



Surveillance Use Policy

Avalex DVR & FLIR 380 HDc
San Diego Police Department

PURPOSE

The Avalex DVR is a helicopter-mounted device used to provide the department's Air Support Unit (ASU) the ability to record and playback audio, which includes police radio traffic, aircraft tower traffic, and internal communication between crewmembers (ICS), and imagery produced from the helicopter-mounted forward-looking infrared ("FLIR") sensor during police-related incidents. The FLIR 380 HDc sensor is an externally mounted camera system that produces infrared and color images.

USE

The Avalex DVR and FLIR 380 HDc are equipped in each department aircraft and used during the ASU patrol flight. The police helicopter responds to police-related incidents by either being requested via dispatchers, field personnel, or can volunteer as available. The Tactical Flight Officer (TFO) operates the camera and recorder during the flight. The Avalex DVR does not continuously record and must be manually turned on by the TFO while responding to a call.

The following events should be digitally recorded:

- Incidents that are of possible evidentiary value in criminal cases
- Special events, as requested by members of the department
- Any incident that will enhance the operation of the Police Department or contribute to future department training

DATA COLLECTION

The FLIR 380 HDc is turned on at aircraft start-up and will remain running during the flight. The Avalex DVR only records data when it is in the "REC" position. Recorded videos are of imagery that is created by the FLIR 380 HDc sensor and displayed on the monitor in front of the TFO. The Avalex DVR recorder is only utilized when assigned to a police-related incident.

ASU crewmembers do not record activity when not assigned to an incident and do not record common activity on the ground.

The DVR can record and store data in the following ways.

- Internal drive
- Flash/thumb drive
- SD card

Videos of incidents that are of possible evidentiary value in criminal cases or specifically requested by department members for approved department needs are impounded on a secure, external department drive and assigned an ABLE video recording number.

When the Avalex DVR data storage is full, the Air Support Video Librarian will upload the videos to a secured external hard drive. The Video Librarian position is a collateral duty of a sworn officer who is a member of the Air Support Unit.



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DATA ACCESS

Only crewmembers assigned to the ASU have access to collected data via the Avalex DVR and FLIR 380 HDc sensor. Crewmembers assigned to the ASU can only access stored videos using a specific, password-protected department external drive located in a locked police facility that is not open to the public.

Video is only released with a formal written request. That request must be approved by a unit supervisor and then uploaded to Evidence.com. Only authorized Department personnel can view or download the video from Evidence.com. For other law enforcement agencies, a protected link is sent via Evidence.com, allowing them to view or download the requested video.

DATA PROTECTION

All Digital Media Evidence (DME) or videos are regularly uploaded from the aircraft's SD card and stored on secured password-protected external hard drives. The external hard drives are stored in a locked cabinet at Air Support. Impounded videos are given an ABLE video recording number and are stored on a secured password-protected external hard drive. The video can only be accessed by utilizing a unique password. Air Support is a locked police facility and not open to the public.

If an Avalex DVR needs repair, the internal drive will be cleared of any data before being sent to an outside vendor.

The FLIR 380 HDc sensor does not have the ability to record or store any data.

DATA RETENTION

When a video recording is to be impounded, regardless of its evidentiary value, the original video recording will be impounded at the Air Support Unit and given the appropriate ABLE video recording number.

If the video recording is of evidentiary value, the flight crew will notify the appropriate unit(s) or supervisor of the existence of the video recording if possible.

The impound log will be filled out with the required information. The video recording will be assigned a sequential tag number.

The video recording will ultimately be transferred from the aircraft's DVR to the Digital Impound Drive. The electronic file will be labeled with the video recording number, crewmember names and department IDs, recording date, time, location, and subject. The file will be added to the appropriate folder in the Digital Impound Drive.

The Digital Impound Drive will remain locked and password-protected when it is not in use. This security will be maintained by undocking the Digital Impound Drive after use.

Videos downloaded from the aircraft SD cards onto the digital backup drives will be purged after two years to make room for current videos needing downloading.



