

SAN BERNARDINO COUNTY FIRE DISTRICT OPERATIONS DIRECTIVES



1320 PHOTOGRAPHS, VIDEO PRODUCTION & DISTRIBUTION

I. PURPOSE

The purpose of this directive is to establish policies and identify procedures for the development of videos and other imagery for the San Bernardino County Fire District (County Fire). Under the guidance of this directive, videos will be developed into final products designed for the purposes of training, public relations, fire investigation, and public education.

II. SCOPE

The policies of this directive shall apply to any video or other imagery developed by staff or department photographers and designed to be distributed either, internally within the Department, or through public media for training, investigations or public education.

The directive applies to the following processes in video creation:

- A. Requests for video production
- B. Collection of raw video footage
- C. Video production & editing
- D. Approval process and chain of command for release including fire investigations
- E. Distribution of final video products
- F. Archiving of raw video footage and completed videos

Department assigned fire investigators may request department generated photographic, video and audio records at any time from any department personnel to assist and support arson and other criminal investigations. All such requests shall be fulfilled as soon as possible for review by the assigned fire investigator while on an incident scene or as soon as possible thereafter. Investigators shall not share or release any video or other imagery outside the direct purpose of an investigation.

III. POLICY

- A. Video Production & Distribution Unless properly edited or reviewed prior to release, video footage of emergency incidents has the potential to offend or possibly violate privacy of individuals and compromise criminal investigations. For this reason, this directive is designed to be used in conjunction with Directive 1310, *Procedures for the Release of Records or Reports*. Under no circumstances will any video be produced or approved that violates any part of Directive 1310, or any other laws that apply. Incident videos for direct release to the media may be approved by the Field PIO Coordinator or the County Wide Duty Chief, after

consideration of these Directives. No other video or imagery may be released without prior approval by the Special Operations Division. All personnel assigned to the Video Team will operate under the direction of the Special Operations Division.

B. AB 2655 Privacy: First Responders

San Bernardino County Fire Protection District strictly prohibits first responders from capturing photographic images of a deceased person by any means, but not limited to, by use of a personal electronic device or a device belonging to their employing agency, for any purpose other than an official law enforcement purpose or a genuine public interest. It is the responsibility of all first responders to abide by and cooperate in the administration and enforcement of this Operations Directive.

IV. PROCEDURE FOR VIDEO PRODUCTION

A. Requests for Video Production

1. Requests for videos shall be sent to the Special Operations Division. Special Operations must provide approval for a project prior to tasking the Video Team to begin production.
2. The Special Operation Division, in coordination with the Video Team will establish priorities for video projects.

B. Collection of Raw Video Footage

1. Filming of training videos will be managed by the Special Operations Division.
2. Collection of raw footage for public education/relations videos shall be directed by the Video Team under the supervision of the Special Operations Division.
3. The Video Team will select Fire Stations and/or units to collect raw video footage at incidents. Only personnel assigned by the Video Team may wear cameras at incidents. Special Operations will maintain an approved videographer list. Only personnel approved by Special Operations shall obtain imagery from incidents.
4. Special Operations must approve the installation of any device to safety equipment or apparatus.
5. All raw video footage collected is the property of the County Fire. Any use of the footage, for any purpose, must be approved by the procedure outlined below.
6. The only use of unapproved footage shall be to assist an assigned fire investigator on request to the IC, Video Team or Special Operations. All such requests shall be fulfilled as soon as possible for review by the assigned fire investigator while on an incident scene or as soon as possible thereafter. Investigators shall not share or release any video or other imagery outside the direct purpose of an investigation.

