



<b>WRITTEN DIRECTIVE</b>	No. PD19-0711	Page: 1 of 6
<b>IN-CAR VIDEO CAMERA SYSTEM</b>	Effective Date:	2-7-19
	Supercedes/ Amends:	PD18-0711
	Reference:	41.3.8



**I. PURPOSE**

The purpose of this directive is to establish guidelines for the use of in-car digital video equipment utilized by Lynchburg Police personnel.

**II. POLICY**

**41.3.8A**

It shall be the policy of the Lynchburg Police Department to utilize digital video and audio recording (DVR) equipment to assist with the documentation of events, actions, conditions and statements, so as to enhance officer reporting, performance management, collection of evidence, and testimony in court.

**III. PROCEDURE**

**A. CAMERA OPERATIONS**

1. Officers shall adhere to the following procedures when using vehicles with DVR equipment:
  - a. DVR equipment installed in vehicles is the responsibility of the officer assigned to that vehicle during his shift, and shall be used and maintained according to manufacturer's recommendations.
  - b. Officers shall be trained in the operation and care of the DVR equipment during their FTO training. Such training will be documented in the officers file.
  - c. Upon beginning their tour of duty, depending on what camera system is installed in their vehicle, officers will sign onto the camera system by either inserting their issued L-3 flash drive into the USB port on the L-3 video deck or by logging into Axon View XL using their evidence.com credentials.
  - d. Depending on which camera system is installed in the Officer's vehicle, Officers will wear their issued L-3 DVR wireless microphone unit (or an issued spare unit) and ensure that it is switched to the "on" position at all times – or – ensure their BWC is turned on due to it being used as a audio source for Axon Fleet.

**41.3.8F**

**41.3.8E**

- e. Officers are responsible for equipment maintenance, and will inspect the DVR equipment at the beginning of their tour of duty. The officer will immediately notify a supervisor

if there is any indication of a malfunction of the equipment throughout the tour.

- f. Officers are required to sign out of the camera system upon the end of their tour of duty.

**41.3.8 B**

**B. RECORDING PROCEDURES:**

1. The L-3 DVR System will activate:
  - a. when the vehicle's emergency warning lights are engaged,
  - b. when activated through the L-3 wireless body microphone,
  - c. when the patrol vehicle's speed exceeds 80 mph, or
  - d. when the patrol vehicle is involved in a crash
2. The Axon Fleet system will activate:
  - a. when the vehicle's emergency warning lights are engaged,
  - b. when the Officer deploys their Taser,
  - c. when activated through Axon View XL,
  - d. when the vehicle is within range of an activated recording during the first 30 seconds of the Axon Signal unit's activation
  - e. when the patrol vehicle's speed exceeds 80 mph, or
  - f. when the patrol vehicle is involved in a crash
3. The DVR System is programmed to begin recording 30 seconds prior to activation. Audio will not be recorded during these 30 seconds.
4. Officers will manually activate the DVR System in the following circumstances:
  - a. Traffic stops:
    - 1) From the point of activating emergency lights and continuing throughout the entire stop, concluding as the violator drives away.
    - 2) Officers should begin recording earlier if they observe erratic operation or other noteworthy behavior or motor vehicle operation.

- b. Suspected DUI:
  - 1) Beginning at the point when the officer first suspects erratic driving and concluding when the subject is removed from the patrol vehicle at the magistrate's office.
  - 2) If field sobriety tests are administered, where safety permits, the performance of all tasks shall be included on the recording.
- c. Traffic crash scene:
  - 1) If, in the officer's evaluation, the recording of the scene will assist in the investigation and/or adjudication of the case.
  - 2) The equipment may be manually deactivated during non-enforcement activities such as when protecting vehicle crash scenes from other vehicular traffic.
- d. Prisoner transport:
  - 1) When transporting a prisoner in a L-3 camera equipped vehicle, the camera shall remain on and facing the prisoner until the prisoner is removed from the patrol vehicle for booking or placement at a holding facility.
  - 2) When transporting a prisoner in an Axon Fleet camera equipped vehicle, the rear camera shall be manually activated by Axon View XL the Officer and remain on until the prisoner is removed from the patrol vehicle for booking or placement at a holding facility.
  - 3) When transporting an ECO or TDO patient in a L-3 camera equipped vehicle, the camera shall remain on and facing the patient until the patient is removed from the vehicle.
  - 4) When transporting an ECO or TDO patient in an Axon Fleet camera equipped vehicle, the rear camera shall be manually activated using Axon View XL by the Officer and remain on until the patient is removed from the vehicle.
- e. Other:
  - 1) Where the use of the video and/or audio will provide accurate documentation of events, actions, conditions and statements made during calls for service, arrests or critical incidents, so as to

enhance officer reporting, collection of evidence and testimony in court.

