

# **Arizona Department of Public Safety**

## **Field Video and Audio Program Manual**

December 13, 2012



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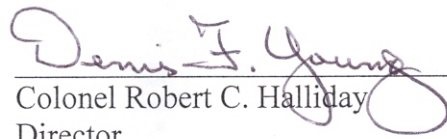
# **Field Video and Audio Program Manual**

Prepared by: Arizona Department of Public Safety  
Highway Patrol Division

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Approved by:

  
Colonel Robert C. Halliday  
Director



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## Introduction

The Field Video and Audio Program shall be implemented to assist the criminal justice system with additional descriptive data of all recorded incidents and as a training aid for department personnel.

The program's objectives are to conserve department resources while enhancing the adjudication of related court cases. In-car video and body wearable recording systems benefit both the Department's law enforcement efforts and the Arizona court system by:

1. Providing accurate documentation of events, actions, conditions, and statements made prior to and during Department personnel encounters with citizens. This documentation will enhance officer reports, collection of evidence, and testimony in court.
2. Enhancing the Department's ability to review arrest procedures, officer and suspect interaction, evidence for investigative purposes, and officer evaluation and training.

This manual is divided between VHS tape, Server Based System, and body wearable guidelines for the officer, supervisor, district commander, and Field Video and Audio Program (FVAP) coordinators in the use of the in-car video recording system, media control and management, and repair/maintenance responsibilities. In order to maximize the use of the in-car video recording system, employees shall follow the procedures set forth in this manual and as stated in GO 4.3.100, *Field Video and Audio Program*.

Guidelines for releasing media or reproduction of media are included in this manual in accordance with Arizona Revised Statute §39-121 and Arizona State Library, Archives, and Public Records (ASLAPR) retention requirements.





## **I. Vehicle Recordable Media Systems—Officer Responsibilities**

Officers shall receive appropriate training before operating FVAP equipment and shall adhere to the following procedures when utilizing FVAP equipment:

### **A. FVAP Equipment**

1. FVAP equipment installed in a vehicle is the responsibility of the officer assigned to that vehicle and shall be maintained according to the manufacturer's recommendations.
2. Prior to patrol activities, officers shall determine if the FVAP equipment is working properly. If the system does not function properly, officers shall power off the system and notify their supervisor within 24 hours.
3. Officers shall ensure they are equipped with an adequate supply of recording media to complete their shift.
4. Recorded media are for official use only. Copying for personal use is prohibited.
5. No portion of any recorded media may be edited or altered except as provided in section II.B.
6. The use of FVAP equipment for viewing personal/commercial recordings and movies is prohibited.

### **B. Recording Activity**

1. Officers shall audibly and visually record the following:
  - a. All stops or situations when any of the vehicle's emergency lights are engaged, except for periods listed below in sub-section 5.
  - b. High-risk stops
  - c. Critical incidents
  - d. Public disorder
  - e. Pursuits

2. The wireless microphone shall be activated at all times when the recording equipment is in operation. Officers may provide narration to explain the reason for their current or planned enforcement action as the events being recorded are occurring.
3. Officers may activate the FVAP equipment to record the driving performance of a motorist that may provide reasonable suspicion for a traffic stop or arrest.
4. Once the FVAP equipment is activated, the operator shall not stop recording until the traffic stop or incident has concluded. The capturing of evidence or critical incidents shall be brought to the supervisor's attention as soon as possible.
5. The FVAP is not required or recommended for use during the following periods:
  - a. Roadway construction details.
  - b. Other stationary position details where emergency lights remain activated; for example, extended periods of time with motorist assists, or extended periods of time away from the vehicle.
  - c. Extended periods of time during collision investigations when the camera operation will serve no evidentiary or investigative purpose.
  - d. Extended periods of time during commercial vehicle inspections where there is no contact with the occupants of the commercial vehicle and the video will serve no evidentiary or investigative purpose.

## **C. Media Disposition**

1. **Highway Patrol** shall develop and modify procedures for media disposition as technology improvements are adopted by the Department.
2. Officers shall only use recordable media as issued and approved by the Department.

