

**To:** Legislative History File

**From:** Allyson Hicks, Director, University Regulations

**Date:** November 3, 2021

**Re:** Rule R1-011A Police Officer Body Worn Cameras

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## **Introduction and Background**

On July 16, 2021, Acting President Michael Good enacted Interim Rule 1-011A Police Officer Body-Worn Cameras. Based on feedback from various individual across campus, the Office of the Chief Safety Officer proposed substantive changes to the interim rule in the final rule. The final rule was approved by the Academic Senate on November 1, 2021 and is in effect as of November 1, 2021. This memo lists the key differences between Interim Rule R1-011A Revision 0 and Final Rule R1-011A Revision 1. This memo also includes a version of the final rule showing additions and deletions relative to the interim rule.

## **Key Differences between Interim Rule R1-011A (Revision #0) and Final Rule R1-011A (Revision #1).**

- Final rule establishes that body-worn cameras are only worn and used by University of Utah sworn police officers.
- Final rule provides that body worn cameras may not be used to gather intelligence information based on activities involving first amendment protected speech
- Final rule establishes that an officer shall ensure the officer's body-worn camera is recording at all times when the officer is engaged in a law enforcement-related encounter or activity and is not recording when the officer is not involved in a law enforcement-related encounter or activity
- Final rule requires an officer who is wearing a body-worn camera to give notice, when reasonable under the circumstances, to the occupants of a private residence or a health care provider present at a hospital
- Final rule requires an officer to deactivate a body-worn camera in a classroom environment while class is in session except in certain circumstances.
- Final rule allows an officer to mute the audio while continuing to record video if consulting with other officers or supervisors while engaging in a law enforcement-related encounter or activity
- Final rule amends when an officer is required to deactivates the officer's body worn camera while conducting a lethality assessment by

- Adding a victim of domestic violence to the list of types of victims to whom the provision applies
  - Requiring that the officer deactivate the camera if the victim believes that deactivating the camera will encourage complete an accurate information sharing.
- Final rule adds a requirement that the rule be reviewed by the chief safety officer at least annually in coordination with the Public Safety Advisory Committee, the Surveillance System Administrator Committee, and other campus community partners.

**~~Interim University~~ Rule R1-011A: Police Officer Body-Worn Cameras. Revision**

1. Effective date: November 1, 2021

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**I. ~~PURPOSE AND SCOPE~~Purpose and Scope**

~~The purpose of this interim~~

This rule ~~is to establish~~establishes policy and guidelines for the operation and use of officer body-worn ~~body~~-cameras. The purpose and organizational philosophy regarding deploying body-worn cameras on each uniformed police officer is to document and preserve incidents for investigations and prosecutions, promote officer safety, promote accountability, provide supportive documentation in complaints, further public trust, and improve training opportunities. Additional guidance regarding the use of body-worn cameras during the execution of a warrant is found in the Campus Safety Orders-Warrant Service Policy. ~~Body-~~Wornworn cameras have become industry standard for police officers. This ~~interim~~ rule is necessary to bring University Policy into compliance with the industry standard and to allow for the immediate deployment of the

~~department~~ University Police Department's body-worn cameras. This ~~interim~~ rule closely mirrors Utah state law requirements for body-worn cameras.

While the University will review recordings ~~will be reviewed~~ on a regular basis for quality assurance purposes regarding interactions with the public, and the recordings may be used for disciplinary purposes, discipline is not the primary purpose of deploying body-worn cameras. The video and audio recordings from body-worn cameras can be used by law enforcement to demonstrate transparency to their communities; to document statements, observations, behaviors, and other evidence; and to deter unprofessional, illegal, and inappropriate behaviors by both law enforcement and the public.

~~Personnel~~ Officers shall follow Utah ~~State~~ Code Section 77-7a-101 et seq. (Law Enforcement Use of Body-~~Worn~~ worn Cameras). University Safety policy does not supersede Utah law.

## II. ~~DEFINITIONS~~ Definitions

The definitions provided in Policy 1-011 apply for this rule. In addition, the terms below apply for the limited purpose of this rule.

