



State of Connecticut

Police Officer Standards and Training Council Connecticut Police Academy



GENERAL NOTICE 15-05

To: Chief Law Enforcement Officers
Training Officers
Protective Services
Resident Troopers

From: Thomas E. Flaherty
Police Academy Administrator

Date: November 23, 2015

Subject: Council Action – Adoption of the Policy – “Use of Body Worn Cameras”
Pursuant to Public Act No. 15-4

At a Regular Meeting of the Police Officer Standards and Training Council on November 19, 2015, the Council adopted the attached Policy entitled “Policy – Use of Body Worn Cameras” pursuant to Public Act No. 15-4 which was jointly issued by the Commissioner of Emergency Services and Public Protection and the Police Officer Standards and Training Council “pertaining to the use of body-worn recording equipment, retention of data created by such equipment and methods for safe and secure storage for such data”.

Public Act No. 15-4 requires that “each law enforcement agency and any police officer and any other employee of such an agency who may have access to such data shall adhere to such” policy.

The POST Council has included with this General Notice, a copy of Public Act No. 15-4.

Section 1 of Public Act No. 15-4 requires among other things that “each police basic or review training program conducted or administered by the Division of State Police within the Department of Emergency Services and Public Protection, the Police Officer Standards and Training Council” or “a municipal police department in the state shall include” “training in the use of body-worn recording equipment and the retention of data created by such equipment”.



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Furthermore, Section 7 (4)(h) of Public Act No. 15-4 provides that “No police officer shall use body-worn recording equipment prior to being trained in accordance with section 1 of this act in the use of such equipment and in the retention of data created by such equipment, except that any police officer using such equipment prior to October 1, 2015, may continue to use such equipment prior to such training. A law enforcement agency shall ensure that each police officer such agency employs receives such training at least annually and is trained on the proper care and maintenance of such equipment.”

This policy can be found at the POST website www.ct.gov/post.

Questions or comments may be directed to my attention in writing either by e-mail or letter.



State of Connecticut

Police Officer Standards and Training Council

Connecticut Police Academy



Policy - Use of Body Worn Cameras

Department Issued or Approved Body-Worn Cameras

A. Purpose

1. The purpose of this policy is to set standards related to the use, management, storage and retrieval of digital multimedia video files stored on or generated from the use of department issued or approved body-worn cameras, including but not limited to:
 - a. Creating video and audio records to contribute to the accurate documentation of critical incidents, police-public contacts, crime and accident scenes, and arrests.
 - b. Preserving visual and audio information for use in current and future investigations in accordance with applicable guidelines referenced herein.
 - c. Capturing crimes in-progress, whether committed against the police officer or the community, and to preserve evidence for presentation in court.
 - d. Documenting police response to an incident.
 - e. Aiding in the documentation of victim, witness or suspect statements pursuant to an on-scene response and/or documentation of the advisement of rights, and consents to conduct a lawful search, when applicable.

2. The purpose of equipping police officers with issued or approved body-worn cameras is to assist in the following:
 - a. **Strengthening police accountability** by documenting incidents and encounters between officers and the public.
 - b. **Resolving officer-involved incidents and complaints** by providing an objectively independent record of events.
 - c. **Improving agency transparency** by allowing the public to see video evidence of police activities and encounters in accordance with applicable laws regarding public disclosure.
 - d. **Identifying and strengthening officer performance** by using footage for officer training and monitoring when appropriate and consistent with the law.



- e. **Improving evidence documentation** for investigation, prosecutions, and administrative reviews of employee performance and/or civil actions.

