

Burlington Police Commission

Body-Worn Camera Footage Release Policy

Adopted August 24, 2021

1. The Burlington Police Department will proactively release to the public primary or representative body-worn camera footage within 30 days of an incident, unless a criminal inquiry would prevent release, related to the following types of incidents:
 - a. An incident that involves police use of force resulting in serious bodily injury or death to any person.
 - b. An incident of discretionary police use of force that involves the use of aerosol agents, Conducted Electrical Weapons (CEW), police batons, Less Lethal Impact Munition (LLIMs), firearms, or other lethal force.
 - c. Any incident for which the Chief of Police, Mayor and/or the majority of the Police Commission determines that the release of body-worn footage will address significant public attention or concern, or will help enforce the law, preserve the peace, and/or maintain public order.
2. In some rare cases, a release may be delayed beyond 30 calendar days if necessary under specific circumstances, such as to protect individual privacy of a victim or witness, the right to a fair trial, continuing investigation of criminal conduct, ongoing litigation related to an incident, or a continuing internal investigation. The Department may consult with a prosecutor before releasing a video that may adversely impact a criminal trial.
3. Before release, certain portions of camera footage may be redacted to protect the identity of victims and witnesses, the personal privacy of individuals, or a defendant's right to a fair trial. In most cases, this can be done by blurring the footage or redacting audio so that that individuals or personal spaces cannot be identified. Generally, redactions will be limited to those necessary to protect important interests. Some examples include:
 - Footage that shows the interior of an individual's home, particularly personal spaces such as bedrooms or bathrooms.
 - The face or other identifying features of a witness to an incident.
 - The injuries or identifying features of a victim of a crime.
 - Identifying information concerning a juvenile.
 - Statements made by a witness that may affect the accused's right to a fair trial in a pending criminal matter.

Relevant body camera footage will be posted to a YouTube channel and sent to the media through a routine press release.

4. The Commission shall re-visit this policy in April 2022 to evaluate and assess implementation.