



Lincoln Police Department

Standard Operating Procedures

Integrity, Competency, Fairness



Subject:	Body Worn Camera & Mobile Video Recorder Use	Policy #	O-33
Effective Date:	September 8, 2026	Review Cycle:	2 Years
Distribution:	All Sworn Personnel	# of pages:	9
MLEAP:	7.34.A - G		
	<i>Rescinds All Previous Policies Related To This Current Policy</i>		
Issuing Authority:	Chief of Police Lee Miller		

I. POLICY:

MLEAP 7.34.A

The Lincoln Police Department recognizes the importance of public trust and accountability within the community. Body-worn cameras (BWCs), mobile video recorders (MVRs), or both are useful tools for enhancing transparency, promoting officer and public safety, and documenting evidence for investigative, administrative, and prosecutorial purposes.

However, recordings provide only one perspective of an encounter or incident and may not capture the complete context of an event. Camera footage shall be considered in conjunction with all other available evidence, including witness statements, officer reports and/or interviews, forensic analysis, and documentary evidence. Cameras are intended to capture events within the device's field of view; however, the existence of a recording does not mean the officer observed or perceived every detail captured by the camera, nor does it eliminate the officer's responsibility to provide an independent recollection and accurate report of the incident.

This policy does not govern the use of surreptitious recording devices used in undercover operations.

II. PURPOSE:

The purpose of policy is to establish guidelines and procedures for the proper use of body-worn cameras and mobile video recorders, including their operation, maintenance, recording, data storage, preservation retention, and release. Officers shall use cameras in accordance with applicable federal and state law and agency policies.

III. DEFINITIONS:

- A. **Activate/Deactivate:** The action of switching between the camera's passive recording and active recording modes. Depending upon the equipment and configuration, the BWC may capture video while operating in passive mode. Audio may or may not be captured during passive recording depending upon the equipment and configuration.
- B. **Active Recording Mode:** A camera mode or setting in which video and audio are actively captured and stored as incident-based media segments.

- C. **Agency Administrator** – An agency employee designated by the agency who has administrative access and authority within the camera data storage system. Responsibilities may include assigning and tracking equipment, managing user access and passwords, coordinating equipment repairs, managing the deletion of authorized non-evidentiary recordings, conducting audits and quality control reviews, and serving as a liaison with the equipment manufacturer or service provider.
- D. **Audit Log:** A system-generated record that documents activity associated with recorded information, including access, playback, downloading, sharing, modification, or deletion, when supported by the system.
- E. **Body Worn Camera (BWC):** A small, wearable camera designed to be worn or affixed to an officer's uniform and capable of capturing, recording, and storing audio and video associated with the officer's law enforcement-related activities.
- F. **Categorizing/Labeling/Tagging:** The process of assigning categories, labels, tags, or other identifying information to a recording to facilitate organization, retrieval, management, and future reference.
- G. **Deadly Force Incident:** Any incident involving the use of deadly force by an officer; the use of any level of force which results in death, any departmental in-custody death, or a use of force incident that results in serious bodily injury.
- H. **Emergency Medical Services (EMS):** Emergency medical response and emergency medical services provided outside of a fixed medical or healthcare facility.
- I. **Evidentiary Recording:** A recording of an incident or encounter that is relevant to an administrative, civil, or criminal investigation, prosecution, or other legal proceedings. Evidentiary recordings may include, but are not limited to, recordings of crimes, arrests, citations, searches, uses of force, and statements made by victims, witnesses, or suspects during the investigation of a crime or potential crime.
- J. **Intelligence and Investigative Record Information:** Information of record collected by or prepared by or at the direction of a criminal justice agency or kept in the custody of a criminal justice agency while performing the administration of criminal justice or, exclusively for the Office of the Attorney General and the offices of the district attorneys, the administration of civil justice. It does not include criminal history record information or information collected or kept while performing the administration of juvenile justice.
- K. **Investigative Record:** Any record maintained in paper, electronic, video, or audio format prepared by, prepared at the direction of, or kept in the custody of this agency that includes or itself constitutes intelligence and investigative record information. For purposes of this policy, investigative records include records containing or themselves constituting intelligence information.
- L. **Law Enforcement Related Activity:** Any law enforcement service, enforcement of law, or investigative activity conducted in furtherance of official duties. Enforcement related activity include, but not limited to responding to calls for service, addressing quality of life conditions, and any self-initiated investigative or enforcement actions such as witness canvasses, vehicle stops, and investigative encounters. Routine consensual conversations with members of the public conducted solely as part of community engagement efforts are not considered law enforcement-related activity under this policy.