- A. "Body-Worn Camera": Officer body-worn cameras ~~(BWCs)~~ are relatively small devices that are worn on the uniform of a ~~police~~ law enforcement officer or carried by the law enforcement officer and record interactions between community members (e.g., the public, suspects, and victims) and law enforcement officers. ~~The video and audio recordings from BWCs can~~ Body worn cameras shall only be issued to and used by ~~law enforcement to~~ demonstrate

~~transparency to their communities; to document statements, observations, behaviors, and other evidence; and to deter unprofessional, illegal, and inappropriate behaviors by both law enforcement and the public~~University of Utah sworn Police Officers.

- B. “Personal Recording Device”: Any recording device, not attached to a fixture, that is not a body-worn camera. These devices must be approved by the Chief of Police and the Director of Physical Security and Law Enforcement Technology.

\*The only personal recording device approved for use in U Safety is ~~the~~ department-issued ~~iPhone~~equipment.

- C. “Law Enforcement-Related Encounters~~Encounter~~ or Activities”: Include, but are not limited to, responding to calls for service, traffic stops, pedestrian/street stops (Terry Stops), arrests, searches, interrogations, investigations, use of force, execution of a warrant, pursuits, crowd control, traffic control, ~~non-community caretaking interactions~~ with an individual while on patrol, or any other instance in which the officer is enforcing the laws of the municipality, county, or state. The definition also includes any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording. This does **not** include when the officer is completing paperwork alone or only in the presence of another law enforcement officer. Law Enforcement-Related Encounters or Activities do not include University Police community building activities such as Coffee with a Cop, presentations, and community training opportunities.

1. Body worn cameras shall not be used to gather intelligence information based on activities involving first amendment protected speech, association, or religion or to record activity that is otherwise unrelated to a law enforcement encounter or activity.

- D. “Categorizing”: A method to mark and store a ~~BWG~~body-worn camera

recording for a specific purpose and period of time

E. “Body-Worn Camera Coordinator”: The ~~Chief of Police or the authorized designee shall designate this~~ individual who ~~will have the authorization and soleresponsibility for coordinating the following:~~

- ~~a. The security, storage, and maintenance of data and recordings~~
- ~~b. Accessing data and recordings~~
- ~~c. Logging or auditing access~~
- ~~d. Transferring, downloading, categorizing, or marking events~~
- ~~e. Initial and ongoing training for officers and supervisors in the use of~~coordinates body-worn cameras ~~and evidence~~as described in this rule.

F. “U Safety Members or “Members”: Staff members of the University of Utah Safety Department which ~~includes~~include:

1. Chief Safety Officer
2. Office of the Chief Safety Officer
3. Community Services Division
4. Campus Security Division
5. Emergency Management Division
6. U Health Security Division
7. University Police
8. Emergency Communications Division

G. Officer: A sworn member of the University of Utah Police Department, who is POST (Peace Officer Standards and Training) certified, regardless of whether the officer is assigned to a uniformed or nonuniformed position.

### III. Rule

A. ~~WHEN CAMERAS MUST BE RECORDING~~ When Cameras Must Be Recording

~~1. When going on duty and off duty, an officer who is issued a body-worn camera or a department-approved personal recording device shall record the officer's name, identification number, and the current time and date, unless the information is already available due to the functionality of the body-worn camera.~~

~~1. 2. Cameras must be~~ An officer shall ensure that the officer's body-worn camera is recording at all times when the officer is ~~in uniform and is responding to calls for service or~~ engaged in any law enforcement-related encounter or activity. The officer shall ensure that the camera continues recording ~~shall continue~~ in an uninterrupted manner until after the conclusion of ~~an~~ the law enforcement-related encounter ~~/ or~~ activity, unless an interruption is otherwise permitted by this policy rule.

a. ~~(a)~~ If exigent circumstances exist ~~which~~ that prevent the officer from activating the officer's body-worn camera ~~from being turned on~~, the officer shall activate the body-worn camera ~~must be turned on~~ as soon as practicable.

b. ~~(b)~~ At no time is ~~a member~~ an officer expected to jeopardize their safety in order to activate a body-worn camera (Utah Code Section 77-7a-102). However, the officer shall activate the body-worn camera ~~should be activated~~ prior to any law enforcement-related ~~activity or~~ encounter or activity, or as soon as reasonably possible (Utah Code 77-7a-104).

c. ~~(c) Officer-worn body cameras may be turned off~~ An officer may deactivate a body-worn camera when the officer is inside of a patrol car ~~which~~ that is equipped with a functioning in-car camera; however, the officer ~~must turn on~~ shall activate the camera upon exiting the patrol vehicle for a law enforcement-related ~~encounters~~ encounter or activity.



