

# Okaloosa County Sheriff's Office



## Standard Operating Procedures

<b>Effective Date:</b> May 15, 2005	<input type="checkbox"/> <b>Rescinds</b> Replaces SOP 43.04 <input type="checkbox"/> <b>Amends</b>	<b>Number:</b> 26.04
<b>SUBJECT:</b> Mobile Videotaping		Re-evaluate (1) year after effective date.
<b>Distribution:</b> Personnel assigned Mobile Videotaping Equipment	<b>CFA:</b>	

Index as: In-Car Video  
Videotaping  
Evidence, Videotape  
Videotape, Evidence

This Standard Operating Procedure consists of the following numbered sections:

1. Purpose
2. Standard Operating Procedures
3. Equipment Procedures
4. System Activation
5. Videotape Control and Inventory
6. Handling of Video Evidence

### 1. Purpose

The purpose of this Standard Operating Procedure is to establish guidelines for utilizing mobile-videotaping equipment to provide an accurate audiovisual record of enforcement related and non-criminal incidents. The use of the mobile-videotaping system is intended to enhance criminal prosecutions, limit civil liabilities, protect officers from unwarranted citizen complaints, and document other contacts.

### 2. Standard Operating Procedures

Deputies' assigned mobile-videotaping equipment shall abide by this Standard Operating Procedure and complete an agency approved training course in the use of the equipment.

### **3. Equipment Procedures**

- A. Deputies assigned mobile-videotaping equipment shall be responsible for maintaining the equipment in the condition in which it was issued.
- B. Equipment that is not properly functioning shall be taken to Fleet Management for repair as soon as practical.
  - Deputies assigned mobile videotaping equipment shall notify their immediate supervisor upon discovering improperly functioning equipment. Supervisors shall ensure the equipment is delivered to the appropriate maintenance technician for repairs.
  - No attempt to make the repairs shall be made by the operator.
  - Recording devices shall be regularly cleaned with approved head cleaner.
- C. Videotapes will be blank and issued through a numbering system maintained by Evidence/Crime Scene Unit.
- D. Operators shall inspect and functionally check mobile-videotaping equipment at the beginning of each shift.

### **4. System Activation**

- A. Deputies shall activate the mobile-videotaping system, including the wireless microphone, for:
  - 1) Vehicular stops.
  - 2) Felony and high-risk stops.
  - 3) Critical Incidents.
  - 4) Public disorder.
  - 5) Pursuits.
  - 6) Pedestrian Contacts.
  - 7) “Crime in Progress” calls.

Mobile Videotaping

- B. The wireless microphone shall be left on during contact with subjects while the mobile-videotaping system is recording.
- C. Officers shall not erase any portion of any videotape at any time.
- D. The mobile-videotaping system will automatically start recording when emergency lights are activated. Deputies shall not manually stop recording until the conclusion of the incident. Once the incident has been concluded, deputies need to manually turn off the mobile-videotaping system.
- E. The mobile-videotaping system can be activated manually and/or remotely for activities that do not require emergency lights and in accordance with these procedures.

## 5. Videotape Control and Inventory

- A. The Evidence/Crime Scene Unit will be responsible for maintaining an adequate supply of videotapes.
  - Prior to placing videotapes into service, the Evidence/Crime Scene Unit will serialize the videotapes and add the numbers to a master log.
  - A supply of videotapes will be available at the North District Office, the Destin District Office, and the Intoxilyzer Room located at the Okaloosa County Courthouse Annex. Upon removing videotapes from a supply location, the deputy will complete the appropriate portions of the supply log (name of person withdrawing videotape and date of withdrawal).
- B. The Evidence/Crime Scene Unit will complete sample evidence cards for criminal evidence videotape submissions and non-criminal videotape evidence submissions. These examples will be posted at the locations where deputies turn in the videotapes.

## 6. Handling of Video Evidence

- A. Videotapes that contain “video evidence” shall be submitted as evidence on the same day the incident was recorded. All videotapes shall be placed into a - 6 X 9 envelope and packaged using normal evidence packaging procedures to include an evidence card. The evidence description on the evidence card will note the name of the deputy and the dates the videotape was in the system. In-car video evidence tapes **shall not** be placed into the general evidence intake bins. All in-car

videotape submissions shall be placed into the “in-car video drop bins” located at District Offices in Crestview and Destin and at the Shalimar Annex.

B. Tapes shall be submitted into evidence in the following types of incidents:

- 1) Any felony
- 2) Driving Under the Influence
- 3) Any use of force incident
- 4) Any vehicle pursuit
- 5) Any narcotics violation
- 6) Any domestic violence investigation in which the video system was used as an evidence-gathering tool.
- 7) Any agency involved traffic crash while the video system was recording.
- 8) Any incident that could cause liability for the agency.
- 9) Any time the deputy’s supervisor directs that the videotape be submitted

**\*\*Note:** Due to the number of criminal traffic offenses such as Driving While License Suspended or Revoked, No Insurance, Expired Driver’s License More Than Four Months, etc... a deputy shall not be required to immediately remove the videotape and submit it for this type of offense. It shall be submitted as a non-criminal videotape submission as outlined in subsection 7 below. It shall be the responsibility of the case deputy to notify the State Attorney’s Office of the videotape evidence if a subpoena is issued for that case.

C. In criminal evidence incidents where more than one in-car video recording system was used, all videotapes pertaining to the incident shall be submitted as outlined above.

D. When deputies complete an offense report involving an incident with in-car video evidence, the deputy will note in the narrative of their offense report that a videotape of the incident exists and that the tape was submitted to evidence.

- E. Videotapes submitted as evidence will be retained until they are no longer needed for court. If the tape is being retained for civil litigation, the Staff Attorney must release the tape from evidence.
- F. When it is determined that a videotape is no longer needed as evidence, it shall be logged and stored by the Evidence/Crime Scene Unit as a “non-criminal submittal” in accordance with subsection 6 (six) of this SOP.

**7. Non-Criminal Submittal of Videotapes**

- A. Videotapes of routine activities, not submitted as evidence, will be placed in one of the “in-car video drop lockers” located at the North District Office, the Destin District Office, and the Intoxilyzer Room located at the Okaloosa County Courthouse Annex. The deputy shall complete an evidence card and place the videotape tracking number (example: 05-001 ICV) in the case number section of the evidence card. The deputy shall also note the dates the videotape was in the recording system.
- B. These tapes will be stored by the Evidence/Crime Scene Unit for a period of one year. After the one-year period, the tapes will be disposed of in accordance with Okaloosa County Sheriff's Office **SOP 13.01**.
- C. If it is determined that information contained on a videotape is needed for a criminal or civil case, the videotape will be considered as evidence and handled according to subsection 5 (five) of this SOP.



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Division Commander