

	HARRISONBURG POLICE DEPARTMENT General Orders	Policy Number: 605
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	Section: Audio/Video Recorders	Issue Date: 10/15/2024
	Issued By: Rod Pollard, Interim Chief of Police	Effective Date: 10/07/2021
	Replaces: All General Orders Previously Issued Relative to Subject	
VALEAC Standards: OPR.01.11 (a), OPR.01.11 (b), OPR.01.11 (d)		

A. POLICY AND PURPOSE

This policy provides guidelines for the use of audio/video recording devices by employees of this department while in the performance of their duties. Audio/video recording devices include all recording systems whether body worn (BWC), Mobile Audio/Video (MAV), hand-held, or integrated into portable equipment.

The Harrisonburg Police Department provides employees with access to audio/video recording equipment for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between employees of the Department and the public.

This policy does not apply to recordings used in interviews or interrogations conducted at any Harrisonburg Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

This policy provides guidelines consistent with [VA Code § 15.2-1723.1](#) which requires the adoption of a policy before a body-worn recording system may be purchased or deployed.

B. ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this policy. Responsibility rests with the supervisor to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated. This directive is for internal use only and does not enlarge an employee's civil 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. Violation 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.

C. DEFINITIONS

Axon Respond- When activated with Respond, Axon devices enable supervisors to get the right information at the right time through alerts, automatic activation, live streaming and streamlined communication tools.

Body Worn Camera - The Body Worn Camera (BWC is an audio and video recording system worn by officers

Buffering Mode- Starts after the camera is turned on and captures the previous 30 seconds of video without audio. When BWC is put into Event Mode, the BWC will permanently record the previous 30 seconds of video captured during the Buffer Mode.

Event Mode – When the BWC is placed into recording status.

Evidence.com - The online web-based digital media storage facility is accessed at www.evidence.com. The virtual warehouse stores digitally-encrypted data (photographs, audio and video recordings) in a highly-secure environment. The digital recordings are accessible to authorized personnel based upon a security clearance; the site maintains an audit of user activity.

In-car camera system and MAV 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.

MAV technician - Personnel certified or trained in the operational use and repair of MAVs, duplicating methods and storage and retrieval methods and who have a working knowledge of video forensics and evidentiary procedures.

Mobile video recorder/BWC operator - An authorized representative of the Harrisonburg Police Department who is a trained operator and assigned to operate the MVR equipment.

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

Surreptitious - something done, made, or acquired by stealth; secret or clandestine.

System administrator - This is the Evidence.com system administrator having full access to user rights who assigns and tracks equipment, controls passwords, and acts as a liaison with TASER (TM) Axon representatives.

Video recording - The electronic recording of visual images with or without audio recordings.

Wireless upload - Each vehicle MAV is assigned to the MAV server located at the Public Safety Building. When the patrol vehicle is within range of the wireless access point antennae installed at the Public Safety Building, the recordings stored on the vehicle MAV are automatically transferred over a wireless connection to the MAV server.

D. OBJECTIVES

a. OPERATIONAL OBJECTIVES

The Harrisonburg Police Department has adopted the use of Audio/Video Recorders to accomplish the following objectives:

- a. To enhance officer safety
- b. To accurately document statements and events during the course of an incident
- c. To enhance the law enforcement operator's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation
- d. To preserve visual and audio information for use in current and future investigation
- e. To provide an impartial measurement for self-critique and field evaluation during officer training
- f. To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of video and audio recordings.

E. EMPLOYEE PRIVACY EXPECTATION

All recordings made by employees on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Employees shall have no expectation of privacy or ownership interest in the content of these recordings.

F. PROHIBITED USE OF RECORDING DEVICES

Employees are prohibited from using department-issued recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in an official capacity. Officers shall not edit, redact, alter, erase, nor attempt to do so, in any manner audio/video recordings without prior written authorization and approval from the Chief of Police, or designee. Misuse of department-issued recorders and recording media may result in civil and criminal liability ([VA Code §19.2-63.1](#)).

