


HAVERFORD TOWNSHIP POLICE DEPARTMENT OPERATIONS MANUAL		
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Accreditation Index: 2.4.2		Rescinds: Directive 2.4.2 of November 2019
Chapter: Two – Law Enforcement Functions		Section: Four – Mobile Video
Chief of Police: <i>John F. Viola</i>		

SUBJECT: MOBILE VIDEO RECORDING SYSTEMS

I. BACKGROUND

The Pennsylvania Wiretapping and Electronic Surveillance Control Act (T. 18 Pa.C.S.A., Pt. II, Art. F, Ch. 57, Sub ch. A, Refs & Annos) authorizes the use of Mobile Video Recording Systems (In-Car Cameras and/ or Body-Worn Cameras) by law enforcement officers under certain terms and conditions. These recording devices provide an unbiased audio and video recording of events that officers encounter. These recordings are useful to law enforcement for the following reasons:

1. To enhance officer safety.
2. To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of video and audio recordings.
3. To document statements and events during the course of an incident.
4. To enhance law enforcement's ability to document and review statements and actions for both reporting requirements and for courtroom preparation/presentation.
5. To preserve visual and audio information for use in current and future investigations.
6. To provide an impartial measurement for self-critique and field evaluations during officer training.

Mobile Video Recording Systems (MVRs) are not a substitute for an officer's reasonable beliefs and perceptions, and cannot account for an officer's physiological responses during critical incidents, such as visual tunneling and auditory exclusion. MVR systems should not be viewed as the only measure of truth because they may show more or less than what the officer sees, hears, or observes. MVR systems however, have an important but limited use as one of many policing tools.

II. PURPOSE

The purpose of this directive is to provide officers with guidelines for the use of Mobile Video Recording systems, including In-Car Cameras (ICC) and Body Worn Cameras (BWC). This directive shall establish clear policy and procedures to reliably document incidents involving police officers and the public utilizing Mobile Video Recording Systems including Body-Worn Cameras (BWC) and In-Car Cameras (ICC), while also protecting the privacy rights of all parties being recorded.

To effectively perform their duties, Officers must have a level of comfort in which minor disciplinary offenses recorded while performing their duties that would not otherwise become known but for using a Mobile Video Recording System, specifically wearing a Body-Worn Camera, will not adversely affect an officer's career.

1. Thus, the secondary purpose of this directive is to provide officers with the knowledge that "minor disciplinary code violations" that are captured on any Mobile Video Recording system including a Body Worn Camera will not result in an official Internal Affairs investigation based solely upon their minor infraction. Rather, any such violations may result in training and/or counseling.

(PLEAC 2.4.2 I)

III. POLICY

Mobile Video Recording (MVR) systems have been demonstrated to be of value in the prosecution of criminal violations, serious traffic violations and related offenses; in evaluation of officer performance; as well as in training. In order to maximize the utility of this equipment in these and related areas, officers should follow the procedures for MVR system use as set forth in this directive. This policy does not govern the use of surreptitious recording devices used in undercover operations.

IV. DEFINITIONS

- A. **Activate** - Any process or action that causes a Mobile Video Recording system to begin recording and storing both audio transmissions and visual images.
- B. **Body-Worn Camera** – is a Non-Vehicle-Mounted Mobile Video Recording System is not permanently mounted in a vehicle requiring the operator to possess a Class A, B, C or M Pennsylvania Driver's License, as defined in 75 Pa.C.S. § 1504. Non-vehicle-mounted mobile video recording systems shall include, but not be limited to, mobile video recorders worn on or about a law enforcement officer's person or affixed to an all-terrain vehicle, bicycle or horse. The design of the non-vehicle-mounted mobile video recording system must use technology which includes a camera with date/time stamp capability, a microphone

and a recording device, enclosed in secure protective enclosure(s) and listed in the Pennsylvania Bulletin.

- C. Body-Worn Camera Coordinator - Designated individual by the Chief of Police, who assigns, tracks “and maintains Body-Worn Camera equipment, diagnoses and troubleshoots any issues related to the use of the cameras or the DEMS.
- D. Bookmarking/Tagging - Refers to a feature similar to the conventional bookmarks you place within the pages of a book that allows the investigator to indicate points of interest in a Body-Worn Camera video clip thereby, allowing future viewers to quickly locate the points of interest without the need to view the entire video.
- E. De-activate - Any process or action that causes a mobile recording device to stop recording and storing both audio transmissions and visual images
- F. Digital Evidence Custodian - The individual or unit given the authority by the Chief of Police to receive, store, protect, review, redact, and disseminate all digital recordings made or obtained by the Haverford Township Police Department
- G. Digital Evidence Management System (DEMS) - A collection of hardware, software and/or firmware designed to provide for the security, storage, organization and/or distribution of digital evidence.
- H. DEMS Administrator- The person(s) designated by the Chief of Police responsible for managing and maintaining the efficient operation of the DEMS. The DEMS Administrator's responsibilities shall include, but not be limited to the following: creation/deletion of new users, roles, permissions, groups and other logical structures, creating metadata tags, configuring retention periods and purging files that have become irrelevant or ordered destroyed by a court of law.
- I. In-Car Camera – is a Vehicle-Mounted Mobile Video Recording System that is permanently mounted in a vehicle requiring the operator to possess a Class A, B, C or M Pennsylvania Driver's License, as defined in 75 Pa.C.S. § 1504 (relating to classes of licenses). The design of the vehicle-mounted mobile video recording system must use technology, which includes a camera, monitor, wireless voice transmitter/receiver and a recording device with a secure protective enclosure for the recording device, electronics and receiver components. The Vehicle-Mounted Mobile Video Recording System shall be approved under Title 18 section 5706(b)(4) (Exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices) and listed in the Pennsylvania Bulletin.
- J. Intercept- Aural(hearing/listening) or other acquisition of the content of any wire, electronic or oral communication through the use of any electronic, mechanical, or other device.

