



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 409 – Mobile Video Recording

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.01 INTRODUCTION

The purpose of this procedure is to establish guidelines in the operation of mobile video recording (MVR) equipment assigned to the San Antonio Police Department for capturing audio/video evidence of police interactions including but not limited to traffic violations, field interviews, field sobriety testing, other official police activity and the subsequent resolution of such contacts.

.02 POLICY

- A. It is the policy of the San Antonio Police Department to present for prosecution audio/video evidence of traffic and other law violations. To this end, officers with properly functioning mobile video recording equipment shall make a recording of all events surrounding the contact, stop, detention, interview and arrest of suspected violators and maintain this recorded evidence for consideration in criminal prosecution.
 - 1. In order to ensure maximum deployment of the in-car video system, Officers vehicle selection will be:
 - a. Vehicle equipped with functioning Coban Unit
 - b. Vehicle with a non-functioning, or no Coban Unit, upon supervisor approval
 - 2. Vehicles with Non-Functioning Coban Unit will be immediately reported to ITSD for repair and when possible should be returned to IT Mobility during operating hours.
 - 3. Supervisors may direct that the vehicles with non-functioning Coban Unit be redlined until repairs are completed.
- B. All audio/video recordings generated on Department-owned equipment are the property of the San Antonio Police Department. The copying or reproducing of any audio/video recording files generated by members of the Department for use outside of Department business is prohibited. Requests for copies will be processed by the Video Evidence Custodian.
- C. Distribution of any audio/video recordings generated by Department members in any format or for any purpose must be in compliance with this procedure and applicable unit SOPs.

.03 ADMINISTRATIVE

- A. All generated audio/video files will be retained according to Section .13 of this procedure.
- B. Standardized viewing privileges of audio/video files for administrative and investigatory purposes shall be as follows:
 - 1. All officers will be able to view their own recordings;
 - 2. Detective Investigators and above will have viewing privileges for all recordings.
- C. No member assigned to a vehicle equipped with mobile video recording equipment shall alter, modify, reuse, tamper with or disable the system in any manner.



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 409 – Mobile Video Recording

- D. A copy (for internal use only) of an audio/video file may be requested through the Video Evidence Custodian. If such copy is provided, the file shall not be further copied except by the Video Evidence Custodian.
- E. An internal/electronic signature log will be automatically generated and kept for every audio/video file produced via mobile video recorders to document all members accessing the file. Members shall be prepared to justify the reason for accessing/viewing files.
- F. Department mobile video recording equipment such as hard drives (HD) or hard drive cradles shall not be connected to unauthorized computers. Non-Department-issued equipment shall not be connected to any Department mobile video recording device.
- G. Dissemination of mobile video recordings outside of this Department is strictly prohibited without written authorization by the Chief of Police or his/her designee.

.04 OPERATIONAL (GENERAL)

- A. Each officer that has been trained in the use of the recording device will operate the vehicle with the device in the “operation mode.”
- B. Officers assigned mobile video recording equipment are responsible for ensuring the equipment remains in the operating condition it was issued. Officers shall not attempt to repair mobile video recording equipment except for facilitating Department-directed specific software updates and manufacturer’s required maintenance. Officers shall notify their immediate supervisor of damaged or malfunctioning mobile video recording equipment immediately and complete SAPD Form #162, *Found Damage Report* and/or SAPD Form #161, *Mobile Video Recorder Service Request*. Officers that have been issued Body Worn Cameras (BWC) are not required to use the Coban Microphone unless the BWC malfunctions during their tour of duty. Officers who have been issued a BWC will report any malfunctions of the BWC to their immediate supervisor prior to returning to duty.
- C. The use of the digital camera system for the clandestine recording of the voice or image of a member of the Department is prohibited unless specifically authorized by the Office of the Chief.
- D. Officers may use the recording to gather pertinent information for composing reports, training, or investigatory purposes.
- E. Officers are not required to advise citizens they are being recorded or show any citizen a video which they recorded.
- F. Officers will not make private recordings and/or release any copies to any person not authorized to receive it.

.05 START UP

- A. Officers inspect and functionally test mobile video recording equipment in their assigned vehicle at the beginning of every shift by:
 - 1. Ensuring proper alignment and positioning of the camera.
 - 2. Ensuring the date and time is correct.
 - 3. Performing a functional test by activating the camera, synchronizing their mobile microphone, and stating their name, badge number and the date. The officer will then play back the recording to ensure the system recorded correctly and that the mobile microphone is synchronized to their system and recording.
- B. Officers shall not place any objects in front of any camera that may interfere with recording of video.