Personally owned recorders shall not be used while on-duty without the consent of a supervisor. Any employee who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements.

Recordings shall not be used by any employee for the purpose of embarrassment, harassment, or ridicule.

Officers will not utilize recorders during courtroom proceedings.

Officers shall comply with the current policy of the Rockingham County Sheriff's Office (RCSO) jail of no BWC recording in the booking area of the RCSO jail.

Civilians should not be allowed to review the recordings at the scene.

a. SURREPTITIOUS USE OF THE AUDIO/VIDEO RECORDER

Virginia law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission ([VA Code § 19.2-62](#)).

Members may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

G. BWC'S

Police personnel shall use only BWCs issued by this department.

Prior to being issued and deployed with Body Worn Cameras (BWC) police personnel must complete an agency approved and/or agency provided training program to ensure proper use and operations. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates or other revisions in policy and equipment.

a. PROCEDURES FOR USE

Prior to going into service, each officer will be responsible for making sure that he/she is equipped with a BWC, and that the unit is in good working order. If the BWC is not in working order or the officer becomes aware of a malfunction at any time, the officer shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed officers should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a BWC, the assigned officer shall record his/her name, HPD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Officers should document the existence of a recording in any report or other official record of the contact, including any instance where the BWC malfunctioned or the officer deactivated the recording. Officers should include the reason for deactivation.

BWC/portable recorders shall not be used to record when on break or otherwise engaged in personal activities, when in a private residence while NOT on a call for service or "self-initiated

police action, and in any location where officers have a reasonable expectation of privacy, such as a restroom or locker room.

When not in use, the BWC shall be stored in the designated docking station at the substation and at police headquarters. The docking stations allow for the units to be charged and for the download of events to the BWC server.

b. ACTIVATION OF THE BWC/PORTABLE RECORDER

This policy is not intended to describe every possible situation in which the BWC/portable recorder should be used, although there are many situations where its use is appropriate. Officers should activate the unit any time the officer believes it would be appropriate or valuable to record an incident.

The decision to electronically record an encounter is not discretionary. Officers shall activate their BWC without unnecessary delay upon being dispatched.

The recorder shall be activated in any of the following situations:

- a. At the time they are dispatched a call for service (CFS)
- b. Entire duration of a citizen contact
- c. All enforcement and investigative contacts including stops and field interview situations
- d. Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops.
- e. Recording statements from victims, suspects, witnesses, etc.
- f. Self-initiated activity in which an officer would normally notify Emergency Communications Center.
- g. Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.
- h. The officer is transporting an arrestee to jail or other place of confinement, or hospital or other medical care or mental facility.

Officers should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the officer that such privacy may outweigh any legitimate law enforcement interest in recording.

Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is an officer expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

c. CESSATION OF RECORDING

Once activated, recorders should remain on until the incident has concluded. 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 an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

When the BWC shall not be used:

- a. While discussing criminal investigation strategies and tactics
- b. When on break or otherwise engaged in personal activities
- c. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room
- d. Inside of schools, youth facilities, hospitals, medical facilities, or places of worship, unless directly related to an incident that warrants recording, see Activation of the BWC/portable Recorder of this directive (i.e. if an officer conducts an arrest inside a hospital, the encounter shall be recorded)

d. FOOTAGE IDENTIFICATION

Once the video footage has been uploaded, and retention of the footage has been determined, all BWC operators at the scene shall be responsible for reviewing the footage and assigning the following:

- a. Video Storage Category:
 1. Uncategorized
 2. All Domestic Calls
 3. Summons
 4. Crash Investigations
 5. Crime Scene (i.e. Burglaries, Robberies, etc.)
 6. Death Investigations
 7. DUI
 8. Felony Arrest
 9. Field Contacts
 10. HFD
 11. Internal Affairs Investigation
 12. Intelligence
 13. K-9
 14. Mental Health
 15. Miscellaneous (all calls that do not fall into one of the listed categories shall be filed under miscellaneous).
 16. Misdemeanor Arrest
 17. Officer Injury
 18. Pending Review
 19. Search Warrant
 20. Secret Santa
 21. SWAT Operation
 22. Traffic Stops