Law Enforcement Encounter: An encounter between an officer and a member of the public in which there is the potential for official law enforcement action or the exercise of law enforcement authority. Examples include, but are not limited to traffic stops, field interviews of a victim or witnesses, investigative stops, searches, detentions, arrests, and uses of force. Casual greetings, routine interaction with members of the public, and encounters in which a citizen seeks general information, such as directions are not considered law enforcement encounters under this policy.
- M. **Mobile Video Recorder (MVR):** A vehicle-mounted digital audio and/or video recording system designed to capture and record events occurring in or around a law enforcement vehicle.

- N. **Non-evidentiary Recording:** A recording that does not have evidentiary, investigative, administrative, civil, or prosecutorial value and is not otherwise required to be retained under applicable law or agency policy. Examples may include a routine traffic stop that does not result in an arrest or criminal investigation; a call or computer-aided dispatch response that does not result in a law enforcement encounter; or a citizen contact that does not result in enforcement action and is not associated with a particular investigation. Routine traffic-stop recordings shall be retained for one year as provided in Section VII.D.
- O. **Officer of the Court:** A person who has a professional obligation to promote justice and uphold the law within the judicial system, including attorneys, judges, prosecutors, court clerks, bail commissioners, court reporters, and other personnel whose work directly affects the administration of justice.
- P. **Pre-Event Buffering:** A feature that allows video captured immediately prior to activation of the camera to be preserved and attached to the resulting recording. The duration of pre-event buffering and whether audio is captured during this period depend upon the equipment and system configuration.
- Q. **Undercover:** A law enforcement officer whose law enforcement affiliation or identity is intentionally concealed for the purpose of conducting an undercover operation. Undercover officers differ from plainclothes officers, who wear civilian clothing rather than uniform but carry standard law enforcement equipment and identification.
- R. **Video Recall/Recording After the Fact:** A feature, when available and activated, that allows authorized users to retrieve and preserve video footage captured before a camera was manually activated. The period available for recall varies by equipment and system configuration and may extend for several hours. Depending upon the equipment and configuration, audio may or may not be available.

IV. MAINTENANCE & GENERAL CONSIDERATIONS

- A. Prior to being issued a BWC, or assigned a cruiser equipped with MVR, officers shall successfully complete agency-approved training related to the camera equipment, which must include this policy. Supervisors who are authorized to access and review recordings shall also successfully complete agency-approved training. Additional training may be provided, as necessary, to ensure the continued effective use of the camera equipment and to address changes, updates, or modifications to the equipment or this policy. **MLEAP 7.34.F**
- B. Only agency-issued BWCs or MVRs are authorized for use during official law enforcement duties. Camera equipment shall not be used for personal purposes.
- C. BWC users shall wear the BWC in a manner that maximizes the camera's ability to capture video of the officer's activities. The BWC shall be worn in a vertical, upright position outside the outermost uniform garment so that the camera lens has a clear and unobstructed view of the event being recorded. Officers shall ensure that uniform clothing or equipment does not cover, shield, or otherwise interfere with the BWC's functionality. Officers shall use agency-provided mounting equipment whenever practicable.
- D. At the start of each shift or overtime detail, officers shall properly check out the BWC before undocking it from the transfer station. Officers will confirm the BWC is correctly configured and properly functioning. Any malfunctions, damage, loss, or theft of BWC equipment will be reported immediately to the supervisor. **MLEAP 7.34.E**
- E. If assigned to a cruiser equipped with an MVR, officers shall log into the MVR at the beginning of their shift. The MVR shall automatically activate when the emergency lights are activated and in the event of a crash, when the system is equipped and configured to do so.
- F. Once powered on, the BWC shall passively record video until activated. Depending upon the equipment and system configuration, audio may or may not be captured during passive recording.

