


<b>East Haven Police Department</b>  	<b>Type of Directive:</b> <b>Policies &amp; Procedures</b>		<b>No. 401.<del>87</del></b>
	<b>Subject/Title:</b>  <b>AVL and Officer Video Camera Use and Operation</b>	<b>Issue date:</b> <del>December 17, 2019</del> <u>October 25, 2022</u>	
		<b>Effective Date:</b> <del>November 4, 2022</del> <u>January 1, 2020</u>	
	<b>Issuing Authority:</b>  <b>Honorable Board of Police Commissioners</b>	<b>Review Date:</b>  <b>Annually</b>	
<b>References/Attachments:</b>  <u>Connecticut General Statute: § 7-294s</u> <b>Policies and Procedures #: 703</b>		<b>Rescinds:</b> <b>401.<del>76</del></b>	
		<b>Amends:</b> <b>N/A</b>	

## I. PURPOSE

- A. The purpose of this directive is to set forth the policies and procedures of the East Haven Police Department (EHPD) regarding:
1. The activation and use of Automatic Vehicle Locators (AVL).
  2. The activation and use of in car Mobile Video Recorder (MVR) equipment.
  3. The activation and use of Body Worn Cameras (BWC's).

## II. POLICY

- A. It is the policy of the East Haven Police Department to use AVL, MVR (the in-car video/audio recording systems), and BWC's to enhance the Department's effectiveness and to support officer safety.

B. Personnel shall at all times be accountable for the readiness of the AVL, MVR, and BWC under their control. This includes notifying their supervisors of any malfunction or other problem. Failure to operate the equipment as described below and/or failure to notify a supervisor of a problem with the equipment as soon as is reasonably possible shall result in discipline.

B-C. Personnel shall only use video and/or audio recording devices approved and issued by the Department.

~~C.D.~~ Personnel shall never use or activate any video and/or audio recording devices to record other Department personnel unless they are engaged in official law enforcement business.

1. Personnel shall never record the conversations of fellow employees without their knowledge when not engaged in law enforcement activities.

~~D.E.~~ Activation of video and/or recording devices is limited to situations involving official police activities authorized by law or court order, and investigation of law violations as described herein; accordingly, failure to adhere to the provisions of this policy will subject an officer to disciplinary action up to and including termination.

### III. DEFINITIONS

A. Automatic Vehicle Locator (AVL): Equipment that utilizes a Global Positioning System (GPS) to remotely track the location of designated Department vehicles.

B. Body Worn Camera (BWC): An audio and video recording device affixed to an officer's uniform to document investigations and interactions with the general public.

C. Conference Mode: The BWC function in which the audio portion of the recording is temporarily muted for the purpose of discussing intelligence and/or strategy with law enforcement personnel only.

D. Live Streaming: A feature available through the Axon Evidence Online Portal and Axon Respond mobile application for authorized users to remotely view an officer's MVR and/or BWC recording in real time.

~~D.E.~~ Mobile Video Recorder (MVR): Audio and video recording equipment that is permanently installed in designated Department vehicles to document investigations and interactions with the general public.

~~E.F.~~ Recording Device: Any audio and/or video recording device that has been approved and issued by the Department.

### IV. PROCEDURES

A. Use of the AVL

1. Members shall not tamper with the GPS receiver, antenna, wiring, and software or attempt to hinder the systems designed performance in Department vehicles. Violations shall result in disciplinary action.
2. No officer shall operator a police vehicle while working patrol unless the police vehicle's AVL is fully functioning and operational.
  - a. If an exigent circumstance occurs, in which a vehicle with a non-functioning AVL must be used for patrol, a supervisor must submit the justification in writing via email to the Head of the Patrol Division and IAO. Said emails will be stored and maintained on the Department's sever.

3. AVL inquiries and official AVL playback requests can be made by supervisors, authorized staff (for the purpose of a criminal/internal investigation), or through a public record request.
4. When applicable, supervisors shall review all AVL recordings of the officers listed in any Department report for any incident involving injuries to a prisoner or an officer, vehicle pursuits, or misconduct complaints, etc.