- K. Minor Disciplinary Code Violations - any Disciplinary Code violation that is handled with Counseling or an Oral Reprimand.
- L. Mobile Video Recording system (MVR) - any system that captures audio and video signals that includes at minimum, a camera, microphone, and a recording device, enclosed in secure protective enclosure(s) which has been approved under Title 18 section 5706(b)(4) (Exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices) and is listed in the Pennsylvania Bulletin.
- M. Oral communication - Any oral communication uttered by a person possessing an expectation that such communication is not subject to interception under circumstances justifying such expectation. The term does not include the following:
 - (1) An electronic communication.
 - (2) A communication made in the presence of a law enforcement officer on official duty who is in uniform or otherwise clearly identifiable as a law enforcement officer and who is using an electronic, mechanical or other device which has been approved under section 5706(b)(4) (relating to exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices) to intercept the communication in the course of law enforcement duties. As used in this paragraph only, "law enforcement officer" means a member of the Pennsylvania State Police, an individual employed as a police officer who holds a current certificate under 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education and training), a sheriff or a deputy sheriff.
- N. Recorded Media - Audio-video signals recorded or digitally stored on a storage device or portable media.
- O. Smart Device - Any number of devices not generally considered a computer but still capable of processing and storing electronic data. Smart devices typically include cell phones, smart phones, PDA devices, GPS devices, and tablet computers.
- P. Wiretap Act - The Pennsylvania Wiretapping and Electronic Surveillance Control Act (18 Pa.C.S. 5701, et seq.)

V. PENNSYLVANIA LAW

Title 18 PA C.S.A. Chapter 57 Wiretapping and Electronic Surveillance

Section 5702. Definitions

"Oral communication." Any oral communication uttered by a person possessing an expectation that such communication is not subject to interception under circumstances justifying such expectation. The term does not include the following:

- (1) An electronic communication.
- (2) A communication made in the presence of a law enforcement officer on official duty who is in uniform or otherwise clearly identifiable as a law enforcement officer and who is using an electronic, mechanical or other device which has been approved under section 5706(b)(4) (relating to exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices) to intercept the communication in the course of law enforcement duties. As used in this paragraph only, "law enforcement officer" means a member of the Pennsylvania State Police, an individual employed as a police officer who holds a current certificate under 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education and training), a sheriff or a deputy sheriff.

Section 5705. Possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices and telecommunication identification interception devices.

(b) Responsibility:

- (4) The Pennsylvania State Police shall annually establish equipment standards for any electronic, mechanical or other device which is to be used by law enforcement officers for purposes of recording a communication under circumstances within paragraph (2) of the definition of "oral communication" in section 5702 (relating to definitions). The equipment standards shall be published annually in the Pennsylvania Bulletin.

VI. CURRENT MOBILE VIDEO RECORDING SYSTEMS

- A. In-Car Camera - The Current In-Car Camera for this department is the WatchGuard 4RE Mobile Video Recorder from WatchGuard Video, Plano, Texas which is listed in the Pennsylvania Bulletin and attached (See Appendix "A").
- B. Body-Worn Camera - The Current Body-Worn Camera for this department is the VISTA from Watchguard Video, Allen, Texas which is listed in the Pennsylvania Bulletin and attached (See Appendix "B").

VII. PROCEDURES

A. Program Objectives

1. This Department has adopted the use of Mobile Video Recording (MVR) systems in order to accomplish several objectives, including;
 - a) Accurate documentation of events, actions, conditions and statements made during arrests and critical incidents, so as to enhance officer reports, evidence collection and testimony in court.
 - b) To enhance 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 training programs.

B. Mobile Video Recording system (MVR) Use

1. MVRs should be activated prior to responding to calls for service. This may include, but is not limited to:
 - a) When responding to crimes in progress; or
 - b) When initiating any vehicular or foot pursuit; or
 - c) When conducting any vehicle or pedestrian investigation; or
 - d) When initiating an on-view arrest or citation; or
 - e) When taking a statement or information from a victim or witness; or
 - f) When handling a disturbance or crisis related incident; or
 - g) When handling any protest or demonstration; or
 - h) When confronted by any member of the general public that becomes confrontational, antagonistic or hostile; or
 - i) When handling a situation or incident that the officer, through their training and experience, believes should be visually preserved; or
 - j) Surveillance of potential criminal suspects, criminal activity and/or crime scenes; or
 - k) Documentation of prisoner transport and prisoner actions; or
 - l) When conducting a suspect confrontation (i.e., show-up identification of a suspect by a victim or witness). A view of the suspect should be recorded during the confrontation, when reasonable; or
(PLEAC 2.9.1 E)
 - m) Any other lawful purpose.
(PLEAC 2.4.2 a)