2. When going on duty and off duty, an officer using a department-approved personal recording device shall record the officer's name, identification number, and the current time and date. An officer utilizing a body-worn camera does not need to record this information unless the information is not automatically available due to the functionality of the body-worn camera, such as a personal recording device.

3. An officer with a body-worn camera shall give notice, when reasonable under the circumstances:

a. to:

i. the occupants of a private residence, including University housing, in which the officer enters and in which a body-worn camera is in use; or

ii. a health care provider present at a hospital, a health care facility, human service program, Or a health care provider's clinic in which the officer enters and in which a body-worn camera is in use;

b. Either by:

i. wearing a body-worn camera in a clearly visible manner; or

ii. giving an audible notice that the officer is using a body-worn camera. (Utah Code Section 77-7a-105).

4. ~~3. Officers~~ An officer shall ~~terminate~~ deactivate the ~~use of their~~ officer's body-worn camera while inside a hospital, health care facility, human service program, or the clinic of a health care provider **except** in the following situations (Utah Code Section 77-7a-~~104(11)(b)~~ 104):

a. ~~(a)~~ All enforcement and investigative contacts including stops and field interview situations

~~(b) Traffic stops including, but not limited to, traffic violations, stranded motorist assist and all crime interdiction stops~~

- b. ~~(e)~~ Self-initiated activity in which ~~a member~~ the officer would normally notify U Safety Dispatch
- c. ~~(e)~~ Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording
- d. ~~(e)~~ Any use of force
- e. ~~(f)~~ Dispatched calls for service
- f. ~~(g)~~ Execution of a warrant (*Utah Code Section 77-7a-103; Utah Code Section 77-7a-104*)

5. An officer shall deactivate the officer's body-worn camera while in a classroom environment while class is in session, except in the following situations:

- a. All enforcement and investigative contacts including stops and field interview situations
- b. Self-initiated activity in which the officer would normally notify U Safety Dispatch
- c. Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording
- d. Any use of force
- e. Dispatched calls for service
- f. Execution of a warrant

B. ~~CESSATION OF RECORDING (NOT RECORDING)~~ Cessation of Recording (Not Recording)

- 1. ~~Recording~~ An officer may ~~be stopped~~ deactivate a body-worn camera during significant periods of inactivity such as report writing or other breaks from

direct participation in ~~the incident~~ a law enforcement-related encounter or activity, including consultation with a supervisor or other officer (Utah Code 77-7a-104).

2. When engaging in a law enforcement-related encounter or activity, if consulting with other officers or supervisors, the officer may mute the audio recording but shall continue to record video footage until the consultation is complete, at which time the officer shall activate audio recording. An officer should note on the audio recording that the audio is being muted and related justification as well as note in their report that the audio recording was muted and the related justification.
3. ~~2-~~Officers shall remain sensitive to the dignity of all victims and witnesses being recorded and exercise sound discretion to respect privacy ~~by discontinuing recording.~~ During a conversation with a victim of crime, a witness of a crime, or an individual who wishes to report or discuss criminal activity an officer may deactivate the officer's body-worn camera if ~~an~~ the individual who is the subject of the recording requests that the recording be stopped, and it reasonably appears to the officer that such privacy may outweigh any legitimate law enforcement interest in recording. ~~Recording should resume~~ An officer shall activate the officer's body-worn camera when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.
4. ~~3-Officers~~ An officer shall ~~stop recording~~ deactivate the officer's body-worn camera when speaking with a victim of a sexual offense or domestic violence if the officer is conducting a lethality assessment, and either the victim or the officer believes that deactivation of the body-worn camera will encourage complete and accurate information sharing by the victim or it is otherwise necessary to protect the safety/identify of the victim. The officer ~~shall activate the officer's~~ body-worn camera ~~must be reactivated~~ as soon as reasonably possible after the evidence-based lethality assessment is

complete.