3. All recorded media shall be properly labeled, identified, and submitted with related documentation to the supervisor when media is full or the employee transfers, promotes, or separates from the Department. See also section II.
  - a. Identify each form of media with a media number containing the following information: See example 1-1.
    - (1) Year/month recording started.
    - (2) Officer badge number.
    - (3) Sequential media number which starts over with “01” at the beginning of each new calendar year.

Example 1-1: Media number

2006	01	1776	01
↑	↑	↑	
Year	Month	Badge #	Sequential Media #

- b. Affix a *Media Identification Label* (DPS 802-04228) to the front of the media protective case. The officer will complete the identification information on the label. See example 1-2.


Example 1-2: Media Identification Label

TAPENO.	
2, 0, 0	
OFFICER NAME	
BADGE NO.	LOCATOR CODE
DATE(S) IN SERVICE	OUT OF SERVICE
DR NUMBER	DR NUMBER
DR NUMBER	DR NUMBER
ARIZONA DEPARTMENT OF PUBLIC SAFETY DPS 802-04228 Rev. 9-2006	

- c. When digital media is utilized it shall be identified using the *Media Identification Label* (Example 1-2 above) placed on a clear plastic protective case. Labels shall not be placed directly on the digital media. Recording over digital recordings is prohibited.

- d. Affix a *Cartridge Holder Spine Label* (DPS 802-04229) to the spine of VHS tape cartridge holders. The officer shall complete the information on the label. Below is an example of the label.

Example 1-3: Cartridge Holder Spine Label

		<b>ARIZONA DEPARTMENT OF PUBLIC SAFETY</b>	
TAPE NO.		2 0 0	
BADGE NO.	LOCATION CODE		
DATE IN SERVICE		DPS 802-04229 (10-2002)	

4. The officer shall maintain a log of all recorded media issued on the *Employee Time Accounting Summary–Highway Patrol Supplement* (DPS 802-04207). Refer to Section II for the process of tracking each recorded form of media.
5. Officers may recommend to their supervisor a recording that may be of value for training purposes.

## **II. Vehicle Recordable Media Systems—Recorded Media Control and Management**

### **A. Tracking Forms**

#### **1. *Employee Time and Accounting Summary - Highway Patrol Supplement (DPS 802-04207)***

This form delineates the incidents/stops that were recorded. The officer shall submit this form to the supervisor at the end of the work week. Document time using codes found in the *Personnel Deployment System (PDEP) Manual (DPS 932-02082)*.

List the following information on the form:

- a. Time Started: In 24-hour time format, provide the time the event or traffic stop started.
- b. Time Finished: In 24-hour time format, provide the time the event or traffic stop was completed.
- c. Report/Citation Number: Insert the DR or citation number assigned to the incident/stop. When a DR number is prepared on an incident that was recorded, the officer shall check the appropriate box on the DR face sheet and note in the body of the report that an FVAP unit was utilized and document the media number. Refer to example 1-1.
- d. Charges/Incident Description: List any information to describe the stop/incident.
- e. Suspect Name: Provide name(s) of individual(s) involved or describe the event.

#### **2. *Field Video and Audio Program Media Tracking form (DPS 802-04219)***

This form maintains a listing of VHS tapes and digital media assigned to the officer and shall be used by the district FVAP coordinator. Complete the form as follows, listing all dates in the order of month, day, and year:

- a. Media Number: This number is sequential by the date used and applies to all forms of recording media. Refer to example 1-1.

- b. Date in Service: List the date the media is first used for recording events/stops.
- c. Date Out of Service: List the date the media is no longer used for recording events/stops. If there is a mechanical problem with the media, state the problem.
- d. Date in District: List the date the media is turned in to the supervisor.
- e. 12 Months: List the date the media is to be erased or destroyed. This date is one year from the out of service date.
- f. Extension (Yes/No): Check *yes* if the media is to be used as evidence in court, administratively, or as a training source. Otherwise, check *no*.
- g. Extension Date: Calculate a new erasure/destroy date and list the date in this column. This date is the new date assigned after the original one year for destruction of the media. Destruction of criminal cases will be completed in accordance with the 17 A.R.S. Rules Crim.Proc., Rule 28.2.
- h. Destruction Date: List the date the media is erased or destroyed.