B. Policy

1. All department issued or approved body-worn camera equipment and media associated with the body-worn cameras, data, images, video/audio and metadata captured, recorded, or otherwise produced by the body-worn camera shall not be viewed, copied, released, disclosed, or disseminated in any form or manner outside the parameters of this policy pursuant to the department's FOI policy and practice.
2. This policy does not apply to or limit the use of in-car audio/video recording systems.
3. This policy does not govern the use of surreptitious/covert recordings devices used in undercover operations

C. Definitions

1. **Body-Worn Camera (BWC):** A body-worn camera is an "on-the-body" video and audio recording system worn by a police officer to capture digital multimedia evidence as an additional means of documenting specific incidents in the field in the course and scope of his/her police duties.
2. **Digital Multimedia Video Files (DMVF):** Digital multimedia files consist of all digital recordings, to include but not limited to audio, video, photographs, and their associated metadata. Metadata includes any digital identifiers that are captured as part of the actual recording, such as date/time, GPS coordinates, labeling, etc.
3. **Evidence Transfer Management (ETM):** ETM is the transfer of media from the body-worn camera to a secured server or other reliable secured storage source. The method of evidence transfer management for body-worn cameras shall be approved by the Chief of Police.

D. Procedures

1. **Beginning of the shift procedures**
 - a. Issued or approved body-worn cameras shall be used by the police officer while in the performance of his/her scheduled duties.
 - b. Issued or approved body-worn cameras shall be operated in accordance with the manufacturer's recommended guidelines, department training and department policies and procedures.
 - c. Prior to the beginning of each shift, the police officer issued or assigned a body-worn camera shall test and perform an inspection to ensure that the body-worn camera has a properly charged battery and is functioning correctly.

- (1) If problems are encountered with any component of the system, the body-worn camera shall not be used and the police officer shall arrange for repair or replacement through department established procedures. The Police Officer should be immediately provided a replacement BWC, when practicable.
 - (2) Malfunctions, damage, loss or theft of any issued or approved body-worn camera shall be immediately reported by the police officer to the on-duty shift supervisor or other responsible person as designated by the Chief of Police. The Police Officer should be immediately provided a replacement BWC, if practicable.
2. Use and activation of an issued or approved body-worn camera.
- a. Police officers issued or assigned a body-worn camera shall wear such camera on his/her outmost garment and shall position it above the midline of his/her torso when in use.
 - b. Police officers issued or assigned a body-worn camera shall activate the camera at the inception of the interaction with the public in a law enforcement capacity.
 - (1) For the purposes of this policy, "interacting with the public in a law enforcement capacity," means that a police officer is in personal contact with one or more members of the public, the purpose of which is to conduct a self-initiated investigation into, or to respond to a third-party complaint involving, the possible commission of any offense, violation or infraction.
 - (2) In addition, police officers shall record the following:
 - a. Vehicular pursuits;
 - b. Motorist assists;
 - c. The taking of statements from suspects, witnesses and victims;
 - d. The conducting of interviews with suspects, witnesses and victims;
 - e. Transportation and processing of prisoners;
 - f. Any incident or event not otherwise prohibited by this policy, which may be dangerous, unpredictable, or potentially useful for department training purposes;
 - g. Situations where a police officer, by reason of training and experience, determines that the incident should be documented on video.

Note: At no time shall police officers disregard officer safety or the safety of the public for the purpose of activating or utilizing the body-worn camera.

- c. Once the body-worn camera is activated for the purpose of documenting an interaction with the public in a law enforcement capacity, it should remain activated until the interaction with the public has concluded to ensure the integrity of the recording, except as otherwise provided for by law or by this policy.
 - (1) Additional police officers arriving on a scene that have been issued or assigned a body-worn camera shall also record the interaction with the public, and shall also continue to record until the completion of the incident.
 - (2) For purposes of this policy, conclusion of an interaction with the public occurs when a police officer terminates his/her law enforcement contact with a member of the public.
- 3. When an issued or approved body-worn camera is not to be activated or should be deactivated:
 - a. Except as otherwise required by this policy, no police officer shall use body-worn recording equipment to intentionally record:
 - (1) A communication with other law enforcement agency personnel, except as the officer performs his or her duties;
 - (2) An encounter with an undercover officer or informant;
 - (3) When an officer is on break or is otherwise engaged in a personal activity;
 - (4) A person undergoing a medical or psychological evaluation, procedure or treatment;
 - (5) Any person other than a suspect to a crime if an officer is wearing his/her issued or approved body-worn camera in a hospital or other medical facility setting; or
 - (6) In a mental health facility, unless responding to a call involving a suspect to a crime who is thought to be present in the facility.
 - (7) Any private conversation to which the officer is not a party: or
 - (8) Any telephonic conversation unless specifically authorized by law while in the performance of their official duties.
 - b. Deactivation of a body-worn camera under certain circumstances:
 - (1) Although generally, body-worn cameras should remain activated until the conclusion of an incident, police officers may consider requests to deactivate the body-worn camera should he/she determine that, based upon the circumstances; the investigation could be significantly hampered if the recording were to continue. Whenever possible, police officers should consult

