

SPECIAL ORDER



DISTRICT OF COLUMBIA

Subject	Photographs, Video Recordings, and Audio Recordings of Crime Scenes
Number	SO-13-13
Effective Date	November 27, 2013
Rescinds:	SO-11-20 (Photographs, Video Recordings, and Audio Recordings of Crime Scenes, Effective Date October 3, 2011)
Related to:	GO 304.08 (Collection of Physical Evidence; Utilization of the Crime Scene examination section and Crime Scene Search Officers) GO 601.02 (Preservation of Potentially Discoverable Material) GO 304.13 (The Use of Photographs in Criminal Investigations)

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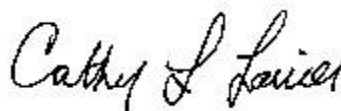
I. BACKGROUND

The purpose of this order is to outline procedures for members taking photographs, video recordings, and audio recordings while on-duty, or acting in any official capacity at crime scenes.

II. REGULATIONS

- A. Whether using MPD-issued or personal equipment, members shall only take photographs, video recordings and audio recordings of crime scenes, victims, and witnesses for official law enforcement purposes.
- B. Unless previously released by the Department, members **shall not** copy, print, e-mail, display, distribute or in any other manner permit photographs, video recordings or audio recordings related to any criminal investigations to be viewed or released for other than official purposes.
- C. Members who take photographs, video recordings, or audio recordings of crime scenes, victims or witnesses, whether using MPD-issued or personal equipment, shall adhere to the procedures outlined in GO-SPT-601.01 (Recording, Handling, and Disposition of Property Coming into the Custody of the Department) and GO-SPT-601.02 (Preservation of Potentially Discoverable Material).

- D. Members shall adhere to GO-SPT-302.08 [Metropolitan Police Department Wide Area Network (MPDNet)] regarding posting crime scene photographs and other information on social network sites (e.g., Facebook, Myspace).
- E. Notwithstanding any other provision of this policy, a member may post photographs, video recordings or audio recordings to social media if:
 - 1. He/she is not on duty;
 - 2. He/she expresses a personal viewpoint and does not attribute the viewpoint to the Department;
 - 3. He/she does not post any information, images, or material that is either:
 - (a) Confidential or privileged; or
 - (b) Obtained as a result of his or her employment and is part of an on-going criminal investigation or matter; and
 - 4. He/she does not violate any District of Columbia law.
- F. Violations of Department policies including, but not limited to GO-PER-201.26 (Duties, Responsibilities, and Conduct of Members of the Department) will result in an administrative investigation that, if sustained, may result in discipline. Nothing in this policy abrogates or alters those prior existing policies.
- G. Notwithstanding any other provision of this policy, a member shall not be prohibited from exercising his or her First Amendment rights, reporting violations or concerns under the District Whistleblower Protection Act (D.C. Official Code § 1-615.51 *et seq.*) or the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 (D.C. Official Code § 1-1161.01 *et seq.*, or making any other legally protected disclosure.



Cathy L. Lanier
Chief of Police