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 409 – Mobile Video Recording

.06 RECORDING

- A. All officers shall begin recording the following events upon receipt of call and continue recording until it is concluded; any deviations will require a supervisor's approval and must be documented in the officer's report or CFS comment entry field.
 1. DWI stops;
 2. Code 1 Calls;
 3. Code 2 Calls;
 4. Code 3 Calls;
 5. Self initiated stops:
 - a. Arrest
 - b. Field contacts
 - c. Traffic stops
 6. Vehicle pursuits; and
 7. Vehicle crashes.
- B. Subsequent arrest, handcuffing, and search of violators should take place in view of the camera when practical and in accordance with Departmental policy and this procedure. All arrests, handcuffing, and searches occurring out of view of the camera must be documented in the officer's report or CFS comment entry field (i.e., searching an arrestee on the sidewalk instead of directly in front of patrol vehicle due to traffic).
- C. Video and audio shall be recorded during all prisoner or citizen transports. Officers shall start the interior (back seat) camera recording prior to placing the suspect or citizen into the vehicle. If an officer arrives at a facility that is recorded, such as headquarters or the Magistrate's Office, the officer may turn off the camera prior to exiting the vehicle.
- D. During prisoner transport in wagons, the officer shall tag video as an "Admin/Default" category unless an event occurs which would require identifying a specific prisoner and/or incident taking place during the transport. In such cases, the video will be tagged with the offense the identified prisoner/suspect was initially detained for.
- E. Officers shall not stop or mute a recording during a public encounter or assigned CFS, except for the following reasons.
 1. Officers may stop and/or mute:
 - a. Encounters with undercover officers or confidential informants; and
 - b. Personal relief or break.
 2. Officers may momentarily mute only:
 - a. Conversations that involve case tactics or strategy and;



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 409 – Mobile Video Recording

- b. Personal emergency matters of a sensitive nature (i.e. family emergency, medical emergency, catastrophic event).
 3. Officers may mute, with Supervisors approval only, where Officers duties are unlikely to lead to information relevant to a case, (i.e. directing traffic, preserving a crime scene). The Mobile Video audio shall be reactivated immediately if the circumstances change or any police action is to be taken.
- F. All stoppage and/or muting, other than administrative functions testing or accidental activation, of the mobile video must be verbally documented—stating a specific reason—in the Officer’s video, and report or CFS comment entry field.
- G. When responding to a call or initiating any activity in which an explosive device, ~~or~~ suspected explosive device or Hazardous Material is present the officer will, prior to exiting their vehicle, ensure that their in-car system is recording and remove their microphone and/or BWC (Body Worn Camera) and leave it in their vehicle. The removing of the microphone and/or BWC, and leaving it in the vehicle, must be clearly documented in the officer’s report or CFS comment entry field.
- H. Recording Suspected DWI Violators
1. When an officer makes a decision to start an investigation of a violator, the officer shall activate the mobile video recorder but **shall not** verbally articulate the initial traffic violation observed or any observations of the SFST.
 2. When stopping the violator, the officer positions the police vehicle approximately two car lengths behind the suspect’s vehicle in order to create a proper arena of performance. If two car lengths are not possible, the officer adjusts the camera angle before leaving the police vehicle to ensure a safe and effective arena of performance.
 3. Optimum lighting should be used at night whenever possible:
 - a. Low beam headlights and takedown lights should be used during mobile video recording. High beam and spotlights should be used only when needed for the safety of the suspect and officer.
 - b. When Standardized Field Sobriety Tests (SFSTs) are being performed, no spotlights should be directed at the offender’s vehicle, and should only be pointed at the ground. Also, wigwag headlights shall not be used, and the front strobe lights, if so equipped, shall be turned off. The rear strobes may be activated for suspect and officer safety.
 4. The officer should **not** articulate reasonable suspicion or probable cause as it develops. As needed, the officer removes the suspect from the suspect’s vehicle and escorts him to the right rear of the suspect vehicle, with the suspect facing the police vehicle. The officer should stand so as to observe the suspect as well as any other occupants in the vehicle and to monitor vehicle traffic.
 5. Any intoxicants found in the suspect vehicle, as well as any evidence seized, shall be brought in view of the camera and the officer shall articulate the description of the evidence in order to record such information.