C. Mobile Video Recording system (MVR) Required Warnings

1. Officers will adhere to the following procedures when utilizing MVR equipment.
 - a) Officers are advised that Pennsylvania wire tap laws require that a law enforcement officer;
Informs, as soon as reasonably practicable, the individuals identifiably present that he has intercepted and recorded the oral communication.
Title 18 Pa C.S.A. § 5704 (16) (ii) (D) Exceptions...
 - (1) Officers failing to comply with this requirement are in violation of state law, as well as the provisions of this directive.
(PLEAC 2.4.2 b)

D. General Operating Procedures

1. Only those officers who have received training in the use of the departmentally issued Mobile Video Recording systems and the content of this directive shall be authorized to use such equipment.
2. Only officers in uniform or otherwise clearly identifiable as law enforcement officers are permitted to use a Mobile Video Recording system.
3. Only departmentally authorized Mobile Video Recording systems (MVR) including In-Car Cameras and Body-Worn Cameras will be used by officers while on duty
 - a) No personally or privately owned recording equipment, devices, cameras, or smart devices shall be used to record law enforcement related encounters or activities involving the general public while on duty.
 - (1) Officers should be aware that if an exigent circumstance occurs, such as evidence being destroyed, and the officer chooses to use a personal device to record/ document the evidence that personal device may become evidence itself and is a discoverable item.
4. Officers will not use other electronic devices or other means to intentionally interfere with the capability of the Mobile Video Recording systems (In-Car Camera or Body-Worn Camera).
5. Officers will not erase, alter, modify, or tamper with any Mobile Video Recording system, software, or hardware, recorded audio/video data or related metadata.
6. Prior to each shift, officers will determine whether their MVR equipment is working satisfactorily and will bring any problems to the attention of their immediate supervisor as soon as possible.

- a) If problems are encountered with any component of the MVR system, that specific system (In-Car Camera or Body-Worn Camera) will not be used.

(PLEAC 2.4.2 e)

7. Malfunctions, damage, loss or theft of Body-Worn Cameras or Mobile Video Recording devices shall be reported to the officer's immediate supervisor and an incident report shall be completed. The immediate supervisor shall notify the Body-Worn Camera Coordinator to arrange for replacement.

(PLEAC 2.4.2 g)

8. All Mobile Video Recording Devices shall be used in a manner as demonstrated in the training.
 - a) Body-Worn Cameras shall be worn in a manner as demonstrated in the training.

E. Prohibited Recordings and Actions

1. Recording non-work related personal activities or conversations.
2. Recording in places where a reasonable expectation of privacy exists (i.e., locker rooms, dressing rooms or restrooms).
3. Recording conversations with confidential informants and undercover officers.
4. Recording during any strip searches.
5. Recording when discussing operational strategies or tactics.
6. Intentionally recording conversations of fellow employees or supervisors during routine administrative activities not related to those incidents or events described in Section VII. B. 1.
7. Record media captured on a Mobile Video Recording system to another recording device i.e., cell phone.
8. Officers shall not lead a person to believe the Mobile Video Recording system has been deactivated when in fact, the device is left active.
9. The use of MVR systems in any other manner, or for any other purpose other than those outlined in this directive are NOT authorized and may subject the officer(s) misusing this equipment to disciplinary action.

F. Specific Operating Procedures

1. Officers must synchronize their issued Body-Worn Camera with the vehicle's In-Car Camera before beginning active patrol on each shift.

2. The In-Car Camera will automatically activate when the vehicle's ignition is activated. The In-Car Camera will begin recording upon the activation of one of the triggering events. This activation will also record the 30 seconds of video prior to the triggering event.
3. Officers shall use the MVR system to record all activities listed in Section VII. B. 1.
 - a) In so doing they will ensure that;
 - (1) The MVR system, both the In- Car Camera (ICC) and the Body-Worn Camera (BWC), is positioned and adjusted to record events;
 - (2) The MVR is not deactivated until the enforcement action is completed, and
 - (3) The wireless BWC is activated and synchronized in order to provide a seamless video/audio recording for their current or planned enforcement action.
4. The Body-Worn Camera will be activated when outside the vehicle and responding to and during all law enforcement related encounters and activities involving the general public as identified in Section VII. B. 1.
5. Once on location of an incident or event, officers shall inform, as soon as reasonably practical, the individuals identifiably present that the officer has intercepted and recorded the oral communication (i.e., that they are being recorded)
(PLEAC 2.4.2 b)
6. With the following exceptions, once a Mobile Video Recording system has been activated, it shall remain activated and recording until the event or incident has concluded and the officer has been placed back into service.
 - a) Prior to turning off the camera the officer should state the specific reason why it is being turned off.
 - b) Officers shall deactivate a Mobile Video Recording system, specifically Body Worn Cameras, prior to the conclusion of an incident or event under the following circumstances:
 - (1) When interacting with crime victim, witness, informant, who request not to be recorded, officers shall:
 - (a) Balance the value of obtaining a recording with the reluctance of a victim, witness or informant to provide information while being recorded.
 - (b) Officers should use discretion in making the decision.
 - (2) When the recording would capture gruesome images, persons nude that are not involved in

criminal activity or when private areas of the human body are exposed and there is no legitimate law enforcement need to capture the images.