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PUBLIC ACCESS

ASU shall grant public access to the data / or imagery saved on the Avalex DVR system only in accordance with California State Law and San Diego Police Department Policy.

THIRD PARTY DATA SHARING

The original video recording will not be released unless it is required for court or investigative purposes and only with the approval of a unit supervisor.

If a hard copy of the original video is needed for court purposes, the video will be transferred to a DVD from the Digital Impound Drive. The video recording sign-out log will be filled out with the appropriate sign-out information and destination / final disposition of the video recording.

A video recording that is not evidence and recorded specifically for a police project or other City Department will be treated as the original property of the requesting unit and may not necessarily be impounded at Air Support.

A Unit sergeant will evaluate all requests for copies of video recordings (including officer copies). No copies shall be released unless approved by a Unit sergeant. Video recording copies, to be used for training purposes, shall be requested by a supervisor.

All authorized video recording copies which require a DVD will be documented in the ASU Video Recording Copy Log. The recipient shall sign for the copy in the Video Recording Copy Log.

If a DVD is not specifically requested as part of a video request, the video will be disseminated electronically, utilizing the Evidence.com program. The unit member completing the video request will upload the approved video into the Evidence.com program under the video number and appropriate event number if applicable. In the case of an outside agency requesting a video, the unit member will upload the approved video to the Evidence.com program under the video number and email a download link to the requestor's email address.

All video recordings are captured on aircraft DVR memory cards. To make room for future recordings, the unit video librarian shall copy all past recordings to backup hard drives prior to deleting those recordings from aircraft memory cards. Back-up hard drives shall be kept locked in the unit video locker. The video librarian will maintain a log of this process.

If a request is made for a copy of a past video recording that has not been assigned a video recording number, the request will be routed to the unit video librarian to research the actual existence of such a recording. If a recording is found on either an aircraft DVR memory card or a backup hard drive, the video librarian will transfer that recording to the Digital Impound Drive. The video will be added to the appropriate folder in the Digital Impound Drive, and copies will be disseminated electronically.



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TRAINING

Only ASU assigned personnel are authorized to utilize the Avalex DVR or the FLIR 380 HDc sensor. Each newly assigned TFO goes through a rigorous two-month training module to complete daytime training before moving to nighttime training. TFO's training consists of using onboard radios, monitors, and tactical equipment. This includes the FLIR 380 HDc and Avalex DVR. ASU crewmembers continuously receive updated training regarding camera usage, legal issues, evidence collection, and impounding/storing of DME. ASU crewmembers also received training in the protection of citizens' privacy, civil rights, and Fourth Amendment protections.

AUDITING THE OVERSIGHT

ASU supervisors are on site and are active crewmembers on patrol flights in which imagery is being collected, saved, and impounded. Sergeants oversee and routinely audit collected data, impounded evidence, and documentation to confirm it complies with Department Policy and the ASU Operations Manual.

MAINTENANCE

The Avalex DVR is maintained by our onsite mechanics. Each ASU mechanic has been vetted and background-checked through SDPD Backgrounds and Recruiting.

When a device requires more extensive repairs, the Avalex DVR will be sent to an approved repair facility. The SD card is removed, and the internal drive is cleared of any data before shipping.

The FLIR 380 HDc is maintained and repaired by TeledyneFLIR Inc. They are the sole provider of maintenance, parts, and repairs along with providing all firmware and software updates to the unit. The FLIR unit does not have the capability to store or record DME.

Additionally, the Air Support Unit's video librarian is responsible for:

- Ensuring all aircraft digital video recorders (DVRs) are in good working order
- All DVR memory cards are in good working order with ample available memory for 2-3 days of normal video recording
- Transfer video recordings from DVR memory cards to a backup hard drive
- Conduct video recording research
- Monitor the need for additional memory cards and/or backup hard drives and advise unit sergeants of such needs.
- Ensure an ample supply of digital video disks (DVDs) for making copies of video recordings
- Maintain the Digital Impound Drive
- Maintain an electronic database and printed copy of all impounded video recordings