

## RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a specific standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Jason Soto /s/		
Approving Deputy Chief: Thomas Robinson /s/		
General Order No: E-130-18	Issued: January 3, 2006	Revised: January 03, 2018
General Order Title: <b>DIGITAL RECORDS AND EVIDENCE</b>		

### POLICY

The Reno Police Department is committed to ensuring the integrity of all evidence, including Digital Records. It is the policy of this department that all audio, video, photographs and/or recordings from a Body Worn Camera, obtained through the use of a departmentally-issued Digital Device, are treated as all other physical evidence with regard to the integrity of such evidence throughout its capture, transportation, storage, use and release.

### DEFINITIONS

Digital Device – a departmentally-issued digital camera, digital recorder, camera-equipped smart phone or tablet, Body Worn Camera, or any other device capable of capturing Digital Evidence.

Digital Evidence – Digital Records which are connected with a case and may be used in a court proceeding.

Digital Record Management System – a departmentally authorized software system, used to manage and store Digital Evidence.

Digital Record - audio, video, photographs and/or recordings from a Digital Device that has been converted into a digital file that can be viewed, stored, preserved and/or transferred over computer networks.

Investigator – any law enforcement personnel, Reno Police Officer, Community Services Officer, Police Services Specialist or any other department employee who is assigned to take reports and/or create or collect Digital Records.

## **PROCEDURES**

### **Use of Digital Devices**

Departmentally-issued Digital Devices are authorized for use, including digital audio recorders, digital cameras, Body Worn Cameras, cellular phones or tablets equipped with digital cameras and/or digital video recorders, to document, record and/or capture Digital Records.

Personally-owned Digital Devices may be used if departmentally-issued devices are not available and the listed Digital Evidence procedures are followed.

For incidents involving major crimes, consideration should be given to using the Washoe County Sheriff's Office Forensic Science Division for Digital Evidence collection.

All Digital Records taken by an Investigator are the property of the Reno Police Department. No photos, recordings or video will be taken, copied, printed, downloaded, used or distributed for personal use or other non-departmental use by any department or non-department employee. This includes the sharing of such items through texts, social media or email.

### **Digital Record Integrity and Storage**

#### **Digital Record Management System**

The Department may utilize numerous Digital Record Management Systems in order to accommodate the difference Digital Record types. These systems will include software to verify and authenticate all Digital Records taken and downloaded from the Digital Device to the computer and/or Digital Record Management System. In addition, each system will have the ability to create a chain-of-custody of those who import, view, print, etc., the Digital Records.

#### **Digital Evidence Storage**

All Digital Records taken during an investigation, including anything collected as reference or for administrative purposes, are considered discoverable and must be handled in accordance with applicable policies. Digital Records will not be deleted from a Digital Device until downloaded to the appropriate Digital Record Management System.

#### **Alteration of Digital Evidence**

There will be no manipulation or alteration of Digital Records either by the employee who took them or by any member of the Department. A copy of a Digital Record may be altered, but only in the following manner:

Digital Records may only be altered or manipulated in order to enhance their usability, so long the changes are documented, explaining what was done, by whom, and in what order and so long as the original version of the Digital Record is preserved and included with the altered version.

### **Distribution of Digital Record**

Digital Records designated as Digital Evidence for use in a court case or similar situation will be processed through the appropriate Digital Record Management System prior to being printed or copied to another computer storage system in order to ensure authentication of their unaltered state.

Digital Records will not be stored by and/or transmitted to unauthorized individuals. Digital Records will not be posted on the Internet without written consent of the Chief of Police or his designee.

### **Public Records Request of Digital Records**

Release of Digital Records, pursuant to a Public Records Request, will be done in accordance with the Release of Information general order and the applicable statutes, codes and case law.