- (3) When entering a religious institution, during services.
 - (4) When entering a hospital room or private patient area in a hospital.
7. The MVR may be manually deactivated during non-enforcement activities such as when protecting vehicle crash scenes from other vehicular traffic.
 - a) Whenever the MVR is manually deactivated, the officer will document the reason for this action by making a narrative on the recording stating the reason for the manual deactivation of the MVR.

Example: “Manually deactivating the MVR to conduct traffic control.”
8. If an officer is required to deactivate the MVR prior to the conclusion of any incident or event the officer shall state, while the device is still activated, why the device is being deactivated.
 - a) When the conditions that required the deactivation have ceased, if the event or incident is ongoing; the officer SHALL REACTIVATE the MVR system.
9. Upon the deactivation of the MVR, regardless of the reason for the activation, the MVR will prompt the officer to selection a “category” for this recording.
 - a) Officers will select the appropriate category for this video as instructed in the MVR training class.
10. Where possible, officers will also use their MVR equipment to record:
 - a) The actions of suspects during interviews, when undergoing field sobriety testing or when placed in custody if the recording would prove useful in later judicial proceedings; or
 - b) To record, at crime and vehicle crash scenes, the confiscation and documentation of evidence or contraband.
11. Officers may use the MVR to conduct legal, reasonable and appropriate surveillances of potential criminal suspects or crime scenes:
 - a) Officers may activate the MVR equipment and make a verbal narrative stating the reason for the surveillance and the location of the surveillance.

Example: “Activating the MVR for suspicious male at West Chester Pike and Darby Road”.

- b) In this use of the MVR it is not necessary for the officer to make a second narrative at the completion of the surveillance when deactivating the MVR.
 - c) Officers will complete an ALERT incident report on this MVR activation detailing the reason for the recording. The officer will contact their supervisor and request that he/she assign this recording a “case number” to link this recording to the ALERT incident report.
 - d) Officers will ensure that the appropriate “category” is selected for this recording upon the deactivation of the MVR.
12. Officers are encouraged to inform their supervisor of any recorded sequences that may be of value for training purposes.
 13. Officers will note in the ALERT incident report or citation when video/audio recordings were made during the incident in question.
 14. Officers will notify their supervisor as soon as possible of any video/audio recordings which may be of value in future judicial proceedings to ensure that a “case number” is assigned to this recording.
 15. Whenever an officer with a MVR system records an arrest or obtains a suspect’s statement, the fact that an arrest/statement was recorded will be listed on the incident report. The officer will:
 - a) Proceed to the Police Headquarters to complete uploading the video to the MVR Server.
 - b) Review the video and then inform the assigned detective that a recording of the arrest and statement was made.
 - c) In those arrests that do not involve the Detective Division, (e.g., DUI arrests), after reviewing the video, officers will complete all necessary paperwork/data uploads at the Police Department.
 16. If any Mobile Video Recording system captures a police discharge, a seriously injured officer, a motor vehicle accident involving serious bodily injury, any death captured on video, or any use of force resulting in serious bodily injury or death, the officer's Mobile Video Recording system (Body-Worn Camera & In-Car Camera) shall be taken to the Police Headquarters by the first available supervisor and uploaded into the DEMS.
 - a) The supervisor shall immediately notify the DEMS Administrator of the incident and request the video footage be restricted from being viewed by all departmental personnel except the Police Chief, Deputy Chief, the appropriate investigative unit and the District Attorney's office. However, the Police Chief or his designee may approve access to other individuals or entities, including the FOP Attorney, if necessary or required by court order.

- b) Once the recorded media is uploaded, stored, and restricted from view, the Mobile Video Recording system will be returned to service, as soon as possible.
17. If an incident or event that was required to be recorded pursuant to Section VII. B. 1 was not recorded for whatever reason, the officer(s) assigned the MVR (In-Car Camera or Body-Worn Camera) shall:
- a) Notify their immediate supervisor, and
 - (1) Document this fact on the underlying incident report, along with the reason(s) why the incident/event was not recorded.
 - (2) If the incident/event does not require an incident report or the officer assigned the Body-Worn Camera is not responsible for the incident report the officer assigned the Body-Worn Camera shall submit a supplemental page to the incident report. This supplemental report will list the reason why the incident/event was not recorded

G. **Bookmarking / Tagging events of interest.**

- 1. **Mandatory Bookmarking / Tagging** -To efficiently identify and view the specific points of interest in a Mobile Video Recording (Body-Worn Camera or In-Car Camera), the following points of interest SHALL be bookmarked/tagged by the recording officer:
 - a) The beginning of any response to a priority assignment.
 - b) The beginning of any vehicular or foot pursuit.
 - c) The beginning of any vehicle or pedestrian investigation.
 - d) The beginning of any on-view arrest or citation.
 - e) The beginning of any disturbance or crisis related incident.
 - f) The beginning of an officer's involvement at any protest or demonstration.
 - g) The beginning of any incident where an officer is confronted by any member of the general public that, in the officer's opinion, becomes confrontational, antagonistic or hostile.
 - h) The beginning when taking a statement or information from a victim or witness.
- 2. **Discretionary Bookmarking / Tagging** - Officers MAY bookmark/tag any point of interest that they believe is useful, important, or may become important during any investigation or any exemplary acts involving themselves or other officer(s).

