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COLONEL DAVID B MITCHELL  
SUPERINTENDENT

September 5, 2001

**GENERAL ORDER NO: 01-0111**

**TO:** All Sworn Personnel  
**SUBJECT:** In-Car Audio Video Recording Equipment

**PURPOSE**

To provide guidelines for the operation of mobile audio/video recording equipment used in Maryland State Police (MSP) patrol vehicles.

**INSTALLATION OF EQUIPMENT**

- A. The Electronics Services Division will install the audio/video recording equipment in patrol vehicles which will include recorder, monitor, control center, camera, in-car microphone, and a remote microphone.
- B. The camera equipment will be installed so that it automatically records when the emergency lights are activated.
- C. In-car microphones are not interchangeable and will not operate with a camera in another vehicle.
- D. A manual override will be installed which will allow the equipment to be turned on without the emergency lights being activated. Except where otherwise indicated in this Order, the camera equipment should be turned off when the emergency lights are turned off.
- E. The assigned vehicle number (e.g. M-7, A-26, etc.) will be programmed into the camera. A troopers name or ID number will not be placed into this system.
- F. Only camera equipment acquired by the MSP will be installed in MSP vehicles.

**UNIT RESPONSIBILITY**

- A. The Electronic Services Section will be responsible for the installation and maintenance of the audio/video recording equipment.
- B. Barrack commanders will ensure that troopers, who are assigned vehicles equipped with audio/video recording equipment, use the recording equipment according to this Order.
- C. Troopers assigned audio/video recording equipment are responsible for the proper care of the equipment in conformance with its operating manual recommendations.
- D. The audio/video equipment will be used for official business only consistent with MSP policy and procedures.

*"Maryland's Finest"*

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A. The procedures that will be followed for traffic stops and contacts with the public are as follows:

1. Audio/video recording equipment will be turned on prior to radio transmission to record all traffic stops or contacts with the public. The cordless microphone requires batteries and operates by a manual switch.
2. Immediately upon stopping a vehicle, the "automatic zoom" button should be activated to record the registration plate numbers.
3. At the beginning of every traffic stop or public contact, the trooper will notify the people involved that they are being recorded. (Example: "Good morning sir, my name is Trooper Smith of the Maryland State Police. I am advising you that you are being audibly and visually recorded. You were stopped for exceeding the posted speed limit etc.").
4. Troopers have the discretion in narrating their observation on the audio portion for evidentiary value about an incident.
5. Troopers will not cease either audio or video recording until the end of the traffic stop or contact with the public except in situations which include funerals, traffic direction, work zone projects, or emergency scenes when the recording equipment is not otherwise being used.
6. Troopers will review the video tape a minimum of once each shift to ensure the quality of the audio and visual recording of the camera equipment.

*NOTE: The camera equipment is pre-programmed to fast forward to end of last traffic stop, which eliminates the need to manually set the camera after previewing a specific traffic incident.*

B. The circumstances under which troopers are authorized to manually begin or end the recording are as follows:

1. Troopers should manually operate the video equipment to record the driving performance of a motorist which may provide probable cause for a traffic stop or arrest (DWI, reckless driving, etc.).
2. The primary (preferably investigating trooper) vehicle at the scene of multiple incidents (e.g. accident, high speed chase, criminal matter) should be designated as "command vehicle" and will activate the "remote audio microphone." Responding vehicles will turn their microphones to the "off" position so as not to interfere with the primary vehicle.
3. Audio/video recording may be stopped during traffic control situations when the vehicle's emergency lights are in operation. The situations include funerals, traffic direction, work zone projects, or emergency scenes when the recording equipment is not otherwise being used.

C. Troopers will not erase, reuse, tamper with or attempt to modify MSP tapes.

D. The video recorder will operate on the extended play mode to maximize the tape recording time.

E. The cordless microphone will be attached to the necktie or the shirt, approximately 6 to 12 inches below the mouth at the center of mass. During the winter months when a sweater or jacket is worn, the microphone will be worn higher on the necktie so as not to muffle the audio portion or interfere with its operation.

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- F. The primary channel for camera operation is F2.
- G. Troopers will monitor the elapse of time for the tape in the video recorder and, as needed, return to the barrack for a replacement tape to ensure the recorder is equipped at all times to record.
- H. Extreme cold weather conditions (temperatures below 32 degrees) have shown to cause an adverse effect on the video camera unit and subsequent tape operation. The precautions that will be taken after leaving the police vehicle unattended in extreme cold conditions for eight hours or more are as follows:
  - 1. Before using the video camera, allow the vehicle to have a **warming period of approximately 30 minutes** which includes engine start up and operation of vehicle.
  - 2. Once a camera has warmed to operating standards, troopers will record audibly their name, ID number, date, shift, and car number.
  - 3. Video camera may require an additional warm up period if the phrase, "Video camera is too cold" is registered on the camera screen after it has been activated.
  - 4. During extreme hot weather patterns, there has been no reports of video camera malfunctions or other problems associated with heat conditions in the trunk area.

