I. PURPOSE

The purpose of this policy is to provide officers with guidelines on the use and management of body-worn cameras (BWCs) so that officers may reliably record their contacts with the public in accordance with the law.

II. POLICY

It is the policy of the Lexington Police Department that body-worn cameras are intended to assist officers in the performance of their duties and to provide an audio and video record of contacts and interactions with members of the public, suspects, and others in a wide variety of situations. The use of BWCs provides documentary evidence for criminal investigations and internal or administrative investigations.

It is also the policy of the department that officers shall utilize BWCs in accordance with the provisions of this policy to maximize the effectiveness of the audio and video documentation, to achieve operational objectives and to ensure evidence integrity.

It is also the policy of the department that officers shall utilize their BWCs consistent with the Fourth Amendment to the United States Constitution, Section 10 of the Kentucky Constitution and otherwise clearly established statutory law and judicial decisional authority.

III. DEFINITIONS

Body-Worn Camera Administrator: Employee with full access to user rights and website. Assigns and tracks equipment; controls passwords; conducts quality checks of uploaded data; coordinates data retention. The department’s body-worn camera administrator is designated by the Chief of Police.

End User: BWC User with individual account access rights the current department storage solution.

Event Mode: In the Event Mode, the BWC saves the buffered video, and continues recording audio and video for up to eight hours.

Evidence Transfer Manager (ETM): Docking stations physically installed at a location(s) within the department. The ETM simultaneously recharges the device while uploading all digitally encrypted data. The ETM then transfers the data to the current department storage solution. The ETM ensures that evidence handling is secured and that data is not altered.

File: For the purpose of this document, the term “file” refers to all sounds, images, and associated metadata.
**Law Enforcement Contact:** Direct or potential contacts with members of the public, investigative or otherwise, that occur within the performance of an officer’s official duties.

**Media/data:** Includes photographs, audio recordings and video footage. The media is stored digitally.

**Normal (Buffering) Mode:** The body camera continuously loops video recording for up to 30 seconds before recording is started by the officer. Records video (no audio) while buffering.

**Storage Solution:** Digital media storage solution. The storage solution stores digitally encrypted data in a highly secure environment accessible to authorized department employees. Accessibility is limited based upon the level of security clearance assigned to the employee.

NOTE: Audio or video recordings of investigative or enforcement actions are evidence, and subject to rules of disclosure. The department regulates and controls all forms of evidence collection and storage.

**IV. PROCEDURES**

A. General Provisions

1. The Lexington Police Department has adopted the use of body-worn cameras to accomplish several objectives, including:

   a. To enhance public trust by preserving representations of officer-public contacts in the form of audiovisual recordings.

   b. To enhance officer safety.

   c. BWCs allow for documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance officer reports and testimony in court.

   d. Audio and video recordings also enhance the department’s ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.

   e. The BWC may also be useful in documenting crime and collision scenes or other events that include the confiscation and documentation of evidence or contraband.

   f. To allow for supervisory review of officer-public contacts, critical incidents, and other police operations.

2. Officers are only authorized to use department assigned body-worn camera equipment. The wearing of any other personal video recorder is not authorized.

3. Department assigned body-worn camera equipment shall not be used for non-official business.

4. All video collected by officers assigned or using the issued BWC is considered property of the Lexington Police Department.
a. No officer will review, access, copy, upload/download, post, or release files for personal or non-law enforcement related purposes or any other reason other than as described in this policy, unless authorized by the Chief of Police or designee.

5. Department assigned body camera equipment shall only be utilized by officers who have completed a department approved and/or provided training program in its use when issued.

a. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment and to incorporate changes, updates, or other revisions in policy and equipment.

6. In general, officers should not activate a BWC in places where an individual unrelated to the investigation would have a reasonable expectation of privacy, such as a locker room, changing room, restroom, doctor’s office examination rooms, or other similar place(s).

a. Use of a BWC in a hospital setting shall be limited to investigative use only. Officers will not intentionally record a patient’s medical interaction and procedures with hospital personnel unless it directly relates to the investigation.

b. When in a hospital emergency room, gym locker room, other similar place(s), and areas where juveniles may be present, and when possible, officers should attempt to avoid the recording of images that may depict medical or personal information of third parties unrelated to the investigation.