H. **Body Worn Camera Uploading Procedure**

1. At the end of each tour, officers utilizing a Body-Worn Camera shall place their assigned Body-Worn Camera into the appropriate docking station.
 - a) This will allow the data to be transferred from the Body-Worn Camera through the docking station to the DEMS server.
 - b) The data is considered impounded at this point and the Body-Worn Camera is cleared of existing data.
 - c) The Body-Worn Camera should not be removed from the docking station/connection until the data has been fully uploaded.

I. Supervisor Responsibilities

1. Supervisors will ensure all officers comply with the policies and procedures outlined in this directive for the use of the MVR systems.
2. Supervisors should, when possible, randomly review MVR recordings to assist in periodic assessment of officer performance;
 - d) To determine whether MVR equipment is being fully and properly used; and
 - e) To identify material that may be appropriate for training.
3. Supervisors will immediately notify their commanding officer when unauthorized use of the MVR system is discovered.
 - a) The commanding officer will notify the Chief of Police of this unauthorized use and begin an internal investigation into the misuse of this equipment.
4. Supervisors will ensure that the proper personnel are notified of any repairs necessary to faulty MVR systems.
5. Supervisors will be required to approve or disapprove any officer's request for a DVD copy of any MVR system recording.
 - a) This request must be submitted using the appropriate *"Mobile Video Recording DVD Request"* form.
6. Supervisors are responsible for ensuring that all personnel assigned to their unit have uploaded their recordings on a regular basis.
7. Supervisors shall conduct periodic, random inspections of MVR systems to confirm that they are in proper working order.

(PLEAC 2.4.2 e)

8. Supervisors will review recordings of all officers involved in the following incidents:
 - a) Injury to any police officer
 - b) Injury to a prisoner

- c) Response to resistance or Use of Force
 - d) When any member of the Department intentionally or unintentionally discharges a firearm
 - e) Vehicle pursuits
 - f) Vehicle crashes involving patrol officers
 - g) Citizen complaints
 - h) Documented internal complaints
 - i) As directed by the Chief of Police or the Deputy Chief of Police.
9. Supervisors may review footage for documenting exemplary performance, heroic actions and/or other praiseworthy service for appropriate recognition and commendation, unless the incident is under Administrative review for Use of Force or Internal Affairs investigations.
10. Supervisors should not review recordings for the sole purpose of searching for violations of departmental policy not related to a specific complaint or incident; however, they may review video recordings for the purpose of:
- a) Training
 - b) Critique
 - c) Civil Claims
 - d) Administrative inquiries
 - e) Addressing behavioral or performance deficiencies

(PLEAC 2.4.2 f, m)

J. Mobile Video Recording system Security, Management and Evidence Control.

- 1. The DEMS Administrator shall maintain the Digital Evidence Management System, to include but not be limited to the following:
 - a) Creation/deletion of new users, roles, permissions, groups and other logical structures, creating metadata tags, configuring retention periods and purging files that have become irrelevant or ordered destroyed by a court of law.
- 2. The DEMS Administrator will check the system time on the DEMS to ensure that it falls within accepted parameters.
- 3. The Digital Evidence Custodian shall manage and maintain all media, deemed to be of evidentiary value, on the DEMS.
- 4. MVR system recordings containing information that may be of value for prosecution in any criminal or civil proceeding shall be safeguarded as other forms of evidence. As such, these recordings will:

- a) Be subject to the same security restrictions and chain of evidence safeguards as detailed in Directive 3.5.2 Evidence Control;
- b) Not be released to any agency, criminal or otherwise without prior approval of the Chief of Police or the Chief's designee.

(PLEAC 2.4.2 c)

K. Access to Data and Recordings

- 1. Officers, investigators and supervisors shall have access to recorded events for the legitimate law enforcement purposes identified in Section VII. B. 1.
- 2. Officers, investigators and supervisors shall not personally make any copies of any recordings for their personal use.
- 3. Digital recordings from Mobile Video Recording systems shall not be randomly reviewed for the sole purpose of finding disciplinary infractions.
 - a) However, supervisors may, upon good cause and with prior authorization from the commanding officer, review the digital recordings of specific officers to monitor their behavior.
- 4. Department personnel shall be authorized to review their own digital recordings for report writing, court preparations, and/or training purposes.
 - a) The following statement will be recorded on all police reports prepared after reviewing the Mobile Video Recording system video;
 - (1) "The contents of this document are based on my observations of the incident and a review of the recordings captured by a mobile video recording system."
- 5. An investigator, who is participating in an official department investigation, may review specific incidents contained on a digital recording from a Mobile Video Recording system.
 - a) It is expected that the assigned detective review all available digital recordings as part of a complete and thorough investigation.
- 6. Haverford Township Police Department Command Staff and pertinent members of the District Attorney's Office shall be provided access to view and download such video recordings as needed for official investigations and evidence production.
 - a) These downloads shall be in accordance with section VII. K. "Procedure for requesting a DVD copy".
- 7. Temporary access rights may be given to the Delaware County District Attorney's Office, Haverford Township Solicitor, or other

prosecutorial agencies associated with any future prosecution or legal defense arising from an incident in which a Mobile Video Recording system was utilized.

