

POLICY DRAFT 447

ON-OFFICER VIDEO RECORDER (“OVR”)

447.1 PURPOSE AND SCOPE

The New Orleans Police Department is committed to the belief that on-officer video is an important and valuable tool for law enforcement. As part of a pilot project, selected field and investigative assignments shall be equipped with **AXON Flex System** on-officer video recorders. On-officer video recording is essentially video/audio documentation of a police officer’s investigative and enforcement activities from the perspective of the officer’s person. The use of on-officer video is expected to promote officer safety, result in greater transparency, more effective prosecution, and improved protection against false allegations of excessive use of force, misconduct or racial profiling.

Audio or video recordings of investigative or enforcement actions are evidence, and subject to rules of disclosure. It is in the best interest of justice that the department regulates and controls all forms of evidence collection and storage.

447.1.1 DEFINITIONS RELATED TO THIS POLICY

Audio Recording – The electronic recording of conversation or other spoken words.

AXON Flex System – An audio/video recording system developed by **Taser International** which is currently authorized as the sole means of overt on-officer video recording.

EVIDENCE.COM – Online Web-based digital media storage facility. The virtual warehouse stores digitally encrypted data in a highly secure environment accessible to personnel based on security clearance. The New Orleans Police Department account is accessed at: <https://nopd.evidence.com>

Evidence Transfer Manager (“ETM”) A ~~server~~ **router** with built-in docking stations physically installed at a police department work site. The ETM simultaneously recharges the device while uploading all digitally encrypted data. ~~The ETM then transfers the data to EVIDENCE.COM.~~

Media or Data – For the purposes of this policy, includes photographs, audio recordings and video footage captured by the OVR system. The media is stored digitally.

On-Officer Video Recorder (“OVR”) – Department terminology used to refer to the AXON Flex system individually worn by officers that captures audio/video signals and includes at a minimum a camera, microphone, recorder and monitor.

Video Recording – The electronic recording of visual images with or without audio component.

447.2 ON-OFFICER VIDEO RECORDER OPERATIONAL OBJECTIVES

The New Orleans Police Department has initiated a pilot program to equip certain law enforcement assignments with the Taser AXON Flex audio/video recording system. This system will be used to document events and capture data to be preserved in a Web-based digital storage facility at [EVIDENCE.COM](https://nopd.evidence.com). Once captured, these recordings cannot be altered in any way and are protected with multiple layers of encryption. The New Orleans Police Department has adopted the use of On-Officer Video Recorder (“OVR”) technology to accomplish the following objectives:

- (a) To promote officer safety.

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- (b) To document statements and events during the course of an incident.
- (c) To enhance the law enforcement operator's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
- (d) To preserve visual and audio information for use in current and future investigations.
- (e) To provide an impartial measurement for self-critique and field evaluation during officer training.
- (f) To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of video and audio recordings.

447.3 ON-OFFICER VIDEO RECORDER GENERAL USE

On-Officer Video Recorders be **may** (Note: Procedure says 'shall') utilized to record the following types of events whenever possible: Traffic stops; pursuits; vehicle searches; physical or verbal confrontations; use of force incidents; statements made by subjects, victims and witnesses; advising an individual of their Miranda rights; during interrogations; or other legitimate law enforcement contacts.

447.4 PROHIBITED AUDIO/VIDEO RECORDINGS

To respect the dignity of others, law enforcement personnel outfitted with OVR equipment will try to avoid recording videos of persons who are nude or when sensitive human areas are exposed. The OVR shall not be used to record non-work related personal activity and will not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms or restrooms. The OVR will not be intentionally activated to record conversations of fellow employees without their knowledge during routine, non-enforcement related activities. In addition, video recording of individuals who are picketing or engaged in a protest or First Amendment demonstration will be avoided unless an obvious violation of criminal law is occurring or if the law enforcement member is in the same vicinity or there is a need for direct interaction with an individual for other legitimate law enforcement purposes.

447.5 PUBLIC RECORDS REQUESTS

- (a) Pursuant to Louisiana Public Records statutes, it is the goal of this policy to support and promote openness in government by releasing non-confidential video recordings to the public upon request. The policy must also ensure that the privacy of victims, witnesses and suspects is maintained whenever possible. This policy will not affect the release of recordings pursuant to a court order or subpoena. All requests related to the release of on-officer video recordings shall be processed through the New Orleans City Attorney's Office.
- (b) Recordings that are not part of an ongoing investigation or non-commercial use may be charged for in accordance with established public record fee schedules.
- (c) Recordings that contain legitimate confidential information as described under [PR447.10\(b\)](#) will be redacted in the same manner. Challenges to redactions pursuant to public records requests shall be referred to the City Attorney's Office.

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447.6 TRAINING

All members who are authorized to use OVR equipment must complete mandatory training provided by the NOPD Academy to familiarize themselves with the AXON Flex audio/video recording system and departmental procedures prior to its use.