

TASER AXON “ON DEPUTY” VIDEO RECORDING SYSTEM

STANDARD NO(s) NYSLEAP: 47.2; 47.5

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I. OBJECTIVE:

To establish uniform guidelines for the use of the TASER AXON “On Deputy” video recording system. The system will be used to document various events and at the end of the Deputies tour of duty, the captured data will be preserved in a web-based digital storage facility, EVIDENCE.com. Once captured, these recording cannot be altered in any way and are protected with multiple layers of encryption.

II. POLICY:

The Seneca County Sheriff's Office has adopted the use of the AXON “On Deputy” video recording system to accomplish the following policy goals:

- A. To enhance Deputy safety
- B. To accurately capture statements and events during the course of an incident
- C. To enhance the Deputies ability to document and review statements and actions for both internal reporting requirements and for courtroom presentation.
- D. To provide an impartial measurement for self-critique and field evaluation for new Deputy training.
- E. To capture visual and audio information for use in current and future investigations.
- F. To enhance the public trust by preserving factual representation of Deputy-citizen interactions in the form of audio and video recording.

III. TRAINING:

- A. Deputies will not utilize the “On-Deputy” video recording system until they have received the proper training.
- B. Training will consist of, but not limited to:
 - 1. A review of the system, its functions, proper usage, activation and deactivation.
 - 2. A review of the user manual and SCSO policy governing its use.
 - 3. A hands-on review of the “On Deputy” video recording system.
 - 4. The retention and storage features and procedures for placing data into evidence.

- C. Normal (Buffering) Mode – The AXON “On Deputy” recording system loops video recording for up to 120 seconds (Actual loop time for the SCSO will be established at 30 seconds) at which time video only (No audio) will be recorded while buffering.
- D. Event Mode – In this mode, the AXON “On Deputy” video recording system saves the buffered video and continues recording audio and video for up to eight (8) hours. Continuously pressing the event button turns the recording off and on and also places markers on the media segment for later viewing in EVIDENCE.com.

IV. OPERATIONAL PROTOCOLS:

- A. Whenever it is possible to do so, it shall be the policy of the SCSO to activate the AXON “On Deputy” video recording system to record the following types of events:
 - 1. Traffic stops
 - 2. Vehicle pursuits
 - 3. Vehicle searches
 - 4. Confrontational citizen encounters
 - 5. Use of Force events
 - 6. Statements made by suspects, victims or witnesses
 - 7. When advising a suspect of their Miranda rights prior to an interrogation or other legitimate law enforcement contacts.
- B. It will be the responsibility of each Deputy that once the AXON “On Deputy” video recording system has been activated; it shall not be turned off until the event has concluded.
- C. There will be times when, due to the nature of law enforcement work, exigent circumstances prevent the Deputy from activating the “On Deputy” video recording system.
 - 1. In those types of events the Deputy will document the reason for not activating the “On Deputy” video recording system.
- D. No Deputy will record a child or adult victim of any sex offense.
- E. To respect the dignity of others, Deputies will try to avoid recording videos of persons who are nude or when sensitive human areas are exposed.
- F. The AXON “On Deputy” video recording system will not be used to record personal activity.
- G. The AXON “On Deputy” video recording system will not be activated in places where a reasonable expectation of privacy exists, such as dressing or rest rooms.
- H. The AXON “On Deputy” video recording system will not be intentionally activated to record conversations of fellow employees without their knowledge during routine, non-law enforcement related activities.
- I. Deputies will not record interactions with informants or undercover Officers.

- J. Deputies will avoid recording persons who are picketing or engaged in a protest or First Amendment demonstration, unless an obvious violation of criminal law is occurring.
- K. Deputies will test the “On Deputy” video recording equipment according to training and manufacturer’s guidelines upon beginning their respective tour of duty. If any problems are encountered with any component of the system the AXON “On Deputy” video recording system will not be used and the Deputy will immediately notify their supervisor, document the malfunction and the supervisor is responsible to notify the Chief Deputy.
- L. Whenever a Deputy obtains a video statement it will be documented in the case **SPILLMAN** report that a video statement was secured.
- M. When the AXON “On Deputy” video recording system is used in any investigation or during a traffic stop, this fact will be documented on any citation, 710.30 notice or any other reported generated with regards to the contact.
- N. Deputies will immediately report any loss or missing part of the “On Deputy” video recording system to their supervisor and will prepare an SJS report outlining such loss or missing part. The supervisor is responsible for making immediate notification to the Chief Deputy.

V. EVIDENTIARY PROTOCOLS:

- A. At the end of their shift, Deputies will place the AXON Camera and battery into any open slot of the ETM (Docking Station), which will allow the data to be transferred from the AXON Camera through the ETM to an offsite storage facility known as EVIDENCE.com.
- B. Deputies will not allow citizens to review any recordings.
- C. The release of audio/video data requested through a public records release request will be subject to the same statutory exemptions from disclosure as any other departmental records.
- D. Deputies will not make copies of any recording for their personal use and are prohibited from using a recording device (such as a telephone, camera or secondary video camera) to record any media stored on EVIDENCE.com or the AXON Camera unit.
- E. Deputies will have the ability to review their recordings to ensure accurate written reports, but will not be able to alter the contents of any audio/video recording that has been recorded. A 710.30 Notice must be prepared, or the District Attorney’s Office notified that the Deputy intends to use any of the defendant’s recorded audio or video recorded statements for prosecution.
- F. All digital media collected using the AXON “On Deputy” video recording system is considered an official record of the Seneca County Sheriff’s Office. Accessing, copying or releasing any media for other than official law enforcement purposes is strictly prohibited, except as required by law.

- G. In the event that a particular recording is required for any court proceeding it is the Deputies responsibility to notify the Chief Deputy in writing requesting a copy of the stored data for that purpose. The Chief Deputy will make a notation in the case SPILLMAN report that a copy of the video recording was made and was turned over to whoever requested such recording.
- H. Video records that have not been categorized, named or placed in a case file electronic folder will be auto-deleted after 120 days.

VI. ADMINISTRATOR RIGHTS:

- A. The Chief Deputy shall be the only person within the SCSO to have administrator rights to all recordings stored on EVIDENCE.com.