7. Prior to conducting strip searches, officers shall video and audio record a 360° view of the location where the strip search will take place. However, officers shall only record the audio portion of the actual strip search by positioning the camera away from the person on whom the strip search is being conducted.

8. Whenever an officer believes that a recorded contact may lead to a complaint from a member of the public, they should bring the recording to the attention of their supervisor as soon as possible.

9. Officers are responsible to use BWC equipment with reasonable care to ensure proper functioning. Equipment malfunctions, theft, the loss of, or damage to any part of the body camera equipment shall be immediately reported to their supervisor.

10. Officers shall not allow members of the public to review BWC recordings unless authorized by a supervisor.

B. Officer Responsibilities

1. When and How to Use the BWC

a. Officers shall place their assigned BWC in buffering mode at the end of roll call, or when they are ready to receive and respond to calls for service. The BWC should remain in buffering mode until they arrive at their residence at the end of their shift, or when they leave Fayette County after the end of their shift.
b. Officers shall activate the BWC to record all law enforcement contacts.

1. Officers shall place the BWC in the “Event Mode” as soon as practical at the onset of a given situation.
   
a. The officer shall also place the BWC in “Event Mode” whenever they operate their vehicle as an emergency vehicle, as defined by KRS 189.940 and as described in GO series 2011-08 Emergency and Pursuit Driving.

2. Once in the Event Mode officers shall continue to record until the completion of the event, they have left the scene, and/or they have transferred custody of the prisoner to another law enforcement officer. This is to include the recording of associated statements.

c. Officers shall also activate the BWC when it would be beneficial in criminal or administrative matters. The list below, while not all inclusive, provides some examples of what is expected. Some examples are as follows:

   1. Intentionally discharging a firearm (i.e. the euthanizing of an injured animal)
   2. Conducting a residential or business building search
   3. Conducting vehicle searches
   4. Collecting evidence
   5. Towing vehicles

d. With few exceptions officers are required to record all law enforcement related contacts with the public.

1. Officers shall not discontinue recording unless:

   a. The person wishes to submit an anonymous tip, in which the decision to record is at the discretion of the officer and, in the opinion of the officer, the value of the information outweighs the recording, or

   b. The officer is interviewing a crime victim, where obtaining the statement from the victim outweighs the need to have the encounter recorded.

2. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy.

3. If an officer fails to activate the BWC, fails to record the entire contact, or makes a conscious decision to not record or to interrupt the recording, the officer shall document the circumstances and include an explanation.
a. If a conscious decision was made, the explanation shall be made on the recording prior to the termination.

b. If a recording was not made, then this should be documented in any documents generated for the event.

c. In addition, the officer’s immediate supervisor shall complete the appropriate BlueTeam report and forward it through the chain of command to the Public Integrity Unit.

4. Additional arriving officers to a scene shall place their BWC in the Event Mode upon arrival, or while responding to the scene as an emergency vehicle, and shall continue to record as described in 2 above.

5. An officer who transports a prisoner will continue to record throughout the transport process until the transfer of custody of the prisoner is completed and they have physically left the detention facility.

e. Guard Duty BWC recording procedures:

1. Officers are generally not required to record:

   a. If the officer is outside of the prisoner’s hospital room, or

   b. If the officer is inside the prisoner’s hospital room and no law enforcement related interactions are taking place.

2. Whenever the officer is called into the prisoner’s hospital room by the hospital staff or the prisoner, or whenever the officer has to address an issue with the prisoner, the BWC will be activated.

f. Officers are generally not required to record report calls taken over the telephone.

g. Nothing in this policy shall prohibit an officer from activating their BWC whenever they deem the use of the camera appropriate and/or valuable to document an incident.

2. Procedures for BWC Use

a. Officers who are assigned BWC equipment shall wear and use the equipment they were issued while on duty or working an off-duty assignment in uniform unless otherwise authorized by a supervisor.

1. Officers shall not utilize other officers’ assigned BWC equipment at any time.

2. Officers shall position the camera on either the officer’s head or collar of their uniform to facilitate optimum recording field of view.

b. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and that it is appropriately charged, and shall notify their supervisor of any
problems.