C. Editing Process for Videos

1. Video editing and production shall be the responsibility of the Video Team.
2. Criteria for video editing shall include but not be limited to the following:
 - a. Ops Directive 1310 PROCEDURE FOR THE RELEASE OF

RECORDS OR REPORTS

- b. All applicable confidentiality and privacy laws, including PHI and HIPPA.
- c. Every effort must be made to protect the personal privacy of individuals and their property appearing in final videos. A written release shall be obtained for any person(s) recognizable in videos. Signed releases shall be sent to and stored by the Department PIO for a period of seven (7) years. *See Appendix A for a copy of the release form.*

- d. Exterior shots of properties will not require a release other than as stated in this policy. Any footage that goes beyond what can be seen from the street (ex: inside a residence) will require a release.
- e. In the case where a release cannot be obtained, imagery will be obscured appropriately in final video products.
- f. Video distributed publicly must have all imagery graphic in nature edited out or obscured.
- h. The above applies for any audio attached to videos as well.

D. Video Approval for Release

1. Immediate Incident Video Release Process

An incident video may be released to the news media if it meets the criteria above and has been reviewed and approved by the Field PIO Coordinator, or Department PIO, or County Wide Duty Chief. This section only applies to the immediate release for the news media for an incident and not for any other type of video release.

2. All other videos not covered in *Immediate Incident Video Release Process* above must be approved by the Special Operations Division and Public Information Office. Under no circumstances shall any video or imagery be used or distributed in any fashion without prior review and approval by the Special Operations Division and PIO office. A video that will only be used for internal use (training, review) only needs to be approved by Special Operations.

- a. In any case where Special Operations or PIO has a question regarding acceptable video imagery, they shall seek County Counsel or other appropriate advisory option for review.
- b. Once approved, the Special Operations Division or PIO Office will designate how, and through what media a video can be distributed.

E. Video Distribution

There are innumerable venues that a video may be distributed or posted to. A video may not be copied, distributed, or redistributed to any media vehicle without specific approval as stated in section IV. D., for that specific distribution chain. For instance, a video may have been previously posted on our Facebook page, but that does not indicate approval for an individual to post that video, or part thereof to another media outlet without consent from the Special Operations Division and PIO. All video footage obtained is the property of County Fire.

F. Archiving of Video Products

- 1. A copy of all final edited/approved video products shall be stored for future use or reference by the Video Team on the Departments Cloud Storage system.
- 2. Videos shall be stored in a way that they can be reproduced or edited into other videos.
- 3. For legal purposes, raw footage used to create videos shall also be stored, in the Departments Cloud Storage system, for three (3) years, and then deleted.

**OPERATIONS DIRECTIVE 1320
APPENDIX A**

Photographic, Video, Audio, and Web Site Information Consent and Release Form

I do hereby give my consent to the San Bernardino County Fire Protection District (FIRE), its staff, agents, and assigns to take photographs, record video or audio of me (and/or my property), and print an article about my story, actions, or conduct.

I acknowledge that FIRE may wish to use the tapes, photographs, films and articles for educational, professional, advocacy, or promotional purposes. I further understand that my likeness may also be used in FIRE brochures, publications, booklets, and on FIRE's website, or may be used by the commercial news media, including, but not limited to, newspapers, magazines, radio, television, films, or the Internet.

I further acknowledge that my name and identity may be revealed therein or by descriptive text or commentary unless explicitly stated otherwise. I give to FIRE all rights to exhibit this work publicly or privately, including posting on a web site.

I acknowledge that all photographs, films, and tapes (whether they are originals, copies, negatives, or proofs) shall become the property of FIRE and those items may be used, produced, reproduced, or distributed without obtaining my prior approval.

I waive any rights, claims or interests I may have to control the use of my identity or likeness in the photographs, video, or audio, and agree that any uses described herein may be made without compensation or additional consideration of me.

I hereby hold harmless and release forever FIRE from all claims, demands, and causes of action which

I, my heirs, representatives, executors, administrators, or any other persons acting on my behalf or on behalf of my estate have or may have by reason of this authorization.

I represent that I have read and understand the foregoing statements and am competent to execute this agreement.

Print Name: _____

Signature: _____

Date: _____

Witness: _____

Witness: _____