



Body Worn Camera Recordings

It is the policy of the Las Vegas Metropolitan Police Department (LVMPD) to allow for inspection and copying of public records in its possession. As a police department, LVMPD has in its possession many records that in whole or in part are confidential by law. Requests for copies of video from Body Worn Cameras (BWC) present a unique challenge in determining whether the requested record is public. Further challenges arise when confidential material is contained within the recording. It is the policy of LVMPD to balance the interests of individuals who seek access to BWC records with individual privacy rights and applicable confidentiality laws.

The LVMPD Program Management and Video Bureau is responsible for the operations and management of the department's BWC program. Part of that management responsibility is receiving, processing and fulfilling requests for inspection and possible copying of BWC recordings.

REQUESTS

Requests to inspect BWC recordings can be made in writing, in person, or telephonically. All requests, regardless of how they are received, must be documented on an LVMPD Body Worn Camera Video Public Records Request form which is available on our website, here: [Body-Worn Camera Video Public Records Request](#). The form is necessary to ensure accuracy, accountability, and timely responses. Requestors can download, complete and submit this form through email or standard mail. Requestors may also come to LVMPD Headquarters to fill out the form in person. Finally, requestors may contact the LVMPD BWC Manager by phone and submit a request via voice mail. This request must contain all the same information on it as the on-line form. Specific instructions on the entire request process are detailed on the request form. It may be necessary for the BWC Manager to contact the requestor for clarification or to discuss refinement of the scope of the request. Nevada law provides that requestors limit their requests to a specific incident (see Nevada Assembly Bill 162, Regular Session, NV 2015). Additionally, Nevada law provides that BWC recordings that contain confidential information that cannot be redacted only be available for inspection.

BWC recordings that are evidence in an ongoing investigation, judicial or administrative proceeding, are not public records until either the matter is concluded or, in the case of a criminal proceeding, the evidence is submitted in a public forum (filed with the court or submitted in open court). Such recordings will not be released until they become public.

Due to the likelihood of confidential information being contained within a BWC recording and LVMPD's inability to pre-screen all responsive video, it is LVMPD's policy to require requestors to inspect requested video prior to requesting copies. Pursuant to NRS 239.0107, within 5 business days of receiving a request for a public record, the office will:

- Allow the requestor to inspect the responsive record, or
- Notify the requestor that the office does not possess a record responsive to the request, or
- Notify the requestor that inspection of the record is not available within 5 business days and provide a date and time after which the record will be available to inspect, or
- Notify the requestor that the record is confidential and cite the legal authority to deny the request.

Generally, the department will be able to grant the requestor the right to inspect a recording that is a public record within 5 days. The determination of whether a copy may be made may take longer due to the technical aspects of redacting personal or law enforcement sensitive material from the recording. This processing time may be reduced significantly if the scope of the request is reduced during the inspection process.

A fee will be charged for the processing of a recording to redact confidential information. The fee is \$48.00 per hour. No fee will be charged for the research, preparation of a video for inspection, or for the actual inspection. See "Payments" section for more details on the payment process.

The BWC Dissemination Manager is responsible for these operations and can be reached at:

Mailing and Physical Address:

LVMPD BWC Manager
Bldg. B, 3rd Floor
400 S. Martin L. King Blvd
Las Vegas, NV 89106

Email: BWCRecordsRequest@lvmpd.com
Phone: (702) 828-8947

PROCEDURES

LVMPD acknowledges that Nevada public records laws do not require a requestor of a public record to state the purpose of the inspection. However, whether a document is confidential and/or requires redaction may depend on the identity of the requestor. To timely process requests and ensure that privacy rights, confidentiality laws, and laws regarding the release of criminal history are complied with, the Department has classified requestors into three general categories. These categories are:

1. Media
2. Involved Citizens (may include attorney representatives with letters of representation and client authorization)
3. General Public

Each group necessitates slightly different procedures. These procedures are outlined below by category.

