

Departmental Directive

TITLE: RECORDING DEVICES, USE OF

PURPOSE:

To establish guidelines regarding when a recording device should be used.

POLICY:

Digital Recording devices will be supplied to all sworn personnel and Community Service Officers. They shall be carried daily on their person and utilized as part of the uniform field equipment. The intent of the digital recording device program is to provide a record of events resulting from field investigations of criminal cases and/or for addressing citizen complaints.

USE OF DIGITAL RECORDING DEVICE:

- A. Officers shall digitally record:
1. Chemical test refusals (13353 CVC).
 2. Domestic Violence spontaneous or initial interview statements.
 3. Witness/suspect statements in 148/243 investigations.
- B. Officers are encouraged to use their digital recorder any time they feel it may be beneficial.

Examples:

- When interviewing suspects.
 - When a concern arises about a witness statement.
 - Dying declarations.
 - To assist you for report or court presentation and/or preparation.
 - In the course of an enforcement contact where the person may be uncooperative or a citizen complaint may arise.
- C. It may not be practical to record every citizen contact, however, officers are encouraged to record all citizen contacts in their entirety.
- D. When using digital recorders, officers must comply with Federal and State law (Refer to 632 PC & 633 PC).
- E. Recordings that need to be transcribed for Operations Division criminal cases shall be turned in to the Records Section for transcription.
- F. Recordings containing information of evidentiary value in a criminal case shall be booked into evidence in accordance with existing procedure for storage of digital items. Recordings of field activity an officer believes may describe circumstances

of actual or potential City liability shall be booked for safekeeping using the proper procedure for storage of digital items. All digital recordings booked into evidence or safekeeping shall be retained for two (2) years per Sections 6200 and 34090 of the Government Code. All other recordings shall be retained by the officer and stored in their H:drive and categorized by time/date and contact subject for a period of six months.

- G. Except for authorized criminal investigations, no employee shall surreptitiously record any conversation with any Department employee.



HOWARD SKERRY
Chief of Police