.07 REPORTS/RECORDING DATA ENTRY

- A. Each officer shall properly enter pertinent data field identifiers associated with each video, and at minimum, include the:
1. Full SAPD case number for all arrest cases or incidents requiring a case number;
 2. Traffic citation number(s) in the ticket number data field; and
 3. The appropriate video tag at the conclusion of each incident.



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 409 – Mobile Video Recording

4. Full Call For Service (CFS) number in the “**Remarks**” field.
 5. Cover officers are to use the case number and CFS number to categorize their video.
- B. Officers shall annotate in their reports the existence or absence of any associated recorded audio/video file.
- C. If an unexpected failure occurs during an officer’s tour of duty, he/she will notify their supervisor and document inoperable audio/video equipment with the generation of a CFS number. Also, officers will document the incident in the “Comments Section” of the CAD System.

.08 EQUIPMENT

- A. Each officer will be issued a microphone and microphone charger. It will be the officer’s responsibility to report for duty with a fully charged portable microphone and synchronize their microphone with their vehicle’s camera system in accordance with section .05 of this procedure. The use of the microphone is not mandatory for officers who have been issued a Body Worn Camera (BWC) unless the BWC malfunctions. Officers will keep a fully charged portable microphone with them while on duty.
1. A bank of microphones and batteries will be maintained at each substation/facility.
 2. It will be the Shift Lieutenants responsibility to maintain and issue replacement batteries and/or microphones as needed.
 - a. Damaged microphones and/or batteries will be returned to the Training Academy Armory and a replacement will be secured to ensure that the bank of spare microphones remains constant.
 - b. Lost microphones and/or batteries will be documented via an Officers report and reported to the Training Academy Armory in order to secure a replacement.
 3. Officers needing a replacement battery for their microphone will contact their Sergeant and replace the battery **only** from the bank of spare microphones.
 4. Officers that need replacement microphones due to loss, theft, or damage will:
 - a. Complete a report detailing the loss, theft or damage of the microphone.
 - b. Contact their Sergeant to receive a replacement microphone.
- B. Officers promoting or who will be reassigned to duties where they will not be utilizing the in-car video system will return their microphone to the Training Academy Armory.
- C. Hard drives will be assigned to vehicles. Removal of the hard drive is prohibited, unless conducted as outlined in Section .14C of this procedure.

.09 SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall ensure officers are using the recording equipment according to established guidelines, policies, and procedures.
1. Supervisors, on a quarterly basis, will review at least one recording for all officers under their command to ensure proper usage of recording equipment and adherence to established policy and procedures.
 2. Supervisors will only use recordings from Type 1–5 category of events, in accordance with Section .13 of this procedure.



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 409 – Mobile Video Recording

3. Supervisors will take corrective action for any procedural violation they observe and document the findings on the proper form.
- B. When responding to a citizen complaint made against an officer and the encounter is captured on video, the supervisor shall view the recording to determine if the video evidence supports or refutes the complaint. Existence and content of the recording shall be annotated in the supervisor's investigation report.
- C. Supervisors shall record all incidents (i.e. use of force, officer involved accidents, and complaints on officers) when requested or required to respond, in addition to those listed under Section .06A of this procedure.
- D. Supervisors shall view the recordings of all use of force incidents, police vehicle crashes, and police pursuits prior to completing their evaluations.
- E. Supervisors may view the recordings of their subordinates in the field at any time during the shift.
- F. Minor infractions (non-criminal) discovered during the routine reviews of recorded material should be addressed by the reviewing supervisor, including retraining when appropriate. Disciplinary actions will be addressed in accordance with GM Proc. 303, *Disciplinary Procedures*.
- G. Any supervisor made aware of damaged or malfunctioning recording equipment shall arrange for repair of the equipment. Damage shall be inspected by the supervisor and he/she will make every attempt to locate and assign a vehicle with a working in-car video system.

.10 TRAINING VIDEOS

- A. Officers/Supervisors aware of recorded files containing material that may be deemed beneficial as training material shall direct notification up the chain-of-command.
- B. The Training Academy Commander may, with the approval of the Chief of Police, use such recording for training purposes, taking into consideration pending judicial and/or administrative investigations.