8. Internal Affairs Investigators, while conducting any official investigation, shall be provided access to view and download such video recordings as needed for evidence in accordance with the procedure listed in section VII. K. "Procedure for requesting a DVD copy".
 - a) Internal Affairs has the duty and responsibility to review any Mobile Video Recording system recordings associated with an investigation, Use of Force Report, or when prisoners are hospitalized in police custody.
 - b) However, Internal Affairs shall not initiate any internal investigation based solely upon any minor disciplinary violation observed, as defined in Section II "Purpose".
9. In no event shall any digital recording captured by a MVR system be used for the purposes of officer or civilian ridicule or embarrassment.
 - a) This includes submission of any portion of a digital recording from any Mobile Video Recording system to a media organization, social media, or any other media platform designed to be viewed by the general public or other members of the department.
10. If there is a legitimate law enforcement need, only the Chief of Police or their designee shall have the authority to release any digital recordings from an MVR system to the media and/or social media outlets.
11. The Digital Evidence Coordinator shall manage and maintain all images captured on a secure server for the applicable retention period.
12. The use of body camera footage in the JNET Facial Recognition System shall be in adherence to JNET's user policies.

(PLEAC 2.4.2 k)

- L. Procedure for requesting a DVD (hard copy) of an MVR recording.
 2. Officers may request a DVD copy of an MVR recording when requested to be presented to the District Attorney for use in a criminal prosecution.
 3. Officers must complete a "*Mobile Video Recording DVD Request*" form and submit this form to their supervisor for approval.
 4. The supervisor receiving this request form will either approve or disapprove this request.

- a) Upon approving this request the supervisor will forward the DVD request form to the Divisional Commander for his/her approval.
- b) In the event this commanding officer is unavailable, this request may be directed to any available commanding officer.
 - (1) The commanding officer approving this request will forward the request to the IT department to have the DVD made.
 - (2) When this DVD is made the IT department personnel will forward the DVD to the commanding officer who made the request.
 - (3) The commanding officer will then place the DVD into evidence in accordance with Directive 3.5.2 Evidence Control.
- 5. The requesting officer will contact the evidence custodian to retrieve this DVD at the time the officer is to appear in court.
- 6. It will be the responsibility of the commanding officer approving a request for a DVD copy to ensure that the request form is submitted to the Records Unit for filing, or electronically filed if electronic filing is available.

(PLEAC 2.4.2 c, i)

M. Right to Know Access to Data

- 1. The release of any digital recordings obtained through Body-Worn Cameras through a public records request will be consistent with the Pennsylvania Right to Know Act (65 P.S. §37.304 et seq.).
- 2. To ensure compliance, the Digital Evidence Custodian shall coordinate with the Township's Right-to-Know Officer on such requests.

N. Storage and Retention

- 1. All data will be stored on a secured server location, cloud service or other secured service as determined by the department.
(PLEAC 2.4.2 c, h)
- 2. Unless a specific incident or event is marked as evidence or tagged for further review, digital recordings captured by a Mobile Video Recording system (MVR) shall be retained for no less than thirty (30) days from the date of the incident or event.
 - a) Digital recordings that are marked as evidence or tagged for further review and burned to a DVD or similar storage medium and associated with a Criminal History Case File shall be retained in accordance with the Municipal Records Management retention and disposition schedule.

- (1) Generally criminal cases except summary cases are retained for 20 years unless it is a homicide/suspicious death then 75 years.
(PLEAC 2.4.2 d, h, j)

BY ORDER OF THE CHIEF OF POLICE



NOTICES

STATE POLICE

Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems

[45 Pa.B. 5482]

[Saturday, August 29, 2015]

The State Police, under the authority of 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4) (relating to exceptions to prohibition of interception and disclosure of communications; and exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices), has approved, until the next comprehensive list is published, subject to interim amendment, the following equipment standards for electronic, mechanical or other devices (mobile video recording systems) which may be used by law enforcement officers for the purpose of interception as authorized under 18 Pa.C.S. § 5704(16). Mobile video recording systems must consist of the following components.

Vehicle-Mounted Mobile Video Recording Systems Overview

Vehicle-Mounted Mobile Video Recording Systems shall be defined as those which are permanently mounted in vehicles requiring the operator to possess a Class A, B, C or M Pennsylvania Driver's License, as defined in 75 Pa.C.S. § 1504 (relating to classes of licenses). The design of the vehicle-mounted mobile video recording system must use technology, which includes a camera, monitor, wireless voice transmitter/receiver and a recording device with a secure protective enclosure for the recording device, electronics and receiver components. The vehicle-mounted mobile video recording system must be powered from a standard automotive vehicle operating at 11 to 16.5 volts DC, negative ground. Current drain on the vehicle electrical system must not exceed 3.0 amps. The system must operate over the following temperature range: -4°F to 130°F (-20°C to 55°C).