B. Use of the MVR

1. Prior to and at the end of each shift, officers shall inspect the MVR in their patrol vehicle to determine whether their MVR is working satisfactorily and shall report any problems to the attention of their immediate supervisor as soon as possible.
2. No officer shall operator a police vehicle while working patrol unless the police vehicle's MVR is fully functioning and operational.
  - a. If an exigent circumstance occurs, in which a vehicle with a non-functioning MVR must be used for patrol, a supervisor must submit the justification in writing via email to the Head of the Patrol Division and IAO. Said emails will be stored and maintained on the Department's sever.
3. The MVR will automatically activate when the vehicle's emergency lights are in operation. The power supply of the MVR must be on at all times. The only exception will be at the completion of the officer's shift.
4. Officers shall confirm that the MVR is operating in order to record traffic stops, pursuits, and other enforcement action. To ensure this, officers shall:
  - a. Check the MVR prior to each shift.
  - b. Ensure the MVR is positioned and adjusted to properly record.
  - c. Ensure the MVR is not deactivated until the enforcement action is completed.
5. Where possible, officers shall also use their MVR to record:
  - a. The actions of suspects during interviews.
  - b. The actions of subjects undergoing sobriety checks.
  - c. The actions of suspects when they are placed in custody.
  - d. The circumstances at crime and accident scenes or other events such as the confiscation and documentation of evidence or contraband.
  - e. Any verbal consent to search.
6. The MVR, to include the rear seat camera and audio recorder, shall be activated when transporting all prisoners.

7. Officers shall not erase, reuse, or in any manner alter or tamper with any type of MVR media.
8. Officers shall ensure that they are equipped with an adequate supply of media storage to complete their tour of duty. If the MVR indicates that media storage is low, officers shall notify an on-duty supervisor. If the situation cannot be corrected, the vehicle shall be taken out of service (absent exigent circumstances as described herein) and another vehicle shall be utilized.
9. Officers are encouraged to inform their supervisors of any video recorded footage that may be of value for training or evidentiary purposes.
10. Officers will note in incident, arrest, and supplemental reports when recordings were made during any incident.
11. Officers shall review the recordings when preparing written reports of events to help ensure accuracy and consistency of accounts.
12. Officers shall only use recording devices issued and approved by the Department.
13. At the end of their tour of duty, officers shall upload any MVR recordings to the Department computer system.
  - a. All MVR recordings shall be tagged within seventy-two (72) hours of the end of the tour of duty in which the recording occurred.
14. When applicable, supervisors shall review all MVR recordings of the officers listed in any Department report for any incident involving injuries to a prisoner or an officer, uses of force, vehicle pursuits, or misconduct complaints, etc.

C. Use of the BWC<sup>2</sup>s

1. BWC<sup>2</sup>s assigned to officers are the responsibility of the officer they are assigned to.
2. Prior to and at the end of each shift, officers shall inspect and ensure their BWC is working satisfactorily.
3. Officers shall wear their assigned BWC on their persons in a position to provide an optimal recording of an incident and the subjects involved in the incident.
4. Officers who are assigned a BWC **SHALL** activate their assigned BWC immediately prior to any encounter in the following circumstances:
  - a. With a person in which there is a potential for arrest.
  - b. Any pedestrian and/or traffic stops.
  - c. Any investigative call for service.
  - d. Any call in which they are needed to resolve or prevent a dispute.

- e. Any proactive self-initiated call for service in which law enforcement action can reasonably be anticipated.
  - f. Vehicular pursuits.
    - 1) This section does not apply when the MVR is recording.
  - g. Foot pursuits.
  - h. Motorist assists.
  - i. Transporting and processing arrestees.
    - 1) This section does not apply when the MVR is recording.
  - j. Conducting interviews or taking statements from suspects, witnesses and/or victims.
    - 1) This section does not apply for interviews or statements that are taken within an interview room equipped with audio and video recording equipment that is activated.
  - k. Any incident or event not otherwise prohibited by this directive, which may be dangerous, unpredictable, or potentially useful for Department training.
  - l. Situations where an officer, by reason of training and experience, determines that the incident should be recorded.
5. This section does not apply if an officer is not assigned a BWC.
6. The BWC will serve as the wireless audio microphone for the MVR and shall be activated and used in conjunction with the MVR.
7. If an exigent circumstance occurs, in which an officer is involved in an incident and fails to activate his/her BWC, fails to record the entire contact, fails to re-activate the BWC from conference mode, or interrupts the recording; they shall submit in writing to their supervisor the reason why unless it is otherwise allowed by this directive.
- a. The supervisor will then review the justification and document such review in the Law Enforcement Administration System (LEAS) Department Review reporting module. Disciplinary action will be taken if necessary.
8. Officers are not required to notify the public when the BWC is in use. However, if asked, the officer will inform the person that he/she is being recorded.
9. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the incident/situation moves into areas restricted by this directive.
- a. The BWC shall not be turned off, but instead placed into conference mode when discussing a communication between law enforcement personnel regarding intelligence and/or strategy that is not publicly disclosable and occurs outside of

the vicinity of anyone that is not a member of the Department or another law enforcement agency.

