

Body Worn Cameras (BWC)

422.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of Body Worn Cameras (BWC) by members of this department while in the performance of their duties. Body Worn Cameras include all recording systems whether body-worn, hand-held or integrated into portable equipment. BWC's serve to enhance the accuracy of public interactions, officer reports, and court testimony. BWC's enhance the agency's ability to review probable cause to arrest, officer and subject interaction, evidence for investigative and prosecutorial purposes and to provide additional information for officer effectiveness, training, and accountability.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Binghamton Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

See *supplemental manual 409 Body Worn Camera Procedures* to use the camera.

422.2 POLICY

The Binghamton Police Department requires designated members to use BWC during the performance of their duties and enforcement related activities. Officers assigned a BWC shall use the BWC while on-duty, or while working off-duty in uniform or plain clothes. The use of BWC is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

It is the duty of the officer to activate the BWC as required, and follow all guidelines pursuant to BWC video recording as set forth in this policy.

422.3 ENFORCEMENT RELATED ACTIVITIES (WHEN OFFICERS SHALL RECORD)

Enforcement related activities include, but are not limited to:

- (a) Any police initiated action, in any jurisdiction, in private residences and public locations.
- (b) All calls for service.
- (c) Emergency vehicle operation.
- (d) Arrest situations.
- (e) All stops (i.e. citizen and vehicle).
- (f) Searches (excludes strip search).
- (g) Civil disturbances.
- (h) All prisoner transports.
- (i) Problematic or combative prisoners at headquarters, or other location.
- (j) Court arraignments.

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

- (k) Guarding prisoners at a hospital.
- (l) Securing witness depositions or statements (excluding an interview of a sex crime victim who requests the interview not be recorded, or a victim or witness who affirmatively requests not to be recorded).
- (m) All pursuits (i.e. vehicle and foot).
- (n) Motor vehicle accidents.
- (o) Any potentially confrontational situation.
- (p) All use of force incidents.
- (q) When the officer believes it would be appropriate or valuable to record an incident.

422.4 COORDINATOR RESPONSIBILITIES

The Chief of Police, or the authorized designee, shall designate a BWC Coordinator, sworn or civilian, responsible for:

- (a) Managing all user access.
- (b) Managing the inventory of BWC equipment.
- (c) Verifying all videos are uploaded correctly.
- (d) Updating, repairing or replacing cameras, charging stations, and software as required.
- (e) Release of video to the District Attorney when directed.
- (f) Ensuring retention policy is followed, including destruction of recordings when required per the retention of recordings schedule (§422.11).
- (g) Establishing procedures for the security, storage and maintenance of data and recordings.
- (h) Establishing procedures for accessing data and recordings.
- (i) Establishing procedures for logging or auditing access.
- (j) Establishing procedures for transferring, downloading, tagging or marking events.

422.5 ADMINISTRATIVE CAPTAIN RESPONSIBILITIES

The Administrative Captain shall:

- (a) Conduct random audit/reviews of BWC for training and policy compliance purposes.
- (b) Have authority to restrict member access to BWC video, when applicable.
- (c) Direct the BWC Coordinator to release video to an outside organization (e.g. District Attorney), when appropriate, with approval from the Chief of Police.
- (d) Authorize an email link of BWC video to be sent to another law enforcement agency, or outside organization, when appropriate, with approval from the Chief of Police.
- (e) Review video prior to release via F.O.I.L. requests.
- (f) Redact of video for F.O.I.L. requests as appropriate.

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

- (g) Review of BWC for Use of force investigations.
- (h) Have oversight of the uploading of confiscated/preserved BWC video for Level 3 Use of force investigations, deadly physical force incidents, or other serious critical incidents.

