MESA POLICE

Department Policy Manual

Evidentiary Recordings

DPM 3.4.15

2/11/16

Approved by:

Chief of Police

Chapter:

Forensic Protocols

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1. PURPOSE

This order provides guidelines for the collection and submission of evidentiary recordings for Mesa Police Department (MPD) members.

2. DEFINITIONS

Evidentiary Recordings

- Any image, including, but not limited to a photograph, photograph negative,
 Polaroid photograph, video image, or digital still media.
- Any audio recordings including, but not limited to audio tapes and digital media.

3. GENERAL GUIDELINES

Forensic Services

Where this order conflicts with Forensic Services Supplement Manuals, the Forensic Services procedures will take precedence for members assigned to the Forensic Services.

Images/Recordings-Use

MPD camera equipment and digital imaging recorders shall be used for law enforcement purposes only, unless otherwise authorized by the Chief of Police or designee.

- Any image, video recording, and audio recording captured as part of a
 Department member's duties, regardless of its source, shall be the property of
 the Mesa Police Department (MPD).
- Under no circumstances may Department recordings be produced for personal use or unauthorized purposes.
- Members shall report the existence of any unauthorized images or recordings to their immediate supervisor (and case agent if applicable).

Images/Recordings - Ownership

- Only Department members authorized to use their own personal equipment to capture images or recordings can do so.
- Regardless of its source, those images and recordings are the property of the Mesa Police Department and those members shall follow the Department's evidentiary submission guidelines as outlined in this order.

Evidentiary Value

 All images taken of a crime scene or other images deemed as evidence by Mesa Police Department (MPD) members are evidence. This includes evidence produced by any other source for Department use.

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- All evidentiary images/recordings captured by Department members shall be documented in a Department Report (DR) (i.e.: original incident report, supplemental report) by the member capturing the images.
 - The report shall identify the number of images captured, as well as a general description of the items photographed (i.e.: broken window, stolen vehicle).
- All evidentiary still images captured by Department members shall be downloaded from the digital media to the Department's Digital Image Management System (DIMS) or may be submitted to the Evidence Section, as applicable.
- All other evidentiary recordings (video/audio) shall be submitted to the Evidence Section, as applicable.
- Refer to DPM 3.4.20 Identification Images-RMS related to the Records Management System (RMS).

On-Officer Body Camera Recordings

For evidentiary recordings captured on an on-officer body camera, refer to **DPM 3.4.35 On-Officer Body Camera Program** for operational guidelines, evidentiary submission and retention protocols.

4. SUBMISSION PROTOCOLS

General Guidelines

Photographs, film, Polaroid photographs, video images, disposable cameras, audio recordings, and digital media collected as evidence shall be submitted to the Evidence Section in accordance with **DPM 3.2.45 Impounding Evidence & Property**.

Digital Still Images Captured by Members:

- Do not print images in Department Reports.
- Members shall not delete any still images from the digital media prior to downloading into DIMS or submitting into the Evidence Section.
- Do not copy images from the digital media prior to downloading into DIMS or submitting to the Evidence Section. Copies of the original images are not acceptable for submission.
 - Prior to the end of shift, the images shall be downloaded using DIMS or the images may be submitted to the Evidence Section, as applicable.
 - If the images were downloaded into DIMS, the member must make an entry in the Digital Download Log so Forensic Services is able to account for all the images.

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- If the digital media was submitted to the Evidence Section, the requesting member shall submit DPM 3.4.5F2, Photo Lab Processing Request to the Forensic Services Section in order to have the images downloaded and archived.
- Any digital media belonging to the Department, or Department member's digital media used to capture the image belonging to the Department, will be returned to the requesting member.
 - The media will be blank when returned.
 - The member shall reformat the digital media before using it again.
 - If any prints are needed, DPM 3.4.5F2, Photo Lab Processing Request shall be submitted to the Forensic Services Section.

Video Recordings:

- All original evidentiary video recordings of police operations, in their entirety, shall be downloaded into the appropriate secure storage file (i.e.: PD share drive, designated PD drive, etc.), burned onto a DVD (original), and submitted to the Evidence Section.
 - A copy will also be made and submitted to the Evidence Section along with the original. Ensure the DR#, the date, and the submitting officer's name is placed on each DVD.
- In accordance with Arizona State Archiving Laws, video recordings of nonevidentiary value should be disposed of after administrative value has been served but no more than three years after calendar year created (Media/tapes may be recorded over).
 - Per MPD protocols, affected Unit Supervisors will ensure that video recordings of non-evidentiary value are disposed of properly after 120 days, and after any applicable audits are completed.
 - The only exceptions are non-evidentiary recordings utilized for training purposes or unless otherwise authorized by a Division Commander.

Audio Recordings:

- All original evidentiary audio recordings of police investigations, in their entirety, shall be placed into the Evidence Section, or other approved evidentiary electronic storage, by the primary or submitting officer/detective prior to the filing of any charges.
- The primary or submitting officer/detective shall document the submission of the evidentiary audio recording in a supplement report.
 - If an evidentiary audio recording is placed into the Evidence Section,
 Department members will follow the same submission protocols as evidentiary video recordings.