with supervisors before making the decision to deactivate their body-worn camera.

- (2) Whenever possible, a police officer who deactivates the body-worn camera during the course of an event in which this policy otherwise requires recording, shall both record on the camera the reason for the interruption or termination of recording prior to deactivating the body-worn camera, and document such event in his/her report.

4. Malfunction of Body-Worn Camera

If any malfunctioning or unintentional failure to record in accordance with this policy occurs, the police officer shall document the reason and notify his/her supervisor regarding the lack of recording. Such documentation shall be in a manner determined by the Chief of Police.

5. End of Shift Procedures

- a. Police Officers shall ensure that all files from an issued or approved body-worn camera are securely downloaded and retained in accordance with section I of this policy, with sufficient frequency so as to ensure that there remains adequate data storage available for recording future incidents.
- b. Officers shall cause the recorded video to be stored, downloaded, transferred or otherwise saved and labeled or cataloged as evidence in the following circumstances:
 - (1) Any incident where an arrest is made or may be made, and/or a search is conducted;
 - (2) An event that captures an officer's reportable use of force in the discharge of his/her official duties;
 - (3) Any interaction with the public where the officer determines that it would be prudent to retain the recording for longer than the minimum retention period set forth in this policy.
 - (4) An event that is a major motor vehicle or criminal incident involving death, serious injury, or catastrophic property damage.

E. Training

No police officer shall use an issued or approved body-worn camera prior to being trained in accordance with statutes in the use of the equipment, and in the retention of data created by such equipment, except that any police officer using an issued or approved

body-worn camera prior to October 1, 2015, may continue to do so before undergoing such training. Every police officer must receive training on the proper care and maintenance of the equipment at least annually.

F. Responsibilities of Supervisory Personnel

1. Chief of Police

- a. The Chief of Police shall designate one or more department members to oversee and administer the storage and management of all digital multimedia video files generated by the use of issued or authorized body-worn cameras.
- b. The Chief of Police may authorize BWC policy that provides additional guidelines and training requirements not mandated by this policy, provided that it does not conflict with state or federal law or the provisions set forth in this policy.
- c.. The Chief of Police shall ensure the BWC data collection and storage is purged from the systems operation storage and/or software program in accordance with the State of Connecticut Library Records of Retention schedule and department policy.
- d. The Chief of Police shall ensure that body-worn camera video files that are subject to a preservation request or court order are appropriately catalogued and preserved.
- e. The Chief of Police shall approve the method of evidence transfer management (ETM) from the body-worn camera to a secured storage server, cloud, website or other secured digital media storage.

2. Supervisors

- a. Supervisors shall ensure that police officers equipped with issued or approved body-worn cameras are using the camera and audio in accordance with policy and procedures as defined herein.
- b. Supervisors shall periodically inspect issued or approved body-worn camera equipment assigned to police officers to ensure proper operability per testing protocols provided through training and manufacturer's recommendations.
- c. Supervisors or other persons designated by the Chief of Police may periodically review issued or approved body-worn camera recordings of traffic stops and citizen contacts in accordance with this policy as well as reports generated as a result of these incidents to:
 - (1) Ensure body-worn camera equipment is operating properly;
 - (2) Ensure that police officers are utilizing the body-worn cameras appropriately and in accordance with policies and procedures; and

(3) Identify any areas in which additional training policy revisions or guidance is required.