Camera

The camera component must have the following features:

- A. Auto focus and auto iris.
- B. Flexible mounting bracket to allow manual aiming controls.
- C. Auto zoom (automatic zoom in then back out to normal distance).
- D. Minimum sensitivity rating of 2.0 lux.
- E. Minimum horizontal resolution of 330 TV lines.

Monitor

The monitor component must have the following features:

- A. Controls for picture brightness and contrast.
- B. Capability of being switched off without affecting recording.
- C. A speaker and volume control system.

The monitor must be capable of displaying:

- A. Camera image (live).
- B. Previously recorded information from the recording unit.
- C. Date and time.
- D. Recording index indicator.
- E. In-car/wireless microphone activity indicator.

Wireless Voice Transmitter/Receiver

The wireless voice transmitter/receiver must have the following features:

- A. Battery powered wireless microphone transmitter.
- B. Antenna incorporated into the microphone.
- C. A plug-in connector and a clothing clip on the microphone.
- D. FCC: Type acceptable under 47 CFR Part 74, Subpart H (relating to low power auxiliary stations).
- E. The transmitter must not have recording capabilities.
- F. The wireless audio system must be equipped with either a digital coded squelch or a PL tone squelch circuit to prevent accidental activation of the record mode in stray RF fields.

Recording Device

The recording device must be capable of recording onto tape or other comparable media and have the following features:

- A. Enclosed in a secure housing protected from physical damage and unauthorized access.
- B. Capable of recording audio and video for a minimum of 2 continuous hours.
- C. Record time/date, recording index and remote microphone indicator.
- D. Record over protection.

System Control

The control console must be mounted within easy reach of the operator. The control console must contain the controls to operate the following functions:

- A. Power.
- B. Record.
- C. Play.
- D. Rewind.
- E. Fast forward.
- F. Pause.

The State Police, under the authority of 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following list of approved vehicle-mounted mobile video recording systems which meet the minimum equipment standards in this notice.

System 7, Mobile Vision, Boonton, NJ
 Eyewitness, Kustom Signals, Lenexa, KS
 Patrol Cam, Kustom Signals, Lenexa, KS
 Motor Eye, Kustom Signals, Lenexa, KS
 Cruise Cam, The Cruisers Division, Mamaroneck, NY
 I Track, McCoy's Law Line, Chanute, KS
 Docucam, MPH Industries Inc., Owensboro, KY
 Digital Mobile Witness, T.A.W. Security Concepts, Wheat Ridge, CO
 Car Camera AV360, A.S.S.I.S.T. International, New York, NY
 OPV, On Patrol Video, Ontario, OH
 Gemini System, Decatur Electronics, Decatur, IL
 SVS-500, ID Control Inc., Derry, NH
 PAVE System, Video Systems Plus, Bryan, TX
 InCharge 5555, Applied Integration, Tucson, AZ
 VMDT, Coban Research and Technology, Houston, TX
 Mobile Vision 5-C Video Recording System, Mobile Vision, Boonton, NJ
 Stalker Vision VHS, Applied Concepts Inc., Plano, TX
 Stalker Vision HI8, Applied Concepts Inc., Plano, TX
 Digital Eyewitness, Kustom Signals, Lenexa, KS
 Eagleye Model 800, Eagleye Technologies, Inc., Rome, GA
 Eagleye Model 900, Eagleye Technologies, Inc., Rome, GA
 Flashback, Mobile Vision, Inc., Boonton, NJ
 Digital Patroller, Integrian, Morrisville, NC
 Digital Patroller 2 Mobile Video Recorder, Digital Safety Technologies, Morrisville, NC
 Panasonic Arbitrator 360 Mobile Video Recorder, Panasonic Corporation of North America, Secaucus, NJ
 WatchGuard DV-1 Mobile Video Recorder, WatchGuard Video, Plano, TX
 EDGE Mobile Video Recorder, Coban Technologies, Stafford, TX
 DVM-500 Plus and DVM-750 Mobile Video Recorders, Digital Ally, Overland Park, KS
 WatchGuard 4RE Mobile Video Recorder, WatchGuard, Plano, TX
 DigitalPatroller 3 Mobile Video Recorder, Digital Safety Technologies, Morrisville, NC
 X22 Mobile Video Recorder, RDR Mobility, Flemington, NJ
 Data 911 Mobile Digital Video System, Data 911 Mobile, Computer Systems, Alameda, CA

DVM-400 Mobile Video Recorder, Digital Ally, Lenexa, KS
DVB-777 Mobile Video Recorder, Digital Ally, Lenexa, KS
MVX1000 Mobile Video Recorder, Motorola Solutions Inc., Schaumburg, IL
DVM800, Digital Ally, Lenexa, KS
DVR-704, PRO-VISION, Byron Center, MI
1200-PA SD2+2, 10-8 Digital Video Evidence Solutions, Fayetteville, TN

Non-Vehicle-Mounted Mobile Video Recording Systems Overview

Non-Vehicle-Mounted Mobile Video Recording Systems shall be defined as those which are not permanently mounted in vehicles requiring the operator to possess a Class A, B, C or M Pennsylvania Driver's License, as defined in 75 Pa.C.S. § 1504. Non-vehicle-mounted mobile video recording systems shall include, but not be limited to, mobile video recorders worn on or about a law enforcement officer's person or affixed to an all-terrain vehicle, bicycle or horse.