- ~~5.~~ ~~4.~~—Unless impractical or impossible ~~the~~an officer ~~should~~shall record a request to deactivate the officer’s body-worn camera (Utah Code Section 77-7a-104)

C. ~~CRIMINAL AND ADMINISTRATIVE USE OF RECORDINGS~~Criminal and Administrative Use of Recordings

1. Access to a recording made on a body-worn camera is limited to the individuals and purposes described in this rule.
- ~~2.~~ ~~1.~~—~~Access to recordings for the purpose of review and tagging shall be extended to all police~~Police supervisors (Sergeant, Lieutenant, Captain, Deputy Chief, Chief) and investigators may access body-worn camera recordings for purposes of reviewing and categorizing the recordings.
3. ~~2.~~—Supervisors shall categorize a body-worn camera ~~footage~~recording as “evidentiary” in the following situations:
- a. ~~(a) It contains footage that~~the recording can be used in an investigation;  
or
- b. ~~(b) Captures~~the recording captures a confrontational encounter between an officer and a member of the public.
4. ~~3.~~—~~Videos~~A recording that ~~do~~does not contain evidence or ~~capture~~a recording that captures a routine, non-confrontational encounter, ~~should be considered~~ is “non-evidentiary” or a “non-event” and ~~do~~does not require ~~categorization~~categorizing by a supervisor.
- ~~4.~~—~~Recordings shall not be used to discipline law enforcement officers unless:~~
- ~~(a) A formal or informal complaint of misconduct has been made~~
  - ~~(b) A use of force incident has occurred~~
  - ~~(c) The encounter on the recording could result in an investigation of~~

~~misconduct which may be the basis for filing charges seeking removal, discharge, or suspension~~

~~5. Recorded files may also be reviewed in the following circumstances:~~

~~(a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.~~

~~(b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.~~

~~(c) By department media personnel with permission of the~~

5. Any access to recorded footage shall be logged automatically, including name of person accessing, and time/date of access. The Body-worn Camera Coordinator shall conduct regular periodic monthly audits to ensure that any access is appropriate. In the event there is evidence of inappropriate access, the Body-worn Camera Coordinator shall send notice to the Chief of Police and Chief Safety Officer or the authorized designee.

~~(d) In compliance with a public records request, if permitted, and in accordance with the Records Release and Security Policy for review.~~

6. Any access to or use of a body-worn camera ~~footage recording~~, outside of a legitimate law enforcement purpose, shall comply with the requirements of the University's Building Access and Surveillance Systems Policy 3-234, specifically Sections III. C. 2. b.(ii), c., g., h., and i.

D. ~~DATA STORAGE AND RETENTION OF RECORDINGS~~ Data Storage and Retention of Recordings

1. All recordings from body-worn cameras or personal recording devices shall be stored via secure storage through a vendor meeting at least minimum standards of privacy and encryption acceptable in the industry.

~~2. All recordings shall be retained for a period consistent with the requirements of the established records retention schedule and as required by any applicable federal, state, and local law (Utah Code 77-7a-107).~~

2. ~~3.~~ Officers shall follow proper procedure to ensure proper retention of body-worn camera recordings.
3. ~~4.~~ Any time an officer records any portion of a contact that the ~~member~~officer reasonably believes may constitute evidence in a criminal case, the ~~member~~officer shall record the related case number and transfer the file in accordance with current procedure and document the existence of the recording in the related case report
4. ~~5. Transfers~~ An officer should ~~occur~~ transfer body-worn camera recordings at the end of the officer's shift, or earlier if at any time the storage capacity on the officer's body-worn camera is nearing its limit.
5. ~~6.~~ Any time an officer reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the officer should promptly notify a supervisor of the existence of the recording.
6. ~~7.~~ All recordings shall be retained for a period consistent with the requirements of the established records retention schedule and as required by any applicable federal, state, and local law (Utah Code Section 77-7a-107), and consistent with the requirements of the ~~organization~~ Department's records retention schedule, but in no event for a period less than 90 days. ~~Footage is retained~~ The University shall retain recordings from body-worn cameras according to the following schedule:

  - a. ~~•~~ Uncategorized: 90 days
  - b. ~~•~~ Aggravated Assault, Criminal Felony, Homicide, Rape, Sexual Assault, Pending Review: Indefinite
  - c. ~~•~~ Citizen Contact: 180 days
  - d. ~~•~~ Civil Problem: 1 year
  - e. ~~•~~ Criminal Misdemeanor: 2 years

f. ~~•~~ Felony: 5 years

g. ~~•~~ Traffic Stop: ~~90~~180 Days

h. ~~•~~ Welfare Check: 1 year

7. ~~8.~~ The Department shall maintain storage of body-worn camera recordings in a system that does not allow deletion, editing or modification of any stored footage or recording. Editing any video or audio recording from a body-worn camera, with the intent to remove any part of an incident is strictly forbidden. (Utah Code Section 77-7a-106)

E. ~~EQUIPMENT MAINTENANCE, INSPECTION, AND PLACEMENT~~ Body-worn Camera Coordinator

1. The chief of police or the authorized designee shall designate a body-worn camera coordinator who will have the authorization and sole responsibility for coordinating the following:

a. The security, storage, and maintenance of data and recordings

b. Accessing data and recordings

c. Auditing access to and use of body-worn camera recordings

d. Transferring, downloading, categorizing, or marking events on recordings

e. Initial and ongoing training for officers and supervisors in the use of body-worn cameras and evidence

F. Equipment Maintenance, Inspection, and Placement

1. Prior to going into service, each uniformed officer who has been issued a body-worn camera or a ~~department issued iPhone, will be responsible for inspecting~~ personal recording device, shall inspect the body-worn camera or

personal recording device, making sure that it is in good working order with a fully charged battery.

2. If the ~~equipment~~ body-worn camera or personal recording device is not in good working order or the officer becomes aware of a malfunction at any time, the officer shall promptly report the failure to their supervisor and obtain a functioning body-worn camera or personal recording device as soon as reasonably practicable.
3. The supervisor shall remove the malfunctioning body-worn camera or personal recording device from service and contact the department's technology staff.
4. ~~Officers~~ An officer shall ~~adhere to the following dimensions for placement of the~~ wear a body-worn camera (BWC):

~~(a) From~~ on the ~~center of the sternum, no more than four (4) inches to the right or left~~ officer's upper torso, facing forward, in a plainly visible location.

~~(b) No higher than four (4) inches below the top button of the uniform shirt~~

~~(c) No lower than six (6) inches below the top button of the uniform shirt with the camera facing forward~~

~~(d) Temporary exemptions to the placement of the BWC in accordance with this policy shall be submitted in the form of a uniform exception and may only be authorized by the rank of Lieutenant or above~~

- a. ~~(e) Personal video~~ recording devices used for law enforcement purposes ~~(department issued I-phones)~~ must be visible to the person being recorded except in the circumstance of a clandestine investigation activity.

## ~~F.~~ **PERSONAL RECORDING DEVICES**

- b. An officer may request a temporary exemption to the required placement of a body-worn camera through a uniform exception. A supervisor with



the rank of Lieutenant or above may authorize temporary exemptions to the placement of a body-worn camera.

### G. Personal Recording Devices

1. Any officer assigned to a non-uniformed position may carry ~~a BWC or a~~ department-approved personal recording device (for example, a department-issued ~~phone~~iPhone) any time the officer believes that such a device may be useful. Any officer who uses a personal-recording device for agency-related activities shall comply with the provisions of this ~~general order~~rule, including retention and release requirements, and shall notify the on-duty supervisor of such use as soon as reasonably practicable.

### ~~G. DOCUMENTATION AND REPORTING~~

### H. Documentation and Reporting

1. Officers shall document the existence or lack of a recording in any report or other official record of ~~the contact~~a law enforcement-related encounter or activity, including:
  - ~~(a) Any~~ any instance ~~where~~ in which:
    - a. the officer failed to record ~~an incident~~a law enforcement-related encounter or activity;
    - b. ~~(b) At~~the officer's body-worn camera or personal recording device malfunctioned; or
    - c. ~~(c) The~~the officer deactivated the body-worn camera.
2. Officers must include the reason for any failure to activate, or the deactivation of a body-worn camera or personal recording device (Utah Code Section 77-7a-104).

3. ~~All~~ An officer shall download all recordings of a law enforcement-related encounter or activity with a BWC body-worn camera or a personal recording device ~~must be downloaded by the officer~~ at the end of their assigned shift unless an exception is authorized by a supervisor.