- d. Supervisors shall ensure that all body-worn camera video files are appropriately preserved in accordance with this policy.

G. Authorized Personnel Access to Uploaded Digital Multimedia Video Files

1. General access to digital multimedia video files shall be granted to authorized personnel only. Accessing, copying, or releasing any digital multimedia video files for other than official law enforcement purposes is strictly prohibited, except as otherwise required by state and federal statutes, policies and procedures.
 - a. The Chief of Police or his/her designee may review specific body-worn camera digital multimedia video files for the purpose of training, performance review, critique, early intervention inquiries, civil claims, administrative inquiry, or other articulable reason.
 - b. A police officer may review a recording from his or her body-worn recording equipment in order to assist such officer with the preparation of a report or otherwise in the performance of his or her duties.
 - c. If a police officer is giving a formal statement about the use of force, or if an officer is the subject of a disciplinary investigation in which a recording from body-worn recording equipment is being considered as part of a review of an incident, the police officer shall have the right to review such recording in the presence of the officer's attorney or labor representative. Further, such police officer shall have the right to review recordings from other police officers' body-worn recording equipment capturing the police officers' image or voice during the incident under review.
2. Under no circumstances shall any individual with access to body-worn camera media or data files be allowed to use, show, reproduce or release recordings for the purpose of ridicule or embarrassment of any police officer or individual, or for other non-law enforcement related purposes. This includes disclosure of any portion of a body-worn camera video file to a media organization unless such disclosure has been approved by the Chief of Police or his/her designee.
3. Digital multimedia video files may be reviewed by individuals other than the recording police officer in any of the following situations:
 - a. By a department member investigating or adjudicating a complaint regarding a specific act of officer conduct;
 - b. By technical support staff for purposes of assessing proper functioning of body cameras;

- c. By the Internal Affairs Unit or other Unit or person(s) designated by the Chief of Police, when participating in an official misconduct investigation concerning a specific act or officer conduct alleged in a complaint of misconduct;
- d. By a sworn law enforcement officer who is participating in a criminal investigation;
- e. By the Municipality's legal representative;
- g. Law enforcement personnel may review a recording from their own issued or assigned body-worn recording equipment in order to assist such officer in providing a statement as a witness to events which are the subject of a department internal administrative inquiry, including officer shooting investigations;
- h. By representatives of the Division of Criminal Justice, Municipal Attorneys, Office of the Attorney General, retained counsel and other representatives authorized by the municipality, such as municipal insurance carriers, in the course of their official duties; or
- i. By other department personnel as authorized by the Chief of Police or his/her designee.

H. Releasing or Duplicating Body-Worn Camera Recordings

1. Releasing Body-Worn Camera Digital Multimedia Video Files

Processing Freedom of Information Act (FOIA) requests:

All FOIA requests for body-worn camera digital multimedia video files shall be processed through the office of the Chief of Police or his/her designee.

2. Duplicating Body-Worn Camera Digital Multimedia Video Files

- a. When a police officer who is required to produce a digital multimedia video file pursuant to a subpoena or other court order, the Chief of Police or other designee shall arrange, prior to the date of the court appearance, for a copy of the required portion of the original video file to be duplicated.
- b. The original video file, as well as any duplicate copy, shall be held as evidence in accordance with this policy.

I. Storage and Retention

1. Digital multimedia video files shall be maintained in an approved storage location, such as a server, storage device, cloud storage, website or other approved secure storage media, authorized by the Chief of Police.
2. All digital multimedia video files shall be securely stored in accordance with state record retention laws and Department policy.
 - a. Digital multimedia video files not reproduced for evidentiary purposes or otherwise required to be preserved in accordance with this policy shall be maintained for a period of a minimum of ninety (90) days.
 - b. Digital multimedia video files shall be preserved while a case remains open and under investigation, or while criminal or civil proceedings are ongoing or reasonably anticipated, or in accordance with the State Records of Retention schedule, whichever is greater.
 - c. All other digital multimedia video files reproduced for evidentiary purposes or otherwise caused to be preserved shall be maintained for a minimum of four (4) years.
 - d. Digital multimedia video files shall be preserved in accordance with any specific request by representatives of the Division of Criminal Justice, Municipal Attorney, Officer of the Attorney General, retained counsel and other authorized claims representatives in the course of their official duties.
 - e. Digital multimedia video files shall be preserved in response to oral, electronic or written preservation requests from any member of the public where such requests indicate that litigation may be reasonably anticipated.
 - (1) All such preservation requests shall promptly be brought to the attention of the recipient's supervisor and the Municipal Attorney's office.

