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| <b>East Haven<br/>Police<br/>Department</b><br><br> | <b>Type of Directive:</b><br><b>Policies &amp; Procedures</b>  | <b>No. 202.2</b>                                   |
|  | <b>Subject/Title:</b><br><b>Supervisors' Use of<br/>Recording Devices<br/>During Internal<br/>Investigations</b> | <b>Issue Date:</b><br><b>July 29, 2014</b>         |
|  | <b>Issuing Authority:</b><br><b>Honorable Board of<br/>Police Commissioners</b>                                  | <b>Effective Date:</b><br><b>September 1, 2014</b> |
| <b>References/Attachments:</b><br><br><b>Policies &amp; Procedures # 208</b>   | <b>Review Date:</b><br><b>Annually</b>   | <b>Rescinds:</b><br><b>202.1</b>                   |
|  |  | <b>Amends:</b><br><b>N/A</b>                       |

## I. PURPOSE

- A. The purpose of this directive is to set forth the policies and procedures of the East Haven Police Department regarding the responsibility of supervisors to record statements by witnesses and/or complainants when investigating complaints of police use of excessive force and other administrative complaints about police personnel.

## II. POLICY

- A. It is the policy of the East Haven Police Department that supervisors shall record all statements by witnesses and/or complainants when investigating complaints of police use of force and other administrative complaints about personnel, except in cases in which the witnesses and/or complainants refuse to be recorded.

## III. GENERAL GUIDELINES AND CONSIDERATIONS

- A. Supervisors shall record statements in order to carry out the fairest, most honest and most complete internal investigations.
- B. Recording protects all parties – the complainant, any additional witnesses, the officer and the supervisor conducting the interview – by creating a precise and objective account of the allegations.

## IV. PROCEDURES

- A. The Department equips all supervisors with iPhones and/or body worn cameras for purposes of recording statements in the field.

- B. The supervisor should inform the witness and/or complainant that there are potential benefits to recording the interview, including the fact that a recording will create a clear and complete record of what the witness and/or complainant said during the interview.
- C. The supervisor should also advise the witness and/or complainant that notwithstanding any initial decision, the recording device may be turned on or off at any time if the witness and/or complainant changes his or her mind about electronically recording the interview.
- D. The supervisor should then ask the witness and/or complainant if he or she understands each of the advisements provided to him/her and if he or she is willing to make an electronically recorded statement.
- E. If a witness and/or complainant initially agreed to be electronically recorded during the interview and later changes his or her mind, the supervisor should inform the witness and/or complainant that there are potential benefits to recording the entire interview, including the fact that a recording will create a clear and complete record of what was said during the entire interview.
- F. If the witness and/or complainant initially declined to be electronically recorded during the interview and later changes his or her mind, once electronic recording has started, the supervisor should attempt to elicit and document any and all non-recorded statements previously made by the witness and/or complainant.
- G. A copy of the recording shall be uploaded to the Department's designated computer storage location in which it is available to be inspected by the Internal Affairs Officer.
- H. If the incident is serious in nature and the Internal Affairs Officer is responding, the supervisor should defer taking the electronically recorded statement to the IAO. If the witness and/or complainant requests giving the statement immediately the supervisor shall do so.