- 2) Any time that an officer deems the use of the system appropriate for enforcement or investigatory purposes.

C. L-3 VIDEO EVIDENCE

1. Officers assigned to a call for service or other incident will be responsible for ensuring that all video recordings with known or potential evidentiary value are copied to DVD and entered into the evidence system for court purposes.
  - a. The assigned officer will review the video from their assigned vehicle in the incident and will enter any relevant video according to established procedures.
  - b. The assigned officer will identify all other responding officers to the incident and will (with the assistance of the officer who recorded the video or a supervisor) review any other video recorded.
    - 1) If the video is found to have known or potential evidentiary value, the assigned officer will obtain a DVD recording from the recording officer (or supervisor) and enter it into the evidence system.
    - 2) If the video is found to not have evidentiary value, the assigned officer will document such in the incident report.
  - c. Any recordings made by a supervisor related to an internal review will not relieve the assigned officer of following the aforementioned procedure.

41.3.8C

2. Field supervisors shall have access to all videos as well as the authority to review and make copies of videos as needed for internal reviews or internal investigations.

D. AXON FLEET VIDEO EVIDENCE

1. Officers assigned to a call for service or other incident will be responsible for ensuring that all video recordings with known or potential evidentiary value are properly uploaded and tagged with report numbers in evidence.com.
  - a. Tagging shall be done automatically through our Axon\CAD tagging process. Officers shall verify report number tagging after this process has completed – generally one hour after the closing of a call.
  - b. The assigned officer will identify all other responding officers to the incident and will (with the assistance of the officer who

recorded the video or a supervisor) review any other video recorded.

- c. If the video is found to have known or potential evidentiary value, the assigned officer verify proper tagging has taken place within evidence.com to ensure proper retention rules are met.
- d. If the video is found to not have evidentiary value, the assigned officer will document such in the incident report and tag the video as Digital Recordings not Used as Evidence within evidence.com. Non-evidentiary videos will automatically be purged after 30 days.

E. VIDEO CONTROL AND MANAGEMENT

**41.3.8 D**

1. Computer Operations will be responsible for:
  - a. Maintaining control of L3 video storage for a minimum of five years
  - b. Administratively maintaining the Lynchburg Police Department's evidence.com account.
  - c. Maintaining control of access to the DVR infrastructure.
2. Upon uploading video from the vehicle's DVR system, it shall be considered a controlled item and access to it shall be limited.
3. Each video recording is tracked by the DVR system, documenting the time and date it is viewed, the number of times viewed, and by whom.
4. Mobile video recordings shall be reviewed by supervisory staff for purposes of performance review and performance management
  - a. Supervisory staff will review a minimum of one DVR video recording for each officer on a quarterly basis.
  - b. Such review will be documented in the DOR system.
5. Videos recorded using the Axon Fleet system will be automatically uploaded into Evidence.com and tagged with the appropriate report number and retention category. Retention categories will follow the retention schedules in accordance to the Library of Virginia records retention schedule as required by the Virginia Public Records act. Refer to PD Directive 0408 – *Body Worn Camera and Axon Fleet System - Addendum*

**41.3.8G**

6. Mobile video recordings shall be reviewed by supervisory staff for purposes of performance review and performance management.
  - a. Supervisory staff will review a minimum of one DVR video recording for each officer on a quarterly basis.
  - b. Such review will be documented in the DOR system.

**41.3.8C**

7. DVR video recordings are not to be released to any organization or person other than the City Attorney or members of the Commonwealth's Attorney's Office without prior approval by the Chief of Police.
8. Any requests for video from anyone other than the City Attorney or members of the Commonwealth's Attorney's Office are to be directed to the Administrative Bureau Captain as a Virginia Freedom of Information (VFOIA) request.

*Original Signed*

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Ryan M. Zuidema  
Chief of Police

February 7, 2019

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Date