

ADEQUATE

Foundation for Surveillance Video*

State v. Jones, 288 N.C. App. 175 (2023)

Officer testified that:

1. Video was same as footage she saw on night of incident;
 2. Homeowner's description of events matched the video;
 3. Surveillance system was working correctly "to [her] knowledge."
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State v. Snead, 368 N.C. 811 (2016)

Loss prevention manager testified that:

1. He was familiar with recording equipment and it was in working order;
 2. He viewed the footage on the recording equipment and video was same as the footage he viewed.
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State v. Fleming, 247 N.C. App. 812 (2016)

Corporate investigator testified that:

1. He was familiar with the recording system, it was functioning properly, and he made a copy of footage;
 2. Video was the same as footage he copied, unedited, and same as that created by system.
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State v. Ross, 249 N.C. App. 672 (2016)

Store manager testified that:

1. Cameras were working properly because time and date stamps were accurate;
 2. A security company manages the system and routinely checks to make sure cameras are online;
 3. The video was same as footage he saw immediately following the incident and was not edited nor altered in any way.
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State v. Cook, 218 N.C. App. 245 (2012)

Facilities manager testified that:

1. He viewed the footage as a technician made a copy immediately after incident and video showed the same footage;
 2. He didn't know how it worked, but the recording device live-streamed footage to a server.
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State v. Mewborn, 131 N.C. App. 495 (1998)

Officer testified that video was the same as footage he saw on the day of the incident and had not been edited.

Another officer and an assistant store manager testified that the recording equipment was working properly.

INADEQUATE

Foundation for Surveillance Video*

State v. Moore, 254 N.C. App. 544 (2017)

Officer testified that:

1. The day after the incident, since store manager was unable to make a copy of the footage, officer recorded footage on the store's equipment with his cell phone;
2. The video, which was a copy of the cell phone recording, accurately showed footage he had reviewed at the store.

Store clerk testified that the defendant was seen on video, but did not testify as to whether the video accurately depicted events he observed on day in question.

No testimony pertaining to type of recording equipment and whether it was in good working order/reliable.

State v. Mason, 144 N.C. App. 20 (2001)

Two store employees testified that surveillance system was in working order but were unfamiliar with maintenance, testing, or operation.

Store employee testified to the accuracy of a portion of the video for which he was present, but not to another more significant part.

Chain of custody was not established as a store employee gave a tape to an officer on the night of offense but the officer who testified at trial did not get tape from a police locker until several days after the robbery.



Daniel Spiegel, Assistant Professor
UNC School of Government
spiegel@sog.unc.edu

*The term "video" refers to the exhibit introduced at trial.