

# **UNIT THREE**

**A member of the public is required to provide specific information when submitting a written request in obtaining information recorded by a body worn camera.**

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## **Learning Objectives - Cont'd:**

**Learning Objective 3.0 :** Participant will learn that a member of the public is required to provide specific information when submitting a written request in obtaining information recorded by a body worn camera.

**Learning Objective 3.1 :** Participant will be able to describe the process that the public has to complete in order to obtain body camera recorded videos.

**Learning Objective 3.2 :** Participant will to list the information that an agency can withhold.

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## **Learning Objectives - Cont'd:**

**Learning Objective 3.3 :** Participant will be able to discuss the term "redaction" and how it applies to body worn camera recordings.

**Learning Objective 3.4 :** Participant will be able to define the term "Private Space."

**Learning Objective 3.5 :** Participant will be able to differentiate when a request for an attorney general decision needs to be put into play due to a body worn camera recoding request.

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**Learning Objectives – Cont'd:**

**Learning Objective 3.6 :** Participant will be able to describe voluminous public information requests

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**3.0 Required Information**

1. Date and approximate time of the \_\_\_\_\_
2. Specific \_\_\_\_\_ where the recording occurred
3. Name of one or more of the persons known to be a \_\_\_\_\_ of the recording.

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**3.0 Required Information**

*Continued*

**Note:** failure to provide the information above **does not preclude** the requestor from making a future request for the same recorded information.



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**3.0 Required Information  
Terms**

\_\_\_\_\_ -a form of editing  
video or camera captured footage  
to eliminate or alter the collected -  
documented  
work.

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**3.0 Required Information  
Terms – Cont'd**

\_\_\_\_\_ -is a place where  
one may reasonably expect to be  
safe from uninvited intrusion or  
surveillance, but does not include a  
place to which the public has lawful  
access.

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**3.0 Required Information  
Terms – Cont'd**

\_\_\_\_\_ -the  
request of large volumes of  
video captured technology.

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**3.1 Public Process for Requesting BWC Video**

Agencies should have clear and consistent protocols for \_\_\_\_\_ recorded data externally to the public and the news media.



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**3.1 Public Process for Requesting BWC Video - Cont'd**

Each *agency's policy must comply with the state's public* \_\_\_\_\_.

A broad disclosure policy to promote agency \_\_\_\_\_ and \_\_\_\_\_ is generally recommended.

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**3.1 Public Process for Requesting BWC Video - Cont'd**

However, **agencies** must always take into account \_\_\_\_\_ considerations when determining whether to release footage.

Policies should include specific measures for \_\_\_\_\_ video access or release.

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**AGENCY POLICY & PROCEDURE 010**

010 E 2 - 4

2. All \_\_\_\_\_ and \_\_\_\_\_ recorded by the BWC are the **exclusive property of this agency**. Accessing, copying, or releasing files for non-law enforcement purposes is strictly \_\_\_\_\_.



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**AGENCY POLICY & PROCEDURE 010**

010 E 2 - 4

3. All access to BWC data (images, sounds, and metadata) must be specifically authorized by the \_\_\_\_\_ PCT#4 or his or her designee in writing, and all access is to be \_\_\_\_\_

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**Bexar County Constable's Office PCT#4 Policy & Procedure #010 E2-4**

Cont'd: \_\_\_\_\_ to ensure that only authorized users are **accessing the data** for \_\_\_\_\_ and \_\_\_\_\_ purposes.

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**AGENCY POLICY & PROCEDURE 010**

010 E 2 - 4

4. Files should be **securely** stored in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution.

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**AGENCY POLICY & PROCEDURE 010**

010 E 2 - 4

4. In capital punishment \_\_\_\_\_, recordings shall be kept until the \_\_\_\_\_ is no longer under control of a criminal justice agency.

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**3.2 Information Agency can withhold**

When determining whether a recording should be prohibited, agencies should consider **privacy concerns**, the need for \_\_\_\_\_, the safety of the **officer** and the citizen, and the **evidentiary value** of recording.

