

4.14.1. Policy regarding In Car Video Recorders

- A. The use of recording devices will assist in the collection and preservation of evidence, protection of Department personnel and collection of training materials. Use of any "In Car Video Recording Device", either privately-owned or Department-owned, shall be in strict compliance with the following guidelines.
- B. All officers assigned an In Car Video Recorder will be provided training on the proper care, use, and operation of an In Car Video Recorder.

Added: October 1, 2002

Revised:

4.14.2. Purpose of In Car Video Recorders

A. The Department has adopted the use of in car video recording equipment in order to accomplish several objectives, including but not limited to:

1. Accurate documentation of events and statements made during arrests, accidents and other incidents, so as to enhance officer reports, collection of evidence and testimony in court.
2. The enhancement of the Department's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction and evidence for investigative purposes as well as for officer evaluation and training.
3. To provide protection for officers.
4. To provide a higher level of service to the public.

Added: October 1, 2002

Revised:

4.14.3. Assignment of In Car Video Recorders

- A. Department-owned equipment may be assigned to individual officers and permanently installed in their patrol vehicle. Officers may not move or remount any permanently mounted recording equipment without prior approval of the Troop Commander and the Communications System Administrator.
- B. In car video recording equipment not owned by the Department may be used in patrol vehicles with the permission of the officer's Troop Commander and the Communications System Administrator. This equipment will be subject to the same care and accounting as Department-issued equipment. A record of the equipment - make, model, and serial number, as well as a record of agreement with regard to responsibility for damage or loss and service requirements, will be filed with the officer's Troop Commander and the Communications System Administrator.

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4.14.4. Use of In Car Video Recorders

A. General use and operations

1. Officers shall not cease recording an event, situation, or circumstance solely at the demand of any person.
2. ICVR Operators are not required to disclose the fact that recording equipment is in use.
3. ICVR Operators shall inform those who ask, that video/audio recording equipment is in use. Officers shall not allow violators to view the recording.
4. The ICVR shall be set to record at the slowest recording speed, making fullest use of the recording tape.
5. Whenever an ICVR device is in use, the commercial radio (am/fm) in the vehicle shall be turned off or the volume reduced significantly.
6. Officers shall not secretly record the activities of another member without authorization from command personnel.
7. Recording equipment is to be used for official purposes only, and in no event shall an officer convert the ICVR equipment assigned to him/her or the equipment of another officer or member of the Patrol to personal use or for personal gain or profit.
8. When driving a partner's unit or pool unit, if camera equipped and compatible, each trooper shall use his/her own issued tape.

B. Pre-Operational procedures

1. Troop Commanders shall ensure that ICVR equipment is operated in accordance with the manufacturer's recommendations and the provisions of this order.
2. Officers operating vehicles equipped with ICVR equipment shall ensure that all pre-operational checks are performed in accordance with the manufacturer's recommendations and the provisions of this order.
3. Operational problems with ICVR equipment shall be reported to the operator's immediate supervisor for corrective action. An ICVR Problem Log shall be maintained by each Headquarters. It is acceptable to notify troop communications centers if operational problems with ICVR occur. ICVR equipment shall be adjusted and/or repaired only by ICVR technicians who have been trained and authorized by the Department. Any problem(s) are to be briefly, but specifically, noted on the problem log. Problems are to be brought to the attention of the DPS Radio Shop ICVR repair technicians at the earliest convenience by troop command personnel.