**3. *Recorded Media Disposal form (DPS 802-07190)***

This form is designed to assist FVAP coordinators in tracking and confirming the status of recorded media as well as identifying media that is due for destruction. FVAP coordinators shall forward this form to each officer. The officer shall verify whether cases on the media are involved in current court cases, pending civil suits, litigation, or complaints requiring the preservation of the recorded media. The officer shall certify that they have reviewed the status of the recordings and shall indicate whether or not the recordings are to be destroyed. The form shall be submitted through the chain of command to the district commander for approval and signature. The district commander shall verify the status of the recorded media prior to authorizing disposal or destruction. The district commander shall return the form to the FVAP coordinator.

4. ***Field Video and Audio Program Supervisor Review form (DPS 802-04221)***

This form is designed for supervisors to document their quarterly reviews of randomly recorded events submitted by the officers. The supervisor shall complete the form and submit it on a quarterly basis to the district commander. Supervisors may recommend recordings to the district commander for training purposes.

## **B. Storage and Release of Recordings**

### **1. Storage**

Store media in the district storage locker for one year in accordance with the retention schedule approved by ASLAPR. If the media is not scheduled for copy or court use, at the conclusion of one year the media shall be erased or destroyed by the FVAP coordinator. The district commander shall approve erasure or destruction of any media. After one use, VHS tapes shall be removed from service. Destruction of recordings of criminal cases will be completed in accordance with 17 A.R.S. Rules Criminal Procedure, Rule 28.2.

### **2. Copy of the Recorded Media**

Segments of the events/stops recorded using FVAP may be released according to the following:

#### **a. Prosecutor Requests**

Case officers may release a copy of the media relating to a case directly to the prosecutor. Only the specific incident shall be copied and provided. Case officers shall change the destruction date on the *Field Video and Audio Program Media Tracking* form to reflect an additional 120 days from the date of the request for the copy. The original media shall remain locked in the media locker at the district office.

#### **b. Subpoena Requests**

- (1) **Public Records** is responsible for releasing any recordings requested by civil subpoena *duces tecum*. Any district office receiving a civil subpoena for recorded media shall forward the subpoena to the FVAP coordinator. The FVAP coordinator shall duplicate the requested segment and forward the subpoena and the duplicated media to **Public**

**Records** for distribution. If there are any concerns regarding whether or not to release a copy of the media, the reasons should be documented by the district commander and **Public Records** shall be contacted. The original media shall remain locked in the media locker at the district office.

- (2) Criminal subpoenas are delivered directly to the named individual for compliance.

c. Public Record Requests

Forward requests from the public or media to **Public Records**. **Public Records** shall contact the office storing the original media for a copy of the requested segment and shall release the requested segment. The original media shall remain locked in the media locker at the district office.



### **III. Vehicle Recordable Media Systems—Supervisor Responsibilities**

#### **A. Officer Supplies and Documents**

Each supervisor shall ensure officers are supplied with the following:

1. VHS tapes or digital media
2. *Employee Time Accounting Summary - Highway Patrol Supplement* (DPS 802-04207). Document time using codes found in the *Personnel Deployment System (PDEP) Manual* (DPS 932-02082).
3. *Cartridge Holder Spine Label* (DPS 802-04229)
4. *Media Identification Label* (DPS 802-04228)
5. *Field Video and Audio Program (FVAP) Manual* (DPS 932-02062)
6. GO 4.3.100, *Field Video and Audio Program*

#### **B. Recording Review**

Upon receiving a media recording from an officer, the supervisor may review the recording for evaluation, training, or administrative purposes. The supervisor is responsible for submitting the recording to the FVAP coordinator or storing it in the media locker.

#### **C. Observation**

At least quarterly, each supervisor shall observe the operator in the use of the FVAP equipment and shall review a minimum of three randomly recorded events submitted by the officers. The supervisor shall complete the *Field Video and Audio Program Supervisor Review* form and submit it on a quarterly basis to the district commander. Supervisors may recommend recordings to the district commander for training purposes.