1. Media.

- a. Requests BWC recording by submitting a written request as outlined in the Requests section above through the Department's Office of Public Information ("PIO").
- b. Generally, media will be granted inspection rights in a timely manner if the recording is not otherwise confidential by law.
- c. Will be contacted by the BWC Manager within 5 days to discuss the request and arrange an appointment to inspect the recording.
- d. Comes to LVMPD Headquarters to view the recording. This will occur in the presence of the BWC Manager in a designated and controlled room with video surveillance. No electronic equipment, including cellular phones will be allowed in the recording room. No recording of the BWC footage will be allowed. Viewing time may be limited due to Department staffing and/or other logistical issues.
- e. Requests a copy of the recording, if needed, on the previously submitted records request form or amends the request, if applicable, based on inspection of the footage. Copies may not be completed within 5 days based on scope of request. Requests for footage that is shorter in duration or scope may be fulfilled quicker.
- f. Receives a cost estimate from the BWC Manager for the requested recording. Signs an authorization to proceed and pays the estimated payment prior to processing.
- g. Returns to LVMPD Headquarters to pick up recording when it is ready to be released. Receives a refund if processing time was less than estimated or pays the difference if the processing time was greater than estimated.

2. Involved Citizens.

"Involved citizen" refers to a citizen who had direct and primary interaction with an officer wearing a BWC. It may also include counsel retained by an Involved Citizen if a letter of representation is presented by a Nevada licensed attorney. It does not apply to witnesses, bystanders, relatives, or other citizens with no connection to the event.

- a. Requests BWC recording by submitting a written request as outlined in the Requests section above.
- b. Will be contacted by the BWC Manager within 5 days to discuss request and arrange an appointment to inspect the recording.
- c. Comes to LVMPD Headquarters to view the recording. This will occur in the presence of the BWC Manager in a designated and controlled room with video surveillance. No electronic equipment, including cellular phones will be allowed in the recording room. No recording of the BWC footage will be allowed. Viewing time may be limited due to Department staffing and/or other logistical issues.
- d. Requests a copy of the recording, if desired, on the previously submitted records request form or amends the request, if applicable, based on inspection of the footage. Involved Citizens may request that their confidential information not be redacted. Such requests will be referred to the LVMPD Office of General Counsel for evaluation. Copies may not be completed within 5 days depending on duration and scope.
- e. Receives a cost estimate from the BWC Manager for the requested recording. Signs an authorization to proceed and pays the estimated payment prior to processing.
- f. Returns to LVMPD Headquarters to pick up recording when it is ready to be released. Receives a refund if processing time was less than estimated or pays the difference if the processing time was greater than estimated.

3. General Public

- a. Requests BWC recording by submitting a written request as outlined in the Requests section above.
- b. Will be contacted by the BWC Manager within 5 days to discuss request and arrange an appointment to inspect the recording. Individual appointments will be limited to 4 hour blocks per day. Viewing time may be additionally limited due to Department staffing and/or other logistical issues.
- c. Comes to LVMPD Headquarters to view the recording. This will occur in the presence of the BWC Manager in a designated and controlled room with video surveillance. No electronic equipment, including cellular phones will be allowed in the recording room. No recording of the BWC footage will be allowed.
- d. Verifies that the recording meets the specifications of the request. Requests a copy of the recording, if desired, on the previously submitted records request form or amends the request, if applicable, based on inspection of the footage. Copies may not be completed within 5 days depending on duration and scope.
- e. Receives a cost estimate from the BWC Manager for the requested recording. Signs an authorization to proceed and pays the estimated payment prior to processing.
- f. Returns to LVMPD Headquarters to pick up recording when it is ready to be released. Receives a refund if processing time was less than estimated or pays the difference if the processing time was greater than estimated.

PAYMENTS

Full payment of the estimated fee is required before any records will be processed and provided. Payment can be made in cash, money order, or cashier's check (Payable to the Las Vegas Metropolitan Police Department). Debit and credit card payments are not possible at this time. Differences in the final cost from

the estimated cost will be collected prior to receipt of the recording and refunds will be mailed to the requestor.

OTHER REQUESTS FOR BWC RECORDINGS

Dissemination of recordings pursuant to a criminal court proceedings will be handled by the Clark County District Attorney's Office or the City of Las Vegas Criminal Attorney's Office. Dissemination of recordings pursuant to a filed lawsuit or claim made against LVMPD will be handled by the LVMPD Office of General Counsel.