**House Bill No. 7103****June Special Session, Public Act No. 15-4****AN ACT CONCERNING EXCESSIVE USE OF FORCE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2015*) Each police basic or review training program conducted or administered by the Division of State Police within the Department of Emergency Services and Public Protection, the Police Officer Standards and Training Council established under section 7-294b of the general statutes or a municipal police department in the state shall include tactical training for police officers regarding the use of physical force, training in the use of body-worn recording equipment and the retention of data created by such equipment, and cultural competency and sensitivity and bias-free policing training.

Sec. 2. (NEW) (*Effective October 1, 2015*) Not later than January 1, 2016, each law enforcement unit, as defined in section 7-294a of the general statutes, shall develop and implement guidelines for the recruitment, retention and promotion of minority police officers, as defined in section 7-294a of the general statutes. Such guidelines shall promote achieving the goal of racial, gender and ethnic diversity within the law enforcement unit.

Sec. 3. (NEW) (*Effective October 1, 2015*) If a law enforcement unit serves a community with a relatively high concentration of minority residents, the unit shall make efforts to recruit, retain and promote minority police officers so that the racial and ethnic diversity of such unit is representative of such community. Such efforts may include, but are not limited to: (1) Efforts to attract young persons from the community such unit serves to careers in law enforcement through enrollment and participation in police athletic leagues in which police officers support young persons of the community through mentoring, sports, education and by fostering a positive relationship between such persons and police officers, the implementation of explorer programs and cadet units and support for public safety academies; (2) community outreach; and (3) implementation of policies providing that when there is a vacant position in such unit, such position shall be filled by hiring or promoting a minority candidate when the qualifications of such candidate exceed or are equal to that of any other candidate or candidates being considered for such position when such candidates are ranked on a promotion or examination register or list. For purposes of this section, "minority" means an individual whose race is defined as other than white, or whose ethnicity is defined as Hispanic or Latino by the federal Office of Management and Budget for use by the Bureau of Census of

the United States Department of Commerce.

Sec. 4. Section 51-277a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) Whenever a peace officer, in the performance of ~~[his]~~ such officer's duties, uses ~~[deadly]~~ physical force upon another person and such person dies as a result thereof, the Division of Criminal Justice shall cause an investigation to be made and shall have the responsibility of determining whether the use of ~~[deadly]~~ physical force by the peace officer was appropriate under section 53a-22. The division shall request the appropriate law enforcement agency to provide such assistance as is necessary to determine the circumstances of the incident.

(b) In causing such an investigation to be made, the Chief State's Attorney ~~[may,]~~ shall, (1) as provided in section 51-281, designate a prosecutorial official from a judicial district other than the judicial district in which the incident occurred to conduct the investigation, ~~or [may,] (2)~~ as provided in subsection (a) of section 51-285, appoint a special assistant state's attorney or special deputy assistant state's attorney to conduct the investigation. ~~[If the Chief State's Attorney designates a prosecutorial official from another judicial district or appoints a special prosecutor to conduct the investigation, the]~~ The Chief State's Attorney shall, upon the request of such prosecutorial official or special prosecutor, appoint a special inspector or special inspectors to assist in such investigation. ~~[Any person may make a written request to the Chief State's Attorney or the Criminal Justice Commission requesting that the Chief State's Attorney so designate a prosecutorial official from another judicial district or appoint a special prosecutor to conduct the investigation.]~~

(c) Upon the conclusion of the investigation of the incident, the division shall file a report with the Chief State's Attorney which shall contain the following: (1) The circumstances of the incident, (2) a determination of whether the use of ~~[deadly]~~ physical force by the peace officer was appropriate under section 53a-22, and (3) any future action to be taken by the Division of Criminal Justice as a result of the incident. The Chief State's Attorney shall provide a copy of the report to the chief executive officer of the municipality in which the incident occurred and to the Commissioner of Emergency Services and Public Protection or the chief of police of such municipality, as the case may be.

