



# GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: <b>MARCH 01, 2002</b>	REVISED DATE: <b>NOVEMBER 26, 2007</b>	NO. PAGES: <b>1 of 4</b>	NUMBER: <b>3.4.03</b>
SUBJECT: <b>USE OF VIDEO/IMAGE &amp; AUDIO RECORDING EQUIPMENT</b>			
ASSOCIATED MANUAL:		RELATED ORDERS:	
CHIEF OF POLICE: <i style="text-align: center;">Michael McGrath, Chief</i>			

*Substantive changes are noted in italics*

**PURPOSE:** To establish guidelines for the use of audio and video/image recording equipment.

**POLICY:** The Cleveland Division of Police uses *video/image* and/or audio recording devices as tools to detect and prosecute persons suspected of DUI violations, to investigate fatal and serious non-fatal accidents, and to record evidence at crime scenes. *Video/image* and audio recording devices shall not replace police detection, arrest and evidence-gathering procedures. *Video/image* and audio recording devices are tools to supplement evidence gathering to strengthen an investigation or prosecution.

Officers shall not alter or edit *video/image* or audio records. All events captured or recorded are an official record and may be subject to public records disclosure.

**Unless otherwise directed by the Chief of Police, all *video/image* and/or audio records that are recorded on-duty, may be disseminated only to criminal justice agencies or used in official court proceedings. *This shall also include all audio and video/image recording and/or transmitting devices that a member may have for personal use.***

*Video/image recording equipment shall be defined as any electronic devices that can capture and/or record still or moving images.*

*Audio recording equipment shall be defined as any devices that can capture and/or record audio.*

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## PROCEDURES:

- I. Field care and storage of video recording devices:
  - A. Officers shall sign for video cameras to place them into service. Officers shall mount the camera in a police vehicle at the beginning of the tour of duty, and return it for proper storage when the tour is complete. **Officers shall not store video cameras in vehicles.**
  - B. Officers shall lock unattended vehicles with a video camera. If additional security precautions are required, officers shall lock the camera in the trunk.
- II. When videotaping:
  - A. An evidentiary tape shall contain only one incident, and shall remain intact until that tape's case has been completely disposed of, including all appeals.
  - B. After recording is complete, rewind the tape briefly and play a portion to ensure a recording has been made, and then rewind the tape completely.
  - C. When recording an accident scene, make a detailed taped record of the accident scene, including but not limited to, the accident location and damage. Witness statements and remarks made by any operators involved in the crash shall also be videotaped.
  - D. Video cameras mounted in division vehicles:
    1. At the start of each tour, an officer shall insert a blank tape into the video camera and shall hold two spare tapes in reserve.
    2. An officer that has reasonable suspicion that a DUI offense is occurring shall:
      - a) Immediately activate the video camera.
      - b) Not follow the operator any longer than is necessary to effect a safe traffic stop. If dispatched to the scene, activate the camera when nearing the location.

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- c) State the date, time, location, weather conditions, initial traffic violation and relevant factors that determine a DUI offense while preparing to stop the violator.
- d) Not allow lights being used to illuminate the stop interfere with videotaping (i.e. the spotlight reflecting off a chrome bumper).
- e) Record Field Sobriety Tests (describe the surface where the tests are being administered).
- f) Advise suspects that they are being videotaped, if probable cause exists for DUI. Once inside the police vehicle, deactivate the wireless microphone and remove the audio wire from the external microphone jack on the video camera. Tape all conversations with suspects while completing paperwork.
- g) If probable cause does not exist for the DUI, then deactivate the camera and rewind the tape completely.

**III. Storing videotapes and/or audiotapes as evidence:**

- A. The reporting officer shall mark the tape as evidence and including:
  - 1. Tape number (e.g. 1 of 1).
  - 2. Date of occurrence.
  - 3. Names of suspects or involved operators.
  - 4. Names of officers.
  - 5. Camera number (if videotape).
  - 6. Incident Report Number, citation numbers and/or charges.
- B. The reporting officer shall mark the tape's container:
  - 1. Tape number (1 of 1).
  - 2. Names of suspects or involved operators.

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3. Names of officers.
- C. The reporting officer shall enter the tape into Division property as evidence. The Bureau of Traffic shall maintain evidentiary tapes made by members of the Bureau of Traffic.
  - D. The Division shall store evidentiary tape until the case has been disposed of, including appeals.
    1. Once a videotape is no longer needed for evidence, the storing unit shall forward the tape to the Logistics Section for re-use.
    2. Once an audiotape is no longer needed for evidence, the storing unit shall forward the tape to the tape's owner.