- b. Prior to entering into conference mode, the officer shall verbally state the reason such as “Officer Conference,” “Telephone Call,” etc.
  - c. Prior to re-engaging contact with any subject involved in an incident/situation, the officer will confirm that the BWC is no longer in conference mode and is once again actively recording audio and video.
10. Civilians shall not be allowed to review recordings made with a BWC at the scene.
11. Officers are encouraged to inform their supervisors of any video recorded footage that may be of value for training or evidentiary purposes.
12. Officers will note in incident, arrest, and related reports when video/audio recordings were made during any incident.
13. Officers shall review BWC recordings when preparing written reports of events to help ensure accuracy and consistency of accounts.
14. Intentionally failing to activate a BWC shall lead to disciplinary action.
15. Supervisors shall review all BWC recordings of the officers listed in any Department report for any incident involving injuries to a prisoner or an officer, uses of force, vehicle pursuits, or misconduct complaints.
16. At the end of their tour of duty, officers shall upload any BWC recordings to the Department computer system.
  - a. All BWC videos shall be tagged within seventy-two (72) hours of the end of the tour of duty in which the recording occurred.
    - 1) As a standardized format, all BWC videos shall be tagged with their respective ten (10) digit case number as reflected in LEAS.
    - 2) The ten (10) digit case number shall be entered in the ID field of the BWC video (i.e. ~~1700000000~~12300000001). No special characters, such as a hyphen, shall be included when tagging a BWC video.
  - b. All recordings shall be appropriately tagged according to the retention category drop-down menu, located in the software used to view recordings.
  - c. Supervisors and/or the Records Division will ensure that BWC recordings are properly tagged to meet the retention requirements of this directive.
17. Unauthorized use, duplication, and/or distribution of BWC files are prohibited. Employees shall not make copies of any BWC recording for their personal use and are prohibited from using an unauthorized device such as a phone camera or secondary video camera to record BWC files.

- a. This section does not prohibit sharing BWC recordings with other officers or law enforcement agencies as part of official investigations.
  - b. Distribution of BWC recordings must have prior authorization and approval from the Chief of Police or his/her designee.
18. Officers are strictly prohibited and shall not edit, alter, or erase BWC recordings.
- a. This section does not apply when redacting a copy of a recording to comply with State and Federal privacy disclosure laws, provided that the original recording is not edited or altered in any way.
19. The BWC shall not be used to record:
- a. Encounters with undercover officers or confidential informants.
  - b. A communication with other Department personnel unless it is part of his/her official duties.
  - c. A communication between Department personnel regarding intelligence strategy that is not publicly disclosable and occurs outside of the vicinity of anyone that is not a member of the Department or another law enforcement agency.
    - 1) The BWC shall not be turned off, but instead placed into conference mode when discussing a communication between law enforcement personnel regarding intelligence and/or strategy that is not publicly disclosable and occurs outside of the vicinity of anyone that is not a member of the Department or another law enforcement agency.
    - 2) Prior to entering into conference mode, the officer shall verbally state the reason such as “Officer Conference,” “Telephone Call,” etc.
    - 3) Prior to re-engaging contact with any subject involved in an incident/situation, the officer will confirm that the BWC is no longer in conference mode and is once again actively recording audio and video.
  - d. A person undergoing a medical or psychological evaluation, procedure, or treatment. This does not apply while officers are on-scene for an initial response or while emergency medical responders are providing on scene medical care.
  - e. In a hospital or mental health facility unless responding to a call for service and/or a follow-up in which a suspect and/or victim is present, a disturbance is occurring, or a potential crime is occurring.
  - f. Any private conversation to which an officer is not a party unless authorized by law (i.e. search warrant, subpoena, court order, etc.).
  - g. Any telephonic or other means of electronic conversation unless authorized by law (i.e. search warrant, subpoena, court order, etc.).