422.6 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Binghamton Police Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

422.7 MEMBER AUTHORITY AND RESPONSIBILITIES

- (a) Members shall only use department-issued Body Worn Cameras.
- (b) BWC cameras should remain "on" at all times.
- (c) BWC equipment is the responsibility of individual assigned officers and shall be used with reasonable care to ensure proper functioning.
- (d) Members will be trained in the use and operation of the BWC before deployment.
- (e) Members will inspect and test the BWC prior to deployment at the start of the shift.
- (f) All members (including off-site SRO's) will place their assigned BWC in the corresponding charger station for uploading/charging immediately at the conclusion of their shift/assignment.
- (g) Members, with the exception of the BWC Coordinator, Chief of Police, Assistant Chiefs, and Administrative Captain of Internal Affairs, shall not disseminate any recording in whole or in part to any person or organization unless so directed by the Chief of Police, Assistant Chiefs, or Administration Captain of Internal Affairs.
- (h) Members shall not edit, erase, duplicate, copy, share or otherwise distribute in any manner BWC recordings except where required as set forth in this policy.
- (i) Only the Chief of Police, Assistant Chiefs, and Administration Captain of Internal Affairs shall have the authority to lock out and/or restrict access of any video, or direct another to do the same.
- (j) Once a BWC is locked out for restricted access, no department member except Police Administration only (Chief of Police, Assistant Chiefs, and Captain of Internal Affairs) is authorized to access or attempt access to the restricted video.
- (k) If a member's BWC is failing to upload, malfunctioning, damaged, lost, or stolen, a Supervisor shall be notified immediately, along with a written notification to the BWC Coordinator.
- (l) All BWC recordings will have an incident number and BWC retention classification code assigned.
 - 1. Members will advise dispatch to log an incident number if the officer activates the BWC in a situation other than being dispatched, if feasible. (Exception: pre

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

shift test recording. A pre-shift test recording will not be more than 5 seconds in length.)

- (m) Members shall not allow any civilian to view any BWC recording without the authorization of the Chief of Police.
- (n) Generally, members should use only their assigned BWC.
- (o) Members may, in rare situations, use another's BWC with Supervisory notification and approval, when:
 - 1. The member's assigned camera is discovered to be malfunctioning, misplaced, missing, or taken for repair at the start of their shift, or any time during their shift, the member shall be authorized to take a different, unused BWC;
 - 2. A member who has not been assigned a BWC and needs to use a BWC as part of their duties. In this case, designated Supervisors will provide training, and will authorize and assign the Officer to take out a different, unused BWC.
- (a) In both situations listed above;
 - 1. The BWC Coordinator shall be notified.
 - 2. BWC software shall be correctly labeled documenting that a different Officer utilized another's BWC.
- (p) Prior to going into service, each member assigned a BWC or any member working in an off-duty capacity in uniform or plain clothes will be responsible for making sure that he/she is equipped with a BWC, issued by the Department, and that the BWC is in good working order.
- (q) Depending on the circumstances, members may choose to inform persons they are being recorded, and in all cases officers will advise persons they are being recorded when asked.
- (r) Uniformed members should wear the recorder in a conspicuous manner.
- (s) Members should wear the BWC on their outermost garment (i.e. jacket in the winter), above the torso midline, and ensure the BWC is not askew and always in a position to record effectively.
- (t) Members assigned a BWC should document the absence of a recording in any police report or other official record of the contact, including any instance where the BWC malfunctioned or the member de-activated the recording. Members should include the reason for de-activation (§422.8.2 below).
- (u) Members will indicate on pre-trial notice forms when a BWC recording contains content of a defendant's statements or actions not included in the incident report.
- (v) Members should notify their supervisor when a BWC recording contains:
 - 1. Use of force.
 - 2. Allegations of misconduct made by a citizen.
 - 3. Content that may be of benefit for training purposes.

