



ALBUQUERQUE POLICE DEPARTMENT
GENERAL ORDERS

Effective: 01/22/13

Replaces: 01/09/13

1-39 USE OF TAPE/DIGITAL RECORDERS

POLICY:

It is the policy of the Albuquerque Police Department to record contacts in which certain arrests have been made, portions of search warrants, or those contacts with the public that could result in complaints against department personnel. Officers are directed to use tape or digital recorders for their protection to guard against claims of improper conduct. They are an effective tool that will be used in all the instances listed below, and other instances at the officers' discretion.

RULES:

1-39-1 USE OF TAPE/DIGITAL RECORDERS

- [6] A. Personnel will use issued tape/digital recorders to document the incidents listed below.

It will be the responsibility of the primary officer to ensure that the incident will be recorded in its entirety. If at any time the primary and secondary officer(s) should become separated, it will be the responsibility of the secondary officer(s) to record all their contact and/or actions during that incident. In such incidents where the primary officer tags a recording and secondary officer(s) also have a recording: all recordings will be tagged into evidence. If the primary officer tags a complete recording or there is an outside source recording tagged into evidence and no secondary recording exist; this shall serve as meeting the requirements for this section.

- B. The Albuquerque Police Department recognizes there are certain circumstances where officers in a proactive (non-dispatched) capacity, may happen upon a situation requiring immediate action to prevent injury, destruction of evidence or escape. In these types of situations officers should activate the recorder if doing so does not place them or others in danger. If the immediate activation of the recorder is not feasible due to immediate risk to the safety of the officer or others, the officer will activate the camera at the first available opportunity when the immediate threat has been addressed. Supervisors will closely review documentation of such incidents to ensure exigent circumstances did in fact exist.

1. Resisting Arrest.
2. Disorderly Conduct Arrests.
3. Refusing to Obey an Officer Arrests.
4. From the start of a search warrant until the area is secured (as outlined in subsection 2-16-2 B).
5. Those contacts where there is reason to believe a complaint could result.
6. Domestic violence calls for court purposes.



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7. All calls involving suspected suicidal and/or suicidal individuals.
8. When a citizen refuses to sign a traffic citation.
9. When officers seek verbal/written permission to search a residence, building, structure, or vehicles. Officers will record through the duration of the search.
10. Child custody disputes.

- [4] C. Under no circumstances except those instances involving criminal investigations of department personnel will a conversation between another member or employee be tape recorded without all parties to the conversation being aware of the fact that it will be recorded.

1-39-2 DISPOSITION OF RECORDED CONTACTS

- [6] A. All recordings listed above, and/or contacts where an arrest was made will be tagged into Evidence, and will be listed on the report as being tagged.
- B. All sworn department personnel will record each and every contact with a citizen during their shift that is the result of a dispatched call for service, arrest warrant, search warrant service or traffic stop. Personnel will activate the recorder prior to arriving at the call or prior to citizen contact on non-dispatched events (within the safety parameters of 1-39-1B) and will record the entirety of citizen contact. Uniformed civilian personnel issued digital recorders will also comply with this section. The recordings will be saved for no less than 120 days.
- C. Personnel utilizing a tape recorder will contact a supervisor to receive a replacement cassette tape, before recording other contacts. Other contacts may be recorded on the same tape, but care should be made not to record over other previously recorded contacts. Personnel issued video recorders that malfunction will contact their supervisor immediately to arrange for a replacement to be issued. The malfunction and the replacement of the recorder will be documented in the applicable report.
- D. Personnel utilizing a video/digital recorder will lock/preserve the recording as soon as practical after the contact is over. Personnel will routinely download recordings and store them on a hard drive throughout their shift to ensure adequate memory space on the recorder.
- E. When tagging a digital recording into evidence, officers will ensure the recording is downloaded on to a CD-R (or other appropriate permanent media) in a WAV file format.



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1-39-3 RESPONSIBILITIES OF OFFICER

- A. All uniformed officers will be required to carry the issued recorder while on duty.
- B. Personnel utilizing a tape recorder will ensure that the issued recorder is functioning properly, has adequate batteries for the entire shift, and is equipped with tape cassettes. Personnel with rechargeable devices such as a personal video recorder will routinely recharge the device during their shift in order to maximize the battery life. Personnel who adhere to this have met the requirements of this section.
- C. Personnel will bring to the attention of their immediate supervisor any malfunction of the recorder, or the need for replacement batteries, or tapes at the beginning of each watch. Arrangements will be made to repair/replace the recorder.

1-39-4 RESPONSIBILITIES OF SUPERVISOR

- A. Supervisors will ensure personnel inspect the issued tape/digital recorder daily to check proper function.
- B. Supervisors will ensure that a recording of arrest incidents, as described above, is indicated in the report. If there is no recording, the report will include a detailed explanation of the incident and actions taken by both officer(s) and offender(s).