#### **D. Repair or Replacement of Equipment**

1. Supervisors shall coordinate in a timely manner the repair/replacement of any damaged or nonfunctional FVAP equipment with **Wireless Systems**.

2. Supervisors shall notify their district commander in writing, within five days when FVAP equipment assigned to their squad is out of service.
3. Supervisors shall update their district commander every thirty days on the status of FVAP equipment that is placed out of service.

## **IV. Vehicle Recordable Media Systems—District Commander Responsibilities**

The district commander shall:

1. Select the officers to participate in the FVAP.
2. Appoint a FVAP coordinator to facilitate the FVAP program.
3. Ensure each FVAP operator receives the Department approved FVAP training prior to using the FVAP equipment.
4. Ensure that any damaged or nonfunctional FVAP equipment is repaired in a timely manner.
5. Review the *Field Video and Audio Program Supervisor Review* form (DPS 802-04221, *Appendix B*) submitted on a quarterly basis by the supervisor.
6. Establish an evidence storage system for recorded media at the district headquarters and ensure that chain of custody protocol is followed.
7. Ensure a retention schedule is followed in accordance with GO 3.2.20, *Records Management Program*, and the guidelines set forth by ASLAPR.
8. Approve all erasures and destruction of recorded media using the *Recorded Media Disposal* form (DPS 802-07190) certified by the involved officer.
9. Authorize final approval for disposal or destruction of recorded media. The district commander shall ensure that there are no current court cases, pending civil suits, litigation, or complaints requiring the preservation of the recorded media prior to authorizing disposal or destruction.



## V. Vehicle Recordable Media Systems—FVAP Coordinator Responsibilities

The FVAP coordinator is appointed by the district commander and shall:

1. Store used media in the locked media locker at the district office.
2. Maintain an adequate inventory of unused media.
3. Ensure all used media are secured for a minimum of one year in the media locker in accordance with ASLAPR retention schedule. A *Report/Certificate of Records Destruction* form along with instructions for completion is available from the ASLAPR website ([www.dlapr.lib.az.us/records/forms.cfm](http://www.dlapr.lib.az.us/records/forms.cfm)). It shall be completed and a photocopy submitted to the individual responsible for records retention in the district. The copy is maintained in the district files according to the retention schedule and the original is forwarded to the documents custodian in **Public Records**.
4. Send *Recorded Media Disposal* forms (DPS 802-07190) to each officer so the officer can check the status of any cases that may be on the media to ensure destruction is authorized.
5. Log media in and out of the media locker.
6. Destroy all recorded media in accordance with established guidelines with district commander approval.
7. Duplicate segments of the recordings as required; for example, to comply with subpoenas, public records requests, internal investigations.
8. Forward public records and civil subpoena requests with a copy of the requested segment to **Public Records** for release.
9. Document time using codes found in the *Personnel Deployment System (PDEP) Manual* (DPS 932-02082).



## **VI. Vehicle Server Based Systems—Officer Responsibilities**

Officers shall receive appropriate training before operating FVAP equipment and shall adhere to the following procedures when utilizing FVAP equipment:

### **A. FVAP Equipment**

1. FVAP equipment installed in a vehicle is the responsibility of the officer assigned to that vehicle and shall be maintained according to the manufacturer's recommendations.
2. Prior to patrol activities, officers shall determine if the FVAP equipment is working properly. If the system does not function properly, officers shall power off the system and notify their supervisor within 24 hours.
3. Officers shall ensure that the digital video recorder (DVR) has adequate storage capabilities to complete their shift.
4. Recorded media are for official use only. Copying for personal use is prohibited.
5. No portion of any recorded media may be edited or altered except as provided in Section VII.B.

### **B. Recording Activity**

1. Officers shall audibly and visually record the following:
  - a. All stops or times when any of the vehicle's emergency lights are engaged, except for periods listed in sub-section 7 below.
  - b. High-risk stops
  - c. Critical incidents
  - d. Public disorder
  - e. Pursuits
2. The wireless microphone shall be activated at all times when the recording equipment is in operation. Officers may provide narration to explain the reason for their current or planned enforcement action as the events being recorded are occurring.