1. Only fully operational systems shall be used.

2. If a BWC malfunctions or becomes inoperable during an officer’s shift, the officer shall immediately report the issue to a supervisor. This shall be noted in all electronic case reports and uniform citations so that there is a consistent record.

3. Officers shall not attempt to make repairs to BWC equipment.

4. Officers may obtain replacement cables from either:
   
a. The Computer Information Systems Unit (during regular business hours), or

   b. Central Records Reports Desk (after hours).

c. Officers are encouraged to inform their supervisor of any recording that may be of value for training purposes.

d. Officers shall note one of the following statements in a citation and other related documents:

   1. “No BWC present”

   2. “BWC present- not activated”

   3. “BWC present- activated- not reviewed”

   4. “BWC present- activated- reviewed”

Note: ‘Reviewed’ or ‘not reviewed’ refers to whether or not the BWC video was reviewed prior to completing the document(s).

e. BWC recordings are not a replacement for electronic case reports or uniform citations.

f. Officers shall upload all captured BWC video at the end of their shifts or assignments. Videos captured in an off-duty situation shall be uploaded at the beginning of the next shift or within 3 days of the encounter, whichever is shorter.

g. Officers who are issued BWC shall utilize their BWC in accordance with this policy at special and/or large scale events (events include, but are not limited to: UK home football games, civil disturbances, Fourth of July Festival, Roots and Heritage, preplanned NCAA events, large scale celebrations, etc.).

   1. The use of BWC for recording at special and/or large scale events can be limited or altered at the discretion of the incident commander of the event.
2. In the event BWC recording is limited or altered, the incident commander shall instruct officers on the types of activities that shall be recorded and document their orders in the after action report.

3. If certain law enforcement contacts are limited or altered, the officer is not required to complete a memorandum as directed in IV, B, 2, c, 2 above.

h. Officers who work large scale off-duty events (concerts, sporting events, etc.) where there is no incident commander shall utilize their BWC in accordance with this policy by recording all law enforcement contacts with the public.

3. Restrictions on Using the BWC

a. BWCs shall be used only in conjunction with official law enforcement duties.

b. The BWC shall not generally be used to record:

1. Communications with other police department employees without the permission of the Chief of Police;

2. Encounters with undercover officers or confidential informants, unless the recording is authorized by a supervisor and is conducted specifically for the purpose of documenting a sting, a drug purchase or sale, or other undercover operation in furtherance of a criminal investigation;

3. When on break or otherwise engaged in personal activities.

4. Procedures for Documenting BWC Videos

a. The ID field shall be the 10 digit case number for the primary incident. It shall be the four digit year followed by the six digit case number with no spaces or punctuation.

b. Additional case numbers (e.g. JC-3) shall be placed in the Title field.

c. The Title field shall be the nature of the call and the incident location (e.g. Domestic Violence – 150 E. Main St. – JC-3# 2017123456).

d. The Category field is used to establish the retention time period for the video. At least one category must be selected for each item.

e. The categories should be chosen to ensure the proper retention. Videos which contain evidence shall be categorized to ensure they are available should they be needed for trial.

Note: Additional information about the categories can be located in the Resources Folder on the G Drive and in the appendix attached to this policy.

C. Supervisory Responsibilities

1. Supervisors shall ensure that officers equipped with BWCs utilize them, maintain them and
document BWC activation in accordance with department policy and procedures.

2. Supervisors shall document monthly inspections of officers’ BWCs on the Inspection Sheet (Form #603). Supervisors’ monthly BWC inspections (which should be conducted at the start of a shift) shall include verifying that all BWC cables and connectors are in place, are apparently undamaged, and the battery indicator is green.

3. Supervisors should monitor that officers upload all captured BWC video to the current department storage solution as outlined above, or that the officer articulates, and they approve, any circumstances preventing this from taking place.

