

Legal Issues Surrounding Body and Dash Cams



KOMO and Tracy Vedder Receive WCOG Award for *Fisher Broadcasting v. City of Seattle*



Fisher Lessons:

1. Agencies must be able to provide responsive public records regardless whether they are electronic or digital;
2. Agencies must understand their systems and be able to communicate these to requestors;
3. Technical barriers do not warrant denying a request;
4. An agency must produce at least “partially responsive” records even if the precise record requested does not exist;
5. Courts will interpret exemptions narrowly regardless of the effort required to provide records



NEW AT 6:00



DEBATE OVER POLICE BODY CAMERAS



5:59

Is your
DEPARTMENT
READY?



**SCHEDULE A DEMO
TO FIND OUT**



Mulch-scented

The Pros And Cons Of Body Cameras For Police

INFOGRAPHIC • Police • Technology • News • ISSUE 51•14 • Apr 9, 2015



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Café Adds Heartbreaking Little Lunch Menu

Following several high-profile civilian deaths at the hands of police officers, many Americans have called for the mandatory use of body cameras by law enforcement as a means of curbing the excessive use of force and providing clear accounts of officers' actions. Here are some of the pros and cons of body cameras for police officers:

PROS

- Provides accurate record of where police were when they turned off their body camera
- Helps to reinstate trust between Americans and surveillance
- Unlimited footage of police officers breathing heavily during a foot chase
- Turning camera askew allows officers to record beatings with stylish Dutch angles
- More things to watch
- Finally gives Americans glimpse at what it's like to turn on that siren and gun it straight through a red light

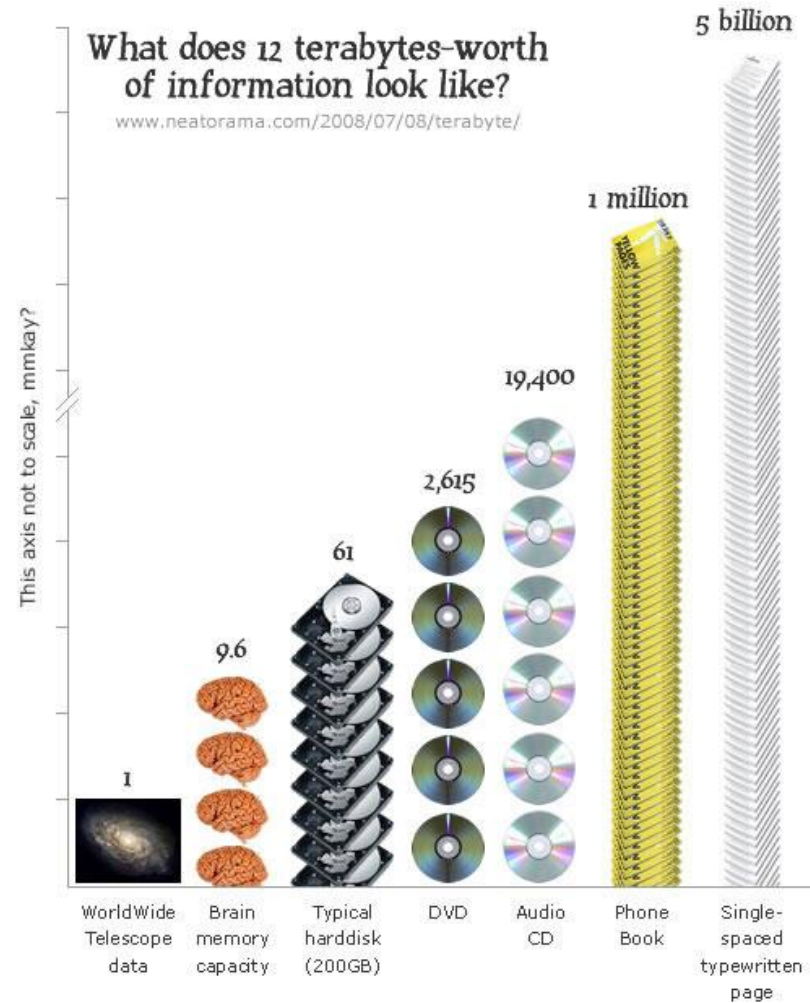
CONS

- Major invasion of privacy for police officer and man he has in chokehold
- Costs money that could be used on machine guns and armored vehicles
- Police brutality might lose its mystique
- Those could be anyone's arms bashing citizen with nightstick
- Distracting to officers who must now shift focus to cinematography and mise en scène
- Is still only going to be the irrefutable video evidence's word against the police officer's



Attack Of The Terabytes!

Multiply This By 100



HOW DO I HOLD



ALL THESE TERABYTES

memegenerator.net

Do You Recognize Her?





SPU Shooting Case

Pixelate victim/witness faces so as not to obscure police and fire department

Black boxes over bodies of students who escorted Ybarra around campus two weeks before shooting. Nothing of significance in video that would be obscured by a black box

Does v. King County, 192 Wn. App. 10, 366 P.3d 936 (2015)

Redacting Identifying Information

“Linkage” arguments don’t apply to privacy.

