaw County Sheriff's Department

## Law Enforcement Policies and Procedures

Policy Number: 4.31  
Subject: Electronic Media Recordings  
Issue Date: 05/02/2016  
Revision Date:  
Signature of Approval \_\_\_\_\_



### Policy:

It is the policy of the Choctaw County Sheriff's Department that deputies will use Electronic Media Recording equipment to record (both audio and video), in their entirety, interactions between officers and the public as described in this directive. To maximize the utility of this equipment, officers will follow the procedures for EMR equipment use as set forth in this directive. The use of electronic media recording equipment (EMR) provides persuasive documentary evidence and helps defend against civil litigation and allegations of officer misconduct. Officers assigned the use of these devices shall adhere to the operational objectives and protocols outlined herein so as to maximize the effectiveness and utility of the EMR and the integrity of evidence and related EMR documentation.

### Definitions:

1. Electronic Media Recording (EMR) – Refers to audio-video signals recorded on any of several storage devices, including analog tape (VHS, SVHS, Hi 8mm), digital tape (DV), or other portable digital storage devices (CD, DVD, hard drive, etc.).
2. Electronic Media Recording Devices (EMRD) – Refers to any device capable of recording video and/or audio files.

### Procedures

#### Operating Procedures:

EMR's are utilized to accomplish the following objectives:

1. Enhance officer safety.
2. Accurately capture statements and events during the course of an incident.
3. Enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
4. Provide an impartial measurement for self-critique and field evaluation during recruitment and new officer training.
5. Capture visual and audio information for use in current and future investigations.

Deputies will adhere to the procedures listed below when utilizing EMR equipment.

1. EMR equipment is the responsibility of the officer assigned to that equipment and will be maintained according to manufacturer's recommendations.
2. Prior to and throughout each shift, officers will ensure that all components of their EMR equipment are working satisfactorily and will bring any problems to the attention of the Chief Deputy Immediately.
3. EMR equipment will be activated as soon as practical when officers come in contact with the public in an official capacity in which enforcement action will be taken. The department realizes that a non-enforcement contact can turn into an enforcement contact without warning. Deputies should use good judgement and make every attempt to begin the recording as soon as possible.
4. EMR equipment commonly referred to as body cameras should be worn to capture events with audio and video. However, body cameras have a limited field of view and not all events will be captured at all times. Officers should never risk officer safety in order to make video.
5. If possible, officers should narrate to the EMR any events that are not captured on video. This can be done through articulation to the EMR or through conversation with others.
6. Once activated, EMR equipment will remain active throughout the entire contact with members of the public. It is permissible to deactivate the recording when outside the presence of the public contact but should be



reactivated when contact is made again. (Turning off when talking with other officers of the law during the incidence; deactivating when conversing with confidential informants) Deputies should document narrate for the recording the reason for deactivation during an event.

7. Through statutes and court rulings, it is not necessary to inform others that recordings are being conducted as long as the officer is present during the recorded conversation. An officer need not be present in Government buildings or vehicles.
8. Deputies using EMR devices will ensure there is adequate storage on the media devices.
9. Deputies will note in offense, arrest, and related reports when video/audio recordings were made during the incident in question.
10. Recordings are property of the Choctaw County Sheriff's Department. Deputies shall only use data storage devices issued or approved by this agency.
11. Deputies will not erase, alter, or tamper with EMR.

## STORAGE and EVIDENCE

Storage data bases and/or devices will be approved by the Sheriff and will be maintained by the Sheriff and Chief Deputy. All EMRs will be stored on approved departmental data bases. All EMRs will be downloaded to the data base.

Recordings will be classified into three categories: 1. Evidentiary 2. Administrative 3. No Value.

Evidentiary Media – Is any recorded media that is related to a criminal offense. Evidentiary Media will be stored and retained by the department throughout the judicial process and will not be destroyed or erased until the completion of the process. A court order from proper jurisdiction directing destruction or erasure will be obtained prior to destruction or erasure. Recordings related to criminal offenses will be filed under the case number of the related file.

**Administrative Media** – Is any media related to complainants on deputies, deputy discipline or other internal affairs matters. Administrative Media will be retained indefinitely. It may be necessary for administrative media to be copied and stored at a different location for internal affairs purposes.

**No Value Media** – Is general recordings made by officers that are not Evidentiary or Administrative. No Value Media will be retained by the Choctaw County Sheriff's Department for 30 days. The storage of Electronic Media uses a large amount of storage space and it is necessary to erase files that are not useful. If a recording has not been deemed valuable as evidence or administrative within 30 days, the recording may be destroyed or erased after 30 days. Destruction or erasure will be made by the Sheriff or Chief Deputy. A log of files will be maintained with the file name or number, date of recording and date of destruction.

## **COPYING of EMR**

EMRs may be copied for Departmental Use Only and shall only be copied by the Sheriff or his designee. If a copy of an EMR is made it shall be a complete copy of the event as recorded.

## **DISSEMINATION OF RECORDINGS**

All recordings are property of the Choctaw County Sheriff's Department and intended for Departmental use only. The dissemination of EMRs will be made by the Sheriff or Chief Deputy or at their direction.