Sec. 5. (NEW) (*Effective October 1, 2015*) Each law enforcement unit, as defined in section 7-294a of the general statutes, shall create and maintain a record detailing any incident during which a police officer, as defined in section 7-294a of the general statutes, (1) uses physical force that is likely to cause serious physical injury, as defined in section 53a-3 of the general statutes, to another person or the death of another person, including, but not limited to, striking another person with an open or closed hand, club or baton, kicking another person or using pepper spray or an electroshock weapon on another person, or (2) discharges a firearm, except during a training exercise or in the course of dispatching an animal. Such record shall include, but not be limited to: The name of the police officer, the time and place of the incident, a description of what occurred during the incident and, to the extent known, the names of the victims and witnesses present at such incident.

Sec. 6. (NEW) (*Effective October 1, 2015*) (a) No law enforcement unit, as defined in section 7-294a of the general statutes, shall hire any person as a police officer, as defined in said section 7-294a, who was previously employed as a police officer by such unit or in any other jurisdiction and who (1) was dismissed for malfeasance or other serious misconduct calling into question such person's fitness to serve as a police officer; or (2) resigned or retired from such officer's position while under investigation for such malfeasance or other serious misconduct.

(b) Any law enforcement unit that has knowledge that any former police officer of such unit who (1) (A) was dismissed for malfeasance or other serious misconduct, or (B) resigned or retired from such officer's position while under investigation for such malfeasance or other serious misconduct; and (2) is an applicant for the position of police officer with any other law enforcement unit, shall inform such other unit of such dismissal, resignation or retirement.

(c) The provisions of this section shall not apply to any police officer who is exonerated of each allegation against such officer of such malfeasance or other serious misconduct.

(d) For purposes of this section, (1) "malfeasance" means the commonly approved usage of "malfeasance"; and (2) "serious misconduct" means improper or illegal actions taken by a police officer in connection with such officer's official duties that could result in a miscarriage of justice or discrimination, including, but not limited to, (A) a conviction of a felony, (B) fabrication of evidence, (C) repeated use of excessive force, (D) acceptance of a bribe, or (E) the commission of fraud.

Sec. 7. (NEW) (*Effective from passage*) (a) For purposes of this section and section 8 of this act:

(1) "Law enforcement agency" means the Division of State Police within the Department of Emergency Services and Public Protection, the special police forces established pursuant to section 10a-156b of the general statutes and any municipal police department that supplies any of its sworn members with body-worn recording equipment;

(2) "Police officer" means a sworn member of a law enforcement agency who wears body-worn recording equipment;

(3) "Body-worn recording equipment" means an electronic recording device that is capable of recording audio and video; and

(4) "Digital data storage device or service" means a device or service that retains the data from the recordings made by body-worn recording equipment using computer data storage.

(b) The Commissioner of Emergency Services and Public Protection and the Police Officer Standards and Training Council shall jointly evaluate and approve the minimal technical specifications of body-worn recording equipment that may be worn by police officers pursuant to this section and digital data storage devices or services that may be used by a law enforcement agency to retain the data from the recordings made by such equipment. Not later than January 1, 2016, the commissioner and council shall make such minimal technical

specifications available to each law enforcement agency in a manner determined by the commissioner and council. The commissioner and council may revise the minimal technical specifications when the commissioner and council determine that revisions to such specifications are necessary.

