

Electronic Recordings-Community Corrections

Effective Date:	01-01-2026
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Issuing Authority: Chief Probation Officer	

822.1 PURPOSE:

To establish guidelines regarding electronic recordings gathered during the performance of sworn officer's duties.

822.2 DEFINITIONS:

Electronic Recorder: A portable recorder, audio and/or video, worn on an officer's person that records and stores electronic recordings.

Preload: To state information in advance via the electronic recorder with pertinent information.

Probation Video and Media Tracking System (PVMTS): A secure digital platform used to catalog, store, and track video and audio recordings generated by staff or facility surveillance.

Upload: To transfer a recording or file from the electronic recorder/device to the PVMTS.

822.3 GUIDELINES:

- A. All recordings shall be maintained in the PVMTS for a minimum of thirteen (13) months.

822.4 RESPONSIBILITIES:

- I. Sworn Officers:
 - A. Shall only use department-issued electronic recorders.
 - B. Shall wear electronic recorders in a manner that is open and visible.
 - C. Shall ensure the electronic recorder is fully functional before conducting fieldwork. If the recorder is not in working order, or the officer becomes aware of a malfunction at any time, cease field activities once safe to do so and promptly obtain a functioning device in accordance with the Equipment Responsibility Procedure.
 - D. Shall preload the electronic recorder before arriving for a home visit or planned contact to include information such as:
 1. Date
 2. Time
 3. Officer's name and call sign

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4. Call type
5. Subject's full name, when possible, PIN, when applicable, address, type of supervision, offense code, information of others residing in the home, information regarding dogs, etc.
6. Additional information pertinent to the intended contact, such as criminal history, violence history, gang involvement, threat history, weapons history, known mental health conditions, history of drug use, and other information gathered that may impact officer safety.

E. Shall, unless it is unsafe to do so, activate the electronic recorder in the following situations:

1. Compliance checks/Field contacts
2. Searches
3. Arrests
4. Transports
5. Vehicle Searches
6. Physical or verbal confrontations
7. When responding to hostile or confrontational subjects.
8. Self-initiated activity in which the officer would normally notify the dispatcher.
9. Contacts that become adversarial after the initial interaction in a situation that would not otherwise require recording.
10. Any time the officer believes it would be appropriate or valuable to document an incident.

F. Generally, officers should not record informal or casual encounters with members of the public.

G. Once activated, the electronic recorder shall not be stopped or paused during the contact or search. In certain circumstances, a recording may be stopped to preserve legal confidentiality (e.g., hospital settings, conversations between an individual and their attorney or religious advisor, etc.) or where prohibited (as indicated on posted signage, etc.).

H. Shall provide a disposition prior to stopping the recording at the conclusion of the contact.

I. Shall upload all recordings to the PVMTS by the end of the next business day unless specifically directed by a Supervisor or above to preserve them in an alternate method/within an alternate timeframe.

J. Shall review recordings to ensure copies are uploaded properly.

K. Shall surrender the electronic recorder to a supervisor upon request.

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- L. When preparing an incident report, shall include documentation that a recording was obtained.
 - 1. If a recording was not obtained, delayed, or stopped during a contact, articulate the reasons why in the incident report.
- M. Electronic recordings are the property of the San Bernardino County Probation Department. Accessing, copying, forwarding, or releasing any electronic recording other than for official use contrary to this procedure is strictly prohibited.
 - 1. Release of electronic recordings, unless provided as evidence at the time of a new crime filing, shall be handled through the Custodian of Records.
 - 2. Release of electronic recordings at the time of a new crime filing must be reviewed and approved by a supervisor prior to release.
- N. When conducting undercover or discreet fieldwork, the use of electronic recorders may not be feasible. Authorization for these types of operations requires written approval from the Chief Probation Officer or their designee.
- O. Generally, officers are permitted to review the electronic recording when preparing reports or statements.

II. Custodian of Records/ Internal Affairs Unit:

- A. Utilize the PVMTS to obtain recordings related to incidents, prosecution discovery requests, formal complaints, or as required by law.
- B. Retain recordings pending litigation.
- C. Retain recordings containing evidence relevant to criminal prosecution for the period that is required by law.

III. Supervising Probation Officer (SPO):

- A. Audit and review officers' recordings via the PVMTS to ensure compliance with this procedure and in accordance with the Caseload Audits and Reviews procedure.
- B. In incidents involving use of force, officer-involved shootings, deaths, or other serious events, supervisors should take custody of the involved officers' electronic recorders at the scene or as soon as practicable.
- C. May collect an officer's recorder in response to a complaint involving the officer or the department.
- D. Review recordings that are required to be submitted to the Division Director prior to submission.
- E. When involved in an incident, the Division Director (DDI/II) or their designee will upload the SPO's recordings.
- F. For new crime filings, review and approve the release of electronic recordings as appropriate.

IV. Division Director (DDI/II)/Designee:

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- A. Upload recordings of incidents where the SPO is directly involved to the PVMTS as soon as practicable.
- B. When involved in an incident, the DCPO or their designee will upload the Division Director's recordings.