4. Supervisors shall review appropriate video from the BWCs of officers in their direct chain of command under the following circumstances:
   
a. When a complaint against an officer from a member of the public is received, or to review a specific incident in which the officer was involved.

b. Following a certain incident, such as:
   
   1. Officer involved shooting
   2. Vehicle/foot pursuit
   3. Injury to a prisoner
   4. Injury to an officer
   5. Response to resistance (Use of force by an officer)
   6. Officer involved collision, etc.

c. As part of evaluating the performance of a probationary officer, including while the officer is in the FTO process.

d. When there is an allegation (internally or externally) of a pattern of abuse or misconduct, supervisors shall randomly audit BWC video to evaluate performance and conduct. The review of BWC video should also include recordings that were made prior to the allegation. The random audit shall be documented on a memorandum which shall be forwarded through the chain of command to the bureau assistant chief.

e. When notified by an officer of a situation recorded on the BWC that, in the officer’s opinion:
   
   1. May result in a complaint, or
   2. May otherwise be beneficial for the supervisor to review

f. At the supervisor’s discretion for circumstances not included in the above list.

5. Supervisors may also review a specific incident recording for the purpose of training,
critique, early intervention inquiries or for investigative purposes.

6. Upon notification or discovery of a malfunctioning BWC, the supervisor shall contact the body-worn camera administrator or designee and coordinate replacement and/or repair.

7. Supervisors investigating a critical incident or response to resistance shall ensure the category “08-Critical Incident/Response to Resistance” is added to all videos from the incident.

8. Supervisors investigating an informal complaint shall ensure the category “09-Informal Complaint” is added to all videos from the incident.

D. Public Integrity Unit Responsibilities

1. In order to ensure compliance with the BWC policy, department policy and procedures, and to evaluate the overall performance of officers, the Public Integrity Unit shall conduct a random monthly audit of at least 20 BWC videos or as determined by the Chief of Police or designee.

2. This random audit will identify instances where a BWC video has been taken or should be taken according to this policy and videos selected for the audit will be reviewed.

3. The Public Integrity Unit shall compile and track instances where a body-worn camera should have been activated but was not, for reasons identified in BlueTeam.

4. The Public Integrity Unit shall ensure the category “10-Formal Complaint” is added to all videos from an incident that results in a formal complaint.

E. Statutory Provisions for DUI Cases

1. KRS 189A.100 specifically addresses the procedures for securing, reviewing, maintaining and destroying video and audio evidence in DUI cases.

KRS 189A.100 Administration of preliminary breath tests -- Visual recording of vehicle pursuits, traffic stops, and field sobriety tests -- Conditions of recording -- Use and destruction of recordings. [Excerpts]

(2) Law enforcement agencies may record on film or videotape or by other visual and audible means the pursuit of a violator or suspected violator, the traffic stop, or field sobriety tests administered at the scene of an arrest for violation of KRS 189A.010 or such tests at a police station, jail, or other suitable facility subject to the following conditions:

(a) The testing is recorded in its entirety (except for blood alcohol analysis and testing); and

(e) Recordings shall be used for official purposes only, which shall include:

1. Viewing in court;

2. Viewing by the prosecution and defense in preparation for a
trial; and

3. Viewing for the purposes of administrative reviews and official administrative proceedings. Recordings shall otherwise be considered confidential records; and

(f) The videotape or film taken in accordance with this section shall, upon order of the District Court, be destroyed after the later of the following:

1. Fourteen (14) months, if there is no appeal of any criminal or traffic case filed as a result of the videotape or film, or if the videotape or film does not record the actual happening of an incident involving a motor vehicle;

2. Fourteen (14) months after a decision has been made not to prosecute any case upon which an arrest has been made or a citation issued as a result of the videotape or film, if the videotape does not record the actual happening of an accident involving a motor vehicle;

3. Twenty-six (26) months, if there is no appeal of any criminal or traffic case filed as a result of the videotape or film, if the videotape or film records the actual happening of an accident involving a motor vehicle;

4. After all appeals have been exhausted arising from any criminal or traffic case filed as a result of the videotape;

5. At the conclusion of any civil case arising from events depicted on the videotape or film; or

6. At the conclusion of the exhaustion of all appeals arising from any law enforcement agency administrative proceedings arising from events depicted on the videotape or film; and

(g) Public officials or employees utilizing or showing recordings other than as permitted in this chapter or permitting others to do so shall be guilty of official misconduct in the first degree.

Effective: October 1, 2000

F. Storage

1. All BWC files shall be securely uploaded per currently approved department procedures.

2. All access to BWC files shall be audited as directed by the Chief of Police to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
G. Review of BWC Files

1. For certain purposes, officers may review their own BWC video recording unless otherwise restricted by this policy.

   a. Once uploaded to the server, an officer may view their own audio/video data at a department computer by logging into the current department storage solution and documenting the specific reason for access on the video file page in the “NOTES” section prior to viewing any data, unless exempted by the Chief of Police.

   b. The current department storage solution automatically time/date stamps and records each access by officer name.