Upon activation, the BWC shall preserve the designated period of pre-activation video and continue recording both audio and video. The pre-activation recording period shall be determined by the equipment and agency configuration.

- G. BWC users shall not intentionally power off or disable a BWC during their shift except as authorized by this policy or when necessary due to equipment malfunction, safety considerations, or other circumstances specifically authorized by a supervisor. BWCs may utilize vibrating alerts, indicator lights, or other notifications to indicate recording status. Officers may place a BWC in a manufacturer-supported covert mode when necessary for tactical, investigative, or officer safety purposes.
- H. When not in use by an officer, the BWC shall be stored in a designated transfer station or dock or, when a dock is unavailable, connected to an appropriate charging port. When connected to a charging port, officers shall ensure that recorded data has been transferred to the agency's designated storage system. These procedures shall be followed to ensure that the BWC is properly charged, data is securely transferred, and the equipment is ready for future deployment.
- I. If authorized by the agency and supported by the equipment, an officer may temporarily place or store the BWC in an agency-approved location, such as a cruiser docking station or uniform cargo pocket, when the officer is on break or in a location where wearing the BWC would be impractical or inappropriate, including a restroom, locker room, or private office. Officers shall ensure the BWC is secured and shall comply with all applicable recording requirements.
- J. Officers are encouraged to inform members of the public that they are being recorded when the officer reasonably believes that notification may assist in de-escalating a situation or otherwise promote officer or public safety. Nothing in this provision shall require an officer to make such notification when doing so would compromise officer safety, an investigation, or other legitimate law enforcement purposes.
- K. An officer may submit a written request to the Chief of Police or designee to restrict access to or purge a specific inadvertent recording that is strictly personal in nature and does not capture or document a law enforcement purpose. The Chief of Police or designee shall review the request and recording and determine whether access restriction or purging is appropriate. Any authorized purging of a recording shall be documented and tracked through the agency's recording management system audit log. Nothing in this subsection authorizes the deletion or purging of a recording that is subject to a legal retention requirement, preservation requirement, litigation hold, investigation, complaint, or other mandatory retention obligation.
- L. The agency's camera equipment and all data, images, video, audio, and metadata captured, recorded, or otherwise produced by the equipment are the property of the Lincoln Police Department. Such information shall be securely stored, accessed, maintained, and retained in accordance with applicable federal and state law and agency policy.

V. RECORDINGS

A. Mandatory Recordings

1. Officers shall activate the BWC at the initiation of a law enforcement encounter and shall maintain the recording for the duration of the encounter, except as otherwise authorized by this policy.
2. Officers are required to activate the audio and video features of the equipment as described above, unless:
 - a. There is an immediate threat to the officer's safety, or the activation would place the officer at a tactical disadvantage;
 - b. When activating the camera would unreasonably delay the officer's response to an immediate safety need of a citizen during a critical incident; or
 - c. During activation the equipment malfunctions.

3. If an officer does not activate the camera due to one of the above-mentioned situations, once it becomes safe to do so, the officer should activate the camera.
4. Officers should document in all reports the presence of captured audio and/or video during the course of any enforcement related activity, regardless of whether the footage is of evidentiary value or not.
5. Once activated, the camera should stay on for the duration of the call or encounter, except as outlined in section D – Ending or Muting a Recording.
6. All requests for consent, such as consent to search, should be recorded along with the individual's response to the request unless the BWC has been deactivated in accordance with section D – Ending or Muting a Recording.

