



Greensboro Police Department

BODY WORN CAMERAS...

WHAT ABOUT THE VIDEO?



Greensboro Police Department

Body Worn Cameras

Three Key Questions:

- **How long should video be maintained by the agency?**
- **Which videos are not protected from public release either by laws concerning evidence or laws concerning employee personnel files?**
- **Are there any additional privacy concerns for the citizens that are captured on video, or the private locations in which some video is captured ?**



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Body Worn Cameras

Retention Policy

Current Retention Policy:

- **All video captured by BWC is placed into one of five different categories.**
- **Each BWC category is associated with a retention time period, in order to satisfy requirements set forth in Standard 9 of the N.C. Records Retention and Disposition Schedule for Municipalities.**
- **A Retention Policy permits for the management of overall data storage quantities, which allows for budgetary predictions that are necessary for sustaining a BWC program.**



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Retention Policy

Retention Categories

Category	Retention Period
Citizen Contact, Non-Criminal	90 days
Criminal Investigation	3 years
Vehicle Stop/Crash – Warning or Infraction	90 days
Vehicle Stop/Crash – Criminal Charge	3 years
Non-Citizen Involvement	90 days
Field Training Video	1 Year
Administrative Investigation	Indefinitely



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Retention Policy

Retention Categories

Citizen Contact, Non-Criminal: Video of an interaction with a citizen that is not part of a criminal investigation, nor results in a criminal charge.

- 90 days



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Retention Categories

Criminal Investigation: Video of an interaction, or otherwise of evidentiary value, to any case that has resulted in, or could result in, a criminal charge being made.

- 3 years



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Retention Categories

Vehicle Stop/Crash – Warning or Infraction:

Video of a vehicle stop resulting in a verbal or written warning, or resulting in a citation being issued for an infraction, regardless of the reason for the stop.

- 90 days



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Retention Categories

Vehicle Stop/Crash – Criminal Charge:

Video of a vehicle stop resulting in a criminal charge being made, when either a citation was issued for a misdemeanor charge or an in custody arrest was made, regardless of the reason for the stop.

- 3 years



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Retention Categories

Non-Citizen Involvement: Video that does not contain an interaction with a citizen, suspect or associated with any other category.

- 90 days



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Retention Policy

Retention Categories

Policy also requires that an officer additionally upload any videos that are related to cases of felony charges into our Records Management System, which has no retention period. This allows the videos to be maintained beyond 3 years, in accordance with Standard 9.



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Retention Policy

Retention Categories

‘Field Training Video’ and ‘Administrative Investigation’ are supplemental categories used within our agency. They are used in addition to the five primary categories, to enhance the retention period.



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Retention Policy

Considerations

- **Depending on required retention time periods for video, what costs are expected to be incurred by agencies?**
- **Can the cost of video storage make sustaining a BWC program cost prohibitive to agencies?**
- **Could a statewide video repository system or cloud based storage provide for a uniform and affordable way for all agencies to maintain videos consistently for a predetermined time period? Would this also facilitate direct access to videos by the State court system?**



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Retention Policy

Considerations

- **Just because a video was captured in the course of an agency responding to a particular situation, is all of that video really discoverable or considered evidence in the case of any criminal charges that are subsequent to that response?**
 - **Depending on the nature of the response, multiple officers might initially respond, but some end up being cancelled prior to their arrival or engagement with anyone on the scene.**



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Retention Policy

Considerations

- **If officers are involved in the directing of traffic around a scene or providing crime scene security on an outer perimeter:**
 - **Would their video be evidence?**
 - **Would their video be discoverable?**
 - **If deemed discoverable, but not evidence, would this video have a different required retention period?**



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Which videos are statutorily protected?

Different Types of Video

- **Evidence in a Criminal Case**
- **Video that is discoverable in a Criminal Case, but does not appear to have any evidentiary value**
- **Video that is directly related to and attached or included in an employee's personnel file (i.e. specific video that is attached to a complaint investigation, a performance evaluation document, etc.)**
- **Video that does not fall within any of the other groups**



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PUBLIC PLACE ?

- OR -

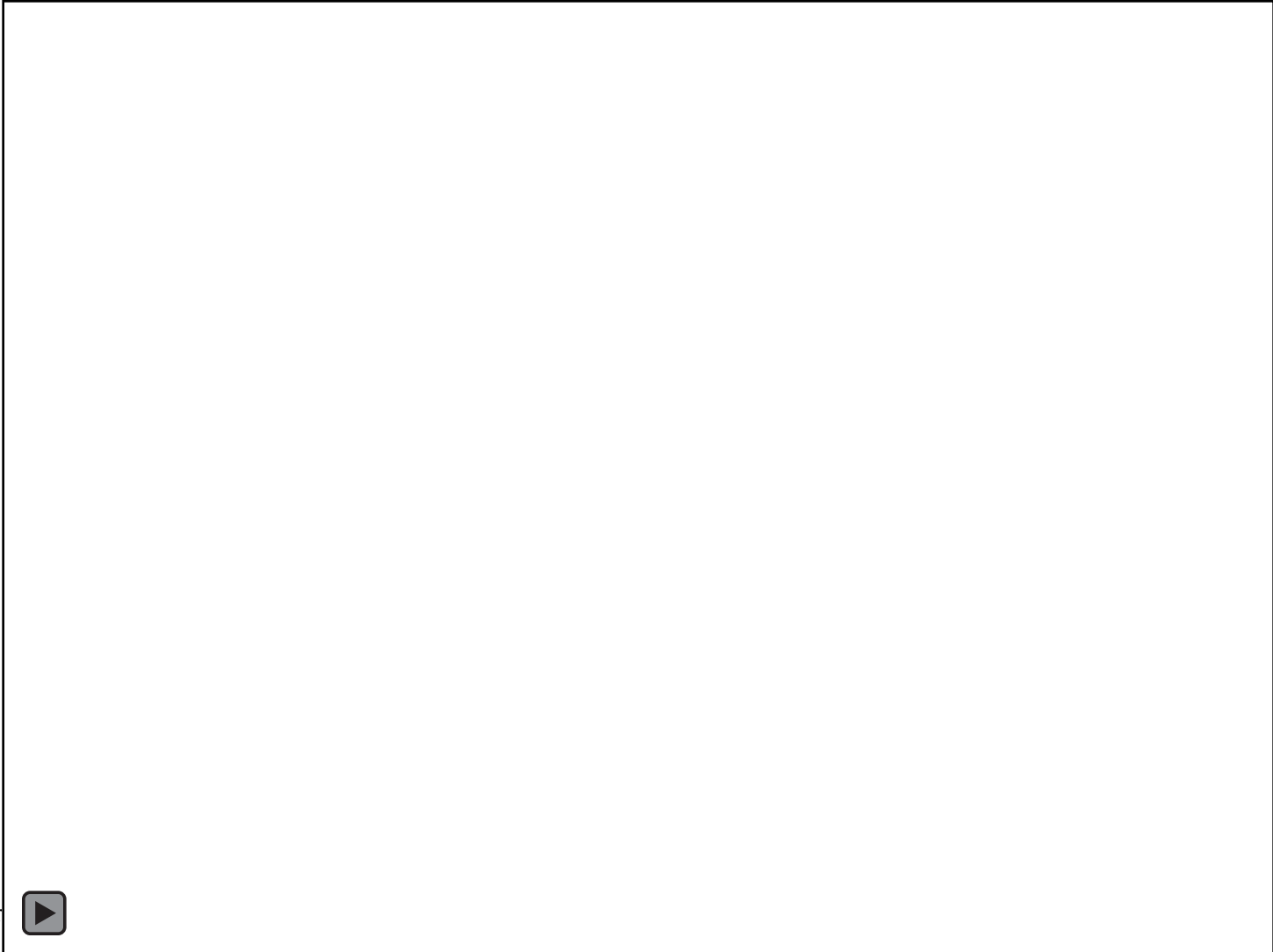
PRIVATE SPACE ?



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When does video become private ?





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Public Place, or Private Space ?

Considerations

- If we are going to publicly release video that is not statutorily protected, and that is captured in a public place, what logistical and financial implications will this have for agencies?
 - How much of each video must be viewed prior to release to ensure the video is captured only in a public place?
 - What method or medium of media should be used to facilitate video release?



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Public Place, or Private Space ?

Considerations

- **If we are going to publicly release video that is not statutorily protected, and that is captured in a public place, what logistical and financial implications will this have for agencies?**
 - **If there is such an extreme cost associated with the review of video prior to release, as compared to the initial and annual cost of equipment and storage, who might fund the portion of a BWC program pertaining to release of video?**



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Public Place, or Private Space ?

Considerations

- **Should we only release video to persons having a direct interest in the video?**
 - **Is all video that is not statutorily protected automatically available to any member of the public?**
 - **Should we only release video to someone captured on the video, a parent or guardian of someone captured on video, someone legally representing a person captured on video, the property owner of a private location where the video was captured, etc?**



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QUESTIONS?