## ~~H.~~ **DOCUMENTED REVIEW OF CAMERA-CAPTURED DATA**

### I. Documented Review of Camera-Captured Data

1. ~~Inspections of all BWC~~ A sergeant shall inspect body-worn camera footage for police officers ~~will take place by~~ who report to that ~~officer's~~ Sergeant sergeant on a bi-weekly basis. The intent of inspections is to ensure officers are complying with ~~BWC policy~~ this rule.
2. ~~These~~ A sergeant shall document these inspections ~~will be~~ electronically ~~documented~~ (i.e. email) and ~~sent~~ send the documentation to the Lieutenant within their chain-of-command.
3. ~~The~~ A sergeant shall include in the electronic documentation ~~shall include, but not be limited to~~ at a minimum:
  - a. ~~(a)~~ The name of the officer
  - b. ~~(b)~~ The date and time of the ~~recorded video~~ recording that was reviewed and/or associated case number
  - c. ~~(c)~~ Comments and/or recommendations.

## ~~I.~~ **PRIVACY EXPECTATION**

### J. Privacy Expectations

1. ~~Officers shall~~ A member may not surreptitiously record another department member with a body-worn camera, personal recording device, or other

portable audio/video recorder without a court order.

2. Officers ~~shall~~may not record another member of the University community except in the context of a law enforcement-related encounter or activity.
3. All recordings made by Officers on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, ~~shall remain~~are the property of the ~~Department~~department. Officers shall have no expectation of privacy or ownership interest in the content of these recordings.

#### **J. ~~USE NEAR EXPLOSIVE DEVICE~~**

##### **K. Use Near Explosive Device**

1. Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, ~~these devices should not be used~~an officer shall remove the officer's body-worn camera when in an area where an explosive device may be present, and is not required to record a law enforcement-related encounter or activity.

#### **K. ~~PROHIBITED USE OF PORTABLE RECORDERS~~**

##### **L. Prohibited Use of Body-Worn Cameras or Portable Recording Devices**

1. Members are prohibited from using ~~department-issued portable recorders~~body-worn cameras or personal recording devices and recording media for personal use and are prohibited from making personal copies of recordings created while on duty or while acting in their official capacity. Members may not alter or delete a recording captured on a ~~portable~~

~~recorder~~ personal recording device or body-worn camera (Utah Code 77-7a-106).

2. Members ~~are also prohibited from retaining~~ may not retain recordings of activities or information obtained while on duty, whether the recording was created with a body-worn camera or department- issued or personal recording device.
3. ~~Members~~ A member shall not duplicate ~~or~~ , distribute ~~such~~ , or display recordings, except for authorized legitimate department business purposes.
- ~~4. All such recordings shall be retained at the Department (Utah Code 77-7a-106).~~
4. ~~5. Recordings shall not be used by any~~ A member may not use a recording from a body-worn camera or other recording of activities of information obtained while on duty for the purpose of embarrassment, harassment, or ridicule.

~~L. TRAINING~~  
~~Officers will be trained~~

M. Training

1. Each officer shall receive training in operation of the body-worn cameras and personal recording devices prior to ~~their issuance and use~~ being issued a body-worn camera or personal recording device. Police supervisors will have training available which will be conducted by University Police and the Director of Physical Security and Law Enforcement Technology, regarding the operation of the system. Those supervisors ~~that~~ who are required to use and interact with the system shall receive the training.

~~M. RELEASE OF AUDIO/VIDEO RECORDINGS~~

Requests

N. Release of Audio/Video Recordings

1. The department shall process requests for the release of audio/video recordings ~~shall be processed~~ in accordance with the Records Maintenance and Release Policy.