C. ICVR Operation

1. The ICVR Operator:
 - a. shall ensure proper care and maintenance of the ICVR equipment according to the manufacturer's recommendations;

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- b. shall utilize only those tapes issued and approved by the Department;
 - c. shall maintain an adequate supply of tapes to complete a tour-of-duty;
 - d. shall record at the slowest recording speed, utilizing the maximum time of the tape;
 - e. shall not intentionally erase, destroy or in any way alter a recording;
 - f. shall notify their immediate supervisor as soon as possible of damaged or broken tapes;
 - g. may rewind and view any event recorded on their issued ICVR;
 - h. shall indicate on all associated reports that a recording was made;
 - i. shall not deactivate ICVR equipment until the contact being recorded is completed;
 - j. shall advise their immediate supervisor of a potential or probable recorded complaint contact. *In cases where a member's immediate supervisor is not on duty this notification should be done in a reasonable amount of time;*
 - k. shall ensure that fully recorded tapes are removed and replaced as soon as practical. Operators should replace the battery in wireless microphones which do not have rechargeable batteries whenever a new tape is placed in the ICVR;
 - l. shall ensure that fully recorded tapes are maintained and/or disposed of according to Department policy.
2. Prior to use, the operator shall ensure that ICVR equipment is functioning properly in order to record traffic stops or other enforcement actions. In doing so, operators shall ensure that the:
 - a. video recorder is positioned and adjusted to visually record events;
 - b. wireless microphone is activated in order to provide audio with the video recording;
 - c. overhead lights, remote transmitter and "REC" button are functional. ICVR operators shall not knowingly use any ICVR equipment which malfunctions during operation, and shall immediately notify their supervisor of the problem.
 3. ICVR operators shall utilize their ICVR equipment to record the following, if at all possible:
 - a. all contacts, to include traffic, motorist assists, and all other public safety related contacts;
 - b. probable cause or reasonable grounds for their planned enforcement action. Operators should attempt to narrate the actions of the violator prior to initiating the traffic stop, including:
 1. speeds;
 2. possible driver impairment;
 3. hazardous violations; or

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- 4. other pertinent information.
- c. actions of suspects during interviews, performing field sobriety tests, or when placing a suspect in custody if the recording would prove useful in later judicial proceedings;
- d. circumstances at crime and crash scenes or other events such as the confiscation and documentation of evidence or contraband;
- e. audio portion of a conversation with a citizen or witness;
- f. record, when possible, any incident that can provide unquestionable documentation of evidence;
- g. record any news worthy event such as natural or man-made disasters.

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4.14.5. Video Tapes

A. Issue of Video Tape(s)

1. Troop Headquarters will obtain video tapes from an official vendor or from DPS Materiel Management.
2. All DPS issued video tapes shall be considered as property of and belonging to the Oklahoma Department of Public Safety.
3. Video tape(s) will be issued to troopers and logged out on a pre-printed form as to how many issued, date, and trooper's name and badge number. One (1) tamper proof seal and one (1) appropriate sized envelope will also be issued with each video tape. These two items are also to be logged on the same pre-printed log.

B. Labeling of New Video Tapes

1. Troopers will open a new VHS video tape and remove the video tape from the manufacturer supplied jacket. The member will find adhesive labels provided by the manufacturer inside the jacket.
 - a. The member will apply the **long label** to the front, non-inserted side of the video tape;
 - b. The member shall then write either in ink or non-erasable marker the word **Start**, then the date, time, his/her initials, and badge number near the left hand side of the long label. *Only this label is affixed to the front, non-inserted side of the VHS video tape at this time.* The tape is then inserted into the ICVR;
 - c. Troopers shall mark any tape containing **any type of juvenile criminal activity** with a "J" on the long label;
 - d. In the VHS video tape jacket supplied by the manufacturer is a large label (appx. 1 1/4" x 3") that will be placed on the top side of the video tape when it is extracted from the ICVR. *Do not apply this label to the video tape at this time.* The top of the tape is indicated by the two clear windows that allow view of the reels. **This large label is NOT to be placed on the tape until such time the tape is extracted and turned over to command personnel.** Prior to use, the large label should be kept with citation book, day book, or accident clipboard;
 - e. Troopers shall indicate on the large label if the video tape contains graphic scenes or a special circumstance/incident, arrest, complaint, evidence, occurrence, visual or verbal documentation, etc.