3. Officers may activate the FVAP equipment to record the driving performance of a motorist that may provide probable cause for a traffic stop or arrest.
4. Once the FVAP equipment is activated, the officer shall not stop recording until the traffic stop or incident has concluded. The capturing of evidence or critical incidents shall be brought to the supervisor's attention as soon as possible.
5. It is the responsibility of the officer to ensure that the recorded video segment is properly electronically downloaded and categorized into one of the five following categories:
  - a. Warning / Motorist Assist
  - b. Citation
  - c. Search
  - d. Arrest
  - e. Pursuit / Use of Force
6. It is the responsibility of the officer to ensure that video segments which should be saved for specific purposes be placed into a case folder as soon as possible; for example, court, critical incident, or complaint.
7. The FVAP is not required or recommended for use during the following periods:
  - a. Roadway construction details.
  - b. Other stationary position details where emergency lights remain activated; for example, extended periods of time with motorist assists, or extended periods of time away from the vehicle.
  - c. Extended periods of time during collision investigations when the camera operation will serve no evidentiary or investigative purpose.
  - d. Extended periods of time during commercial vehicle inspections where there is no contact with the occupants of the commercial vehicle and the video will serve no evidentiary or investigative purpose.



## **VII. Vehicle Server Based Systems—Recorded Media Control and Management**

### **A. Tracking Forms**

#### **1. *Employee Time and Accounting Summary–Highway Patrol Supplement* (DPS 802-04207)**

This form delineates the incidents/stops that were recorded. Document time using codes found in the *Personnel Deployment System (PDEP) Manual* (DPS 932-02082). The officer shall submit this form to the supervisor at the end of the work week. List the following information on the form:

- a. Time Started: In 24-hour format time, provide the time the event or traffic stop started.
- b. Time Finished: In 24-hour format time, provide the time the event or traffic stop was completed.
- c. Report/Citation Number: Insert the DR or citation number assigned to the incident/stop. When a DR number is prepared on an incident that was recorded, the officer will check the appropriate box on the DR face sheet and note in the body of the report that an FVAP unit was utilized.
- d. Charges/Incident Description: List any information to describe the stop/incident.
- e. Suspect Name: Provide name(s) of individual(s) involved or describe the event.

#### **2. *Field Video and Audio Program Supervisor Review form* (DPS 802-04221)**

This form is designed for supervisors to document their quarterly reviews of randomly recorded events submitted by the officers. The supervisor shall complete the *Field Video and Audio Program Supervisor Review* form and submit it on a quarterly basis to the district commander. Supervisors may recommend recordings to the district commander for training purposes.

### 3. Criminal Investigations Time Accounting

**Criminal Investigations** detectives shall document FVAP usage on the *Employee Time Accounting Summary-Criminal Investigations* (DPS 802-01295) using the appropriate codes found in the *Personnel Deployment System (PDEP) Manual* (DPS 932-02082)

## B. Storage and Release of Recordings

### 1. Storage

Media is stored on the server for a period of at least one year. Media needed for court, investigation, or litigation shall be held as long as necessary. As the available space on the server is consumed, video segments will be erased by the server, based upon the length of time the segment has been stored and by priority categorization.

### 2. Copy of the Recorded Media

Segments of the events/stops recorded using FVAP may be released according to the following:

#### a. Prosecutor Requests

Case officers may release a copy of the media relating to a case directly to the prosecutor. Only the specific incident will be copied and provided.

#### b. Subpoena Requests

(1) **Public Records** is responsible for releasing any recordings requested by civil subpoena *duces tecum*. Any district office receiving a civil subpoena for recorded media shall forward the subpoena to the FVAP coordinator. The FVAP coordinator shall create a DVD which contains a copy of the requested video and forward the subpoena and the DVD to **Public Records** for distribution. If there are any concerns regarding whether or not to release a copy of the media, the reasons should be documented by the district commander and **Public Records** shall be contacted.

(2) Criminal subpoenas are delivered directly to the named individual for compliance.

c. Public Record Requests

Forward requests from the public or media to **Public Records**. **Public Records** shall contact the local office for a copy of the requested video segment and shall release the requested segment.