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

422.8 ACTIVATION OF THE BWC

Officers shall activate the recorder when engaged in any law enforcement related activity, or when the officer believes it would be appropriate or valuable to record an incident. (See §422.3 above)

Officers will:

- (a) Activate the BWC immediately upon acknowledging a dispatched call for service or otherwise as soon as the officer recognizes an emerging situation requiring activation.
 1. At no time is an Officer expected to jeopardize their safety in order to activate a BWC. However, the BWC is expected to be activated as soon as reasonably practicable.
- (b) Officers responding as backup will activate the BWC when dispatched, or upon immediate response.
 1. **In all cases where the member fails to immediately activate the BWC to record when required, he/she shall promptly report the failure to his/her supervisor, and shall notify Police Administration in writing via an Interdepartment-Correspondence of the reason why.**
- (c) Officers responding in support to a serious incident who were not specifically dispatched will advise dispatch of their involvement.
- (d) Officers will advise Communications of their arrival on an incident scene, and upon clearing.
- (e) Officers will advise Communications of the appropriate BWC codes upon clearing from the incident. Those being;
 - (a) Standard description of the incident.
 - (b) BWC dispatch retention classification code.

TO START AN AXON BODY 3 CAMERA RECORDING (EVENT MODE) - PROCEDURE

422.8.1 CESSATION OF RECORDING

- (a) Once activated, the BWC should record continuously until the officer reasonably believes his/her direct participation in the incident is complete. Recording may only be stopped or interrupted for the approved reasons listed in section §422.8.2 below, or muted for the approved reasons listed in §422.8.3 below.
- (b) Any stops or breaks in BWC recording shall be documented in the officers police incident report.
- (c) In all cases where the member fails to record when required for any reason (including interrupted, malfunctioning, or improperly terminated video), the member shall promptly report the failure to his/her supervisor, and shall notify Police Administration in writing via an Interdepartment-Correspondence of the reason why.
 1. The Officer's notification to Administration will document the following:
 - (a) Why a recording was not started on time.
 - (b) Why a recording was not made.

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

- (c) Why a recording was interrupted.
- (d) Why a recording was terminated.
- (d) Supervisors shall investigate and document the circumstances of an Officer's notification of a failure to record, or an incomplete recording.
 - 1. The Shift/Unit Officer in Charge will be notified.
 - 2. The OIC will notify the Chief of Police in writing.
 - 3. The documented investigation and findings will be sent to Police Administration.

TO STOP AN AXON BODY 3 CAMERA RECORDING - PROCEDURE

422.8.2 WHEN AUTHORIZED TO DEACTIVATE BWC (DO NOT RECORD) DURING AN INCIDENT

Officers are authorized to stop or interrupt recordings in the following situations:

- (a) Communications with members in police headquarters, unless authorized by the Chief of Police.
- (b) Communications with members unrelated to an ongoing incident or law enforcement action.
- (c) Encounters with undercover officers or confidential informants unless otherwise directed by a supervisor.
- (d) Locations carrying a reasonable expectation of privacy, such as a locker room or restroom.
- (e) Strip searches.
- (f) An interview of a sex crime victim who requests the interview not be recorded, or a victim or witness who affirmatively requests not to be recorded.
- (g) Protected health information or medical treatment when requested by the patient or a legitimate representative.
- (h) Attorney/client privileged communications.
- (i) Gratuitous video (i.e. effects of extreme violence, prolonged nudity, or that of a sexual nature, etc).
- (j) Extended secure crime scene or extended non criminal scenes (i.e. unattended death) or assignments, as determined by the Officer in Charge.
- (k) At the direction of, or with permission from a Supervisor, with cause, and not in conflict with any section of this policy.

If a BWC recording is to be stopped or interrupted during an incident, just prior to stopping or interrupting a recording, the member shall verbalize, on-camera, the reason for the stopping or interrupting the recording (i.e. strip search, etc.).

422.8.3 MUTING

Muting of a BWC shall be very restrictive, and the action is generally discouraged.

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

Muting should not occur on traffic stops, guarding a prisoner, or while interviewing a witness or complainant. Muting is restricted in the same circumstances that ceasing a recording altogether is, as specifically outlined in section §422.8.2 *When Authorized to Deactivate BWC (Do Not Record)* above, and/or when specifically authorized below:

- (a) In lieu of ceasing recording altogether, use of the mute function shall be restricted to one or more of the following situations, and any muting shall not compromise any required recording of the incident:
 - 1. Investigative briefings and or tactical and strategy discussions as necessary.
 - 2. Personal conversations or personal phone calls not related to the assigned incident.
 - 3. Brief training-related conversations between Field Training Officers and trainees.
 - 4. Administrative conversations such as phone calls for chain of command notifications.
 - 5. At the direction of, or with permission from a Supervisor, with cause, and not in conflict with any section of this policy.