- h. Instances where employees are on break or otherwise engaged in personal activities.
  - i. Any location where employees have a reasonable expectation of privacy, such as a restroom or a locker room.
  - j. A BWC recording is only allowed under the aforementioned circumstances if there is an agreement between the Department and the federal government (i.e. task force officer).
20. Officers who are assigned to a federally deputized task force shall comply with this Directive as modified by the policy of the federal agency to which they are assigned.
- i.21. Officers working non-uniform assignments shall adhere to the requirements for the wear and activation of the BWC as set forth in this Directive except when such wear would hinder the performance of duty or readily identify the officer as a police officer when such identification would be detrimental to their assignment, duties, or mission.

#### D. Live Streaming Feature

- 1. The Live Streaming feature of the MVR and BWC enables an authorized user to see and hear what is being recorded in real time. Via the Axon Evidence Portal or the Respond mobile application, an authorized user can view on a map the location of the MVRs and BWCs that are recording and select a recording device to immediately view in real time what is occurring on scene.
  - a. The Live Streaming feature can only be activated when an MVR or BWC is already recording, and only the officer wearing the BWC can initiate a recording. The Live Streaming feature cannot turn on, activate, or initiate a recording on the MVR or BWC.
  - b. Live Streaming should not be utilized for mere suspicion and/or curiosity factors.
  - c. Live Streaming should only be used to enhance an on-duty supervisor's situational awareness at an active, hostile, and/or rapidly evolving scene to ensure officer safety and provide necessary support.:
    - 1) The Live Streaming feature may be used during, but are not limited to the following incidents:
      - a) Foot Pursuit.
      - b) Vehicle Pursuit.
      - c) High Risk Motor Vehicle Stop.
      - d) Armed Suspect.
      - e) Tactical Team Deployment.
      - f) Officer involved Shooting.



g) Hostage Situation.

h) Officer requesting Assistance.

i) Taser Deployment.

j) Uncooperative Suspect.

k) Any high risk, volatile, rapidly evolving incident that requires Live Stream for situational awareness and officer safety.

2. The BWC will notify an officer of the live stream feature being activated through a unique audio alert, a vibration of the BWC, a blinking purple LED and the appearance of the live stream icon on the BWC's LCD screen.

a. If the BWC is in "stealth mode", the officer will be alerted only by the appearance of the live stream icon on the BWC's LCD screen.

3. The MVR will notify an officer of the live stream feature being activated through a unique audio alert, a flashing purple LED and the appearance of the word "LIVE" on the screen of the Axon Computer Application.

4.4. Personnel authorized to use the Live Streaming feature will only include on-duty supervisors and any other personnel as authorized by the Chief of Police and his/her designee. The Chief of Police may authorize personnel to utilize the Live Streaming feature outside of this Directive.

#### D.E. Equipment Malfunctions

4.2. Any and all problems with a police vehicle's AVL and/or MVR shall be reported to an on-duty supervisor as soon as possible by the officer who discovered the problem(s).

a. Police vehicles with a malfunctioning AVL and/or MVR shall be documented in the Vehicle Maintenance Tab of LEAS and taken out of service, absent exigent circumstances, until the AVL and/or MVR has been repaired.

2.3. An officer who discovers that his/her BWC is malfunctioning shall report said problem(s) to an on-duty supervisor as soon as practical.

a. The officer shall be given a spare BWC by an on-duty supervisor, and the IAO shall be notified via email of the malfunction or defective equipment.

#### E.F. Supervisory Technology Review of MVR and BWC Recordings

1. Supervisors shall ensure officers under their supervision follow the requirements of this directive for the use and handling of MVR and BWC recordings.

2. Supervisors shall randomly review five (5) video recordings or thirty (30) minutes of video footage for each of their assigned personnel every three (3) months. The technology review periods shall coincide with the patrol shift bid and begin on the first (1) day of the months of January, April, July, and October. The supervisor will conduct the review to:

a. Assist in the periodic assessment of officer performance.

- b. Determine whether MVR's and BWC's are being fully and properly used.
  - c. Identify material that may be appropriate for training or evidentiary purposes.
  - d. A report of this review shall be completed in the LEAS DR reporting module by each respective supervisor.
3. The quarterly technology reviews shall be conducted and documented by the 10<sup>th</sup> of each month proceeding the end of each respective quarter (January 10<sup>th</sup>, April 10<sup>th</sup>, July 10<sup>th</sup>, October 10<sup>th</sup>).