(c) (1) On and after July 1, 2016, each sworn member of (A) the Division of State Police within the Department of Emergency Services and Public Protection, (B) the special police forces established pursuant to section 10a-156b of the general statutes, (C) any municipal police department for a municipality that is a recipient of grant-in-aid as reimbursement for body-worn recording equipment pursuant to subparagraph (A) or (C) of subdivision (1) of subsection (b) of section 8 of this act or subdivision (2) of said subsection (b), and (D) any municipal police department for any other municipality that is a recipient of grant-in-aid as reimbursement for body-worn recording equipment pursuant to subparagraph (B) of subdivision (1) of said subsection (b) if such sworn member is supplied with such body-worn recording equipment, shall use body-worn recording equipment while interacting with the public in such sworn member's law enforcement capacity, except as provided in subsections (g) and (j) of this section.

(2) Any sworn member of a municipal police department, other than those described in subdivision (1) of this subsection, may use body-worn recording equipment as directed by such department, provided the use of such equipment and treatment of data created by such equipment shall be in accordance with the provisions of subdivisions (3) and (4) of this subsection, and subsections (d) to (j), inclusive, of this section.

(3) Each police officer shall wear body-worn recording equipment on such officer's outer-most garment and shall position such equipment above the midline of such officer's torso when using such equipment.

(4) Body-worn recording equipment used pursuant to this section shall conform to the minimal technical specifications approved pursuant to subsection (b) of this section, except that a police officer may use body-worn recording equipment that does not conform to the minimal technical specifications approved pursuant to subsection (b) of this section, if such equipment was purchased prior to January 1, 2016, by the law enforcement agency employing such officer.

(d) Except as required by state or federal law, no person employed by a law enforcement agency shall edit, erase, copy, share or otherwise alter or distribute in any manner any recording made by body-worn recording equipment or the data from such recording.

(e) A police officer may review a recording from his or her body-worn recording equipment in order to assist such officer with the preparation of a report or otherwise in the performance of his or her duties.

(f) If a police officer is giving a formal statement about the use of force or if a police officer is the subject of a disciplinary investigation in which a recording from body-worn recording equipment is being considered as part of a review of an incident, the officer shall (1) have the

right to review such recording in the presence of the officer's attorney or labor representative, and (2) have the right to review recordings from other body-worn recording equipment capturing the officer's image or voice during the incident.

(g) Except as otherwise provided by any agreement between a law enforcement agency and the federal government, no police officer shall use body-worn recording equipment to intentionally record (1) a communication with other law enforcement agency personnel, except that which may be recorded as the officer performs his or her duties, (2) an encounter with an undercover officer or informant, (3) when an officer is on break or is otherwise engaged in a personal activity, (4) a person undergoing a medical or psychological evaluation, procedure or treatment, (5) any person other than a suspect to a crime if an officer is wearing such equipment in a hospital or other medical facility setting, or (6) in a mental health facility, unless responding to a call involving a suspect to a crime who is thought to be present in the facility. No record created using body-worn recording equipment of an occurrence or situation described in subdivisions (1) to (6), inclusive, of this subsection shall be deemed a public record for purposes of section 1-210 of the general statutes. No record created by a police officer using body-worn recording equipment of (A) the scene of an incident that involves a victim of domestic or sexual abuse, or (B) a victim of homicide or suicide or a deceased victim of an accident, shall be subject to disclosure under the provisions of section 1-210 of the general statutes to the extent that disclosure of such record could reasonably be expected to constitute an unwarranted invasion of personal privacy.

(h) No police officer shall use body-worn recording equipment prior to being trained in accordance with section 1 of this act in the use of such equipment and in the retention of data created by such equipment, except that any police officer using such equipment prior to October 1, 2015, may continue to use such equipment prior to such training. A law enforcement agency shall ensure that each police officer such agency employs receives such training at least annually and is trained on the proper care and maintenance of such equipment.

(i) If a police officer is aware that any body-worn recording equipment is lost, damaged or malfunctioning, such officer shall inform such officer's supervisor as soon as is practicable. Upon receiving such information, the supervisor shall ensure that the equipment is inspected and repaired or replaced, as necessary. Each police officer shall inspect and test body-worn recording equipment prior to each shift to verify proper functioning, and shall notify such officer's supervisor of any problems with such equipment.

