

Georgia State Patrol Policy Manual

| | |
|---|--------------------------------------|
| SUBJECT PHOTOGRAPHS | POLICY NUMBER 12.04 |
| DISTRIBUTION ALL EMPLOYEES | DATE 7/8/2002 |

12.04.1 Purpose

The purpose of this policy is to establish guidelines for photographing traffic crashes, crime scenes and other significant incidents members may encounter during the course of patrol duty. This policy also establishes guidelines for processing film and printing photographs.

12.04.2 Policy

It shall be the policy of the Georgia State Patrol to make extensive use of photographs as a means of collecting evidence and documenting Departmental activities.

12.04.3 Procedures

- A. Members who perform traffic or criminal investigations during the course of their assigned duties shall photograph a crash scene when there is a serious injury or fatal crash or when, in the member's opinion, photographic evidence will be needed to assist in the reconstruction or prosecution related to the crash. Members who investigate crime scenes shall make photographs as deemed necessary in the course of their duty.
- B. All film, photographs, and negatives related to a crime or crash investigation shall be labeled and processed as evidence. Evidence is governed by the Evidence and Property Policy #12.01.
- C. Photographs shall only be made from 35mm, 120 or similar film that requires C-41 processing. Supervisors may use instant print cameras when investigating crashes or incidents that result in damage to state vehicles and property.
- D. Each patrol post or office where members perform crash and/or criminal investigations shall maintain an adequate supply of single-use cameras for members' use.
- E. Cameras should only be used in the course of official business.
- F. All photographs, audio/video tapes, reports, and any other materials, generated or obtained during the course of any crash and/or criminal investigation may not be sold, disposed of, disseminated or otherwise released, except in accordance with the provisions of law, Open Records Policy #13.01, Mobile Video/Audio Recording Policy #12.03 and the Evidence and Property Policy #12.01.

- G. Members are prohibited from selling or releasing photographs, made in conjunction with the performance of their official duties whether such materials were produced using Department or personally owned equipment and supplies.
- H. All photographs made with personally owned equipment during the course of official state business shall be governed by the guidelines of this policy, including processing and dissemination.
- I. The Department of Public Safety (DPS) Public Information Office (PIO) shall process all film. Members shall not have the film processed at any location other than the Headquarters Public Information Office.
- J. When sending film or single use cameras for processing, the following procedures shall be followed:
 - 1. Members shall affix a label to all items being sent to Headquarters for processing that contains the following information:
 - a. Crash or Incident Number;
 - b. Investigating Officer's Name and Badge Number;
 - c. Date of crash or incident;
 - d. Location (including road of occurrence and county name), and/or
 - e. Specialized Collision Reconstruction Team (SCRT) Case Number, if SCRT also investigated the crash.
 - 2. Items shall be collected from members each week and sent to Headquarters in a sturdy box that is securely sealed.
 - 3. The box from each location shall be sent to the DPS Public Information Office each week via UPS and the tracking number properly recorded at the originating location. Members shall not use padded envelopes or other similar packaging when sending evidence.
 - 4. The package should contain the following address:

DPS Public Information Office
Attention: Photo Lab
959 East Confederate Avenue, S.E.
Atlanta, Georgia 30316-2303
 - 5. When sending evidence via UPS, members shall not address the package to a Post Office Box. In locations where the address label is computer-generated, supervisors shall ensure that only the street address is used.
- K. The DPS Public Information Office shall process all film submitted in a timely manner. The film or camera shall be properly recorded on DPS Photo/Video Duplication Log (Form 128) when received in the Public Information Office. All information contained on the item's label shall be properly recorded. The UPS Tracking Number shall also be recorded.
- L. The Public Information Office shall develop all film and make one set of prints and two index prints for each roll of film or camera submitted. One set of prints and an

index print shall be returned to the lead investigator. The second index print and the negatives shall be retained in a case file at DPS Headquarters.

- M. All packages sent from PIO containing evidence shall be properly recorded with a UPS Tracking Number.
- N. Members who receive photographs in connection with a crash or incident shall file photographs with other documentation located at the Post.
- O. All requests for additional prints shall be made in writing. Requests for reprints of photographs from traffic crashes should also contain the reason for the reprint request and the relation of the requesting party to the crash pursuant to O.C.G.A. §50-14-72.1(a)(4).
- P. Public Information shall not reprint photographs unless written confirmation is on file from the lead investigator that there are no charges pending, all related charges have been adjudicated, or no charges will be filed. Written confirmation is not needed when the crash report indicates no charges were filed. Reprints may be made with charges pending only when there is written confirmation in the case file at Headquarters from the lead prosecutor stating they have no objections to the release of the photographs, or when reprint requests are accompanied by a court order or subpoena.
- Q. Photographs shall be printed and delivered only after the appropriate fee has been received in the Public Information Office.
- R. All negatives from investigations shall be retained at DPS Headquarters for a minimum of ten years. Photographs returned to lead investigators shall be maintained a minimum of three years at the post or office where the crash or incident report originated.
- S. Instant prints related to a crash or incident shall be sent to PIO for duplication utilizing the procedures outlined above. The photos should be labeled with the same information as above and also include the phrase "Patrol Car Crash" or "Patrol Car Incident". All vehicles and pertinent evidence involved in a patrol car crash shall be photographed. Once duplicated, the original photographs shall be returned.
- T. Digital images should be captured on a media that can be separated from the camera. This would include a flash card, memory stick, 3.5" disk, or a writable CD. Under no circumstances should the image be stored on the camera. The digital camera being used should generate a uniquely written data file each time an image is captured and that data file should be saved with the image on the recording media.
- U. The recording media must be sent to Public Information within three business days for archival and storage. The image shall not be altered in any manner.
- V. Public Information shall be responsible for recording the image to the unalterable, archival reference form. The initial recording media shall be returned to the member.
- W. Requests for copies of the digital images shall be routed to the Public Information Office and prints made from the archived media. Guidelines established in this policy and the Open Records Policy #13.01 shall govern the release of photographs. The same fees shall be charged as stated in the Open Records Fees Exhibit #13.01-1.
- X. Digital images shall be treated as evidence and governed by the Evidence and Property Policy #12.01 and this policy.