The design of the non-vehicle-mounted mobile video recording system must use technology which includes a camera with date/time stamp capability, a microphone and a recording device, enclosed in secure protective enclosure(s). It may also contain controls, a monitor, GPS, wireless transceiver components and other electronic components. The non-vehicle-mounted mobile video recording system must be powered from a battery internal to the protective enclosure and must be weatherproof. The internal battery may be integral to the unit or removable. It is permissible to have an external battery to extend the operating life of the system. The non-vehicle-mounted mobile video recording system must have a minimum record time of 2 continuous hours. The system must operate over the following temperature range: -4°F to 122°F (-20°C to 50°C).

Camera

The camera component must have the following features:

- A. Must be color video.
- B. Minimum of 640 x 480 pixel resolution.
- C. Minimum of 68 degrees field of view.
- D. Minimum of 30 frames per second.
- E. Minimum sensitivity rating of 3.4 lux or lower. Unit may use Infrared LED illumination to obtain lower than 3.4 lux equivalent.
- F. Camera does not have to be in the same enclosure as the recorder. Can be connected to the recorder either by cable or wireless connection.

Recorder

The recorder component must have the following features:

- A. Enclosed in a secure housing protected from physical damage.
- B. Date/time recording index.
- C. Minimum of 4 gigabytes of nonremovable solid state memory, 4 gigabytes removable media or a combination of both removable and nonremovable memory.

D. Editing and record-over protection.

System Control

The system must:

A. Be capable of recording audio and video simultaneously, but may also provide the user with the option to record video only or audio only.

B. Provide the user with the capability to manually turn the power on and off as necessary.

Wireless Link (optional)

The unit may use a wireless link to connect the camera to the recorder, recorder to another device, combination camera/recorder to another device or be used to download the evidence. The wireless link must have the following features:

A. Use a secure digital connection.

B. Wireless link can be used to play back a locally stored event on the recorder or store the media to a remote location such as secure Cloud storage.

C. FCC Type acceptable under 47 CFR Part 15 (relating to radio frequency devices).

The State Police, under the authority of 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following list of approved non-vehicle-mounted mobile video recording systems which meet the minimum equipment standards in this notice.

AXON Body Mobile Video Recorder, TASER, Scottsdale, AZ
 AXON Flex Mobile Video Recorder, TASER, Scottsdale, AZ
 FIRST Vu, Digital Ally, Lenexa, KS
 FIRST Vu HD, Digital Ally, Lenexa, KS
 LE 3 Mobile Video Recorder, VIEVU, Seattle, WA
 BODYCAM BC-100, PRO-VISION, Byron Center, MI
 Prima Facie, Safety Vision LLC, Houston, TX

Conducted Electrical Weapons with integrated Mobile Video Recording Systems

Notwithstanding any other standards or requirements contained in this notice, conducted electrical weapons equipped with integrated mobile video recording systems are only required to meet the following minimum specifications:

A. Be capable of recording audio and video simultaneously, but may also provide the user with the option to record video only or audio only.

B. Be capable of having the audio video recording extracted from the conducted electrical weapon by means of downloading or by the removal of a media storage device.

Nothing in this notice prohibits the authorized use of a mobile video recording system that is not specifically identified if the mobile video recording system otherwise meets the equipment standards in this notice. Moreover, mobile video recording systems that are not activated to record oral communications or do not have an oral recording capability need not meet the equipment standards in this notice. Manufacturers may submit equipment to be added to the list

by contacting the State Police, Bureau of Patrol (Bureau). New units must be in full commercial production. No prototype models will be considered. Proof of current sales and delivery of the specified equipment over the past 6 months must be provided, in writing, referencing current customers with contacts and phone numbers for verification. When requested by the Bureau, the manufacturer/bidder must furnish a complete working system installed in a vehicle for inspection within 30 days.

Comments, suggestions or questions should be directed to the State Police, Bureau of Patrol, Department Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110.

COLONEL TYREE C. BLOCKER,
Acting Commissioner

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NOTICES

STATE POLICE

Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems

**[45 Pa.B. 5772]
[Saturday, September 19, 2015]**

The State Police, under 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4) (relating to exceptions to prohibition of interception and disclosure of communications; and exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices), published at 45 Pa.B. 5482 (August 29, 2015) a notice of Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems for use until the next comprehensive list is published.

As an addendum to the listing of approved mobile video recording systems published at 45 Pa.B. 5482, the State Police, under the authority cited previously, has approved for use, until the next comprehensive list is published, subject to interim amendment, the following additional mobile video recording system, which meets the minimum equipment standards published at 45 Pa.B. 5482:

Non-Vehicle-Mounted Mobile Video Recording System:

VISTA, Watchguard Video, Allen, TX

Comments, suggestions or questions should be directed to the State Police, Bureau of Patrol, Department Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110.

COLONEL TYREE C. BLOCKER,
Acting Commissioner

[Pa.B. Doc. No. 15-1718. Filed for public inspection September 18, 2015, 9:00 a.m.]

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