



## **Body Worn Camera Frequently Asked Questions**

### **1. What is a body worn camera and where will officers mount it?**

A body worn camera is a small camera mounted on the uniform of a police officer which will objectively record interactions between law enforcement officers and citizens. The cameras will either be mounted on the center of the officer chest or on the helmet of our traffic officers.

### **2. What is the brand of body worn camera used by San Mateo Police?**

The brand of camera is Axon- <https://www.axon.com/company>.

### **3. Will all police interactions be recorded? What if someone does not want to be recorded?**

With few exceptions officers are encouraged to record all law enforcement related contacts with the public. There will be some exceptions, e.g. crime victims, where obtaining the statement from the victim outweighs the need to have the encounter recorded.

### **4. Are officers required to tell citizens they are being video recorded?**

Officers are not required to advise citizens they are being recorded, but it will be our practice to alert citizens when practical that they are being recorded.

### **5. Can an officer record inside a private residence?**

Yes, under the following circumstances: (1) if there is a valid warrant; (2) consent from the resident; or (3) if there is a legal exception for the police to enter a dwelling. Absent those legal circumstances, if a resident does not consent to entry, officers will not enter the home absent a warrant or exigent circumstances. If consent is given, the body cameras will remain on absent a specific policy exemption.

### **6. Can anyone edit the video?**

The original version of the video cannot be edited by anyone, including system administrators. Redacted copies of the videos to blur people/objects, remove audio, and narrow the video to relevant sections can be created by authorized users. The original version the video will remain unchanged.

### **7. Can anyone delete a video?**

Videos can be deleted either through an automated retention system based upon the type of incident recorded or manually by a system administrator. Manual deletions will only be done after a criminal case is adjudicated in a court of law or if a recording was accidentally made in a

location restricted by policy, such as a restroom. Manual deletions of accidental recordings will require command staff approval.

**8. How long will the videos be retained?**

Non-evidential videos will be retained based upon the current California Records Retention Schedule. Evidential videos will be retained until the criminal case is adjudicated in a court of law or the statute of limitations has passed.

**9. Who can obtain a copy of the body worn camera video?**

The release of recordings to any person shall be made in accordance with current department policy and procedures, and pursuant to requirements of applicable law, including but not limited to the California Records Act.

**10. Why shouldn't all video recorded by police be made available to the public?**

One of the most critical issues for people interacting with police is privacy. People often need to seek police assistance when they are going through difficult personal challenges. Certain groups of citizens have strong specific privacy protections – particularly juveniles. Victims also have privacy protections in the law, in particular to protect them from the offender. The Freedom of Information Act (FOIA) law for law enforcement records was developed for paper documents and never contemplated the complexities of protecting privacy in video and audio recording.

**11. How does the BWC program increase police accountability if the public cannot see the videos?**

Videos will increase accountability by recording interactions from start to finish and being available to those involved in the incident, partners in the criminal and civil justice system, and any government agency that investigate the police.

**12. Does the department have plans to use facial recognition technology with the video from the body cameras?**

The department does not have any current plans to use facial recognition technology in connection with body camera video.