- 23. Training Demo
- 24. Use of Force
- 25. Victim/Witness Interviews

b. Identification (ID) for the footage shall be the call for service (CFS) number.

e. **BWC/PORTABLE RECORDER (NON-UNIFORMED USE)**

Any officer assigned to a non-uniformed position may carry an approved BWC/portable recorder at any time the officer believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed officers should wear the BWC in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Detectives who work in specialized units (MCU, GTF, DTF) should carry an approved BWC during enforcement activities and during the service of brick and mortar search warrants. Due to the close working relationships with law enforcement and non-law enforcement partners, it's recommended out of professional courtesy that the detective disclose the use of a recording device during these operations unless the BWC is worn in a conspicuous manner. However, due to privacy issues and the confidentiality of informants, the use of a BWC will not be used for undercover operations.

f. **IDENTIFICATION AND PRESERVATION OF RECORDINGS**

To assist with identifying and preserving data and recordings, officers should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

The officer should transfer, tag or mark recordings when the officer reasonably believes:

- a. The recording contains evidence relevant to potential criminal, civil or administrative matters.
- b. A complainant, victim or witness has requested non-disclosure.
- c. A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- d. Disclosure may be an unreasonable violation of someone's privacy.
- e. Medical or mental health information is contained.
- f. Disclosure may compromise an undercover officer or confidential informant.

Any time an officer reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the officer should promptly notify a supervisor of the existence of the recording.

All files shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, BWC identifier and officer to whom the BWC is assigned.

g. SUPERVISORY RESPONSIBILITIES

Supervisory personnel shall ensure that officers equipped with BWC devices utilize them in accordance with the policies and procedures defined herein.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing a member's performance.

On at least on a monthly basis, supervisors will randomly review BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy, and to identify any areas in which additional training or guidance may be required.

h. REVIEW OF RECORDED MEDIA FILES

When preparing written reports, officers should review their recordings as a resource (See the Response to the Use of Deadly Force and/or Situations Resulting in Serious Physical Injury for guidance in those cases). Officers should not use the fact that a recording was made as a reason to write a less detailed report.

Recorded files may also be reviewed:

- a. Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation.
- b. Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- c. By media personnel with permission of the Chief of Police or the authorized designee.
- d. In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy. All recordings should be reviewed by Professional Standards prior to public release.

When an incident arises that requires the immediate retrieval of the digital recording (i.e. investigations pertaining to use of force, in-custody deaths, or any other potential criminal investigation of an officer) supervisors will take possession of the BWC operator's system and upload all video regarding the incident to Evidence.com.

All access to BWC files must be specifically authorized by the Chief of Police or his or her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.

i. AXON RESPOND

- a. Axon respond works in conjunction with the BWC's to allow supervisors with permissions to view officer locations on a map and live streams from BWC's in real time. BWC's do not transmit real time GPS data or live stream video except when an Event Mode recording. BWC's cannot be remotely "pinged" for GPS data or remotely activated to Event Mode recording. Axon Respond provides officers in the field the ability to have a "virtual back-up officer" when an officer has not arrived on scene yet or when an officer is not available.
- b. Sworn Supervisors have system permissions to view live stream video from BWC's that have been activated in Event Mode recording for the purposes of providing operational real time situational awareness and tactical assistance.
- c. Axon Respond may also be used for officer safety and during critical incidents, including, but not limited to:
 - 1. An ongoing critical incident (use of force, firearm discharge, Taser deployment, foot pursuit or vehicle pursuit, etc.)
 - 2. An active assailant incident
 - 3. A hostage/barricade incident
 - 4. Determining the safety status of an officer (i.e. Officer not answering radio, radio communication is not safe or practical, etc.)
 - 5. At a BWC users request for their BWC to be streamed
- d. When a BWC is in Event Mode recording, the GPS location information is real time. When a BWC is in pre-event buffering mode, including sleep mode, the GPS location is marked approximately every 15 minutes. Clicking on the individual camera on the map would advise how long ago the last location was last updated. After a BWC is powered off, the last GPS location will remain on the map for approximately one hour.
- e. Axon Respond functions (GPS location and live streams) are only allowed to be accessed and used for official law -enforcement related purposes.