(j) Not later than January 1, 2016, the Commissioner of Emergency Services and Public Protection and the Police Officer Standards and Training Council shall jointly issue guidelines pertaining to the use of body-worn recording equipment, retention of data created by such equipment and methods for safe and secure storage of such data. Each law enforcement agency and any police officer and any other employee of such agency who may have access to such data shall adhere to such guidelines. The commissioner and council may update and reissue such guidelines, as the commissioner and council determine necessary. The commissioner and council shall, upon issuance of such guidelines or any update to such guidelines, submit such guidelines in accordance with the provisions of section 11-4a of the

general statutes to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety.

Sec. 8. (NEW) (*Effective January 1, 2016*) (a) The Office of Policy and Management shall, within available resources, administer a grant program to provide grants-in-aid to reimburse each municipality for the costs associated with the purchase by such municipality of body-worn recording equipment for use by the sworn members of such municipality's police department and digital data storage devices or services, provided such equipment and device or service conforms to the minimal technical specifications approved pursuant to subsection (b) of section 7 of this act. Any such municipality may apply for such grants-in-aid to the Secretary of the Office of Policy and Management in such manner as prescribed by said secretary. Such grants-in-aid shall be distributed as provided in subsection (b) of this section.

(b) (1) (A) Any municipality that purchased such body-worn recording equipment and digital data storage devices or services during the fiscal year ending June 30, 2017, shall be reimbursed for up to one hundred per cent of the costs associated with such purchases, provided the costs of such digital data storage services shall not be reimbursed for a period of service that is longer than one year, and provided further that such body-worn recording equipment is purchased in sufficient quantity to ensure that each sworn member of such municipality's police department is supplied with such equipment while interacting with the public in such sworn member's law enforcement capacity.

(B) Any municipality that purchased such body-worn recording equipment or digital data storage devices or services on or after January 1, 2012, but prior to July 1, 2016, shall be reimbursed for costs associated with such purchases, but not in an amount to exceed the amount of grant-in-aid such municipality would have received under subparagraph (A) of this subdivision if such purchases had been made in accordance with said subparagraph (A).

(C) Any municipality that was reimbursed under subparagraph (B) of this subdivision for body-worn recording equipment and that purchased additional body-worn recording equipment during the fiscal year ending June 30, 2017, shall be reimbursed for up to one hundred per cent of the costs associated with such purchases, provided such equipment is purchased in sufficient quantity to ensure that each sworn member of such municipality's police department is supplied with such equipment while interacting with the public in such sworn member's law enforcement capacity.

(2) Any municipality that was not reimbursed under subdivision (1) of this subsection and that purchased such body-worn recording equipment and digital data storage devices or services during the fiscal year ending June 30, 2018, shall be reimbursed for up to fifty per cent of the costs associated with such purchases, provided the costs of such digital data storage services shall not be reimbursed for a period of service that is longer than one year.

Sec. 9. (NEW) (*Effective October 1, 2015*) (a) For the purposes of this section, "peace officer" has the same meaning as provided in section 53a-3 of the general statutes, except "peace officer" does not include a special agent of the federal government or a member of a law enforcement unit of the Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of Connecticut.

(b) An employer of a peace officer who interferes with any person taking a photographic or digital still or video image of such peace officer or another peace officer acting in the performance of such peace officer's duties shall be liable to such person in an action at law, suit in equity or other proper proceeding for redress.

(c) An employer of a peace officer shall not be liable under subsection (b) of this section if the peace officer had reasonable grounds to believe that the peace officer was interfering with the taking of such image in order to (1) lawfully enforce a criminal law of this state or a municipal ordinance, (2) protect the public safety, (3) preserve the integrity of a crime scene or criminal investigation, (4) safeguard the privacy interests of any person, including a victim of a crime, or (5) lawfully enforce court rules and policies of the Judicial Branch with respect to taking a photograph, videotaping or otherwise recording an image in facilities of the Judicial Branch.

Approved July 6, 2015