B. Prohibited Recordings

1. Cameras shall not be used to record:
 - i. Communications with co-workers or other law enforcement personnel when the communication is not part of an official law enforcement activity, except when otherwise required or authorized by this policy;
 - ii. When officers are on break or otherwise engaged in personal activities or where there is a reasonable expectation of privacy such as offices, restrooms, or locker rooms;
 - iii. While appearing before or meeting with an officer of the court;
 - iv. During encounters with undercover officers or confidential informants when recording would reveal their identity, status, or role in an investigation, unless recording is necessary for an authorized law enforcement purpose;
 - v. Confidential tactical briefings, operational plans, or other sensitive law enforcement planning when recording is not necessary for an authorized law enforcement purpose;
 - vi. Strip searches;
 - vii. While conducting, or in the same room as an officer conducting, an Intoxilyzer test (due to the possibility of radio frequency interference); or
 - viii. Domestic violence or sexual assault-related safety planning or threat assessments when recording is not necessary for an authorized law enforcement purpose.

C. Special Circumstance Recording

1. Constitutionally Protected Assemblies
 - i. Facilitating the First Amendment rights of individuals is one of our primary law enforcement purposes.
 - ii. Officers present at an assembly for a law enforcement purpose, such as providing escort services, crowd control, or responding to a call for service, will record these events to document violations of law, police actions, and training.
 - iii. Recordings shall not be used solely to identify or gather intelligence on individuals engaged in constitutionally protected activity when there is no reasonable law enforcement purpose for doing so.

D. Ending a Recording

1. Officers may deactivate a recording when they have concluded the event or interaction.
2. Officers may deactivate a recording at the order of supervisor or incident commander.
3. Officers are not required to cease recording an event, situation, or circumstance solely at the demand of a citizen. A recording may be ended when speaking with a person seeking to anonymously report a crime or assist in a law enforcement investigation if the person requests the camera be turned off, or if the officer believes ending the recording may facilitate the exchange of information.

4. If an officer fails to activate the camera, fails to record the entire contact, interrupts or stops the recording, the officer shall document the facts in a written report that a recording failure occurred and the basis for same.
3. Upon responding to a crime scene, officers will record any encounters with witnesses, suspects, or other involved parties in accordance with Lincoln Police Department's policy; *O-4 Recording of Suspects & Witnesses in Serious Crimes & Preservation of Notes & Records*.

VI. SUPERVISORY RESPONSIBILITIES

1. Supervisors will conduct routine reviews of recordings to ensure the BWC system is working properly, that recordings are being captured in accordance with this policy and departmental training, and that officers are properly categorizing/labeling/tagging recorded events. Supervisors are also permitted to conduct audits of recordings when reviewing an incident. **MLEAP 7.34.G**
2. When a supervisor or designated review board reviews or investigates a use-of-force or pursuit incident, all available recordings from officers involved in or witnessing the incident shall be reviewed.
3. Supervisors may refer to recordings when preparing performance evaluations; however, the review of such recordings is not intended to replace the review of officer performance in the field.
4. The Agency Administrator shall oversee the administrative management of the BWC and/or MVR system, including user access, equipment assignment, system configuration, equipment maintenance and repair coordination, recording management, authorized deletion or purging, audit-log review, and coordination with the equipment manufacturer or service provider.

VII. STORAGE AND RETENTION

A. Storage

1. At the conclusion of a recording, event, or encounter, the officer will stop the recording and select, from the available device options, the most appropriate classification for the event.
2. Recordings shall be automatically uploaded to the agency's designated storage system when the equipment is returned to the designated docking station or otherwise connected to the agency's approved network or transfer system.
3. Officers shall not intentionally delete, alter, modify, or otherwise manipulate a recording except as specifically authorized by this policy or by an individual with appropriate administrative authority.

B. Downloading and Transfer

1. If recordings are not automatically uploaded to the agency's designated storage system, officers shall place the BWC in the designated docking station, or use an agency-approved transfer method if a docking station is unavailable, at the end of each shift or overtime detail to facilitate the secure transfer of recordings.

