

June 22, 2015

TO: Frank Knaack
Director, Public Policy and Communications

FROM: Chief Stanley Stanley M. Olah

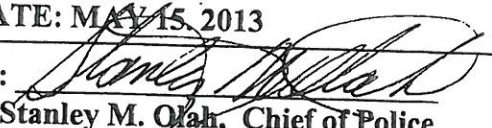
RE: FOIA Request / Body Camera and Equipment Policy

As per your request for information on our use of Body Camera Equipment. We are provided you with our response to your questionnaire along with a copy of our current General Order 2-12A, On-Officer Video Cameras.

Assuring you of our cooperation in matters of mutual interest.

Sincerely,

Stanley M. Olah
Chief
Wintergreen Police Department

WINTERGREEN POLICE DEPARTMENT		GENERAL ORDERS	
SUBJECT: ON-OFFICER VIDEO CAMERAS		NUMBER: 2-12 A	COPY
EFFECTIVE DATE: MAY 15, 2009		REVIEW DATE: MAY 15, 2013	
AMENDS/SUPERCEDES: Jan.04,2011		APPROVED:  Stanley M. Olah, Chief of Police	
VLEPSC STANDARDS:			

NOTE

This rule is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

INDEX WORDS

VIEVU Camera / Legality of Use
 Activation/De-activation
 Legality of Use
 Downloading to Computer
 Maintenance

I. POLICY

It is the policy of the department to protect and ensure the safety and welfare of our citizens and department personnel. Video documentation has become an integral and valued tool in Law Enforcement for those agencies that have adopted patrol car mounted cameras. The value has repeatedly outweighed the equipment and training costs involved with enhanced evidence gathering, report accuracy, complaint management and increased professionalism. Thus, wearable video technology is the next logical step. The Wintergreen Police Department has adopted standard operation procedures when using the On-officer camera.

II. PURPOSE

Officer safety is of paramount concern for the Wintergreen Police Department. In order to provide enhanced safety, field units are being equipped with wearable Video/Audio systems. The VIEVU can be used to record traffic stops, incidents, suspicious and/or criminal activity. Digital recorded evidence can greatly enhance a criminal investigation by providing graphics.

of the scene, of evidence or of injured victims and can provide prosecutors with the evidence they need to successfully prosecute cases.

III. OBJECTIVES

The principle objectives of the On-officer camera program include:

- a. Enhancing officer safety
- b. Identifying criminal activity
- c. Identifying suspects
- d. Preventing/detering crime and public disorder
- e. Reducing and removing the fear of crime
- f. Improving agency accountability
- g. Simplifying incident review
- h. Enhancing new recruit and in-service training (post-incident use of videos)
- i. Improving Community/Media perceptions
- j. Strengthening police leadership
- k. Advancing prosecution/case resolution
- l. Enhancing officer performance and professionalism
- m. Increasing homeland security

IV. PROCEDURES

1. Officers will be held responsible for the VIEVU system assigned to them. The system will be maintained according to manufacturer's recommendations. The VIEVU wearable video camera is the only Agency approved On-officer camera.
2. At the beginning of each tour of duty, it shall be the responsibility of the officer to ensure that the issued On-officer camera is in proper working order;
 - a. Camera batteries will be charged, in either the wall mount or vehicle charger. The LED red light will go off when the charge is complete. A blinking green LED light indicates that the camera is on and recording. The LED will blink green until the camera is turned off. When the LED green blinking light turns to a red blinking light you have about twenty percent (20%) of space/power left.
 - b. The On-officer camera will be worn on the Agency uniform in a manner that ensures images in front of the officer are captured and recorded.
 - c. The camera can record approximately four and one-half hours of video per ten hour shift. Care should be used so that recordable time is not wasted.
3. Activation of the camera is generally at the discretion of the officer; however, activation is required for the following citizen encounters. NOTE: Officers shall make a recorded announcement prior to incident contact, so to establish venue, accurate date and time of recording and the type of incident being recorded.

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- a. Traffic stops. All traffic stops shall be recorded.
- b. Suspicious incidents or any other incident where officer safety may become an issue. i.e. Building searches, alarms, etc.
- c. Domestic Violence situations.
- d. Any incident which may lead to an arrest, i.e. Drunk in Public, etc.
- e. On scene Investigative Interviews with victims/witnesses to include their present location or agency vehicles.