2. Officers shall be allowed to review video from the BWC in the following instances:

   a. Completing an electronic case report and uniform citation following an arrest.

   b. Prior to courtroom testimony or for courtroom presentation.

   c. A Field Training Officer may review their BWC video files, as well as the BWC video file of an officer they are currently field training, to provide immediate training and to assist with the completion of the Daily Observation Report.

   d. A detective or officer assigned a case that involves BWC video(s) shall be permitted access to review the video(s). Proper documentation will also be added to the “NOTES” section of the current department storage solution prior to viewing any video(s).

      1. Detectives who are assigned a case which has BWC video shall review the videos to ensure they are categorized correctly.

      2. If they discover a video is not categorized correctly, they shall change the category to ensure proper retention and notify the recording officer of the change.

      3. If a detective places a criminal charge or files a criminal complaint on a case with BWC video, they shall ensure the category “05-Arrest/Criminal Citation” is added to all videos from the incident.

      4. Any detective investigating a homicide shall ensure the category “07-Homicide” is added to all videos from the incident.

3. Officers shall not view BWC video files prior to making an administrative statement in the following instances:

   a. When the actions of an officer result in any individual’s death or serious physical injury.

   b. When deadly force is used.
4. Officers shall not view any other officer’s BWC footage prior to making an administrative statement or completing BlueTeam reports or other reports relating to a critical incident or electronic case reports.

5. Once an officer has made an administrative statement in the instances outlined in 3 above, the officer will ordinarily be afforded an opportunity to review the video and clarify anything the officer observed in the video.

6. The department reserves the right to limit or restrict, and a supervisor may limit or restrict any officer from viewing any video file related to the following incidents:
   a. An officer-involved shooting or other critical incident.
   b. Serious response to resistance incidents.
   c. Any time an officer is suspected of inappropriate conduct.
   d. Any time a recording has no valid official purpose or no apparent evidentiary or investigative value.

7. Only authorized employees can view restricted videos.
   a. The supervisor restricting access shall ensure the category “31-Restricted” is added to all videos determined to be restricted.
   b. Once a video is categorized as restricted, only the body-worn camera administrator, or designee, acting under the direction of the BOA Assistant Chief, has the authority to grant access to any restricted video.

H. BWC File Requests

1. Interagency Requests
   a. Interagency requests for BWC files, to include requests from the Fayette County Commonwealth’s Attorney or the Fayette County Attorney, shall be submitted via currently approved department methods.
   b. Sufficient information to locate the proper BWC file will be included in the request.

2. Public Requests
   a. All other requests for a BWC file, including media inquiries, shall be accepted, received and processed in accordance with federal, state, and local statutes and department policy.
   b. 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 Kentucky Open Records Act.
   c. Only that portion of a recording which contains a specific contact in question shall be
reproduced.

3. BWC Files Related to Criminal or Internal Investigations

a. When an officer who is conducting a criminal or internal investigation determines that access to BWC files should be restricted, they will consult with their supervisor to request the videos be categorized as restricted.

b. The supervisor is responsible to determine whether the videos should be restricted. If the supervisor authorizes the restriction, they shall ensure the category “31-Restricted” is added to all videos from the incident.

1. The supervisor shall coordinate with the body-worn camera administrator to determine who is authorized to have access to the restricted videos.

c. Any supervisor can request removal of a category “31-Restricted.” The supervisor will send a request, in writing, to the BOA Assistant Chief’s office. The request will be processed by the BOA office.

d. Any department investigator who accesses the BWC file(s) shall:

1. Document the reason for access by entering the related case number on the BWC “NOTES” field prior to viewing, unless exempted by the Chief of Police or designee.

2. Review the file to determine whether the BWC has evidentiary value and process in accordance with established procedures.

4. Recommendation to Use a BWC File as a Training Tool

a. A BWC file may be utilized as a training tool for individual officers, specific units, and the department as a whole.

b. A person recommending utilization of a BWC file for training purposes shall submit the recommendation through the chain of command.