F.G. Administrators

- 1. Administrator(s) designated by the Chief of Police shall be responsible for the following:
  - a. Training personnel on the use of the MVR and BWC.
    - 1) Officers, including supervisors, shall be trained in the use of their camera system prior to use.
  - b. Facilitating maintenance and system repairs.
  - c. Monitoring available media storage.
  - d. Monitoring purging schedule of recordings.



G.H. Control and Management of Recordings

- 1. MVR and BWC recordings containing information that may be of value for case prosecution or in any criminal or civil proceeding or in the investigation and adjudication of a citizen complaint shall be handled as evidence. All video recordings are subject to the same security restrictions and chain of evidence safeguards as detailed in Policies and Procedures # 703 - Evidence and Property Control.
- 2. The Chief of Police or his/her designee must approve the release of any MVR, and/or BWC recordings.
- 3. AVL, MVR and BWC recordings not scheduled for court proceedings or other Departmental uses shall be maintained for a minimum period of three (3) years. All recordings shall be maintained in a manner that allows efficient identification and retrieval.
- 4. MVR and BWC recordings of a routine nature are exempt from the three (3) year retention requirements of this directive.
  - a. MVR and BWC recordings of routine calls for service shall be retained for a minimum of one (1) year.
  - b. It is the obligation of the officer that records a routine call for service with his/her assigned BWC to notify the Head of the Records Division in writing if they believe a recording should be retained for more than one (1) year.

- c. The Department may also decide to retain any routine call for service for more than one (1) year.
5. The Department shall retain and preserve any recordings pertaining to a case that remains open and ~~are~~ under investigation, involved in litigation, or is reasonably anticipated to lead to litigation for ~~at least three (3)~~ a minimum of four (4) years after disposition of the criminal or civil proceedings ~~particular matter,~~ or in accordance with the applicable records retention schedule; whichever is greater.
6. All recorded media, images, and audio recordings are the property of the Department and shall not be copied, released, or disseminated in any form or manner except as provided by this D~~d~~irective.

#### I. Training

1. No officer shall use -BWC or MVR equipment prior to being trained in the use of such equipment, and in the retention of data created by such equipment. Every officer must receive annual training on the proper use, care and maintenance of the BWC equipment and the retention of data created by such equipment (Connecticut General Statutes Section §-7-294s).

<div style="text-align: center;"> <h1>East Haven Police Department</h1>   </div>	<b>Type of Directive:</b> <b>Policies- &amp; Procedures</b>		<b>No. 433.<del>32</del></b>
	<b>Subject/Title:</b>  <b>Death and Injury Notifications</b>	<b>Issue Date:</b> <u>October 25, 2022</u> <del>July 29, 2014</del>	
		<b>Effective Date:</b> <u>November 4, 2022</u> <del>September 1, 2014</del>	
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<b>References/Attachments:</b> N/A		<b>Rescinds:</b> <b>433.<del>21</del></b>	<b>Amends:</b> <b>N/A</b>

## I. PURPOSE

- A. The purpose of this directive is to set forth the policies and procedures of the East Haven Police Department (EHPD) regarding death and injury notifications.

## II. POLICY

~~A. It shall be~~ the policy of the East Haven Police Department to ensure that the ~~nearest~~ relativenext of kin -of a deceased person is quickly and compassionately notified ~~in-of~~ such person's-of the death. ~~In cases in which that relative resides within East Haven, a sworn EHPD officer personally shall make the notification.~~

A.

- B. It ~~is~~shall-be the policy of this Department to perform timely notification to relatives of victims involved in incidents resulting in injury, or the need for medical treatment.