V. CRIME SCENE ACTIVATION

1. Crime Scene Activation. Digitally recording evidence at a scene assists greatly in the capture of evidence. Therefore, officers are encouraged to activate their On-officer cameras upon arrival and while securing the scene pending the arrival of the Investigator of Evidence Technician.
2. Announcement of date, time, location and purpose of the recording.
3. A capture of the general scene or of an individual. A full frame capture of the person.
4. A capture showing the relationship of any injuries to the subject's body. (privacy should be taken into consideration especially in the case of a person with the opposite gender to the officer).
5. The officer making the recording at the crime scene should view the recordings on the computer housed at the gatehouse to ensure that the recordings effectively document a victim's injury or the crime scene
6. Officers are not able to delete or edit recordings and should not attempt to tamper with the camera's stored recording. Digital images that are relevant for investigative or trial purposes can be downloaded to a DVD at a later date.
7. The officer should note in the officer's incident report that digital recordings had been taken.

NOTE: Officers shall call out the Investigator on duty when the situation calls for his presence.

VI. DOWNLOADING TO COMPUTER

At the conclusion of the officer's tour of duty, the officer shall;

1. Download all recordings to the designated computer at the gatehouse.
 - a. Add CCR# and other comments for each recording, such as individual's name, if known, type of call, etc.
2. Review any pertinent recordings and request a DVD be made by a supervisor on specific recording pending trial. **NOTE:** only systems administrators can create a recording of any incident.
3. Supervisors will make a DVD copy, and return the disk to the officer to be listed as evidence. (see G.O. 2-17, Property/Evidence Procedures).
 - a. This master shall serve as the permanent record. A separate DVD should be created for each criminal case or investigation, and the DVD is copy protected
 - b. Once the recording are downloaded, the cameras memory is emptied and ready for new recordings.
 - c. The supervisor should confirm that the digital images were correctly transferred to a blank DVD by;
 - (i) By reviewing the digital recording on the DVD.
 - (ii) Attempting to write a file onto the DVD. If the supervisor is able to write a file on the DVD, the DVD shall be destroyed and a new DVD created.
 - d. Officers shall leave their assigned VIEVU camera in their police vehicle, at the completion of their tour of duty. The camera shall be plugged into the twelve volt lighter charger until their next tour of duty.

VII. CONFIDENTIALITY

1. Video recordings shall be conducted in a professional, ethical and legal manner.
2. Video surveillance for the purpose of monitoring work areas, social areas or sensitive areas should only occur in special circumstances, and this surveillance should further the policy's principle objectives, which include the prevention/deterrence of illegal activity and the enhancement of safety.
3. All recordings that are related to, or of value to an investigation are to be kept strictly confidential.
4. On-officer cameras shall not be directed through windows of a residential dwelling where an individual has a reasonable expectation of privacy.
5. Copies of recording shall only be made for investigative and/or evidence/training purposes and shall be controlled by the Chief of Police.

6. Each individual officer is responsible for all recordings captured by their assigned camera.

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VIII. LEGALITY

1. The State of Virginia is a one party consent state. Therefore, only the officer need know that the recording of the encounter is taking place.

IX. TRAINING

1. Officers will receive in-service training on the proper use of the Agency issued on-officer camera. Training will include but not be limited to:
 - a. Setup and battery charging.
 - b. Uniform placement.
 - c. Recording techniques.
 - d. Weather conditions.
 - e. Camera subject bearings.
 - f. Proper care and servicing.
 - g. Downloading procedures.
 - h. Review of recordings.

X. FAQ

1. How do I know the Viewu is recording ?
 - A. When the unit is recording, The LED light will blink green until the unit is turned off.
2. How can I tell when the battery/free space is almost used up ?
 - A. The LED light will turn red and continue blinking when you have about 20% of time/space left.
3. How do I know when my VIEVU is fully charged ?
 - A. The LED light will show solid red when charging. When charge is complete. The LED light will go off completely.
4. How long does it take to charge the battery ?
 - A. The VIEVU PVR uses a lithium ion battery. A completely dead battery will take approximately three (3) hours using the wall charger.
5. When capacity is full, will my VIEVU stop recording or will it loop over itself ?
 - A. The camera will stop recording at full capacity and the LED light will turn red.
6. The time stamp is incorrect on my videos ?
 - A. All the VIEVU PVR's are set to GMT time (Greenwich Mean Time) to ensure accuracy and, if needed, accountability in court.

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