1. Any involved officer or employee in the recommended BWC file shall receive mandatory notification from the Training Section that a BWC file in which they appear has been recommended for use as a training tool.

2. If an involved officer or employee objects to the showing of a recording, their objection will be submitted to the Chief of Police to determine if the employee’s objection outweighs the training value.

c. The Chief of Police or designee shall review the recommendation and determine how best to utilize the BWC file. Considerations include:

1. The identity of the persons involved

2. Sensitivity of the incident
3. Benefit of utilizing the BWC file versus other options

d. Under no circumstances shall any recordings be used or shown for the sole or primary purpose of bringing ridicule or embarrassment upon any officer, employee, individual, or group.

I. Records Retention

1. BWC recordings shall be retained for a minimum of 30 days (non-evidentiary recordings), with the exception of those recordings which need to be retained longer (evidentiary recordings) due to an investigation (including criminal, administrative, etc.), litigation or open records request.

   a. These recordings shall be maintained until all investigative or legal proceedings are completed, pursuant to KRS or applicable records retention schedules.

2. Recordings containing DUI video evidence shall be maintained and destroyed pursuant to KRS 189A.100.

3. All digital video and audio files are subject to open records requests as allowed by Kentucky law. Recordings that are the subject of a denied open records request shall be maintained until the dispute between the department and the person or entity requesting the records is resolved.

   a. The Open Records Unit shall ensure the category “12-Denied Open Records Request” is added to all videos which are requested to be released but are denied.

   b. The Open Records Unit shall ensure the category “12-Denied Open Records Request” is removed from the videos once the dispute has been resolved.

4. Requests for deletion of a recording:

   a. In the event of an activation of the BWC during non-enforcement or non-investigative activities (e.g., restroom or meal breaks, personal and/or private conversations of an officer unrelated to any ongoing criminal or internal investigation, a situation that otherwise has no valid official purpose or no apparent evidentiary or investigative value), the recording officer may request for the deletion of the recorded video file by:

      1. Forwarding an email detailing the circumstances of the unintentional recording to the officer’s bureau assistant chief.

         a. The request should contain sufficient information to locate the proper BWC video file (e.g. recording officer, date, time).

         b. If there are portions of the video that the officer feels are sensitive in nature and believes that those portions of the recording should not be viewed by the entire chain of command, the officer will identify the precise location(s) in the recording that this occurs.
1. Supervisors in the officer’s chain of command should only review portions of the video which were not identified by the officer as being sensitive.

2. Requests for deletion of portions of the recordings shall be approved by the Chief of Police or designee in accordance with state records retention laws.

3. The BWC file shall be reviewed by the Chief’s designee to approve or deny the request, and to forward their decision to the body-worn camera administrator.
   a. The Chief’s designee is the sole person authorized to review portions of recordings which have been identified as sensitive to ensure that the recording is being deleted in accordance with I. 4. a above.

4. If approved, the deletion will be made by the body-worn camera administrator.
   a. The body-worn camera administrator shall keep a copy of the email authorizing the deletion, should any future issues arise regarding the deleted recording.

5. All requests and final decisions shall be kept on file.

5. Evidence Disposition
   a. BWC videos marked with a manual retention category are to be considered evidence and will be disposed of consistent with GO series 1991-13 Property and Evidence Procedures.
   b. Officers will indicate in the Dispose section of the Property and Evidence Disposition Form (#320) that BWC video exists and needs to be disposed of.
   c. The Property Disposition Form will be sent to Property and Evidence with the rest of the case.
   d. The Property and Evidence Unit will forward forms with BWC video to the body-worn camera administrator for disposal.

[The appendix begins on the next page.]
Appendix

Body-Worn Cameras Category Descriptions

The below information provides guidance to assist employees with choosing the correct categories for body-worn camera videos. This information is not all-inclusive and does not cover every circumstance. If additional assistance is needed, contact a supervisor.

If the video may have evidentiary value, then one of the categories with a manual retention schedule shall be selected in order to prevent that video from being disposed of prior to it being needed in court. There does not have to be an arrest made or citation issued for a video to be considered evidentiary.