H. SYSTEM ADMINISTRATOR

The Chief of Police or the authorized designee should designate a coordinator responsible for:

- a. Establishing procedures for the security, storage and maintenance of data and recordings.
- b. Establishing procedures for accessing data and recordings.
- c. Establishing procedures for logging or auditing access.
- d. Establishing procedures for transferring, downloading, tagging or marking events

I. EXPLOSIVE DEVICE

Many types of audio/video recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

J. MAV

a. PROCEDURES FOR USE

At the start of each shift, officers should test the MAV system's operation in accordance with manufacturer specifications and department operating procedures and training.

If the system is malfunctioning, the officer shall notify his/her supervisor and take the vehicle out of service unless the supervisor requests the vehicle remain in service.

To ensure operational readiness, during periodic vehicle inspections, officers shall note the condition of MAV equipment directly on an 208- Inspection Sheet for Patrol Vehicles - Fill.

b. ACTIVATION OF THE MAV

An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations:

- a. All field contacts involving actual or potential criminal conduct within video or audio range:
 1. Traffic stops (including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
 2. Priority responses
 3. Vehicle pursuits
 4. Suspicious vehicles and persons
 5. Arrests
 6. Vehicle searches
 7. Physical or verbal confrontations or use of force
 8. Driving while under the influence (DUI) investigations, including field sobriety tests
 9. Consensual encounters
 10. Crimes in progress
 11. Other "In-progress" calls
- b. Any other circumstance where the officer believes that a recording of an incident would be appropriate and may aid in an investigation, apprehension, or prosecution.

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

c. CESSATION OF RECORDINGS

Once activated, recorders should remain on until the incident has concluded. 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 an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

d. SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of Emergency Communications Center.

At reasonable intervals, supervisors should validate that:

1. Beginning and end-of-shift recording procedures are followed.
2. The operation of MAV systems by new members is assessed and reviewed no less than biweekly.

Supervisors shall review the 208- Inspection Sheet for Patrol Vehicles- Fill and conduct random checks of vehicles equipped with MAV equipment.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-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.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing a member's performance.

e. REVIEW OF MAV RECORDINGS

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the Department 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 by the Department, MAV technician or forensic media staff. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations:

- a. By officers for use when preparing reports or statements
- b. By a supervisor investigating a specific act of officer conduct

- c. By a supervisor to assess officer performance
- d. To assess proper functioning of MAV systems
- e. By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
- f. By court personnel through proper process or with the permission of the Chief of Police or the authorized designee
- g. By the media in accordance with release procedures
- h. For training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the command staff to determine if the training value outweighs the officer's objection.
- i. As may be directed by the Chief of Police or the authorized designee

Employees desiring to view any previously uploaded or archived MAV recording should submit a request in writing to the Patrol Commander. Approved requests should be forwarded to the MAV technician for processing.

f. DOCUMENTING MAV USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report.

g. RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of 90 days and disposed of in accordance with the established records retention schedule ([VA Code § 42.1-76](#) et seq.)

h. 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.

Original recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

i. MAV RECORDINGS AS EVIDENCE

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense or to a potential claim against the officer or against the Harrisonburg Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

- a. Any digital recording may be used as evidence.
- b. If the digital recording is deemed to be necessary for an officer's court case, the officer shall write an Incident Report and submit a 170A- Attorney Request for Records for the recording to the Professional Standards.
- c. The Professional Standards shall be responsible for transferring (burning) recordings to DVD.
- d. Officers will only be allowed to view their own personally-recorded files; viewing of another officer's files requires permission from the Chief of Police or designee.
- e. The digital recording will only be released to attorneys upon the presentation of an original valid subpoena issued by the court that has jurisdiction or through court ordered discovery documentation. All subpoenas will be forwarded to the Professional Standards for review before processing. The Professional Standards, in accordance with Department policy, will handle the request and release of the digital recording.
- f. Fees and costs associated with duplicating shall also be determined by the Professional Standards.
- g. The Professional Standards Office shall process all judicial requests including subpoena duces-tecum, discovery rules of evidence or other legal petitions.