C. Extraction of Video Tapes

1. Troopers shall not extract the video tape unless the record space is expended, the ICVR unit is being repaired, or if directed by a supervisor to do so. If the trooper determines a recorded event requires immediate preservation, security, review, etc., the video tape may be extracted,

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regardless of unused tape remaining.

2. If the video tape is extracted for no further recording use, the trooper shall enter on the long label the word **END**, then the date, time, his/her initial and badge number. The large label, described in **4.14.5.B.1.d**, is affixed and annotated at this time. The video tape shall then have the record protection tab, located on the non-inserted side of the tape removed. The video tape is then placed in the protective jacket supplied by the manufacturer.

D. Submittal of Video Tapes

1. Once the extracted video tape with all properly attached and annotated labels is returned to the protective jacket, the issued tamper proof seal shall be placed across the insert side of the protective jacket, preventing the VHS video tape from being removed except by those authorized. The video tape shall then be placed in the issued envelope, sealed, and the member's initials and badge number written across the seal. **NOTE:** In some situations the member extracting and sealing the video tape may not be the ICVR's primary assigned member. In any event, whoever extracts the tape must seal the tape, initial and seal the envelope.
2. Properly sealed tapes shall be submitted with the trooper's 7-day reports, or within a reasonable time frame, dependent on the request or circumstance.
3. Video tapes may be transported and/or delivered by any member, but first shall be labeled, sealed, and placed in the appropriate issued envelope by the trooper who extracted the video tape from the ICVR.

E. Custody of Video Tapes

1. Video tapes turned in with 7-day reports or delivered by another member shall be turned over to the troop "Custodian of Tapes" (CoT).
2. The CoT shall open the sealed envelope and ensure the video tape is properly identified, logged, and secured in the designated ICVR locker at the troop headquarters.
3. Video tapes shall be stored in an order or numbering sequence established by each headquarters to quickly identify and access the video tapes if necessary.
4. Video tapes shall be stored for a minimum of 24 months, or until the case or inquiry is resolved, whichever is longer. At the end of this period video tapes will be destroyed by incineration.
5. The "log" shall be a pre-printed "In Car Video Evidence Log" form and shall contain the following information:
 - a. trooper's name;
 - b. badge number;
 - c. date and time logged in;
 - d. name and badge number of CoT logging video tape in;

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- e. any special circumstance/incident notation;
 - f. date and time and reason for log out;
 - g. log return date and time;
 - h. authorization signature for log out.
6. The "In Car Video Evidence Log" form shall remain in the ICVR locker and be meticulously maintained to properly reflect the inventory, log in and log out of **ANY** video tape.
 7. If a video tape is removed from the ICVR locker, the reason for the log out shall be noted on the log, to include date and time of log out and date and time for logging the video tape back into the ICVR locker. The logging out of **ANY** video tape must be authorized by the Troop Commander, his designee, or the CoT. Reasons for logging out a tape include, but are not limited to: viewing, duplication, court use, Training Division request, etc.
 8. In the event an incident crosses troop boundaries, the investigating troop shall maintain custody of the original video tape(s) until the incident is finalized or the investigation is transferred to another Division.
 9. All "Use of Force" tapes shall be duplicated and entered into an Investigative File at IASI, unless otherwise directed by the Chief or Commissioner's Office.
 10. Using procedures established by the Evidence Storage Division, designated ICVR tapes may be sent to the Evidence Storage Division in Oklahoma City. Troop Commanders may want to consider recorded incidents of extreme sensitivity or extreme graphic nature to be secured and stored at the Oklahoma City facility. A notation shall be made on the Troop ICVR Evidence Log of any ICVR video tape transferred to the Evidence Storage Division.
- F. Duplication of Video Tapes
1. Any duplication of a recorded incident on an ICVR video tape shall be performed by the Custodian of Tapes. Originals shall always be maintained by DPS unless so ordered by the court. Duplication for personal use can be completed on DPS duplication equipment only, using the trooper's personally purchased video tape.
 2. The release or duplication of video tapes is subject to the provisions of Title 51, Open Records Act, and Title 10, § 7005-1.2, Juveniles.
 3. Any duplication of a video tape **shall not include any juvenile contact/event** unless ordered by the court, and then only that portion pertaining to that event shall be released.
 4. All law enforcement requests for viewing or duplication of DPS ICVR video tapes must have the authorization of the Troop Commander or his designee. Only that particular incident requested may be viewed or duplicated.
 5. Requests, to include questionable requests for viewing or duplication of