## **VIII. Vehicle Server Based Systems—Supervisor Responsibilities**

### **A. Officer Supplies and Documentation**

Each supervisor shall ensure operators are supplied with the following:

1. *Employee Time Accounting Summary - Highway Patrol Supplement* (DPS 802-04207). Document time using codes in the *Personnel Deployment System (PDEP) Manual* (DPS 932-02082).
2. *Field Video and Audio Program (FVAP) Manual* (DPS 932-02062)
3. GO 4.3.100, *Mobile Video Program*

### **B. Recording Review**

At least quarterly, each supervisor shall observe the operator in the use of the FVAP equipment and review a minimum of three randomly recorded events submitted by the officers. The supervisor shall complete the *Field Video and Audio Program Supervisor Review* form (DPS 802-04221) and submit it on a quarterly basis to the district commander. Supervisors may recommend recordings to the district commander for training purposes.

### **C. Repair or Replacement of Equipment**

1. Supervisors shall coordinate in a timely manner the repair/replacement of any damaged or nonfunctional FVAP equipment with **Wireless Systems**.
2. Supervisors shall notify their district commander in writing, within five days when FVAP equipment assigned to their squad is out of service.
3. Supervisors shall update their district commander every thirty days on the status of FVAP equipment that is placed out of service.



## **IX. Vehicle Server Based Systems—District Commander Responsibilities**

The district commander shall:

1. Select the officers to participate in the FVAP.
2. Appoint a FVAP coordinator to facilitate the FVAP program.
3. Approve all erasures and destruction of recorded media using the *Recorded Media Disposal* form (DPS 802-07190) certified by the involved officer.
4. Ensure each FVAP operator receives the Department approved FVAP training prior to using the FVAP equipment.
5. Ensure that any damaged or nonfunctional FVAP equipment is repaired in a timely manner.
6. Review the *Field Video and Audio Program Supervisor Review* form (DPS 802-04221) submitted on a quarterly basis by the supervisor.
7. Establish an evidence storage system for recorded media at the district headquarters and ensure that chain of custody protocol is followed.
8. Ensure a retention schedule is followed in accordance with GO 3.2.20, *Records Management Program*, and the guidelines set forth by ASLAPR.
9. Authorize final approval for disposal or destruction of recorded media. The district commander shall ensure that there are no current court cases, pending civil suits, litigation, or complaints requiring the preservation of the recorded media prior to authorizing disposal or destruction.





## **X. Vehicle Server Based Systems—FVAP Coordinator Responsibilities**

The FVAP coordinator is appointed by the district commander and shall:

1. Maintain an adequate inventory of unused media to backup server files
2. Monitor server systems and request maintenance as required from **Wireless Systems** or **Fleet**.
3. Collect back-up DVDs and store them in a secure location.
4. Forward public records and civil subpoena requests to **Public Records** for release, along with a copy of the requested segment.
5. Document time using codes in the *Personnel Deployment System (PDEP) Manual* (DPS 932-02082).



## **XI. Vehicle Installation and Repair**

### **A. Wireless Systems**

**Wireless Systems** shall coordinate installation, transfer, and repair of all FVAP units.

### **B. Fleet Services**

**Fleet Services** shall be responsible for installing the vehicle wiring for the FVAP equipment upon receipt of the *Fleet Request* form (DPS 802-03769).



## **XII. Wearable Recordable Media Systems**

### **A. Provision**

Officers may utilize Department-issued or personally-owned body-wearable (also known as point-of-view) video and audio recording devices while on duty to assist Department personnel in the performance of their duties by providing an accurate and unbiased recorded account of an officer's activity.