## III. PROCEDURES

A. Death Notification~~see-~~

1. Whenever an officer responds to or encounters an incident involving a deceased person or the remains of such person while on duty, a death notification shall be made to the deceased person's next of kin as soon as feasible.
  - a. The death notification shall be made to the next of kin no later than twenty-four (24) hours following the identification of such person.
2. In cases in which the deceased person's next of kin resides within East Haven or within a reasonable distance of East Haven, an officer and an on-duty supervisor shall respond to the next of kin's location to perform an in-person death notification.-
  - a. In the event an on-duty supervisor is unavailable to assist with performing the in-person death notification, two (2) officers shall respond to perform such notification.
3. Compassion and discretion should be exercised by the officer when performing a death notification. Be reassuring and understanding, and offer any assistance possible, which may include seeking a close friend, neighbor, or family member who can stay with the next of kin after the notification.
  - a. The Department's Chaplain may be contacted if it is determined that those services may be needed at the time of the death notification.
4. In the event a next of kin resides outside of the local area, the law enforcement agency in that jurisdiction shall be contacted to perform the death notification.
  - a. Telephone notification will only be utilized when all other methods are not feasible, and only when approved by the shift supervisor.
5. It is acknowledged a deceased person's next of kin may not be readily identifiable. Therefore, every effort should be made to locate the deceased person's next of kin as soon as possible.
  - a. If an officer is unable to identify and/or notify a deceased person's next of kin, the officer shall document the reason(s) for the failure or delay of notification in an incident report. All attempts to perform a death notification shall also be documented in an incident report.

~~—Such notification will always be personally accomplished, except when other methods are approved by the shift supervisor. Every effort should be made to locate the nearest relative as soon as possible.~~

~~1.—~~

- ~~2.—~~
- ~~2. The department Chaplain may be contacted if it is determined that those services may be needed and an officer should accompany the Chaplain when notification is made. If a Chaplain is not available, or not needed, two officers should make notification, and a close friend, neighbor, or family member should be sought to stay with the person after the notification.~~
- ~~3.—~~

- ~~3. Extreme tact and discretion should be exercised by the officer when making notification. Be reassuring and understanding. Offer any assistance possible. If~~

~~relatives reside within this department's jurisdiction, or within a reasonable distance, notification will be made in person by members of this department, and/or the department Chaplain.~~

~~Relatives residing outside the local area will be notified by the police agency in that jurisdiction. Telephone notification will be utilized only when all other methods are not feasible, and only when approved by the shift supervisor.~~

- b. Cooperation of press and other news media will be requested to withhold the identity of any victim until the ~~next of kin~~next of kin have been notified.

4.6. The completion of a death notification including an officer's request to another law enforcement agency to perform a death notification shall be documented in an incident report.

~~All pertinent information regarding notification of the next of kin and department Chaplains will be included in the officer's report.~~

## B. Injury/Medical Treatment Notice

### 1. Officer's Responsibility

~~When the an injured party person requests that a friend or relative be notified, the investigating officer will notify the dispatcher of the request shall perform the notification in a timely manner.~~

~~The investigating officer will attempt to notify such person in a timely manner.~~

a.

1) If requested by the investigating officer, the Dispatcher will attempt to notify such person in a timely manner. The Dispatcher will provide the officer with the outcome of the attempted contact.

2) When ~~thea~~ victim is under eighteen (18) years of age, the investigating officer shall have the Dispatcher notify contact a parent or guardian.

a) If the officer is unable to make contact with a parent or guardian, it shall be documented in an incident report.

a)

2. ~~Dispatcher Responsibility.~~

b. ~~The Dispatcher will attempt to notify any person that the officer requests in a timely manner. If contact cannot be made, the Dispatcher will notify the requesting officer and await further instructions.~~

### 3.2. Supervisor Responsibility.

a. Supervisors will ensure that each person that is injured is offered the opportunity to notify a friend or relative, when feasible.

c. ~~Supervisors will make sure that all attempts are made by the officer to make the contact(s), and if needed they will have the next shift continue until the contact is made.~~

~~d.b.~~ If the ~~under eighteen year old~~ victim is under eighteen (18) years of age and refuses medical treatment, the on-duty supervisor will ensure that a parent or guardian is contacted and made aware of the incident.

~~e.c.~~ In the event the victim has succumbed to their injuries, or is in imminent danger of death, the on-duty supervisor may request the assistance of a family physician or the Department's Chaplain ~~a member of the clergy~~ to make such notification, so long as this does not result in an undue delay.

#### 4.3. Medical Refusal.

- a. If, in the investigating officer's judgment, an injured person is not in the proper mental state to rationally refuse medical attention, the emergency committal form may be used for such purpose.
- b. When on scene with medical personnel from the Fire Department, all such refusals shall be administered by the Fire Department's personnel.