If the mute function is to be activated, just prior to activation, the member shall verbalize, on-camera, the reason for the muting (i.e. personal phone call, chain of command notification, etc.).

MUTING AN AUDIO RECORDING - PROCEDURE

422.8.4 SAFETY EXCEPTIONS TO MANDATED RECORDING

The following safety exceptions to mandated recording apply as listed below:

- (a) When there is an immediate threat to the safety of the officer or another person and pausing to activate a BWC may place the officer at a tactical disadvantage.
- (b) When activating the BWC could delay an Officer's response to the safety needs of a citizen during a critical incident.

STEALTH MODE - PROCEDURE

422.8.5 EXPLOSIVE DEVICE

Many body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

422.9 PROHIBITED USE OF RECORDERS (BODY WORN CAMERAS)

Officers are prohibited from:

- (a) Using department-issued BWC's, or any other type of recorders, to record other City of Binghamton or Binghamton Police Department members, either surreptitiously or overtly, when not engaged in an official enforcement-related activity, unless

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

specifically authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

- (b) Using department-issued BWC's and recording media for personal use and are prohibited from making personal copies of recordings.
- (c) Using personally owned recording devices while on-duty.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

422.10 IDENTIFICATION, ANNOTATING/TAGGING, AND PRESERVATION

- (a) Officers will attempt to complete all annotating, labeling, tagging, categorizing of BWC recordings as soon as possible to minimize end of shift time spent doing such.
- (b) All BWC recordings should be tagged with an associated incident/case number, incident type, and BWC dispatch retention classification code(s).
- (c) When a video recording exceeds two hours, it may become stored in the system in multiple segments. It is the member's responsibility to access the BWC software and correctly label all segments of the video.
- (d) When a recording is interrupted/paused, stopped and then resumed during one incident, the officer should manually tag the recording with an incident/case number.
- (e) Members are required to access the BWC software and label each video with an incident number and retention classification code in a timely fashion (§422.12 below).
 - 1. BWC videos with dispatch retention classification codes 1, 2, and 3 shall be labeled immediately.
 - 2. BWC videos with dispatch retention classification codes 4 and 5 shall be labeled at the officer's earliest convenience.

422.11 SUPERVISOR AUTHORITY AND RESPONSIBILITIES

- (a) Supervisors shall facilitate training of users.
- (b) Supervisors are required to review and audit no less than four hours of random BWC footage monthly; separate and apart from review of footage listed below.
 - 1. Reviews and audits are conducted to assist with training issues, and evaluating officer performance and compliance with this policy.
 - 2. An audit consists of viewing an officer's recorded BWC video chosen randomly, or a supervisory review of a specifically chosen incident.
 - (a) When a supervisor conducts a review/audit, a notation will be entered in the appropriate location in the software:
 - 1. The notation shall be: "REVIEW/AUDIT BY", followed by the reviewing supervisor's name.
 - (b) Videos which do not contain applicable or useful content should be avoided.