### **B. Officer Responsibilities**

1. Regardless of the device being Department-issued or personally-owned, officers shall:
  - a. Utilize the devices capabilities uniformly in all situations in accordance with Section I.B, Recording Activity including the recording of activities away from the officer's in-vehicle camera system or in lieu of an in-vehicle system if not equipped, field interviews, detainment or arrest, prisoner/citizen transport (excluding approved ride-alongs), searches, use of force situations, or other situations where the officer deems appropriate/valuable.
    - 1). For contacts that become adversarial in an incident that would not otherwise require recording, in those situations, it may be impractical or unreasonable for the officer to activate the device before taking police action. However, the officer shall activate the device once the immediacy of the situation is over to record the remainder of the incident.
    - 2). This section does not supersede General Order 3.2.50, *Department Photographs*.
    - 3). Officers should disable recording devices while in a crime or collision scene unless engaged in contact with a person.
    - 4). Officers working covert or undercover assignments may use discretion in starting and stopping recording.
  - b. Ensure that the wear and use of the device does not conflict with the officer's ability to perform necessary job functions, utilize other Department-issued wireless and electronic devices, and does not adversely affect the wear of the uniform or the professional appearance of the officer. Officers using personally-owned devices shall notify their supervisor and produce the device for

inspection.

- c. Ensure that file formats of personally-owned devices are in a format readily readable by existing Department computer and software systems and do not require proprietary software to open, copy, listen, and view.
- d. Document on any applicable enforcement document or departmental report a notation that an audio or video is associated with the incident.
- e. Document on the *Employee's Time Accounting Summary* that an audio or video is associated with the incident.
- f. Not alter, edit, or redact the audio or video in any manner.
- g. Be aware that any recording made in the scope of employment whether by a personally-owned or Department-issued device is a public record owned by the State of Arizona. The recording shall be retained and destroyed by the officer in accordance with applicable Arizona State Library Archives and Public Records (AZLAPR) retention schedules. Destruction of a video or audio file outside of AZLAPR rules may be a violation of Arizona Revised Statute §38-421.

2. Retention and Destruction

- a. Storage
  - 1) Officers shall store audio and video recordings either on a Department-owned or personally-owned system. If stored on a personally-owned system/media, the officer shall ensure that the system/media has the necessary ability and safeguards to store and retrieve the recording in compliance with AZLAPR rules and public record law and be aware that the storage device itself is subject to public record law.
  - 2) The recordings shall be available for public records requests in accordance with public records laws.
  - 3) The recordings shall be considered sensitive information under General Order 3.2.10, *Sensitive and Confidential Information*.

b. Destruction

- 1) The officer shall approve and effect the destruction of any recordings in accordance with AZLAPR rules.
- 2) Destruction of recordings of criminal cases shall be completed in accordance with 17 A.R.S. Rules of Criminal Procedures, Rule 28.2.

3. Release of Recordings

a. Prosecutor Requests

With supervisor approval, officers may release a copy of the recording relating to an incident directly to the prosecutor. Only the specific incident shall be copied and provided. Officers shall add an additional 120 days from the date of the request to the original recording's destruction date.

b. Subpoena Requests

- 1) **Public Records** is responsible for releasing any recordings requested by civil subpoena *duces tecum*. Any officer receiving a civil subpoena for a recording shall make a copy of the recording and forward the copy and subpoena to **Public Records** for distribution. If there are any concerns regarding whether or not to release a copy of the recording, the reasons shall be documented by the district commander and **Public Records** shall be contacted.
- 2) Criminal subpoenas are delivered directly to the named individual for compliance.

c. Public Record Requests

When contacted by **Public Records**, the officer shall provide a copy of the recorded media to **Public Records**.

d. Supervisory Request

Officers shall provide a copy of any recording to a supervisor upon request.

4. Repair or Replacement

- a. Officers shall notify their supervisor within twenty-four hours of Department-issued devices requiring replacement or repair.
- b. Officers shall comply with **Safety and Loss** procedures and General Order 7.2.30, *Personal Property Reimbursement* for reimbursement of lost or damaged personally-owned devices.

## C. Supervisor Responsibilities

1. Supervisors shall

- a. Ensure that officers utilizing Department-issued or personally-owned body-wearable video and audio recording devices while on duty are complying with Section XII.B.
- b. Comply with Section III.D for the repair or replacement of Department-issued devices.
- c. Ensure officers are trained in the proper use of Department-issued devices.

2. Supervisors may review any recording for officer evaluation, training, or administrative purposes.

- a. For Department-owned devices, supervisors shall review at least three random events on a quarterly basis and complete the *Mobile Video Program Supervisor Review* form.
- b. Supervisors may recommend recordings to the district commander for training purposes.