.11 OPEN RECORDS REQUEST

- A. Requests for audio/video files will be handled under the Public Information Act.
- B. Requests for audio/video files from other criminal justice agencies are to be submitted in writing on agency letterhead and signed by the agency's chief executive officer to the Video Evidence Custodian.
- C. All copies of audio/video files will be produced by the Video Evidence Custodian. A copy is defined as a reproduction of the primary recording of the event.
- D. Requests for files for prosecutorial purposes may be submitted directly to the Video Evidence Custodian.
- E. Requests for files from defense attorneys in county, district, or federal courts must be made through the appropriate prosecutor, or subpoenas.
- F. The cost for producing the audio/video files for Open Records Requests will be determined by the Records Unit.
- G. All other requests for audio/video files should be referred to the Office of the Chief.

.12 COMPLAINTS RECEIVED / VIDEO REVIEW

- A. When a complaint is received alleging misconduct involving an officer who is assigned to a mobile video recording (MVR) equipped vehicle, the following procedures shall be followed:



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 409 – Mobile Video Recording

1. The Internal Affairs Unit shall first determine if MVR evidence exists. If so, the Internal Affairs Unit shall request a copy of the video evidence and the Video Evidence Custodian shall cause this evidence to be provided and archived.
2. The Internal Affairs Unit shall view the video of the public contact in question and determine if there is any cause for the allegations in the complaint.
3. If no cause is determined, the Internal Affairs Unit shall contact the complainant and advise them a MVR recording was made of the contact and the reviewing officers observed no misconduct.
4. The Internal Affairs Unit shall advise the complaining party that they may make an Open Records Request for a copy of the recording.
5. The Internal Affairs Unit shall proceed with their established protocols if misconduct is determined.

.13 VIDEO CATEGORIZATION AND RETENTION

- A. Officers shall categorize each video after stopping the recording by selecting the appropriate event type from the menu. The categorization label will determine the minimum length of retention.
- B. Videos will be categorized based on the following criteria beginning on December 9, 2014:
 1. **Admin/Default** - This category used when the user inadvertently engages the COBAN and the video has no evidentiary value.
 2. **Crash** – Accident in which a CR-3 is required.
 3. **DWI** - This category used for all DWI cases.
 4. **Felony Offense Report** - This category used for all Felony cases (Murder, Sexual Assault) etc.
 5. **Incident** - This category used for all Incident cases (Non-Criminal reports, Emergency Detention) etc.
 6. **Misdemeanor Offense Report** - This category used for all Misdemeanor cases (Theft, Public Intoxication) etc.
 7. **N-Code** - This category used for all N-Coded calls including non injury accidents where no CR-3 is completed.
 8. **Traffic** - This category used for all traffic related stops unless associated with a DWI, Felony or Misdemeanor. This category is not to include accidents/crashes.

VIDEO CATEGORIZATION AND RETENTION PERIODS		
Event Code	Category	Retention Schedule
0	Admin/Default	180 days
CRA	Crash	180 days
DWI	DWI	3,650 days
FOR	Felony Offense Report	3,650 days
INC	Incident	180 days
MOR	Misdemeanor Offense Report	730 days
NC	N-Code	180 days
TS	Traffic	180 days



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 409 – Mobile Video Recording

- C. Officers shall include the existence of video evidence in the case report for follow up investigations.
- D. Any video considered to have evidentiary value, which needs to be retained past the standard retention period, must be identified by a Detective Investigator or a supervisor and have a hold request with an expiration date forwarded to the Records and Administration Office through the chain of command.
- E. Any video that becomes part of an internal investigation will:
 - 1. Have all viewing privileges blocked out with the exception of personnel assigned to the Professional Standards/Internal Affairs Unit, the Shooting Team or as assigned by the Chief of Police. This will be done in “Active case management” and can be done remotely by those with admin rights.
 - 2. Will be placed on hold for indefinite retention until it is no longer needed.

.14 VIDEO UPLOADS

A. Video File Uploading (Automatic Mode):

Video files may be uploaded through an automated wireless process at any Wi-Fi enabled location (listed below). The video upload process will continue after logoff, until all files have been uploaded to the central server. Officers can power down the vehicle, but shall not interfere with the file transfer process or attempt to power down the system. The system is designed to automatically shut down after the transfer process has been completed.

B. Video File Uploading (Manual mode):

Video files may be uploaded through a manual wireless process at any Wi-Fi enabled location (listed below) by following the routine system shutdown process. Officers will select the option “Upload and Shutdown.” The upload process will continue after logoff, until all files have been uploaded to the central server. Officers can power down the vehicle, but shall not interfere with the file transfer process or attempt to power down the system. The system is designed to automatically shut down after the transfer process has been completed.

