



**FOREST SERVICE HANDBOOK
NATIONAL HEADQUARTERS (WO)
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FSH 5309.11 - LAW ENFORCEMENT HANDBOOK

CHAPTER 50 - ACTIONS AND PROCEDURES

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Chief

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Digest:

51.02 - Establishes code, caption, and sets forth objective statements for enforcement actions.

51.3 - 51.34 - Establishes codes, captions, and sets forth direction on protocol for use and storage of video obtained from a personal video recording device.

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51 - ENFORCEMENT ACTIONS

51.02 - Objectives

1. To enhance officer safety.
2. To document statements and events as they are occurring.
3. To enhance an officer's ability to document and review statements and actions for internal reporting requirements and criminal prosecution.
4. To preserve visual and audio information for use in current and future investigations.
5. To serve as a tool for officer training.
6. To enhance public trust.

51.3 - Personal Video Recording Devices

The use of personal video recording devices (PVRDs) to record visual and/or audio images provides a means to assist in proving or disproving actions taken by Forest Service law enforcement personnel and members of the public. Adhere to the guidelines and procedures described below on use and preservation of visual and/or audio information obtained through the use of PVRDs.

51.31 - Operating Procedures

1. Personal video recording devices (PVRDs) should be provided by the Agency.
2. As a matter of routine, officers are encouraged to record their contacts with the public and other situations where their training and experience leads them to believe it could be beneficial. Officers should make every effort to record the following situations:
 - a. Crimes in progress;
 - b. Traffic stops;
 - c. Vehicle searches;
 - d. Searches of persons; and
 - e. Arrests.

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3. Prior to going into service, officers utilizing a PVRD should ensure the device is charged and working properly. The primary storage media should have sufficient storage space and a spare should be available. If a problem with the PVRD is detected the officer shall notify their supervisor as soon as practical.
4. Officers shall be aware of their particular state notification requirements (privacy laws) in advance of operating a PVRD. Those state requirements may affect cases that are referred through those jurisdictions.
5. Law enforcement personnel shall not erase PVRD storage media except in accordance with this policy and other relevant or related policies (FSH 5309.11, sec. 51.19d).
6. Lost or stolen PVRDs shall be reported to the supervisor as soon as practical after discovery.
7. Officers shall comply with direction as set forth in accordance with FSH 5309.11, chapter 20, sections 24.3 through 24.62, Interceptions of Verbal and Video Communications.

51.32 - Control and Preservation of Storage Media

1. Once the PVRD's primary storage media becomes full or when an officer deems it necessary, video recordings should be saved to an alternate type of storage media, such as an external hard drive or DVD. The primary storage media may then be erased and put back into service.
2. Storage media containing video evidence shall be secured and maintained by the recording officer and categorized in such a manner as to provide easy accessibility in locating them for court reference, purging, or any other reason a specific recording may be needed.
3. Storage media containing video recordings not scheduled to be used by the Agency or for court proceedings must be maintained by the recording officer for 60-calendar days and then may be erased by the officer.
4. Do not duplicate or issue copies of recordings except through evidentiary procedures or in response to a written request with the approval of the responsible supervisory special agent or supervisory law enforcement officer. The officer or agent providing the duplicate copy shall obtain a signed receipt from the requesting Agency or party when they are provided with the duplicate.

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5. All video recordings generated by PVRDs are the property of the Forest Service and must remain under the control of the Forest Service, Law Enforcement and Investigations staff.
6. Video recordings retained by an officer will not be routinely or randomly reviewed for the purpose of monitoring an officer's performance. A supervisor may conduct a review of an officer's recordings in the event of a documented written complaint and such recording is relevant to the complaint, a criminal investigation or an internal investigation. Except in special circumstances, officers that are the subject of administrative investigations will be allowed a reasonable time to view PVRD recording prior to being compelled to give a statement. In the event an officer is compelled to give a statement prior to viewing a recording relevant to an administrative investigation, the officer will be allowed to submit a supplemental statement once they have been afforded the opportunity to view the video. In the case of a use of force incident, officers shall be afforded the opportunity to view applicable PVRD recordings before giving a statement or writing a report. Reviewing recordings for training purposes with the consent of an officer or during a Field Training and Evaluation Program phase is acceptable. Law enforcement personnel are encouraged to review their own recordings. Recordings used or shown for the purpose of ridicule or embarrassing any employee are prohibited.

51.33 - Use of Personally Owned Devices

Officers utilizing their own PVRDs will adhere to the following requirements:

1. Request for use of a personally owned PVRD must be made in writing and submitted to the appropriate supervisor for approval.
2. The use of a personally owned PVRD is subject to all procedures as outlined in this policy.
3. The device must be able to record at a resolution of at least 640 X 480.
4. Devices shall have audio and video capability.
5. Primary storage media for the device may be provided by the Agency.

51.34 - Use of Recorded Images for Training

Recorded PVRD images that contain material deemed beneficial for training purposes by the responsible supervisory special agent or supervisory law enforcement officer may be utilized for training with the concurrence of the special agent in charge. Any officer may recommend video recordings to be used and submit them for review and approval through the proper chain of command.