

EAST LANSING POLICE DEPARTMENT

POLICY AND PROCEDURE

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CHIEF OF POLICE: _____



50.1 POLICY

The purpose of this policy is to set forth guidelines for the use, management and storage of audio-visual media recorded by Axon recording system which includes Axon Fleet, which is responsible for patrol vehicle video and Axon Body, which is responsible for body worn camera (BWC) video. The purpose of this system is to allow for greater transparency in police interactions with the public, assist in enhancing public safety, provide greater opportunities for evidence capture, assist in the prosecution of criminal cases and reduce complaints against employee investigations by providing impartial, recorded evidence.

East Lansing police personnel shall activate and utilize their recording equipment in accordance with the guidelines set forth in this policy.

This policy shall not govern the use of undercover recording devices.

50.2 ISSUANCE AND TRAINING

BWC equipment will be issued to all sworn officers and PACE officers.

Officers are responsible to ensure that their issued BWC and assigned Axon Fleet system is in good working order, powered on and fully operational at the beginning of their shift. The power to the Axon BWC and Fleet system shall remain on for the entire shift.

Damaged or inoperative Axon recording equipment shall immediately be reported to the officer's immediate supervisor.

Police personnel assigned an Axon recording device must complete an agency approved and/or provided training program to ensure proper use and operations of both the BWC and Fleet device. Additional training may be required to ensure the continued effective use and operation of the equipment. Records will be kept in accordance with departmental guidelines

50.3 RECORDING GUIDELINES

Officers shall activate the Axon recording system to record during each citizen encounter while performing their official duties. These duties may include, but are not limited to the following instances:

1. Calls for Service
2. Traffic Stop
3. Law Enforcement Action
 - a. Terry stops
 - b. Investigatory efforts
 - c. Arrests and/or seizures
 - d. Searches
 - e. Suspect, witness interviews

Recording of contacts with citizens in an informal or casual manner should be avoided if an official duty does not exist.

In locations where a reasonable expectation of privacy exists, such as a residence, individuals may decline to be recorded. Officers may comply to turn off the Axon BWC, but shall decline to stop recording if the recording is being made pursuant to an arrest or search of the residence/individuals or the officer reasonably believes the circumstances warrant leaving the camera on.

The Axon recording system shall remain on during the entire incident once it is activated. If an officer fails to activate the Axon recording system, fails to record the entire contact or interrupts the recording; the officer shall document why a recording was not made, was interrupted, or terminated. This can be done on the officer's daily, in an official police report, or to a supervisor directly.

The BWC device shall be positioned in a place that is able to record a fair and accurate representation of what the officer is seeing. It is recommended that the camera be mounted on the officers' outermost garment, near the center line of the body just below the sternum.

All Axon recording equipment shall be set with a pre-event record, which will capture video for 30 seconds prior to the system being activated or triggered. No audio will be captured during this 30 second window.

The Axon recording equipment can be triggered by the following:

1. Manual activation of the Axon Fleet or BWC device by the user.
2. Operation of a patrol vehicle at a speed of 80 miles per hour or greater.
3. When the overhead emergency lights are activated on the patrol vehicle.
4. Airbag deployment within the patrol vehicle.
5. Being within the proximity of another active Axon Signal.

50.4 AXON RECORDING SYSTEM RESTRICTIONS

Officers shall not remove or tamper with Axon Fleet equipment located in the patrol vehicle.

The Axon recording system shall be used only in conjunction with official law enforcement duties. The system shall not be used to record:

Communications with other police personnel without the permission of the Chief of Police or designee.

Encounters with undercover officers or confidential informants.

When on break or otherwise engaged in personal activities.

In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

50.5 AXON SYSTEM GUIDELINES

Officers shall be responsible for obtaining their BWC at the beginning of their shift and logging into the Axon Fleet software.

Officers shall be responsible for properly categorizing all video that they have recorded. These categories reflect the nature of the incident and determine the retention period of recorded evidence.

All media recorded which is associated with a Police Report shall be properly labeled with its associated case number.

The officer will document the Axon system recording within the property section of their official report.

In accordance with the training provided, all BWC shall be docked by the officer at the end of each shift or when the BWC unit has reached its storage capacity. This will ensure proper downloading of recordings.

When an officer or supervisor is directly involved in a serious incident that was recorded, a supervisor shall be responsible categorizing and labeling media as prescribed above. Examples of a serious incident can include, but are not limited to, an officer involved shooting, or other incidents involving serious injury to employees.

Recordings will be categorized and a report generated, if force is used outside that of a normal arrest or a department incident report is required by the ELPD, use Use of Force P&P 12-10.

The Axon recording system equipment, all data, images, video or any other data produced by the equipment is the sole property of ELPD.

Officers shall not edit, alter, erase, duplicate, share or otherwise distribute in any manner Axon recording system media without prior written authorization and approval of the Chief or designee.

If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the department may limit or restrict the officer's access or opportunity to view the video file.

When unusual or exceptional incidents are recorded and perceived to be of value as a training aid, a copy of the recording may be made with approval of the Chief or their designee.

Recordings will be retained in accordance with state law.

50.6 MISCELLANEOUS

The Axon recording system media shall be reviewed monthly on a random date as determined by the Human Relations Commission. The purpose of these reviews is to spot check officer performance or compliance with department policy and procedure, training guidelines, and to build a data base for quality control purposes. Sergeants will complete the random reviews within 30 days while ensuring the BWC are being used properly and in accordance with this policy. Patrol Lieutenants will document monthly compliance.

The Axon recordings may also be reviewed for specific incidents related to department investigations, court cases, FTO training, etc. The recordings may also be used for training purposes. If a policy and procedure or training guideline violation is observed, the appropriate corrective action may be taken.