j. STORAGE, RETENTION, AND DISPOSAL OF RECORDINGS

NOTE: Refer to the Commonwealth of Virginia Records Retention and Disposal Schedule for All Locality Law Enforcement Activities (GS-17) - Recordings, Surveillance or Monitoring - Series No. 100796 (Not used for evidence) and Series No. 100797 (Retained as Evidence).

- a. When a MAV-equipped patrol vehicle is within range, recordings saved on the flash-card memory are transferred and stored via wireless upload to the Department's server. The material is then stored in a video server and may be written onto a DVD.
 - 1. NOTE: The MAV system does utilize a back-up battery in the event of primary battery failure.
- b. Digital recordings shall be retained on a video server in the Department's server room for a minimum of 90 days as prescribed by law. Digital recordings entered into evidence will be handled in accordance with evidence retention schedules.
- c. If a digital recording is not attached to a case and a copy made and transferred to a case file, based on server system settings, it will automatically be purged 90 days after its creation.

k. SYSTEM OPERATIONAL STANDARDS

- a. MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- b. The MAV system should be configured to minimally record for 30 seconds prior to an event.
- c. The MAV system may 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 officer's transmitter, should be activated at a scene to minimize interference or noise from other MAV transmitters.

- e. Officers using digital transmitters that are synchronized to their individual MAVs shall activate both audio and 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 MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system.

1. INSTALLATION AND MAINTENANCE

MAV equipment shall be installed and, when necessary, disassembled for repairs by the product vendor or the Department's authorized System Technician. The System Technician shall be notified, without delay, of any malfunctioning equipment and shall be responsible for expeditiously contacting the vendor to request service. Replacement purchases shall also be the responsibility of the System Technician provided the written request has received the authorization of the Division Commander.

MAV equipment installed in a vehicle will be maintained according to manufacturer's recommendations.

Prior to and throughout each shift, officers will ensure that all components of their MAV equipment are working satisfactorily and will immediately bring any problem to the attention of his/her supervisor.

m. MAV TECHNICIAN RESPONSIBILITIES

The MAV technician shall make the determination on retrieving the memory from the MAV system. Under no circumstances may the memory be removed or tampered with, by Department staff or any person who is not an authorized MAV technician. The MAV technician shall be solely responsible and authorized by the Chief of Police to manually disengage and/or remove the MAV in its entirety or any portion thereof. The MAV technician is responsible for:

- a. Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
- b. Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:
 - 1. Ensures it is stored in a secure location with authorized controlled access.
 - 2. Makes the appropriate entries in the chain of custody log.
- c. Erasing of media:
 - 1. Pursuant to a court order.
 - 2. In accordance with the established records retention schedule, including reissuing all other media deemed to be of no evidentiary value.
- d. Assigning all media an identification number prior to issuance to the field:
 - 1. Maintaining a record of issued media.
- e. Ensuring that an adequate supply of recording media is available.
- f. Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the established records retention schedule.

K. RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

L. CITIZEN REVIEW

- a. The Harrisonburg Police Department will process citizen requests for reviewing or copying video/audio recordings in accordance with the Freedom of Information Act (FOIA) guidelines.
- b. Fees and costs associated with duplicating shall be determined by Professional Standards.
- c. At no time shall any officer let a complainant review any portion of a video/audio recording without the prior approval of their Division Commander.
- d. After approval, that portion of the video/audio recording which contains an event resulting in a citizen complaint against an officer may be reviewed by the complainant.
- e. Any DVD recording which depicts a discharge of a firearm by an officer, or serious injury or death of any person, will not be shown to a complainant without prior approval of the Chief of Police.