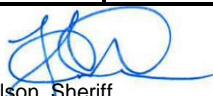




# DESCHUTES COUNTY SHERIFF'S OFFICE

Policy Title: <b>Digital Media as Evidence</b>	Effective Date: September 19, 2017	Policy Number: <b>4.15</b>	
Accreditation Reference:	Review Date: September 19, 2020	Supercedes: March 5, 2014	Pages: 2
Attachments:	 L. Shane Nelson, Sheriff		

## 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

*Digital Recording Devices* are any device that is used to capture still images, video, or voice recordings.

*DIMS* is the Digital Information Management Solution utilized by the Sheriff's Office to store digital media as evidence, such as still images and digital voice recordings.

## 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. Deputies may have digital media from more than one case on a media card. The Digital Image Management System (DIMS) allows for the separation of cases when downloading.

## **C. Downloading Digital Media**

1. The recording media (Secure Digital card, Compact Flash card or any other digital media recording device) shall be brought to the Sheriff's Office 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 remove the memory card from the digital recording device and respond to the DCSO DIMS station for download. The deputy will download the media to DIMS and complete the appropriate download mask. The evidence shall be entered into LERMS Property Quick Entry and the corresponding DIMS form will be placed in the evidence drop box with the Property Quick Entry barcode sticker. Once the download is complete, the system will erase the media card and it will be ready for the deputy's immediate use.
4. In the event the DIMS Station is unavailable or the digital media is of a format not supported by DIMS, the deputy will place the digital evidence on a CD/DVD to be logged as evidence. Deputies shall burn the evidence to a disk taking care to validate that all of the evidence from the original digital media has been preserved. The disk will then be entered into evidence, following the procedure outlined in section IV of DCSO [Policy 4.10](#). If the evidence is too large for a standard CD/DVD, deputies will contact the DCSO Digital Forensics Lab for assistance.
5. 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 Digital Images**

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 provides a means for digital image printing, however, the permissions for printing will be at the discretion of the Detectives 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. For copies of the original media for printing without the watermark, requests shall be made to the DCSO evidence technicians.
3. 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.
4. If any enhancement is done to the copy of the original, it shall be noted in the corresponding case report.