~~N. REVIEW OF RECORDED MEDIA FILES~~

O. Review of Recorded Media Files

1. When preparing written reports, members should review their recordings as a resource.
2. Members ~~shall~~may not retain personal copies of recordings.
3. Members ~~shall~~may not use the fact that a recording was made as a reason to write a less detailed report.
4. Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing ~~the~~a member's performance.
5. Recorded files may also be reviewed for the following purposes:
  - a. ~~(a)~~ Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation
  - b. ~~(b)~~ Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case
  - c. ~~(c)~~ By media personnel with permission of the Chief Safety Officer or the ~~authorized~~Chief Safety Officer's designee

- d. ~~(e)~~ In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy
- e. In particular cases with educational or training significance, pursuant to department training protocol with permission of the recording officer, Chief of Police and Chief Safety Officer along with appropriate redactions of the identities of individuals recorded on audio or video in the footage. Such use shall be logged and included in the monthly audits performed by the Body-worn Camera Coordinator.
6. ~~All recordings should be reviewed by the~~The University Police GRAMA Coordinator or designee shall review a recording from a body-worn camera or personal recording device prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy ~~or sense of dignity~~ should not be publicly released unless disclosure is required by law or by order of the court, with appropriate redactions.

P. Review and Revision

1. This rule shall be reviewed by the Chief Safety Officer or designee at least annually. This review and any revisions shall be done in coordination with the Public Safety Advisory Committee (PSAC), Surveillance System Administrator Committee (SSAC) as well as other campus community partners. The rule shall also be revised for compliance purposes should statutory or other regulatory changes require.

*\*\*User Note: Parts IV-VII of this Regulation (and all other University Regulations) are Regulations Resource Information – the contents of which are not approved by the Academic Senate or Board of Trustees, and are to be updated from time to time as determined appropriate by the cognizant Policy Officer and the Institutional Policy Committee, as per Policy 1-001 and Rule 1-001.\*\**

**IV. ~~[[Policies]/ [Rules]], Procedures, Guidelines, formsForms and other related resourcesRelated Resources~~**

**A. Policies/Rules.**

1. Policy 1-011: Campus Security

2. ~~A.~~ Policy 3-234: Building Access and Surveillance Systems

**B. Procedures, Guidelines, and Forms.**

**C. ~~B.~~ Other Related ReferencesResources.**

1. The Commission on Accreditation of Law Enforcement Agencies, Standard 41.3.8

2. Campus Safety Supplemental Rules

a. ~~•~~ Warrant Service Policy

b. ~~•~~ Records Maintenance and Release Policy

**V. References**

A. Utah Code Title 77, Chapter 7a, Law Enforcement Use of Body-Wornworn Cameras,

B. Utah Code ~~Ann. 77-7a-101 et seq~~ Title 63G, Chapter 2, Government Records and Management Act

~~B. GRAMA, Utah Code Ann. 63G-2-101 et seq.~~

**VI. Contacts:**

The designated contact officials for this Regulation are:

~~C. Policy Officer: Chief Financial Officer~~

A. ~~D.~~ Policy Owner (primary contact person for questions and advice): Chief Safety Officer

~~These officials are designated by the University President or delegee, with assistance of the Institutional Policy Committee, to have the following roles and authority, as provided in University Rule 1-001:~~

~~"A 'Policy Officer' will be assigned by the President for each University Policy, and will typically be someone at the executive level of the University (i.e., the President and his/her Cabinet Officers). The assigned Policy Officer is authorized to allow exceptions to the Policy in appropriate cases...."~~

~~"The Policy Officer will identify an "Owner" for each Policy. The Policy Owner is an expert on the Policy topic who may respond to questions~~

~~about, and provide interpretation of the Policy; and will typically be someone reporting to an executive level position (as defined above), but may be any other person to whom the President or a Vice President has delegated such authority for a specified area of University operations. The Owner has primary responsibility for maintaining the relevant portions of the Regulations Library... [and] bears the responsibility for determining which reference materials are helpful in understanding the meaning and requirements of particular Policies... ." University Rule 1-001-III-B & E~~

B. Policy Officers: Chief Financial Officer

See University Rule 1-001 for information about the roles and authority of policy owners and policy officers.

**VII. History** ~~This~~

Renumbering Not Applicable

Revision History.

A. Current version. Revision 1.

1. Approved by -- Academic Senate November 1, 2021, with effective date of November 1, 2021.

2. Legislative History for current version.

Editorial Revisions: [reserved]

B. Past versions.

1. Interim Rule R1-011A.

a. Legislative History for Revision 0: The Interim Rule was put into effect on July 16, 2021 by University Interim President Michael Good. The Interim Rule was required in order to comply with Utah law and best practices for body-worn cameras. ~~It will remain in effect until approved by the Senate~~

b. Legislative History for Revision [[##]].