*NOTE: If cold or hot weather consistently affects the operation of the video camera and lasts for longer periods than noted above, this condition should be reported to Electronic Services Division. The repairs should be coordinated through the radio shops in the respective region.*

TAPES

A. Tape Control

- 1. Barrack supply officers will obtain tapes directly from the Quartermaster Division. Each barrack will have no more than a 30 day supply of blank tapes.
- 2. Recorded video tapes will be maintained in a secure location and access will be limited to the Barrack commander, assistant commanders or other designee.
- 3. Tapes will be removed and new tapes will be placed in the video recorder only by a supervisor.
- 4. In the absence of command personnel or custodian, supervisors will place "filled" tapes in the temporary evidence locker.
- 5. Before a tape is placed in a video recorder, the supervisor will log the appropriate information on the Video Tape Log, Form 83. The Video Tape Logs will be **filed** in OPS 69, Audio Visual Recording.
- 6. Before installing a new tape, the supervisor will label the tape with the trooper's name, ID number and the date.
- 7. After ejecting a full tape, the supervisor will record date and time of completion on MSP Form 83. If a vehicle is down or service for any length of time, and/or the vehicle is exchanged, the tape will be removed by supervisory personnel and appropriate information recorded on log. These tapes should not be used again.
- 8. Personnel using a secondary vehicle should advise the barrack of such via police radio and proper notation should be made by police communications operator on radio log.

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## B. Tape Retention

1. All video camera tapes will be retained and secured at the respective barrack for 42 months.
2. Tapes containing pursuits will be duplicated and forwarded to the Commander, Training Division. The original tape will remain as evidence.
3. No tapes will be destroyed, duplicated, distributed, or erased. The tapes will be kept in a secure environment with limited access which has been approved by the barrack commander.
4. Tapes held and labeled as evidence will be processed and stored per established procedures concerning seized and recovered property.
5. Tapes with no pending action after 42 months will be erased and reused.

## C. Use of Tapes for Training

Video tapes that contain material that is deemed beneficial by the Commander of the Training Division may be used for training purposes. Troopers are encouraged to forward, through the chain of command, a Form 17 to the Commander, Training Division describing tapes that would be beneficial to the Training Division.

## D. Reviewing Tapes

1. First Line Supervisors
  - a. First line supervisors of troopers using audio/video recording equipment will review selected portions of each "filled" tape for proper operation and performance of equipment.
  - b. On a monthly basis, first line supervisors will review at random, selections of tapes of all personnel they supervise who use audio/video recording equipment to assess patrol activities.
2. Barrack Commanders, every other month, will review random selections of tapes of barrack personnel who use audio/video recording equipment to assess patrol activities.
3. Regional commanders, quarterly, will review random selections of tapes of troopers assigned to the region they command who use audio/video recording equipment, and address any concerns with the appropriate barrack commanders.

## E. Request for Copies of Tapes

1. Recorded tapes will not be duplicated except for official purposes. All tapes generated by audio/video recording equipment are the property of, and under the control of, the Maryland State Police unless a court dictates otherwise.
2. All requests for copies of video tapes from other agencies or individuals will be directed to and reviewed by the Legal Counsel Unit.
3. A fee of \$75.00 will be charged for copies of tapes produced in response to a request under the Public Information Act.
4. Under no circumstance will the **original** copy of a video camera tape be released from the barrack.

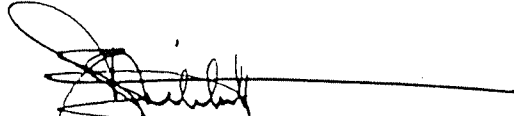
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5. Barrack commanders or their designee will be responsible for duplicating tapes locally as requests are received.

**INTERNAL AFFAIRS UNIT**

Video tapes used by the Internal Affairs Unit in relation to misconduct alleged against MSP employees will be handled as outlined in Chapter 5 of the Administrative Manual.

This Order cancels GO 01-9916 and supercedes all orders or memoranda in conflict therewith.

A handwritten signature in black ink, appearing to read "David B. Mitchell", is written over a horizontal line. The signature is stylized and somewhat illegible.

David B. Mitchell  
Superintendent

