

Mobile Vehicle Recorder

423.1 PURPOSE AND SCOPE

The St. Mary's County Sheriff's Office has equipped selected law enforcement vehicles with Mobile Vehicle Recorder (MVR) recording systems to provide records of events and to assist deputies in the performance of their duties. This policy provides guidance on the use of these systems.

423.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MVR system to transmit or store video or audio data in an active mode.

In-car camera system and MVR system - Synonymous terms that refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at a minimum, a camera, microphone, recorder and monitor.

MVR - Acronym for Mobile Vehicle Recorder, this term refers to the digital audio/video recording equipment designed for fixed installation in vehicles.

MVR Operator - A deputy sheriff who has received instruction in the operation and use of the specific mobile video recording devices installed in sheriff's office vehicles, and who is authorized to utilize such equipment for enforcement purposes.

Recorded media - Audio-video signals recorded or digitally stored on a storage device or portable media.

423.2 POLICY

It is the policy of the St. Mary's County Sheriff's Office to use mobile audio and video technology to more effectively fulfill the mission of the Office and to ensure these systems are used securely and efficiently.

423.3 DEPUTY RESPONSIBILITIES

Prior to going into service, each deputy will properly equip him/herself to record audio and video in the field. Each deputy will follow the established procedures for providing to the Office any recordings or used media and any other related equipment. Each deputy shall ensure they have adequate recording media for the entire duty assignment. No attempt shall be made to disable or damage the MVR system.

At the start of each shift, deputies shall test the MVR system's operation to ensure it is working properly.

If the system is malfunctioning, the deputy shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

423.4 ACTIVATION OF THE MVR

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423.4.1 REQUIRED ACTIVATION OF THE MVR

This policy is not intended to describe every possible situation in which the MVR system may be used, although there are many situations where its use is appropriate. A deputy may activate the system any time the deputy believes it would be appropriate or valuable to document an incident. The use of video recording equipment by deputy sheriffs who operate vehicles so equipped is mandatory. Video recordings shall be made of all prisoner and citizen transports. The deputy will notify the arrestee or citizen they are being recorded and provide the Emergency Communications Center with the beginning and ending mileage when transporting citizens of the opposite sex or juveniles.

The video portion of the MVR system should be activated, and the audio portion turned off in any of the following situations unless prior consent is obtained by all parties:

- (a) All field contacts involving actual or potential criminal conduct within range:
 - 1. Priority responses
 - 2. Vehicle pursuits
 - 3. Suspicious vehicles
 - 4. Arrests
 - 5. Vehicle searches
 - 6. Physical or verbal confrontations or use of force
 - 7. Pedestrian checks
 - 8. Driving while impaired (DWI) or driving under the influence (DUI) investigations, including field sobriety tests
 - 9. Consensual encounters
 - 10. Crimes in progress
 - 11. Responding to an in-progress call
- (b) All self-initiated activity in which a deputy would normally notify Emergency Communications Center
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect.
- (d) Prisoner transports
- (e) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
- (f) Any other circumstance where the deputy believes that a recording of an incident would be appropriate

Activation of the MVR system is not required when exchanging information with other deputies or during breaks, lunch periods, when not in service or actively on patrol.

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423.4.2 CESSATION OF RECORDING

Once activated, the MVR system should remain on until the incident has concluded or as long as is legally acceptable. For the purpose of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if a deputy is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

423.4.3 SURREPTITIOUS RECORDING

No member of this office may surreptitiously record a conversation of any other member of this office except with a court order or when lawfully authorized by the Sheriff or the authorized designee.

423.4.4 SUPERVISOR RESPONSIBILITIES

Supervisors will visually inspect the MVR system and test the equipment for proper function as part of the monthly vehicle inspection. Supervisors will forward any MVR equipment issues to the St. Mary's County Government Department of Information and Technology immediately. Supervisors should determine if vehicles with non-functioning MVR systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of Help Desk.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings or deaths, office-involved traffic accidents), a supervisor shall respond to the scene and ensure that the appropriate person properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

423.5 REVIEW OF MVR RECORDINGS

All recording media, recorded images and audio recordings are the property of the Office. Dissemination outside of the Office is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved.

423.6 DOCUMENTING MVR USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the deputy's report. If a citation is issued, the deputy shall make a notation in CAD indicating that the incident was recorded. Whenever a video/audio recording is made of a crime or incident and a written report is generated, a note of recording or multiple recordings if more than one deputy recorded the event, shall be included in the narrative portion of the report.

423.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once uploaded for storage, all recordings will be labeled and stored. All recordings will be retained for a minimum of 365 days and disposed of in accordance with the established records retention

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schedule. The MVR system automatically erases recordings not bookmarked for retention from the MVR server when the retention period for a recorded segment has reached three hundred and sixty-six (366) days. The Property Section is responsible for the management, storage and security of all copied files placed in their care.

For procedures related to Recording Media Storage and Integrity, see the St. Mary's County Sheriff's Office LE Procedures Manual: [Video File Uploads and Archiving](#) and [Review, Retention, and Storage of Recordings](#)

423.7.1 COPIES OF ORIGINAL RECORDING MEDIA

Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy. No attempt shall be made to capture video from an MVR system either by copying files, using video capture software, or physically recording video with another device as it is playing back.

423.7.2 MVR RECORDINGS AS EVIDENCE

Deputies who reasonably believe that a MVR recording is likely to contain evidence relevant to a criminal offense, or a potential claim against the deputy or against the St. Mary's County Sheriff's Office, should indicate this in an appropriate report. Deputies should ensure relevant recordings are categorized and preserved.

Data stored on the MVR server and held as evidence will continue to be held on the server for a minimum period of five hundred and forty-five (545) days. The server will automatically erase bookmarked recordings on the five hundred and forty-sixth day unless a request has been made to extend the retention period for a specific incident.

423.8 SYSTEM OPERATIONAL STANDARDS

- (a) MVR system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- (b) The MVR system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MVR system should not be configured to record audio data occurring prior to activation.
- (d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating deputy's transmitter, should be activated at a scene to minimize interference or noise from other MVR transmitters.
- (e) Deputies using digital transmitters that are synchronized to their individual MVRs shall activate video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MVR-equipped law enforcement vehicles

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to minimize the possibility of causing electronic or noise interference with the MVR system.

- (g) Deputies shall not erase, alter, reuse, modify or tamper with MVR recordings. Only a supervisor or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage, original recordings shall not be viewed or otherwise inserted into any device not approved by the Office.

423.9 TRAINING

All members who are authorized to use the MVR system shall successfully complete an approved course of instruction prior to its use including the limitations of conducting audio recordings under Maryland law. All new deputy sheriffs will be trained in the use of MVR during their field training program.