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Evidentiary Recordings Provided by Outside Source:

- Do not attach prints to Department Report (DR).
- Submit the prints to the Evidence Section noting in the report that such prints
 exist. Any photograph that is part of a Department Report (DR) becomes a
 public record and is subject to release. Any such photograph must be able to be
 reproduced.
- Any digital media provided by an outside source must be submitted to the Evidence Section with the images left on the media.
- All other evidentiary recordings (i.e.: surveillance videos from businesses, audio tapes, etc.) will be placed into the Evidence Section.
- If copies of images or recordings are needed, DPM 3.4.5F2, Photo Lab
 Processing Request shall be submitted to the Forensic Services Section.

5. DIMS PROTOCOLS

DIMS Categories

- DIMS uses the category and the viewer's job function to control access to photos.
- Department members will use one of the following categories when downloading photos.
- For photos submitted to Evidence, include a note or comment indicating the category to be used.

Restricted Crimes:

- This category is used when the content of the photos or the nature of the investigation calls for a limited number of people able to view the photos.
- This includes, but is not limited to:
 - All investigations involving a death.
 - Officer-involved shootings.
 - o Aircraft crashes.
 - Other high profile incidents.
- Restricted photos can be viewed by Command Staff, the Homicide Unit, and designees.

Sex Crimes:

- This category is used when the incident will or could be investigated by units at the Mesa Family Advocacy Center (MFAC).
- This includes, but is not limited to:
 - Sexual Assaults.
 - Indecency.

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- Pornography.
- Child Abuse.
- Child Neglect.
- Calls involving Department of Economic Security (DES) or Department of Child Safety (DCS).
- Sex Crimes photos can be viewed by Command Staff, MFAC and designees.

Organized Crime Section (OCS):

- This category is used for organized crime related photos.
- Cases of this type originate out of OCS.
- Photos are viewable by members of OCS as well as the Lieutenant and Commander over that section.

Internal Affairs (IA):

- This category is used when photos are taken for an internal Department investigation.
- Usually, an IA number is given instead of a DR number.
- These photos are viewable by the Executive Staff, MPD Legal Unit, and Internal Affairs.

All Other:

- This category is used for all other incidents with a DR number.
- Photos are viewable by most Department members.

Events:

- This category is used for NON-case related photos.
- Instead of a "DR" number, members will use 'PRxxxx-description of photos or event'. The "xxxx" is the four digit year and the "PR" can be upper or lower case. (i.e.: PR2008-December Awards).
- Photos are viewable by all Department members.

6. DIGITAL STILL CAMERA

General

Refer to Procedures listed in the Supplemental Manual for the particular Unit/Section.

Equipment

Digital still cameras shall be approved by the Forensic Services Section (FSS).

- Image sensor for the still cameras shall be at least 2.0 megapixels effective resolution.
- Media for cameras shall be one of the following types:
 - CompactFlash.

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- SecureDigital.
- o SmartMedia.
- Any type pre-approved by the Forensic Services Section.
- Images shall be captured:
 - In JPEG file format.
 - In addition to the JPEG file, TIFF or RAW format files may be captured at the photographer's discretion.
- Zoom lens is recommended.

Types of Incidents

Persons Crimes:

- Authorized members may only capture digital images of:
 - Property damage.
 - o Minor animal bite injuries.
 - Suspect identification photos.
 - Search warrant execution.
 - Passengers in DUI cases.
 - Minor injuries on misdemeanor cases.
 - All other types, including suicides, shall be captured by Forensic Services Section members.

Property Crimes:

 Authorized members may capture any digital images except for comparative images (i.e.: fingerprints, shoe/tire tracks).

Non-Offense Incidents:

 Non-offense incidents (i.e.: PR photos, squad photos, etc.) shall be handled according to the individual Unit/Section Standard Operating Procedures and in compliance with the PDIT Unit policies.

7. REPRODUCTION OF RECORDINGS

General Guidelines

- The investigating officer or designee must approve public records requests for copies of evidentiary images/recordings of specific crime scenes.
- Image/recording copies made for official business are not to be released without proper documentation.
 - Submit DPM 3.4.5F2, Photo Lab Processing Request to the Forensic Services Section for photo requests only.
 - Any copies (i.e.: prints or CDs), will be shredded when no longer needed and documented accordingly.

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- Requests made that are not for official business must be made through the Records Section as a Public Records Request DPM 3.3.70F1. The requestor would be subject to appropriate fees.
 - Refer to DPM 3.3.70 Public Records Request Protocols for further guidelines.

8. TRAINING

Digital Still Camera

Digital Still Camera operators shall have completed the Forensic Services Section Basic Digital Camera Operations class, and shall maintain sufficient working knowledge of the following:

- Exposure.
- · Composition.
- Image capture.
- White balance and lighting.
- · Archiving images.
- · Rules of evidence.
- Minimum equipment standards.
- Applicable Administrative Orders.
- · Care of equipment.

Digital Video Recording Device - Use

- Members who operate particular digital video recording devices shall undergo the appropriate training for that approved equipment as determined by the affected Division Commander.
- Members who operate all other digital video recording devices that do not require specialized training shall follow the designated procedures.

References:

- DPM 3.3.70F1, Public Records Request & Letter of Clearance
- DPM 3.4.5F2, Photo Lab Processing Request
- DPM 3.2.45 Impounding Evidence & Property
- DPM 3.3.70 Public Records Request Protocols
- DPM 3.4.35 On-Officer Body Camera Program
- DPM 3.4.20 Identification Images-RMS
- Refer to 2/18/16 Digital Image Management Memo in Power DMS