In the context of a criminal investigation, police are legally bound to remind people of their right to remain silent during interrogations. But they don’t have to give anyone a heads-up about staying quiet in the back seat of a police car. There, anything they say can and will be used against them.

Backseat cameras, oftentimes referred to as rear or cabin cameras, installed to monitor and record audio and video of suspects seated in the rear of the patrol vehicle, can be a windfall for agencies as they often lead to criminals closing their own cases by making incriminating statements while being recorded by the camera system - especially when an officer isn’t present. Whether in covert mode, or not, recordings of “back seat confessions” are frequently admissible in court as the nature of the vehicle and the presence of electronics capable of transmitting any conversations suggests no reasonable expectation of privacy.

WatchGuard’s 4RE® in-car video system comes standard with a software feature that allows the officer to record activities inside the cabin without the suspect’s knowledge. When Covert Mode is entered, the 4RE control screen goes dark and all cameras, including the infrared cabin camera, appear to have been turned off. When the 4RE is a member of an integrated and synchronized system that includes one or more WatchGuard VISTA® body-worn cameras, the VISTA units can choose to follow the state of the 4RE and also enter Covert Mode. Both the in-car system and body-worn cameras will appear to be turned off.
CAPTURING BACKSEAT CONFESSIONS
WITH COVERT MODE AND THE 4RE® IN-CAR CAMERA SYSTEM

Practical Application

Exiting the Vehicle While the Suspect Remains in the Back Seat
Place the system in Covert Mode well in view of the suspect sitting in the back seat and exit the vehicle. Covert Mode is entered by pressing and holding the system power button for three seconds. To the suspect, the officer appears to be turning off the system.

While in the Vehicle with the Suspect in the Back Seat
Place the system in Covert Mode well in view of the suspect sitting in the back seat and stay in the vehicle. To the suspect, the officer appears to be turning off the system and will shortly become comfortable with saying things “off camera”.

Summary
When used in accordance with agency policy, covert recordings of suspect activities while seated in the backseat of the patrol car can provide valuable and admissible video and audio evidence, strengthening an agency’s case and streamlining the judicial process.