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

- (c) Overly lengthy videos should be avoided.
- (d) All reviews/audits shall be documented in the established BWC review/audit log and submitted to the Operations I Assistant Chief at the conclusion of the month.
- (c) Supervisors shall investigate and document any instance of a failure to record (including an incomplete recording), or misuse or the muting feature, as required by this policy, or when a BWC is reported missing, damaged or malfunctioning (refer to §422.8.1.d above).
- (d) Supervisors shall immediately take custody of BWC's of officers involved in a Level 3 Use of force, deadly physical force, or other serious critical incident for preservation. The BWC's will be turned over to Police Administration.
- (e) Supervisors shall order officers to not view their BWC video prior to completing a report related to all Level 3 Use of force, deadly physical force, other serious critical incident, and certain Level 2 Use of Forces (impact weapon use, Taser use), unless authorized by the Chief of Police, or Assistant Chiefs, or Administrative Captain of Internal Affairs.
 1. The designated Administrator will direct the video to be preserved and restrict access.
 2. The department reserves the right to limit or restrict an Officer's ability to review video.
 3. An administrative investigation may commence as set forth in department policy.
 4. All steps in the chain of custody of evidentiary video will be documented per department procedure.
 5. In recorded Use of Force incidents involving use of deadly physical force, use of an impact weapon, use of Taser, use of BolaWrap, a Supervisor will instruct the recording Officer to complete an incident report containing the documented threat assessment prior to reviewing a recording of the incident.
- (f) Supervisors shall review recordings in association with Use of Force Investigations.
- (g) Supervisors shall debrief and review serious incidents with other supervisory staff and involved officers for a training benefit.
- (h) Supervisors shall verify that all Officers under their command have properly uploaded and accurately classified their BWC videos as defined in §422.10 above.
- (i) Supervisors should review applicable recordings in association with any personnel complaint investigation.
 1. If a Supervisor witnesses or is advised of a serious allegation of misconduct on the part of an Officer, the Supervisor will instruct the Officer not to access the recording.
 2. The Supervisor will review the recording in furtherance of the investigation, and notify Police Administration.
 3. The Chief of Police, Assistant Chiefs, or Administrative Captain of Internal Affairs may direct the video to be preserved and restrict access.

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

- (a) Once a BWC is locked out for restricted access, no department member except Police Administration only (Chief of Police, Assistant Chiefs, and Captain of Internal Affairs) is authorized to access or attempt access to the restricted video.
- 4. Supervisors not involved in the investigation of alleged misconduct will not access video related to the allegation.
- (j) Supervisors may use BWC for in-house training purposes, with authorization from the Chief of police.

422.12 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the established records retention schedule.

BWC recordings will be retained by the department for a prescribed period of time based on the BWC dispatch retention classification code assigned to the incident.

All video recordings will be coded per the longest applicable retention category.

Code 1 - Permanent retention:

- Incident involving the death of a person.
- Incident when an officer uses deadly physical force.
- Class A Felony sex crimes: Rape 1, Criminal Sexual Act 1, Aggravated Sexual Abuse 1, Sexual Conduct Against A Child 1.

Code 2 - 10 year retention:

- Felony incidents, regardless of prosecution status, that do not qualify for a longer retention period.
- Sex offense incidents, regardless of prosecution status, that do not qualify for a longer retention period.
- Police Use of Force Incidents involving application of Police equipment such as Control Devices or Conducted Energy Devices which does not constitute Deadly Physical Force (See policies 300 through 303, and 342 BolaWrap).

Code 3 - 5 year retention:

- Misdemeanor incidents, regardless of prosecution status, that do not qualify for a longer retention period.
- Non-criminal arrest incidents.
- Allegation of police misconduct that is not coded for a longer retention period.
- Domestic incidents that are not coded for a longer retention period.
- Police Use of Force incidents not involving Police equipment.
- Motor vehicle accidents that are not coded for a longer retention period.

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

- Police stops of persons and vehicles.

Code 4 - 1 year retention:

- Non-criminal incidents that are not coded for a longer retention period.
- Prisoner transports not coded for a longer retention period.

Code 5 - 180 day retention:

- Accidental and/or test recordings.
- Any other type recording not specified above.

422.12.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release policy. Release of recordings may be restricted per NYS Civil Rights Law Section 50-A. Recordings which unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court (Public Officers Law § 89).

422.13 REVIEW/VIEWING OF BWC RECORDINGS

All recording media, recorded images and audio recordings are the property of the Binghamton Police Department. Dissemination outside of the Department is strictly prohibited, except to the extent permitted or required by law, or with authorization from the Chief of Police or his/her authorized designee.