Individual with no knowledge of the matter underlying the record could look at the record and would not recognize the particular individual whose identity had been redacted.

Safety vs. Privacy

“Linkage” arguments apply to safety.

Will harm result to person if identity is not adequately redacted?

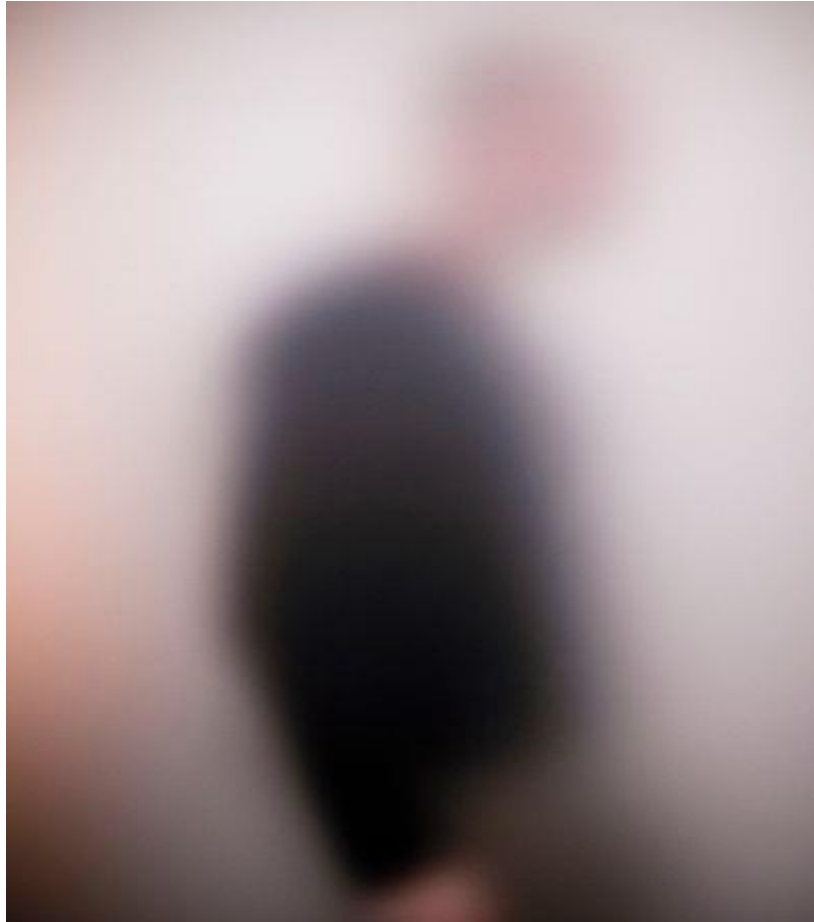
Face Pixelation (Scramble)



Black Box Redaction



Full Screen Blur



Body Cameras In Private Residences



ICE CUBE KEVIN HART

Ride Along

JANUARY 17th

#RIDEALONG



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Influx of records requests may force police to drop body cams

By [Tracy Vedder](#) | Published: Nov 10, 2014 at 6:03 PM PST | Last Updated: Nov 10, 2014 at 7:13 PM PST

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SPD BodyWornVideo

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4:40



30:32



30:31



4:13

Engrossed House Bill #2362

RCW 42.56.240 (14)

- 1. Request for identifiable video**
- 2. Shifts redaction costs to general requestors**
- 3. Disclosing certain images is presumed highly offensive**
- 4. Must deploy on pilot basis by June 9, 2016**
- 5. Must have a policy**
- 6. Task force to make findings & recommendations on costs, policies, retention/retrieval, and use**
- 7. Sunsets on June 1, 2019**

Seattle Police Manual

16.091 – Body-Worn Video Pilot Program

Effective Date: DRAFT PENDING FINAL APPROVAL

16.091 POL-1

This policy applies to officers who have volunteered to participate in the Body-Worn Video (BWV) Pilot Program and all employees that view recorded videos. The pilot program's primary focus is to evaluate the business process of recording, storing, and public disclosure of body-worn video.

The Memorandum of Agreement between the City of Seattle and the Seattle Police Officers' Guild outlines the scope of the program. Pursuant to that agreement, there will be no discipline that follows from not recording a particular incident with BWV. However, the Department may remove volunteer officers from participation in the pilot program for failure to record events as outlined in this policy.

1. All Officers Operating BWV Must Have Completed BWV Training

Before officers deploy with a BWV camera, they will complete Department training on the proper use of the equipment and procedures for uploading recorded video. This training will include:

- Objectives of the BWV Pilot Program
- Camera operation
- Proper placement of the camera
- Department policy on camera usage
- Recording advisements

2. Officers Operating BWV Must Wear the Camera Properly

Officers will wear the camera in a location consistent with the training that allows the camera to record events.





SIMPLICITY

Advanced features, not one you
will have to think about.

