



Colorado Springs Police Department Standard Operating Procedure

DL-1903-10 Release of Body-Worn Camera Footage

Section 1900 – Operational Technology Systems

Effective Date: 3/31/2022

Supersedes Date: 2/10/2022

.01 Purpose

The purpose of this directive is to describe the department's release process for releasing Body-Worn Camera (BWC) Footage when a complaint is made.

.02 Cross-Reference

[GO 120 Treatment of the Public](#)

[GO 401 Police Officer Conduct](#)

[GO 600 Complaints & Internal Investigations](#)

[GO 1618 Juvenile Records](#)

[GO 1606 Criminal Records Information](#)

[GO 1612 Records Security](#)

[GO 1690 Public Information Office & News Media](#)

.03 Definitions

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.04 Procedure

The details of this process apply to the release of BWC when a complaint is made. Other requests for BWC will be made through the Colorado Open Records Act (CORA).

For all incidents, when a complaint is lodged alleging officer misconduct to CSPD, via official complaint channels, the unedited video, and audio of the incident collected from BWC, dash cameras, or otherwise collected through investigation, will be released to the public within twenty-one (21) days of the request.

Privacy Interests

Video that raises substantial privacy concerns will be blurred to allow the continued release of the video.

Applicable privacy concerns include:

- Nudity
- Sexual assault
- Medical emergencies
- Private medical information
- Mental health crisis
- Victim interview
- A minor and any images or information that might undermine juvenile record confidentiality
- Personal/financial information beyond the name of the person
- Explicit or gruesome bodily injury, unless caused by an officer
- Interior of a home or treatment facility

Any unblurred footage requires written authorization of the victim or the victim's next of kin if deceased or incapacitated. This includes persons under seventeen (17) years of age unless legally emancipated.

Personnel will not delete any portion of video footage due to privacy concerns for defendants, victims, witnesses, juveniles, or informants.

If blurring is insufficient to protect the privacy interest, CSPD will release the video to the victim, next of kin, or another lawful representative within twenty (20) days upon receipt of the complaint of misconduct.

- When the video is not released to the public, due to privacy interests, CSPD will notify the person whose privacy interest is implicated, if contact information is known, within twenty (20) days of the receipt of the misconduct complaint, along with information regarding their right to waive the privacy.
- Upon receipt of a signed waiver, CSPD will not blur nor withhold the release of a video-based upon those privacy concerns.

Investigative Interference

Any video that would substantially interfere with or jeopardize an active or ongoing investigation may be withheld from the public.

The maximum timeframe for withholding a video due to investigative interference is forty-five (45) days from the date of the alleged misconduct.

Exception: In cases that involve only statutory traffic infractions, the video release may be delayed per Rule 8 of the Colorado Rules for Traffic Infractions.

The prosecuting attorney will provide a written explanation regarding the delay and subsequent release of the video to the public.

Filed Charges

If criminal charges have been filed in the incident, any involved party must file a constitutional objection pertaining to the release of the recording in the pending criminal case prior to the twenty-one-day (21) period expiring.

When there is a pending criminal investigation or the case is being prosecuted, the twenty-one-day (21) period for video release begins from the appointment of counsel, filing of an entry of an appearance by counsel, the election for the defendant to proceed pro se, receipt of the criminal complaint, and the defendants' receipt of the video in discovery made on the record.