- (a) Whenever a recording is accessed for review, the system log will create a record of the ID of the individual logging in, the time/date of access, and the I.P. address of the access point.
- (b) Members are prohibited from accessing BWC video from their home or other personal computers.
- (c) Officers may view or review their own BWC recordings on department owned devices in the Police Department after the video has been uploaded, or from streaming via Bluetooth prior to uploading. Officers are permitted to view only their own video, subject to restriction as noted in §422.11.e and §412.13.g of this policy).
 1. Downloading or recording of any BWC video is prohibited.
- (d) Members, with the exception of Supervisors acting within the scope of their supervisory duties, should not access another member's BWC recordings.
- (e) After a video has been uploaded to the software system, Officers are required to advise their supervisor of their intent to access their own recordings.
 1. **If a supervisor approves the Officer to access his recording, the Officer must will enter a note in the appropriate software section stating the reason for access.**
- (f) If within guidelines specified in this policy, when preparing written reports, or preparing for court testimony, officers may review most BWC recordings as a resource. However,

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

the Department prohibits the review of recordings prior to preparing a report regarding a serious use of force and reserves the right to restrict access to recordings in connection with any serious use of force incident or an internal investigation (refer to §422.11.e and §412.13.g of this policy).

- (g) Members are not authorized to review at any time any Level 3 Use of force, Deadly Physical Force, other serious critical incident, and certain Level 2 Use of Forces (impact weapon use, Taser use, BolaWrap), unless authorized by the Chief of Police, or Assistant Chiefs, or Administrative Captain of Internal Affairs.
- (h) Recordings are not to serve as replacement for a detailed report.
- (i) Supervisors are authorized to review relevant recordings when investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing a member's performance, or as required by the Audit/Review provision of this policy §422.11.b.
- (j) The showing of any BWC video to academy recruits, auxiliary officers, volunteers, interns, or students, or any other non-sworn members (excluding crime analysts and members of I.T. when authorized) as a training tool is prohibited, without approval from the Chief of Police.
- (k) Only the Chief of Police, Assistant Chiefs, or Administrative Captain of Internal Affairs is authorized to direct a video to be preserved and restrict access.
 - 1. Once a BWC is locked out for restricted access, no department member except Police Administration only (Chief of Police, Assistant Chiefs, and Captain of Internal Affairs) is authorized to access, or attempt access, to the restricted video.
- (l) Recorded files may also be reviewed in any of the following situations:
 - 1. Upon approval by a supervisor, by any member of the Department who is participating in an official personnel investigation, such as a personnel complaint, administrative investigation or criminal investigation.
 - 2. Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
 - 3. Recordings that are of value as training tools.
 - (a) If an Officer objects to showing a BWC recording for training purposes, his/her objection should be submitted to the command staff before showing the video to determine if the training value outweighs the officer's objection.
 - 4. Recordings that may be beneficial in reviewing an Officer's performance.
 - 5. By Investigators in furtherance of a criminal investigation.
 - 6. By Crime Analysts in furtherance of intelligence gathering.
 - 7. When authorized by the Chief of Police or authorized designee.

Binghamton Police Department

Policy Manual

Body Worn Cameras (BWC)

- (a) **Any member who accesses videos set forth in 1 through 7 above will enter a note in the appropriate software section stating the reason for access.**
- 8. By members of the District Attorney's Office through the proper evidence process.
- 9. Official statements when authorized by the Department.

422.14 F.O.I.L. (FREEDOM OF INFORMATION LAW) REQUESTS / PUBLIC DISCLOSURE

- (a) All recordings are official police records. Recordings are subject to New York State Civil Rights and Article 6 of the New York State Public Officers Law.
- (b) When subject to a Freedom of Information Law request, the recording will be reviewed by Police Administration prior to release and may be withheld or redacted for reasons set forth in applicable New York State Law.
- (c) Except in accordance with New York State law, no other individuals shall have access to or be provided with any recordings except jurisdictional prosecutors or individuals as authorized by the Chief of Police.
- (d) In cases where an officer is party to an administrative proceeding, any relevant recordings may be reviewed, if the recordings are to be presented as evidence in said proceedings.