C. Preservation

1. When an investigator is assigned to an incident or case, a case file shall be created in the agency's designated recording management system, when applicable, and all recordings relevant to the investigation shall be associated with the case file. Recordings shall be preserved in accordance with applicable retention requirements and shall not be deleted solely because the investigation is inactivated, cleared exceptionally, or otherwise resolved.
2. The Chief of Police or designee shall ensure that recordings associated with a claim, pending litigation, personnel complaint, or other matter requiring preservation are appropriately flagged or otherwise preserved. Such recordings shall be retained until the matter is resolved and any applicable legal or records-retention requirements have been satisfied.
3. Personnel assigned to investigate a complaint or use-of-force incident shall preserve recordings associated with the matter in the agency's designated restricted storage location when required by agency policy. Recordings preserved in a restricted location shall remain subject to the applicable retention requirements. The original recording shall be retained in the agency's designated recording management system in accordance with this policy.

4. Recordings shall be retained when required by a court order, lawful preservation request, litigation hold, or other applicable legal requirement. A preservation requirement shall take precedence over the routine deletion or destruction schedule until the preservation requirement has been released or otherwise satisfied.

D. Retention

1. Audio and video recordings shall be retained in accordance with Maine Local Government Retention Schedule 21 – Law Enforcement and the categories below. When more than one retention period applies, the longest applicable retention period shall control.
2. Routine Traffic Stops: Recordings of traffic stops, including stops resulting in a warning or traffic citation, shall be retained for one year unless the recording is associated with a criminal investigation, crash, use of force, complaint, litigation, or another record category requiring a longer retention period. RET: 1 year, or longer when another applicable category controls.
3. Homicide: Recordings associated with a homicide investigation. RET: Permanent.
4. Sudden or Accidental Death: Recordings associated with the investigation of a sudden or accidental death not classified as a homicide. RET: Permanent.
5. Criminal Investigative Case – Cleared: Evidentiary recordings associated with a criminal investigative case that has been closed. RET: Until the subject reaches age 80 and the State Police Bureau of Identification confirms no contact with the criminal justice system for the preceding five years.
6. Criminal Investigative Case – Open: Evidentiary recordings associated with a criminal investigative case that remains open. RET: In accordance with LG21.6c of Maine Local Government Retention Schedule 21 – Law Enforcement.
7. Juvenile Investigative Records: Recordings constituting part of an investigative record involving a juvenile. RET: Until the former juvenile reaches age 23, unless another applicable record classification requires a longer retention period.
8. Other Investigative Case Records: Evidentiary recordings associated with investigative cases not otherwise classified above. RET: 7 years.
9. Use of Force: Recordings documenting an incident involving the use of force. RET: 6 years, or the retention period applicable to the associated investigative case, complaint, or other record, whichever is longer.
10. Internal Investigation: Recordings determined to have evidentiary value in an internal investigation or personnel complaint. RET: 6 years, or longer when required by another applicable retention schedule, litigation hold, collective bargaining requirement, or law.
11. Extraneous/Non-Evidentiary Recordings: Recordings that are not routine traffic stops and are not associated with an investigative case, arrest, citation, complaint, use of force, internal investigation, pending litigation, FOAA request, or other matter requiring preservation, and that have no evidentiary, administrative, training, or legal value. RET: 10 days.
12. Recordings shall be retained for any longer period required by applicable law, court order, lawful preservation request, litigation hold, FOAA request, or other legal requirement. No recording subject to a preservation requirement shall be deleted or destroyed until the preservation requirement has been released and all applicable retention requirements have been satisfied.

VIII. ACCESS, REVIEW, AND RELEASE

A. General Consideration

1. The agency's recording management system shall maintain an audit log for recordings. The audit log shall document, as available through the system, historical activity associated with a recording, including access, playback, downloading, sharing, or other actions and the identity of the user performing the action.

