

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

TELECOMMUNICATIONS CENTER RECORDING USE POLICY
SUBJECT

DATE: March 1, 2005

NO: B-6

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: Recording Use Policy
Telecommunications Recordings

I. POLICY

- A. All voice logging recordings will be maintained by the Telecommunications Center for a period of 180 days.
- B. Recordings will be made available for listening and copying purposes to authorized persons, under the following conditions and arrangements.

II. PROCEDURE

A. Stockton Police Department

1. Investigations/Internal Affairs.

- a. Members of the Stockton Police Department conducting an investigation, who wish to listen to a recording or make a cassette copy of a recording, shall contact the Telecommunications Center Shift Supervisor to make arrangements to access the appropriate master voice recording. An incident date and time will be necessary in order to find the transaction on the master recording.
- b. Members of the Stockton Police Department conducting an investigation, who wish to have a cassette copy of a master voice recording made for them by Telecommunications Center personnel, shall contact the Senior Telecommunications Supervisor. Normally, a minimum of forty-eight (48) hours will be required to copy the incident and return the cassette.

2. Internal Review.

- a. Members of the Stockton Police Department, who wish to monitor or copy a master voice recording, will contact their sergeant or Watch Commander, and then schedule a time with the Senior Telecommunications Supervisor or authorized representative.

3. Holding Recordings for Evidence

- a. Department members requesting that recording(s) be held for evidence, shall supply the following information in writing to the Senior Telecommunications Supervisor:
 - (1) Date of recording
 - (2) Reason for request (our evidence; internal investigation; potential City liability, etc.)
 - (3) Estimated length of time recording to be held
 - (4) Department Reference Number
- b. The Department member requesting the hold shall be responsible for notifying the Senior Telecommunications Supervisor when it is no longer necessary to hold the tape(s), and when they can be returned to circulation.
- c. Recordings authorized to be held by the Senior Telecommunications Supervisor shall be stored in a

locked cabinet.

B. Deputy District Attorneys/Investigators.

1. Members of the District Attorney's Office conducting an investigation who would like to monitor a recording or obtain a copy of the master voice recording, shall contact the Stockton Police Department Investigator assigned to the case, who will make the arrangements.
2. In the case where there is no specific investigator assigned to an incident, the District Attorney's Office may present the Senior Telecommunications Supervisor with a subpoena or Office Memorandum for the cassette copy of the master voice recording. The cassette will be returned in a sealed envelope.
 - a. The request must be received within a minimum of seven (7) working days before the cassette will be needed. If a cassette copy of an incident is needed sooner, special accommodations may be made by contacting the Senior Telecommunications Supervisor.
 - b. Date, time, and case number must be provided.
 - c. Call receipt, call dispatch, or both receipt and dispatch must be specified.
3. In the case where there is no specific investigator assigned to an incident, the District Attorney's Office may present the Senior Telecommunications Supervisor with a subpoena or Office Memorandum for the certified copy of the computerized printout. The printout contains all the activity related to the call-for-service from receipt to dispatch. The printout will be returned in a sealed envelope.
 - a. The request must be received a minimum of forty-eight (48) hours before the certified copy will be needed.
 - b. Date, time, and case number must be provided.

C. Defense Attorney Representative.

1. The Defense must obtain a subpoena or discovery order prior to contacting the Senior Telecommunications Supervisor to monitor or make a copy of the master voice recording.
 - a. The subpoena or discovery order must contain the date, time, and/or the case number of the incident to be reviewed.
 - b. The investigator shall provide the cassette recording and recorder.
2. Defense attorneys or investigators for the defense who wish to monitor or make a cassette copy of the master voice recording themselves shall make an appointment to do so by contacting the Senior Telecommunications Supervisor.
3. The District Attorney's Office shall be notified of a defense request to monitor/copy the master voice recording, and the time and date of the appointment.
4. Defense Attorneys who wish to have a cassette copy of a master voice recording made for them by Telecommunications personnel shall contact the Senior Telecommunications Supervisor.
 - a. All of the above procedures apply.
 - b. The request must be received a minimum of seven (7) working days before the cassette is needed.
 - c. In keeping with the California Government Code, a preparation fee will apply.
5. Defense Attorneys who wish to have a certified copy of the computerized printout, shall contact the Senior Telecommunications Supervisor.

- a. All the above procedures apply.
 - b. The request must be received a minimum of forty-eight (48) hours before the printout is needed.
 - c. In keeping with the California Government Codes, a preparation fee will apply.
6. The requirement for a subpoena or discovery order may be waived upon the request of the District Attorney's Office.

D. Other Persons Wishing to Monitor Recordings.

1. All other persons desiring to listen to a master voice recording shall obtain a subpoena listing the date, time, and specific information to be monitored prior to their contact with the Senior Telecommunications Supervisor.
2. The subpoena or court order shall indicate whether the recording in question is to be monitored or copied.
 - a. Any person requesting a copy shall supply the recording device and all recording mediums.
 - b. All such requests to monitor recordings will be made directly to the Senior Telecommunications Supervisor, who will establish an appointment time for such monitoring.

E. Citizens Wishing to Monitor Recordings

1. Citizens wishing to listen to a master voice recording shall submit a written request to the Chief of Police.