

FACT SHEET

Attorney General's Statewide Policy for Body-Worn Cameras

To encourage and guide the growing deployment of body cameras, Acting Attorney General Hoffman is issuing a statewide policy that will promote best practices and uniformity in using the devices. In drafting the policy, the Attorney General's Office analyzed policies in use in municipalities in New Jersey and other states, studied materials from the Police Executive Research Forum, and hosted a conference in April for police departments already using body cameras or making plans to deploy them, which was attended by eight police departments.

Body cameras offer promise to promote accountability of both police and civilians, to enhance evidence collection, and to reduce the number and cost of citizen complaints and internal affairs investigations. At the same time, body cameras raise significant privacy concerns. Moreover, it is critical to balance the benefits of recording evidence that might help solve a crime and prosecute an offender against the costs if a victim or witness is chilled from providing an officer with information because of the camera.

The new directive, which governs police departments statewide that decide to deploy body cameras, establishes foundational requirements while allowing individual police departments to tailor policies to local needs. Police departments are expressly authorized to impose additional requirements beyond – but not inconsistent with – those established in the directive. Some primary features of the Attorney General's policy are as follows:

- **Activation.** The policy lists activities during which body cameras must be activated, including traffic stops, witness interviews, custodial interrogations, protective frisks, searches and arrests. Body cameras must be kept on during deadly force incidents and related on-scene investigations.
- **De-activation and Disclosure.** The policy prohibits use of a body camera where it would expose an undercover officer or confidential informant. It limits and imposes strict requirements on recording in a private home, school, hospital or place of worship unless responding to a crime or emergency. The policy provides special protections to crime victims and children. It requires police departments to take reasonable steps to inform the public that they are using body cameras and requires officers to be truthful if asked if they are using a body camera. If an officer activates a camera in a person's home or when interacting with a crime victim anywhere, the officer must tell the person about the camera. An officer may de-activate a camera if needed to secure cooperation from a person who requests it, but must document the reasons.
- **Retention and Logging.** The policy requires police departments to adopt systems to ensure secure retention of camera footage; to prevent tampering or deletion; to restrict access to appropriate persons and purposes; and to document all instances when footage is accessed.