



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 411 – Detention Center Phone Recordings

Office with Primary Responsibility:	DCS, COP, SAR,	Effective Date: Prior Revision Date:	March 29, 2017 Not Applicable
Office(s) with Secondary Responsibilities:	IGS, TSD,SAS	Number of Pages:	2
Forms Referenced in Procedure:	N/A	Related Procedures:	200, 307, 323

.01 INTRODUCTION

The purpose of this procedure is to establish guidelines in the listening, copying and administration of recorded phone calls obtained by equipment assigned to the San Antonio Police Department in the Detention Center Facility.

.02 POLICY

- A. All audio recordings of inmate telephone calls generated at the San Antonio Detention Center are the property of the San Antonio Police Department. The use, copying or reproducing of any audio recording files generated by members of the Department for use outside of Department business is prohibited, unless authorized by the Chief or his designee.
- B. Distribution of any audio recordings generated by Department members in any format or for any purpose must be in compliance with this procedure.

.03 ADMINISTRATIVE

- A. All audio files saved as part of an investigation will be retained according to the retention period for the investigation file.
- B. The following persons shall have privileges for listening to, and making copies of, audio files for administrative and investigatory purposes:
 - 1. Detective Investigators and above.
 - 2. Employees of the District Attorney’s Office, as named on a list provided by the agency by the fifth day of each month to the Detention Center Commander.
- C. An internal/electronic signature log will be automatically generated and kept for every audio file listened to or saved to document all members accessing the file. Members shall be prepared to justify the reason for accessing/viewing files.
- D. Officers will not make private recordings and/or release any copies to any person not authorized to receive it.
- E. Dissemination of audio recordings outside of this Department is strictly prohibited without written authorization by the Chief of Police or his/her designee, or pursuant to the procedure 411.04.
- F. Inmate phone calls to attorneys are privileged, and may not be listened to, copied, or referred to in a report, and any information obtained from a call to an attorney may not be used in any manner in the course of an investigation. A list of law office phone numbers is maintained as part of the telephone system, and calls to phone numbers on the list are not recorded. If an officer listening to an inmate conversation determines the person called is an attorney, the officer must immediately stop listening to the conversation, and may not listen to any other calls to the same number. The investigator shall notify the Detention Center Commander by the close of the next business day, so that the phone number can be added to the list of calls which are not recorded.



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.04 REQUESTS FOR COPIES OF DENTION CENTER PHONE AUDIO

- A. Open Record Requests:
 - a. Citizen and or general public requests for audio files will be handled under the Public Information Act.
 - b. The Open Record Office personnel may make copies, as necessary, to comply with the Public Information Act.
- B. Outside Law Enforcement and Other Governmental Agency Requests:
 - a. Investigators for other law enforcement agencies may make requests for copies of audio files related to a case under their investigation to the Open Record Office, or through such other procedure as approved by the Chief or his designee.
- C. Subpoenas:
 - a. Requests for files from defense attorneys in county, district, or federal courts made by subpoena are to be forwarded to the Open Record Office, for review by an Assistant City Attorney.
- D. All other requests for audio files should be referred to the Office of the Chief of Police.