



# DESCHUTES COUNTY SHERIFF'S OFFICE

Policy Title: <b>Digital Media as Evidence</b>	Effective Date: February 28, 2025	Policy Number: <b>4.15</b>
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## I. PURPOSE

The purpose of this policy is to establish standard guidelines for the use of digital recording devices, their care and maintenance, and establish a chain of custody for the preservation of evidence derived.

## II. POLICY

For purposes of this policy, the term “deputy” shall include any member of this agency who initially received the evidence and initiates the chain of custody. It is the policy of the Deschutes County Sheriff's Office to assist deputies in the performance of their duties, to aid deputies in preserving evidence, to assist with the investigation and identification of perpetrators, and for the protection of the rights of the accused, as well as the victims.

## III. DEFINITIONS

- a. Digital Recording Devices are any device that is used to capture still images, video, or voice recordings, including data or images captured by an unmanned aerial system – see DCSO policy 5.51, and images or data captured by mobile recording equipment – see DCSO policy 8.21.
- b. DIMS is a Digital Information Management Solution utilized by the Sheriff's Office to store archived digital media as evidence, such as still images and digital voice recordings.
- c. DCM is the Data Collect Mobile system currently used to upload and store digital media as evidence, such as still images, video, digital voice recordings or documents. DCM is cloud based, accessed via mobile phone or website browser.

## **IV. PROCEDURE**

### **a. Care of Equipment**

1. When the digital recording devices and accessories are not in use, they will be stored in the protective cases provided.
2. When in use, the digital recording devices and accessories will be protected from the elements such as rain, snow, sleet or extreme temperatures, as much as possible.
3. The digital recording devices are not to be stored in a vehicle for extended periods of time.
4. The day-to-day maintenance of digital recording devices and accessories will be the responsibility of the deputies assigned.
5. Any damage to or malfunction of the digital recording devices and accessories will be reported to a supervisor.
6. The digital recording devices are to be used for official law enforcement business only.

### **b. Recording Digital Evidence**

1. The deputy recording digital evidence should be both familiar and proficient with the digital recording device modes and performance.
2. While at the scene, or in the course of an investigation, no recorded digital media will be deleted from any digital recording device or the device's recording media. All digital media, regardless of quality and composition, shall be downloaded and saved.
3. All evidence recorded with digital media shall only be utilized for official law enforcement investigations. Any other use for Sheriff's Office business must be authorized by the Sheriff or designee.

### **c. Downloading Digital Media**

1. The recording media (Secure Digital card, Compact Flash card, mobile phone or any other digital media recording device) shall be uploaded to DCM as soon as possible for submission into evidence.
2. Deputies are not authorized to review or copy memory cards for the purpose of producing working copies of evidence. The evidence technicians are the only members authorized to copy and/or distribute disks containing digital evidence. In some cases, the use of the DCSO Digital Forensic Laboratory may be utilized by the evidence technicians to duplicate media.
3. As soon as possible following the collection of evidence, the deputy is to upload the

digital media to DCM, creating a scene file.

4. Deputies requiring a copy of the digital evidence must request a copy through the DCSO evidence technicians. When a deputy completes the portion of the investigation which required the use of the copy, the copy must be destroyed.

**d. Printing/Duplicating/Disseminating Digital Media**

1. Only evidence technicians are authorized to create copies of digital evidence. In some cases the use of the DCSO Digital Forensic Laboratory may be utilized by the evidence technicians to duplicate media. The original media will remain in evidence and will remain unaltered.
2. DIMS continues to store archived data collected prior to DCM. No new data can be added to DIMS. Data stored in DIMS can be exported through a request made to DCSO evidence technicians. Permissions for printing or other means of dissemination will be at the discretion of the Detective Captain. The permissions will be altered, via a request to the Sheriff's Office Information Technology Unit. All printed images will be watermarked with the DIMS user as well as the date and time of printing or other means of dissemination. For copies of the original media for printing or other means of dissemination without the watermark, requests shall be made to the DCSO evidence technicians.
3. The dissemination of digital media for Sheriff's Office business needs to be approved by the District Attorney's Office until a case is adjudicated and then only released by following the public records laws or for official law enforcement purposes with the approval of the Sheriff or designee.
4. Digital images that are enhanced to provide a better-quality photograph for identification and investigative purposes must be made from a copy of the original only.
5. If any enhancement is done to the copy of the original, it shall be noted in the corresponding case report.
6. There are specific limitations on the disclosure of video captured with mobile recording equipment, see ORS 192.345(40). (Reference Public Records Policy once it is in place)