

January 22, 2004

DEPARTMENT MEMORANDUM NO. 04-2

SUBJECT: Use of Personal and Department Cameras

The purpose of this memorandum is to establish proper procedures for taking and recovering photographs of crime scenes with Polaroid, digital, and personal cameras. The use of personal cameras is strongly discouraged, but in rare instances they may be necessary. Members should make every effort to use a department camera.

The Crime Scene Investigations (CSI) Section is responsible for taking photographs of crime scenes, however, there are occasions when they are unable to respond to every scene. When CSI is unable to respond to a scene Polaroid, digital, and personal cameras may be used by other department personnel to photograph crime scenes, for investigative purposes.

The Procedural Instruction entitled, "Domestic Violence, Orders of Protection, Custody Violations and Child Abuse," currently provides procedures for recovering photographs with the Polaroid camera, however, procedures have not been established for the use of the digital or personal cameras.

Members are reminded that any photograph taken of a crime scene becomes evidence and care should be given to taking and recovering photographs. If a member, other than CSI, uses a Polaroid, digital, or personal camera for the purpose of taking crime scene photographs, the following procedures will apply:

1. When a department Polaroid camera is used, members will follow recovery procedures outlined in the Procedural Instruction entitled, "Domestic Violence, Orders of Protection, Custody Violations and Child Abuse."
2. When a department digital camera is used:
 - a. Investigative elements will recover photographs in accordance with the procedures outlined in their element's duty manual.
 - b. Officers will remove the memory stick from the digital camera and place it in the yellow Film Processing Request, Form 195 P.D., and forward it to the Kansas City Police Crime Laboratory. The Crime Lab will download the photographs into their hard drive and onto a recordable CD. A contact sheet will be printed and returned to the submitting member, along with the cleared memory stick for reuse.

3. When a personal camera, cellular telephone or personal digital assistant (PDA) equipped with a camera is used:

a. **Personal and/or souvenir photographs will not be taken.** This includes department cameras, as photographs should only be taken for evidentiary purposes.

b. The camera must be compatible with the Crime Lab's digital dark room. Members who carry their personal digital cameras on duty should direct inquiries regarding the compatibility of digital camera equipment to the Crime Lab.

(1) If the member's camera is not compatible to the Crime Lab's digital dark room, the camera must not be used to take evidentiary photographs.

(2) If the member's camera uses film that must be developed outside of the department, the camera must not be used.

c. Members may take photographs for evidentiary purposes, however, if a personal camera, cellular telephone, or PDA is going to be used, the member **must contact** their supervisor or the responding investigative element for evaluation of the evidentiary value of the photos.

(1) If a photograph(s) is taken with a digital camera, cellular telephone, or PDA and it is determined it does not possess any evidentiary value, the photograph may be deleted, however, a supervisor must respond and make that determination.

(2) If the officer does not delete photographs without evidentiary value or takes photograph(s) that exhibit evidentiary value:

(a) The memory stick must be recovered, prior to ending their tour of duty, by following the procedures outlined in Section 2 of this department memorandum, or

(b) The photograph taken with a cellular telephone or PDA equipped with a camera must be sent, via e-mail, to the Crime Lab prior to ending their tour of duty. The CRN must be included with the e-mailed photograph, as photographs are only filed by CRN.

NOTE: As memory sticks are subject to recovery, members should be aware that any personal photographs saved on the memory stick will also be part of the investigative file.

- d. Members will not be reimbursed for any personal camera, cellular telephone, or PDA that is damaged, lost, or stolen, or film/memory sticks that are used to take photographs. Members will incur all costs.
4. Members should be advised that whether they use department cameras or personal cameras, cellular telephones or PDAs equipped with cameras, and whether or not the photographs are recovered or destroyed, they may be called to testify in court.

Richard D. Easley
Chief of Police

DISTRIBUTION: All Law Enforcement Personnel
All Department Elements
Post on bulletin board for two weeks.