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DPS ICVR video tapes from law enforcement shall be directed to Records Management Division of the Department of Public Safety. Such requests shall contain information regarding the specific incident, contact, circumstance, collision, etc.

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Revised:

5.1.1. Internal communications

- A. It is the policy of the Department that internal written and oral communications, by members of the Patrol concerning Patrol matters, will be processed through the appropriate official channels unless exception is authorized or required by Department policy or other proper authority; however, this policy is not intended to stifle suggestions or feedback.
- B. It is the policy of the Department, to put internal communications of any significance in writing when practical and possible. All such written internal communications will be in proper format or on the proper form (when such is prescribed) as follows:
1. **2-Line Heading.** – DEPARTMENT OF PUBLIC SAFETY
"Don't Say it - Write it"
 2. **Format.** – TO. DATE
FROM
SUBJECT
 3. **Authority.** – All internal written communication endorsements will include the member's rank, signature and badge number, and the member's official title and below the title, their respective Troop assignment. An optional method of endorsement used on internal documents is the use of only the initials and badge number after name in the "From" line.
- C. All Patrol Personnel shall forward immediately, through channels, all written communications from their subordinates containing suggestions, submitting request for transfer or reassignment, making request for retirement, or tendering resignation, after making appropriate endorsements when necessary. It is the policy of the Department to encourage serious suggestions, in writing, from members at all levels for improvement of Patrol service, operations, equipment, etc.

Added:
Revised:

5.1.2. Outside communications

- A. Official communications to persons, agencies, or business outside of the Department shall be handled in a courteous and businesslike manner, using proper form and format, by those members who are authorized to handle such communications.
- B. Outside communications concerning controversial, confidential, juvenile, and Department policy matters shall be in accordance with established Department policy concerning the release of such information.

Added:

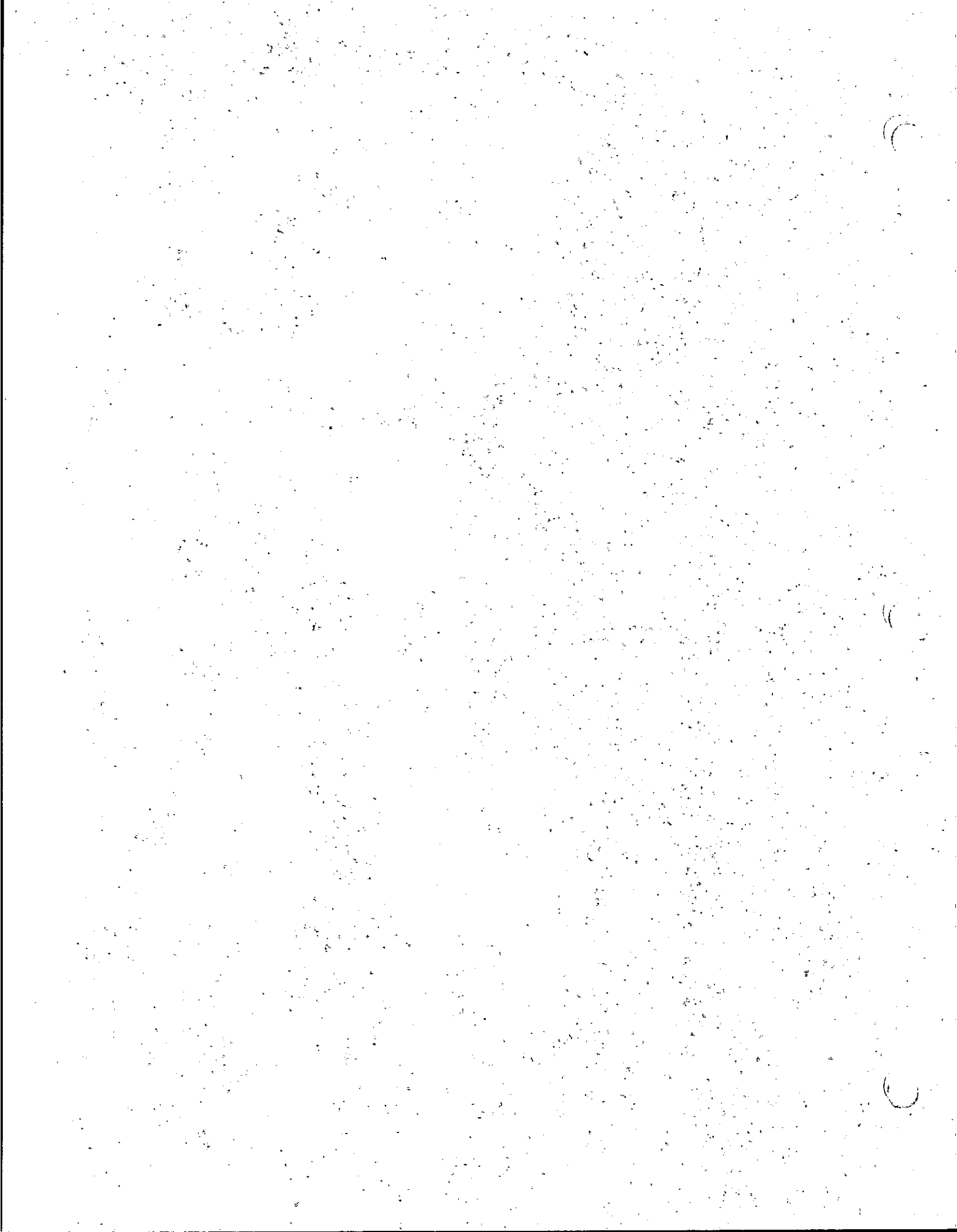
Revised:

5.1.3. Signature, badge number and date required

When written endorsement or acknowledgment of any official Department report, record, correspondence, memorandum, or other document is made by a member of the Patrol, the endorsement or acknowledgment shall bear the member's signature or initials followed by his badge number and the date in the appropriate or designated place.

Added:

Revised:



5.2.1. Maintenance of records

It is the policy of the Department to maintain such records as are appropriate and necessary for efficient and effective administration and operation of the Department and are required by law or necessary to meet all legal responsibilities of the Department.

- A. It shall be the responsibility of the commanding officer of each organic unit of the Patrol to assure that proper and adequate records are maintained within the organic unit under his command.
- B. Official records kept at troop offices or kept by other organic units of the Patrol will be maintained for a minimum of five years, normally, or for such other period as directed or as a need for such records is known, except that certain records, as required, such as personnel (201) files shall be perpetually maintained. When any official records are disposed of, by or upon proper authority, an appropriate means will be used. Sensitive or confidential material will be shredded or incinerated.

Added:
Revised:

5.2.2. Use of records, reports and forms

It is the policy of the Department that official records, reports, and forms of the Department/-Patrol are to be used only for the purpose(s) for which they are prepared and maintained or for other legitimate departmental purpose(s) as required by law. Members of the Patrol shall not disclose the contents of official records, reports, and forms to other persons, except as required in the proper performance of duty or as otherwise authorized and excepting those records which by their very nature would not be considered confidential. Members shall not remove or copy official records, reports, and forms from a Department installation except as required in the proper performance of duty or as otherwise authorized.

Added:

Revised: