

# CAMDEN COUNTY POLICE DEPARTMENT



**DISTRIBUTION:** All Bureaus-Sworn Personnel and SLEO II, BWC Administrator

**ORDER TYPE:** Standard Operating Procedure

**SUBJECT: BODY-WORN CAMERAS**

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**BY THE ORDER OF:**

Chief Gabriel Rodriguez

**SUPERSEDES DIRECTIVE:**

**PURPOSE:** The purpose of this directive is to maintain department policy and standard operating procedures for the use, management, storage, and release of audio-visual media recorded by body-worn video/audio cameras (BWCs). BWCs are intended to enhance officer safety, promote accountability, produce effective materials for training, and produce an additional method of collecting evidence to prosecute those who violate the law.

This directive was designed in accordance with best practices from around the law enforcement community and in congruence with the Bureau of Justice Assistance toolkit for the implementation of body-worn cameras. The directive is compliant with the *New Jersey Attorney General Directive 2022-1* and was developed through a process of collection and consideration of community input on BWC policy.

**POLICY:** It is the policy of the Camden County Police Department to utilize body-worn video/audio cameras (BWC) to assist agency personnel in the performance of their duties by providing an accurate and unbiased recorded account of an incident.

## PROCEDURE:

### I. DEFINITIONS AND TERMINOLOGY

- A. Activate: To actuate the recording mode/function of a body-worn camera.
- B. Body worn camera (BWC): A device worn by a law enforcement officer that makes an electronic audio and video recording of activities that take place during any law enforcement action. The term does not include a mobile video recording device when mounted inside a police vehicle (e.g., a dash cam). The term also does not include any form of electronic recording device worn by a law enforcement officer while acting in an undercover capacity. Nor does the term include an electronic recording device when used to comply with the requirements of [New Jersey Court Rule 3:17](#) (Electronic Recording of Stationhouse Custodial Interrogations).
- C. Civilian employee: This includes civilian county employees, contractors, and/or agents of the department.
- D. Constructive authority: Shall have the same meaning as defined in the Attorney General's Use of Force Policy, except that the term shall apply only to constructive authority directed against a person who is subject to investigative detention or arrest (e.g., "*show me your hands*," "*get out of the vehicle*", etc.), or directed against a person if the officer has un-holstered a handgun or a conducted energy device (e.g., "*move out of the way*", "*get down*", etc.).
- E. Created: An initial report is considered created once the reporting officer completes, signs, and submits the report for supervisor approval. An initial statement or interview is considered created at the time the initial statement or interview is completed.
- F. Equipped with a BWC: This shall mean that a law enforcement officer is actually wearing a BWC at the time in question, as opposed to simply receiving BWC equipment from their agency.
- G. Force: Shall have the same meaning as defined in this agency's directive on *Use of Force*. The term force shall include physical, mechanical, enhanced mechanical, and deadly force.
- H. Independent investigator: Independent investigator means the law enforcement entity tasked with primary responsibility for investigating a specified law enforcement Incident and, where appropriate, determining whether to present a proposed indictment regarding the principal(s) for their role(s) in a law enforcement Incident.
- I. Investigation of a criminal offense: Any police activity pertaining to the investigation of an indictable crime, disorderly persons offense, or petty disorderly offense, including but not limited to responding to a report of a possible criminal offense, investigative detention based on or leading to reasonable and articulable suspicion to believe that a criminal offense has been or is being committed, an arrest for a criminal offense, an interview of a potential witness to a criminal offense, or canvassing an area, neighborhood, or premises for potential witnesses to a criminal offense.
- J. Law enforcement incident: Law enforcement incident includes any of the following incident types:
  - 1. Any use of force by a law enforcement officer resulting in death,

2. Any use of force by a law enforcement officer resulting in serious bodily injury,
  3. Any use of deadly force (including the discharge of a firearm) by a law enforcement officer, regardless of whether such force resulted in injury,
  4. The death of any civilian during an encounter with a law enforcement officer and
  5. The death of any civilian while in the custody of law enforcement.
- K. Officer: Includes all sworn members of the Camden County Police Department.
- L. Mute: a feature/mode of the BWC when the officer deactivates the audio portion of the recording. Video is still being recorded in while mute mode is activated.
- M. Proactive enforcement team: The proactive enforcement team includes officers who are typically assigned to target vices, drugs, organized street crime, violent crime, and/or any other targeted enforcement. Unlike officers who are responsible for responding to traditional calls for service, these officers are typically assigned the singular responsibility of addressing the aforementioned activities, and they are sometimes referred to as crime suppression units. The nature of their work is varied and may include being dressed in traditional uniform, modified uniform, or plain clothes. These officers may work alongside undercover officers, conduct surreptitious surveillance, engage in high-intensity enforcement via motor vehicle/pedestrian stops, and/or interact with confidential informants or witnesses who wish to remain anonymous.
- N. School: A school is a public or nonpublic elementary or secondary school within this state offering education in grades kindergarten through 12, or any combination of grades, at which a child may legally fulfill compulsory school attendance requirements.
- O. Serious bodily injury: Serious bodily injury means bodily injury that creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ. Serious bodily injury and serious bodily harm have the same definition for purposes of this policy ([N.J.S.A. 2C:11-1\(b\)](#) and [N.J.S.A. 2C:3-11\(d\)](#)).
- P. Significant bodily injury: Significant bodily injury means bodily injury, which creates a temporary loss of the function of any bodily member or organ or temporary loss of any one of the five senses ([N.J.S.A. 2C:11-1\(d\)](#)).
- Q. Stand-by mode: When BWC is powered on and buffering but is not in Event Mode (recording).
- R. Subject of the video footage: Any law enforcement officer, suspect, victim, detainee, conversant, injured party, or other similarly situated person who appears on the BWC recording and shall not include a person who only incidentally appears on the recording.
- S. Substantive report: A substantive report shall include a detailed accounting of the incident. It does not include a report, for example, which simply refers to other reports or to the existence of BWC or other camera recordings.
- T. Tactical team: A team of officers who are specially selected, trained, and equipped to handle high-risk incidents, including, but not limited to, those involving snipers, barricaded persons, warrant services, apprehensions, acts of terrorism, and other situations or activities as deemed necessary by command leadership.

- U. Youth facility: A youth facility is a location where children assemble under adult supervision for educational or recreational purposes, such as group homes, residential facilities, day-care centers, day treatment centers, etc.

## II. PURPOSE AND GUIDELINES FOR BODY-WORN CAMERA (BWC) RECORDINGS

- A. BWC recordings will serve the following purposes:
1. Recordings serve as protection for both the public and officers when there are complaints about officer conduct during police-public engagement.
  2. The recordings can be introduced into evidence in criminal and motor vehicle prosecutions as well as in civil litigation.
  3. The recordings can resolve disputes concerning what occurred during particular incidents, thereby protecting both the public and the officers involved.
  4. The recordings can enhance the ability to hold both officers and members of the public accountable for their behavior during contacts.
  5. When complete recall is not possible, such as when multiple events are happening simultaneously or out of an officer's line of sight, an audio/visual recording can provide an accurate record of events.
  6. Subject to the viewing restrictions in this directive, supervisors may view recordings and select portions to train officers in safety, de-escalation, empathy, proper police procedures, and legal doctrines.
  7. Subject to the viewing restrictions in this directive, recordings can permit more meaningful performance evaluations.
  8. Subject to the viewing restrictions in this directive, recordings augment management's ability to evaluate its basic police practices and interactions between its personnel and the general public.
- B. While visual and audio evidence may be captured on the recordings, the use of BWCs is not intended to document all evidentiary material relevant to court or administrative proceedings, but it can serve to supplement an officer's senses and eyewitness account.
1. Officers shall not be subject to criticism for the proper exercise of lawful discretion in enforcement matters.
  2. BWC may only be utilized for legitimate law enforcement purposes.
- C. All personnel (sworn and/or civilian) wearing/utilizing a BWC shall use this equipment (including accessing recordings) consistent with the manufacturer's guidelines, agency directives, and directives, guidelines, and policies issued by the New Jersey Attorney General and Camden County Prosecutor's Office. An officer who knowingly fails to comply with these directives will be subject to discipline.
- D. The Camden County Police Department website (page) maintains a clearly identifiable link to the department's body-worn camera policy. The website posting includes an image showing what the device looks like and how it is to be worn by uniformed officers so that citizens will be able to determine whether an officer is equipped with the BWC device.

### III. BODY-WORN CAMERA (BWC) OPERATIONAL RESPONSIBILITIES

- A. Officers can only use a BWC system that has been issued and approved by the department.
- B. BWCs shall be used only in the performance of official police duties and not for personal purposes.
- C. The agency shall maintain a training program curriculum and managed directly by the department's BWC administrator. The curriculum content and instruction shall ensure that officers equipped with BWC and/or officers, supervisors, and civilian employees who access, review, and/or handle BWC recordings are familiar with and demonstrate a satisfactory degree of understanding and working knowledge of the provisions of this directive, Attorney General directives and policies, Camden County Prosecutor directives, and all applicable laws of the state before wearing and operating an assigned BWC.
  - 1. Only officers and supervisors who have received training in the use and/or review of BWCs and related recordings are permitted to use this system and must demonstrate a satisfactory degree of familiarity and efficiency in the use of this system.
  - 2. The proper use of a BWC is considered an essential job requirement.
  - 3. The BWC administrator is also responsible for:
    - a. Providing or directing initial training to all newly hired officers/supervisors or officers/supervisors who were not previously trained.
    - b. Providing or directing periodic refresher training, as required, to ensure the continued effective use and operation of the equipment.
    - c. Providing or directing initial and refresher training to non-sworn personnel whose responsibilities include accessing, copying, or distributing BWC records.
    - d. Providing or directing supplemental training as part of this department's progressive disciplinary processes.
    - e. Providing or directing training to officers, supervisors, and commanders whose responsibilities include reviewing BWC recordings.
- D. No BWC recording will be accessed, viewed, copied, disseminated, or otherwise used by a sworn officer, supervisor, or civilian employee of the department except for an official purpose specified in this directive or by law,
- E. BWC recordings are not a replacement for written reports. Under no circumstances will officers simply refer to a BWC recording on an investigation report instead of detailing the facts and circumstances of their investigation/observations. Community information reports are not required following incidental-benign contacts when the BWC is activated.
- F. When not in use, BWCs shall be stored in the designated docking stations at the station houses. The docking stations allow for the units to be charged and for the download of events to the BWC server.

- G. Officers equipped with BWCs are responsible for determining that the device is fully functional and that its battery is adequately charged at the start of their duty shift and before going into the field. If a malfunction is detected, officers shall report the malfunction to a supervisor before going into the field. If the BWC malfunctions while out in the field, the malfunction upon its discovery shall be reported to the officer's supervisor as soon as it is safe and practicable to do so.
1. Officers assigned to BWCs are responsible for ensuring the BWC remains in a position to allow the recording of an encounter or incident and is in good working order.
    - a. Prior to beginning a shift, officers assigned a BWC will ensure its readiness by conducting an operational inspection. Officers shall also inspect BWCs at the conclusion of each shift to ensure system integrity.
    - b. When conducting the pre and post-shift inspections, the officer shall activate the BWC and verbally state the date and time, whether a pre- or post-shift inspection is being conducted, and whether a test is being performed on the unit.
    - c. Any malfunctions or deficiencies shall be noted by the officer on an information report.
    - d. Any problems preventing the use of the unit during the shift will be reported to the shift supervisor, and a CAD record will be generated, noting the details of the problem.
    - e. Officers will dock their BWC for download to the BWC docking station upon completion of their shift and prior to making relief.
  2. Repairs to any BWC equipment will only be performed under the direction of the BWC administrator or his/her designee. Malfunctioning BWC shall be marked and tagged out of service.

#### **IV. WEARING BODY-WORN CAMERAS**

- A. Officers assigned BWCs shall wear and utilize the BWC at all times while on duty, including primary and secondary employment, except as provided in subsection IV.D.
- B. Officers shall wear the BWC mounted to the front of the uniform on the chest using the mounting equipment provided by the manufacturer.
- C. The following officers are required to be equipped with BWCs and adhere to the provisions of this directive when performing their duties:
  1. All uniformed officers (including Class II special law enforcement officers) while acting in the performance of official duties, as required by [N.J.S.A. 40A:14-118.3](#). This shall include uniformed officers assigned to traffic law enforcement and special events.
  2. All officers assigned to or assisting tactical teams as defined in this directive. Tactical Teams shall include S.W.A.T. (Special Weapons and Tactics), S.R.T. (Special Response Team), T.E.A.M.S. (Technical Emergency and Mission Specialists), Entry Teams, Rapid Deployment, Fugitive, Narcotics or similar assignments.

3. All officers assigned to proactive enforcement teams as defined in this directive.
  4. Canine handlers.
  5. All officers whose assigned duties include regular interaction with members of the public, which reasonably may give rise to an arrest situation or use of force.
  6. All officers assigned to front desk duty, whose duties include interaction with members of the public who enter department facilities to report incidents or request assistance or information.
  7. All officers assigned to a pre-planned search warrant service or a pre-planned arrest. This shall include pre-planned searches and arrests performed pursuant to statutory authority.
  8. All uniformed officers assigned to duties at demonstrations or potential civil disturbances.
- D. Notwithstanding the provisions of subsection IV.D, the following officers are not required by this directive to be equipped with BWCs:
1. Officers engaged in undercover assignments.
  2. Officers assigned to administrative positions. This provision shall not exclude officers assigned to front desk duty, as defined in subsection IV.D, from the requirement to be equipped with BWCs.
  3. Officers meeting with confidential sources or recruiting potential confidential sources.
  4. Officers engaged in union representation of a member of the collective bargaining unit.
  5. Officers assigned to duties within schools or youth facilities as part of the normal daily educational environment, such as school resource officers (SROs) and Class III special law enforcement officers (SLEO IIIs). Officers assigned to duties at schools or youth facilities working security or crowd-control functions at special events such as athletic competitions, graduations, or similar public events shall be equipped with BWCs.
  6. Non-uniformed officers are assigned to investigative, non-enforcement duties when authorized by the Chief of Police or his/her designee.
  7. Officers engaged in crime-scene processing duties.
  8. Officers engaged in duties as bomb or explosives technicians.
  9. Officers conducting searches of cellphones, tablets, computers, or other electronic devices pursuant to a search warrant when such items have already been seized, and the search is performed at a location other than the premises of the initial search and seizure.
  10. Officers conducting searches of cellphones, tablets, computers, or other electronic devices that are suspected to contain images of child sexual exploitation.

## V. ACTIVATION OF BODY-WORN CAMERAS

- A. The decision to electronically record an encounter is not discretionary. Officers shall activate their BWC without unnecessary delay upon being dispatched and in the case of self-initiated events—prior to civilian engagement and/or immediately upon observing circumstances supporting constitutional justification, when feasible.
- B. If an officer fails to activate the BWC, fails to record the entire event contact, or interrupts the recording, the officer shall document in an information report and the applicable investigation-incident report why a recording was not made, was interrupted, or was terminated. The officer shall immediately notify the watch commander of any such occurrence via the chain of command.
- C. When a BWC is activated, officers shall provide narration when practical and appropriate in an effort to augment the value of the recording and to provide clarity for the viewer.
- D. The following circumstances shall be recorded unless there exists an immediate threat to the officer's life or safety that makes such activation impossible or dangerous; in such situations, the officer shall activate the camera at the first reasonable opportunity to do so, and it shall remain activated until the encounter has fully concluded, and the Officer leaves the scene:
  - 1. The officer initiates an investigative detention (e.g., a *Delaware v. Prouse* traffic stop, a *Terry v. Ohio* criminal suspicion stop, or a checkpoint or roadblock stop),
  - 2. The officer is responding to a call for service and is at or near the location to which the officer has been dispatched,
  - 3. The officer is conducting a motorist aid or community caretaking check,
  - 4. The officer is interviewing a witness in the course of investigating a criminal offense, domestic violence offense, or traffic crash investigation,
  - 5. The officer is conducting a custodial interrogation of a suspect unless the interrogation is otherwise being recorded in accordance with Rule 3:17 (electronic recordation of station house interrogations),
  - 6. The officer is conducting a protective frisk for weapons,
  - 7. The officer is conducting any kind of search (consensual or otherwise), including the service of a search warrant but not strip or body cavity searches,
  - 8. The officer is making an arrest,
  - 9. The officer is transporting an arrestee to a police station, county jail, or other place of confinement, or a hospital or other medical care or mental health facility,
  - 10. When an officer uses constructive authority or force or reasonably believes that constructive authority or force may be used in any encounter or situation not otherwise listed in this subsection based on specific and articulable facts warranting heightened caution that are documented by narration on the recording and/or in any investigation or incident report,



11. The officer is engaged in a police response to any type of civil disorder, strike, picket line, demonstration, or protest in circumstances when the officer is engaged with or in the presence of civilians, and the officer or any other officer on the scene may be required to employ constructive authority or force,
  12. Notwithstanding any other provision of this directive, when an officer equipped with a BWC is dispatched to or otherwise goes to the scene of an incident knowing or reasonably believing that police deadly force has been or is being employed, or to a scene where an officer has requested emergency assistance (e.g., an officer in distress, shots fired, etc.),
  13. The officer reasonably believes that any other officer on the scene has undertaken or is engaged in any of the foregoing police actions/activities.
- E. To ensure that the entire encounter/event/episode is recorded, in accordance with this directive and the law, a BWC should be activated before a uniformed officer arrives at the scene of a dispatched call for service or other police activity listed in Section VI.
1. Except as otherwise expressly provided in Section VI or any other provision of this directive, when a BWC is required to be activated by an officer pursuant to this directive, the device shall remain activated throughout the entire encounter/event/episode and shall not be deactivated until it is concluded (e.g., the BWC-equipped officer has left the scene, all civilians involved in the encounter have left the scene, the officer has informed the dispatcher or a supervisor that the event has concluded, the event is closed in CAD).
  2. When a BWC is activated pursuant to subsection V.D (transport of arrestee), whether by an officer in uniform or in plain clothes, it shall remain activated at all times while the BWC-equipped officer is in the presence of the arrestee and until the arrestee is secured in the holding cell or processing room, or until the arrestee is with hospital/medical/mental health personnel. BWCs may be deactivated in a hospital/medical/mental health facility setting. However, consistent with section VII, in situations where an officer reasonably believes that the officer or another person is likely to use force, the BWC shall be reactivated as soon as it is safe and practicable to do so.
  3. Camden County Jail: The transporting officer(s) will deactivate their BWC after 1) their patrol vehicle is parked inside and 2) it is secured within the security enclosure of the Camden County Jail sally port. At this time, the Camden County Jail surveillance cameras will take over the video recording of the detainee's movements and custody transfer. The BWC deactivation is a requirement of the Camden County Jail.
- F. Consistent with the provisions of N.J.S.A. 2C:33-15a(4), the video and audio recording functions of an officer's BWC shall be activated whenever the officer is responding to a call for service related to an underage person who is suspected of violating the law with respect to possessing or consuming an alcoholic beverage, marijuana, hashish, or a cannabis item, or at the initiation of any other law enforcement or investigative encounter between an officer and a person related to a violation or suspected violation of that provision. The BWC shall remain activated until the encounter has fully concluded and the officer leaves the scene and shall not be deactivated based on a request by a person who is the subject of the call for service related to a violation of N.J.S.A. 2C:33-15 or for any other reason.

- G. Notwithstanding any other provision of this directive, when an officer equipped with a BWC is dispatched to or otherwise goes to the scene of a law enforcement incident as defined herein, the officer shall activate the BWC before arriving at the scene when feasible. Notwithstanding any other provision of this directive, an officer, while at the scene of a law enforcement incident (see definitions), shall not deactivate the BWC unless instructed to do so by the Chief of Police or Internal Affairs Division Commander, acting in accordance with the instructions of the assistant prosecutor or assistant or deputy attorney general supervising the investigation of the deadly-force incident, or their designee. Such instruction may be given telephonically by the assistant prosecutor, assistant or deputy attorney general, or designee supervising the investigation.
- H. A BWC shall be activated only while performing official police duties and for the purpose of recording incidents, investigations, and police-civilian encounters involving those law enforcement activities specified in this directive. A BWC shall not be activated while the officer is on break or otherwise is not actively performing law enforcement functions (e.g., while eating meals, while in a restroom, etc.). A BWC shall not be activated or used by an officer for personal purposes or when engaged in police union business. Nor shall a BWC be used to record conversations involving counseling, guidance sessions, personnel evaluations, or any similar supervisory interaction. Any recordings from a BWC recorded in contravention of this directive or any other applicable law shall be immediately brought to the attention of the Chief of Police and immediately destroyed by the Chief's designee following consultation and approval by the County Prosecutor or Director of the Office of Public Integrity and Accountability. Such footage shall not be admissible as evidence in any criminal, civil, or administrative proceeding except as evidence in any proceeding related to the unauthorized use of a BWC.
- I. If an officer fails to activate the BWC, fails to record the entire event contact, or interrupts the recording, the officer shall document in the applicable investigation-incident report the reasons why a recording was not made, was interrupted, or was terminated.
- J. The BWC is a self-contained unit and does not emit an outside signal or receive or transmit upon any frequency; therefore, officers shall activate the BWC when responding to a call for service or incident involving a bomb threat or suspicious device. The use of police radios or cellular devices shall be restricted in adherence to department directive concerning its *All-Hazards Plan*.

## **VI. NOTIFICATION OF BWC ACTIVATION TO THE PUBLIC**

- A. An officer who is wearing a BWC shall notify the subject of the recording that the subject is being recorded by the BWC unless it is unsafe or infeasible to provide such notification. Such notification shall be made as close to the inception of the encounter as is reasonably possible. If the officer does not provide the required notification because it is unsafe or infeasible to do so, the officer shall document the reasons for that decision in a report or by narrating the reasons on the BWC recording or both. The failure to verbally notify a person pursuant to this section shall not affect the admissibility of any statement or evidence. See *Attorney General Directive 2022-1*, subsection II.A (non-enforceability by third parties).
- B. If a civilian inquires of an officer whether the officer is equipped with a BWC or inquires whether the device is activated, the officer shall answer truthfully unless the Chief of Police, acting in accordance with Attorney General directives and policies, has expressly authorized the officer to make a covert electronic recording.

- C. Prior to entering a private residence, officers shall notify the occupant that the occupant is being recorded by the BWC, and if the occupant requests the officer to discontinue use of the BWC, the officer shall immediately discontinue use of the BWC unless the officer is actively engaged in investigating the commission of a criminal offense, or is responding to an emergency, or reasonably believes that the officer will be required to use constructive authority or force. A request to discontinue the use of a BWC made to an officer pursuant to this Section, and the response to the request shall be recorded by the recording system prior to discontinuing use of the recording system.
- D. When interacting with an apparent crime victim, officers shall, as soon as practicable, notify the apparent crime victim that they are being recorded by the BWC, and if the apparent crime victim requests the officer to discontinue the use of the BWC, the officer shall immediately discontinue use of the BWC. A request to discontinue the use of a BWC made to an officer pursuant to this Section, and the response to the request shall be recorded by the recording system prior to discontinuing use of the recording system.
- E. When interacting with a person seeking to anonymously report a crime or assist in an ongoing law enforcement investigation, officers shall notify the person that they are wearing a BWC, and if the person requests that the officer discontinue the use of the BWC, the officer shall evaluate the circumstances and, if appropriate, discontinue use of the BWC. A request to discontinue the use of a BWC made to an officer pursuant to this section, and the response to the request shall be recorded by the recording system prior to discontinuing use of the recording system.

## **VII. DEACTIVATION OF BODY-WORN CAMERAS**

- A. Notwithstanding subsection V.D, an officer may deactivate a BWC when a civilian conversing with the officer requests that the device be turned off under circumstances where it reasonably appears that the person will not provide information or otherwise cooperate with the officer unless that request is respected. The officer shall not suggest to the person that the BWC should be deactivated, nor shall the officer ask the person whether they would prefer that the BWC be deactivated. Rather, the request for deactivation shall be self-initiated by the civilian. The officer may explain the consequences of deactivation (e.g., evidence relevant to a criminal investigation will not be recorded). In deciding whether to deactivate the BWC, the officer shall consider the privacy and safety interests of the person requesting deactivation, whether the encounter is occurring in the person's residence, and the need for the information or assistance that the person will provide only if the deactivation request is honored.
- B. Notwithstanding subsection V.D, an officer may deactivate a BWC when a person, other than an arrestee, is seeking emergency medical services for him or herself or another and requests that the BWC be deactivated. In deciding whether to deactivate the BWC, the officer shall consider the privacy interests of the person requesting deactivation and the person in need of medical assistance.
- C. When an officer deactivates a BWC pursuant to subsections VII.A or VII.B, the following procedures shall be followed:
  - 1. The discussion between the officer and the civilian concerning the request for deactivation shall be electronically recorded,
  - 2. The officer, before deactivating the BWC, shall narrate the circumstances of the deactivation (e.g., "*I am now turning off my BWC as per the victim's request.*"),
  - 3. The officer shall report the circumstances concerning the deactivation to their supervisor as soon as is practicable, and

4. The officer shall document the circumstances of the deactivation in any investigation or incident report concerning the incident under investigation. See also subsection X.B (notations (i.e., 'tagging') to indicate BWC recordings that raise special privacy or other issues).
- D. If an officer declines a request to deactivate a BWC pursuant to subsections VII.A or VII.B, the reasons for declining the request (e.g., the officer believes that there is a reasonable possibility that it may be necessary to use constructive authority or force during the encounter) shall be documented by narrating the reason for declining the request on the recording and shall be reported to the watch commander via the chain of command as soon as it is safe and practicable to do so.
- E. If an officer declines a deactivation request, the officer immediately shall inform the person making the request of that decision. An officer shall be prohibited from misleading the person making the deactivation request pursuant to subsections VII.A or VII.B into believing that the BWC has been turned off when, in fact, it is operating unless the Chief of Police, acting in accordance with Attorney General Directives, has expressly authorized the officer to make a covert electronic recording. An officer may not decline a request from an apparent crime victim to discontinue recording the encounter via the BWC.
- F. Notwithstanding subsection V.D, and subject to the requirements of subsection V.D, a BWC-equipped officer may deactivate a BWC while participating in a discussion pertaining to criminal investigation strategy and planning (e.g., to consider what investigative techniques to pursue, such as what questions to pose to a suspect or witness, whether to summon a drug/explosives detection canine, whether to apply for a search warrant, whether to request permission to conduct a consent search, or to conduct another type of warrantless search, etc.), provided that the strategy/planning discussion is not conducted in the immediate presence of a civilian (i.e., under circumstances where a civilian might overhear the strategy discussion), and further provided that the BWC equipped officer is not actively engaged in the collection of physical evidence (i.e., conducting a search). When an officer deactivates a BWC pursuant to this subsection, the officer shall narrate the circumstances of the deactivation (e.g., "I am now turning off my BWC to discuss investigative strategy with my supervisor.").
- G. When a BWC is deactivated, officers shall immediately, prior to BWC deactivation, state the time and provide narration where practical and appropriate in an effort to augment the value of the recording and to provide clarity for the viewer.
- H. In any instance when a BWC was deactivated pursuant to this directive, the device shall be reactivated as soon as it is safe and practicable to do so if and when the circumstances justifying deactivation no longer exist (e.g., the interview of the person requesting deactivation is completed), and the officer would otherwise be required to activate the BWC (e.g., where the officer proceeds to other investigative activities that are required to be recorded pursuant to this directive).
- I. Notwithstanding any other provision of this directive, in any instance where a BWC was deactivated pursuant to the provision of this directive, or deactivated pursuant to any order issued by a department member, in situations where an officer reasonably believes that the officer or another person is likely to use force, the BWC shall be reactivated as soon as it is safe and practicable to do so.

## VIII. SPECIAL RESTRICTIONS ON BWC ACTIVATION

- A. Notwithstanding subsections V.D and V.E of this directive, and except as otherwise required by subsection V.G, unless the officer is actively engaged in investigating the commission of a criminal offense, is responding to an emergency, or reasonably believes that they will be required to use constructive authority or force, the officer shall not activate a BWC or shall deactivate a BWC that has been activated, while the officer is:
1. In a school or youth facility or on school or youth facility property under circumstances where minor children would be in view of the BWC,
  2. In a patient care area of a healthcare facility, medical office, or substance abuse treatment facility under circumstances where patients would be in view of the BWC, or
  3. In a place of worship under circumstances where worshipers would be in view of the BWC.

If an officer is required to deactivate the BWC in accordance with the provisions of this subsection, the officer shall immediately, before deactivation, narrate the reason for deactivation (e.g., "*I am entering a school building where children are present*"). The BWC shall be reactivated as soon as it is safe and practicable to do so if and when the circumstances requiring deactivation no longer exist (e.g., the officer is conversing with an adult as part of a criminal investigation while in a place within the school where children would not be in view of the BWC).

- B. Notwithstanding the provisions of subsections V.D and V.E of this directive, and except as otherwise required by subsection V.G, an officer shall not activate a BWC or shall deactivate a BWC that has been activated if the officer knows or reasonably believes that the BWC would risk revealing the identity of an undercover officer or confidential informant or otherwise would pose a risk to the safety of an undercover officer or confidential informant, unless such activation is expressly authorized by a supervisor, or unless the exigency of the situation and danger posed to an officer (e.g., active shooter, actual use of police force, officer in distress, etc.) require that the encounter/incident be recorded, in which event the officer shall inform their supervisor that the recording risks revealing the identity of an individual as an undercover officer or confidential informant.
1. Notwithstanding the foregoing general rule prohibiting the recording of an undercover officer or confidential informant, in the event of a planned arrest/search warrant execution where it is expected that an undercover Officer or confidential informant would be present (e.g., a raid where the undercover operative will be arrested to preserve their cover), the County Prosecutor or designee, or the Director of the Division of Criminal Justice or designee, may provide specific instruction to any BWC- equipped Officers participating in the operation on whether to activate their devices.
  2. The BWC shall be activated/reactivated as soon as it is safe and practicable if and when the risk of capturing the image of an undercover officer or confidential informant no longer exists.

- C. If a BWC is worn during the execution of tactical operations (e.g., special operations, narcotics, or SWAT operations, execution of arrest and/or search warrant, etc.) records confidential tactical information the disclosure of which might jeopardize future operations or officer safety (e.g., verbal codes or hand signals used to communicate information or instructions, techniques for interior movements and clearing rooms, techniques to convince persons to open doors, etc.), the recording shall be ‘tagged’ in accordance with subsection IX.B. See [N.J.S.A. 47:1A-1.1](#) (exempting from disclosure under the *Open Public Records Act* (“*security measures and surveillance techniques which, if disclosed, would create a risk to the safety of persons*”), [N.J.S.A. 47:1A-1 et seq.](#) (2023) (exempting records that may reveal surveillance, security, tactical, investigative, or operational techniques).
- D. An officer shall not activate a BWC while in a courtroom during court proceedings unless the officer is responding to a call for service or is authorized to use constructive force or authority.
- E. In order to eliminate any argument that radio frequency interference from a BWC affected an electronic alcohol breath test, BWCs shall be deactivated, turned off, and removed from the area of the breath test instrument before an electronic breath test is conducted. Nothing herein shall be construed to preclude the use of a BWC to record the behavior of a person arrested for driving while intoxicated other than while the person is in the breath-testing area while the electronic breath-testing device is being operated. If this provision requires the deactivation of a BWC, the officer shall narrate the reasons for deactivation (e.g., “*I am deactivating the BWC because the suspect is about to take a breath test*.”) The BWC shall be reactivated when it is safe and practicable to do so following the completion of the breath testing operation.
- F. A BWC shall not be used surreptitiously. Additionally, a BWC shall not be used to gather intelligence information based on 1<sup>st</sup> Amendment-protected speech, associations, or religion or to record activity that is unrelated to a response to a call for service or a law enforcement or investigative encounter between a law enforcement officer and a member of the public, provided that nothing in this subsection shall be construed to prohibit activation of video and audio recording functions of a BWC as authorized under the law or this directive.

## IX. CATEGORIZING AND TAGGING BWC RECORDINGS

- A. When video/audio footage involving any part of an arrest or significant event is captured, officers shall categorize the recording using the BWC application on their assigned smartphone device prior to clearing the assignment. Additionally, officers shall type/write the letters BWC (including the BWC number) in all capital letters at the beginning of the incident report to signify that video/audio is available for the case. All recordings shall be categorized by selecting one of the following applicable categories:
  - 1. Arrest (Crime): Video involves an arrest for a 1st, 2nd, 3rd, or 4th-degree offenses,
  - 2. Arrest (DP/PDP): Video involves an arrest for a Disorderly Persons or Petty Disorderly Persons Offense,
  - 3. Arrest (DWI): The video involves an arrest for DWI,
  - 4. Arrest (Warrant): The video involves an arrest for active warrant(s),
  - 5. Arrest (Other): The video involves an arrest that does not meet the above criteria,

6. CFS (Homicide): The video involves a call for service involving a Homicide,
7. CFS (Arson): The video involves a call for service involving Arson,
8. CFS (Sex Offense): The video involves a call for service involving a Sex Offense,
9. CFS (Suspicious Death): The video involves a call for service involving a suspicious or unattended death,
10. CFS (Suicide): The video involves a call for service involving a Suicide,
11. CFS (Crime): The video involves a call for service or assignment involving a crime not listed,
12. CFS (PD/PDP): Video involves a call for service or assignment involving a disorderly persons or petty disorderly persons offense,
13. CFS (Missing Person): The video involves a call for service or assignment involving a missing person,
14. CFS (EMS Call): The video involves a call for service or assignment involving assisting EMS that does not meet other category criteria,
15. CFS (Non-Crime): The video involves a call for service or assignment for a non-crime event that does not meet other category criteria,
16. MVA (Fatal): The video involves a motor vehicle accident involving a fatality,
17. MVA (Serious Bodily Injury): The video involves a motor vehicle accident involving serious bodily injuries,
18. MVA (Other): The video involves a motor vehicle accident without a fatality or serious bodily injuries,
19. Car Stop: The video involves a motor vehicle stop,
20. Pedestrian Stop: The video involves an investigative detention of one or more individuals,
21. Mere Inquiry: The video involves a mere inquiry,
22. Pursuit (No Arrest): The video involves a vehicle pursuit where no apprehension is made. (If apprehension – label as arrest),
23. Parking Enforcement: The video involves issuing parking or other ticket to an unoccupied vehicle,
24. Police Vehicle Inspection: The video involves pre-tour or post-tour vehicle inspection,
25. Test: The video involves the performance of body-worn camera functionality or other test,
26. IA: The video involves an Internal Affairs complaint or investigation,

27. Intelligence Value: The video involves some type of intelligence value to law enforcement.
  28. Other: The video does not fall within the aforementioned categories (the operator shall explain what video is involved in the video description field).
- B. To identify BWC recordings that may raise special, privacy, or safety issues, officers shall tag recordings using the BWC application on their assigned smartphone device prior to clearing the assignment. Recordings containing any of the following shall be tagged for privacy-safety by entering 'P' in the field labeled Reference ID:
1. Captures the image of a victim of a criminal offense,
  2. Captures the image of a juvenile,
  3. Were made in a dwelling (e.g., a home, apartment, college dormitory room, hotel/motel room, etc.), a school or youth facility, a healthcare facility or medical office, a substance abuse or mental health treatment facility, or a place of worship,
  4. Captures a conversation with a person whose request to deactivate the BWC was declined,
  5. Captures a special operations event or execution of an arrest and/or search warrant where confidential tactical information (e.g., verbal codes and hand signals used to give direction to Officers, techniques for interior movements and clearing rooms during the execution of a warrant, techniques for convincing persons to open doors during warrant execution, etc.) may have been recorded,
  6. Captures the image of an undercover officer and/or confidential informant, or
  7. It captures the screen of a law enforcement computer monitor that displays confidential personal or law enforcement sensitive information.

#### **X. RESTRICTIONS ON ACCESS AND DISSEMINATION OF BWC RECORDINGS**

- A. A BWC recording tagged pursuant to subsection X.B shall not be accessed, viewed, copied, disseminated, or otherwise used without first obtaining the permission of the Chief of Police, acting in accordance with Attorney General directives and policies.
- B. No law enforcement officer or civilian employee of a law enforcement agency shall access, view, copy, disseminate, or otherwise use a BWC recording except for an official purpose as specified in this section and the law. BWC recordings shall not be divulged or used by any law enforcement agency for any commercial or other non-law enforcement purpose. **Except when restricted (see subsection X.C below),** access to and use of a stored BWC recording is permitted only:
1. When relevant to and in furtherance of a criminal investigation or prosecution; or
  2. When relevant to and in furtherance of an Internal Affairs Division investigation; or
  3. When relevant to and in furtherance of a management review process to identify circumstances indicating possible police misconduct or to determine the existence of a pattern or practice of possible misconduct; or



4. When relevant to a supervisor's review of an officer's actions as part of the supervisory process authorized by the department; or
  5. To show a civilian who intends to file a complaint against an officer to demonstrate what actually occurred during the encounter so that the person can make an informed decision on whether to file the complaint; or
  6. To comply with the state's discovery obligations in prosecutions pursuant to the Rules of Court; or
  7. To comply with any other legal obligation to turn over the recording to a person or entity; or
  8. To show or disseminate the recording to a civilian or a non-law enforcement entity, or to disseminate it to the public, when the County Prosecutor or designee, or Director of the Division of Criminal Justice or designee, determines that disclosure to that particular person/entity or the public is warranted because the person's/entity's/public's need for access outweighs the law enforcement interest in maintaining confidentiality; or
  9. For training purposes, provided that the recording is edited so that the identity of individuals depicted in the recording cannot be determined by persons viewing the training video unless the depicted individuals have consented to the recording being used for training purposes; or
  10. To conduct an audit to ensure compliance with this directive and *Attorney General Directive 2022-1*; or
  11. To enhance officer and public safety by providing intelligence information in preparation for a raid/warrant execution (e.g., by providing information about the layout of premises to be searched) when such use is approved by the County Prosecutor or designee or the Director of the Division of Criminal Justice or designee; or
  12. Any other specified official purpose when the County Prosecutor or designee, or Director of the Division of Criminal Justice or designee, finds in writing that good and sufficient cause exists to authorize access to a particular BWC recording.
- C. To ensure the integrity of the investigation of law enforcement incidents conducted pursuant to [\*Attorney General Directive 2019-4\*](#) and to avoid possible contamination of a witness's personal recollection of events that could undermine their credibility as a witness, notwithstanding any other provision of this Directive, no civilian or law enforcement witness, including the principals of the investigation, shall be given access to or view a BWC recording of the incident, or a BWC recording of the response or on-scene investigation of the incident, without the express prior approval of the Independent Investigator.
- D. Law enforcement officers (including the recording officer and other officers with a need to know) shall be permitted to review or receive an accounting of a BWC recording prior to creating any required substantive initial reports, providing a statement, or submitting to an interview regarding the recorded event, except under the following circumstances:
1. The incident involves the use of force by the officer, when the officer knows or should know that the use of force resulted in significant or serious bodily injury or death; or

2. The incident involves the discharge of a firearm or any other use of deadly force by the law enforcement officer; or
3. The incident involves the death of a person while in law enforcement custody; or
4. The incident involves the death of a person during an encounter with a law enforcement officer; or
5. An incident that the officer knows or has been advised is or will be the subject of an internal affairs complaint relating to the officer's use of force, bias, or dishonesty; or
6. An incident that the officer knows or has been advised is or will be the subject of a civilian complaint relating to the officer's use of force, bias, or dishonesty.

Whenever an officer reviews or receives an accounting of a BWC recording prior to the creation of any report, statement, or interview, the officer shall acknowledge that prior review or receipt of an accounting of the BWC recording, either verbally or in writing within each such report, statement, or interview. The officer shall document each BWC recording that was reviewed and the date of the review.

Nothing in subsection X.D shall be construed to require an officer to review a BWC recording prior to creating any required initial reports, statements, and interviews regarding the recorded event, nor to prevent an officer from reviewing or receiving an accounting of such a BWC recording subsequent to the creation of any required initial report, statement, or interview regarding the recorded event.

As noted above, an officer is prohibited from reviewing or receiving an accounting of a BWC recording in certain scenarios specified in subsections X.D (the 'specified scenarios') prior to the officer documenting or otherwise memorializing the officers' recollection of the incident, namely by creating any required substantive initial report, providing a statement, or submitting to an interview regarding the recorded event ('the specified incident memorialization'). Whenever officers participate in a specified scenario, then officers shall only be permitted to review or receive an accounting of a BWC recording once the investigating entity concludes that (i) the officer has, in fact, completed the specified incident memorialization and (ii) the officer's review or receipt of an accounting of the BWC recording will not otherwise interfere with the ongoing investigation. In cases subject to [Attorney General Directive 2019-4](#), the investigating entity shall be the Independent Investigator. In all other specified scenarios, the investigating entity shall be the Chief of Police or designee. The investigating entity shall document the authorization to review or receive an accounting of a BWC of a specified incident.

- E. Command officers and Internal Affairs Division personnel may review BWC recordings as part of the use of force review protocol or an internal investigation. At no time may a subject **or witness** officer(s) review or receive an accounting of a BWC recording, pursuant to subsections X.C and X.D, prior to creating any required initial reports, statements, and interviews.
- F. Recorded videos of unusual or significant incidents deemed to be beneficial for Departmental training may be utilized for Departmental in-service training purposes only with the approval of the Chief of Police, acting in accordance with Attorney General directives and policies.

- G. A record of all access to stored BWC recordings shall be maintained. The department's record keeping system **can be** automated and shall document the following information:
1. The date and time of access,
  2. The specific BWC recording(s) that was/were accessed,
  3. The officer or civilian employee who accessed the stored BWC recording,
  4. The person who approved access, where applicable, and
  5. The reason(s) for access, specifying the purpose or purposes for access authorized pursuant to subsection X.B, and specifying the relevant case/investigation number, where applicable.

## **XI. SECURE STORAGE AND HANDLING OF BWC RECORDINGS**

- A. The department shall maintain a system and procedures to ensure the integrity and proper handling and storage of all BWC recordings, including a BWC control ledger or log, **which can be maintained electronically and automated**. This system shall include provisions to:
1. Ensure that all recordings are uploaded to a secure data storage system in a timely fashion; and
  2. Prevent tampering with or deletion of recorded data both before and after downloading from the BWC and uploading to the storage system; and
  3. Prevent unauthorized access to stored BWC recordings; and
  4. Document all instances where BWC recordings are accessed, viewed, copied, disseminated, or deleted; and
  5. Permit auditing of all instances where BWC recordings are accessed, viewed, copied, or deleted.
- B. BWC recordings shall only be stored on the camera device (DVR) until the recordings are uploaded onto the appropriate designated charging dock, after which the recordings will be transferred electronically to a designated secure server located within the Information Technology Server Room or to an authorized cloud-based storage site. Employees shall not reproduce or store any recordings on any other device or storage medium. This shall include, but not be limited to, cell phones, electronic notebooks, etc.
- C. In the event that a recording is required for use in court or by another law enforcement agency, that recording shall not be released without the expressed approval of the Chief of Police and only if a duplicate copy is retained by the department. The property/evidence custodian shall ensure that any media used for duplicate recordings is properly stored away from magnetic fields (speakers, etc.) or other areas that may facilitate corruption in the property room.

## **XII. RETENTION AND DELETION OF BWC RECORDINGS**

- A. All BWC recordings shall be retained for a retention period consistent with the provisions of this section, after which time the recording shall be permanently deleted. A BWC recording shall be retained for not less than 180 days from the date it was recorded but shall be subject to additional retention periods as required in subsections XII.B, C, and D.
- B. A BWC recording shall automatically be retained for not less than three years if it captures images involving an encounter about which a complaint has been registered by a subject of the BWC recording.
- C. Subject to any applicable retention periods established in subsection X.D to the extent such retention period is longer, a BWC recording shall be retained for not less than three years if voluntarily requested by:
  - 1. An officer whose BWC made the video recording, if that officer reasonably asserts the recording has evidentiary or exculpatory value; or
  - 2. An officer who is a subject of the BWC recording, if that officer reasonably asserts the recording has evidentiary or exculpatory value; or
  - 3. Any immediate supervisor of an officer whose BWC made the recording or who is a subject of the BWC recording, if that immediate supervisor reasonably asserts the recording has evidentiary or exculpatory value; or
  - 4. Any officer, if the BWC recording is being retained solely and exclusively for police training purposes; or
  - 5. Any member of the public who is a subject of the BWC recording; or
  - 6. Any parent or legal guardian of a minor who is a subject of the BWC recording; or
  - 7. A deceased subject's next-of-kin or legally authorized designee.
- D. Notwithstanding the provisions of subsections XII.A, XII.B, and XII.C of this directive, a BWC recording shall be subject to the following additional retention requirements:
  - 1. When a BWC recording pertains to a criminal investigation or otherwise records information that may be subject to discovery in a prosecution, the recording shall be treated as evidence and shall be kept in accordance with the retention period for evidence in a criminal prosecution,
  - 2. When a BWC records an arrest that did not result in an ongoing prosecution or records the use of police force, the recording shall be kept until the expiration of the statute of limitations for filing a civil complaint against the officer or the employing law enforcement agency,
  - 3. When a BWC records an incident that is the subject of an internal affairs complaint, the recording shall be kept pending the final resolution of the Internal Affairs Division investigation and any resulting administrative action.

- E. Prior to the destruction-erasing-deletion of any BWC recording, the BWC Administrator shall review the specific recording as well as any relevant department reports/case files to confirm proper retention schedule compliance.

### **XIII. SUPERVISOR AND WATCH COMMANDER RESPONSIBILITIES**

- A. The on duty watch commander and shift supervisors are responsible for ensuring that all officers under their command and control, assigned BWCs, are equipped with functioning BWCs and assigned smartphone devices at all times while working primary or secondary employment duty.
- B. Supervisors shall conduct random formal weekly reviews of their subordinates' recordings in order to assess officer performance and flag video/audio that may be appropriate for training purposes. Unless otherwise restricted in this directive (subsection X.D of this directive), supervisors shall also review BWC recordings when conducting any meaningful command review pertaining to:
  - 1. Uses of force; and
  - 2. Pursuits and forcible stopping incidents; and
  - 3. Officer-involved motor vehicle crashes; and
  - 4. Officer-involved injuries.
- C. The on-duty watch commander shall ensure all instances when a BWC is deactivated prior to the conclusion of an incident are reviewed either personally by the watch commander or by an on-duty commander/supervisor to determine if the deactivation was authorized and warranted, the reviewing personnel shall document their findings and forward the documented review through the on-duty watch commander to the Professional Standards Bureau Commander prior to making relief for the day.
- D. If an internal affairs complaint is associated with a recorded event, or an officer believes an incident may generate an internal affairs complaint, the on-duty watch commander shall ensure the recording is categorized as 'Internal Affairs' following procedures set forth in Section IX.B of this directive.

### **XIV. BWC UNIT RESPONSIBILITIES AND AUDITING**

- A. Auditing of body worn camera data:
  - 1. The BWC Unit is responsible for conducting an audit of data created by officers using their BWCs in the field. The audit shall include the following:
    - a. Audits shall be completed weekly. Each review shall be for data created one week prior to assure all officers docked their BWCs and that data for their field interactions has been saved on the BWC server.
    - b. The weekly audit shall include a minimum of ten percent (10%) of officers who have BWCs issued to them.

- c. The officer's data audit shall include a minimum of seven (7) data files that are as large as so to indicate the officer was involved in a long-duration interaction. This requirement is in place specifically for the auditors to conduct a deep qualitative review for issues that would be part of a large file-type interaction (i.e., arrests, use of force, investigatory practices, victim/witness interactions, demeanor, etc.)
  - d. Deficiencies observed by an auditor shall be documented and included in the weekly audit report.
  - e. The weekly audit shall be documented by the BWC Unit and forwarded to the deputy chief for review. The deputy chief will determine the proper course of action for observed deficiencies (i.e., remedial training, informal discipline, or an investigation by the Internal Affairs Division).
- B. The BWC Unit shall conduct an annual administrative review of this agency's body worn camera program to determine whether changes to this directive are necessary, training is adequate or needs revision, equipment needs to be modified, or whether discipline is necessary. Such annual administrative review shall be forwarded to the Chief of Police for his/her review.
- C. The BWC Unit is responsible for the overall management and coordination of the BWC initiative. Examples of responsibilities include:
  - 1. Ensuring all equipment and systems are in good working order; and
  - 2. Ensuring an annual review of the policy and related directives are reflective of best practices and contemporary business processes; and
  - 3. Serving as the BWC training officer, establishes, maintains, and instructs an up-to-date training curriculum that ensures all employees equipped with BWC or who have access to or handle BWC recordings are familiar with the provisions of this directive; and
  - 4. Maintaining an inventory of all BWC equipment and assignments; and
  - 5. Performing periodic performance audits. The results of those audits shall be forwarded to the Professional Standards Commander for retention; and
  - 6. Evaluating the BWC initiative and, when appropriate, providing a written synopsis of findings and recommendations to the Chief of Police.

## **XV. RANDOM AUDITS AND COMPLIANCE REVIEWS**

- A. Professional Standards Bureau shall conduct regular random performance audits of BWC recordings to ensure compliance with this directive.

## **XVI. PUBLIC DISCLOSURE AND LEGAL REQUESTS FOR BWC RECORDINGS**

- A. Upon receiving a subpoena, court order, or request pursuant to the Open Public Records Act, or the common law right to know, for a BWC recording, the Department shall, within one business day of receipt of such subpoena, court order, or request, and before complying with it, provide notice to the County Prosecutor. Such notice shall state clearly the deadline by which a response shall be made.

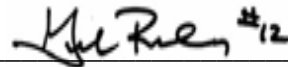
## OTHER PROVISIONS

All personnel are responsible for adhering to the requirements of this written Directive until rescinded or amended by written order of the Chief of Police. Employees have an ongoing and continuous responsibility to seek guidance and verify their understanding of this and all Directives, including orders, policies, procedures, and rules. This Directive shall take effect 05/27/2025 and remain in force and effect unless and until it is repealed, amended, or superseded by Order of the Chief of Police. All Directives not expressly altered by this order remain in full force and effect.

The provisions of this Directive shall be severable. If any phrase, clause, sentence, or provision of this Directive is declared by a court of competent jurisdiction to be invalid, the remainder of the Directive shall not be affected.

Non-enforceability by third parties. This Directive is issued pursuant to the Chief of Police's authority to ensure the uniform and efficient enforcement of the laws and administration of criminal justice by department members. This Directive imposes limitations that may be more restrictive than the limitations imposed under the United States and New Jersey Constitutions, as well as federal and state statutes and regulations. Nothing in this Directive shall be construed in any way to create any substantive right that may be enforced by any third party.

By Order of



Chief Gabriel Rodriguez # 12  
Chief of the Department

Attest:



Michael Shomo # 149  
Assistant Chief