2. BWC and MVR recordings shall be accessed and viewed only through agency-approved equipment, applications, or software. Personnel shall not use unauthorized devices or applications to access, copy, photograph, record, or otherwise capture recordings.
3. Access to recordings shall be limited to personnel and other individuals who have a legitimate law enforcement, administrative, investigative, prosecutorial, training, legal, public safety, or other lawful purpose and are authorized to access the recording.
4. Personnel authorized by the Chief of Police or designee may review recordings for training or instructional purposes when the recording has been determined appropriate for such use. The Chief of Police or designee shall approve the use of recordings for training purposes.
5. The agency may restrict or limit access to recordings associated with critical incidents, unusual incidents, personnel matters, criminal investigations, or other sensitive matters. Access may be restricted at the direction of the Chief of Police, designee, Internal Affairs, legal counsel, prosecuting authority, or other authorized command personnel when necessary to protect an investigation, preserve confidentiality, comply with law, or protect the rights of involved persons.
6. A person depicted in a recording, or the parent or legal guardian of a juvenile depicted in a recording, may request access to or a copy of the recording. Requests shall be processed in accordance with applicable law, including the Maine Freedom of Access Act, and applicable agency procedures. Nothing in this section creates a right of access beyond that provided by law.

B. Permitted Review

1. Officers may review BWC and MVR recordings during the preparation of reports and other official documentation unless prohibited or restricted by law, court order, agency policy, or direction of the Chief of Police or designee.
2. Officers are encouraged to review recordings when doing so may assist in preparing an accurate and complete report. When an officer reviews a recording during report preparation, the officer should document the review in the report when required by agency policy.
3. Nothing in this section relieves an officer of the responsibility to provide an independent and accurate account of an incident based upon the officer's own observations and recollection.

C. Prohibited Review and Use

1. Personnel shall not access or view a recording unless the access serves a legitimate and authorized purpose.
2. Personnel shall not use any device or technology to copy, photograph, record, reproduce, or otherwise capture the playback of a BWC or MVR recording unless specifically authorized by the Chief of Police or designee or otherwise permitted by law or agency policy.
3. Agency personnel shall not edit, alter, erase, delete, duplicate, distribute, or otherwise manipulate a recording except as specifically authorized by this policy, applicable law, or an individual with appropriate administrative authority. Recordings may be copied, shared, or disclosed only for an authorized investigative, administrative, training, prosecutorial, legal, public safety, or other lawful purpose.
4. Personnel shall not access or view recordings for personal purposes, curiosity, entertainment, harassment, or any other unauthorized purpose.
5. An officer who is the subject of a personnel complaint or investigation, or a witness to the incident forming the basis of the complaint or investigation, shall not be prohibited from accessing a recording solely because of that status unless access is restricted by the Chief of Police or designee, applicable law, a court order, or other lawful authority.
6. An officer who is the subject of a criminal investigation, including an investigation involving the use of deadly force, may be restricted from accessing recordings related to the incident when directed by the investigating agency, the Chief of Police, or other lawful authority.

D. Recording After the Fact

1. When supported by the equipment, the BWC and/or MVR system may allow authorized personnel to retrieve and create an event from recorded video captured before the

camera was manually activated, provided the footage has not been overwritten. The availability of audio during after-the-fact retrieval shall depend upon the equipment and system configuration.

2. Any request to create an event after the fact shall involve a legitimate law enforcement purpose and shall be approved by the Shift Commander, with notification to Command Staff when required by agency procedure.
3. When technically possible, an after-the-fact event shall be created for any incident involving the use of force when the incident was captured by the camera but was not previously classified or associated with an event.
4. If an after-the-fact event cannot be created because of a technical problem and the recording is not time-sensitive, the involved camera shall be removed from service and secured for processing by the Chief of Police or designee during normal business hours.
5. After-the-fact retrieval or event creation shall not be used to circumvent recording, activation, classification, retention, or access requirements established by this policy.

E. Release of Records

1. BWC and MVR recordings may be disclosed for use as evidence in criminal, civil, or administrative proceedings or in response to a subpoena, court order, or other lawful legal process, consistent with applicable law and agency policy. **MLEAP 7.34.C**
2. Members of the public may request copies of recordings through the agency's established Maine Freedom of Access Act (FOAA) process.
3. Recordings shall be released by the Chief of Police or designee in accordance with the Maine Freedom of Access Act and other applicable federal and state laws.
4. Before releasing a recording, the agency shall determine whether the recording is subject to any applicable exemption, restriction, redaction requirement, preservation requirement, court order, or other legal limitation on disclosure.
5. A fee may be charged when authorized by applicable state law to cover administrative costs associated with processing and providing copies of recordings.