- 1. The following Units/Sections are authorized to, and will remove the Hard Drives from their vehicles and will conduct manual uploading of videos:
 - a. DWI Units;
 - b. Commercial Motor Vehicle (DOT) Units;
 - c. Motorcycle Units; and
 - d. Any Unit of Section designated by the Chief of Police or his designee, or assigned to vehicles which are not Wi-Fi enabled.
- 2. Manual Uploads due to Remaining storage
 - a. Upon logging into the in-car video system, an officer will note the number of hours of storage remaining on the hard drive. This is indicated on the middle right side of the login screen titled “***Storage left for video: XX.XX Hours***”. If the system indicates that the remaining hours for video is **15 hours** or less (which will require a manual procedure for uploading video files), the officer shall notify their supervisor.



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 409 – Mobile Video Recording

- b. Once notified, the supervisor shall pull the hard drive and manually upload video as outlined in the “*Sergeants field guide*” pages 9 through 11.
 - c. It is the supervisor’s responsibility to replace the hard drive back into vehicle once video is successfully offloaded.
- C. Special/Exigent Circumstance Video File Uploading:
1. Officers shall not remove the hard drive under any circumstances.
 2. Authorization for removal of HD can only be made by a Sergeant or above.
 3. Keys for unlocking and removing HD’s will be issued to the following personnel only:
 - a. CSI Supervisor;
 - b. Traffic Investigations Detail;
 - c. Substation commanders;
 - d. Internal Affairs;
 - e. Traffic Captain;
 - f. Officers assigned to Motorcycle Detail;
 - g. DOT Enforcement Officers;
 - h. DWI Unit Officers;
 - i. Patrol Supervisors; and
 - j. Supervisors and/or Officers assigned to Units or Sections designated in accordance with section .14B1d.
 4. Vehicles involved in collisions and/or otherwise not able to be driven to the substation shall adhere to the following:
 - a. The notified supervisor or Patrol Supervisor shall coordinate the retrieval and upload of the hard drive (locked in the video recording unit component located in the trunk of the vehicle).
 - b. The Crime Scene Investigator Supervisor, Detective, or technician will then upload the video manually via a cradle station. In minor police vehicle crashes where TID is not required to make the scene and a Crime Scene Technician is not available, the field supervisor will then upload the video manually via a cradle station.
 - c. Upon completion of the video upload the hard drive must be returned to Fleet Management
 5. Critical Incidents
 - a. Upon the conclusion of a critical incident, all units will return to the appropriate facility in order to have all video manually uploaded. A unit will NOT be returned to service until all video evidence has been removed from the unit and confirmed for release by CSI.
 6. Failsafe Video Data includes all recordings initiated by the officer as well as all video (no audio) captured throughout the entire shift, as long as the MVR program is running. Failsafe video may contain pertinent evidentiary data related to an event, but is only available for **48 hours from the time of the incident**.



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 409 – Mobile Video Recording

- a. A supervisor may request an upload of a systems Failsafe data by submitting a request to a CSI Sergeant.

D. Wireless Hotspot Locations for Video Upload:

NOTE: Hotspot upload locations will be identified at each facility through signage and/or parking lot striping at:

Bldg Site	Physical Address
Central Service Area	515 S. Frio
North Service Area	13030 Jones Maltsberger
South Service Area	711 W. Mayfield
Northwest Service Area	5020 Prue Rd
West Service Area	7000 Culebra Rd
East Service Area	3635 E. Houston
Academic Court	555 Academic Ct 78204

.15 REVIEWING IN-CAR VIDEO

- A. The viewing of videos is restricted for official use only. Videos may be viewed for the following purposes:
 - 1. Criminal investigations;
 - 2. Internal Affairs or complaint reviews in accordance with Section .12, COMPLAINTS RECEIVED / VIDEO REVIEW;
 - 3. Pursuits;
 - 4. Use of force reviews;
 - 5. Open Record Request (ORRs) in accordance with .11, “OPEN RECORD REQUEST”;
 - 6. Officer involved crashes; or
 - 7. Other – any purpose not listed in this procedure shall have prior approval by a supervisor and documented in the *Notes* section.
- B. Personnel requiring access to locked videos will send a request for access/viewing of the specific video through their chain of command.
- C. Personnel reviewing videos shall manually document name, badge number and the purpose of their viewing in the *Notes* field in the Coban viewer application.
- D. The making of unauthorized copies and/or copies for personal use is prohibited.

.16 RETURN TO DUTY

- A. Officers that have been absent for an extended period and/or not received training, must complete the in-car video training prior to being authorized to use the system.