01-Non-Evidentiary (30 day retention) (*)

Used for videos documenting situations where no enforcement action was taken and nothing of evidentiary value was recorded. Some examples of these include:

* Motorist assists
* Law enforcement contacts where no enforcement action taken
* No witness statements were taken
* Collisions with no serious injuries

02-Evidentiary (Manual retention) (*)

Used for videos documenting law enforcement contacts which may have evidentiary value and no other category is appropriate. Some examples of these include:

* Suspect interviews
* Victim interviews when they are also a witness to the crime
* Witness interviews
* Serious injury collisions
* Domestic/dating violence and abuse investigations
* Videos where evidence of the crime is recorded

03-Traffic Citation Only (1 year retention) (*)

Used for videos documenting traffic stops where only traffic charges were placed and no criminal citations were issued.

04-Traffic Stop - No Citation (30 day retention) (*)

Used for videos documenting traffic stops where only a warning citation was issued.

05-Arrest/Criminal Citation (Manual retention) (*)

Used for videos documenting encounters where a criminal citation was issued or an arrest was made by any officer on the call.
Note: This category should be added to all videos from the incident by the investigating detective whenever they place criminal charges or file a criminal complaint in a case.

**06-DUI (Manual retention) (*)**

Used for videos documenting an investigation or charge of DUI. Per KRS 189A.100, these recordings shall be considered as confidential records and shall be used for official purposes only.

**07-Homicide (Indefinite retention) (*)**

Used for videos documenting investigations of homicides.

Note: This category should be added to all videos from the incident by any detective investigating a homicide.

**08-Critical Incident/Response to Resistance/ (5 year retention)**

Additional category added to videos related to a critical incident, or involving any level of response to resistance. This should not be the only category assigned to a video.

Note: This category should be added by the supervisor or Public Integrity Unit employee who is investigating the critical incident, response to resistance.

**09-Informal Complaint (2 year retention)**

Additional category added to videos related to an informal complaint. This should not be the only category assigned to a video.

Note: This category should be added by the supervisor who is investigating the informal complaint.

**10-Formal Complaint (Manual retention)**

Additional category added to videos related to a formal complaint. This should not be the only category assigned to a video.

Note: This category should be added by the Public Integrity Unit employee investigating the formal complaint.

**11-Pending Litigation (Manual retention)**

Additional category added to videos related to potential pending litigation. This should not be the only category assigned to a video.

Note: This category should be added by the body-worn camera administrator at the request of the Office of the Chief of Police.

**12-Denied Open Records Request (Manual retention)**
Additional category added to all videos which have been denied release as part of an open records request. This should not be the only category assigned to a video.

Note: This category should be added by an Open Records Unit employee when they deny the release of the video.

**19-Emergency Response - Never Arrived (30 day retention) (*)**

Used for recordings of officers driving to a call they were not dispatched to and at which they never arrived. These videos will not be subject to the Officer Not on Call error. If the officer actually arrives at the call, they will be marked on the call and use another category.

**20-DOT Inspections (2 year retention) (*)**

Used for videos of DOT inspections to ensure the videos are retained for two years.

**31-Restricted (Manual retention)**

Additional category added to videos to restrict them from view by most users. Only authorized employees can view restricted videos.

**32-Redaction (Manual retention)**

Additional category added to videos which have been redacted in the currently approved storage solution. This should not be the only category assigned to a video.

Note: This category should be added by an Open Records Unit employee when they perform redactions using the currently approved storage solution.

**51-Training (Manual retention)**

Additional category added to videos which are approved for use as training tools. This should not be the only category assigned to a video.

Note: This category should be added by a Training Section employee when a video is approved for use as a training tool.

**52-CEW Logs (Manual retention)**

Used for Taser logs uploaded to the currently approved storage solution.

**53-Basic Training Academy (30 day retention)**

Used for videos created by recruit officers while attending the Basic Training Academy.

**General Information**

1. At least one of the categories with a red asterisk (*) must be chosen for every video. The category
with the longest retention will be used to determine how long to keep the video.

2. Videos with a manual retention need to be disposed of using the normal evidence disposal process. Officers will indicate in the Dispose section of the Property and Evidence Disposition Form (#320) that BWC video exists and needs to be disposed of.

3. Additional categories can be added in the currently approved storage solution. Use the search tools to find the videos to which categories need to be added. Check the appropriate videos and click the “Add Category” button. Select the proper category to be added and click “Update.”