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**3.2 Information Agency  
can withhold – Cont'd**

**Prohibited recordings should include the following:**

- √ **Conversations with confidential \_\_\_\_\_ and undercover officers (to protect \_\_\_\_\_ and officer safety)**

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**3.2 Information Agency  
can withhold – Cont'd**

**Prohibited recordings should include the following:**

- √ **Places where a reasonable expectation of privacy exists (e.g., bathrooms or locker rooms)**
- √ **Strip \_\_\_\_\_**

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**3.2 Information Agency  
can withhold – Cont'd**

**Prohibited recordings should include the following:**

- √ **Conversations with other \_\_\_\_\_ that involve case tactics or strategy**

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**3.2 Information Agency  
can withhold – Cont'd**

Prohibited recordings should include the following:

√ Policies should clearly state any other types of recordings that are \_\_\_\_\_ by the agency

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Prohibited recordings should include the following - Continued

√ Agencies should \_\_\_\_\_ other agency personnel *during routine, non-enforcement-related activities* unless recording is required by a court order or is authorized as part of an administrative or criminal investigation.

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**3.3 Redaction of BWC  
Recordings**

\_\_\_\_\_ – a form of \_\_\_\_\_ video or camera captured footage to eliminate or alter the collected/documented work.

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**3.3 Redaction of BWC Recordings  
Continued**

While law enforcement agencies that have implemented body-worn cameras report that responding to public disclosure requests can be **administratively complicated**, **LE agencies** must implement systems that \_\_\_\_\_ to these requests are timely, efficient, and fully transparent.

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**3.3 Redaction of BWC Recordings  
Continued**

This process should include reviewing footage to locate the requested video, determining which portions are subject to public release under state disclosure laws, and redacting any portions that state law prohibits from disclosure (e.g., images of \_\_\_\_\_ faces).

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**3.3 Redaction of BWC  
Recordings – Cont'd**

The most important element of an agency's policy is to communicate it \_\_\_\_\_ and \_\_\_\_\_ within the community.

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**3.4 PRIVATE SPACE**

Private space - is a place where one may **reasonably expect to be safe from uninvited \_\_\_\_\_** or surveillance, but does not include a place to which the public has lawful access.

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**3.4 PRIVATE SPACE Cont'd**

A law enforcement agency **may not release** any portion of a recording made in a private space.



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**3.4 PRIVATE SPACE Cont'd**

Law Enforcement Agency **may NOT release** any portion made in private space **OR \_\_\_\_\_** offense punishable by fine only and **not** an arrest without prior written permission by the person that is subject of the recording.

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**3.5 BODY WORN CAMERA  
Exceptions to Release**

Section 552.301 (b) Government Code

- Turn it over to your County

\_\_\_\_\_

- \_\_\_\_\_ opinion must be requested within 20 business days of the receipt of the written request

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**3.5 BODY WORN CAMERA  
Exceptions to Release - Cont'd**

Section 552.301 (b) Government Code

- Response to the requestor is considered timely if requested no later than the \_\_\_\_\_ business day of written request.

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**3.5 BODY WORN CAMERA  
Exceptions to Release - Cont'd**

Section 552.301 (e) Government Code

- Turn it over to your County/City Attorney
- Attorney General opinion must be made within \_\_\_\_\_ business days of the *receipt of the written request*

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**3.5 BODY WORN CAMERA  
Exceptions to Release - Cont'd**

Section 552.301 (e) Government Code

➤ Response to the requestor is considered timely if made no later than the \_\_\_\_ business day of \_\_\_\_\_.

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**3.5 BODY WORN CAMERA  
Exceptions to Release - Cont'd**

**Open Records Request**

Release of recordings shall be done in accordance with Occupations Code 1701, Subchapter N and Government Code Chapter 552.

**LOOK THESE UP ON  
YOUR HOME COMPUTER**

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**3.6 VOLUMINOUS REQUEST**

A \_\_\_\_\_ for body camera recordings from more than \_\_\_\_\_ **separate incidents;**

**More than five separate requests for body worn camera recordings from the same person in a \_\_\_\_-hour period, regardless of the number of incidents included in each request; or**

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**3.6 VOLUMINOUS REQUEST**  
**Continued**

A request or \_\_\_\_\_  
from the same person in a 24-  
hour period for body worn  
camera recordings that, **taken  
together, constitute more than**  
\_\_\_\_\_ **total hours of video  
footage.**

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**3.6 VOLUMINOUS REQUEST**  
**Continued**

An **officer** who receives a  
**voluminous request** is  
considered to have promptly  
produced the information for  
purposes of release, if the **officer**  
takes the actions required before  
the \_\_\_\_\_ business day after the date  
of receipt of the written request.

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